



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 29, 2017

SUBJECT: Application for the renewal of a Standard Marijuana Cultivation Facility License.
Applicant: Croy's Enterprises, LLC, **Landowner:** Bluebird Investments, LLC and Tobin Dean Worner; **Parcel #:** 05829015; **Property Description:** Lot 2A1, Block 6, Robinette Commercial Subdivision #3, according to Plat 2011-39, Kenai Recording District.; **Location:** 36130 Pine St. Soldotna, Soldotna Area.

The Kenai Peninsula Borough Planning Commission reviewed the subject application during their regularly scheduled August 28, 2017 meeting.

A motion to recommend approval of the Croy's Enterprises, 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 KP.B 7.30.020(A).

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

AGENDA ITEM F. PUBLIC HEARING

1a. State application for a marijuana establishment license renewal; Soldotna Area

Staff Report given by Bruce Wall

PC MEETING: August 28, 2017

Applicant: Croy's Enterprises, LLC
Landowner: Bluebird Investments, LLC and Tobin Dean Worner
Parcel ID#: 058-290-15
Legal Description: Lot 2A1, Block 6, Robinette Commercial Subdivision #3, according to Plat 2011-39, Kenai Recording District.
Location: 36130 Pine St, Soldotna

BACKGROUND INFORMATION: The Alcohol and Marijuana Control Office (AMCO) has notified the borough that a renewal application has been received for State License 10137. The Kenai Peninsula Borough Assembly on August 9, 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).

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 has received no concerns or complaints regarding this marijuana facility.

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 Ecklund moved, seconded by Commissioner Lockwood to recommend approval of Croy's Enterprises, LLC, a Standard Cultivation Facility 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).

VOTE: The motion passed by unanimous consent.

BENTZ YES	CARLUCCIO YES	ECKLUND YES	ERNST YES	FIKES YES	FOSTER YES	ISHAM ABSENT
LOCKWOOD YES	MARTIN YES	MORGAN YES	RUFFNER YES	VENUTI YES	WHITNEY YES	12 YES 1 ABSENT

AGENDA ITEM F. PUBLIC HEARING

1b. State application for a marijuana establishment license renewal; Soldotna Area

Staff Report given by Bruce Wall

PC MEETING: August 28, 2017

Applicant: Croy's Enterprises LLC

Landowner: Bluebird Investments, LLC and Tobin Dean Worner

Parcel ID#: 058-290-15

Legal Description: Lot 2A1, Block 6, Robinette Commercial Subdivision #3, according to Plat 2011-39, Kenai Recording District.

Location: 36130 Pine St, Soldotna

BACKGROUND INFORMATION: The Alcohol and Marijuana Control Office (AMCO) has notified the borough that a renewal application has been received for State License 10273. The Kenai Peninsula Borough Assembly on April 4, 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 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).