

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Municipal Clerk's Office and
Planning Department
For reading: June 18, 2019

**ANCHORAGE, ALASKA
AR No. 2019-217**

1 **A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING**
2 **A MARIJUANA LICENSE AND SPECIAL LAND USE PERMIT FOR THE HERBAL**
3 **CACHE, LLC, A MARIJUANA RETAIL SALES ESTABLISHMENT WITH**
4 **LICENSE NUMBER M19277, DOING BUSINESS AS THE HERBAL CACHE, AND**
5 **LOCATED AT 158 HOLMGREN PLACE.**

6
7 (Girdwood Community Council) (Case 2019-0066)
8

9 **THE ANCHORAGE ASSEMBLY RESOLVES:**

10
11 **Section 1.** The approvals in sections 2 and 3 of this resolution are for The Herbal
12 Cache, LLC a marijuana retail sales establishment with municipal license number
13 M19277, doing business as The Herbal Cache, located at 158 Holmgren Place, in
14 the gC-7 district, within Lot 11, Block 1, New Girdwood Townsite Alaska; generally
15 located northeast of the intersection of Girdwood Place and Holmgren Place, in
16 Girdwood.

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 The
21 Herbal Cache, LLC, subject to the following conditions pursuant to AMC section
22 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 The Herbal Cache, LLC, 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 **Section 4.** The conditions contained in this resolution shall be met and shall be
28 verified by inspection before the marijuana establishment can begin operations.
29

30 **Section 5.** Failure to comply with the conditions of this license and special land
31 use permit and the applicable provisions of Anchorage Municipal Code shall
32 constitute grounds for modification or revocation of the license and/or the special
33 land use permit.
34

35 **Section 6.** The marijuana license approved in section 2 above expires on August
36 31, 2019. An application to renew the marijuana license may be submitted in
37 accordance with AMC section 10.80.036. The special land use permit for marijuana
38 approved in section 3 above is valid until it expires in accordance with AMC
39 subsection 21.03.105C.10.
40

41 **Section 7.** In accordance with AMC subsection 10.80.061B., the Municipal Clerk
42 shall, upon approval of this municipal marijuana establishment license and
43 fulfillment of the conditions in Section 2 and verification pursuant to Section 4,
44 provide written notification to the AMCO that the protest is lifted.
45

46 **Section 8.** This resolution shall be effective immediately upon passage and
47 approval by the Assembly.
48

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

1
2
3
4
5
6
7
8
9
10

ATTEST:

Chair of the Assembly

Municipal Clerk



MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM 431 - 2019

Meeting Date: June 18, 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 THE HERBAL CACHE, LLC, A MARIJUANA
6 RETAIL SALES ESTABLISHMENT WITH LICENSE NUMBER
7 M19277, DOING BUSINESS AS THE HERBAL CACHE, AND
8 LOCATED AT 158 HOLMGREN PLACE.
9

10
11 The Herbal Cache, LLC has applied for a retail sales establishment license and
12 special land use permit. The facility is proposed to be located at 158 Holmgren
13 Place in the Girdwood Community Council.
14

15 The applicant has successfully completed their public notice requirements, and
16 on April 30, 2019, the Planning Department mailed 187 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)
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

Site Description and Proposal

This is a request for a marijuana retail sales establishment within the gC-7 district. The site is located within the Girdwood Town Center, southeast of the intersection of Holmgren Place and Lindblad Avenue. The proposed establishment will be located within an existing commercial building and will have independent access from other units. Approximately 640ft² of building space will be dedicated to marijuana retail. This retail sales establishment will be open seven days a week from noon until 8:00pm.

This establishment was previously approved for a marijuana retail special land use permit by the Assembly on November 15, 2016 through AR 2016-301. The business was in operation for approximately two years, but the license was allowed to expire. Thus, the petitioner is re-applying for a new special land use permit.

Public and Agency Comments

On April 30, 2019 the Planning Department mailed 187 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 Girdwood Board of Supervisors, as well as, their Land Use Committee. No comments from the Girdwood Board of Supervisors 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 *1995 Girdwood Area Plan* defines this site as “Commercial.” The proposed use of this site as a marijuana retail sales establishment is consistent with its classification in the *1995 Girdwood Area Plan*, and its current gC-7 (Townsite Square Commercial) zoning designation.

Per the October 20, 2016 nonconforming determination (NCD), this site is compliant with AMC 21.09.060, Table 21.09-6: Table of Dimensional Standards – Girdwood Commercial Districts.

Per the October 20, 2016 NCD, this site has obtained nonconforming rights for the lack of design standards, site lighting, and pedestrian amenities.

On-site parking is prohibited within the gC-7 district, in accordance with AMC 21.09.070L *Off-Street Parking Standards*. All parking must be located within the adjoining right-of-way or within a community parking lot via a municipal parking agreement. The petitioner has entered into a community parking agreement and is in compliance with this requirement.

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

The intent of the gC-7 district is:

“This district is intended to be the commercial core of Girdwood, with commercial uses developed at street level, although residential dwelling units may be constructed over the ground floor commercial uses. Buildings shall be at human scale and relate strongly to both the street front and to the town square park, in order to support the park as a public amenity. Site development shall provide strong pedestrian connections to neighboring lots.”

Nonconforming rights for the lack of compliance with the district-specific standards for the gC-7 district have been established. Thus, the submitted site plan shall be considered in compliance with this criteria.

- 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 the town center of Girdwood. This retail sales establishment will have 640ft² of licensed retail area within an existing 2,520ft² commercial building. The existing building was constructed in 2004, and is of conventional construction, consistent with the character and appearance of surrounding buildings. The property to the north is undeveloped. Girdwood Town Square Park is located east of the site. The proposed hours of operation will be noon to 8:00 p.m. There is a public parking lot nearby to accommodate the traffic generated from this business. It has been determined by the Planning Department that this business will be operated in a manner that is compatible with surrounding 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 located outside of the Building Service Area. However, it is served by public utilities and by the Girdwood Fire Department. Currently, police service is provided by the Whittier Police Department.

Fixed route public transportation is available at this site via Glacier Valley Transit.

- 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 historically served various commercial uses. The surrounding land uses are zoned gC-7 (Townsite Square Commercial) and GIP (Girdwood Institutions and Parks). The petition site abuts the right-of-way of Holmgren Place. Holmgren Place 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. All vehicular traffic will be using existing public parking spaces within the Girdwood Town Center. 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 criteria is met.

The owners of this establishment have no previous denials or revocations of a marijuana license or special land use permit. Although the license issued in 2016 was allowed to expire in August of 2018, it was not revoked due to a violation of the owner or operator. It was voluntarily allowed to expire by the owner and operator.

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

The criteria is met.

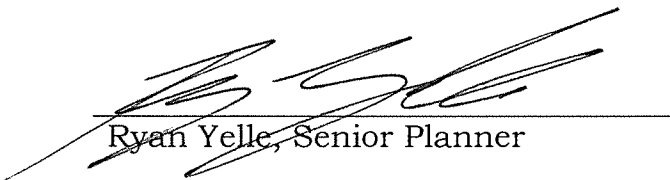
The petitioner submitted a Memorandum of Understanding (MOU) with their application. This MOU was entered into with the Girdwood Board of Supervisors and is dated November 19, 2018.

Recommendation

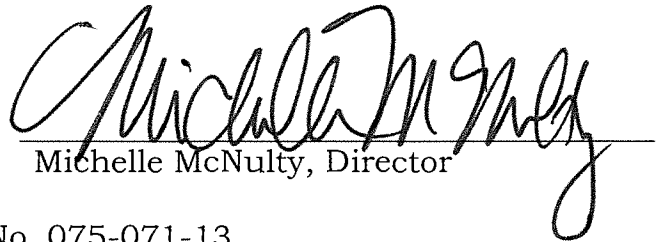
The Planning Department recommends approval subject to the following conditions:

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.

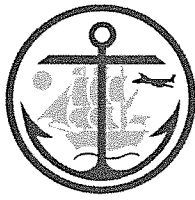


Ryan Yelle, Senior Planner



Michelle McNulty, Director

Parcel ID No. 075-071-13



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

Applicant: The Herbal Cache
Establishment Type: Retail

Case #: 2019-0066/**License #:** M19277
Date: June 18, 2019

Address: 158 Holmgren Place, Suite 101
Zoning District: gC-7

Parcel ID #: 075-071-13
Community Council: Girdwood

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 is a playground located approximately 970 feet from the petition site as measured via shortest practicable pedestrian route.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.05.055A.3. Prohibited with Alcohol License		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
21.05.055A.4. Prohibited with Residential		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	



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

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



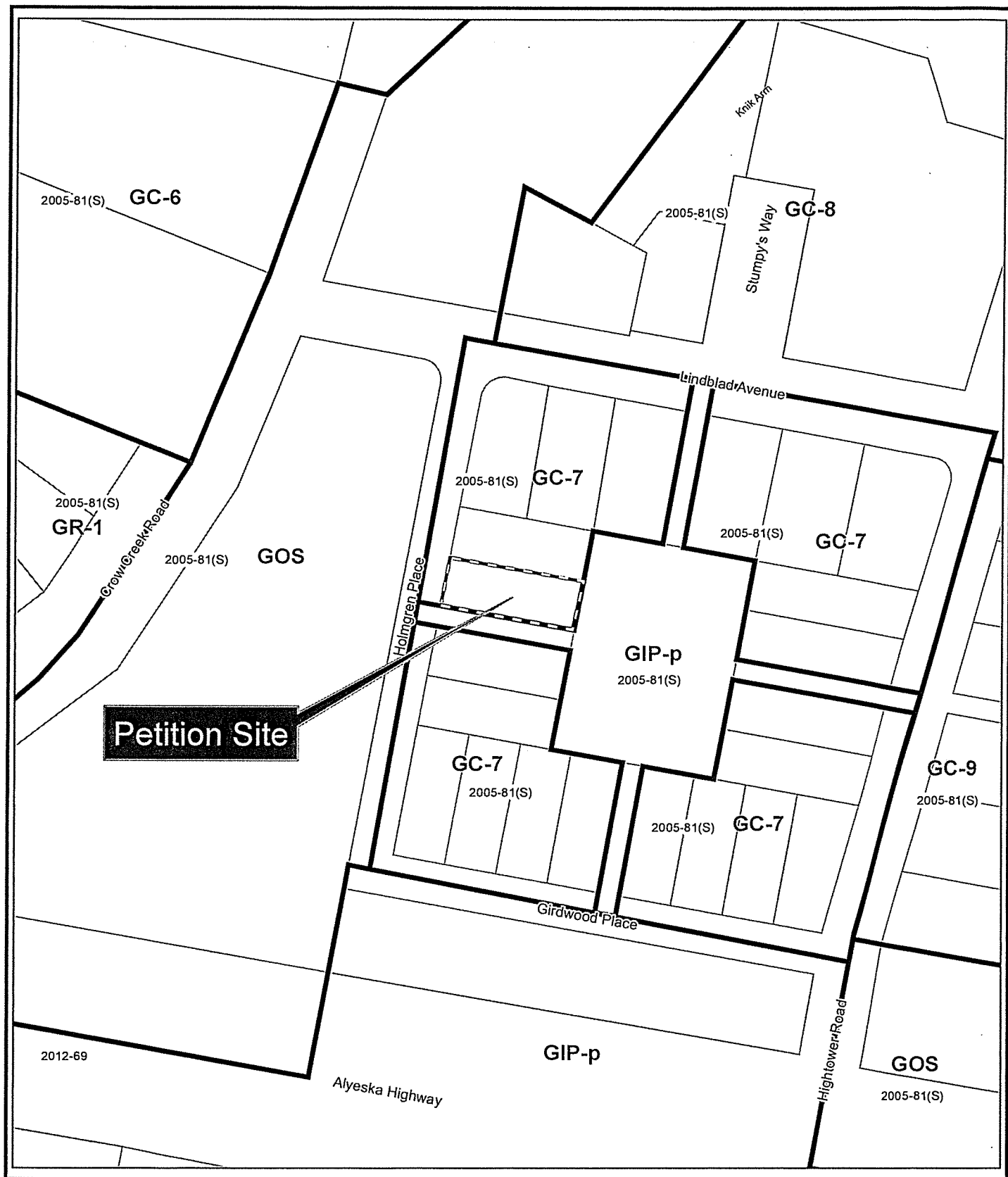
**Municipality of Anchorage, Planning Department
Code Compliance Checklist
Commercial Marijuana Establishment Application**

Marijuana Licenses Within 1,000 Feet of Subject Property

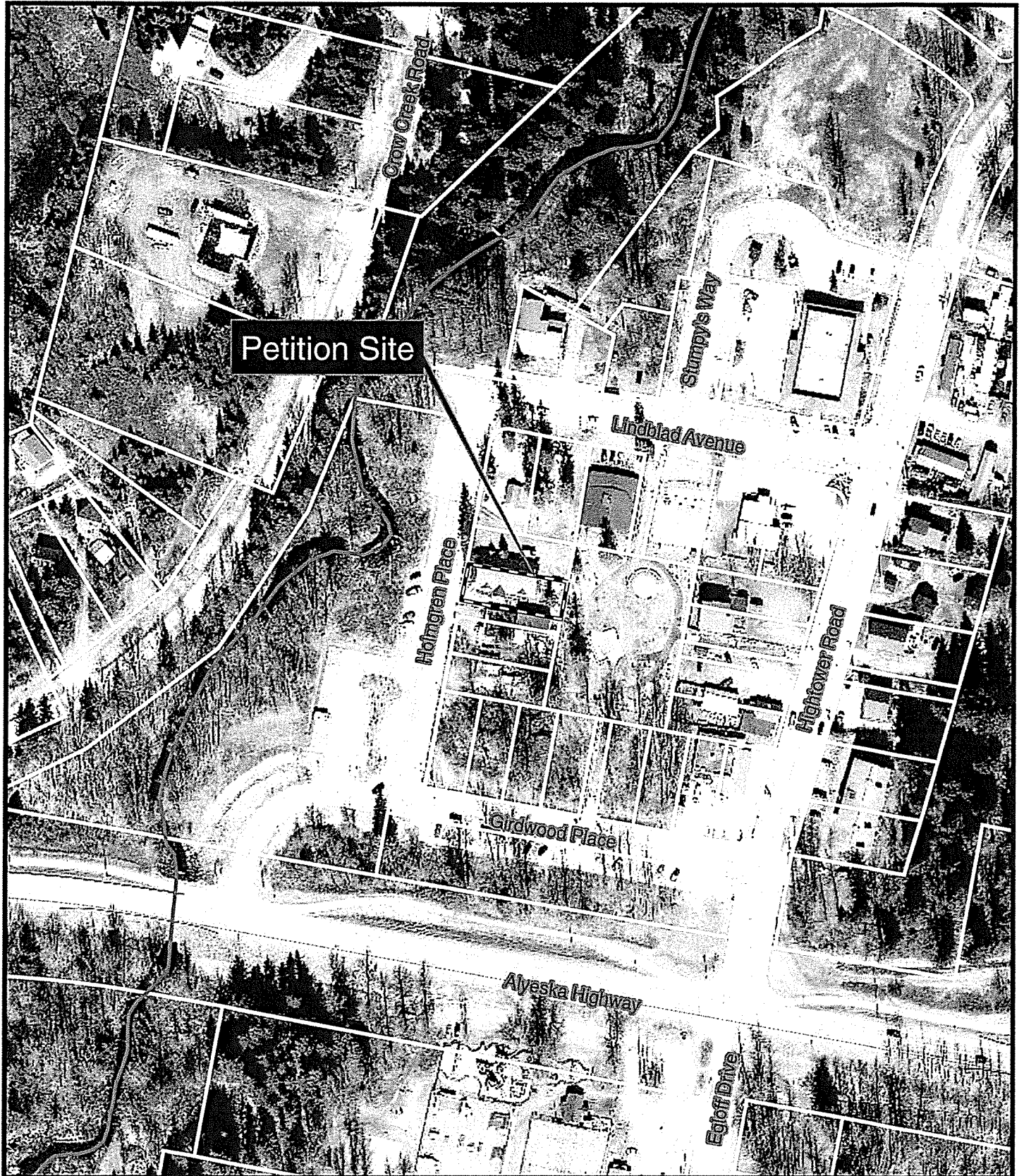
Establishment Name	Type	MOA License Number	Address
Turnagain Herb Company	Retail	M10686	279 Crow Creek Road

Maps

2019-0066



2019-0066



Application

Application for License and Special Land Use Permit for Marijuana

Municipality of Anchorage
 Clerk's Office/Planning Department
 PO Box 196550
 Anchorage, AK 99519-6550



APPLICANT			
Name of Authorized Applicant (see 3 AAC 306.020(d))			
Last	First	M.I.	
Carse	Brent		
Home Physical Address		Home Mailing Address	
158 Holmgren Pl Ste. 101		P.O. Box 822	
Girdwood, AK 99587		Girdwood, AK 99587	
Contact Phone - Day	Evening	Fax	Business Mailing Address
(907)764-7108			PO BOX 822
E-mail (required)			
Ak.powder@hotmail.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:	The Herbal Cache LLC
State of Alaska Marijuana Control Board License Number:	19277
Other marijuana licenses applied for or approved on the property?	

PROPERTY INFORMATION		
Property Tax # (000-000-00-000):	075-071-000	
Site Street Address:	158 Holmgren pl, Suite 101, Girdwood, AK 99587	
Current Legal Description: (use additional sheet if necessary)		
New Girdwood Townsite Alaska, Block 1, Lot 11		
Zoning District: gC7	Lot Size: 6,500	Grid #: SE4815
Any dwelling units on the property? ___ Yes ___ x No	Any liquor licenses on the property? ___ Yes ___ x No	

FACILITY OPERATIONAL INFORMATION
What is the licensed premises area in square feet?
640 sq. ft.
What will be the business days and hours of operation?
12pm to 8 pm

Accepted by KG	Poster & Affidavit 1+1	Fee \$170.00	Case Number 2019-0066	Requested Meeting Date 06/18/19	License Number 19277
-------------------	---------------------------	-----------------	--------------------------	------------------------------------	-------------------------

APPLICATION REQUIREMENTS	
1 copy required:	<input checked="" type="checkbox"/> Signed/notarized application (original) <input checked="" type="checkbox"/> Property owner letter of authorization (with original signature)
17 copies required:	<input checked="" type="checkbox"/> Signed/notarized application (copies) <input checked="" type="checkbox"/> Criminal justice information and records as required by AMC 10.80.056 <input checked="" type="checkbox"/> Summary of community meeting/community meeting mailer <input checked="" type="checkbox"/> 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.): <ul style="list-style-type: none"> <input type="checkbox"/> Site plan(s) to scale depicting, with dimensions: <ul style="list-style-type: none"> <input type="checkbox"/> building footprint <input type="checkbox"/> parking areas <input type="checkbox"/> vehicle circulation and driveways <input type="checkbox"/> loading facilities <input type="checkbox"/> landscaping <input type="checkbox"/> pedestrian facilities <input type="checkbox"/> required open space <input type="checkbox"/> fences <input type="checkbox"/> lighting <input type="checkbox"/> snow storage area or alternative strategy <input type="checkbox"/> trash receptacle location and screening detail <input type="checkbox"/> freestanding sign location(s) <input type="checkbox"/> Floor plan to scale and dimensioned, depicting the entirety of the licensed premises, and relation to all other uses located within the same building: <input type="checkbox"/> 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. <input type="checkbox"/> Waste disposal plan For marijuana cultivation facilities (AMC 21.03.105C.3.b.): <ul style="list-style-type: none"> <input type="checkbox"/> Plan that specifies the methods to be used to prevent the growth of harmful mold <input type="checkbox"/> Projected amount of water that will be used <input type="checkbox"/> Projected amount of wastewater that will be discharged <input type="checkbox"/> Letter from the applicable electric utility stating that power capacity at the proposed location is sufficient for the intended use <input type="checkbox"/> Odor control plan indicating how the applicant will comply with the requirements of municipal and state law and regulation <input type="checkbox"/> Information on moisture and temperature controlled storage (AMC 10.80.535C.) For marijuana manufacturing facilities (AMC 21.03.105C.3.c.): <ul style="list-style-type: none"> <input type="checkbox"/> 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 <input type="checkbox"/> Certification of an industrial hygienist or professional engineer, as required in AMC subsection 21.05.055B.2. <input type="checkbox"/> Projected amount of water that will be used <input type="checkbox"/> Projected amount of wastewater that will be discharged For marijuana retail sales establishments (AMC 21.03.105C.3.d.): <ul style="list-style-type: none"> <input type="checkbox"/> 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 <small>(Events that have occurred in the last 5 years for all or a portion of the site)</small>
<input type="checkbox"/> Building or Land Use Permit for:
<input type="checkbox"/> Land Use Enforcement Action for:
<input type="checkbox"/> Nonconforming Determination requested for property? <input type="checkbox"/> Yes <input type="checkbox"/> 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
Turnagain Herb Co. has initiated State app.	279 Crow Creek Rd, Girdwood, AK 99687

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. Brent Carse has no criminal convictions for the last five years.

(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

BC (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.

BC (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.

BC (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.

BC (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.

BC (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.

BC (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.

BC (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)

10/5/18
Date

Brent Carse

Print Name

State of Alaska
Third Judicial District

BRENT CARSE, 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 5th day of NOVEMBER, 2018.



Joyce L Kiava Postmaster
Notary Public

My commission expires: "Jum"

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.