

Submitted by: Chair Croft at the Request of the Mayor  
Prepared by: Municipal Clerk's Office and Planning Department  
For reading: February 26, 2019

**ANCHORAGE, ALASKA  
AR No. 2019-58**

1 **A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING**  
2 **A MARIJUANA LICENSE AND SPECIAL LAND USE PERMIT FOR**  
3 **ANCHORAGE BOWL, LLC, A MARIJUANA CULTIVATION FACILITY WITH**  
4 **LICENSE NUMBER M12317, DOING BUSINESS AS ANCHORAGE BOWL, LLC,**  
5 **AND LOCATED AT 4000 SPENARD ROAD.**

6  
7 (Spenard Community Council) (Case 2019-0012)  
8

9 **THE ANCHORAGE ASSEMBLY RESOLVES:**

10  
11 **Section 1.** The approvals in sections 2 and 3 of this resolution are for Anchorage  
12 Bowl, LLC a marijuana cultivation facility with municipal license number M12317,  
13 doing business as Anchorage Bowl, LLC, located at 4000 Spenard Road, in the B-  
14 3 district, within Lot 13, Lintner Subdivision; generally located north of the  
15 intersection of Spenard Road and Northwood Drive, in Anchorage.

16  
17 **Section 2.** The application submitted for the requested marijuana establishment  
18 license generally meets the applicable provisions of Anchorage Municipal Code  
19 (AMC) chapter 10.80. A marijuana cultivation facility license is hereby approved for  
20 Anchorage Bowl, LLC, subject to the following conditions pursuant to AMC section  
21 10.80.015:

- 22  
23 1. The licensee and his/her agents and employees shall conform to the  
24 narrative submitted with the license/special land use permit  
25 application, as modified by this resolution, and with all applicable  
26 portions of Anchorage Municipal Code.  
27  
28 2. All licensees, employees, and agents of the marijuana establishment  
29 who sell, cultivate, manufacture, test, or transport marijuana or  
30 marijuana product, or who check the identification of a consumer or  
31 visitor, shall obtain a marijuana handler permit from the Alaska  
32 Marijuana Control Board (AMCO). The marijuana handler permit shall  
33 be kept in the holder's immediate possession or a valid copy shall be  
34 kept on the premises of the marijuana establishment at all times.  
35

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

- 41  
42 1. All uses shall conform to the plans and narrative submitted with the

1 license/special land use permit application, as modified by this  
2 resolution, and with all applicable portions of Anchorage Municipal  
3 Code, and may be modified in accordance with AMC subsection  
4 21.03.105C.9.

- 5
- 6 2. A notice of zoning action shall be filed with the State of Alaska  
7 Recorder's Office before operation of the establishment.
- 8
- 9 3. The establishment shall be open for inspection and examination by  
10 the municipality during municipal business hours and establishment  
11 business hours.
- 12
- 13 4. The premises shall be ventilated so that the odor of marijuana cannot  
14 be detected at any lot line by a person with a normal sense of smell.  
15 Violation could lead to a requirement to increase air filtering and/or  
16 change the ventilation location in the establishment.
- 17
- 18 5. The Conditions Certificate, issued by the Planning Department and  
19 containing conditions imposed by the Assembly on this special land  
20 use permit, shall be displayed in a visible location near the main  
21 entrance at all times.
- 22
- 23 6. The licensee or a designated employee shall keep written records  
24 (downwind location; distance from facility; time; odor intensity) of  
25 weekly outdoor odor observations made on the property in order to  
26 detect odor breakthrough and to aid in any odor complaint  
27 investigations.
- 28
- 29 7. In accordance with AMC 21.05.010E, Table 21.05-1 Table of Allowed  
30 Uses – Residential, Commercial, Industrial and Other Districts,  
31 operation of this marijuana cultivation facility is contingent upon the  
32 continued approval of the attached and collocated marijuana retail  
33 sales establishment. In the event that a state or municipal license or  
34 the municipal special land use permit is revoked or not renewed for  
35 the attached and collocated marijuana retail sales establishment, the  
36 municipal license and special land use permit for this cultivation  
37 establishment shall become null and void, and this cultivation  
38 establishment shall immediately cease operations.

39

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

42

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

47

48 **Section 6.** The marijuana license approved in section 2 above expires on August  
49 31, 2019. An application to renew the marijuana license may be submitted in  
50 accordance with AMC section 10.80.036. The special land use permit for marijuana

1 approved in section 3 above is valid until it expires in accordance with AMC  
2 subsection 21.03.105C.10.

3  
4 **Section 7.** In accordance with AMC subsection 10.80.061B., the Municipal Clerk  
5 shall, upon approval of this municipal marijuana establishment license and  
6 fulfillment of the conditions in Section 2 and verification pursuant to Section 4,  
7 provide written notification to the AMCO that the protest is lifted.

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

11  
12 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day  
13 of \_\_\_\_\_, 2019.

14  
15  
16 \_\_\_\_\_  
17 Chair

18 ATTEST:

19  
20  
21  
22 \_\_\_\_\_  
23 Municipal Clerk



# MUNICIPALITY OF ANCHORAGE

## Assembly Memorandum

No. AM 143 - 2019

Meeting Date: February 26, 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 ANCHORAGE BOWL, LLC, A MARIJUANA  
6 CULTIVATION FACILITY WITH LICENSE NUMBER M12317,  
7 DOING BUSINESS AS ANCHORAGE BOWL, LLC, AND  
8 LOCATED AT 4000 SPENARD ROAD.  
9

10 Anchorage Bowl, LLC has applied for a cultivation facility license and special  
11 land use permit. The facility is proposed to be located at 4000 Spenard Road in  
12 the Spenard Community Council.  
13

14 The applicant has successfully completed their public notice requirements, and  
15 on January 8, 2019, the Planning Department mailed 277 public hearing notices  
16 to residents and property owners within 500 feet of the site of the proposed  
17 facility.  
18

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

### 27 **THE ADMINISTRATION RECOMMENDS APPROVAL.**

28  
29 Prepared by: Ryan Yelle, Senior Planner, Planning Department  
30 Approved by: Michelle McNulty, Director, Planning Department  
31 Concur: Christopher M. Schutte, Director  
32 Office of Economic and Community Development  
33 Concur: Rebecca A. Windt Pearson, Municipal Attorney  
34 Concur: William D. Falsey, Municipal Manager  
35 Respectfully submitted: Ethan A. Berkowitz, Mayor  
36



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

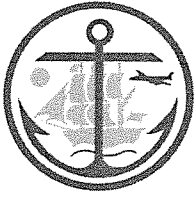
**Applicant:** Anchorage Bowl, LLC  
**Establishment Type:** Cultivation  
**Other licenses at this address:** #M12316, #M12318

**License #:** M12317  
**Public Hearing Date:** February 26, 2019

**Address:** 4000 Spenard Rd.

**Other License Types Applied For:** retail, manufacturing  
**Community Council:** Spenard

Code Citation and Topic	Compliance Information	Complies	Recommended Condition
<b>All Establishments</b>			
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 due.	<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	Diagram indicates three separate premises for each license type to be operated within location.	<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, 3 <sup>rd</sup> party monitoring 24/7.	<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 video surveillance requirements indicated. Entire facility under surveillance.	<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	Stored securely on-site and electronically off-site.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Cultivation Establishment</b>			
10.80.430 Restricted access area	Operating Plan expresses compliance with restricted access area requirements.	<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 this premises. Concentrate production will occur within the designated manufacturing premises on-site.	<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 site is located north of the intersection of Spenard Road and Northwood Drive. The proposed facility is of similar character and scale to surrounding structures. Approximately 489ft<sup>2</sup> of available building space will be dedicated to marijuana cultivation. This facility will be open seven days a week, from 8:00am until midnight.

## **Public and Agency Comments**

On January 8, 2019 the Planning Department mailed 277 public hearing notices in accordance with AMC 21.03.020H. As of this writing, no responses have been received. A public hearing notice was also mailed to the Spenard Community Council. No comments from the Spenard Community Council have been received.

## **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 2040 Anchorage Land Use Plan defines this site as “Main Street Corridor” and the 2012 West Anchorage District Plan defines this site as “Spenard Commercial Corridor.” The proposed use of this site as a marijuana cultivation facility is consistent with its classification in the Anchorage 2040 Land Use Plan, the 2012 West Anchorage District Plan, and its current B-3 (General Commercial) zoning designation.

Per the October 16, 2017 nonconforming determination (NCD), this site is compliant with AMC 21.06.020, *Table 21.06-2: Table of Dimensional Standards – Commercial and Industrial Districts*.

Adequate snow storage area is provided on-site in accordance with AMC 21.07.040F *Snow Storage and Disposal*. 5% of the surface area on-site shall be dedicated towards snow storage. This requires the petitioner to provide a total of 157ft<sup>2</sup> of snow storage space. 160ft<sup>2</sup> of snow storage space is provided.

Per the October 16, 2017 NCD, this site is compliant with AMC 21.07.060F *Pedestrian Amenities* for lack of available pedestrian facilities.



Per the October 16, 2017 NCD, this site is compliant with AMC 21.07.080 *Landscaping, Screening, and Fences* for the lack of visual enhancement landscaping along the southern, western, and northern lot lines. However, all existing landscaping located along applicable lot lines shall be maintained.

Adequate parking on-site is provided per AMC 21.07.090E, Table 21.07-4: *Off-Street Parking Spaces Required*. The gross floor area of the building is approximately 2,116ft<sup>2</sup>. Considering all current and planned uses on-site, the total parking requirement is to provide five parking spaces, with one being van-accessible. A total of 5 parking spaces with one being van-accessible are shown on the submitted site plan.

In accordance with AMC 21.07.090H.8. *Vehicular Access and Circulation*, the standard is met. Compliant vehicle turning and maneuvering space is provided on-site.

In accordance with AMC 21.07.090J, *Table 21.07-8: Accessible Parking Spaces* the standard is met. A parking lot providing five parking spaces is required to provide one van-accessible parking space. One van-accessible parking space is shown on the submitted site plan.

**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.**

There are no applicable district-specific standards for the B-3 district regarding this use.

The purpose 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 B3 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**

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).**

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.”*

This marijuana cultivation facility will be located within a well-traveled commercial corridor within Spenard. The building is of conventional construction, consistent with the character and appearance of surrounding buildings. Various commercial uses neighbor the petition site along Spenard Road, with mixed-residential uses neighboring to the north. The proposed establishment will occupy approximately 489ft<sup>2</sup> of space within the existing 2,116ft<sup>2</sup> building. The lot totals 8,125ft<sup>2</sup>. Daily hours of operation will be Monday through Sunday, 8:00am-midnight. The proposed hours of operation may extend beyond those of neighboring businesses. However, this business will be accessed by employees only. Thus, minimal disturbance from vehicular noise and traffic is anticipated from this use.

**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 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.

Chugach Electric Association provided a letter stating that the power capacity of the existing building is sufficient to supply the intended load.

Fixed-route public transportation is available on 15-minute headways within one-quarter mile of the petition site via routes 40 and 65.

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

This proposed marijuana cultivation facility will be located within an existing building that has historically served various commercial and light-industrial uses. The surrounding land uses are zoned B-3 (General Commercial) along Spenard Road and R-3 (Mixed-Residential) to the north. The petition site has direct access to Northwood Drive, and quick access to Spenard Road. Northwood Drive is classified as a “local street” in this area under the 2014 Official Streets and Highways Plan; seeing less than 2,000 vehicle trips daily. Spenard Road is classified as a Class II-Minor Arterial, seeing between 10,000-20,000 vehicle trips daily. Additionally, the applicant has provided both a security and waste disposal plan in accordance with the requirements of AMC 21.03.105C.3.a., as well as an odor control plan. 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 owner and/or operator of this 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.**


This criteria does not apply to a marijuana cultivation facility.

## Recommendation

The Planning Department recommends APPROVAL subject to the following conditions:

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 21.05.010E, *Table 21.05-1 Table of Allowed Uses – Residential, Commercial, Industrial and Other Districts*, 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 become null and void, and this cultivation establishment shall immediately cease operations.

  
Ryan Yelle, Senior Planner

  
Michelle McNulty, Director

Parcel ID No. 010-122-34



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

**Applicant:** Anchorage Bowl, LLC  
**Establishment Type:** Cultivation

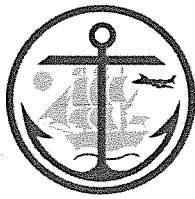
**Case #:** 2019-0012/License #: M12317  
**Date:** February 26, 2019

**Address:** 4000 Spenard Road  
**Zoning District:** B-3

**Parcel ID #:** 010-122-34  
**Community Council:** Spenard

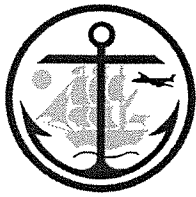
**Municipal application is in concurrence with state application?** Yes No

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, Clare House a "Homeless and Transient Shelter" is located approximately 615 feet from the petition site.	<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**

<b>Code Citation and Topic</b>	<b>Compliance Information</b>	<b>Complies</b>	<b>Recommended Condition</b>
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	
<b>For Cultivation Facilities</b>			
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 21.05.010E, Table 21.05-1 Table of Allowed Uses – Residential, Commercial, Industrial and Other Districts, 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 become null and void, and this cultivation establishment shall immediately cease operations.

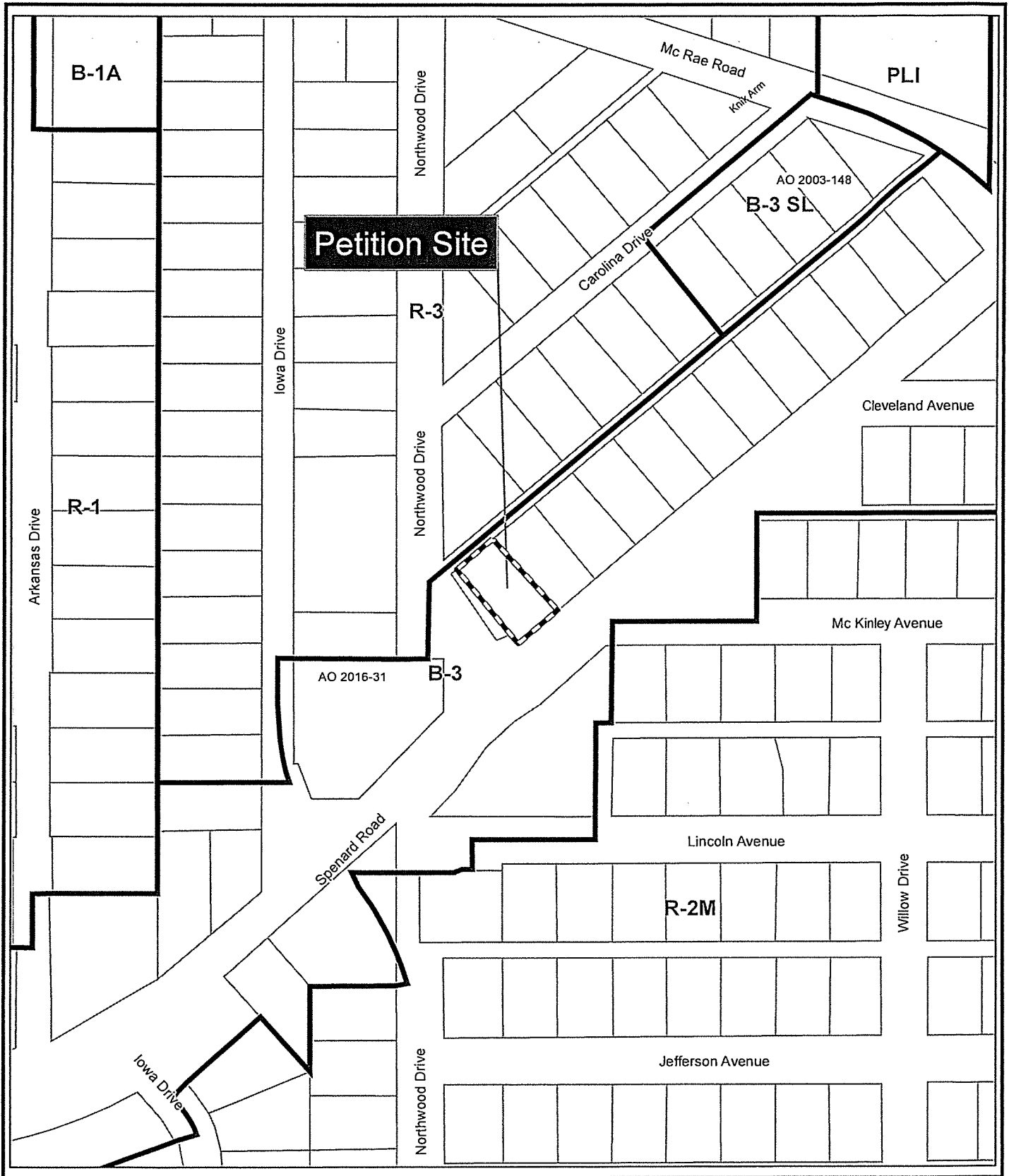
**Marijuana Licenses Within 1,000 Feet of Subject Property**

Establishment Name	Type	MOA License Number	Address
AM Delight	Retail	M10100	3902 Spenard Road

# Maps



# 2019-0012



Municipality of Anchorage  
Planning Department

Date: January 4, 2019





# Application

# Application for License and Special Land Use Permit for Marijuana

Municipality of Anchorage  
 Clerk's Office/Farming Department  
 P.O. Box 198650  
 Anchorage, AK 99519-6650



APPLICANT					
Name of Authorized Applicant (see 3 AAC 306.020(d))					
Last	Landon	First	Shelton	M.I.	L
Home Physical Address			Home Mailing Address		
4000 Spenard Road			4000 Spenard Road		
Anchorage, AK. 99517			Anchorage, AK. 99517		
Contact Phone - Day	Evening	Fax		Business Mailing Address	
907-887-9415	Same	N/A		4000 Spenard Road	
E-mail (required)			Anchorage, AK.		
Anchoragebowl420@gmail.com			99517		

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: Anchorage Bowl, LLC.	
State of Alaska Marijuana Control Board License Number: AMCO LIC. No. 12317	
Other marijuana licenses applied for or approved on the property? Applied for an deemed "complete" by AMCO awaiting board meeting Dec. 20th-21st. 2018. 12316-Retail Marijuana Store; 12318-Marijuana Product Manufacturing Facility	

PROPERTY INFORMATION		
Property Tax # (000-000-00-000): 010-122-34-000		
Site Street Address: 4000 Spenard Road Anchorage, AK. 99517		
Current Legal Description: (use additional sheet if necessary) LINTNER LT 13 Anchorage Recording District, Third Judicial District State of Alaska		
Zoning District: B3	Lot Size: 8,117 sq. ft.	Grid #: SW1728
Any dwelling units on the property? ___ Yes ___ <sup>x</sup> No	Any liquor licenses on the property? ___ Yes ___ <sup>x</sup> No	

FACILITY OPERATIONAL INFORMATION	
What is the licensed premises area in square feet Limited Grow licensed premises: 488.77 Sq.	
What will be the business days and hours of operation? <sup>ft.</sup> Tentatively: Monday - Sunday 8:00 a.m. - 12:00 a.m.	

Accepted by	Poster & Affidavit	Fee	Case Number	Requested Meeting Date	License Number
			2019-0012	02/26/19	12317

**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)
- Floor plan to scale and dimensioned, depicting the entirety of the licensed premises, and relation to all other uses located within the same building:
- Security plan indicating how the applicant will comply with the requirements of municipal and state law and Regulation. The security plan is not required to show location or placement of security cameras and areas covered by them.
- 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 of a portion of the site)

Building or Land Use Permit for:

Land Use Enforcement Action for:

Nonconforming Determination requested for property?  Yes  No  
 See attached determination.

**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
None	N/A

**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.)

- a. The proposed use is consistent with the comprehensive plan, all applicable provisions of this title [Title 21], and applicable state regulations.
- 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.
- c. The proposed use is consistent with applicable use-specific standards set forth in chapter 21.05.
- d. 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).
- 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.
- f. Any significant adverse impacts anticipated to result from the use can and will be mitigated or offset to the maximum extent feasible.
- 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. Alternatively, the owner/operator has provided sufficient evidence of rehabilitation to the assembly.
- 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.

**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 10.80.021 A**

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. 1999 DUI, 2006 No Insurance, 2009 DWLR (2X), 2009 NVOL, 2017 OUI as to Jon Fischer. None as to Arthur Kanack. Shelton Landon 1989 NVOL, 1991 MIW 3%, 1992 DWLR, 1993 DWLR, 1994 MICS 4%, 1995 Promoting Contraband 1%, 1996 DV Assault (2X), Viol. DVRO, CM 3%, 2016 VDVR0.

(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
Jon Fischer	1102 Wilshire Ave., No. 2 Anchorage, AK. 99503
Arthur Kanack	4000 Spenard Road Anchorage, AK. 99517

[Signature] (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.

[Signature] (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.

[Signature] (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.

[Signature] (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.

[Signature] (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.

[Signature] (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.

[Signature] (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.

[Signature]  
Applicant Signature (must be notarized)

12/13/2018

Date

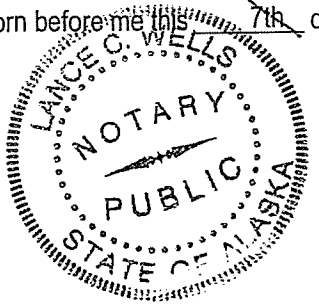
Shelton Landon

Print Name

State of Alaska  
Third Judicial District

Shelton Landon, 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 13th day of December, 20 18.



[Signature]  
Notary Public

My commission expires: 6/18/2019

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.