

AGENDA ITEM F. PUBLIC HEARING

X. State application for a marijuana establishment license renewal; Nikiski Area

STAFF REPORT

PC MEETING: July 17, 2017

**Applicant:** Peace Frog Botanicals, LLC

**Landowner:** Jeffrey D Phelps

**Parcel ID#:** 013-590-05

**Legal Description:** Lot 2, Block 1, Hershberger Subd. No. 2, according to Plat 81-76, Kenai Recording District.

**Location:** 47459 Lakeside Dr, Kenai

BACKGROUND INFORMATION: The Alcohol and Marijuana Control Office (AMCO) has notified the borough that a renewal application has been received for State License 10041. The Kenai Peninsula Borough Assembly on July 18, 2017 issued a non-objection letter to AMCO for the original license.

In reviewing the renewal application, the Borough Finance Department has determined that the marijuana establishment is not current in all Kenai Peninsula Borough obligations consistent with KPB 7.30.020(A).

The marijuana establishment complies with the location requirements of KPB 7.30.020(B) and has sufficient ingress and egress consistent with KPB 7.30.020(C1).

The Alaska Marijuana Control Board will impose a condition a local government recommends unless the board finds the recommended condition is arbitrary, capricious, and unreasonable (3 ACC 306.060b). If the Planning Commission recommends additional conditions, findings must be adopted to support the conditions.

PUBLIC NOTICE: Public notice of the application was provided in accordance with KPB 21.11.

STAFF RECOMMENDATION

Staff recommends that the planning commission forward the application to the assembly with the recommendation that the following conditions be placed on the state license pursuant to 3 AAC 306.060(b):

1. The marijuana establishment shall conduct their operation consistent with the site plan submitted to the Kenai Peninsula Borough.
2. There shall be no parking in borough rights-of-way generated by the marijuana establishment.
3. The marijuana establishment shall remain current in all Kenai Peninsula Borough tax obligations consistent with KPB 7.30.020(A).

END OF STAFF REPORT