



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: August 15, 2017

SUBJECT: Application for the renewal of a Limited Marijuana Cultivation Facility License.
Applicant: Permafrost Distributors; **Landowner:** Chase R. Griffith; **Parcel #:** 01223011;
Property Description: Lot 10, Block 1, Field Subdivision 2, according to Plat K-1541,
Kenai Recording District.; **Location:** 54200 Leonard Drive, Nikiski, AK , Nikiski Area.

The Kenai Peninsula Borough Planning Commission reviewed the subject application during their regularly scheduled August 14, 2017 meeting.

A motion to recommend approval of the Permafrost Distributors, a Limited Marijuana Cultivation Facility renewal 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

2i. State application for a marijuana establishment license renewal; Nikiski Area

Staff Report given by Bruce Wall

PC MEETING: August 14, 2017

Applicant: Permafrost Distributors

Landowner: Chase R. Griffith

Parcel ID#: 012-230-11

Legal Description: Lot 10, Block 1, Field Subdivision 2, according to Plat K-1541, Kenai Recording District.

Location: 54200 Leonard Dr., Nikiski

BACKGROUND INFORMATION: The Alcohol and Marijuana Control Office (AMCO) has notified the borough that a renewal application has been received for State License 10147. The Kenai Peninsula Borough Assembly on June 21, 2016 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 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).

Staff has received no concerns or complaints regarding this facility.

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

MOTION: Commissioner Ernst moved, seconded by Commissioner Lockwood to recommend approval of Permafrost Distributors, a renewal of their Limited Cultivation State License according to staff recommendations, findings and to recommend that the following three conditions be placed on the state license.