

By: Peggy Horton
Introduced: December 2, 2024
Public Hearing: December 16, 2024
Postponed to: January 6, 2025
Postponed to: January 20, 2025
Action: Adopted

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 24-33**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH MSB 17.17 - DENALI STATE PARK SPECIAL LAND USE DISTRICT FOR THE CONSTRUCTION AND OPERATION OF AN RV CAMPGROUND RESORT WITHIN THE PARK'S BOUNDARIES. THE PROPERTY IS LOCATED AT MILEPOST 135.7 PARKS HIGHWAY, 4852 NORTH PARKS HIGHWAY, TAX ID #U04998000L02-4.

WHEREAS, Tim Alley, P.E., submitted an application for a conditional use permit under MSB 17.17-Denali State Park Special Land Use District to operate a commercial RV campground resort with related amenities within the southern half of an 85-acre parcel at mile 135.7 of the North Parks Highway; and

WHEREAS, the proposed use is located within the Denali State Park Special Land Use District, where a private campground with related commercial uses requires a conditional use permit to operate; and

WHEREAS, the proposed use is located in the southern part of an 85-acre parcel situated east of the Chulitna River and west of the North Parks Highway; and

WHEREAS, the proposed commercial use is located at milepost 135.7 of the North Parks Highway; and

WHEREAS, according to the application material, the proposed amenities include a convenience store, gift shop, viewing deck, tent camping, cabins, RV parking facilities, a dump station, a river access ramp, and a helipad; and

WHEREAS, the surrounding area has a mixture of public facilities, residential, recreational, and commercial uses; and

WHEREAS, according to the application material, the maximum height of any proposed structure on the property is approximately 34 feet above finished grade; and

WHEREAS, according to the application material, the subject property has 2,650 feet of frontage on the North Parks Highway right-of-way; and

WHEREAS, according to the application material, no structures are planned to be built within 75 feet of the North Parks Highway right-of-way; and

WHEREAS, according to the application material, natural vegetation will be left in place within the 50-foot buffer of the North Parks Highway right-of-way; and

WHEREAS, according to the application material, the applicant plans to revegetate the 50-foot buffer along the North Parks Highway on both sides of the entrance drive; and

WHEREAS, according to the application material, the existing and proposed structures meet the setback requirements of MSB 17.17.110 and MSB 17.55; and

WHEREAS, the site plan shows the setbacks to the property lines, rights-of-way, and waterbodies; and

WHEREAS, according to the application material, four of the cabins are situated near the 10-foot setback from the property line, with their foundations positioned behind the setback while their decks extend into the setback area; and

WHEREAS, according to the application material, the decks on those cabins shall be elevated no more than 18 inches above average grade; and

WHEREAS, the definition of "Structure" in MSB 17.17.030(B)(49) clarifies that decks situated less than 18 inches above the average grade are not classified as structures for minimum setback purposes; and

WHEREAS, according to the application material, the sign identifying the development to North Parks Highway travelers will be placed on the property close to the resort entrance; and

WHEREAS, according to the application material, the sign shall not exceed 32 square feet in area; and

WHEREAS, according to the application material, no portable, flashing, rotating, or intermittent lighted signs will be constructed; and

WHEREAS, the application includes elevation drawings and other details regarding the proposed sign; and

WHEREAS, the application includes a photograph of the proposed sign location, along with an image showing how the sign will be positioned; and

WHEREAS, the subject parcel is located between the Chulitna River to the west and the Parks Highway to the east. To the northeast lies a residential use and a stretch of state-owned, undeveloped land. The surrounding area to the east, southeast, and southwest is composed of State of Alaska land, including the Kesugi Ken Campground and portions of the state park's trail system. Directly south of the subject parcel is a 56-acre privately owned undeveloped tract, while the State of Alaska Denali View South wayside is located further south; and

WHEREAS, according to the Denali State Park Management Plan, the Park covers 324,240 acres and is located adjacent to the southeast corner of Denali National Park & Preserve; and

WHEREAS, the closest residential use is over 2,000 feet away from the proposed commercial use; and

WHEREAS, according to the Denali State Park Management Plan, the Park offers a wide range of recreational opportunities, such as camping, fishing, hunting and trapping, wildlife viewing, rafting, and hiking; and

WHEREAS, Denali View South is a state rest area that provides a viewpoint of Denali. It is located at mile 135.2, approximately half a mile south of the subject parcel.; and

WHEREAS, K'esugi Ken Campground is a state campground located about 0.7 miles southeast of the subject property. It is accessible via a one-mile road from the Parks Highway and offers cabins for rent, as well as RV and tent camping spaces; and

WHEREAS, McKinley View Lodge, a private lodge that offers accommodations and a restaurant, is located approximately 1.6 miles south of the subject parcel; and

WHEREAS, Mt. McKinley Wilderness Princess Lodge, a private lodge with rooms and a restaurant, is situated about 3.5 miles south of the subject parcel; and

WHEREAS, Byers Lake Campground, a state campground accommodating RVs and tents, is located approximately 11 miles north of the subject property; and

WHEREAS, according to the application material, the proposed use is a private campground with related amenities; and

WHEREAS, according to the application material, the applicant plans to create 40 RV camping sites, 14 duplex cabins, and a designated area for tent camping, divided into two phases; and

WHEREAS, according to the application material, Phase One will include the development of the upper level closest to the Parks Highway; and

WHEREAS, according to the application material, the cabins, tent camping area, and river access are planned for construction in Phase Two; and

WHEREAS, according to the application material, the proposed helipad is located approximately 250 feet southwest of the proposed convenience store, 250 feet from the proposed viewing deck, over 300 feet from the nearest proposed cabin, and over 400 feet from the proposed RV parking spaces; and

WHEREAS, according to the application material, the proposed helipad is situated approximately 13 feet below highway elevation and about 320 feet west of it. A 50-foot-wide vegetative buffer will visually screen the helipad from the Parks Highway; and

WHEREAS, according to the application material, the helipad will operate from May 15 to September 15, with hours from 9 a.m. to 5 p.m.; and

WHEREAS, according to the application material, the site will limit proposed helicopter tours to one per hour and no more than eight per day; and

WHEREAS, according to the application material, helicopter flights will utilize the airspace generally above the Chulitna River for flights into and out of the Park; and

WHEREAS, according to the application material, helicopters will not fly into or out of the subject property from the east, over adjacent inholdings, or the K'esugi Ken Campground; and

WHEREAS, according to the application material, the campground is intended to be open year-round, with some areas being seasonal, May 15 through October 15; and

WHEREAS, according to the application material, camping and cabin rentals will be limited to a maximum of 30 days; and

WHEREAS, according to the application material, the convenience store will be open from 8 a.m. to 8 p.m. year-round, and the site reservation office will be open from 8 a.m. to 8 p.m. in the summer and 9 a.m. to 5 p.m. in the winter; and

WHEREAS, according to the application material, the upper RV campground will offer dry camping, cabin stays, parking for snowmachines, and winter sports between October 15 and May 15; and

WHEREAS, according to the Denali State Park Management Plan, snowmachines are allowed on state lands with adequate snow cover but may be restricted in certain areas or at certain times. Existing park regulations generally prohibit summer off-road vehicle use; and

WHEREAS, according to the application material, special events and gatherings will be allowed in the lower area, keeping in mind the noise requirements; and

WHEREAS, according to the application material, bear-proof trash receptacles will be located throughout the site. These receptacles will be emptied daily into bear-proof dumpsters, which will be emptied as needed; and

WHEREAS, according to the application material, the drainage plan includes a 100-foot buffer next to the unnamed creek. This area contains existing vegetation that will be preserved to absorb and mitigate the runoff flowing from the north side of the internal road system; and

WHEREAS, according to the application material, the peak PM hour trip generation is estimated at 29 vehicles per hour, based on the International Transportation Engineering Trip Generation Manual (ITE) guidance for a Campground/RV park (ITE Code 416); and

WHEREAS, according to the application material, with the additional amenities provided at the resort, the applicant estimates that the site will generate an average of 200 vehicles per day and no more than 40 peak-hour trips; and

WHEREAS; according to the application material, the project will stabilize areas that were previously degraded by gravel extraction, remediating the environment and enhancing the site's overall beauty and ecological integrity; and

WHEREAS, according to the application material, the project emphasizes the retention of existing trees and natural vegetation, particularly within the required setbacks from the Parks Highway and along the Chulitna River, which helps maintain the site's outdoor recreation feel and the state park's natural aesthetic; and

WHEREAS, according to the application material, the design of the campground and cabins is intended to reflect a rustic and recreational feel that aligns with the natural surroundings; and

WHEREAS, the campground provides diverse recreational facilities, such as RV sites, cabins, and tent camping areas, which promote outdoor activities and encourage visitors to engage with the natural environment, thereby fostering a greater appreciation for Denali State Park; and

WHEREAS, the campground incorporates sustainable design principles, such as waste management and stormwater management systems, which minimize environmental impacts and promote the health of the surrounding ecosystems; and

WHEREAS, the applicant provided information fulfilling the requirements of this chapter pertaining to the conditional use permit; and

WHEREAS, according to the application, the water and wastewater systems will be constructed according to Alaska Department of Environmental Conservation (ADEC) standards and permitted through ADEC; and

WHEREAS, the Alaska Department of Transportation and Public Facilities (ADOT&PF) stated the applicant will need to apply for an Approach Road Review for access to the North Parks Highway. The North Parks Highway is classified as an Interstate, and changes to Interstate access require review and concurrence from the Federal Highway Administration; and

WHEREAS, the Alaska Department of Fish and Game (ADF&G) stated that a habitat permit would be required for the construction and operation of a bridge to cross the unnamed stream and a gravel boat ramp to access the Chulitna River; and

WHEREAS, the proposed commercial structures will require a fire and life safety review through the Alaska Fire Marshal's office; and

WHEREAS, the Department of Natural Resources (DNR) Division of Parks and Outdoor Recreation (DOPR) stated that two permits are relevant to this project: Special Use Permits for non-commercial activities and Commercial Use Permits for commercial operations. The applicant stated that they would work with DNR to obtain all necessary permits; and

WHEREAS, the MSB Department of Public Works (DPW) is satisfied with the access point and drainage plan as shown in the current application; and

WHEREAS, according to the application material, drainage swales and culverts will divert much of the site runoff to an on-site drainage basin and existing vegetation before draining to the unnamed creek or Chulitna River; and

WHEREAS, according to the application material, the drainage basin will be sized to capture the increase in runoff from a 10-year 24-hour storm event, approximately 0.48 cubic feet per second; and

WHEREAS, according to the application material, if the on-site drainage basin exceeds its capacity, the overflow will run

through existing vegetation before entering the on-site creek and then into the Chulitna River; and

WHEREAS, according to the application material, the proposed river access will be restricted to foot traffic only, and a boating safety plaque will be installed near the access point; and

WHEREAS, according to the application material, management staff, including security, will be on-site 24 hours a day, year-round; and

WHEREAS, the application material included information from a Federal Highway Administration article, "Living with Noise," by Chris Corbisier, published in Public Roads, July/August 2003, volume 67. The article states that Interstate highways typically generate noise between 70 and 80 decibels at 50 feet from the highway; and

WHEREAS, according to the article "Living with Noise," 70 decibels is comparable to the sound of a gas lawn mower from a distance of 30 meters (approximately 100 feet). In comparison, 80 decibels is similar to the noise level of a busy urban area during the daytime; and

WHEREAS, the Federal Aviation Administration (FAA) regulates noise from aircraft, including helicopters, while they are in the air; and

WHEREAS, according to the application material, the proposed helipad is situated approximately 13 feet below highway elevation and about 320 feet west of it. A 50-foot-wide vegetative buffer will visually screen the helipad from the Parks Highway; and

WHEREAS, according to the application material, the helipad is meant for medical emergencies and guided tours by a third-party helicopter tour operator; and

WHEREAS, according to the application material, the helipad will be equipped with a 1,000-gallon above-ground fuel storage tank with secondary containment approved by the National Fire Protection Association (NFPA); and

WHEREAS, according to the application material, a Hazardous Material Control Plan for fuel storage will be developed and filed at the check-in office; and

WHEREAS, according to the application material, state-mandated fire extinguishers will be maintained within 50 feet of the fuel tank; and

WHEREAS, according to the application material, the operation will implement a bear awareness program that includes informational pamphlets and briefings at the check-in station for all visitors, detailing requirements for food and garbage storage to minimize attraction to bears; and

WHEREAS, according to the application material, the operation will place bear warning signs at the bridge leading to the tent campground and at the river access point; and

WHEREAS, according to the application material, the staff will be trained to handle encounters with bears or any other wildlife in the area; and

WHEREAS, according to the application material, the management staff will update campers regarding fire bans enacted by the State or local fire officials; and

WHEREAS, the applicant has demonstrated responsibility in applying for the development permit and identifying the necessity for additional state and federal permits. Notably, state agencies have been engaged throughout this process, ensuring the project remains on their radar; and

WHEREAS, complaints received by the borough of violations of any state or federal requirements will be forwarded to the appropriate agency for enforcement; and

WHEREAS, Denali State Park is carefully managed by state agencies. The state's oversight reduces the risk of non-compliance and ensures all necessary permits are thoroughly reviewed and obtained prior to use; and

WHEREAS, according to the application material, the convenience store and gift shop have 11 parking spaces, including two American with Disabilities Act (ADA) spaces with an adjacent access aisle; and

WHEREAS, according to the application material, the commercial buildings are connected by ADA-compliant sidewalks with a minimum width of 5 feet; and

WHEREAS, according to the application material, tour bus parking will be situated near the viewing deck; and

WHEREAS, according to the application material, the applicant plans to create additional parking spaces near the RV camping area, in front of each duplex cabin, and near the trail to the tent camping areas; and

WHEREAS, according to the application material the subject property is owned by Yolanda D'Oyen, a private individual.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby adopts the aforementioned findings of fact and makes the following conclusions of law supporting approval of Planning Commission Resolution 24-33:

1. The proposed commercial use requires a Conditional Use Permit (MSB 17.17.060(A)(5)).

2. The proposed commercial use will be developed in accordance with the building height requirements (MSB 17.17.090).

3. The proposed commercial use will be developed within a lot that meets the lot area standard (MSB 17.17.100).

4. The proposed commercial use will be developed in accordance with the setback and vegetation buffer requirements (MSB 17.17.110, MSB 17.17.120, and MSB 17.55).

5. The proposed signage will be constructed and installed in accordance with the signage requirements (MSB 17.17.130).

6. The proposed commercial use does not detract from the value, character, or integrity of Denali State Park (MSB 17.17.180(A)(1)).

7. The application material meets the requirements of this chapter pertaining to a commercial land use within the Denali State Park (MSB 17.17.180(A)(2)).

8. The proposed commercial use will not be harmful to public health, safety, convenience, and welfare (MSB 17.17.180(A)(3)).


9. The proposed commercial use provides sufficient access, setbacks, lot area, parking space, buffers, and other safeguards to meet the standards (MSB 17.17.180(A)(4)).

BE IT FURTHER RESOLVED, the Planning Commission finds this application meets the standards of MSB 17.17 and does hereby approve the conditional use permit for a commercial use within the Denali State Park Special Land Use District, with the following conditions:

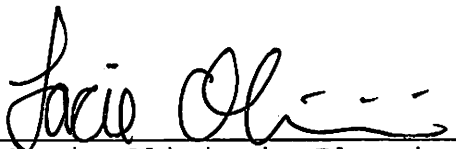
1. The operation must acquire a borough bed tax account before operating any accommodations that require bed tax collection, such as wall tents, cabins, or rooms for rent (MSB 3.32.020).
2. The operation shall comply with all applicable federal, state, and local regulations.
3. The applicant must provide MSB planning staff with evidence that they have obtained the required approvals, permits, or reviews for this development prior to Phase I operations. These include:
 - a. Fire and Life Safety Review from the Alaska State Fire Marshal
 - b. Driveway Permit and Approach Road Review from the Alaska Department of Transportation
 - c. Approval to Construct and Approval to Operate from the Alaska Department of Environmental Conservation for water

- d. Approval to Construct and Approval to Operate from the Alaska Department of Environmental Conservation for wastewater
4. Additionally, the applicant must provide MSB planning staff with evidence that they have obtained the required permits for this development prior to Phase II operations as outlined in the application. These include:
 - a. Commercial Use Permit from the Alaska Department of Natural Resources
 - b. Fish Habitat Permit from the Alaska Department of Fish and Game
5. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
6. The operation shall comply with the maximum permissible sound level limits per MSB 8.52–Noise, Amplified Sound, and Vibration.

ADOPTED by the Matanuska-Susitna Borough Planning Commission on this 20th day of January 2025.

For  _____
C.J. Koan, Chair

ATTEST



Lacie Olivieri, Planning Clerk

(SEAL)



YES: Koan, Scoggin, Glenn, McCabe, Collins
NO: 0