



# KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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**MIKE NAVARRE**  
**BOROUGH MAYOR**

## MEMORANDUM

**TO:** Kelly Cooper, Assembly President  
Kenai Peninsula Borough Assembly Members

**FROM:** Max Best, Planning Director 

**DATE:** July 17, 2017

**SUBJECT:** Application for the renewal of a Standard Marijuana Cultivation Facility License.  
**Applicant:** Greatland Ganja, LLC; **Landowner:** Glen Creek Group LLC; **Parcel #:** 13328029; **Property Description:** Lot 3, Spruce Hills Subdivision William E. Dam Sr. 1984 Addition, according to Plat 85-43, Kenai Recording District.; **Location:** 56475 Sterling Highway, Kasilof, AK, Kasilof Area.

The Kenai Peninsula Borough Planning Commission reviewed the subject application during their regularly scheduled July 17, 2017 meeting.

At the meeting it was noted that the staff report contained an error and should have stated, "In reviewing the renewal application, the Borough Finance Department has determined that the marijuana establishment is current in all Kenai Peninsula Borough obligations consistent with KPB 7.30.020(A)."

A motion to recommend approval of the Greatland Ganja, LLC, a Standard Marijuana Cultivation Facility application passed by unanimous consent subject to the following conditions:

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).

Attached are the unapproved minutes of the subject portion of the meeting.

AGENDA ITEM F.

PUBLIC HEARING

6a. State application for a marijuana establishment license renewal; Kasilof Area

Staff Report given by Bruce Wall

PC MEETING: July 17, 2017

**Applicant:** Greatland Ganja, LLC  
**Landowner:** Glen Creek Group LLC  
**Parcel ID#:** 133-280-29  
**Legal Description:** Lot 3, Spruce Hills Subdivision William E. Dam Sr. 1984 Addition, according to Plat 85-43, Kenai Recording District.  
**Location:** 56475 Sterling Highway, Kasilof

**BACKGROUND INFORMATION:** The Alcohol and Marijuana Control Office (AMCO) has notified the borough that a renewal application has been received for State License 10015. The Kenai Peninsula Borough Assembly on June 21, 2016 issued a non-objection letter to AMCO for the original license.

In April, staff became aware of an odor detectable on the highway adjacent to this facility. We brought this to their attention, they took corrective action, and we have not received any complaints since.

In reviewing the renewal application, the Borough Finance Department has determined that the marijuana establishment is 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**

Chairman Martin opened the meeting for public comment.

1. Leif Able  
Mr. Able was the owner and operator of Greatland Ganja. He thanked the Commissioners for their hard work and the time that they give to the Borough. Also, he gave an open invitation to come see what a standard cultivation facility looks like.

Mr. Able stated that they have been in operation for about a year and believed that they were the first one on the Peninsula to have a license and the second one in the State. There have been zero incidences relating to crime and commercial cannabis facilities that he was aware of on the Kenai Peninsula after a year of operating here.

Mr. Able reported that his company has paid \$120,000 in State taxes and has 15 employees, with six of them full time. They have estimated approximately \$7 million has been generated and circulated in the Borough due to this new industry in less than a year. He thought that this was an industry that the Borough should be proud of and that the Borough should be supporting.

Chairman Martin asked if there were questions for Mr. Able. Hearing none the public hearing continued.

Seeing and hearing no one else wishing to speak Chairman Martin closed the public comment period and opened discussion among the Commission.

**MOTION:** Commissioner Lockwood moved, seconded by Commissioner Isham to recommend approval of Greatland Ganja, Inc., a renewal of their State License according to staff recommendations, findings and to recommend that the following three conditions be placed on the state license.

*Conditions*

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).

Commissioner Carluccio asked if staff checks these facilities or if it was done when there was strictly a complaint. Mr. Wall replied that it was up to the State to enforce the regulations. He stated that the Borough would be responsible to monitor the three conditions that are added to the recommendation. They do not actively go out and inspect these because the was the State's responsibility.

**VOTE:** The motion passed by unanimous consent.

CARLUCCIO YES	ECKLUND YES	ERNST ABSENT	FIKES YES	FOSTER ABSENT	ISHAM YES	LOCKWOOD YES
MARTIN YES	MORGAN YES	RUFFNER ABSENT	VENUTI YES	WHITNEY ABSENT		8 YES 4 ABSENT

AGENDA ITEM F. PUBLIC HEARING

6b. State application for a marijuana establishment license renewal; Seward Area

Staff Report given by Bruce Wall

PC MEETING: July 17, 2017

**Applicant:** Budding Alaska LLC

**Landowner:** Frostbite Lease Services LLC

**Parcel ID#:** 145-070-01

**Legal Description:** That portion of the west 198 feet of Government Lot 6 lying south of Old Nash Road within Section 35, Township 1 North, Range 1 West, Seward Meridian.

**Location:** 32273 Old Nash Road, Seward