

Submitted by: Chair of the Assembly at the  
Request of the Mayor  
Prepared by: Municipal Clerk's Office and  
Planning Department  
For reading: July 9, 2019

**ANCHORAGE, ALASKA**  
**AR No. 2019-226**

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 RETAIL SALES**  
4 **ESTABLISHMENT WITH LICENSE NUMBER M11731, DOING BUSINESS AS AK**  
5 **SLOW BURN CANNABIS OUTLET, AND LOCATED AT 1551 E. TUDOR ROAD.**

6  
7 (Tudor Area Community Council) (Case 2019-0078)  
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 retail sales establishment with municipal  
13 license number M11731, doing business as AK Slow Burn Cannabis Outlet, located  
14 at 1551 E. Tudor Road, in the B-3 district, within portion of SE ¼, SE ¼, SE ¼, SW  
15 ¼, Sec 29, T13N, R3W; generally located northwest of the intersection of Tudor  
16 Road and Needle Circle, in 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 retail marijuana store license is hereby approved for AK  
21 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 retail sales  
40 establishment is hereby approved for AK Slow Burn Cannabis Outlet, subject to the  
41 following conditions pursuant to AMC subsection 21.03.020M.  
42

- 1 1. All uses shall conform to the plans and narrative submitted with the  
2 license/special land use permit application, as modified by this  
3 resolution, and with all applicable portions of Anchorage Municipal  
4 Code, and may be modified in accordance with AMC subsection  
5 21.03.105C.9.  
6
- 7 2. A notice of zoning action shall be filed with the State of Alaska  
8 Recorder's Office before operation of the establishment.  
9
- 10 3. The establishment shall be open for inspection and examination by  
11 the municipality during municipal business hours and establishment  
12 business hours.  
13
- 14 4. The premises shall be ventilated so that the odor of marijuana cannot  
15 be detected at any lot line by a person with a normal sense of smell.  
16 Violation could lead to a requirement to increase air filtering and/or  
17 change the ventilation location in the establishment.  
18
- 19 5. The Conditions Certificate, issued by the Planning Department and  
20 containing conditions imposed by the Assembly on this special land  
21 use permit, shall be displayed in a visible location near the main  
22 entrance at all times.  
23
- 24 6. The retail sales establishment shall be closed to the public between  
25 midnight and 8:00 a.m. each day.  
26
- 27 7. Revise the site plan to include L1 visual enhancement landscaping  
28 along the frontage of Tudor Road, and L2 buffer landscaping along the  
29 eastern and northern lot lines which abut a residential district.  
30 Nonconforming rights may be established in lieu of installing the  
31 required landscaping.  
32
- 33 8. Resolve with Traffic, the parking lot design and need to install a  
34 pedestrian connection to the right-of-way of Tudor Road, an  
35 accessible route from the provided accessible parking space to the  
36 front entrance, and (if applicable) provide a driveway permit issued by  
37 AK DOT&PF for the expansion of the curb cut along Tudor Road.  
38

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

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

47 **Section 6.** The marijuana license approved in section 2 above expires on  
48 August 31, 2020. An application to renew the marijuana license may be submitted  
49 in accordance with AMC section 10.80.036. The special land use permit for  
50 marijuana approved in section 3 above is valid until it expires in accordance with

1 AMC subsection 21.03.105C.10.

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

7  
8 **Section 8.** This resolution shall be effective immediately upon passage and  
9 approval by the Assembly.

10  
11 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day  
12 of \_\_\_\_\_, 2019.

13  
14  
15 \_\_\_\_\_  
16 Chair of the Assembly

17 ATTEST:

18  
19  
20  
21 \_\_\_\_\_  
22 Municipal Clerk



# MUNICIPALITY OF ANCHORAGE

## Assembly Memorandum

No. AM 453-2019

Meeting Date: July 9, 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 RETAIL SALES ESTABLISHMENT WITH LICENSE  
7 NUMBER M11731, DOING BUSINESS AS AK SLOW BURN  
8 CANNABIS OUTLET, AND LOCATED AT 1551 E. TUDOR ROAD.  
9

10  
11 AK Slow Burn Cannabis Outlet has applied for a retail sales establishment license  
12 and special land use permit. The facility is proposed to be located at 1551 E. Tudor  
13 Road in the Tudor Area Community Council.  
14

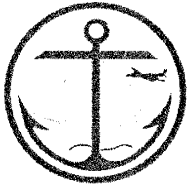
15 The applicant has successfully completed their public notice requirements, and on  
16 May 20, 2019, the Planning Department mailed 153 public hearing notices to  
17 residents and property owners within 500 feet of the site of the proposed facility.  
18

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

### 26 **THE ADMINISTRATION RECOMMENDS APPROVAL.**

27  
28 Prepared by: Ryan Yelle, Senior Planner, Planning Department  
29 Approved by: Michelle J. 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

36  
37 Attachments: Planning Staff Report  
38 Planning Packet

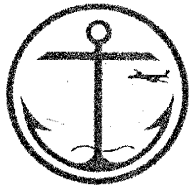


**Municipality of Anchorage, Clerk's Office**  
**Code Compliance Checklist**  
**Commercial Marijuana Establishment Application**

**Applicant:** AK Slow Burn Cannabis Outlet, LLC  
**Establishment Type:** Retail  
**Address:** 1551 E Tudor Rd.  
**Other licenses at this address:** N/A  
**Other License Types Applied For:** 10245-Retail, 10898-Cultivation  
**Community Council:** Tudor Area

**License #:** M11731  
**Public Hearing Date:** July 9, 2019

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	No other licenses indicated for this premises.	<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 older records stored electronically off site.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Retail Establishments</b>			
10.80.325 Retail store sign—age limitation	Appropriate signs to be posted on main entry door and shopping area entry door.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10.80.330 Inventory tracking system	Applicant will use Metrc system; compliance is indicated.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10.80.335 Health and safety requirements		<input type="checkbox"/> Yes <input type="checkbox"/> No	
10.80.345 Packaging and labeling	Required packaging and labeling is provided; packaging standards will be met.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10.80.350 Identification requirement	Government issued identification will be checked upon entry.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10.80.371 Prevention of botulism	Products and concentrates will be stored in commercial grade refrigerators and/or freezers; or in locked secure display cases.	<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 retail sales establishment within a B-3 district. The site is located northwest of the intersection of Tudor Road and Needle Circle. The proposed establishment will be located within an existing commercial structure. Approximately 1,295ft<sup>2</sup> of available building space will be dedicated to marijuana retail. This retail sales establishment will be open seven days a week, from 8:00am until midnight.

## Public and Agency Comments

On May 20, 2019 the Planning Department mailed 153 public hearing notices in accordance with AMC 21.03.020H. As of this writing, no responses have been received. Public hearing notices were also mailed to the Tudor Area Community Council, and Campbell Park Community Council. No comments from either 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 “Commercial Corridor.” The proposed use of this site as a marijuana retail sales establishment is consistent with its classification in the Anchorage 2040 Land Use Plan, and its current B-3 (General Commercial) zoning designation.

This site is compliant with AMC 21.06.020, *Table 21.06-2: Table of Dimensional Standards – Commercial and Industrial Districts*. The existing structure is placed in a conforming location within a conforming lot.

The vehicular circulation area is not expanding by either the greater of 10 parking spaces, or 10 percent of the existing area. Thus, dedicated snow storage area is not required per AMC 21.07.040F.4. *Snow Storage Areas on New Development Sites*.

A pedestrian connection to the right-of-way of Tudor Road is not provided. Thus, this site is not compliant with AMC 21.07.060E.4. *On-Site Pedestrian Connections*. To address this issue, the petitioner shall be required to revise the site plan to install the required facilities, or establish non-conforming rights.



There exists a lack of site perimeter/parking lot and buffer landscaping on this site per the standards of AMC 21.07.080 *Landscaping, Screening, and Fences*. Tudor Road is classified as an arterial in the 2014 *Official Streets and Highways Plan*, and the site abuts residentially zoned parcel along its eastern and northern lot lines. Thus, L1 visual enhancement landscaping shall be installed along the frontage of Tudor Road, and L2 buffer landscaping shall be installed along the eastern and northern lot lines which abut a residential district. Due the age of this site, this site may be eligible for non-conforming rights.

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 1,361ft<sup>2</sup>. Considering all current and planned uses on-site, the total parking requirement is to provide four parking spaces. A total of four parking spaces are provided on-site.

In accordance with AMC 21.07.090H.8. *Vehicular Access and Circulation*, the standard is not met. Compliant vehicle turning and maneuvering space is not provided on-site. Curbed end aisles for the new parking spaces are not provided. The existing curb cut along Tudor Road may be expanded according to the submitting site plan. Tudor Road is a state-owned and maintained right-of-way. A driveway permit for the expansion of the curb cut along Tudor Road shall be provided to the Traffic Department.

In accordance with AMC 21.07.090J, *Table 21.07-8: Accessible Parking Spaces* the standard is met. A parking lot providing 4 parking spaces is required to provide one van-accessible parking space. The development of one van-accessible parking space is shown on the submitted site plan.

It is unclear to reviewing staff whether or not an accessible route to the front entrance from the provided accessible parking space is provided. The site plan shall be revised to provide clarification on this matter in accordance with the standards of AMC 21.07.090J.9. *Accessible Routes*.

**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 retail sales establishment will be located within a well-traveled commercial corridor along Tudor Road. The existing building was originally constructed in 1962 to serve as a single-family home. It has since been converted to serve various commercial uses. Mixed commercial uses neighbor the petition site along Tudor Road, with mixed-residential

uses neighboring to the east and north. The proposed establishment will occupy the entire building, encompassing approximately 1,295ft<sup>2</sup> of space. The lot totals 15,000ft<sup>2</sup>. Daily hours of operation will be 8:00am-midnight, seven days a week. The proposed hours of operation may extend beyond those of neighboring businesses.

- 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.

Fixed-route public transportation is available on 15-minute headways within one-quarter mile of the petition site via route 25.

- 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 retail sales establishment will be located within an existing building that has served various commercial uses within recent years. The surrounding land uses are zoned B-3 (General Commercial) and R-2M (Mixed Residential) along Tudor Road. The petition site has direct access to Tudor Road. Tudor Road is classified as a “Class IIIA-Major Arterial” in this area under the 2014 Official Streets and Highways Plan; seeing over 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. It does not appear that this retail sales establishment 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.**

As part of their application, the petitioner has submitted a memorandum of understanding (MOU) entered into with the Tudor Area Community Council.

### **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 retail sales establishment shall be closed to the public between midnight and 8:00 a.m. each day.
7. Revise the site plan include L1 visual enhancement landscaping along the frontage of Tudor Road, and L2 buffer landscaping along the eastern and northern lot lines which abut a residential district. Nonconforming rights may be established in lieu of installing the required landscaping.
8. Resolve with Traffic, the parking lot design and need to install a pedestrian connection to the right-of-way of Tudor Road, an accessible route from the provided accessible parking space to the front entrance, and (if applicable)

provide a driveway permit issued by AK DOT&PF for the expansion of the curb cut along Tudor Road.

**Advisory Comment**

The petitioner is advised that they are required to obtain a health permit from the Anchorage Health Department prior to beginning operation.



Ryan Yelle, Senior Planner



Michelle McNulty, Director

Parcel ID No. 009-121-02



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

**Applicant:** AK Slow Burn Cannabis Outlet, LLC  
**Establishment Type:** Retail

**Case #:** 2019-0078/**License #:** M11731  
**Date:** July 9, 2019

**Address:** 1551 E. Tudor Road  
**Zoning District:** B-3

**Parcel ID #:** 009-121-02  
**Community Council:** Tudor Area

**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, a religious assembly (First Church of God) is approximately 930 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 Retail Sales Establishments</b>			
21.05.055.B.4.b.i. 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.
21.05.055B.4.b.ii. No drive-through		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.05.055B.4.b.iii. No outdoor storage or display of products		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.05.055B.4.b.v. Neighborhood responsibility planning		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	



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

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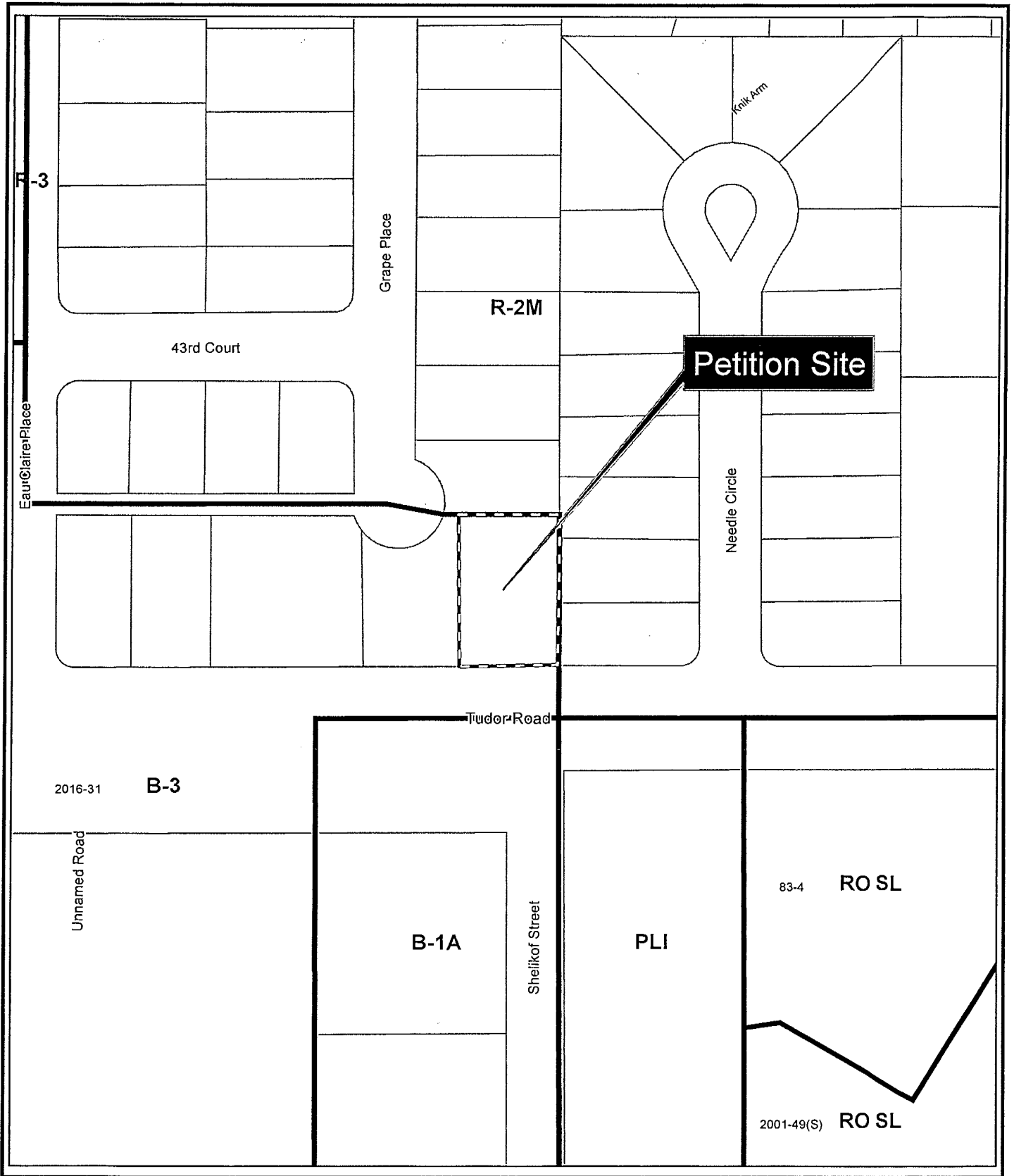
**Marijuana Licenses Within 1,000 Feet of Subject Property**

<b>Establishment Name</b>	<b>Type</b>	<b>MOA License Number</b>	<b>Address</b>
None.			

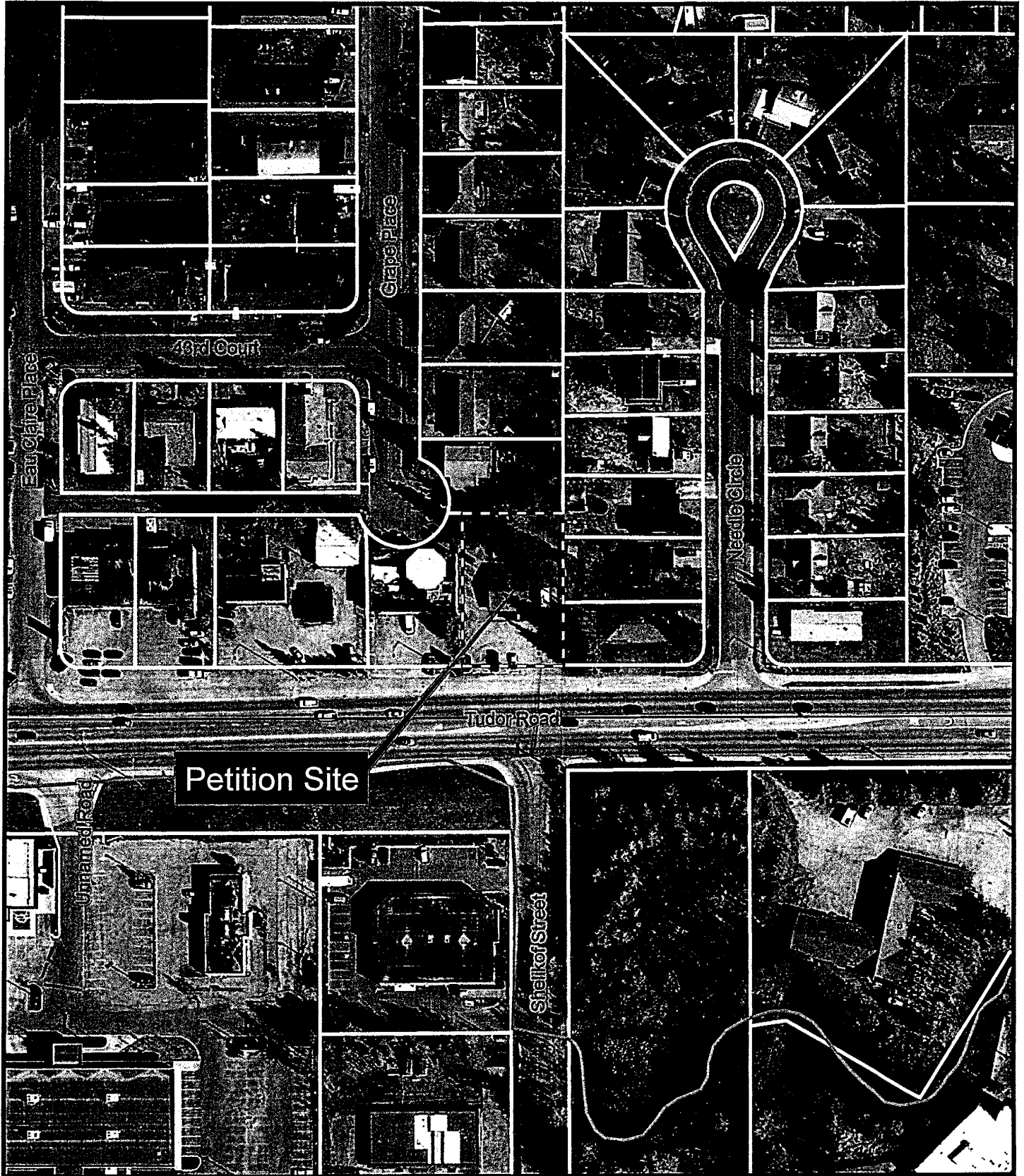


# Maps

# 2019-0078



2019-0078



# 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.
Weaver	Lou
Home Physical Address	Home Mailing Address
1120 Huffman Road, Suite 24	2891 Morgan Loop
Anchorage, Alaska 99515	Anchorage, Alaska 99516
Contact Phone – Day Evening Fax	Business Mailing Address
907-205-1705	2042 East 3rd Avenue, Suite A, Anchorage, AK 99502
E-mail (required)	
louweaver@me.com	

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: AK Slow Burn Cannabis Outlet	
State of Alaska Marijuana Control Board License Number: M11731	
Other marijuana licenses applied for or approved on the property?	
no	

PROPERTY INFORMATION		
Property Tax # (000-000-00-000): 009-121-02-000		
Site Street Address: 1551 E Tudor Road, Anchorage, Alaska 99507		
Current Legal Description: (use additional sheet if necessary) T13N R3W SEC 29 SE4SE4SE4SW4 PTN		
Zoning District: B-3	Lot Size: 15,000	Grid #: SW1732
Any dwelling units on the property? ___ Yes <u>X</u> No	Any liquor licenses on the property? ___ Yes <u>X</u> No	

FACILITY OPERATIONAL INFORMATION	
What is the licensed premises area in square feet?	
1,295 sf	
What will be the business days and hours of operation?	
Monday - Sunday 8am - 12am	

Accepted by RY	Poster & Affidavit 1+1	Fee \$1700.00	Case Number 2019-0078	Requested Meeting Date 07/09/19	License Number 11731
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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

**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 10.80.021A.**

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. WIA

(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

LM (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.

LM (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.

LM (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.

LM (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.

LM (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.

LM (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.

LM (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]

4-16-19

Applicant Signature (must be notarized)

Date

LOUIS E WEAVER

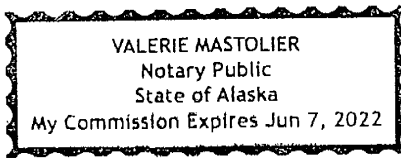
Print Name

State of Alaska  
Third Judicial District

LOUIS E 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 16 day of April, 2019.



[Signature]

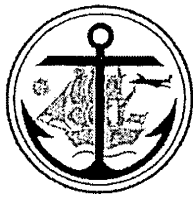
Notary Public

My commission expires: 6/7/22

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.



# Reviewing Agency & Public Comments



MEMORANDUM

DATE: June 10, 2019

RECEIVED

TO: Current Planning Division Supervisor,  
Planning Department

JUN 10 2019

THRU: Kristen A. Langley, Traffic Safety Section Supervisor,  
Traffic Department

PLANNING DEPARTMENT

FROM: Randy Ribble, Assistant Traffic Engineer

SUBJECT: 2019-0078 Special Land Use Permit for Marijuana (Retail Sales Establishment) for AK Slow Burn Cannabis Outlet

Traffic Department recommend approval of the site plan with the following comments;

Resolve with traffic to provide approved site plan to address the following issues;

No existing site plan, plot plan or as-built provided for review of existing conditions. The following items were noted from review of aerial and street imagery. There appears to be total 11 existing spaces on property and potential a non-compliant ADA space on east side of building. Provide existing site plan showing existing conditions and notes on scope of work to be provided. Will these existing spots remain or be eliminated. If new parking is provide as shown then existing parking along south boundary will be required to be removed.

No non-conforming determination was found for this site. The following items will be required to be addressed if no non-conforming rights are established.

1. Provide Pedestrian connection to ROW from primary entrance per 21.07.060 E.4
2. Provide Curb end islands for the 4 new parking spaces shown in front of the south elevation per 21.07.090 H 8.b
3. It appears that site exceeds the 2/5 requirement for pavement along frontage. Currently this space appears to be parking perpendicular. Provide details showing separation if no additional landscaping is required.
4. Existing curb cut to Tudor Road is approximately 24 feet. Site plan shows 34 foot driveway. Please provide copy of approved AKDOT ROW and access permits for potential widening of the driveway as shown on site plan.
5. Verify accessible routes from proposed accessible parking space. Deck on west side appears not to be accessible per site plan which is not what is indicated on new floor plan, Is this deck being demoed and rebuilt? Revise appropriate drawings. Provide grade information for proposed accessible parking space and aisle. Deck on east side appears to have a no compliant asphalt ramp which is not shown.

# MUNICIPALITY OF ANCHORAGE



Community Development Department  
Development Services Division

Private Development Section

*Mayor Ethan Berkowitz*

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JUN 07 2019

## MEMORANDUM

PLANNING DEPARTMENT

### Comments to Anchorage Assembly Applications/Petitions

**DATE:** June 7, 2019  
**TO:** Dave Whitfield, Current Planning Section Supervisor  
**FROM:** Brandon Telford, Plan Review Engineer  
**SUBJECT:** Comments for Assembly Public Hearing date: July 9, 2019

**Case No. 2019-0067** – Special Land Use Permit for Marijuana (Retail Sales Establishment) for 420 Enterprises LLC Co. dba Studio 420 AK in the B-3 (General Business) District.

*Private Development has no comment on the Special Land Use Permit.*

**Case No. 2019-0078** – Special Land Use Permit for Marijuana (Retail Sales Establishment) for AK Slow Burn Cannabis Outlet, LLC dba AK Slow Burn Cannabis Outlet in the B-3 (General Business) District.

*Private Development has no comment on the Special Land Use Permit.*



# MUNICIPALITY OF ANCHORAGE

Anchorage Health Department



Anchorage  
Health  
Department

**Date:** June 5, 2019  
**To:** Planning Department, Current Planning Division  
Clerk's Office, Business License Official  
**Thru:** *CL* Christy Lawton, Public Health Division Manger  
*DBA* Darcy Harris, Environmental Health Program Manager  
**From:** *JN* Janine Nesheim, Environmental Sanitarian III  
**Subject:** Comments Regarding SLUP 2019-0078, AK Slow Burn Cannabis Outlet,  
LLC dba AK Slow Burn Cannabis Outlet, SLUP for Marijuana (Retail Sales  
Establishment) in the B-3 (General Business) District

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JUN 06 2019

PLANNING DEPARTMENT

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## Comments re Food Safety

This SLUP is regarding AK Slow Burn Cannabis Outlet, LLC, a retail marijuana facility to be located at 4608 Spenard Rd.

This facility is currently in the AHD plan review process (SR 589), and is required to apply for a Health Permit. Passing dry shelf and stocked shelf inspections must be completed prior to operating.

There are no objections at this time.

# MEMORANDUM

**DATE:** May 29, 2019  
**TO:** Dave Whitfield, Planning Manager, Planning Section, Planning Division  
**FROM:** Paul Hatcher, Engineering Technician III, Planning Section, AWWU  
**RE:** Zoning Case Comments  
Hearing date: July 9, 2019  
Agency Comments due: June 14, 2019

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MAY 30 2019

PLANNING DEPARTMENT

AWWU has reviewed the materials and has the following comments.

**2019-0067 LAKE SPENARD PARK BLK 3 LT 12A, Special Land Use Permit for Marijuana (Retail Sales Establishment) for 420 Enterprises LLC Co. dba Studio 420 AK in the B-3 (General Business) District, Grid SW1827**

1. AWWU water and sanitary sewer are available to this parcel.
2. AWWU has no objection to this special land use permit.

**2019-0078 T13N R3W SEC 29 SE4SE4SE4SW4 PTN, Special Land Use Permit for Marijuana (Retail Sales Establishment) for AK Slow Burn Cannabis Outlet, LLC dba AK Slow Burn Cannabis Outlet in the B-3 (General Business) District, Grid SW1732**

1. AWWU water and sanitary sewer are available to this parcel.
2. AWWU has no objection to this special land use permit.

If you have any questions pertaining to public water or sewer, please call 564-2721 or send an e-mail to [paul.hatcher@awwu.biz](mailto:paul.hatcher@awwu.biz)

