

Submitted by: Chair Dunbar at the Request of the Mayor
Prepared by: Municipal Clerk's Office and Planning Department
For reading: January 15, 2019

**ANCHORAGE, ALASKA
AR No. 2019-17**

1 **A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING**
2 **A MARIJUANA LICENSE AND SPECIAL LAND USE PERMIT FOR AK SLOW**
3 **BURN CANNABIS OUTLET, LLC, A MARIJUANA CULTIVATION FACILITY**
4 **WITH LICENSE NUMBER M10898, DOING BUSINESS AS AK SLOW BURN**
5 **CANNABIS OUTLET, AND LOCATED AT 2042 E. 3rd AVE, SUITE A.**

6
7 (Mountain View Community Council) (Case 2018-0022)
8

9 **THE ANCHORAGE ASSEMBLY RESOLVES:**

10
11 **Section 1.** The approvals in sections 2 and 3 of this resolution are for AK Slow
12 Burn Cannabis Outlet, LLC a marijuana cultivation facility with municipal license
13 number M10898, doing business as AK Slow Burn Cannabis Outlet, located at 2042
14 E. 3rd Avenue, in the B-3 district, within Lots 1 and 12, Block 26-B, Fourth Addition;
15 generally located southwest of the intersection of E. 3rd Avenue and Unga Street, in
16 Anchorage.

17
18 **Section 2.** The application submitted for the requested marijuana establishment
19 license generally meets the applicable provisions of Anchorage Municipal Code
20 (AMC) chapter 10.80. A marijuana cultivation facility license is hereby approved for
21 AK Slow Burn Cannabis Outlet, subject to the following conditions pursuant to AMC
22 section 10.80.015:

- 23
24 1. The licensee and his/her agents and employees shall conform to the
25 narrative submitted with the license/special land use permit
26 application, as modified by this resolution, and with all applicable
27 portions of Anchorage Municipal Code.
28
29 2. All licensees, employees, and agents of the marijuana establishment
30 who sell, cultivate, manufacture, test, or transport marijuana or
31 marijuana product, or who check the identification of a consumer or
32 visitor, shall obtain a marijuana handler permit from the Alaska
33 Marijuana Control Board (AMCO). The marijuana handler permit shall
34 be kept in the holder's immediate possession or a valid copy shall be
35 kept on the premises of the marijuana establishment at all times.
36

37 **Section 3.** The application submitted for the requested special land use permit
38 for marijuana generally meets the applicable provisions of AMC section 21.03.105
39 and AMC section 21.05.055. A special land use permit for a marijuana cultivation
40 facility is hereby approved for AK Slow Burn Cannabis Outlet, subject to the
41 following conditions pursuant to AMC subsection 21.03.020M.:
42

1. All uses shall conform to the plans and narrative submitted with the license/special land use permit application, as modified by this resolution, and with all applicable portions of Anchorage Municipal Code, and may be modified in accordance with AMC subsection 21.03.105C.9.
2. A notice of zoning action shall be filed with the State of Alaska Recorder's Office before operation of the establishment.
3. The establishment shall be open for inspection and examination by the municipality during municipal business hours and establishment business hours.
4. The premises shall be ventilated so that the odor of marijuana cannot be detected at any lot line by a person with a normal sense of smell. Violation could lead to a requirement to increase air filtering and/or change the ventilation location in the establishment.
5. The Conditions Certificate, issued by the Planning Department and containing conditions imposed by the Assembly on this special land use permit, shall be displayed in a visible location near the main entrance at all times.
6. The licensee or a designated employee shall keep written records (downwind location; distance from facility; time; odor intensity) of weekly outdoor odor observations made on the property in order to detect odor breakthrough and to aid in any odor complaint investigations.
7. In accordance with AMC 21.05.055B.1.b.iv., operation of this marijuana cultivation facility is contingent upon the continued approval of the attached and collocated marijuana retail sales establishment. In the event that a state or municipal license or the municipal special land use permit is revoked or not renewed for the attached and collocated marijuana retail sales establishment, the municipal license and special land use permit for this cultivation establishment shall immediately become null and void, and this cultivation establishment shall immediately cease operations.
7. Resolve with the Municipal Traffic Engineering Department the parking lot layout, design, signage, and required pedestrian amenities for Lots 1 and 12, Block 26-B, Fourth Addition, as shown in the submitted site plan.
8. Resolve with Municipal Light & Power (ML&P), the need to complete necessary upgrades to ML&P's equipment to sufficiently supply the intended load.

Section 4. The conditions contained in this resolution shall be met and shall be verified by inspection before the marijuana establishment can begin operations.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Section 5. Failure to comply with the conditions of this license and special land use permit and the applicable provisions of Anchorage Municipal Code shall constitute grounds for modification or revocation of the license and/or the special land use permit.

Section 6. The marijuana license approved in section 2 above expires on August 31, 2019. An application to renew the marijuana license may be submitted in accordance with AMC section 10.80.036. The special land use permit for marijuana approved in section 3 above is valid until it expires in accordance with AMC subsection 21.03.105C.10.

Section 7. In accordance with AMC subsection 10.80.061B., the Municipal Clerk shall, upon approval of this municipal marijuana establishment license and fulfillment of the conditions in Section 2 and verification pursuant to Section 4, provide written notification to the AMCO that the protest is lifted.

Section 8. This resolution shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2019.

Chair

ATTEST:

Municipal Clerk



MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM 48-2019

Meeting Date: January 15, 2019

1 **From:** MAYOR

2
3 **Subject:** A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY
4 APPROVING A MARIJUANA LICENSE AND SPECIAL LAND USE
5 PERMIT FOR AK SLOW BURN CANNABIS OUTLET, LLC, A
6 MARIJUANA CULTIVATION FACILITY WITH LICENSE NUMBER
7 M10898, DOING BUSINESS AS AK SLOW BURN CANNABIS
8 OUTLET, AND LOCATED AT 2042 E. 3rd AVE, SUITE A.
9

10
11 AK Slow Burn Cannabis Outlet has applied for a cultivation facility license and
12 special land use permit. The facility is proposed to be located at 2042 E. 3rd Ave
13 in the Mountain View Community Council.
14

15 The applicant has successfully completed their public notice requirements, and
16 on November 28, 2018, the Planning Department mailed 97 public hearing
17 notices to residents and property owners within 500 feet of the site of the
18 proposed facility.
19

20 The Municipal Clerk's office and the Planning Department have reviewed the
21 application against the requirements of Anchorage Municipal Code (AMC)
22 chapter 10.80, AMC section 21.03.105, and AMC section 21.05.055 and
23 considered any comments received from various reviewing agencies, the
24 community council, and the public. Staff has determined that the applicant is
25 generally in compliance with municipal code with the conditions recommended in
26 the Assembly Resolution.
27

28 **THE ADMINISTRATION RECOMMENDS APPROVAL.**

29
30 Prepared by: Ryan Yelle, Senior Planner
31 Approved by: Michelle McNulty, Director, Planning Department
32 Concur: Christopher M. Schutte, Director
33 Office of Economic and Community Development
34 Concur: Rebecca A. Windt Pearson, Municipal Attorney
35 Concur: William D. Falsey, Municipal Manager
36 Respectfully submitted: Ethan A. Berkowitz, Mayor
37



Municipality of Anchorage, Clerk's Office
Code Compliance Checklist
Commercial Marijuana Establishment Application

Applicant: AK Slow Burn Cannabis Outlet, LLC
Establishment Type: Cultivation
Other licenses at this address: AK Slow Burn Cannabis Retail #M10245

License #: M10898
Public Hearing Date: January 15, 2019

Address: 2042 E 3rd Ave., Ste. A

Other License Types Applied For: Retail #M10245, Retail #11731
Community Council: Mountain View

Code Citation and Topic	Compliance Information	Complies	Recommended Condition
All Establishments			
10.80.010 License restrictions	Application complies with license restrictions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10.80.021 No licensee owes past-due taxes, fees, or fines to the MOA	No taxes, fees, or fines are owed.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10.80.700 Marijuana handler permit	All licensees, employees and agents will have handler permit.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	All licensees, employees, and agents of the marijuana establishment who sell, cultivate, manufacture, test, or transport marijuana or marijuana product, or who check the identification of a consumer or visitor, shall obtain a marijuana handler permit from the Marijuana Control Board. The marijuana handler permit shall be kept in the holder's immediate possession or a valid copy shall be kept on the premises of the marijuana establishment at all times.
10.80.710 Restricted access areas	Restricted access area identified; compliance with signs, visitors, ID requirements indicated.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10.80.711 No overlapping licensed premises	No overlap of retail premises indicated on diagram.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10.80.715 Security alarm systems and lock standards	Compliance with security alarm and lock standards indicated.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	



Municipality of Anchorage, Clerk's Office
Code Compliance Checklist
Commercial Marijuana Establishment Application

Code Citation and Topic	Compliance Information	Complies	Recommended Condition
10.80.720 Video surveillance	Compliance with security alarm and lock standards indicated.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10.80.725 Inspection of Premises	Ongoing requirement	N/A	
10.80.735 Health and safety standards		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10.80.740 Waste disposal	Ongoing requirement	N/A	
10.80.745 Standardized scales	Compliance indicated.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10.80.755 Business records	Records to be stored securely onsite and backed up electronically.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Cultivation Establishment			
10.80.430 Restricted access area	Records to be stored in secure office and electronically off site.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10.80.435 Inventory tracking system	Applicant will use Metrc system; compliance is indicated.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10.80.440 Health and safety requirements		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10.80.450 Production of concentrate prohibited	No production of concentrate is indicated to occur on premises.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Site Description and Proposal

This is a request for a special land use permit for a marijuana cultivation facility within a B-3 district. The proposed establishment will be occupying a portion of one suite within a commercial duplex located on the southwest corner of the intersection of 3rd Ave and Unga St. The existing structure has a footprint of 5,676ft², of which approximately 820ft² of the building will be utilized for marijuana cultivation. Due to the lack of available parking on Lot 1, the petitioner will be developing off-site parking on Lot 12 directly south of Lot 1 to accommodate customers and employees. The petitioner has obtained a nonconforming determination for Lot 1. Lot 12 is undeveloped and is ineligible for nonconforming rights.

Public and Agency Comments

On November 28, 2018 the Planning Department mailed 97 public hearing notices. As of this writing, three responses have been received. Public hearing notices were also mailed to the Mountain View, Airport Heights, and Fairview community councils.

Approval Criteria (AMC 21.03.105C.7.)

The assembly may approve a special land use permit for marijuana if, in the judgment of the assembly, the application meets the following approval criteria.

- a. **The proposed use is consistent with the comprehensive plan, all applicable provisions of this title, and applicable state regulations.**

The standard is partially met.

In the *Anchorage 2040 Land Use Plan*, 2040 Land Use Plan Map the area this site is located within is classified as “Commercial Corridor.” The proposed commercial use of this property is consistent with the *Anchorage 2040 Land Use Plan*, as well as its current B-3 zoning designation.

In accordance with *AMC 21.06.020, Table 21.06-2: Table of Dimensional Standards – Commercial and Industrial Districts*, the standard is met. Nonconforming rights for Lot 1 have been established for the entire encroachment of the secondary front-yard setback, as well as the lack of required lot width by 0.5 feet.

In accordance with *AMC 21.07.030B Private Open Space*, the standard to provide 5% of the gross floor area for open space is met. The gross floor area measures 5,676ft², resulting in 284ft² being required for open space.

In accordance with AMC 21.07.040F *Snow Storage and Disposal*, the standard is met. If the petitioner chooses to expand the parking lot on Lot 12 beyond ten parking spaces, they shall provide snow storage area in accordance with AMC 21.07.040F.4.b.

In accordance with AMC 21.07.060E *Standards for Pedestrian Facilities*, the standard is met for Lot 1 per the February 28, 2017 nonconforming determination. The petitioner shall finalize the parking lot design with the Municipal Traffic Engineering Department for Lot 12 to include appropriate pedestrian amenities.

In accordance with AMC 21.07.080 *Landscaping, Screening, and Fences*, the standard is met for Lot 1 per the February 28, 2017 nonconforming determination. Lot 12 is being developed to include site perimeter landscaping in accordance with AMC 21.07.080E.

In accordance with AMC 21.07.090E, Table 21.07-4: *Off-Street Parking Spaces Required* the standard is not met. The gross floor area (gfa) of the building is 5,676ft², of which 1,770ft² is dedicated to marijuana retail (1 per 350ft² gfa), 820ft² is dedicated to marijuana cultivation (1 per 1,000ft² gfa), and 2,685ft² is dedicated to general retail (1 per 350ft² gfa). This results in a requirement to provide 13 parking spaces, with one space being van accessible. Per the February 28, 2017 nonconforming determination, this property is granted nonconforming rights for the lack of five parking spaces. Taking this determination into account, this site is required to provide 8 parking spaces for customers and employees. One ADA van accessible space may be permitted on the north side of the existing structure by the Municipal Traffic Engineer. The remaining seven spaces are recommended to be located on the planned off-site parking area on Lot 12. Only six parking spaces, with one being van-accessible are shown on the submitted site plan. As a condition of approval, the petitioner shall resolve the Municipal Traffic Engineer the parking lot layout and design to ensure that adequate parking is provided.

In accordance with AMC 21.07.090H.8. *Vehicular Access and Circulation*, the standard is met for Lot 1 per the February 28, 2017 nonconforming determination. The petitioner shall finalize the design and parking lot layout for Lot 12 with the Municipal Traffic Engineering Department to achieve compliance.

- b. The proposed use is consistent with the purpose and intent of the zoning district in which it is located, including any district-specific standards set forth in chapter 21.04.**

The standard is met.

The district-specific standards of the B-3 district do not apply to this site and use.

The intent of the B-3 district is:

“The B-3 district is intended primarily for general commercial uses in commercial centers and areas exposed to heavy traffic. These commercial uses are intended to be located on arterials, or within commercial centers of town, and to be provided with adequate public services and facilities. They are subject to the public view and should provide an attractive appearance with landscaping, sufficient parking, and controlled traffic movement. Environmental impacts should be minimized. Abutting residential areas should be protected from potentially negative impacts associated with commercial activity. While B-3 district areas shall continue to meet the need for auto-related and other auto-oriented uses, it is the municipality’s intent that the B-3 district also shall provide for safe and convenient personal mobility in other forms. Planning and design shall accommodate pedestrians and bicyclists. In addition to a wide range of commercial office, retail and commercial services, other use categories such as residential and community uses, and mixed-use projects, are allowed.”

c. The proposed use is consistent with applicable use-specific standards set forth in chapter 21.05

The standard is met.

See attached code compliance checklist.

d. The proposed use is compatible with uses allowed on adjacent properties, in terms of its scale, site design, and operating characteristics (e.g., hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts).

The standard is met.

Compatibility is defined in AMC 21.14 as:

“The characteristics of different uses, activities, or designs which allow them to be located near or next to each other in harmony. Some elements affecting compatibility include the height, scale, mass, bulk, and setbacks of structures. Other characteristics include traffic, parking, access and circulation,

landscaping and buffering, drainage and storm water runoff, exterior lighting, dust, noise, hours of operation, and demand on public facilities and services. Compatible does not necessarily mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of the surrounding context and avoiding adverse impacts on neighboring uses."

The proposed facility is of similar scale and character to the surrounding buildings. There are larger commercial retail facilities located to the east and west. This facility is a single story structure with a building footprint of approximately 5,676ft², on a lot totaling 6,650ft². The structure is of conventional construction, consistent with the design of neighboring structures. The cultivation area will total approximately 820ft². There exists a lack of available parking on site, however, the applicant has chosen to utilize another parcel directly south of the petition site for off-site parking.

- e. The proposed use is appropriately located with respect to existing and/or planned water supply, power supply, fire and police protection, wastewater disposal, storm water disposal, and similar facilities and services.**

The standard is met.

The site is served by public water and sewer.

The site is located within the Anchorage Roads and Drainage Service Area, the Building Service Area, and the Police and Fire Service Areas.

Fixed public transportation service is available at this site on 15 minute headways via route 20.

- f. Any significant adverse impacts anticipated to result from the use can and will be mitigated or offset to the maximum extent feasible.**

The proposed marijuana cultivation facility will be located within an existing building that has historically been a commercial and/or light industrial use building. The surrounding land uses are B-3 (General Business District) to the west and south, and I-1 (Light Industrial) to the north and east. The site has direct access onto 3rd Avenue. 3rd Avenue is classified as a minor arterial under the 2014 Official Streets and Highways Plan; seeing between 10,000-20,000 vehicle trips daily. It does not appear that this cultivation facility will cause significant adverse impacts to traffic flow, or neighboring residences and businesses.

- g. The owner/operator of the establishment has no previous denials or revocations of a marijuana license or special land use permit, or previous documented violations of municipal or state law/regulation relating to marijuana establishments. Alternately, the owner/operator has provided sufficient evidence of rehabilitation to the assembly.**

The standard is met.

The owner of the establishment has no previous denials or revocations of a marijuana license or special land use permit.

- h. The owner/operator of a marijuana retail establishment has meaningfully engaged in neighborhood responsibility planning with residents and other neighborhood businesses to mitigate concerns such as odor, parking, and security. Neighborhood responsibility planning guidelines may be included in AMC chapter 2.40.**

The standard is met.

This standard does not apply to marijuana cultivation facilities.

Advisory Comment

The cultivation area applied for in this application will be taken from the square footage of the existing licensed marijuana retail sales establishment (license #M10245). The petitioner is advised that they will need to apply for a modification to license #M10245 and their special land use permit to reduce the licensed premises of their existing marijuana retail sales establishment.

Recommendation

1. All uses shall conform to the plans and narrative submitted with the license/special land use permit application and with all applicable portions of Anchorage Municipal Code, and may be modified in accordance with AMC 21.03.105C.9.
2. A notice of zoning action shall be filed with the State of Alaska Recorder's Office before operation of the establishment.
3. The establishment shall be open for inspection and examination by the municipality during municipal business hours and establishment business hours.
4. The premises shall be ventilated so that the odor of marijuana cannot be detected at the lot line by a person with a normal sense of smell. Violation could lead to a requirement to increase air filtering and/or change the ventilation location in the establishment.
5. The Conditions Certificate, issued by the Planning Department and containing conditions imposed by the Assembly on this special land use permit, shall be displayed in a visible location near the main entrance at all times.
6. The licensee or a designated employee shall keep written records (downwind location; distance from facility; time; odor intensity) of weekly outdoor odor observations made on the property in order to detect odor breakthrough and to aid in any odor complaint investigations.
7. In accordance with AMC 21.05.055B.1.b.iv., operation of this marijuana cultivation facility is contingent upon the continued approval of the attached and collocated marijuana retail sales establishment. In the event that a state or municipal license or the municipal special land use permit is revoked or not renewed for the attached and collocated marijuana retail sales establishment, the municipal license and special land use permit for this cultivation establishment shall immediately become null and void, and this cultivation establishment shall immediately cease operations.
7. Resolve with the Municipal Traffic Engineering Department the parking lot layout, design, signage, and required pedestrian amenities for Lots 1 and 12, Block 26-B, Fourth Addition, as shown in the submitted site plan.
8. Resolve with Municipal Light & Power (ML&P), the need to complete necessary upgrades to ML&P's equipment to sufficiently supply the intended load.



Ryan Yelle, Senior Planner

Michelle McNulty, Director

Parcel ID No. 003-081-46



**Municipality of Anchorage, Planning Department
Code Compliance Checklist
Commercial Marijuana Establishment Application**

Applicant: AK Slow Burn Cannabis Outlet
Establishment Type: Cultivation

Case #: 2018-0022/**License #:** M10898
Date: January 15, 2019

Address: 2042 E. 3rd Ave, Suite A
Zoning District: B-3

Parcel ID #: 003-081-46
Community Council: Mountain View

Municipal application is in concurrence with state application? Yes No

Code Citation and Topic	Compliance Information	Complies	Recommended Condition
21.03.105C.2. Required Community Meeting, including notice and meeting summary		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.03.105C.3. Required Submittals		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.03.105C.4. Required public notice for Assembly public hearing: mailed, published, posted, community council		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.03.105C.5. Report of all marijuana licenses located within 1,000 feet of subject property	See below.	N/A	
21.05.055A.2. Separation from Protected Land Uses	The closest protected land use, the Anchorage Correctional Complex (a correctional institution) is approximately 1,970 feet from the petition site as measured via a straight line.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.05.055A.3. Prohibited with Alcohol License		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.05.055A.4. Prohibited with Residential		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	



**Municipality of Anchorage, Planning Department
Code Compliance Checklist
Commercial Marijuana Establishment Application**

Code Citation and Topic	Compliance Information	Complies	Recommended Condition
21.05.055A.5. Inspection of Premises	Ongoing requirement	N/A	The establishment shall be open for inspection and examination by the municipality during municipal business hours and establishment business hours.
21.05.055A.6. Ventilation	Ongoing requirement	N/A	The premises shall be ventilated so that the odor of marijuana cannot be detected at the lot line by a person with a normal sense of smell. Violation could lead to a requirement to increase air filtering and/or change the ventilation location in the establishment.
21.05.055A.7. Public Display of Conditions	Ongoing requirement	N/A	The Conditions Certificate, issued by the Planning Department and containing conditions imposed by the Assembly on this special land use permit, shall be displayed in a visible location near the main entrance.
21.05.055A.8. Permanent Structure		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.05.055A.9. Signs		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
For Cultivation Facilities			
21.05.055B.1.b.i. Marijuana plants not visible from public right-of-way		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.05.055B.1.b.ii. Orderly and code compliant rows		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	



**Municipality of Anchorage, Planning Department
Code Compliance Checklist
Commercial Marijuana Establishment Application**

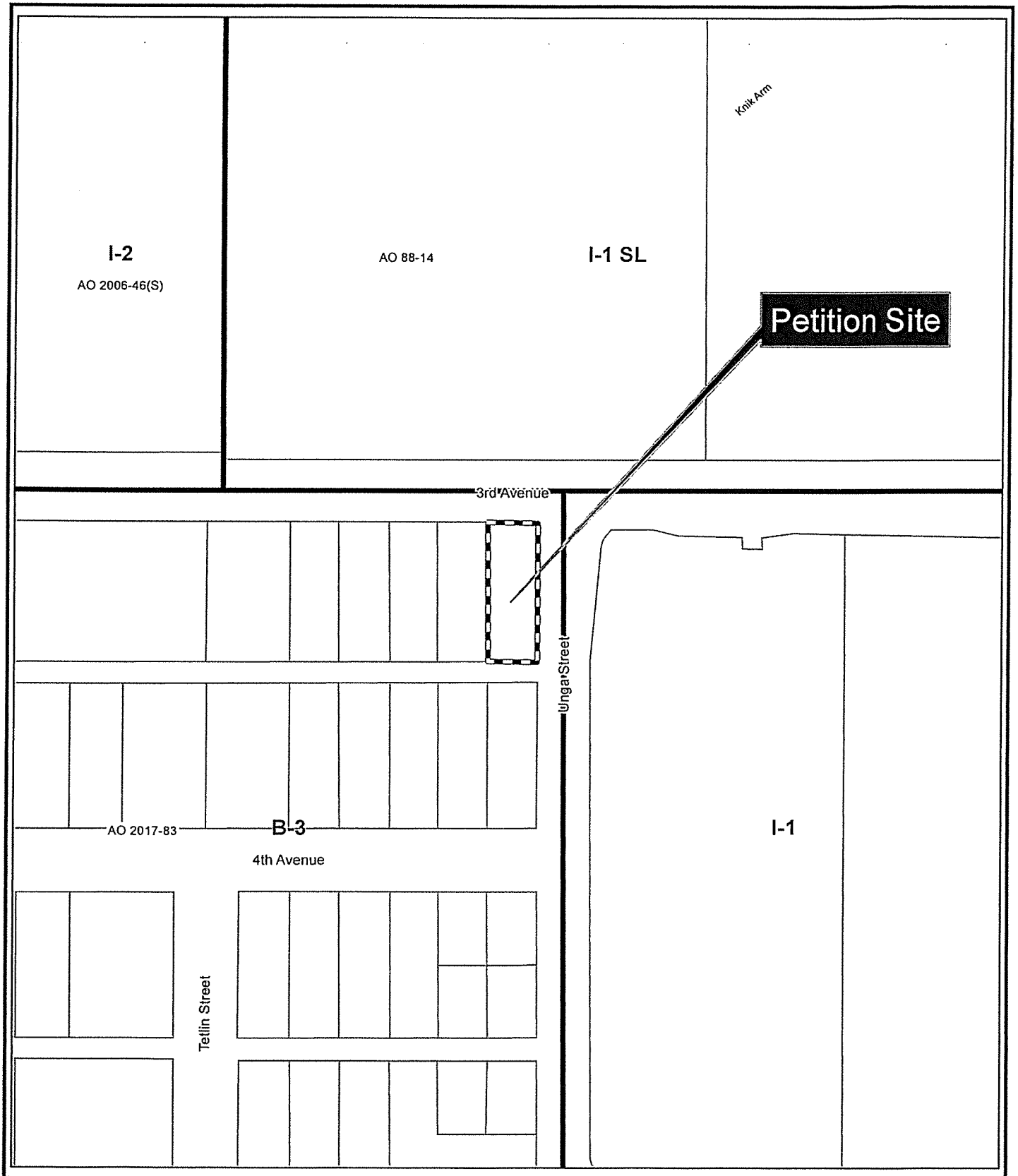
Code Citation and Topic	Compliance Information	Complies	Recommended Condition
21.05.055B.1.b.iv. Allowed in B-3 with retail establishment		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	In accordance with AMC 21.05.055B.1.b.iv., operation of this marijuana cultivation facility is contingent upon the continued approval of the attached and collocated marijuana retail sales establishment. In the event that a state or municipal license or the municipal special land use permit is revoked or not renewed for the attached and collocated marijuana retail sales establishment, the municipal license and special land use permit for this cultivation establishment shall immediately become null and void, and this cultivation establishment shall immediately cease operations.

Marijuana Licenses Within 1,000 Feet of Subject Property

Establishment Name	Type	MOA License Number	Address
AK Slow Burn Cannabis Outlet	Retail	M10245	2042 E. 3 rd Ave (same location)

Maps

2018-0022

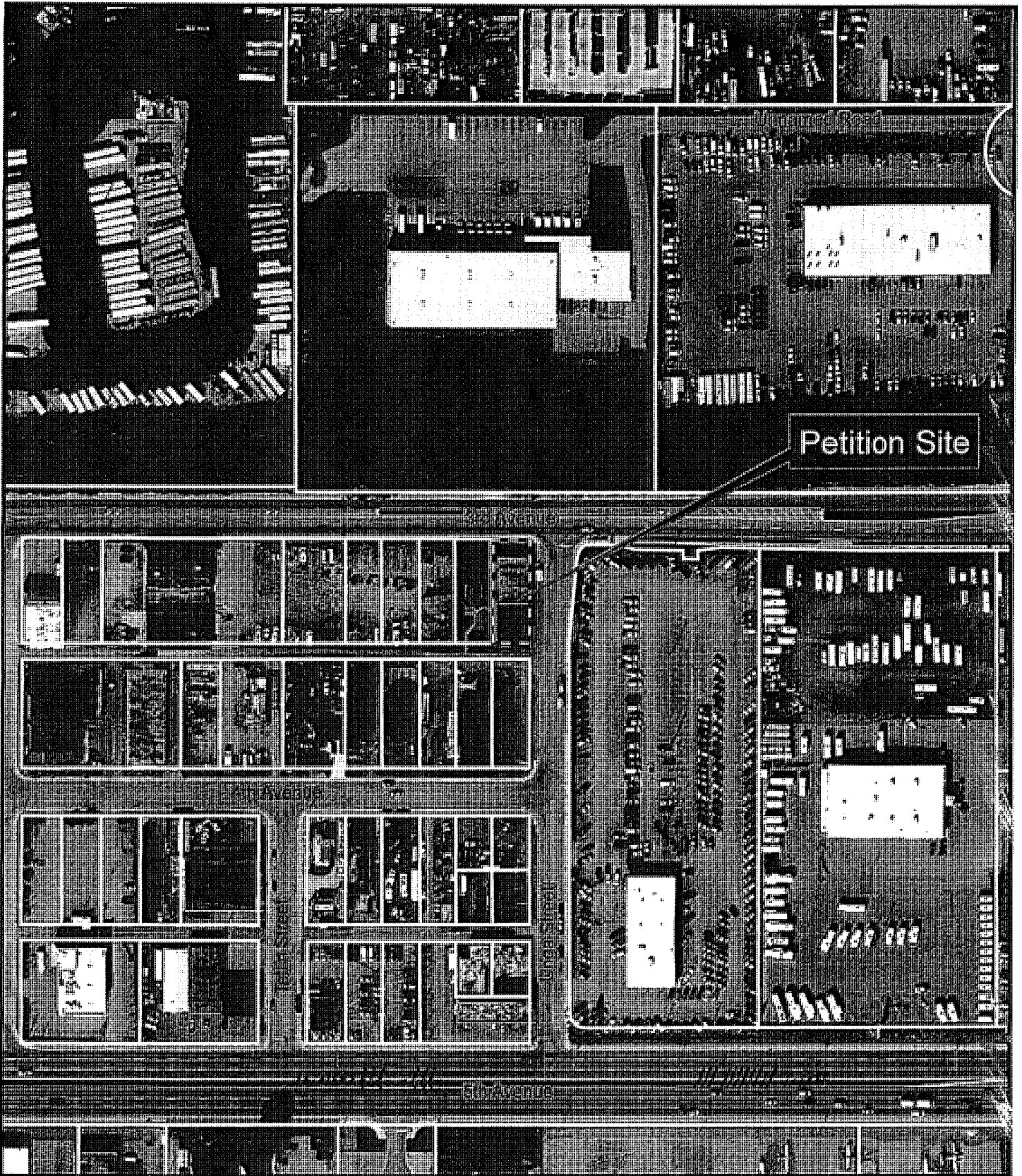


Municipality of Anchorage
Planning Department

Date: November 20, 2018



2018-0022



Application

Application for License and Special Land Use Permit for Marijuana

Municipality of Anchorage
 Clerk's Office/Planning Department
 PO Box 196650
 Anchorage, AK 99519-6650



APPLICANT

Name of Authorized Applicant (see 3 AAC 306.020(d))	
Last Weaver	First M.I. LOU
Home Physical Address 2891 Morgan Loop	Home Mailing Address 2891 Morgan Loop
Anchorage AK 99516	Anchorage AK 99516
Contact Phone - Day Evening Fax 907-205-1705	Business Mailing Address 1120 Huffman Rd. Ste 24
E-mail (required) louweaver@mv.com	Box 365 Anchorage AK 99515

TYPE OF MARIJUANA ESTABLISHMENT PROPOSED

<input checked="" type="checkbox"/> Cultivation Facility (including Limited Cultivation Facility)	<input type="checkbox"/> Testing Facility
<input type="checkbox"/> Manufacturing Facility (including Concentrate Manufacturing Facility)	<input type="checkbox"/> Retail Sales Establishment
Business Name: AK Slow Burn Cannabis Outlet	
State of Alaska Marijuana Control Board License Number: 10898	
Other marijuana licenses applied for or approved on the property? Marijuana retail facility license #10245	

PROPERTY INFORMATION

Property Tax # (000-000-00-000): 003-081-46-000		
Site Street Address: 2042 E. 3rd Ave. Ste A Anchorage, AK 99501		
Current Legal Description: (use additional sheet if necessary) Fourth Addition BLK 210B LT 1		
Zoning District: B-3	Lot Size: 2685	Grid #: SW1233
Any dwelling units on the property? ___ Yes <input checked="" type="checkbox"/> No		Any liquor licenses on the property? ___ Yes <input checked="" type="checkbox"/> No

FACILITY OPERATIONAL INFORMATION

What is the licensed premises area in square feet? 820 sq ft.
What will be the business days and hours of operation? Mon-Sat 8am-6pm

Accepted by RY	Poster & Affidavit 2+1	Fee 1700.00	Case Number 2018-0022	Requested Meeting Date 01/15/19	License Number 10898
--------------------------	----------------------------------	-----------------------	---------------------------------	---	--------------------------------

APPLICATION REQUIREMENTS

1 copy required: Signed/notarized application (original)
 Property owner letter of authorization (with original signature)

17 copies required: Signed/notarized application (copies)
 Criminal justice information and records as required by AMC 10.80.056
 Summary of community meeting/community meeting mailer
 Project narrative explaining the proposal, with an analysis of how the proposal meets the special land use permit for marijuana approval criteria set forth below
 For all marijuana establishments (AMC 21.03.105C.3.a.):
 Site plan(s) to scale depicting, with dimensions:
 building footprint parking areas vehicle circulation and driveways loading facilities
 landscaping pedestrian facilities required open space fences lighting
 snow storage area or alternative strategy trash receptacle location and screening detail
 freestanding sign location(s)
 Security plan indicating how the applicant will comply with the requirements of municipal and state law and regulation
 Waste disposal plan

For marijuana cultivation facilities (AMC 21.03.105C.3.b.):
 Plan that specifies the methods to be used to prevent the growth of harmful mold
 Projected amount of water that will be used
 Projected amount of wastewater that will be discharged
 Letter from the applicable electric utility stating that power capacity at the proposed location is sufficient for the intended use
 Odor control plan indicating how the applicant will comply with the requirements of municipal and state law and regulation
 Information on moisture and temperature controlled storage (AMC 10.80.535C.)

For marijuana manufacturing facilities (AMC 21.03.105C.3.c.):
 Description of the type of products to be processed and the equipment to be used, including a list of any solvents, gases, chemicals, or other compounds that will be used, kept, or created at the manufacturing facility, the location of such materials, and how such materials will be stored
 Certification of an industrial hygienist or professional engineer, as required in AMC subsection 21.05.055B.2.
 Projected amount of water that will be used
 Projected amount of wastewater that will be discharged

For marijuana retail sales establishments (AMC 21.03.105C.3.d.):
 Neighborhood responsibility planning MOU or community engagement report, as required in AMC subsection 21.05.055B.4.

(Additional information may be required)

RECENT REGULATORY INFORMATION (Events that have occurred in the last 5 years for all or a portion of the site)

Building or Land Use Permit for:

Land Use Enforcement Action for:

Nonconforming Determination requested for property? Yes No

MARIJUANA ESTABLISHMENTS NEAR PETITION SITE

Locate and provide the name and address of all licensed marijuana establishments within 1,000 feet of the petition site. (use additional sheet if necessary)

Name	Address
AK Snow Burn Cannabis	
Outlet co-located retail establishment	

SPECIAL LAND USE PERMIT FOR MARIJUANA APPROVAL CRITERIA (AMC 21.03.105C.7.)

The assembly may only approve a special land use permit for marijuana if, in the judgment of the assembly, the application meets the following approval criteria. Each criterion must have a response in as much detail as it takes to explain how the project satisfies the criterion. The burden of proof rests with the applicant. (In the B-2A, B-2B, and B-2C districts, please contact the Planning Department as the approval criteria are different.)

1. The proposed use is consistent with the comprehensive plan, all applicable provisions of this title [Title 21], and applicable state regulations.
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located, including any district-specific standards set forth in chapter 21.04.
3. The proposed use is consistent with applicable use-specific standards set forth in chapter 21.05.
4. The proposed use is compatible with uses allowed on adjacent properties, in terms of its scale, site design, operating characteristics (e.g., hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts).
5. The proposed use is appropriately located with respect to existing and/or planned water supply, power supply, fire and police protection, wastewater disposal, storm water disposal, and similar facilities and services.
6. Any significant adverse impacts anticipated to result from the use can and will be mitigated or offset to the maximum extent feasible.
7. The owner/operator of the establishment has no previous denials or revocations of a marijuana license or special land use permit, or previous documented violations of municipal or state law/regulation relating to marijuana establishments. Alternatively, the owner/operator has provided sufficient evidence of rehabilitation to the assembly.
8. The owner/operator of a marijuana retail establishment has meaningfully engaged in neighborhood responsibility planning with residents and other neighborhood businesses to mitigate concerns such as odor, parking, and security. Neighborhood responsibility planning guidelines may be included in AMC chapter 2.40.

SWORN STATEMENT LISTING ALL CRIMINAL CONVICTIONS, NOTWITHSTANDING THE FORM OF JUDGMENT AND INCLUDING WITHHELD JUDGMENTS, DEFERRED JUDGMENTS, AND BOND FORFEITURES, AGAINST EVERY OWNER AND MANAGER OF ANY OFFENSE OTHER THAN TRAFFIC INFRACTIONS FOR THE FIVE YEARS PRECEDING THE APPLICATION DATE, AS REQUIRED BY AMC 10.80.021A.

I, the applicant, hereby swear that the following is a complete list of all such convictions for each proposed owner and manager of the proposed establishment. None

(use additional sheet if necessary)

OTHER LICENSEES AND AFFILIATES (3 AAC 306.020)

List all other licensees and affiliates with their physical home addresses. (use additional sheet if necessary)

Name	Address
None	

AW (initial) I hereby certify that I am owner of the property described above, or that I have permission from the owner to use the property described above, and that I am applying for a municipal license and special land use permit for marijuana in conformance with Title 10 and Title 21 of the Anchorage Municipal Code. My establishment will remain in conformance with municipal code at all times.

AW (initial) If I am applying for a license for a marijuana cultivation facility, marijuana manufacturing facility, or marijuana retail sales establishment, I swear that neither I nor any proposed licensee (as defined in 3 AAC 306.020(b)(2)), agent, or employee of the proposed licensee, have any ownership or financial interest in any marijuana testing facility. If I am applying for a license for a marijuana testing facility, I swear that neither I nor any proposed licensee, agent, or employee of the proposed licensee, have any ownership or financial interest in any marijuana cultivation facility, marijuana manufacturing facility, or marijuana retail sales establishment.

AW (initial) I hereby swear that no proposed licensee (as defined in 3 AAC 306.020(b)(2)) owes past-due taxes (property, business personal property, or other), fees (utility or other), or fines (traffic, library, trash, or other) to the municipality.

AW (initial) In accordance with AMC 10.80.056, I will immediately provide the Municipal Clerk with any communication from the state Marijuana Control Board disclosing the substance of information received by the Board as a result of a criminal history record check.

AW (initial) I understand municipal code requirements regarding separation distance from protected land uses, and I attest that to the best of my knowledge, the proposed premises meets the separation requirements of Title 21 of the Anchorage Municipal Code.

AW (initial) I acknowledge that the Assembly may deny my application for a special land use permit for marijuana if it determines that my application does not meet the criteria listed in AMC 21.03.105C.7., and that the Assembly may deny my application for a marijuana establishment license for any of the reasons listed in AMC 10.80.080.

AW (initial) I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the license or special land use permit. I also understand that assigned hearing dates are tentative and may have to be postponed by the Planning Department, Municipal Clerk, or the Assembly, for administrative reasons or to meet legal requirements regarding notice and public hearings.

[Handwritten Signature]

11-6-17

Applicant Signature (must be notarized)

Date

Lou Weaver

Print Name

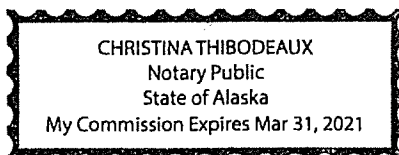
State of Alaska

Third Judicial District

Lou Weaver

, being duly sworn, deposes and says that he/she is the individual making the foregoing application and is the authorized agent for this business; acknowledges that a person other than the proposed licensee(s) may not have a direct or indirect financial interest in the business being issued the license per AMC 10.80.015A.; and affirms that the answers to the questions, the sworn statements regarding (1) listing all criminal convictions and (2) past due taxes, fines, and fees, and all other information contained in this application are true and complete to his/her knowledge.

Subscribed and sworn before me this 6th day of November, 20 17.



Christina Thibodeaux
Notary Public

My commission expires: March 31, 2021

Under AMC 8.30.170, a person commits the crime of unsworn falsification if, with the intent to mislead a public servant in the performance of a duty, the person submits a false written or recorded statement that the person does not believe to be true (1) in an application for a benefit; or (2) on a form bearing notice, authorized by law, that false statements made in it are punishable. Unsworn falsification is a class A misdemeanor.