

Submitted by: Assembly Chair at the Request of
the Mayor
Prepared by: Municipal Clerk's Office and
Planning Department
For reading: April 23, 2019

**ANCHORAGE, ALASKA
AR No. 2019-143**

1 **A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING**
2 **A MARIJUANA LICENSE AND SPECIAL LAND USE PERMIT FOR TUNDRA**
3 **HERB COMPANY, LLC, A MARIJUANA RETAIL SALES ESTABLISHMENT**
4 **WITH LICENSE NUMBER M17480, DOING BUSINESS AS TUNDRA HERB**
5 **COMPANY, AND LOCATED AT 520 WEST 6th AVENUE, STE. A.**
6

7 (Downtown Community Council) (Case 2019-0032)
8

9 **THE ANCHORAGE ASSEMBLY RESOLVES:**
10

11 **Section 1.** The approvals in sections 2 and 3 of this resolution are for a marijuana
12 retail establishment with municipal license number M17480, doing business as
13 Tundra Herb Company, located at 520 W. 6th Avenue, Ste. A, in the B-2A district,
14 within Lot 3A, Block 70, Anchorage Original Townsite; generally located southwest
15 of the intersection of W. 6th Avenue and E Street, 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 retail marijuana store license is hereby approved for Alaska
20 Fireweed, subject to the following conditions pursuant to AMC section 10.80.015:
21

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

35 **Section 3.** The application submitted for the requested special land use permit
36 for marijuana generally meets the applicable provisions of AMC section 21.50.020
37 and AMC section 21.50.420. A special land use permit for a marijuana retail sales
38 establishment facility is hereby approved for Tundra Herb Company, subject to the
39 following conditions:
40

- 41 1. All uses shall conform to the plans and narrative submitted with the
42 license/special land use permit application, as modified by this

1 resolution, and with all applicable portions of Anchorage Municipal
2 Code, and may be modified in accordance with AMC 21.15.030G
3

4 2. A notice of zoning action shall be filed with the State of Alaska
5 Recorder's Office before operation of the establishment.
6

7 3. The establishment shall be open for inspection and examination by
8 the municipality during municipal business hours and establishment
9 business hours.
10

11 4. The premises shall be ventilated so that the odor of marijuana cannot
12 be detected at any lot line by a person with a normal sense of smell.
13 Violation could lead to a requirement to increase air filtering and/or
14 change the ventilation location in the establishment.
15

16 5. The Conditions Certificate, issued by the Planning Department and
17 containing conditions imposed by the Assembly on this special land
18 use permit, shall be displayed in a visible location near the main
19 entrance at all times.
20

21 6. The retail sales establishment shall be closed to the public between
22 midnight and 8:00 a.m. each day.
23

24 **Section 4.** The conditions contained in this resolution shall be met and shall be
25 verified by inspection before the marijuana establishment can begin operations.
26

27 **Section 5.** Failure to comply with the conditions of this license and special land
28 use permit and the applicable provisions of Anchorage Municipal Code shall
29 constitute grounds for modification or revocation of the license and/or the special
30 land use permit.
31

32 **Section 6.** The marijuana license approved in section 2 above expires on August
33 31, 2019. An application to renew the marijuana license may be submitted in
34 accordance with AMC section 10.80.036. The special land use permit for marijuana
35 approved in section 3 above is valid until it expires in accordance with AMC
36 subsection 21.15.030J.3.
37

38 **Section 7.** In accordance with AMC section 10.80.061B., the Municipal Clerk
39 shall, upon approval of this municipal marijuana establishment license and
40 fulfillment of the conditions in Section 2 and verification pursuant to Section 4,
41 provide written notification to the AMCO that the protest is lifted.
42

43 **Section 8.** This resolution shall be effective immediately upon passage and
44 approval by the Assembly.
45

46 PASSED AND APPROVED by the Anchorage Assembly this ____ day of ____, 2019.
47
48
49

50 _____
Chair

1 ATTEST:

2

3

4

5

6

Municipal Clerk



MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM 283-2019

Meeting Date: April 23, 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 TUNDRA HERB COMPANY, LLC, A MARIJUANA
6 RETAIL SALES ESTABLISHMENT WITH LICENSE NUMBER
7 M17480, DOING BUSINESS AS TUNDRA HERB COMPANY, AND
8 LOCATED AT 520 WEST 6th AVENUE, STE. A.
9

10 Tundra Herb Company has applied for a marijuana retail sales establishment
11 license and special land use permit. The facility is proposed to be located at 520
12 West 6th Avenue, Ste. A, within the Downtown Community Council.
13

14 The applicant has successfully completed their public notice requirements, and
15 on March 1, 2019 the Planning Department mailed 215 public hearing notices to
16 residents and property owners within 500 feet of the site of the proposed facility.
17

18 The Municipal Clerk's Office and the Planning Department have reviewed the
19 application against the requirements of AMC chapter 10.80, AMC section
20 21.15.030, AMC 21.50.020 and AMC section 21.50.420, and considered any
21 comments received from various reviewing agencies, the community council, and
22 the public. Staff has determined that the applicant is generally in compliance
23 with municipal code, with the conditions recommended in the Assembly
24 Resolution.
25

26 **THE ADMINISTRATION RECOMMENDS APPROVAL.**

27
28 Prepared by: Ryan Yelle, Senior Planner, Planning Department
29 Approved by: Michelle McNulty, Director, Planning Department
30 Concur: Christopher M. Schutte, Director
31 Office of Economic and Community Development
32 Concur: Rebecca A. Windt Pearson, Municipal Attorney
33 Concur: William D. Falsey, Municipal Manager
34 Respectfully submitted: Ethan A. Berkowitz, Mayor
35

**PLANNING DEPARTMENT
STAFF ANALYSIS
SPECIAL LAND USE PERMIT FOR MARIJUANA**

Date: April 23, 2019

Case Number: 2019-0032

Applicant: Tundra Herb Company
SOA License Number: 17480

Request: Special land use permit for a marijuana retail sales establishment

Site Address: 520 W. 6th Ave, Anchorage, AK 99501
Legal Description: Anchorage Original Townsite, Lot 3A, Block 70
Parcel ID Number: 002-113-79

Community Council: Downtown

- Attachments:**
1. Maps
 2. Application
 3. Reviewing Agency and Public Comments
 4. Affidavit of Posting

Recommendation Summary: Approval with conditions

Site Information

Size:	14,000ft ²	Topography:	Flat
Zoning:	B-2A	Utilities:	Public sewer and water

Surrounding Area

	<u>NORTH</u>	<u>EAST</u>	<u>SOUTH</u>	<u>WEST</u>
Zoning:	B-2A	B-2A	B-2B	B-2A
	Central	Central	Central	Central
	Business	Business	Business	Business
	District-Core	District-Core	District-Intermediate	District-Core

Comprehensive Plan

Classification: "City Center" per the *Anchorage 2040 Land Use Plan*, Land Use Plan Map; "Downtown Core" per the *2007 Anchorage Downtown Comprehensive Plan*, Downtown Districts Diagram.

Site Description and Proposal

This is a request for a special land use permit for a marijuana retail facility to be located downtown within the B-2A district. This site is located on W. 6th Ave, southwest of the intersection of W. 6th Ave and E St. The applicant is requesting 1,666ft². of space be licensed for marijuana retail. The hours of operation listed in the application state the business plans to be open between 8:00am to 11:30pm, Sunday through Saturday.

Public and Agency Comments

On March 1, 2019 the Planning Department mailed 215 public hearing notices in accordance with AMC 21.15.005E. As of this writing, one response in opposition has been received. The Planning Department also mailed public hearing notices to the Downtown and South Addition Community Councils.

Approval Criteria (AMC 21.50.020)

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. Furthers the goals and policies of the comprehensive development plan and conforms to the comprehensive development plan in the manner required by chapter 21.05

The criteria is met.

The *Anchorage 2040 Land Use Plan*, Land Use Plan Map classifies this site as “City Center” and the *2007 Anchorage Downtown District Plan*, Downtown Districts Diagram, classifies this parcel as within the “Downtown Core.” The purposed commercial use of this property is consistent with this parcel’s classification as defined in the Anchorage 2040 Land Use Plan and the 2007 Anchorage Downtown District Plan, as well as its current B-2A zoning designation.

The purposed business will complement the surrounding retail businesses by providing additional opportunities for downtown shoppers and tourist. It will also occupy a currently vacant space with a retail facility that will progress the economic vibrancy of the downtown core.

B. Conforms to the standards for that use in this title and regulations promulgated under this title

The criteria is met.

A marijuana retail sales establishment is an allowed use requiring a conditional use permit under AMC 21.40.160.D.

The applicant has provided plans that comply with the use-specific standards for this zoning district found in AMC 21.50.420. See attached code compliance checklist.

C. Will be compatible with existing and planned land uses in the surrounding neighborhood and with the intent of its use district; and

The standard is met.

This proposed use will be compatible with both existing and planned land uses in the surrounding area, and is consistent with the intent of the B-2A district. This parcel is peripherally located within a B-2B district and as such, it is bordered by businesses held to the same land use standards. Surrounding land uses include office buildings, restaurants, pubs, parking lots, government facilities, and hotels.

The intent of the B-2A district is:

“The B-2A district is intended to create a concentrated area of retail, financial and public institutional facilities in order to encourage the development of interrelated uses and functions, reduce pedestrian walking distance between activities, and ensure the development of compatible pedestrian-oriented uses on the ground floor level throughout the district.”

D. Will not have a permanent negative impact on the items listed in this subsection substantially greater than that anticipated from permitted development:

1. Pedestrian and vehicular traffic circulation and safety.

This criteria is met.

At the location of this parcel, 6th Avenue is designated a “Class IIIC Major Arterial” per the 2014 *Official Streets and Highways Plan (OS&HP)*, experiencing over 20,000 average daily vehicle trips. The Downtown area is developed with sidewalks and traffic control devices to accommodate safe pedestrian travel.

Off-street parking is not required in the B-2A district in accordance with AMC 21.40.150K.

2. The demand for and availability of public services and facilities.

The criteria is met.

This proposed use will not have a negative impact on public services. Downtown Anchorage is developed with urban amenities. The streets are paved with curb, gutter, storm drain, sidewalks, and traffic control devices. The site also has multiple public transportation routes running at regular intervals within one block. The site is served by public water and sewer, telephone, electric, internet services, and gas. The petition site is within the Anchorage Roads and Drainage, the Building Safety, Parks Service Area, and the Police and Fire Service Areas.

3. Noise, air, water or other forms of environmental pollution.

The criteria is met.

No air, water or other forms of environmental pollution greater than permitted by code will result from this proposed marijuana retail site. All waste product will be disposed of in a manner detailed in the applicant's *Waste Disposal Plan*.

The applicant has also meaningfully engaged with the community and has provided a *Neighborhood Responsibility Plan* that details how the applicant will address any neighborhood concerns that arise once business has commenced.

4. The maintenance of compatible and efficient development patterns and land use intensities.

The criteria is met.

The zoning, land use, and the general area land use will not change as a result of this use. It does not appear that the surrounding land uses will be negatively affected by this special land use permit for marijuana retail.

Additional Considerations

In accordance with AMC 21.50.420B.4. the assembly shall only approve the conditional use if the assembly finds the standards of section 21.50.020 have been met, as well as considering if 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.

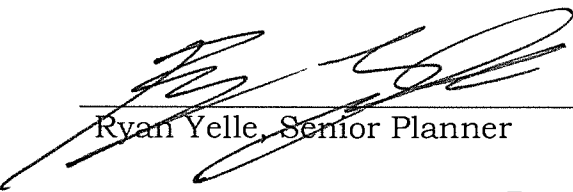
The Planning Department believes the above criteria has been met. The applicant has meaningfully engaged with the community and has provided a

Memorandum of Understanding with the Downtown Community Council which details how the applicant will address any neighborhood concerns that may arise once business has commenced.


Recommendation

Staff 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 21.15.030G
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 retail sales establishment shall be closed to the public between midnight and 8:00 a.m. each day.



Ryan Yelle, Senior Planner



Michelle McNulty, Director

Parcel ID No. 002-113-79



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

Applicant: Tundra Herb Company
Establishment Type: Retail

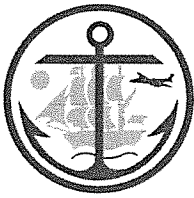
Case #: 2019-0032/License #: 17480
Date: April 23, 2019

Address: 520 W. 6th Avenue, Ste. A, Anchorage, AK 99501
Zoning District: B-2A

Parcel ID #: 002-113-79
Community Council: Downtown

Municipal application is in concurrence with state application? Yes No

Code Citation and Topic	Compliance Information	Complies	Recommended Condition
21.15.030 Required Submittals		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.15.005.A.1.a Required public notice for Assembly public hearing: mailed, published, posted, community council		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.50.420B.3. Report of all marijuana licenses located within 1,000 feet of subject property	See below.	N/A	
21.50.420C.1. Separation from Protected Land Uses		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.50.420C.2. Prohibited with Alcohol License		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.50.420C.3. Prohibited with Residential		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.50.420C.4. 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.



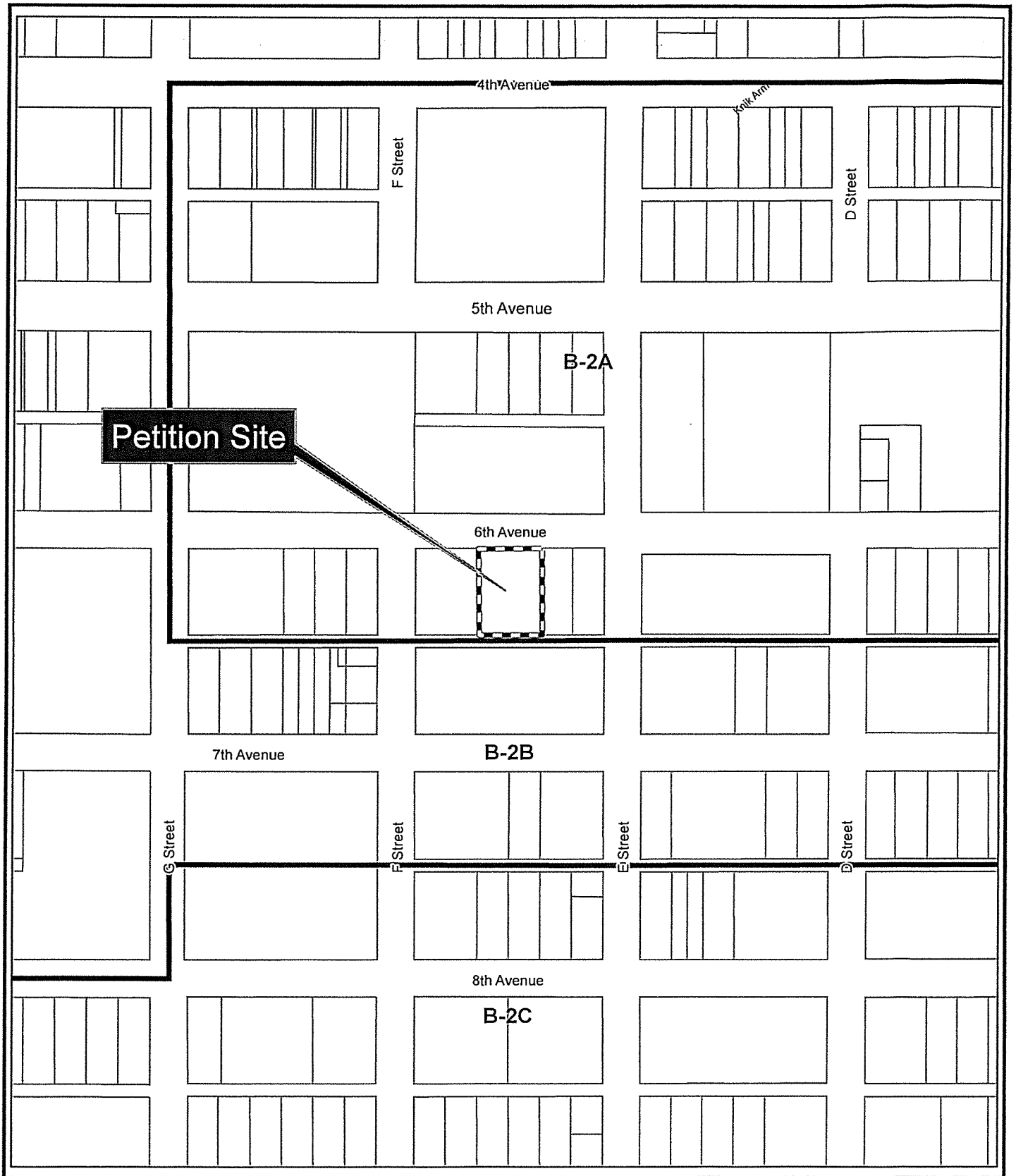
**Municipality of Anchorage, Planning Department
Code Compliance Checklist
Commercial Marijuana Establishment Application**

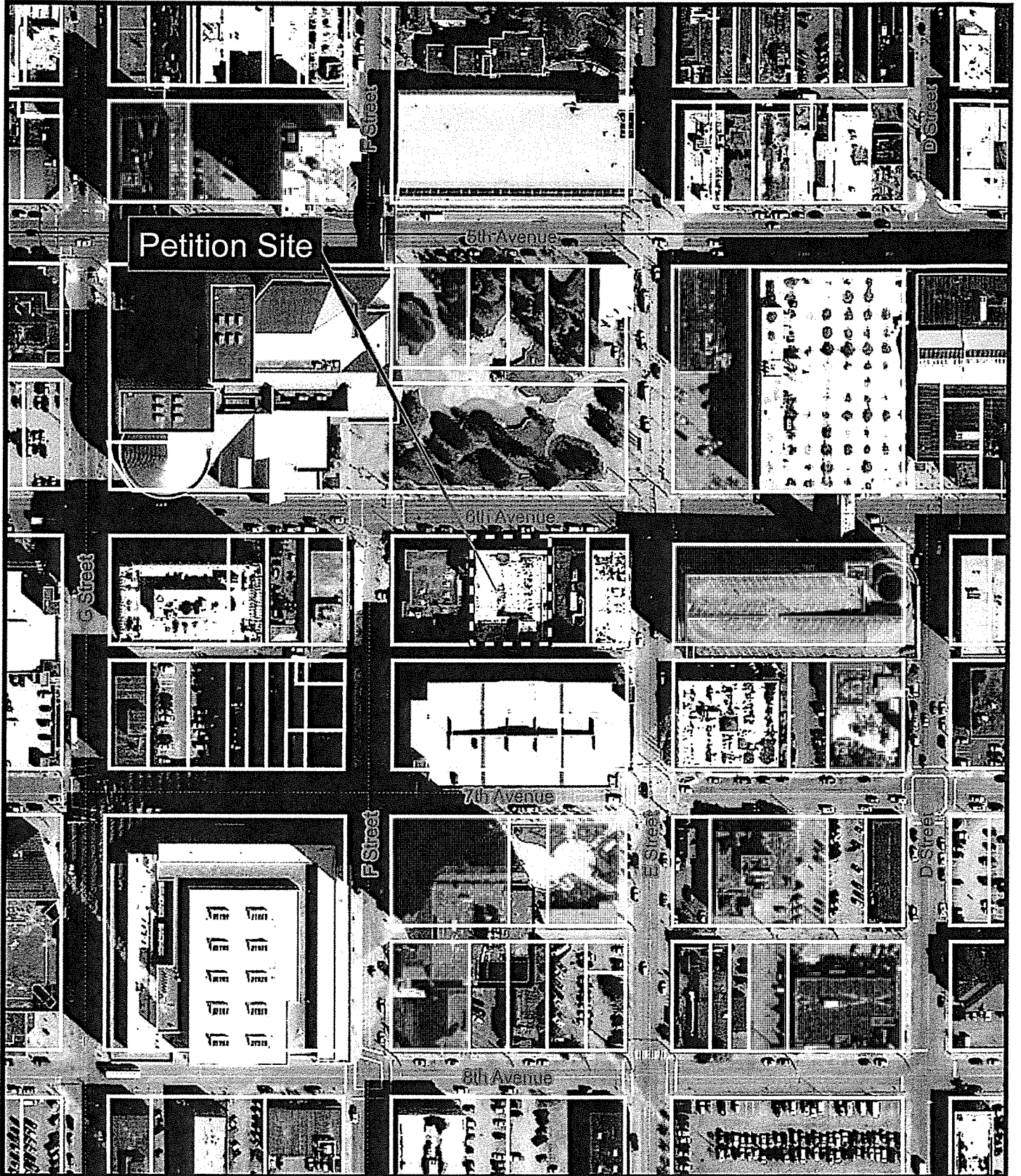
Code Citation and Topic	Compliance Information	Complies	Recommended Condition
21.50.420C.5. Ventilation	Ongoing requirement.	N/A	The premises shall be ventilated so that the odor of marijuana cannot be detected at the lot line by a person with a normal sense of smell. Violation could lead to a requirement to increase air filtering and/or change the ventilation location in the establishment.
21.50.420C.6. 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.
21.50.420C.7 Permanent Structure		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
For Retail Sales Establishments			
21.50.420C.9. Required to be closed between midnight and 8 a.m.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The retail sales establishment shall be closed to the public between midnight and 8:00 a.m. each day.
21.50.420C.10. Signs		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Signs shall comply with state regulation and chapter 21.47. No temporary signs are permitted.
21.50.420C.11. No drive-through		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.50.420C.12. No outdoor storage or display of products		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.50.420C.8. Neighborhood responsibility planning		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Marijuana Licenses Within 1,000 Feet of Subject Property

Establishment Name	Type	MOA License Number	Address
The Green Room AK	Retail	M10109	610 C St.
Great Northern Cannabis	Retail	M11966	541 W. 4 th Ave
Alaska Fireweed	Retail	M10307	715 W. 4 th Ave

Maps





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	First	M.I.
Youse	John	Karl
Home Physical Address		Home Mailing Address
5310 Arctic Blvd #4		5310 Arctic Blvd #4
Anchorage, Ak 99518		Anchorage, Ak 99518
Contact Phone – Day	Evening	Fax
907-240-2349	Same	N/A
E-mail (required)		Business Mailing Address
Lamyouse99@hotmail.com		520 W 6th Ave, Suite A
		Anchorage, Ak 99501

TYPE OF MARIJUANA ESTABLISHMENT PROPOSED

<input type="checkbox"/> Cultivation Facility (including Limited Cultivation Facility)	<input type="checkbox"/> Testing Facility
<input type="checkbox"/> Manufacturing Facility (including Concentrate Manufacturing Facility)	<input checked="" type="checkbox"/> Retail Sales Establishment
Business Name: Tundra Herb Company	
State of Alaska Marijuana Control Board License Number: 17480	
Other marijuana licenses applied for or approved on the property?	
No	

PROPERTY INFORMATION

Property Tax # (000-000-00-000): 002-113-79-000		
Site Street Address: 520 W 6th Ave Suite A, Anchorage Ak, 99501		
Current Legal Description: (use additional sheet if necessary)		
BLK 70 LT 3A		
Zoning District: B2A	Lot Size: 14,000 Sq Ft	Grid #: SW1330
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?
1,666 Sq Ft
What will be the business days and hours of operation?
Sunday through Saturday, 8am until 11:30 pm

Accepted by RJ	Poster & Affidavit 171	Fee 1700.00	Case Number 2019-0032	Requested Meeting Date 4/23/19	License Number 17480
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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 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
None	

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 10.80.0214.

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
Tyler Russell	3619 W 42nd Ave, Anchorage Ak 99517

ML (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.

ML (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.

ML (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.

ML (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.

ML (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.

ML (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.

ML (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.

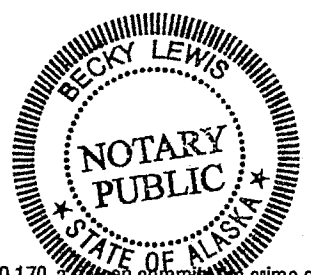
John K Yousie
Applicant Signature (must be notarized) 1/30/2019 Date

JOHN K YOUSIE
Print Name

State of Alaska
Third Judicial District

Becky Lewis, 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 30th day of January, 2019.



Becky Lewis
Notary Public
My commission expires: 11/13/2021

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.