PLANNING COMMISSION MEETING

April 18, 2017
AGENDA
6:00 p.m.
April 18, 2017

A. ROLL CALL

B. MESSAGES

1. Chairperson’s Comments
2. Commissioner’s Comments
3. Communications to the Planning Commission
4. Citizen’s Comments – limited to three (3) minutes
   a. Agenda items not scheduled for public hearing
   b. Items other than those appearing on the agenda
5. Disclosure & Statement of Conflict of Interest

C. APPROVAL OF AGENDA AND CONSENT AGENDA

Approval of consent agenda passes all routine items indicated by asterisk (*) on agenda. Consent agenda items are not considered separately unless any Planning Commission member or citizen so requests. In the event of such request, the item is returned to the general agenda.

D. *MINUTES

1. *Minutes from April 4, 2017 PC Meeting.  (Page 5)

E. CONSENT AGENDA ITEMS

NONE

F. QUASI-JUDICIAL HEARING

1. CU2017-014: A request by Aaron J Ross DBA Treat Yo’ Self on behalf of Kevin Tennant for conditional use approval of a marijuana product manufacturing facility, limited in the General Commercial (GC) zone on Lot 16, Block 2, Kris Kringle Subdivision First Addition (located at 2632 Mistletoe Drive, on the north side of Mistletoe Drive, south of Kris Kringle Drive). (Staff Contact: Manish Singh). (Page 7)

2. CU2017-016: A request by Brandon Roybal DBA AK Aurora Blooms, LLC on behalf of Mt. McKinley Bank and Double G Investments, LLC for conditional use approval of a marijuana cultivation facility, indoor unlimited in the Light Industrial (LI) zone on Lot 1, Block 8, Cartwright Air Industrial Park Subdivision and TL-2040, Section 20, T1S-R1W, F.M. (located at 2693 Arla Street, on the east side of Worrell Avenue, south of Arla Street) (Staff Contact: Manish Singh). (Page 89)
G. PUBLIC HEARING
   NONE

H. APPEALS
   NONE

I. UNFINISHED BUSINESS

J. NEW BUSINESS

K. EXCUSE ABSENT MEMBERS

L. COMMISSIONER’S COMMENTS
   1. FMATS  (Page 209)
   2. Other

M. ADJOURNMENT
MINUTES

April 4, 2017

Are not available at this time
TO: Fairbanks North Star Borough Planning Commission  
FROM: Manish Singh, Planner II  
DATE: April 6, 2017  
RE: CU2017-014: A request by Aaron J Ross DBA Treat Yo' Self on behalf of Kevin Tennant for conditional use approval of a marijuana product manufacturing facility, limited in the General Commercial (GC) zone on Lot 16, Block 2, Kris Kringle Subdivision First Addition (located at 2632 Mistletoe Drive, on the north side of Mistletoe Drive, south of Kris Kringle Drive).

I. EXECUTIVE SUMMARY

The Department of Community Planning recommends APPROVAL of the conditional use request with three (3) conditions and three (3) Findings of Fact in support of approval. The staff analysis finds that the marijuana product manufacturing facility, limited (see Figure 1), with proposed conditions, will meet the intent and purpose of Title 18 and of other ordinances and state statutes, will have adequate public services and will protect public health, safety and welfare.

Figure 1: Existing Structure at 2632 Mistletoe Drive
II. GENERAL INFORMATION

A. Purpose To allow use of an existing structure as marijuana product manufacturing facility, limited in the GC zone.

B. Location On the north side of Mistletoe Drive, south of Kris Kringle Drive

C. Access Mistletoe Drive

D. Size/PAN

<table>
<thead>
<tr>
<th>Area</th>
<th>PAN (Lot)</th>
</tr>
</thead>
<tbody>
<tr>
<td>43,368 sq.ft.</td>
<td>0303739 (Lot 16)</td>
</tr>
</tbody>
</table>

E. Existing Zone General Commercial (GC)

F. Existing Land Use Vacant Building

G. Surrounding Land Use/Zoning

- North: Zoning: RR (across Kris Kringle Dr)
  Land Use: Residential
- South: Zoning: RR (across Richardson Hwy)
  Land Use: Church
- East: Zoning: GC
  Land Use: Commercial
- West: Zoning: GC
  Land Use: Commercial

H. Community Facilities Water: 75 gal. fresh water tank, Sewer: 120 gal. gray water tank, Electricity: GVEA

I. Code Violations None on file

J. Flood Zone X (100%) (March 17, 2014 dFIRM)

K. Zoning History GU-1 to GC with Ord. No. 99-060, effective August 26, 1999

L. Ownership Kevin Tennant
   3088 Kris Kringle Drive
   North Pole, AK 99705
   Email: kc10t@gmail.com
   Phone: (907) 488-6857

M. Applicant Aaron J Ross DBA Treat Yo’ Self
   130 Eureka Avenue
   Fairbanks, AK 99701
   Email: ross_aj92@hotmail.com
   Phone: (907) 799-7422
III. ZONING AND DEVELOPMENT HISTORY

FNSB Assessor’s Records show that the property was developed with the existing structure in 2016 without any zoning permits (Exhibit 1). This structure is currently vacant and was previously used as a drive-through restaurant (Ms. Peggy’s Kitchen).

IV. PROPOSED USE AND PROJECT INFO

The applicant has requested a conditional use permit to use the existing structure at 2632 Mistletoe Drive as a marijuana product manufacturing facility, limited (see Figure 2 & 3). A marijuana product manufacturing facility, limited is defined as “a legally licensed commercial marijuana product manufacturing facility as defined by state law, that packages, prepares or processes marijuana into a value-added form or product subject to testing, but excluding extraction processes utilizing hazardous substances, volatile chemicals or explosive materials or processes. Net floor area of the marijuana product manufacturing facility does not exceed 10,000 square feet [FNSBC 18.04.010].”

The subject structure is not on permanent foundation and the applicant has mentioned that it will not be moved. It is 30 ft. x 8.5 ft. is size with 255 sq.ft. floor area and a total height of 12 feet (see Figure 4). The applicant has stated that their manufacturing process is to heat marijuana plant trimmings in the oven and then heat and infuse using butter or oil in a crockpot. The butter or oil will then be strained using a cheese cloth and will be used to make edible products. This manufacturing operation is marijuana product manufacturing facility, limited because the facility is less than 10,000 sq.ft. and the applicant has not proposed extraction utilizing hazardous substances, volatile chemicals or explosive materials.
Figure 2: Site Plan 1
(The proposed marijuana manufacturing structure is shown in red)
Figure 3: Site Plan 2
(The proposed marijuana manufacturing structure is shown in red)
Figure 4: Floor Plan

Existing Structure
Total Sq Ft = 255
255 Sq Ft to be used as
Limited Marijuana Mailing Facility
The applicant estimates having maximum two full-time and one part-time employee. The subject structure on Lot 16 has sinks but does not have a restroom. The applicant has proposed to share the restroom with ‘Expressway Auto’ business located 160 feet west of the proposed marijuana manufacturing structure on Lot 15 (see Figure 5). The shared restroom is 10 ft. X 10 ft. (100 sq.ft.) in size.

The applicant has stated that the hours of operation for the manufacturing facility will be 8 am to 5 pm, Monday to Friday, which are the same as Expressway Auto’s hours of operation. The manufacturing facility will not be open for the general public because the applicant intends to operate this facility as a business to business wholesale product manufacturing. The applicant has not proposed any signage for this marijuana manufacturing facility.

**Figure 5: Shared Bathroom with Expressway Auto business on Lot 15**

The subject property is currently zoned GC. This property is surrounded by RR in north across Kris Kringle Dr and in south across Richardson Highway. It is surrounded by GC in east and west. The property also has GU-1 in proximity (Figure 6). The properties to north across Kris Kringle Dr are developed residentially. The property to south across Richardson Highway is developed as a church. The parcels on the west and east are used commercially (Figure 7). The Comprehensive Plan Land Use Map characterizes this area as ‘Urban Area’ (Figure 8).
Figure 6: Zoning in the Surrounding Area

Figure 7: Land Use in the Surrounding Area
V. APPLICABLE APPROVAL CRITERIA

Conditional Uses for marijuana establishments are governed by FNSBC18.104.050(C) and FNSBC18.96.240 (see Exhibit 2 for details).

VI. PUBLIC NOTICE

The Community Planning Department mailed 208 dear property owner notices and have received one telephonic inquiry about this case.

VII. AGENCY COMMENTS

The FNSB Department of Community Planning contacted following agencies for comments:

a. State Fire Marshal
b. North Star Fire Service Area
c. City of North Pole Mayor
d. City of North Pole Fire Department
e. Alaska State Troopers
f. Alaska Department of Transportation and Public Facilities (ADOT&PF)
g. FNSB Rural Services (Kris Kringle Road Service Area)
h. FNSB E-911 Addressing
i. Alaska Department of Environmental Conservation (ADEC)
j. Alaska Department of Natural Resources (ADNR)
k. Golden Valley Electric Association (GVEA)

All written comments are included in the “Agency Comments” section following this report.

VIII. STAFF ANALYSIS

A. Transportation & Parking

The subject property is accessible from Mistletoe Drive. Mistletoe Drive is maintained by the Alaska Department of Transportation & Public Facilities (ADOT & PF). It is classified as a major collector type roadway. Average Daily Traffic (ADT) counts on Mistletoe Drive in the immediate area were 2,170 vehicles per day in 2015. The proposed use would generate approximately 3 trip ends per weekday. This calculation is based on the 355 sq.ft. of net floor area space and relying on the closest related land use “Light Industrial” in the Institute of Transportation Engineers (ITE) Trip Generation Manual (Table 1). Mistletoe Drive could easily accommodate the small number of trip ends generated by the proposed facility. The proposed facility has Richardson Highway in proximity and therefore, the traffic generated by the proposed use will have little or no impact on the surrounding roadways.

Pete Eagan, Right-Of-Way Agent ADOT & PF, has commented that the gravel driveway shown on the site plan may not have a driveway permit from ADOT & PF. Therefore, Community Planning recommends a condition that the applicant shall obtain a formal plan review by the ADOT & PF for the driveway and shall comply with all recommendations and/or requirements resulting from this review or provide documentation that a review for the driveway is not required.

Table 1: Trip Generation Summary

<table>
<thead>
<tr>
<th>Existing and proposed land use</th>
<th>Size/employees</th>
<th>Closest related land use in ITE Trip Generation Manual</th>
<th>Trip generation standard in ITE</th>
<th>Weekday trip ends</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed marijuana product manufacturing facility, limited</td>
<td>355 sq.ft.</td>
<td>Light Industrial</td>
<td>6.97 trip ends/1,000 sq.ft</td>
<td>2.47 trip ends</td>
</tr>
</tbody>
</table>

Although a marijuana product manufacturing facility, limited is a conditional use on the subject parcel in GC zone, a marijuana product manufacturing facility, limited in conjunction with a retail marijuana store on the same site is a permitted use with a zoning permit. Therefore, if the applicants propose to open a retail marijuana store on the same property, this marijuana product manufacturing facility, limited will no longer be a conditional use.

1 This section of this staff report includes comments from Kellen Spillman, FNSB Deputy Planning Director and Acting Transportation Planner after a review of the application materials with FNSB Planner Manish Singh.
2 Statewide Functional Classification GIS Map, Alaska DOT&PF Transportation Data Programs
3 2015 Annual Average Daily Traffic (AADT) GIS Map, Alaska DOT&PF Transportation Data Programs
Additionally, the GC zone allows many uses with a zoning permit that have significantly higher trip generation potential. These allowed uses in GC include a gas station with convenience store, apartment complexes, shopping centers, drive-through facilities etc. Compared to these uses, a marijuana product manufacturing facility, limited has a much lower trip generation potential.

Parking demand for the marijuana product manufacturing facility, limited is based on FNSB standard requirements of 3 parking spaces for every 4 employees [FNSBC 18.96.060(C)]. The applicant expects maximum 3 employees for the marijuana product manufacturing facility, limited. The site plan provided by the applicant shows 3 parking spaces. The site plan shows the gravel traffic circulation area with adequate backing, turning and maneuvering space. The site plan also provides a loading area that meets the FNSB loading area requirements.

E. FNSBC 18.96.240 Standards for Commercial Marijuana Establishments

A. General Standards

2. A commercial marijuana establishment may only be allowed with the written consent of the owner of the property.

The current property owner of Lot 16, Kevin C Tennant has provided written consent to the proposed marijuana product manufacturing facility, limited. Additionally, the applicant has provided a lease between ‘Treat Yo’ Self’ and the property owners of ‘Expressway Auto’ business on Lot 15 which authorizes sharing the restroom with the manufacturing facility.

3. No marijuana establishment, except a marijuana testing facility, shall be located within the following buffer distances (see FNSBC 18.96.240(A)(3)(a-e)).

The buffer map and property detail provided by the applicant (Exhibit 3) demonstrates that the marijuana product manufacturing facility, limited is not located within the buffer distances provided in FNSBC18.96.240(A)(3)(a-e). The proposed manufacturing facility has three (3) sensitive uses within 500 feet; however, the manufacturing facility is not located within their respective buffer distances.

FNSBC18.96.240(A)(3)(c) requires a 100 foot buffer from the church buildings and residential zones. Saint Nicholas Catholic Church and Lord of Life Lutheran Church are church buildings located at 707 Saint Nicholas Drive and 1005 Saint Nicholas Drive respectively. Additionally, FNSBC18.96.240(A)(3)(e) states that the buffer distance measurements shall not extend beyond the nearest edge of a right-of-way (ROW) of a controlled access facility. Saint Nicholas Catholic Church and Lord of Life Lutheran Church are located on the south side of Richardson Highway whereas the proposed manufacturing facility is located on the north side. The section of Richardson Highway is a controlled access facility. Therefore, the proposed facility is exempt from the 100 foot buffer from the two church buildings.

Lot 12-14, Block 2, Kris Kringle Subdivision First Addition are zoned RR, which is a residential zone. The proposed facility is located approximately 220 feet away from
the property line of Lot 12-14. Therefore, the manufacturing facility is not located within the 100 foot buffer for this residential zone.

All state buffer requirements provided in 3AAC 306 must also be met.

4. **Outdoor Storage. No outdoor storage of marijuana, marijuana products or hazardous substances shall be allowed.**

The applicant is not proposing outdoor storage of marijuana, marijuana products, or hazardous substances, as shown in the site plan and explained in the narrative.

5. **In all zones in which marijuana establishments, with the exception of a marijuana testing facility, are a permitted or conditional use, the applicant shall include an area map drawn to scale indicating all land uses on complete parcels within a 500-foot proximity of the lot upon which the applicant is seeking a zoning permit or conditional use permit.**

The applicant’s submittals include an area map drawn to scale indicating all land uses within a 500-foot proximity of the subject lot ([Exhibit 3](#)).

6. **Marijuana establishments other than marijuana cultivation facilities, indoor small and marijuana testing facilities located in GU-1 or GU-5 zoning and adjacent to a lot upon which a principal building used as a dwelling is located are a conditional use subject to the requirements of this title.**

The subject property is not in GU-1 or GU-5 zone.

**G. FNSBC 18.104.050(C) Hearing and Decision by the Planning Commission**

1) **Whether or not the proposed conditional use conforms to the intent and purpose of this title and of other ordinances and state statutes.**

**Purpose of FNSBC Title 18:** The purpose of Title 18 is “to implement the Fairbanks North Star Borough comprehensive plan” (FNSBC 18.12.020). The Comprehensive Plan Land Use Map characterizes this area as ‘Urban Area’ ([Figure 8](#)). Urban Area is defined as “area that is served or can be served with community water and sewer, and contains the most intensive residential, commercial, and industrial development.” The proposed conditional use is consistent with the comprehensive plan land use designation, Urban Area, for the subject property because it proposes a commercial marijuana manufacturing use along Mistletoe Drive which is already developed with commercial uses ([Figure 7](#)).

The request is consistent with the following goals of the Comprehensive Plan:

**Land Use Goal 3** – To have a variety of land uses that fit the diverse needs of the community

**Strategy 6** – Provide for commercial land uses in both urban and non-urban areas

**Action A** – Provide for a variety of commercial areas that adequately serve the market area
This conditional use proposal adds a commercial marijuana product manufacturing establishment in the Borough. Commercial Marijuana is a new industry and this conditional use would serve the market by consuming products from marijuana cultivation establishments and making products available for marijuana retail establishments.

**Economic Development Goal 2** – To diversify the economy  
**Strategy 6** – Emphasize development that brings new dollars into the community, including efforts to add value to the region’s natural, manufactured, service and intellectual resources.  
**Action B** – Create a variety of types and sizes of commercial and industrial areas that support diversification of economic activity.

The applicant submittals state that this marijuana manufacturing establishment would support three jobs (two full-time and one part-time) with this conditional use. This operation would diversify the commercial activity in the Fairbanks North Star Borough enhancing community’s ability to generate revenue.

**Intent of FNSBC Title 18:** The intent of Title 18 which is “to protect private property rights, to promote the public health, safety and general welfare of the residents of the borough, and safety from fire and to promote the efficient distribution of water, sewage, schools, parks and other public requirements; to provide safe traffic flow on the public streets; to promote economic development and the growth of private enterprise; and to divide the borough into districts (FNSBC 18.12.020).”

Allowing a property owner to develop their private property is an example of protecting private property rights via clearly defined local zoning regulations. This proposal is to use the property as a marijuana product manufacturing facility, limited which requires a conditional use permit in GC zone. The public notification, public hearing procedures and approval criteria for conditional uses help protect the property rights of the surrounding property owners.

The marijuana product manufacturing facility, limited is served by Mistletoe Drive. Mistletoe Drive is classified as a major collector type roadway and is maintained by ADOT & PF. The proposed conditional use will have a safe traffic flow because the additional traffic generated by the proposed use will have relatively little impact on Mistletoe Drive. Pete Eagan, Right-Of-Way Agent ADOT & PF, has commented that the gravel driveway shown on the site plan may not have a driveway permit from ADOT & PF. Therefore, Community Planning recommends a condition that the applicant shall obtain a formal plan review by the ADOT & PF for the driveway and shall comply with all recommendations and/or requirements resulting from this review or provide documentation that a review for the driveway is not required.

The proposed conditional use promotes economic development and the growth of private enterprise because it would support three jobs in the area and would help diversify the Borough economy. The applicant has not proposed any signage or other external indications as to reflect the nature of the business.

The applicant has addressed site security elements and has developed strategies for plant and liquid waste disposal. Moreover, the applicant has agreed to comply with state marijuana regulations. The application material and the narrative for this proposal
illustrates that it meets the intent of Title 18 because this application is to protect property rights and with the conditions imposed, it would promote the public health, safety and general welfare of the residents of the borough.

**Alaska State Statute and Other Ordinances:** 3AAC 306 governs the state licensing and operational standards for marijuana facilities. Title 18 requires that a borough permitted commercial marijuana facility obtain a license pursuant to all state regulations. The applicant has provided information sufficient to show they intend to meet the state regulations and to apply for a state issued license.

(2) **Whether or not there are adequate existing sewage capacities, transportation facilities, energy and water supplies, and other public services to serve the proposed conditional use.**

**Water & Sewage:** The applicant has provided a 75 gal. fresh water tank and a 120 gal. gray water tank for water and sewage facility. The applicant has stated that fresh water will be hauled from Water Wagon, Pioneer Wells or a similar company. The gray water tank will be pumped out regularly by a DEC approved disposal company. The existing structure on Lot 16 proposed to be used for marijuana product manufacturing has sinks but does not have a restroom. The applicant has proposed to share the restroom with ‘Expressway Auto’ business located 160 feet west of the proposed marijuana manufacturing structure on Lot 15 (see Figure 5).

The applicant has provided an email from Colin Taylor, Environmental Health Officer, ADEC Food Safety and Sanitation Department (Exhibit 4). Mr. Taylor has commented that the facility was previously operated as Ms. Peggy’s Kitchen (permit # 351022468). The ADEC Drinking Water Department and Wastewater Department had no objection to the freshwater and wastewater disposal system for Ms. Peggy’s Kitchen. The ADEC application for marijuana product manufacturing facility is still going through the plan review, but Mr. Taylor does not foresee any required changes to existing freshwater and wastewater disposal system for the marijuana product manufacturing facility. Mr. Taylor has commented that the marijuana product manufacturing facility needs to have access to a restroom located within 200 feet.

Although ADEC Food Safety and Sanitation Department staff does not foresee requiring any changes to the existing freshwater and wastewater disposal system for the marijuana product manufacturing facility, the application is still under plan review and after the review, ADEC Food Safety and Sanitation Department may have additional requirements. Therefore, Community Planning recommends a condition to comply with all recommendations and/or requirements resulting from the ADEC Food Safety and Sanitation Department plan review to ensure that there is adequate water supply, sewage capacity and restroom availability for the proposed conditional use.

**Fire:** The proposed conditional use has adequate fire services because the property is within the North Star Fire Service Area. The applicant’s narrative incorrectly states “North Pole Fire Department” as a public utility. The City of North Pole has clarified that this property is adjacent to the North Pole city limits and falls within the North Star Volunteer Fire Department service district. This property is not serviced by City’s fire and police departments.
Energy: The proposed conditional use has adequate power supply because they are covered by GVEA grid.

Police: The proposed conditional use is served by Alaska State Troopers.

Transportation: The marijuana product manufacturing facility, limited is served by Mistletoe Drive. Mistletoe Drive is classified as a major collector type roadway and is maintained by ADOT & PF. The proposed conditional use will have a safe traffic flow because the additional traffic generated by the proposed use will have relatively little impact on Mistletoe Drive. The site plan provided by the applicant shows 3 parking spaces. The site plan shows the gravel traffic circulation area with adequate backing, turning and maneuvering space. The site plan also provides a loading area that meets the FNSB loading area requirements.

Pete Eagan, Right-Of-Way Agent ADOT & PF, has commented that the gravel driveway shown on the site plan may not have a driveway permit from ADOT & PF. Therefore, Community Planning recommends a condition that the applicant shall obtain a formal plan review by the ADOT & PF for the driveway and shall comply with all recommendations and/or requirements resulting from this review or provide documentation that a review for the driveway is not required.

(3) Whether or not the proposed conditional use will protect the public health, safety and welfare.

With the conditions imposed, this use will protect the public health, safety, and welfare through responsible operation of the facility as demonstrated in applicant’s business plan. The proposed marijuana product manufacturing facility, limited meets the standards required by FNSBC 18.96.240 and the operating plan is intended to minimize and mitigate adverse impacts on surrounding properties. The applicant has a detailed plan for site security, fire safety, and employee health to help address public health, safety, and welfare concerns.

Site security, marijuana liquid and plant waste, outdoor lighting, noise, odor and hours of operation could be potential concerns for surrounding properties with a commercial marijuana product manufacturing operation.

Site Security and Marijuana Waste Disposal: The applicant intends to secure all marijuana and marijuana products inside the building to ensure the general public does not have access to them. The applicant has stated that their security system includes commercial grade locks and 24-hour video surveillance on the exterior and interior of the premises. The applicant has stated that the marijuana plant waste would be rendered unusable via mixing with equal parts non-compostable or compostable waste. It would then be collected by a disposal company.

The state licensing, operational standards including restricted access areas, security alarm systems, video surveillance, waste disposal methods for marijuana facilities are governed by 3AAC 306. The application material acknowledges that a marijuana product manufacturing facility, limited cannot legally operate without obtaining a state issued license [FNSBC18.04.010] and compliance with 3AAC 306 is required to obtain a state license. Compliance with state regulations related to security, waste disposal, health and safety would mitigate any security breach and help ensure employees’ health and safety.
Therefore, Community Planning recommends compliance with 3AAC 306 as a condition to ensure public health, safety and welfare.

**Wastewater Discharge:** The applicant has stated that the only wastewater their operation would produce is from the sinks. This wastewater would be collected in a 120 gal. DEC approved tank and would be pumped out regularly by a disposal company. The applicant has proposed to contract ‘Big Foot Pumping & Thawing’ for pumping out the 120 gal. wastewater tank.

Tonya Bear, Engineer I, ADEC Division of Water, Wastewater Discharge has commented that the wastewater produced from a marijuana operation is considered non-domestic wastewater and may not be discharged into an ADEC approved operator’s (such as Golden Heart Utilities) waste disposal system without express written approval from the operator. If the marijuana operation is not discharging non-domestic wastewater into an ADEC approved operator’s waste disposal system, an express written approval from ADEC Division of Water, Wastewater Discharge is required (18 AAC 72, Wastewater Disposal Regulations).

Therefore, Community Planning recommends a condition that the applicant shall obtain a formal plan review by ADEC Division of Water, Wastewater Discharge for their non-domestic wastewater discharge proposal and shall comply with all recommendations and/or requirements resulting from the plan review.

**Odor:** The applicant plans to address odor by charcoal air purifying units. However, if these filters are not of sufficient capacity, the odor could potentially become a public health, safety and welfare issue for the neighbors. Therefore, Community Planning staff recommends a condition requiring installing appropriately sized odor filtration systems in the product manufacturing space to ensure the public health, safety and welfare.

**Outdoor Lighting:** FNSBC 18.96.140 restricts directing lighting, glare and general illumination towards residentially zoned properties. The site plan provided by the applicant shows four exterior lights pointing downward. The subject property is surrounded by a residential zone on the north side across Kris Kringle Drive. The applicant has stated that the outdoor lighting would not negatively impact the residential property on north because there is an existing tree line along the north property line of Lot 16 and the nearest residence is more than 190 feet away from the manufacturing facility.

**Noise:** The applicant has mentioned that the noise generated from this manufacturing operation would be negligible because the operation is completely indoors. Moreover, this property is located along Richardson Highway, an interstate type roadway, which has developed commercially in this area, and surrounding properties already experience similar noise and lighting levels.

**Hours of Operation:** The applicant has stated that the manufacturing facility would operate 8 am – 5 pm, Monday to Friday. These hours of operation are same as the neighboring ‘Expressway Auto’ and ‘Glass Doctor’ businesses on Lot 15. These hours of operation do not negatively impact the neighborhood’s public health, safety and welfare because the manufacturing facility is located along Richardson Highway, an interstate type roadway, which has developed commercially in this area. Moreover, there are no limits to hours of operation in the GC zone.
Shared Restroom: The existing structure on Lot 16 proposed to be used for marijuana product manufacturing has sinks but does not have a restroom. The applicant has proposed to share the restroom with ‘Expressway Auto’ Business located 160 feet west of the proposed marijuana manufacturing structure on Lot 15 (see Figure 5). The applicant has stated that a safe direct walking path connects Expressway Auto on Lot 15 to marijuana manufacturing structure on Lot 16 (see Figure 9). The applicant has stated that this walking pathway is kept plowed of snow in the winter months.

Figure 9: Walking Pathway to Shared Restroom

Fire Safety: Fire and rescue services for this operation are available through the North Star Fire Service Area. Any lack in ensuring necessary fire safety provisions for a marijuana product manufacturing operation could result in a fire or an employee/visitor safety issue. Therefore, Community Planning recommends a formal plan review by the Department of Public Safety (Division of Fire and Life Safety, Plan Review Bureau) and compliance with all recommendations and/or requirements resulting from the plan review as a condition to minimize fire and other safety risks, thereby ensuring public health, safety and welfare.

The applicant’s submittals indicate that the applicant plans to go to other agencies such as the Marijuana Control Board (MCB) and ADEC for plan reviews and approvals. Because this conditional use approval is for a particular use of the said property, a change in the site plan or operation method may result in increased impacts or trigger a public health, safety and welfare concern which have not been analyzed. Therefore, Community Planning recommends a condition to file final site and floor plans with Community Planning to ensure compliance with the Planning Commission approved site plan, floor plan and conditions. If modifications are made in the final site or floor plans, an amendment to the conditional use permit may be required.
IX. RECOMMENDATION

Based on the staff analysis, the Department of Community Planning recommends APPROVAL of the conditional use permit request for marijuana product manufacturing facility, limited in the GC zone with three (3) conditions.

X. CONDITIONS

1. Prior to the commencement of operations, the applicant or holder of this conditional use permit shall comply with all applicable land use related laws. Applicable permits and approvals may include but are not limited to:

   a. As required by the FNSB and the Department of Commerce, Community, and Economic Development (Alcohol and Marijuana Control Office), the applicant or holder of this conditional use permit shall ensure that the site meets all licensing requirements for a commercial marijuana product manufacturing facility.

   b. The applicant or holder of this conditional use permit shall comply with all recommendations and/or requirements resulting from the State of Alaska Department of Environmental Conservation (ADEC), Food Safety and Sanitation Department plan review.

   c. The applicant or holder of this conditional use permit shall obtain a formal plan review by the State of Alaska Department of Environmental Conservation (ADEC), Division of Water, Wastewater Discharge for their non-domestic wastewater discharge proposal and shall comply with all recommendations and/or requirements resulting from the plan review.

   d. The applicant or holder of this conditional use permit shall obtain a formal plan review by the State of Alaska Department of Public Safety (Division of Fire and Life Safety, Plan Review Bureau) and shall comply with all recommendations and/or requirements resulting from the plan review.

   e. The applicant or holder of this conditional use permit shall obtain a formal plan review by Alaska Department of Transportation and Public Facilities (ADOT&PF) for the driveway and shall comply with all recommendations and/or requirements resulting from this review or provide documentation that a review for the driveway is not required.

2. Indoor product manufacturing rooms or portions of the building shall be equipped with appropriately sized odor filtration systems such that the marijuana odor shall not be detectable by the public from outside the manufacturing facility.

3. If any modifications are made to the site plan, floor plan, or other FNSB required documents, the applicant or holder of this conditional use permits shall submit revised documents to the FNSB Community Planning Department. If modifications are made to the conditional use, an amendment to the Conditional Use Permit may be required pursuant to FNSBC 18.104.050(D).

XI. FINDINGS OF FACT

The Department of Community Planning further recommends the following Findings of Fact in support of approval:
1. With the conditions imposed, the proposed conditional use will conform to the intent and purpose of Title 18 and of other ordinances and state statutes:
   a. The purpose of Title 18 will be met because the proposed conditional use is consistent with ‘Urban Area’ comprehensive plan land use designation. The Comprehensive Plan Land Use Goal 3 and Economic Development Goal 2 are being enhanced with the redevelopment of this site as a marijuana product manufacturing facility.
   b. The intent of Title 18 will be met because with the conditions imposed, the conditional use will both protect private property rights and promote public health, safety, and welfare.
   c. 3AAC 306 governs the state licensing and operational standards for marijuana facilities. Title 18 requires that a borough permitted commercial marijuana facility obtain a license pursuant to all state regulations. The applicant has provided information sufficient to show they intend to meet the state regulations and to apply for a state-issued license.

2. With the conditions imposed, there are adequate existing energy and transportation facilities serving the site and other public services are available to serve the proposed conditional use.
   a. The site has a 75 gal. fresh water tank and a 120 gal. wastewater water tank.
   b. The site has access to a shared restroom in ‘Expressway Auto’ business located 160 feet west of the proposed marijuana manufacturing structure on Lot 15.
   c. The site is served by North Star Fire Service Area and Alaska State Troopers.
   d. The site is connected to the GVEA grid.
   e. With the conditions imposed, the site will have a DOT approved driveway on Mistletoe Drive.
   f. Three (3) off-street parking spaces and a loading area have been provided on-site, which are adequate for the proposed conditional use.
   g. Traffic generated by the proposed use will have relatively little impact on Mistletoe Drive which is maintained by ADOT & PF and has adequate capacity for the additional trips generated.

3. With the conditions imposed, the proposed conditional use will protect public health, safety, and welfare as the facility will comply with Title 18 standards for the GC zone and Standards for Commercial Marijuana Establishments (FNSBC 18.64 and 18.96.240, respectively) as well as state requirements for a commercial marijuana product manufacturing facility.
   a. With the conditions imposed, security systems, alarms, locks, cameras and lighting will meet state regulations required to obtain a commercial marijuana product manufacturing license.
   b. With the conditions imposed, any solid or liquid waste including marijuana plant waste and non-domestic wastewater will be disposed of according to state and local regulations.
   c. With the conditions imposed, marijuana odor will be mitigated with appropriately sized odor filtration systems.
   d. All marijuana and marijuana products would be secured inside the building to ensure the general public does not have access to them.
e. The noise generated from this manufacturing operation would be negligible because the operation is completely indoors.

f. The outdoor lighting would point downwards and would not negatively impact adjacent residential zones.

g. The hours of operation do not negatively impact the neighborhood because the facility is located along Richardson Highway, an interstate type roadway, which has developed commercially in this area.

DRAFT PLANNING COMMISSION MOTION:

I move to approve the Conditional Use Permit for a commercial marijuana product manufacturing facility, limited with three (3) conditions, and adopting the staff report and three (3) Findings of Fact in support of the approval.
Building Details for PAN 303739

<table>
<thead>
<tr>
<th>SECTIONID</th>
<th>FOOTPRINT</th>
<th>STORIES</th>
<th>PERIMETER</th>
<th>INTERIORDESC</th>
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<tr>
<td>1</td>
<td>240</td>
<td>1</td>
<td>76</td>
<td>Restaurant (Drive Up Only)</td>
<td>Wd/St Fr,Tx,Plywd,Lap</td>
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Building General Features

<table>
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<tr>
<td>2016</td>
<td>Wood, Open St/Steel</td>
<td>Commercial Standard Commercial</td>
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EXHIBIT 1
APPLICABLE APPROVAL CRITERIA

Conditional Uses are governed by the following provisions of Title 18, Fairbanks North Star Borough Code of Ordinances:

18.104.050 (C)

1. Whether or not the proposed conditional use conforms to the intent and purpose of this title and of other ordinances and state statutes.

2. Whether or not there are adequate existing sewage capacities, transportation facilities, energy and water supplies, and other public services to serve the proposed conditional use.

3. Whether or not the proposed conditional use will protect the public health, safety and welfare.

The Planning Commission may approve or deny a conditional use request or may approve a conditional use request with conditions to ensure the protection of the public health, safety and welfare. Such conditions may relate to any, or more, of the following: traffic flow and access requirements, lighting, pedestrian movements.

Marijuana Facilities are also governed by the provisions of Title 18, Standards for Commercial Marijuana Establishments:

18.96.240

A. General Standards

1. Applicability. Standards of this section shall apply to commercial marijuana establishments regardless of whether they are a permitted or conditional use.

2. A commercial marijuana establishment may only be allowed with the written consent of the owner of the property.

3. No marijuana establishment, except a marijuana testing facility, shall be located within the following buffer distances:

a. Five hundred feet of primary and secondary school buildings (K-12) including vocational programs, playgrounds, adult and juvenile correctional facilities and housing facilities owned by a public housing authority with children as residents; and

b. Two hundred feet of any post-secondary school buildings including but not limited to trade/technical/vocational schools, colleges and universities; and

c. One hundred feet of youth centers, group homes serving persons ages 18 and under, public swimming pools, state licensed day care facilities, arcades, state licensed substance use treatment provider or facility providing substance abuse use treatment, church buildings and residential zones (RE, RR, SF, TF, MF, MFO).
d. Buffer distances shall be measured from the lot line of the lot containing a use or zone listed in subsections (A)(3)(a) through (c) of this section to the commercial marijuana establishment.

e. Buffer distance measurements shall not extend beyond the nearest ordinary high water (OHW) mark of a river or lake or beyond the nearest edge of a right-of-way (ROW) of a controlled access facility.

4. Outdoor Storage. No outdoor storage of marijuana, marijuana products or hazardous substances shall be allowed.

5. In all zones in which marijuana establishments, with the exception of a marijuana testing facility, are a permitted or conditional use, the applicant shall include an area map drawn to scale indicating all land uses on complete parcels within a 500-foot proximity of the lot upon which the applicant is seeking a zoning permit or conditional use permit.

6. Marijuana establishments other than marijuana cultivation facilities, indoor small and marijuana testing facilities located in GU-1 or GU-5 zoning and adjacent to a lot upon which a principal building used as a dwelling is located are a conditional use subject to the requirements of this title.

B. Cultivation Facility Standards.

1. Yard Setbacks. Outdoor marijuana cultivation facilities, including all land planted with marijuana, shall be located at least 50 feet from a lot line.

2. Height Limitations.
   
a. The maximum height for a marijuana cultivation facility, indoor small shall be 35 feet.

   b. The maximum height for a marijuana cultivation facility, indoor large shall be 75 feet.
Manish Singh

From: Nigel Morton <nigel5678@hotmail.com>
Sent: Friday, March 03, 2017 12:53 PM
To: Manish Singh; ross_a@hotmaile.com
Subject: Fwd: Treat Yo' Self

Manish,

See emails below. Please let me know if this is sufficient, or if you have additional questions.

Thank you,

Sent from my iPhone

Begin forwarded message:

From: "Taylor, Colin WI (DEC)" <colin.taylor@alaska.gov>
Date: March 3, 2017 at 12:34:55 PM AKST
To: Nigel Morton <nigel5678@hotmail.com>
Subject: RE: Treat Yo' Self

Mr. Morton and Mr. Ross,

After a review of the file for permit # 351022468, previously operating as Ms. Peggy's Kitchen, both the DEC drinking water department and wastewater departments had no objection to the freshwater and wastewater disposal system for the facility. Although your operation of the facility is still going through plan review, I do not believe your proposed processes will require any changes to the use of freshwater and disposal of wastewater in the facility. You will still need to have access to a restroom located within 200 feet.

You can contact me if you have any additional questions.

Colin Taylor
Environmental Health Officer
DEC Food Safety and Sanitation
610 University Ave, Fairbanks AK, 99709
(907) 451-2112

-----Original Message-----
From: Nigel Morton [mailto:nigel5678@hotmail.com]
Sent: Friday, March 03, 2017 12:10 PM
To: Taylor, Colin WI (DEC) <colin.taylor@alaska.gov>
Subject: Treat Yo' Self

Colin,

Really appreciate your help. All we are needing is an email (back to me is fine) saying that the facility was previously approved with the current plumbing (fresh water holding tank and gray water tank for waste), and bathrooms less than 200 ft away. This is a simple ownership change. Being a marijuana establishment, the requirements for the dec permit food permit regarding the plumbing and bathrooms will not change.

I think even just a yes response might be ok.

Please let me know if you have additional questions.

Thanks again for your help.

Sent from my iPhone
Tree line on the south side of Lot 16

Manufacturing building, looking from Glass Doctor business
Expressway Auto business entrance

Looking at the restroom inside Expressway Auto business
Agency Comments

CU2017-014
Hi Manish –

We looked on Google Earth / Streetview. There’s a nice paved approach about where Lot 16 should be. If this is the one we’re talking about, it shows on our as-buils and we’d consider it to be approved.

If there’s a different / newer / gravel one, we’ll have to check it out.

I hope this helps. Pete 451-5401

Hi Pete,

This email is to follow-up on my questions regarding the drive-way permit on 2632 Mistletoe Dr.

Thanks,
Manish

Thanks. I’ll see what I can find. Pete

Hi Pete,

Please see the attached letter/map. This property was assigned a new address 2632 Mistletoe Dr. on March 03, 2017. Let me know if you need anything.

Thanks,
April 5, 2017  2:50 PM

Phone call conversation with

Pete Eagan
Right-Of-Way Agent IV
AK Department of Transportation & Public Facilities
Phone: (907)451-5401, Email: pete.eagan@alaska.gov

Manish Singh, FNSB Planner, called Mr. Eagan to check if Lot 16 has a DOT Driveway permit. Mr. Eagan mentioned that the Google Earth aerial images show a paved driveway shared between Lot 16 & 17; however, the 40’ gravel driveway proposed for Lot 16 and shown on the site plan may not have a DOT Driveway permit. Mr. Eagan recommended adding a condition to have this driveway reviewed by DOT and acquire appropriate permits, if needed.
Manish Singh

From: Manish Singh  
Sent: Tuesday, April 04, 2017 11:24 AM  
To: 'Eagan, Pete (DOT)'  
Subject: RE: Mistletoe Drive, dw permit?

Hi Pete,

This email is to follow-up on my questions regarding the drive-way permit on 2632 Mistletoe Dr.

Thanks,
Manish

From: Eagan, Pete (DOT) [mailto:pete.eagan@alaska.gov]  
Sent: Thursday, March 30, 2017 1:53 PM  
To: Manish Singh  
Subject: Re: Mistletoe Drive, dw permit?

Thanks. I’ll see what I can find. Pete

From: Manish Singh [mailto:MSingh@fnsb.us]  
Sent: Thursday, March 30, 2017 1:49 PM  
To: Eagan, Pete (DOT) <pete.eagan@alaska.gov>  
Subject: RE: Mistletoe Drive, dw permit?

Hi Pete,

Please see the attached letter/map. This property was assigned a new address 2632 Mistletoe Dr. on March 03, 2017. Let me know if you need anything.

Thanks,
Manish

From: Eagan, Pete (DOT) [mailto:pete.eagan@alaska.gov]  
Sent: Thursday, March 30, 2017 1:03 PM  
To: Manish Singh  
Subject: Mistletoe Drive, dw permit?

Hi Manish –

The Streetmaster map shows Lot 16 as being 3080 Mistletoe Drive. Please confirm that this is correct, or send me a map showing that the 2632 Mistletoe Drive is correct.

Thanks. Pete 451-5401

From: Manish Singh [mailto:MSingh@fnsb.us]  
Sent: Thursday, March 30, 2017 11:44 AM  
To: Eagan, Pete (DOT) <pete.eagan@alaska.gov>  
Subject: DOT Permit question
Dear Mr. Eagan,

The FNSB Community Planning is working on a conditional use permit for a marijuana product manufacturing facility, limited on Lot 16, Block 2, Kris Kringle Subdivision First Addition (located at 2632 Mistletoe Drive). In their application, they have shown a 40' gravel driveway (see attached site plan). I wanted to check with you if this property has an appropriate driveway permit from DOT?

Thanks,
Manish

Manish Singh
Planner II
Department of Community Planning
907-459-1225 / msingh@fnsb.us

Fairbanks North Star Borough
907 Terminal Street
Fairbanks, AK 99701
Dear Mr. Eagan,

The FNSB Community Planning is working on a conditional use permit for a marijuana product manufacturing facility, limited on Lot 16, Block 2, Kris Kringle Subdivision First Addition (located at 2632 Mistletoe Drive). In their application, they have shown a 40’ gravel driveway (see attached site plan). I wanted to check with you if this property has an appropriate driveway permit from DOT?

Thanks,
Manish

Manish Singh
Planner II
Department of Community Planning
907-459-1225 / msingh@fnsb.us

Fairbanks North Star Borough
907 Terminal Street
Fairbanks, AK 99701
March 29, 2017 12:30 PM

Phone call conversation with

Tonya Bear
Engineer I, Department of Environmental Conservation
Division of Water, Wastewater Discharge
Engineering Support & Plan Review Section
Phone: 907-451-2177, Email: tonya.bear@alaska.gov

Manish Singh, FNSB Planner, called Ms. Bear after talking to Mr. Harmon from GHU. Ms. Bear explained that her department will not license pumping companies but 18 AAC 72 requires non-domestic wastewater treatment facilities to have DEC permit and to the best of her knowledge GHU is the only DEC permitted facility in FNSB to treat non-domestic waste-water. 18 AAC 72 further requires a DEC review before any non-domestic waste-water disposal.

GHU has criteria for accepting cannabis non-domestic wastewater. And, if GHU accepts their waste-water then the cannabis facility doesn’t need a review from DEC Division of Water, Wastewater Discharge. However, if GHU doesn’t accept their waste-water the cannabis facility needs a review from DEC Division of Water, Wastewater Discharge. In summary, the cannabis facility has only two options, either dispose their non-domestic wastewater into GHU’s facility or have DEC Division of Water, Wastewater Discharge review their plans and follow all requirements/recommendations.

Additionally, Ms. Bear mentioned that DEC Division of Water, Wastewater Discharge does not regulate the size of the holding tank if it is not underground or outside the building. DEC Division of Water does not regulate size of the freshwater tank, and it is for the business to decide how much water they need.
March 29, 2017 11:15 AM

Phone call conversation with

Marc Harmon
Environmental Compliance Manager, GHU
Phone: 907-455-0115, Email: marc@akwater.com

Manish Singh, FNSB Planner, asked the applicant about the company they plan to contract for pumping their graywater tank and what would happen to the graywater. The applicant stated that they would contract Bigfoot pumping a thawing who could dispose graywater at GHU’s facility.

Manish called Mr. Harmon and asked if Bigfoot has permits to dispose graywater from a marijuana manufacturing facility on GHU’s facility. Mr. Harmon mentioned that Bigfoot cannot dispose industrial water in their facility without a review/permitting process. ADEC has issued guidelines to treat marijuana graywater as industrial waste.

Mr. Harmon mentioned if Bigfoot doesn’t dispose this graywater into GHU’s facility, then GHU will not have any comments, whoever, he recommended talking to Ms. Tonya Bear in DEC’s office.
Hello AMCO,

Fairbanks North Star Borough Community Planning department has received a conditional use application for a marijuana product manufacturing facility, limited (DBA Treat Yo’self) at 2632 Mistletoe Dr (Lot 16, Block 2, Kris Kringle Subdivision First Addition). The applicants do not propose have a restroom in the manufacturing building. They have proposed to share a restroom with another business (Glass Doctor) on the neighboring property within 200 feet from the marijuana establishment (see attached location diagrams).

I called DEC Food Safety and Sanitation staff, Colin Taylor, to ask whether DEC would allow this. Mr. Taylor mentioned that DEC is fine as long as the manufacturing facility has access to a restroom located within 200 feet. With this background, I have following questions to you,

1. Would AMCO allow a marijuana product manufacturing facility without a restroom and allow it to be shared with another business 160 feet away?
2. Would AMCO require the applicant to show the restroom on the neighboring property within their licensed premise diagram? What areas would require restricted access?
3. Would AMCO have any security and safety concerns with the shared restroom proposal?

I would appreciate any help in this matter. Let me know if you have any questions for me.

Thanks,
Manish

Manish Singh
Planner II
Department of Community Planning
907-459-1225 / msingh@fnsb.us

Fairbanks North Star Borough
907 Terminal Street
Fairbanks, AK 99701
March 17, 2017 09:55 AM

Phone call conversation with

Colin Taylor
Environmental Health Officer, DEC Food Safety and Sanitation
Phone: 907-451-2112, Email: colin.taylor@alaska.gov

Manish Singh, FNSB Planner, asked Mr. Taylor to clarify his comment “[Marijuana establishment] will still need to have access to a restroom located within 200 feet.” Manish specifically asked that the Glass Door business is approximately 160 feet away from the marijuana establishment but the actual restroom could be located more than 200 feet away (although in the same Glass Door building). Mr. Taylor clarified that he never had to research this question for any other case; however, it would be a reasonable accommodation for him. His office would be fine if the building having restroom is available within 200 feet and the restrooms are accessible.
March 10, 2017

Fairbanks North Star Borough Department of Community Planning
Po Box 71267
Fairbanks, Alaska
99707

Re: Conditional use permit application #CU2017-014

To Whom It May Concern:

In regards to FNSB conditional use permit application file no. CU2017-014, the City of North Pole makes the following comments:

Site Plan Narrative #4 “other public utilities”, incorrectly states the North Pole Fire Department serves lot 16 block 2 Kris Kringle First Addition. This property is adjacent to the North Pole city limits. However, it falls within the North Star Volunteer Fire Department service district and is not serviced by city public safety services to include fire and police. The property is also not within the North Pole Utilities service area.

Sincerely,

[Signature]

Bryce J. Ward, Mayor

Comm. Planning Dept
MAR 10 2017
RECEIVED
| From: | Steven Crouch <scrouch@northstarfire.org> |
| Sent: | Thursday, March 09, 2017 9:13 AM |
| To: | Manish Singh |
| Subject: | 2632 Mistletoe Drive |

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

On page 3 where it talks about fire and troopers, the department that responds to this area is North Star Fire and not North Pole.

Steve Crouch  
Fire Chief, North Star VFD
Manish Singh

From: Michael Bredlie
Sent: Wednesday, March 08, 2017 3:47 PM
To: Manish Singh
Subject: RE: CU2017-014: Requesting Comments for Marijuana Manufacturing Application (2632 Mistletoe Drive)

Follow Up Flag: Follow up
Flag Status: Flagged

Rural Services has no comments or concerns.

Michael Bredlie
Manager
Rural Services Division
Fairbanks North Star Borough
Ph: 907-459-1233

From: Manish Singh
Sent: Wednesday, March 08, 2017 1:57 PM
To: David.tyler@alaska.gov; David.aden@alaska.gov; bryce.ward@northpolealaska.org; info@northpolefire.org; bill.butter@northpolealaska.org; sdufra@northpolepolice.org; Dps.ast.directors.office@alaska.gov; Linda.mahlen@alaska.gov; Michael Bredlie; John Nelson; Candy Rydlinski; Bradley Spilinik; Bill Witte; Tonya.bear@alaska.gov; Doug.buteyn@alaska.gov; George.horton@alaska.gov; JLKarl@gvea.com
Subject: CU2017-014: Requesting Comments for Marijuana Manufacturing Application (2632 Mistletoe Drive)

Dear Sir/Ma’am,

The Fairbanks North Star Borough Planning Commission is considering CU2017-014, a request for conditional use approval of a Commercial marijuana product manufacturing facility, limited in the General Commercial (GC) zone, located at 2632 Mistletoe Drive (on the north side of Mistletoe Drive, south of Kris Kringle Drive). This application (CU2017-014) is scheduled for a Planning Commission meeting on April 18, 2017.

I have attached the application with this email. The department requests you to send us your comments for this proposal by March 22, 2017. If you have any questions regarding this proposal, please contact me at (907) 459 1225 or msingh@fnsb.us

Thanks,
Manish

Manish Singh
Planner II
Department of Community Planning
907-459-1225 / msingh@fnsb.us

Fairbanks North Star Borough
PO Box 71267 / 809 Pioneer Road
Fairbanks, AK 99707-1267
From: Manish Singh
Sent: Wednesday, March 08, 2017 1:57 PM
To: David.tyler@alaska.gov; David.aden@alaska.gov; bryce.ward@northpolealaska.org; info@northpolefire.org; bill.butler@northpolealaska.org; sdutra@northpolepolice.org; Dps.ast.directors.office@alaska.gov; Linda.mahlen@alaska.gov; Michael Bredlie; John Nelson; Candy Rydlinski; Bradley Spillnek; Bill Witte; Tonya.bear@alaska.gov; Doug.buteym@alaska.gov; George.horton@alaska.gov; Jl.Karl@gvea.com
Subject: CU2017-014: Requesting Comments for Marijuana Manufacturing Application (2632 Mistletoe Drive)

Dear Sir/Ma’am,

The Fairbanks North Star Borough Planning Commission is considering CU2017-014, a request for conditional use approval of a Commercial marijuana product manufacturing facility, limited in the General Commercial (GC) zone, located at 2632 Mistletoe Drive (on the north side of Mistletoe Drive, south of Kris Kringle Drive). This application (CU2017-014) is scheduled for a Planning Commission meeting on April 18, 2017.

I have attached the application with this email. The department requests you to send us your comments for this proposal by March 22, 2017. If you have any questions regarding this proposal, please contact me at (907) 459 1225 or msingh@fnsb.us

Thanks,
Manish

Manish Singh
Planner II
Department of Community Planning
907-459-1225 / msingh@fnsb.us

Fairbanks North Star Borough
PO Box 71267 / 809 Pioneer Road
Fairbanks, AK 99707-1267
SUBJECT: ADDRESS CORRECTION FOR LOT 16 BLOCK KRIS KRINGLE FIRST ADDITION

Dear Owners:

The Fairbanks North Star Borough Code (17.08.100) requires all areas of the FNSB to use the borough-wide FNSB street addressing system. According to our records, the subject lot is associated with an incorrect street address(es).

- Location does not access the street as now addressed.

The assigned addresses for the structure on: LOT 16 BLOCK KRIS KRINGLE FIRST ADDITION
Account number: 0303739 is 2632 MISTLETOE DR
This deletes 3080 KRIS KRINGLE DR

If the incorrect address was used for mail delivery you will need to fill out a Change of Address Form from the Postal Service for the purpose of notifying your personal correspondents, utility services etc. In order to be certain the correct address is displayed in the "Enhanced 911" Display at the Emergency Dispatch in the event of an emergency, you will need to contact your local phone company and make them aware of the corrected address for any land-line telephones are referenced to; 2632 MISTLETOE DR

It is imperative that proper address numbers be posted to ensure rapid and accurate dispatch of E-911 emergency aid (fire, ambulance, law enforcement).

It is the intent of the Fairbanks North Star Borough to encourage the placement of house numbers at conspicuous locations, which are visible from the road off which the number is issued to facilitate emergency vehicle access. Where the structure is not visible from the road, the number should be placed at the primary entry road.

Please call me at the Fairbanks North Star Borough, Department of Community Planning 459-1264 if you have any questions about this correction.

If you need further assistance, please contact me
Sincerely,

[Signature]

Bill Witte, GIS Tech – Street Addressing/E911
Ph: 907-459-1264 Email: bwitte@fnsb.us
Department of Community Planning
Dear Mr. Kuhnert,

Please find attached the application. Let me know if you have any questions for me.

Thanks,
Manish

Manish Singh
Planner II
Department of Community Planning
907-459-1225 / msingh@fnsb.us

Fairbanks North Star Borough
907 Terminal Street
Fairbanks, AK 99701

From: Daniel Kuhnert [mailto:dkuhnert@northstarfire.org]
Sent: Wednesday, March 08, 2017 2:37 PM
To: Manish Singh
Subject: CU2017-014: Requesting Comments for Marijuana Manufacturing Application (2632 Mistletoe Drive)

Thank you for the website inquiry. Please send me a copy of the application when you have moment.

Thank you,

Assistant Chief Dan Kuhnert
North Star Volunteer Fire Department
2358 Bradway Road
North Pole, AK 99705

907-488-3400 Station 1
907-590-5470 Cell
Application Material Received on March 01, 2017

CU2017-014
MARIJUANA FACILITY
CONDITIONAL USE PERMIT APPLICATION
File No. CU2017-014

FEES:
- $800 conditional use permit application
- $250 verification of sensitive use buffers
- $200 sign deposit (check or cash only)

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<tr>
<th>Applicant</th>
<th>Property Owner</th>
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<tbody>
<tr>
<td>Contact Name: Aaron J Ross</td>
<td>Name: Kevin Tennant</td>
</tr>
<tr>
<td>Business Name: Treat Yo' Self</td>
<td>Mailing Address: 3088 Krs Kringle Drive</td>
</tr>
<tr>
<td>Mailing Address: 130 Eureka Avenue</td>
<td>City, State Zip: North Pole, AK 99705</td>
</tr>
<tr>
<td>Phone: 907-799-7422</td>
<td>Phone: 907-488-6857</td>
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<tr>
<td>E-mail: <a href="mailto:ajross30saj@hotmail.com">ajross30saj@hotmail.com</a></td>
<td>E-mail: <a href="mailto:kc10f@gmail.com">kc10f@gmail.com</a></td>
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<thead>
<tr>
<th>Property Information</th>
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<tbody>
<tr>
<td>Property Description: Lot 16 Block 2 Krs Kringle First Addition</td>
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</tr>
<tr>
<td>Street Address: 3088 Krs Kringle Dr. 99705</td>
<td>Lot Size: 46,689 SqFt</td>
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<tr>
<td>Parcel Account Numbers (PAN): 0303739</td>
<td>Zoning District:</td>
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<tr>
<td>Existing Use(s): None</td>
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</table>

| Conditional Use Request Information |  |
|--------------------------------------|  |
| Proposed Use(s): Limited Marijuana Product Manufacturing Facility |

Request Description and Reasons for the Request:

I have attached a detailed site plan drawn to scale and to the standards of the Commercial/Industrial Site Plan guidelines.
I certify that the information included in this application is to the best of my knowledge true and complete.

APPLICANT SIGNATURE: [Signature] DATE: 5/11/17

OWNER SIGNATURE (if different): [Signature] DATE: 2/17/17

If the applicant is not the sole property owner, written consent of all property owners must be provided pursuant to FNSBC 18.104.050(B).
Site Plan Narrative #4

- Maximum number of employees will be 2 full time and 1 part time
- Vehicle trips to the site will be minimal and will include
  - Waste removal 1-4 times per month (only marijuana waste)
  - Gray water tank pumping estimated every 2-4 weeks
  - Product delivery possibly 1 per week
  - Other visitors will be prescheduled visits and will be rare most likely no more than 1 per week
- Hours of operation will be from 8am to 9pm depending on workload
- Activities daily activities will be infusing of butter/oil with marijuana by heating/cooking, then using butter/oil to bake/mix food for wholesale
  - Weekly activities will include transporting our own freshwater
- No phases of development, this is an existing structure
- There shouldn’t be any impacts from our proposed use that would cross property lines – outdoor light not be directed at residence, will be on motion detectors so that will be minimal; additionally the closest residence is over 200 ft away and there is a tree line between them and our building
- The only chemicals on site will be basic over the counter cleaning products
- Marijuana plant/product waste will rendered unusable by grinding solids and incorporating the material with either non-compostable or compostable wastes so that the mixture is at least 50% non-marijuana and then segregated from all other marijuana material until it can be picked up by a disposal company
- Energy source will be GVEA electricity for heat and propane for cooking
- Water source will be fresh water hauled from Water Wagon, Pioneer Wells or similar company and held in a 75gal fresh water tank
- There will be no sewage, bathrooms are shared with Glass Doctor which has its own septic system
- Waste water will only be from the kitchen sinks, waste water will be held in a gray water tank and pumped out regularly by a disposal company
- Other public utilities and services include North Pole fire department, State troopers
- Our manufacturing process is pretty simple, we heat up plant trimmings in the oven then place in crock pot with butter or oil to heat up and infuse, then strain butter or oil through a cheese cloth cool, and use to bake
- To be able to secure a marijuana product manufacturing license we will have to comply with all state requirements for facility security. There will be commercial grade locks on the door, nothing will be viewable from the outside, and we will maintain 24 hour video surveillance on the exterior and interior of the premises; there will also be a security system set every time the facility is left vacant.
Narrative #5

1. Proposed conditional use does in fact conform to the intent and purpose of this title and other ordinances and state statutes. The property is zoned general commercial and there are no sensitive buffer zone issues. The area is considered urban and the proposed use meets that designation, which allows for some commercial development.

2. The existing sewage capacity will be sufficient, all food establishments must meet DEC requirements and the plan is reviewed prior to issuing a food license. Gray water tank for sink runoff is 120gal and will be pumped regularly. Fresh water holding tank is 75gal and will be filled regularly. Gvea electricity will be utilized and is considered adequate for our use.

3. Proposed conditional use will protect the public health, safety and welfare. Proposed use is not significantly different from prior use, it was a food service establishment where customers could pick up made to order food. The major difference in the use will be less traffic, because we will be wholesaling to retailers not individual consumers. This is a small operation that should have no detrimental effects to the public.
Kris Kringle Dr.

197 ft

Tree line at Vehicle access from Kris Kringle

Lot 17

Setbacks
Building distance from:
Kris Kringle Dr = 170 ft
Mistletoe Dr = 65 ft
Lot 15 Line = 82 ft
Lot 17 Line = 85 ft

1 Story

Building dimensions:
30' x 8.5' x 12'

0 = Exterior Lights

1 = 4' x 18'
2 = Parking Spaces
3 = 2' Compacted Gravel

L = 30' x 60'

Loading Area
2' Compacted Gravel

Limited Marijuana Product Manufacturing Facility (Existing Structure)

40' Drive Way = 2' Compacted Gravel

Mistletoe Dr.

\[ \tan \theta = \frac{20}{1} \]
Existing Structure

Total Sqft. = 255

255 Sqft to be used as Limited Marijuana Mountain facility
Kris Kringle Dr

Lot 15

Lot 16

Glass Doctor

160 ft to shared restrooms

Mistletoe Dr.

\[ \frac{1}{2} \text{ in} = 40 \text{ ft} \]
Manish Singh

From: Nigel Morton <nigel5678@hotmail.com>
Sent: Friday, March 03, 2017 12:53 PM
To: Manish Singh; ross_aj_92@hotmail.com
Subject: Fwd: Treat Yo' Self

Manish,

See emails below. Please let me know if this is sufficient, or if you have additional questions.

Thank you,

Sent from my iPhone

Begin forwarded message:

From: "Taylor, Colin Wl (DEC)" <colin.taylor@alaska.gov>
Date: March 3, 2017 at 12:34:55 PM AKST
To: Nigel Morton <nigel5678@hotmail.com>
Subject: RE: Treat Yo' Self

Mr. Morton and Mr. Ross,

After a review of the file for permit # 351022468, previously operating as Ms. Peggy's Kitchen, both the DEC drinking water department and wastewater departments had no objection to the freshwater and wastewater disposal system for the facility. Although your operation of the facility is still going through plan review, I do not believe your proposed processes will require any changes to the use of freshwater and disposal of wastewater in the facility. You will still need to have access to a restroom located within 200 feet.

You can contact me if you have any additional questions.

Colin Taylor
Environmental Health Officer
DEC Food Safety and Sanitation
610 University Ave, Fairbanks AK, 99709
(907) 451-2112

-----Original Message-----
From: Nigel Morton [mailto:nigel5678@hotmail.com]
Sent: Friday, March 3, 2017 12:10 PM
To: Taylor, Colin Wl (DEC) <colin.taylor@alaska.gov>
Subject: Treat Yo' Self

Colin,

Really appreciate your help. All we are needing is an email (back to me is fine) saying that the facility was previously approved with the current plumbing (fresh water holding tank and gray water tank for waste), and bathrooms less than 200 ft away. This is a simple ownership change. Being a marijuana establishment, the requirements for the dec permit food permit regarding the plumbing and bathrooms will not change.

I think even just a yes response might be ok.

Please let me know if you have additional questions.

Thanks again for your help.

Sent from my iPhone
Site Plan Narrative #4

☐ Maximum number of employees will be 2 full time and 1 part time

☐ Vehicle trips to the site will be minimal and will include
  ▪ Waste removal 1-4 times per month (only marijuana waste)
  ▪ Gray water tank pumping estimated every 2-4 weeks
  ▪ Product delivery possibly 1 per week
  ▪ Other visitors will be prescheduled visits and will be rare most likely no more than 1 per week

☐ Hours of operation will be from 8am to 9pm depending on workload

☐ Activities daily activities will be infusing of butter/oil with marijuana by heating/cooking, then using butter/oil to bake/mix food for wholesale
  ▪ Weekly activities will include transporting our own freshwater

☐ No phases of development, this is an existing structure

☐ The structure is not on a permanent foundation, but is secure and will not be moved

☐ There shouldn’t be any impacts from our proposed use that would cross property lines – the effect with the most potential to cross is exterior lighting
  ▪ The closest residence is over 190ft away
  ▪ To protect residential lots from any potential effects from exterior lighting
  ▪ Light on their side of the building especially will be directed downward
  ▪ There is an existing tree line on along the Kris Kringle lot line will remain as an additional barrier

☐ The only chemicals on site will be basic over the counter cleaning products

☐ Marijuana plant/product waste will be rendered unusable by grinding solids and incorporating the material with either non-compostable or compostable wastes so that the mixture is at least 50% non-marijuana and then segregated from all other marijuana material until it can be picked up by a disposal company

☐ Energy source will be GVEA for electricity, heat source is electric
  ▪ Propane for cooking
Water source will be fresh water hauled from Water Wagon, Pioneer Wells or similar company and held in a 75gal fresh water tank (DEC approved)

There will be no sewage, bathrooms are shared with Glass Doctor which has its own septic system (DEC approved practice)

- Bathrooms are less than 200ft (per DEC requirements) with a safe direct walking path across Glass Doctor’s parking lot, that is kept plowed of snow in the winter
- Each employee will be issued a bathroom key for access

Waste water will only be from the kitchen sinks, waste water will be held in a gray water tank and pumped out regularly by a disposal company (Dec approved)

Other public utilities and services include North Pole fire department, State troopers

Our manufacturing process is pretty simple, we heat up plant trimmings in the oven then place in crock pot with butter or oil to heat up and infuse, then strain butter or oil through a cheese cloth cool, and use to bake

To obtain a marijuana product manufacturing license and open for business, we will have to comply with all state requirements for facility security. There will be commercial grade locks on the door, nothing will be visible from the outside, we will maintain 24 hour video surveillance on the exterior and interior of the premises, and there will be a access sensitive, motion sensitive security system set every time the facility is left vacant.

**Narrative #5**

1. Proposed conditional use does in fact conform to the intent and purpose of this title and other ordinances and state statutes. The property is zoned general commercial and there are no sensitive buffer zone issues. The area is considered urban and the proposed use meets that designation, which allows for some commercial development.

2. The existing sewage capacity will be sufficient, all we are subject to DEC approval and have already received their stamp with the existing 120gal gray water tank for sink runoff that will be pumped regularly and its existing fresh water holding tank is 75gal that will be filled regularly. GVEA electricity will be utilized and is considered adequate for our use. The bathrooms are shared with Glass Doctor less than 200ft away, there is a clear safe walkway and each employee will be issued a bathroom key for access.

3. Proposed use is not significantly different from prior use as a food service establishment that didn't have any detrimental effects on public health, safety and welfare. The previous use was a customer facing food establishment, treat Yo' Self is a business to business wholesale bakery, which will reduce the impact from traffic. There
should be very little, if any, impacts that cross property lines. The closest residence is over 190ft away. To protect residential lots from any potential effects from exterior lighting, the light on their side of the building especially will be directed downward and a tree line on along the Kris Kringle lot line will remain as an additional barrier. Our process does not produce any more noise than a person cooking in their home, there will only be 2-3 employees utilizing everyday kitchen utensils to make baked goods and melt butter. Per AMCO regulations the general public cannot see in the facility so all windows and doors will be shut, so odor from proposed use should be contained in the building itself. Marijuana product will be sealed and in a locked refrigerator/freezer during storage. During the cooking process the marijuana will be submerged in butter or oil and will smell like a restaurant. To improve inside air quality and reduce effects of smell charcoal air purifying units will be utilized as necessary.
Application Material Received on
March 17, 2017

CU2017-014
Manish Singh

From: aj <ross Aj_92@hotmail.com>
Sent: Thursday, March 16, 2017 8:44 PM
To: Manish Singh
Subject: Re: Cu2017-014

No there is not existing signage on the property.
We will not be constructing any signage as well.

Thanks, AJ Ross

Sent from my iPhone

On Mar 16, 2017, at 2:06 PM, Manish Singh <M Singh@fnsb.us> wrote:

Dear Mr. Ross,

I did not find any information on signage in your application. I request you to please answer (email back) following questions for me -

1. Is there any existing signage on the property?
2. Do you plan to put/construct new signage?

Thanks,
Manish

Manish Singh
Planner II
Department of Community Planning
907-459-1225 / m Singh@fnsb.us
Fairbanks North Star Borough
907 Terminal Street
Fairbanks, AK 99701

Comm. Planning Dept
MAR 17 2017
RECEIVED
Application Material Received on
March 27, 2017

CU2017-014
1. I attached a copy of the lease agreement.

2. Our hours will be changed from 8am-5pm Monday through Friday. Those hours will give us access to the restrooms without any complication.

3. The restroom inside Expressway Auto will be the restroom we will have access to. The dimensions of it is a 10 by 10 foot in which would be a 100 square foot restroom.

Thanks, AJ Ross

From: Manish Singh <MSingh@fnsh.us>
Sent: Tuesday, March 21, 2017 11:47 PM
To: ross_aj_92@hotmail.com
Subject: RE: CU2017-014

Dear Mr. Ross,

As discussed on phone today, I would wait for you to respond to my questions via email dated March 21, 2017. In addition to these questions, I also need the size of the shared restroom for the 'net floor area' calculation.

Let me know if you have any questions for me. I look forward to hear from you soon. I can be reached at (907) 459-1225.

Thanks,
Manish

From: Manish Singh
Sent: Monday, March 20, 2017 5:42 PM
To: ross_aj_92@hotmail.com
Subject: CU2017-014

Dear Mr. Ross,

On Friday, March 17, 2017, I conducted a site visit to your conditional use property and had a conversation with Mr. Kevin Tennant. On your conditional use application page, you have only listed Lot 16 for this conditional use. However, you have proposed to share a restroom available on Lot 15. I am working with the Borough attorney to find out if you
need to include Lot 15 in this conditional use application. Either way, Lot 15 has different property owners — Kevin C Tennant & Tamera D Tennant.

1. Kevin C Tennant has signed your application. Nevertheless, I need something in writing (such as a singed letter) from Tamera D Tennant that she would allow the Lot 15 restroom for your marijuana product manufacturing use. After I hear back from my attorney in next couple of days, I may request you to include Lot 15 in your application.

2. Additionally, the business hours for the two businesses on Lot 15 (8 am – 5 pm, Mon-Fri.) are different than your proposed operating hours (8 am – 9 pm, no mention about days). Please clarify how your conditional use employees will have access to the restroom on Lot 15 when the businesses on Lot 15 are closed?

3. In your application, you mentioned about sharing the restroom with Glass Doctor; however, Mr. Tennant showed me the restroom to be shared in the other business he owns on the same property (Expressway Auto). Did you refer to a separate restroom? Please clarify which restroom you’d use for your conditional use?

Let me know if you have any questions for me. I look forward to hear from you soon. I can be reached at (907) 459-1225.

Thanks,
Manish

Manish Singh
Planner II
Department of Community Planning
907-459-1225 / msingh@fnsb.us

Fairbanks North Star Borough
907 Terminal Street
Fairbanks, AK 99701
COMMERCIAL LEASE AGREEMENT

This Lease is made the 28th day of February, 2017 by and between Kevin or Tamara Tennant (hereinafter "Landlord") and Aaron Ross DBA: Treat Yo' Self (hereinafter "Tenant"). In consideration for the mutual promises and covenants contained herein, and for other good and valuable consideration, the parties hereby agree as follows:

1. The Landlord leases to the Tenant, and the Tenant rents from the Landlord the following described premises: All the areas designated as South West corner of the parking lot on 2632 Mistletoe Dr.

2. The term of the Lease shall be for commencing 1 March 2017 and ending 28 Feb 2018. Renewable on an annual basis for the reasonably foreseeable future.

3. The Tenant shall pay to Landlord as rent $300.00 per month, due on the 1st day of the month and actual cost for electricity.

4. Deleted.

5. Tenant shall use and occupy the premises only as a marijuana product manufacturing establishment subject at all times to the approval of the landlord for any changes.

6. The Tenant shall not make any alterations, additions or improvements to the premises without the prior verbal consent of the Landlord.

7. The Landlord, at his own expense, shall furnish the following utilities or amenities for the benefit of the Tenant: . Joint use items such as Bathrooms. Any other future joint use cost which, upon mutual agreement between parties, could be added and rent adjusted accordingly.

8. The Tenant, at his own expense, shall furnish the following: Reasonable use of dumpster located behind Expressway Auto.

9. The Tenant shall purchase at his own expense public liability insurance in the amount of $1,000,000.00, or as required by state law as well as fire and hazard insurance in the amount of $1,000,000.00, or as required by state law for the premises and shall provide satisfactory evidence thereof to the Landlord and shall continue same in force and effect throughout the Lease term hereof. Kevin and Tamara Tennant shall be listed as additional insured on liability policy.

10. The Tenant shall not permit or commit waste to the premises.

11. The Tenant shall comply with all rules, regulations, ordinances codes and laws of all governmental authorities having jurisdiction over the operation of a marijuana product manufacturing establishment.

12. The Tenant shall not permit or engage in any activity that will effect an increase in the rate of insurance for the land in which the premises is contained nor shall the Tenant permit or commit any nuisance thereon.

13. The Tenant shall not sublet or assign the premises nor allow any other person or business to use or occupy the premises without the prior written consent of the Landlord.

14. At the end of the term of this Lease, the Tenant shall surrender and deliver up the premises in the same condition (subject to any additions, alterations or improvements, if any) as presently exists, reasonable wear and tear excluded.

15. Upon default in any term or condition of this Lease, the Landlord shall have the right to undertake any or all other remedies permitted by Law.

16. This Lease shall be binding upon, and inure to the benefit of, the parties, their heirs, successors, and assigns. This rental limitation shall apply through all renewal options, if exercised.
Signed this 28th day of February 2017.

Aaron Ross DBA: Treat Yo' Self, Tenant

Kevin C. Tennant, Landlord

Tamara Tennant, Landlord

Comm. Planning Dept
MAR 27 2017
RECEIVED
Application Material Received on
March 29, 2017

CU2017-014
From: aj <ross_aj_92@hotmail.com>
Sent: Wednesday, March 29, 2017 10:25 AM
To: Manish Singh
Subject: Re: CU2017-014

Follow Up Flag: Follow up
Flag Status: Flagged

1. DEC does not have approved companies but they do regulate where the waste is disposed of. Bigfoot pumping a thawing is a company that was recommended and I am going to use.

2. They pump my wastewater in their sewage tank. Dispose of it at Golden heart valley with the rest of the sewage they pick up throughout the day.

Thanks, AJ Ross

On Mar 29, 2017, at 9:15 AM, Manish Singh <MSingh@fnsb.us> wrote:

Hi Ross,

In your narrative, you stated that the graywater collected in the 120 gal. tank would be pumped out regularly by a DEC approved disposal company. I have a couple follow-up questions to you —

1. Can you name the DEC approved disposal companies you could possibly contract for pumping your 120 gal. graywater tank?
2. What do these companies do with the graywater the pump out? I understand the all the marijuana plant waste (after making it unusable) goes to Borough’s Landfill but what about the graywater?

Thanks,
Manish

Manish Singh
Planner II
Department of Community Planning
907-459-1225 / msingh@fnsb.us

Fairbanks North Star Borough
907 Terminal Street
Fairbanks, AK 99701

STAFF REPORT

CU2017-016
DEPARTMENT OF COMMUNITY PLANNING
STAFF REPORT

CU2017-016
April 18, 2017 Planning Commission Meeting

TO: Fairbanks North Star Borough Planning Commission
FROM: Manish Singh, Planner II
DATE: April 05, 2017

RE: CU2017-016: A request by Brandon Roybal DBA AK Aurora Blooms, LLC on behalf of Mt. McKinley Bank and Double G Investments, LLC for conditional use approval of a marijuana cultivation facility, indoor unlimited in the Light Industrial (LI) zone on Lot 1, Block 8, Cartwright Air Industrial Park Subdivision and TL-2040, Section 20, T1S-R1W, F.M. (located at 2693 Arla Street, on the east side of Worrell Avenue, south of Arla Street).

I. EXECUTIVE SUMMARY

The Department of Community Planning recommends APPROVAL of the conditional use request with three (3) conditions and three (3) Findings of Fact in support of approval. The staff analysis finds that the marijuana cultivation facility, indoor unlimited (see Figure 1), with proposed conditions, will meet the intent and purpose of Title 18 and of other ordinances and state statutes, will have adequate public services and will protect public health, safety and welfare.

Figure 1: Existing Building at 2693 Arla Street
II. GENERAL INFORMATION

A. Purpose
To allow use of an existing building as marijuana cultivation facility, indoor unlimited in the LI zone.

B. Location
On the east side of Worrell Avenue, south of Arla Street)

C. Access
Worrell Avenue, Arla Street

D. Size/PAN

<table>
<thead>
<tr>
<th>Area</th>
<th>PAN (Lot)</th>
</tr>
</thead>
<tbody>
<tr>
<td>70,200 sq.ft.</td>
<td>0345849 (Lot 1)</td>
</tr>
<tr>
<td>15,681.6 sq.ft.</td>
<td>0170178 (TL-2040)</td>
</tr>
</tbody>
</table>

E. Existing Zone
Light Industrial (LI)

F. Existing Land Use
Vacant building

G. Surrounding Land Use/Zoning
North: Zoning: LI  
Land Use: Commercial

South: Zoning: LI  
Land Use: Vacant (TL-2058) 
Residential (across TL-2058)

East: Zoning: LI  
Land Use: Commercial

West: Zoning: LI  
Land Use: Commercial

H. Community Facilities
Water: Eight (8) 500 gal. water tanks, total capacity 4,000 gal.

Sewer: Septic System

Electricity: GVEA

I. Code Violations
None on file

J. Flood Zone
Ae (100%) (March 17, 2014 dFIRM)

K. Zoning History
Zoning changed from Unrestricted Use (UU) to Air Industrial Park (AI) through Ordinance No. 69-46, adopted January 22, 1970

Zoning changed from AI to LI through Ordinance No. 88-010, effective April 25, 1988
III. ZONING AND DEVELOPMENT HISTORY

FNSB Assessor’s Records reflect that the existing building (16,360 sq.ft.) at 2693 Arla Street was constructed in 2014 (Exhibit 1). Community Planning issued a zoning permit (ZP-17172) on September 4, 2014 for a warehouse storage facility (Exhibit 2). The building is currently vacant.

Community Planning received a Floodplain Permit application in September 2014 with a ‘Building Under Construction’ Elevation Certificate. The applicant has stated that the building was constructed in 2014 with a floor elevation of 439.9 feet which was above the base flood elevation of 436 feet. However, the property did not receive a Certificate of Compliance because a “Finished Construction” Elevation Certificate was never submitted to Community Planning. On March 17, 2017, Community Planning received a “Finished Construction” Elevation Certificate. The property obtained a Certificate of Compliance on March 30, 2017 (Exhibit 3).

Community Planning issued a zoning permit (ZP-17477) on April 1, 2016 to the applicant, Branden Roybal, to use a portion (4,020 sq.ft.) of the existing building (16,360 sq.ft.) at 2693 Arla Street as a marijuana cultivation facility, indoor large. However, Mr. Roybal withdrew his zoning permit on June 20, 2016 because the property owner of the building 2693 Arla Street went bankrupt (Exhibit 4). Subsequently, he obtained another zoning permit (ZP-17593) to use portion of another building at 3665 Worrel Avenue (across Arla Street) as a marijuana cultivation facility, indoor large on July 5, 2016.

The applicant obtained a zoning permit for the subject property in April 2016 because a marijuana cultivation facility, indoor large requires a zoning permit in LI zone. With the zoning permit in April 2016, the applicant planned to use only 2 of the total 8 bays available (4,020 sq.ft. of total 16,360 sq.ft.) in the existing building at 2693 Arla Street. However, the current application is for marijuana cultivation facility, indoor unlimited which requires a conditional use permit in LI zone. The current conditional use application proposes to use the entire building (all 8 bays, 16,360 sq.ft.).
IV. PROPOSED USE AND PROJECT INFO

The applicant has requested a conditional use permit to use the existing building (16,360 sq.ft.) at 2693 Arla Street as a marijuana cultivation facility, indoor unlimited (see Figure 2). A marijuana cultivation facility, indoor unlimited is defined as “a legally licensed, fully enclosed commercial marijuana cultivation facility as defined by state law, in which all growing, preparation and packaging activities are conducted completely indoors and for which the net floor area of all cultivation facility structures exceeds 10,000 square feet [FNSBC 18.04.010].

This conditional use application includes two adjacent properties Lot 1 and TL-2040. The marijuana cultivation building and parking area are completely within Lot 1. TL-2040 is shown as additional parking area for the facility (see Figure 2). The total floor area of this marijuana cultivation facility is 16,360 sq.ft. The facility has total eight cultivation rooms with drying/processing areas, three offices, break room, storage room, locker rooms, and mechanical/electrical room (see Figure 3).

The applicant estimates having maximum 15 employees (10 full-time and 5 part-time). The applicant has stated that the facility will operate from 7 am to 7 pm.

Figure 2: Site Plan
The proposed marijuana cultivation building is shown in blue.
The properties (Lot 1 & TL-2040) are located in a Floodplain (Flood zone Ae, see Figure 4). Properties within the designated floodplain have additional requirements established by the Title 15 of the Borough code to ensure structures are safe from potential flooding. Designated floodplains in the Borough are subject to periodic inundation of floodwaters, which could cause loss of life or property, health or safety hazards.

Figure 4: Floodplains in the Surrounding Area
The subject property is currently zoned LI. This property is surrounded by LI on all sides (Figure 5). The surrounding properties to the north, west and east are developed commercially. The parcel on the south (TL-2058) is currently vacant and the property south of TL-2058 is used residentially (Figure 6).

**Figure 5: Zoning in the Surrounding Area**

![Zoning in the Surrounding Area](image)

**Figure 6: Land Use in the Surrounding Area**

![Land Use in the Surrounding Area](image)
The subject property has ‘Groundhogs Landscaping & Excavation’ and ‘PacLease Truck Rental’ businesses located on west side across Worrell Avenue in separate buildings. ‘Alaska Tool Company’ and a marijuana cultivation facility, indoor large (DBA Alaska Cannabis Cultivators) are located on north side across Arla Street, and ‘Interior Auto Body Shop’ is located on east side. There is another marijuana cultivation facility, indoor unlimited (DBA Alaskan Blooms) located in proximity to the subject property, north of Eula Street. The Comprehensive Plan Land Use Map characterizes this area as ‘Heavy Industrial Area’ (Figure 7).

Figure 7: Comprehensive Plan Designation in the Surrounding Area

V. APPLICABLE APPROVAL CRITERIA

Conditional Uses for marijuana establishments are governed by FNSBC18.104.050(C) and FNSBC18.96.240 (see Exhibit 5 for details).

VI. PUBLIC NOTICE

The Community Planning Department mailed 124 dear property owner notices and received one telephonic inquiry about this case.
VII. AGENCY COMMENTS

The FNSB Department of Community Planning contacted following agencies for comments:

a. State Fire Marshal
b. University Fire Service Area
c. Alaska State Troopers
d. Alaska Department of Transportation and Public Facilities (ADOT&PF)
e. FNSB E-911 Addressing
f. FNSB Floodplain Administrator
g. Alaska Department of Environmental Conservation (ADEC)
h. Alaska Department of Natural Resources (ADNR)
i. Golden Valley Electric Association (GVEA)

All written comments are included in the “Agency Comments” section following this report.

VIII. STAFF ANALYSIS

A. Transportation & Parking

The subject property is accessible from Arla Street and Worrell Avenue. Worrell Avenue and Arla Street are unmaintained local roads not constructed to Borough standards (see Figure 8). The property south of the site, TL-2058, was shown as a secondary access road on the site plan provided by the applicant on March 03, 2017. FNSB Assessor’s database shows that this property is currently owned by Great Northwest, Inc. The applicant revised their site plan on March 27, 2017 and has not proposed to use TL-2058 as a secondary access to the property (see Figure 2).

Figure 8: Access Roads

The proposed use would generate approximately 70 trip ends per weekday. This calculation is based on the estimated maximum 15 employees and relying on the closest related land use “Nursery (Wholesale)” in the Institute of Transportation Engineers (ITE) Trip Generation Manual (Table 1).

---

1 This section of this staff report includes comments from Kellen Spillman, FNSB Deputy Planning Director and Acting Transportation Planner after a review of the application materials with FNSB Planner Manish Singh.
Table 1: Trip Generation Summary

<table>
<thead>
<tr>
<th>Existing and proposed land use</th>
<th>Size/employees</th>
<th>Closest related land use in ITE Trip Generation Manual</th>
<th>Trip generation standard in ITE</th>
<th>Weekday trip ends</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed marijuana cultivation facility, indoor unlimited</td>
<td>15 employees</td>
<td>Nursery (Wholesale)</td>
<td>23.40 trip ends/5 employees</td>
<td>70.2 trip ends</td>
</tr>
</tbody>
</table>

This is a commercial and industrial neighborhood with other businesses that have similar traffic impacts. The traffic from the proposed marijuana cultivation use is unlikely to further degrade Worrell Avenue and Arla Street, and will have a negligible, if any, effect on nearby Peger Road, a minor collector that handles an average of 1,055 vehicles a day in this segment. Worrell Avenue and Arla Street could easily accommodate the small number of trip ends generated by the proposed facility.

Although a marijuana cultivation facility, indoor unlimited is a conditional use on the subject parcel in HI zone, the HI zone allows many uses with a zoning permit that have significantly higher trip generation potential. These outright allowed uses in HI include heavy manufacturing industries, gas stations with convenience store, shopping centers, drive-through facilities, etc. Compared to these uses, a marijuana cultivation facility has a much lower trip generation potential.

Parking demand for the marijuana cultivation facility, indoor unlimited is based on FNSB standard requirements of 3 parking spaces for every 4 employees [FNSBC 18.96.060(C)]. The applicant expects maximum 15 employees for the marijuana cultivation facility, indoor unlimited. The site plan provided by the applicant shows 16 parking spaces when only 11 parking spaces are required. The site plan shows TL-2040 as additional graveled parking area. The site plan shows the gravel traffic circulation area with adequate backing, turning and maneuvering space. The site plan also provides a loading area that meets the FNSB loading area requirements.

E. FNSBC 18.96.240 Standards for Commercial Marijuana Establishments

A. General Standards

2. A commercial marijuana establishment may only be allowed with the written consent of the owner of the property.

The current property owners have provided written consent to the proposed marijuana cultivation facility.

3. No marijuana establishment, except a marijuana testing facility, shall be located within the following buffer distances (see FNSBC 18.96.240(A)(3)(a-e)).
The buffer map and property detail provided by the applicant (Exhibit 6) demonstrates that the commercial marijuana cultivation facility is not located within the buffer distances provided in FNSBC18.96.240(A)(3)(a-e) because the buffer map does not show any FNSB sensitive uses within a 500-foot proximity of the subject lot.

All state buffer requirements provided in 3AAC 306 must also be met.

4. **Outdoor Storage. No outdoor storage of marijuana, marijuana products or hazardous substances shall be allowed.**

The applicant is not proposing outdoor storage of marijuana, marijuana products, or hazardous substances, as shown in the site plan (Figure 2) and explained in the narrative.

5. **In all zones in which marijuana establishments, with the exception of a marijuana testing facility, are a permitted or conditional use, the applicant shall include an area map drawn to scale indicating all land uses on complete parcels within a 500-foot proximity of the lot upon which the applicant is seeking a zoning permit or conditional use permit.**

The applicant’s submittals include an area map drawn to scale indicating all land uses within a 500-foot proximity of the subject lot (Exhibit 6).

6. **Marijuana establishments other than marijuana cultivation facilities, indoor small and marijuana testing facilities located in GU-1 or GU-5 zoning and adjacent to a lot upon which a principal building used as a dwelling is located are a conditional use subject to the requirements of this title.**

The subject property is not in GU-1 or GU-5 zone.

G. **FNSBC 18.104.050(C) Hearing and Decision by the Planning Commission**

1) **Whether or not the proposed conditional use conforms to the intent and purpose of this title and of other ordinances and state statutes.**

**Purpose of FNSBC Title 18:** The purpose of Title 18 is “to implement the Fairbanks North Star Borough comprehensive plan” (FNSBC 18.12.020). The Comprehensive Plan Land Use Map characterizes this area as ‘Heavy Industrial Area’ (Figure 7). The proposed conditional use is consistent with the comprehensive plan land use designation, Heavy Industrial Area, for the subject property because it proposes indoor cultivation of marijuana in a neighborhood which is already developed with commercial and industrial uses (Figure 6).

The request is consistent with the following goals of the Comprehensive Plan:

- **Land Use Goal 3** – To have a variety of land uses that fit the diverse needs of the community
- **Strategy 6** – Provide for commercial land uses in both urban and non-urban areas
- **Action A** – Provide for a variety of commercial areas that adequately serve the market area
This conditional use proposal adds a commercial marijuana cultivation establishment in the Borough. Commercial marijuana is a new industry and this conditional use would serve the market by making products available for commercial marijuana product manufacturing and retail establishments.

**Economic Development Goal 2 – To diversify the economy**

**Strategy 6 –** Emphasize development that brings new dollars into the community, including efforts to add value to the region’s natural, manufactured, service and intellectual resources.

**Action B –** Create a variety of types and sizes of commercial and industrial areas that support diversification of economic activity.

The applicant submittals state that this marijuana cultivation establishment would support 15 jobs with this conditional use. This operation would diversify the commercial activity in the Fairbanks North Star Borough enhancing community’s ability to generate revenue.

**Intent of FNSBC Title 18:** The intent of Title 18 which is “to protect private property rights, to promote the public health, safety and general welfare of the residents of the borough, and safety from fire and to promote the efficient distribution of water, sewage, schools, parks and other public requirements; to provide safe traffic flow on the public streets; to promote economic development and the growth of private enterprise; and to divide the borough into districts (FNSBC 18.12.020).”

Allowing a property owner to develop their private property is an example of protecting private property rights via clearly defined local zoning regulations. This proposal involves using the property as a marijuana cultivation facility, indoor unlimited which requires a conditional use permit in LI zone. The public notification, public hearing procedures and approval criteria for conditional uses help protect the property rights of the surrounding property owners.

The marijuana cultivation facility is served by Worrell Avenue and Arla Street. This is a commercial and industrial neighborhood with other businesses that have similar traffic impacts. The traffic from the proposed marijuana cultivation use is unlikely to further degrade Worrell Avenue and Arla Street, and will have a negligible, if any, effect on nearby Peger Road, a minor collector.

The proposed conditional use promotes economic development and the growth of private enterprise because it would support 15 jobs in the area and would help diversify the existing commercial and industrial neighborhood.

The applicant has addressed site security elements and has developed strategies for plant and liquid waste disposal. Moreover, the applicant has agreed to comply with state marijuana regulations. The application material and the narrative for this proposal illustrates that it meets the intent of Title 18 because this application is to protect property rights and with the conditions imposed, it would promote the public health, safety and general welfare of the residents of the borough.

**Alaska State Statute and Other Ordinances:** 3AAC 306 governs the state licensing and operational standards for marijuana facilities. Title 18 requires that a borough permitted commercial marijuana facility obtain a license pursuant to all state regulations.
The applicant has provided information sufficient to show they intend to meet the state regulations and to apply for a state issued license.

The subject lots are located in a Floodplain (Flood zone Ae, see Figure 4). Properties within the designated floodplain have additional requirements established by the Title 15 of the Borough code to ensure structures are safe from potential flooding. Designated floodplains in the Borough are subject to periodic inundation of floodwaters, which could cause loss of life or property, health or safety hazards.

Community Planning received a Floodplain Permit application in September 2014 with a ‘Building Under Construction’ Elevation Certificate. The applicant has stated that the building was constructed in 2014 with a floor elevation of 439.9 feet which was above the base flood elevation of 436 feet. However, the property did not receive a Certificate of Compliance because a “Finished Construction” Elevation Certificate was not submitted. On March 17, 2017, Community Planning received a “Finished Construction” Elevation Certificate. The property obtained a Certificate of Compliance on March 30, 2017 (Exhibit 5).

Using a warehouse for a marijuana cultivation facility may require improvements in the existing structure. If these improvements constitute a substantial modification, the property may require a revised Floodplain Permit and Certificate of Compliance in order to continue to comply with Title 15. Therefore, Community Planning recommends a condition to have the proposed improvements in the building reviewed by the FNSB Floodplain Administrator and revise their Floodplain Permit and obtain a new Certificate of Compliance if the improvements constitute a substantial modification.

(2) Whether or not there are adequate existing sewage capacities, transportation facilities, energy and water supplies, and other public services to serve the proposed conditional use.

Water: The applicant has stated that a water delivery service, Water Wagon, would provide water daily for the proposed conditional use. The existing building has eight (8) 500 gal. fresh water tanks, one for each of the eight (8) bays. The total capacity for these fresh water tanks is 4,000 gal. The applicant has stated that the facility will have a total of 2,400 plants and would require approximately 600 gal. water every day. With this level of usage, 3,400 gal. out of the total 4,000 gal. would be available for employee use every day. The applicant has stated that the proposed water usage information is based on his prior experience of marijuana cultivation. The applicant owns another marijuana cultivation facility, indoor large (DBA Alaska Cannabis Cultivators) on the north side of Arla Street.

Alaska Department of Environmental Conservation (ADEC), Division of Water does not review fresh water tanks for adequacy for a cultivation operation as long as the water is hauled by an ADEC approved hauler/filling station. Additionally, Community Planning did not find any water requirements standards for indoor marijuana cultivation to verify the statistics provided by the applicant. It appears that this cultivation operation would have adequate water capacity because the facility has a 4,000 gal. fresh water holding capacity and Water Wagon, a water delivery service, would deliver water needed to run this cultivation operation on a daily basis.
Wastewater/Sewage: The applicant has stated that the building has a DEC approved septic system. However, Tonya Bear, Engineer I, ADEC Division of Water, Wastewater Discharge has commented that the septic system installed for this property is authorized to receive domestic wastewater only up to 240 gallons/day. Wastewater produced from the marijuana cultivation operation is considered non-domestic wastewater and may not be discharged into this septic system without express written approval from ADEC (18 AAC 72, Wastewater Disposal Regulations).

Therefore, Community Planning staff recommends a condition requiring a formal plan review by ADEC and compliance with all recommendations and/or requirements resulting from the plan review as a condition to ensure that there is adequate sewage capacity for the conditional use. In order to obtain approval for a non-domestic wastewater discharge, the applicant will likely need to hire a professional engineer to evaluate the septic system, characterize the wastewater, and request approval from ADEC to discharge non-domestic wastewater to the septic system.

Fire: The proposed conditional use has adequate fire services because the property is within the University Fire Service Area.

Energy: The proposed conditional use has adequate power supply because they are served by GVEA grid.

Police: The proposed conditional use is served by Alaska State Troopers.

Transportation: The marijuana cultivation facility is served by Worrell Avenue and Arla Street. This is a commercial and industrial neighborhood with other businesses that have similar traffic impacts. The traffic from the proposed marijuana cultivation use is unlikely to further degrade Worrell Avenue and Arla Street, and will have a negligible, if any, effect on nearby Peger Road, a minor collector. The applicant has provided 16 off-street parking spaces and a loading area with sufficient backing and maneuvering space.

3) Whether or not the proposed conditional use will protect the public health, safety and welfare.

With the conditions imposed, this use will protect the public health, safety, and welfare through responsible operation of the facility as demonstrated in applicant’s business plan. The proposed marijuana cultivation facility, indoor unlimited meets the standards required by FNSBC 18.96.240 and the operating plan is intended to minimize and mitigate adverse impacts to surrounding properties. The applicant has a detailed plan for site security, fire safety, and employee health to help address public health, safety, and welfare concerns.

Site security, marijuana liquid and plant waste, outdoor lighting, noise, odor and hours of operation could be potential concerns for surrounding properties with a commercial marijuana cultivation operation but the applicant has addressed these issues.

Site Security and Marijuana Waste Disposal: The applicant intends to secure all marijuana and marijuana products inside the building to ensure the general public does not have access to them. The applicant has stated that their security system include an alarmed security system and 24-hour video surveillance. The applicant has stated that the marijuana plant waste would be rendered unusable via mixing with equal parts
compostable and non-compostable material. The compostable material mixed waste would be composted on site and non-compostable material mixed waste would be disposed of at the Solid Waste Facility in town.

The state licensing and operational standards including restricted access areas, security alarm systems, video surveillance, waste disposal methods for marijuana facilities are governed by 3AAC 306. The application material acknowledges that a marijuana cultivation facility, indoor unlimited cannot legally operate without obtaining a state issued license [FNSBC18.04.010] and compliance with 3AAC 306 is required to obtain a state license. Compliance with state regulations related to security, waste disposal, health and safety would help ensure employees’ health and safety. Therefore, Community Planning recommends compliance with 3AAC 306 as a condition to ensure public health, safety and welfare.

**Odor:** The applicant plans to address odor by charcoal filters. However, if these filters are not of sufficient capacity, the odor could potentially become a public health, safety and welfare issue for the neighbors. Therefore, Community Planning recommends a condition requiring installing appropriately sized odor filtration systems in the cultivation space to help ensure the public health, safety and welfare.

**Outdoor Lighting:** The site plan provided by the applicant shows thirteen exterior lights which would point downward. The property is not adjacent to a residential zone. The nearest residence is on TL-2060 (south of TL2058) and is at least 200 feet away from the subject building. The outdoor lighting does not negatively impact the public health, safety and welfare of the surrounding properties because this property is located in a commercial and industrial neighborhood and properties surrounding the marijuana cultivation facility already experience similar lighting levels.

**Noise:** The applicant has stated that the noise generated from this cultivation operation would be negligible because the operation is completely indoors. This property is located in a commercial and industrial neighborhood and properties surrounding the marijuana cultivation facility already experience similar noise levels.

**Hours of Operation:** The applicant has stated the hours of operation would be 7 am to 7 pm. These hours of operation do not negatively impact the neighborhood’s public health, safety and welfare because the facility is located in a commercial and industrial neighborhood and businesses on properties surrounding the marijuana cultivation facility already have similar hours of operation.

**Fire Safety:** Fire and rescue services for this operation are available through the University Fire Service Area. Any lack in ensuring necessary fire safety provisions for a marijuana cultivation operation could result in a fire safety issue because marijuana cultivation operations have high usage of electricity in a moist environment. Therefore, Community Planning recommends a formal plan review by the Department of Public Safety (Division of Fire and Life Safety, Plan Review Bureau) and compliance with all recommendations and/or requirements resulting from the plan review as a condition to minimize fire and other safety risks, thereby help ensure public health, safety and welfare.

The applicant’s submittals indicate that the applicant plans to go to other agencies such as the Marijuana Control Board (MCB), ADEC and Fire Marshall for plan reviews and
approvals. Because this conditional use approval is for a particular use of the said property, a change in the site plan or operation method may result in increased impacts or trigger a public health, safety and welfare concern which have not been analyzed. Therefore, Community Planning recommends a condition that if any changes are made, the applicant shall file final site and floor plans with Community Planning to ensure compliance with Planning Commission approved site plan, floor plan and conditions. If modifications are made to the approved documents an amendment to the conditional use permit may be required.

IX. RECOMMENDATION

Based on the staff analysis, the Department of Community Planning recommends APPROVAL of the conditional use permit request for marijuana cultivation facility, indoor unlimited in the LI zone with three (3) conditions.

X. CONDITIONS

1. Prior to the commencement of operations, the applicant or holder of this conditional use permit shall comply with all applicable land use related laws. Applicable permits and approvals may include but are not limited to:
   a. As required by the FNSB and the Department of Commerce, Community, and Economic Development (Alcohol and Marijuana Control Office), the applicant or holder of this conditional use permit shall ensure the site meets all licensing requirements for a commercial marijuana cultivation facility.
   b. The applicant or holder of this conditional use permit shall obtain a formal plan review by the State of Alaska Department of Public Safety (Division of Fire and Life Safety, Plan Review Bureau) and shall comply with all recommendations and/or requirements resulting from the plan review.
   c. The applicant or holder of this conditional use permit shall obtain a formal plan review by the State of Alaska Department of Environmental Conservation for the onsite septic system and shall comply with all recommendations and/or requirements resulting from the plan review.
   d. If any improvements are made to the existing building, the applicant or holder of this conditional use permit shall obtain all applicable permits to continue to comply with Title 15 Floodplain Management Regulations.

2. Indoor cultivation, drying, and processing rooms or portions of the building shall be equipped with appropriately sized odor filtration systems such that the marijuana odor shall not be detectable by the public from outside the cultivation facilities.

3. If any modifications are made to the site plan, floor plans, or other FNSB required documents, the applicant or holder of this conditional use permits shall submit revised documents to the FNSB Community Planning Department. If modifications are made to the conditional use, an amendment to the Conditional Use Permit may be required pursuant to FNSBC 18.104.050(D).

XI. FINDINGS OF FACT

The Department of Community Planning further recommends the following Findings of Fact in support of approval:
1. With the conditions imposed, the proposed conditional use will conform to the intent and purpose of Title 18, Title 15 and of other ordinances and state statutes:

   a. The purpose of Title 18 will be met because the proposed conditional use is consistent with 'Heavy Industrial Area' comprehensive plan land use designation. The Comprehensive Plan Land Use Goal 3 and Economic Development Goal 2 are being enhanced with the redevelopment of this site as a marijuana cultivation facility.
   b. The intent of Title 18 will be met because with the conditions imposed, the conditional use will both protect private property rights and promote public health, safety, and welfare.
   c. 3AAC 306 governs the state licensing and operational standards for marijuana facilities. Title 18 requires that a borough permitted commercial marijuana facility obtain a license pursuant to all state regulations. The applicant has provided information sufficient to show they intend to meet the state regulations and to apply for a state issued license.
   d. The purpose of Title 15 will be met because with the conditions imposed, the conditional use will meet Floodplain permitting requirements and will help minimize flood losses and promote health, safety and welfare.

2. With the conditions imposed, there are adequate existing energy and transportation facilities serving the site and other public services are available to serve the proposed conditional use.

   a. The site has an onsite septic system. With the conditions imposed, this onsite septic system will be adequate to receive the non-domestic wastewater generated from the cultivation facility.
   b. The site is served by University Star Fire Service Area for fire protection and rescue services and by Alaska State Troopers for law enforcement.
   c. The site is currently connected to the GVEA grid which will provide sufficient energy supply for indoor cultivation activities.
   d. Sixteen (16) off-street parking spaces and a loading area have been provided on-site, which are adequate for the proposed cultivation conditional use.
   e. The traffic generated from the proposed marijuana cultivation use will not further degrade Worrell Avenue and Arla Street, and will have a negligible, if any, effect on nearby Peger Road, a minor collector.

3. With the conditions imposed, the proposed conditional use will protect public health, safety, and welfare as the facility will comply with Title 18 standards for the LI zone (FNSBC 18.72) and Standards for Commercial Marijuana Establishments (FNSBC 18.96.240) as well as state requirements for a commercial marijuana cultivation facility.

   a. With the conditions imposed, security systems, alarms, cameras and lighting will meet state regulations required to obtain a commercial marijuana cultivation license.
   b. With the conditions imposed, any solid or liquid waste including marijuana plant waste will be disposed of in accordance with state and local regulations.
   c. With the conditions imposed, odor will be mitigated with appropriately sized odor filtration systems on cultivation, drying, and processing facilities.
d. All marijuana and marijuana products will be secured inside the building to ensure the general public does not have access to them.
e. The noise generated from this cultivation operation would be minimal because the operation is completely indoors.
f. The outdoor lighting would point downwards and will not negatively impact the neighborhood or residential uses.
g. The hours of operation do not negatively impact the neighborhood because the facility is located in a commercial and industrial neighborhood with other businesses having similar hours of operation.

DRAFT PLANNING COMMISSION MOTION:

I move to approve the Conditional Use Permit for a commercial marijuana cultivation facility, indoor unlimited with three (3) conditions, and adopting the staff report and three (3) Findings of Fact in support of the approval.
01 08 CARTWRIGHT AIR INDUSTRIAL PARK : 0345849

General
Neighborhood: Davis-Van Horn

Valuation Method: Cost

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**Secondary Sections**

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Printed On 11/11/2016 Printed By steert Page 2
Fairbanks North Star Borough
Department of Community Planning
P.O. Box 71267
Fairbanks, Alaska 99707-1267
Zoning Permit Number: 17172

This permit is issued based on the lot dimensions and zone applicable to the lot on the date of issuance. If prior to construction, the zone or the lot dimensions change, this permit will no longer be valid and a new permit must be obtained.

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<th>General Information</th>
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<tr>
<td>Date: 9/4/2014</td>
</tr>
<tr>
<td>Name/Company: BARNEY BRIAN</td>
</tr>
<tr>
<td>Mailing Address: PO BOX 85272, FAIRBANKS AK 99708</td>
</tr>
<tr>
<td>Telephone 907-457-5606</td>
</tr>
<tr>
<td>Cell Phone 907-457-5600</td>
</tr>
<tr>
<td>Email <a href="mailto:bbarney@gci.net">bbarney@gci.net</a></td>
</tr>
<tr>
<td>Property Description: 0345849 LOT 1 BLOCK 8 CARTWRIGHT AIR</td>
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<td>Site Address: 2693 ARLA ST</td>
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<tr>
<td>Existing Use: Vacant Land</td>
</tr>
<tr>
<td>Structure: Vacant land</td>
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<td>Proposed Use: Commercial</td>
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<td>Structure: Warehouses - Storage Facility - warm shell for drivers to melt snow off vehicles and wash them.</td>
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<td>Dwelling Units: 0</td>
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<tr>
<td>New: 0</td>
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<td>New: 15,200 SF</td>
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<tr>
<td>Lot Size: 70,200 SF</td>
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<td>Est. Construction Cost: $1,150,000</td>
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<td>Note: A Floodplain Permit is required.</td>
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<td>No office or employees at this location, only a bathroom in the storage building. FYS=30°; RYS=40°; W-SYS=90°; E-SYS=90°</td>
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- I certify that I am the owner or that I am authorized to act for the owner of the property.
- I certify that this information is to the best of my knowledge true and complete.
- I acknowledge and will comply with the conditions set forth in this zoning permit.
- I understand that this permit is not valid until the permits identified below are obtained.
- I understand that this permit is appealable and that this appeal must be submitted and perfected within 15 days of the date of the decision in accordance with FNSBC 18.54.070.

| Applicant Signature | 9/10/14 |

<table>
<thead>
<tr>
<th>Zoning Specifications</th>
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<tr>
<td>Existing Zone: LI (100%)</td>
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<td>Flood Zone: AE (100%)</td>
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<td>Rear Yard Req: 0</td>
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<tr>
<td>Floodplain Permit Required: Yes</td>
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<tr>
<td>FNSB Driveway Permit Required: No</td>
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<td>Reasons: Storage Facility meets LI requirements.</td>
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<td>Permit Approval: Approved</td>
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<td>Zoning Official: Durham, N</td>
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<td>9/4/2014</td>
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This is a Fairbanks North Star Borough Community Planning Department Zoning Permit. Please contact other departments and agencies to obtain permits as necessary.
CERTIFICATE OF COMPLIANCE

This certificate is issued by the FNSB Flood Plain Administrator pursuant to the requirements of FNSB 15.04.055 certifying that at the time of issuance, development described below was in compliance with the floodplain management requirements of the Fairbanks North Star Borough for the following described property:

Permit Number: FP 2015-0005

Owner: BILL BARNEY

Issued By: Nancy Durham, MURP, CFM
(Floodplain Administrator)

Date: 03/30/2017

Description of proposed work:
slab on grade foundation; no below grade space or structure below BFE

Parcel(s) Project Address:
0345849 LOT 1 BLOCK 8 CARTWRIGHT AIR INDUSTRIAL 2693 ARLA ST
Fairbanks North Star Borough
Department of Community Planning
P.O. Box 71267
Fairbanks, Alaska 99707-1267

Zoning Permit Number: [17477]

This permit is issued based on the lot dimensions and zone applicable to the lot on the date of issuance. If prior to construction, the zone or the lot dimensions change, this permit will no longer be valid and a new permit must be obtained.

General Information

Date: 8/20/2016
Applicant: ROYBAL BRANDEN
Mailing Address: PO BOX 82427, FAIRBANKS AK 99708

Property Description: 0345849 LOT 1 BLOCK 8 CARTWRIGHT AIR

Existing Use: Industrial
Structure: Warehouses

Proposed Use: Commercial
Structure: Marijuana cultivation facility, indoor large: 4,020 sf

Dwelling Units: 0
New: 0
Existing: 0

Building Height (stories): 18
Total Area of Structure: 16,000 SF
Lot Size: 70,200 SF

Note: This permit is for Bay 7 and Bay 8 of Building D on Lot 01, Block 08, Cartwright Air Industrial Park.
- I certify that I am the owner or that I am authorized to act for the owner of the property.
- I certify that this information is to the best of my knowledge true and complete.
- I acknowledge and will comply with the conditions set forth in this zoning permit.
- I understand that the holder of this permit is required to comply with all other applicable laws, including city, borough, state and federal laws.
- I agree to submit current and accurate documents if the site plan or other application materials are changed subsequent to issuance of this permit.
- I understand that this permit is appealable and that this appeal must be submitted and perfected within 15 days of the date of the decision in accordance with FNSBC 18.54.070.
- This permit is issued contingent upon the applicant obtaining the appropriate State of Alaska Commercial Marijuana Facility License.

Applicant Signature 06/20/2016

<table>
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<th>Zoning Specifications</th>
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<tbody>
<tr>
<td>Existing Zone: LI (100%)</td>
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<tr>
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<td>Side Yard Req: 0</td>
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<td>Rear Yard Req: 0</td>
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<table>
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<tr>
<th>Conditions</th>
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<tbody>
<tr>
<td>Floodplain Permit Required: Yes</td>
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<tr>
<td>Conditions: Marijuana cultivation facility, indoor large</td>
</tr>
<tr>
<td>FNSB Driveway Permit Required: No</td>
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Reasons: Applicant withdrew with email on 06/20/2016
Permit Approval: Withdrawn


This is a Fairbanks North Star Borough Community Planning Department Zoning Permit. Please contact other departments and agencies to obtain permits as necessary.
Manish Singh

From: Branden Roybal <brandenroybal@yahoo.com>
Sent: Monday, June 20, 2016 4:44 PM
To: Manish Singh
Subject: Re: Marijuana Zoning Permit at 3665 Worrel Street

Manish,

I would like to withdraw my current zoning permit for 2693 aria st. I had to relocate due to my landlord going bankrupt. I will be reapplying at a new address. 3665 Worrell Ave.

Thank you
Branden Roybal

On Friday, June 17, 2016 11:52 AM, Manish Singh <MSingh@fhsb.us> wrote:

Dear Mr. Roybel,

We had a meeting scheduled to go over your incomplete application for a Marijuana Zoning Permit at 3665 Worrel Street today at 11 am. You couldn't make it but it is alright since we can always reschedule it 😊. This application will not be processed till it is complete (as per the checklist attached).

Monday and Tuesday are the busy days for me next week but let me know about your availability on Wednesday or later. I can reschedule this meeting with you. I look forward to hear from you soon.

Thanks,
Manish

From: Manish Singh
Sent: Thursday, June 16, 2016 10:35 AM
To: brandenroybal@yahoo.com
Subject: Marijuana Zoning Permit at 3665 Worrel Street

Dear Mr. Roybel,

As discussed on phone, I recently reviewed your Marijuana Zoning Permit application for a property at 3665 Worrel Street. Your application is incomplete. Please go through the attached marijuana zoning permit checklist to make sure that the application has all required information. I am happy to go over it face-to-face tomorrow (Friday) at 11 am.

I look forward to see you tomorrow. Have a nice day.

Thanks,
Manish

Manish Singh
Fairbanks North Star Borough
Department of Community Planning
P.O. Box 71267
Fairbanks, Alaska 99707-1267

Zoning Permit Number: 17477

This permit is issued based on the lot dimensions and zone applicable to the lot on the date of issuance. If prior to construction, the zone or the lot dimensions change, this permit will no longer be valid and a new permit must be obtained.

**General Information**

Date: 4/1/2016

Applicant: ROYBAL BRANDEN

Mailing Address: PO BOX 82427, FAIRBANKS AK 99708

Property Description: 0345849 LOT 1 BLOCK 8 CARTWRIGHT AIR

Existing Use: Industrial

Structure: Warehouses

Proposed Use: Commercial

Structure: Marijuana cultivation facility, indoor large : 4,020 sf

Dwelling Units: 0

New: 0

Existing: 0

Building Height (stories): 18

Total Area of Structure: 16,000 SF

Lot Size: 70,200 SF

New: 0 SF

Existing: 16,000 SF

Telephone: 253-508-6601

Cell Phone: Email: brandenroybal@yahoo.com

Site Address: 2693 ARLA ST

Note: This permit is for Bay 7 and Bay 8 of Building D on Lot 01, Block 08, Cartwright Air Industrial Park.

**VOIDED**

**DATE** 06/30/2016
- I certify that I am the owner or that I am authorized to act for the owner of the property.  
- I certify that this information is to the best of my knowledge true and complete.  
- I acknowledge and will comply with the conditions set forth in this zoning permit.  
- I understand that the holder of this permit is required to comply with all other applicable laws, including city, borough, state and federal laws.  
- I agree to submit current and accurate documents if the site plan or other application materials are changed subsequent to issuance of this permit.  
- I understand that this permit is appealable and that this appeal must be submitted and perfected within 15 days of the date of the decision in accordance with FNSBC 18.54.070.  
- This permit is issued contingent upon the applicant obtaining the appropriate  
State of Alaska Commercial Marijuana Facility License.

Applicant Signature

4/4/16

---

**Zoning Specifications**

- Existing Zone: LI (100%)
- Minimum Lot Size: 0
- Front Yard Req: 20
- Side Yard Req: 0
- Rear Yard Req: 0

- Flood Zone: AE (100%)
- Road Service Area: No
- Parking Spaces Req: 3
- Building Type: Principal

---

**Conditions**

- Floodplain Permit Required: Yes
- Conditions: Marijuana cultivation facility, indoor large
- FNSB Driveway Permit Required: No

Reasons: Marijuana cultivation facility, indoor large meets Title 18 requirements

Permit Approval: Approved

Manish

4/1/2016

Zoning Official: Singh, M

---

This is a Fairbanks North Star Borough Community Planning Department Zoning Permit. Please contact other departments and agencies to obtain permits as necessary.

---

**VOIDED**

DATE 06/28/2016
EXHIBIT 5

APPLICABLE APPROVAL CRITERIA

Conditional Uses are governed by the following provisions of Title 18, Fairbanks North Star Borough Code of Ordinances:

18.104.050 (C)

1. Whether or not the proposed conditional use conforms to the intent and purpose of this title and of other ordinances and state statutes.

2. Whether or not there are adequate existing sewage capacities, transportation facilities, energy and water supplies, and other public services to serve the proposed conditional use.

3. Whether or not the proposed conditional use will protect the public health, safety and welfare.

The Planning Commission may approve or deny a conditional use request or may approve a conditional use request with conditions to ensure the protection of the public health, safety and welfare. Such conditions may relate to any, or more, of the following: traffic flow and access requirements, lighting, pedestrian movements.

Marijuana Facilities are also governed by the provisions of Title 18, Standards for Commercial Marijuana Establishments:

18.96.240

A. General Standards

1. Applicability. Standards of this section shall apply to commercial marijuana establishments regardless of whether they are a permitted or conditional use.

2. A commercial marijuana establishment may only be allowed with the written consent of the owner of the property.

3. No marijuana establishment, except a marijuana testing facility, shall be located within the following buffer distances:

   a. Five hundred feet of primary and secondary school buildings (K-12) including vocational programs, playgrounds, adult and juvenile correctional facilities and housing facilities owned by a public housing authority with children as residents; and

   b. Two hundred feet of any post-secondary school buildings including but not limited to trade/technical/vocational schools, colleges and universities; and

   c. One hundred feet of youth centers, group homes serving persons ages 18 and under, public swimming pools, state licensed day care facilities, arcades, state licensed substance use treatment provider or facility providing substance abuse use treatment, church buildings and residential zones (RE, RR, SF, TF, MF, MFO).
d. Buffer distances shall be measured from the lot line of the lot containing a use or zone listed in subsections (A)(3)(a) through (c) of this section to the commercial marijuana establishment.

e. Buffer distance measurements shall not extend beyond the nearest ordinary high water (OHW) mark of a river or lake or beyond the nearest edge of a right-of-way (ROW) of a controlled access facility.

4. Outdoor Storage. No outdoor storage of marijuana, marijuana products or hazardous substances shall be allowed.

5. In all zones in which marijuana establishments, with the exception of a marijuana testing facility, are a permitted or conditional use, the applicant shall include an area map drawn to scale indicating all land uses on complete parcels within a 500-foot proximity of the lot upon which the applicant is seeking a zoning permit or conditional use permit.

6. Marijuana establishments other than marijuana cultivation facilities, indoor small and marijuana testing facilities located in GU-1 or GU-5 zoning and adjacent to a lot upon which a principal building used as a dwelling is located are a conditional use subject to the requirements of this title.

B. Cultivation Facility Standards.

1. Yard Setbacks. Outdoor marijuana cultivation facilities, including all land planted with marijuana, shall be located at least 50 feet from a lot line.

2. Height Limitations.

   a. The maximum height for a marijuana cultivation facility, indoor small shall be 35 feet.

   b. The maximum height for a marijuana cultivation facility, indoor large shall be 75 feet.
TL-2058 looking east

Worrell Avenue looking north
Arla Street looking east

Arla Street looking west
Agency Comments

CU2017-016
Thank you for the corrected EC. Attached is the Certificate of Compliance that closes out the Floodplain Permit for the building.

Sincerely,

Nancy Durham, MURP, CFM
Flood Plain Administrator
FNSB Community Planning
ndurham@fnsb.us
(907) 459-1263

**Any property can flood even if it is not in a Special Flood Hazard Area. Flood insurance is recommended.

Thanks,
Manish

Nancy here is the corrected form with the correct address. Again I apologize for not noticing this before it was turned into the FNSB. Paul
Paul,

Is this EC for 3665 Worrell Avenue (TL-2023, Sec. 20, T1S-R1W, F.M.) or 2693 A:la Street (Lot 1, Block 8, Cartwright Air Industrial Park)? The address and property descriptions do not match. I cannot process the EC until these match.

Sincerely,

Nancy Durham, MURP, CFM
Flood Plain Administrator
FNSB Community Planning
ndurham@fnsb.us
(907) 459-1263

**Any property can flood even if it is not in a Special Flood Hazard Area. Flood insurance is recommended.

---

From: Paul Gitschel [mailto:pgitschel@g2const.com]
Sent: Tuesday, March 14, 2017 2:14 PM
To: Nancy Durham
Cc: Branden Roybal; Manish Singh
Subject: certificate

Guys Branden asked me to pass on the elevation certificate that was done on the property on 3-8-17. If you need anything else please let Brandon know. Paul
CERTIFICATE OF COMPLIANCE

This certificate is issued by the FNSB Flood Plain Administrator pursuant to the requirements of FNSB 15.04.055 certifying that at the time of issuance, development described below was in compliance with the floodplain management requirements of the Fairbanks North Star Borough for the following described property:

Permit Number: FP 2015-0005

Owner: BILL BARNEY

Issued By: Nancy Durham, MURP, CFM (Floodplain Administrator) Date: 03/30/2017

Description of proposed work:
slab on grade foundation; no below grade space or structure below BFE

Parcel(s) Project Address:
0345849 LOT 1 BLOCK 8 CARTWRIGHT AIR INDUSTRIAL 2693 ARLA ST
Nancy here is the corrected form with the correct address. Again I apologize for not noticing this before it was turned into the FNSB. Paul

From: Nancy Durham [mailto:NDurham@fnsb.us]
Sent: Thursday, March 16, 2017 12:51 PM
To: Paul Gitschel <pgitschel@g2const.com>
Cc: Branden Roybal <brandenroybal@yahoo.com>; Manish Singh <MSingh@fnsb.us>
Subject: RE: certificate

Paul,

Is this EC for 3665 Worrell Avenue (TL-2023, Sec. 20, T1S-R1W, F.M.) or 2693 Arla Street (Lot 1, Block 8, Cartwright Air Industrial Park)? The address and property descriptions do not match. I cannot process the EC until these match.

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Flood Plain Administrator
FNSB Community Planning
ndurham@fnsb.us
(907) 459-1263

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To: Nancy Durham
Cc: Branden Roybal; Manish Singh
Subject: certificate

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Manish Singh

From: Manish Singh  
Sent: Tuesday, March 14, 2017 3:58 PM  
To: Nancy Durham  
Subject: FW: certificate  
Attachments: 14943 L1, Blk8, Cartwright Air Park ELEV CERT 3.8.17.pdf

Hi Nancy,

This is the new elevation certificate for CU2017-016 (see attached). I received it today. Let me know if this would trigger a revision in your previous comments.

If you need more information from Mr. Brandon Roybal, the CU applicant, he can be reached at brandenroybal@yahoo.com or at (253) 508-6601.

Thanks,
Manish

From: Paul Gitschel [mailto:pgitschel@g2const.com]  
Sent: Tuesday, March 14, 2017 2:14 PM  
To: Nancy Durham  
Cc: Branden Roybal; Manish Singh  
Subject: certificate

Guys Branden asked me to pass on the elevation certificate that was done on the property on 3-8-17. If you need anything else please let Brandon know. Paul
Manish Singh

From: Nancy Durham  
Sent: Tuesday, March 14, 2017 10:51 AM  
To: Manish Singh  
Subject: RE: CU2017-016: Requesting Comments for Marijuana Cultivation Application (2693 Arla Street)

Follow Up Flag: Follow up  
Flag Status: Completed

Manish,

2693 Arla Street applied for a Floodplain Permit (FP2015-005) on September 10, 2014. That permit is still under review. We have not received a “Finished Construction” Elevation Certificate to review and issue the Certificate of Compliance. The Elevation Certificate submitted with the Conditional Use application is “Building Under Construction” and is not acceptable to receive the Certificate of Compliance. In addition, there are minor errors on the Elevation Certificate: (1) Is this a raised slab foundation? Because C2a is higher than C2g and if so, then the building diagram should be 1B instead of 1A. (2) In Section D the box should be checked for “comments are provided on the back”.

The Borough requires a “Finished Construction” Elevation Certificate to close out Floodplain Permits and receive a Certificate of Compliance. Until we receive this Elevation Certificate, we cannot make a determination on whether or not this property complies with FNSB Title 15.

Sincerely,

Nancy Durham, MURP, CFM  
Flood Plain Administrator  
FNSB Community Planning  
ndurham@fnsb.us  
(907) 459-1263

**Any property can flood even if it is not in a Special Flood Hazard Area. Flood insurance is recommended.

---

From: Manish Singh  
Sent: Wednesday, March 08, 2017 2:40 PM  
To: David.tyler@alaska.gov; David.aden@alaska.gov; kmiddleton@alaska.edu; Dps.ast.directors.office@alaska.gov; Linda.mahlen@alaska.gov; karen.moneymaker@alaska.gov; Nancy.Durham; Bill.Witte; Tonya.bear@alaska.gov; Doug.buteyn@alaska.gov; George.horton@alaska.gov; JLKarl@gvea.com  
Subject: CU2017-016: Requesting Comments for Marijuana Cultivation Application (2693 Arla Street)

Dear Sir/Ma’am,

The Fairbanks North Star Borough Planning Commission is considering CU2017-016, a request for conditional use approval of a Commercial marijuana cultivation facility, indoor unlimited in the Light Industrial (LI) zone, located at 2693 Arla Street (on the east side of Worrell Avenue, south of Arla Street). This application (CU2017-016) is scheduled for a Planning Commission meeting on April 18, 2017.
I have attached the application with this email. The department requests you to send us your comments for this proposal by March 22, 2017. If you have any questions regarding this proposal, please contact me at (907) 459 1225 or msingh@fnsb.us.

Thanks,
Manish

Manish Singh
Planner II
Department of Community Planning
907-459-1225 / msingh@fnsb.us

Fairbanks North Star Borough
PO Box 71267 / 809 Pioneer Road
Fairbanks, AK 99707-1267
Hello Mr. Singh,

I have reviewed the conditional use application materials provided. The ADEC Wastewater program wishes to clarify that the septic system installed at this property is authorized to receive domestic wastewater only up to 240 gallons/day to each system. Wastewater produced from the agricultural operation is considered non-domestic wastewater and may not be discharged to the septic system without express written approval. In order to obtain approval for a non-domestic wastewater discharge, the applicant would need to hire a professional engineer to evaluate the septic system, characterize the wastewater, and request approval from ADEC to discharge non-domestic wastewater to the septic system.

Please let me know if you have any questions.

Thanks,

Tonya Bear, P.E.
Engineer I

Department of Environmental Conservation
Division of Water, Wastewater Discharge
Engineering Support & Plan Review Section
610 University Avenue, Fairbanks, AK 99709
Email: tonya.bear@alaska.gov
Office: 907-451-2177

From: Manish Singh [mailto:MSingh@fnsb.us]
Sent: Wednesday, March 08, 2017 2:40 PM
To: Tyler, David L (DPS) <david.tyler@alaska.gov>; Aden, David G (DPS) <david.aden@alaska.gov>; kmiddleton@alaska.edu; AST Directors Office, DPS (DPS sponsored) <DPS.AST.DIRECTORS.OFFICE@alaska.gov>; Mahlen, Linda S (DOT) <linda.mahlen@alaska.gov>; Moneymaker, Karen A (DOT) <karen.moneymaker@alaska.gov>; Nancy Durham <NDurham@fnsb.us>; Bill Wittenberg <BWitte@fnsb.us>; Bear, Tonya (DEC) <tonya.bear@alaska.gov>; Butrym, Douglas J (DEC) <doug.butrym@alaska.gov>; Horton, George C (DNR) <george.horton@alaska.gov>; JLKarl@gvea.com
Subject: CU2017-016: Requesting Comments for Marijuana Cultivation Application (2693 Arla Street)

Dear Sir/Ma’am,

The Fairbanks North Star Borough Planning Commission is considering CU2017-016, a request for conditional use approval of a Commercial marijuana cultivation facility, indoor unlimited in the Light Industrial (LI) zone, located at 2693 Arla Street (on the east side of Worrell Avenue, south of Arla Street). This application (CU2017-016) is scheduled for a Planning Commission meeting on April 18, 2017.
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Thanks,
Manish

Manish Singh
Planner II
Department of Community Planning
907-459-1225 / misingh@fnsb.us

Fairbanks North Star Borough
PO Box 71267 / 809 Pioneer Road
Fairbanks, AK 99707-1267
Application Material Received on
March 03, 2017

CU2017-016
Fairbanks North Star Borough  
Department of Community Planning  
907 Terminal Street/P.O. Box 71267  
Fairbanks, Alaska 99707-1267  
(907) 459-1260  Fax: (907) 459-1255  
planning@fnsb.us

MARIJUANA FACILITY  
CONDITIONAL USE PERMIT APPLICATION  
File No. CU2017-016

FEES:  
☐ $600 conditional use permit application  
☐ $250 verification of sensitive use buffers  
☐ $200 sign deposit (check or cash only)

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Property Owner:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact Name:</td>
<td></td>
</tr>
<tr>
<td>Business Name:</td>
<td></td>
</tr>
<tr>
<td>Ak Aurora Rooms, LLC</td>
<td></td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>Mailing Address:</td>
</tr>
<tr>
<td>P.O. Box 10690</td>
<td>188 Bentley Truss Rd</td>
</tr>
<tr>
<td>Fairbanks, AK, 99701</td>
<td>Fairbanks, AK, 99701</td>
</tr>
<tr>
<td>Phone:</td>
<td>Phone:</td>
</tr>
<tr>
<td>(253) 508-6001</td>
<td>(907) 458-1087</td>
</tr>
<tr>
<td>E-mail:</td>
<td>E-mail:</td>
</tr>
<tr>
<td><a href="mailto:brandonroybal@yahoo.com">brandonroybal@yahoo.com</a></td>
<td><a href="mailto:coitschul@gb2const.com">coitschul@gb2const.com</a></td>
</tr>
</tbody>
</table>

Property Information:  
Property Description: Warehouse  
Cartwright Art Block 8, Lot 1 & TL-240  
Section 20  
Lot Size: 70,200 square ft  
Zoning District: T-I Industrial

Existing Use(s): Industrial, wood, open steel

Conditional Use Request Information:  
Proposed Use(s): Cultivation of marijuana plants, Standard Marijuana Cultivation Facility

Request Description and Reasons for the Request: Indoor Unlimited 6,000 sq. ft.

I have attached a detailed site plan drawn to scale and to the standards of the Commercial/Industrial Site Plan guidelines.  
I certify that the information included in this application is to the best of my knowledge true and complete.

APPLICANT SIGNATURE: [Signature]  
DATE: 3-2-17

OWNER SIGNATURE (if different): [Signature]  
DATE: 3-2-17

If the applicant is not the sole property owner, written consent of all property owners must be provided pursuant to FNSBC 18.104.050(8).

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.

Rev. 1/3/2016  
W:\Community Planning\AdminForms & Handouts\FY17Applications\Application_CU_Marijuana.docx  
139
Narrative

- We will have 15 employees total on site, 10 full-time and 5 part-time.
- We will have vehicles pick up product once a week and all materials needed will be picked up offsite by employees and then delivered to the site. Water Wagon will be delivering water daily, but will have no reason to enter the facility since the fill ports are exterior to the building.
- Our hours of operation will be from 7am to 7pm, Monday through Sunday.
- Activities include –
  1. The cultivation and drying of marijuana plants and everything that entails
  2. Packaging and tagging of the product
  3. Cleaning and building maintenance
  4. Security for the building/product
- There is a preexisting structure at 2693 Arla Street and TL-2040 which AK Aurora Blooms, LLC will use for marijuana cultivation purposes.
- Odor will not affect neighboring properties as it will be contained through ventilation systems and charcoal filters. All activities will take place indoors, so noise will not affect neighboring properties.
- Chemicals used will be Nitrogen, Phosphorous, and Potassium fertilizers, Phosphoric Acid, and cleaning supplies such as bleach, simple green, etc. All chemicals used are DEC approved.
- We will store all solid and liquid waste in a 55 gallon trash can lined with a plastic bag. After three days notice in the marijuana inventory tracking system we will make the waste unusable and dispose of it at the FNSB landfill. A record of the final destination of marijuana waste will be kept. Marijuana plant waste will be made unusable by grinding the marijuana plant waste (using an electronic grinding machine) and mixing it with at least an equal amount of other composite-able (food waste, yard waste, vegetable based grease or oils, or other wastes approved by the board) or non-composite-able materials (paper waste, cardboard waste, plastic waste, oil or other wastes that are board approved). Compost-able mixed materials can be used as compost feedstock or can be used in another organic waste method such as an anaerobic digester with approval of any applicable local government entity. Non-compost-able mixed material will be delivered to a permitted solid waste facility, incinerator, or other facility with approval of a local government entity.
- The building has a geothermal system which will produce heating and cooling for the operation. GVEA will be providing the needed electricity.
- Water will be provided by Water Wagon and stored in holding tanks onsite. There are a total of eight DEC approved plastic tanks, one for each bay, at 500 gallons each totaling to 4000 gallons. The capacity of these tanks is satisfactory for the cultivation of marijuana and employee use.
- This building is on a DEC approved septic system. See attached DEC approval report.
- All waste water is collected and reused for further watering of marijuana plants. Remaining waste water, if any, will go into the DEC approved leach field. See attached DEC approval report.
- We will use telephone lines and internet onsite.
- Communications will be provided by GCI. Police and fire services will be provided by the University fire department and police stations having area jurisdiction.
- There will be no manufacturing at this facility.
- The facility will have an alarmed security system under 24 hour surveillance.
• There are seventeen exterior lights on the building that direct the light downwards in order to light up the perimeter for security purposes. Exterior lighting will not affect any neighboring properties.
• This property is in flood zone AE, but the building was constructed in 2014 with a floor elevation of 439.9 and the determined flood elevation of that location is 436. Therefore, our property is approximately 4 feet above flood elevation. The property has an elevation certificate that was completed on December 8, 2014. See attached elevation certificate for building elevation information.
• This property was previously approved for marijuana cultivation by applicant Branden Roybal. The past owner went bankrupt, so now Double G Investments is in the process of buying 2693 Arla Street and TL-2040 from Mt. McKinley bank. Double G Investments will officially close with Mt. McKinley for the property on April 3, 2017. Double G Investments will then lease the property to AK Aurora Blooms, LLC.

1. The current facility is zoned industrial and our proposed usage conforms to all borough and state ordinances and statutes. Branden Roybal owns 50% of AK Aurora Blooms LLC and has extensive experience as a marijuana cultivator. He is a licensed marijuana cultivator and is currently running his own separate marijuana cultivation facility known as Alaska Cannabis Cultivators.

2. This facility has two DEC approved septic systems which are adequate for the marijuana cultivation operation. The current facility has a holding tank capacity of 4000 gallons which is sufficient for cultivating marijuana. This facility will have a total of 2400 plants and these plants will consume 76,800 ounces of water per day, or 600 gallons. Since the total plant usage will be 600 gallons per day, 3,400 gallons will still be available for employee use. GVEA will provide the facility with electricity. A dumpster will be provided by Alaska Waste and its location is shown on the site plan.

3. This facility is located in an industrial zone which contains at least three other marijuana cultivation facilities. Odors, noise and exterior lighting will not affect neighboring properties. Odor will be contained through the use of ventilation systems and charcoal filters. All cultivation and other activities will remain indoors and out of sight from the public, which in turn will prevent any noise from being heard from outside. All exterior lighting is directed downwards, away from neighboring properties. The proposed property usage at this location will protect the public health, safety, and welfare.
Date: March 2 2017

Sir/Madam,

Double G Investments is in the process of purchasing and closing on the property from Mt. McKinley bank located at 2693 Arla Street, Fairbanks AK 99709. Double G Investments has signed a lease with AK Aurora Blooms LLC for the property and we acknowledge that AK Aurora Blooms LLC will use the property as a standard Marijuana cultivation facility.

Respectfully,

Paul Gitschel  
Member/Manager  
Double G Investments

Charity Gitschel  
Member/Manager  
Double G Investments

STATE OF ALASKA 
NOTARY PUBLIC 
D. Burkett 
My Commission Expires February 1, 2021
March 2, 2017

Fairbanks North Star Borough
907 Terminal Street
Fairbanks, AK 99701

Re: 2693 Arla Street, Fairbanks AK (Lot 1, Block 8, Cartwright Industrial Park and TL – 2040)

To Whom It May Concern:

I certify the Mt. McKinley Bank is the current and legal owner 2693 Arla Street, Fairbanks, AK. We have a purchase agreement signed with Double G Investments, LLC to purchase the aforementioned property. We anticipated closing and title conveyance to the new owners prior to the end of March. Please contact me at (907) 452-1751 if you have any questions.

Sincerely,

David Durham, SVP
Chief Credit Administrator
Mt. McKinley Bank
Date: March 2, 2017

Sir/Madam,

This property was previously approved for marijuana cultivation by applicant Branden Roybal. The past owner went bankrupt, so now Double G Investments is in the process of buying the property 2693 Arla Street from Mt. McKinley Bank. The property will be leased to AK Aurora Blooms, LLC by Double G Investments, whom approve of its use as a Standard Marijuana Cultivation Facility.

Sincerely,

[Signature]

Brittany Gitschel
Member
AK Aurora Blooms, LLC
LEASE OF SPACE

THIS LEASE, made this 2 day of March 2017, between

Double G Investments
P.O Box 10690
Fairbanks, AK 99710

hereinafter referred to as the Lessor, and

AK Aurora Blooms LLC

hereinafter referred to as the Lessee,

WITNESSETH:

In consideration of the mutual covenants of the parties hereto, it is agreed as follows:

1. Demise of the Premises.

The Lessor hereby leases to the Lessee the real property described as: 16,000 Sq Ft of the building located at 2693 Arla Street Fairbanks AK 99709 (EXHIBIT A).

That real property and those improvements are referred to in this agreement as “the premises.”

2. Term.

The term of this agreement shall be for Three Million Eight Hundred Forty Thousand (120) months, commencing May 1, 2017, and ending at midnight 1 May 2027.

Lessee shall be permitted to assume occupancy on completion of premises.

3. Rent.

a.) The Lessee shall pay to the Lessor as rent for the premises the sum of $3,840,000 (Three Million Eight Hundred Forty Thousand) dollars together with such other sums as may be assessed by the Lessor under other provisions of this lease.

b.) The Lessee shall pay to the Lessor the rent described in the preceding paragraph in monthly installments each and every month of the lease term, in advance without prior demand, with each monthly installment of rent payable in the amount, according to the following schedule:

120 (one hundred twenty) months at $32,000 per month.
The Lessor agrees to defer the first six month’s rent totaling $192,000. This amount will be divided by 12, equaling $16,000 – this amount is to be added to the lease payments November 2017 through April 2018. Therefore, the monthly lease payments through April 2018 will total $48,000.

c.) The Lessee shall pay a 1% escalator on the rent on a yearly basis.

d.) Absent written agreement to the contrary, rent shall be due from the time the Lessee first enters into possession, and in no event later than the first day of the term and the first day of each succeeding month. Rent shall be paid by the Lessee to the Lessor at 188 Bentley Trust Road Fairbanks AK 99701. Rent not received at that address within ten (10) days of the date upon which it was due shall be in default and shall bear a five-percent (5.00%) late fee. Unpaid late fee shall be treated as rent for all purposes under this lease.

e.) To secure the full faithful performance of the terms and provisions of this lease, the Lessee agrees to pay to the Lessor at the date this lease is signed, and in any event, absent written consent of the Lessor, before assuming occupancy, a security deposit in the amount of $32,000 dollars. The security deposit shall be held by the Lessor, without interest, until the termination of the lease. Within fifteen (15) days of termination of the lease, the Lessor shall pay to the Lessee, without interest, the balance of the security deposit, less any damage recoverable under paragraph 19. The Lessor’s signature upon the Receipt of Security Deposit at the end of this lease shall be an acknowledgment of receipt of that security deposit; the Lessor’s execution of this lease shall not be an acknowledgment that the security deposit has been paid.

4. Additional Charges.
In addition to the rent provided for hereunder, and commencing at the same time as any rental commences under this lease, Tenant shall pay to Landlord the following items herein called Additional Charges:

(a) Real Estate Taxes and Insurance Premiums.
Real estate taxes shall include a pro-rated share of real estate taxes and assessments, which are levied on rents and properties.

(b) Utilities.
Utilities shall include (a) electrical service to the premises and parking lot headbolts, (b) water and wastewater service to the premises, (c) heat and air conditioning to the premises.

(c) Trash Removal.
Lessee shall pay for the removal of their own trash from the premises in a timely and sanitary manner.
5. Real Estate Services.

Parties acknowledge that no real estate fees are owed.

6. Option.

Provided Lessee is not in default of the provisions of this lease, Lessee shall have the option to extend the term of the lease on the same terms and conditions of the original lease except for monthly rent and additional charges for an additional five (5) year term. Lessee shall provide Lessor written notice of intent to exercise this option at least ninety (90) days before the expiration of initial term.

(a) Option Rent.
   Option term shall be at a monthly rental rate of the monthly rental amount paid during the fifth year of the original term plus a 1% increase per annum.

(b) Option Additional Charges.
   The additional charges described in section (4) of this lease agreement shall be the pro-rated amount for the premises.

7. Use of Premises.

(a) Use of the property shall be limited to all lawful activities including but not limited to all activities associated with a State of Alaska licensed/legal cannabis cultivating company.

(b) The Lessee shall at all times keep the premises in a neat, clean, attractive and orderly condition and in good repair, and shall permit the Lessor or its authorized agent to enter onto and inspect the use and condition of the property during regular business hours.

(c) The Lessee shall comply with and abide by all requirements of the codes and ordinances of the Fairbanks North Star Borough and any applicable laws of the State of Alaska or the United States of America.

(d) The Lessee shall not construct or install fixtures, partitions, or other improvements for the Lessee’s use, or make structural alterations and changes thereto without the prior written consent of the Lessor, and only in accordance with the plans and specifications previously submitted to and approved by the Lessor and any governmental unit or regulatory agency having authority to review the plans and specifications.
(e) The Lessee shall at termination of this lease, whether a voluntary or involuntary termination, vacate and surrender the premises to the Lessor or its designee in good repair and in as clean a state or condition as the premises are in at the date this lease commences, normal wear and tear excepted.

(f) Lessee shall make all major repairs or necessary replacements to the structure, foundation, roof and exterior of the premises and the building and the electrical, plumbing, and HVAC systems. Lessee will be responsible for normal maintenance to the electrical, plumbing, and HVAC system.

8. Assignment and Subletting.

(a) The Lessee shall not assign, transfer or encumber this agreement or the property described in this agreement or permit occupancy of the property by any other person without prior written consent of the Lessor. The Lessor shall have the absolute right to refuse any proposed assignment or sublease if the proposed assignee or purposed sublessee intends to change the character of the use of the premises, or if the financial condition of the proposed assignee or purposed lessee is not as good or better than the financial condition of the Lessee at the commencement of this lease.

(b) Nothing contained in this lease shall be interpreted to impair or affect in any way the right of the Lessor to assign, sublet, encumber or impair its rights under this lease to any person as security, to obtain financing, or for any other commercial purpose, provided only that the assignment does not materially impair the Lessor’s covenant of quiet enjoyment to the Lessee under paragraph 16.


Tenant shall pay and settle all expenses and liabilities arising out of or in any way connected with any and all construction, repairs, alterations, or maintenance of the premises, and all liens of a similar character, arising out of or growing out of the construction, repair, alteration or maintenance of the premises.

10. Damages and Indemnity.

(a) The Lessee shall indemnify harmless and defend the Lessor and its agents from any and all liability to any person or person for damages, claims, suits, liabilities, costs and expenses arising directly or indirectly from the Lessee’s occupancy and use of the property, or arising from acts by the Lessee, its agents, servants, employees, customers, sub-lessees and contractors.
(b) All property of every kind which may be on the property during the term of this agreement, including, without limitation, inventory and equipment of the Lessee upon the premises, shall be at the sole risk of the Lessee or those claiming under it, and the Lessor shall not be liable to the Lessee, its agents, employees, tenants, subtenants or any other persons whatsoever for injury or death to any person or injury to or loss of any property in or upon the property which may arise or be alleged to arise by reason of or in connection with the Lessee’s use and occupancy of the property during the term of this lease. The Lessee hereby covenants and agrees to assume any and all liability and expense thereof, excluding damage caused by Lessor, and to save the Lessor harmless therefrom.


The Lessee shall bear all risk of loss as to all personal property of the Lessee stored, placed or remaining on or near the premises, including, without limitation, inventory, equipment, fixtures and employee persona effects, and the Lessee agrees to indemnify, hold harmless and defend the Lessor from any and all liability, of any kind whatsoever, arising from any allegations of loss, destruction theft or damages to all such property, except where the claim alleges that the losses arose from the negligent or willful acts of the Lessor.

12. Insurance.

The Lessor shall obtain and keep in force during the term of this agreement property damage insurance to cover the structure.

However, the contents of the premises are not insured by the terms of the Lessor’s policy and the Lessee expressly assumes the risk of loss as to all personal property stored therein. All insurance policies obtained by Lessee as required by the paragraph shall contain and express waiver of any right of subrogation by said insurance company against the Lessor.

13. Reimbursement for Funds Expended by Lessor.

After such notice, if any, as the Lessee by the terms of this lease may be entitled to receive, and in the event the Lessor shall pay or be compelled to pay any sum of money or do any act that shall require the expenditure or payment of any sum of money by reason of the failure by the Lessee to perform any one or more of the terms, covenants, conditions and agreements contained in this lease, the Lessee immediately shall repay the same to the Lessor upon demand, and if the Lessee shall fail to do so immediately repay those monies, then the sum or sums so paid by the Lessor, together with interest, costs and damages, shall be added as additional rent to the next installment of rent becoming due on the next rent day, or on any subsequent rent day fixed by this lease, and shall for all purposes whatsoever be deemed to be rent due and payable on such rent day, or in any subsequent rent day, as the Lessor at the Lessor’s option, may elect, and shall be payable
as such. However, it is expressly covenanted and agreed that payment by the Lessor of any such sum or sums of money or the doing of any such act or acts shall not be deemed to waive or release the default in performance of those acts or the default in payment of those sums or the right of the Lessor to recover possession, at the Lessor’s election, of the premises by reason of the Lessee’s default with respect to any such payment or act.


The Lessee shall not cause or permit any waste, damage or injury to the premises, and, at its own expense, shall keep the premises in the same or better order or repair as they are at the commencement of this lease, normal wear and tear excepted. The Lessee shall not allow or permit Lessee’s customer and clients to leave litter, debris or garbage either inside or outside of the premises.

15. Termination and Condemnation.

If at any time during the term of this lease, the premises shall be taken for any public or quasi-public use, under any statute, or by right of eminent domain, then, in that event, when possession shall have been taken thereunder of the premises by the condemning authority, the term granted under this lease and all right of the Lessee under this lease shall immediately cease and terminate, and the rent shall be apportioned and paid to the date of that event. Nothing contained in this paragraph shall be a waiver, express or implied, of the Lessor and the Lessee of their rights to assert claims for damages for condemnation by any such condemning authority.


Partial destruction of the premises shall not render this lease void or voidable, and shall not terminate it except as is provided in this paragraph. If the premises are partially destroyed during the term of the lease, the Lessor shall repair them when those repairs can be made in conformity with government laws and regulations, and within one hundred twenty (120) days of the partial destruction. Written notice of the Lessor’s intention to repair the premises shall be given to the Lessee within fifteen (15) days after any partial destruction. Rent shall be reduced proportionately to the extent to which the partial destruction of the premises and the repair operations interfere with the business conducted on the premises by the Lessee. If the repairs cannot be made within the time specified above, Parties may agree to make them within a reasonable time and continue this lease in effect with proportional rent rebate to the Lessee as provided above. If the repairs cannot be made within one hundred (120) days, and if the parties do not elect to make them within a reasonable time, either the Lessor or the Lessee shall have the option to terminate this lease forthwith, each without further obligation or liability to the other.
17. **Quiet Enjoyment.**

The Lessor covenants and agrees that the Lessee, upon the Lessee’s paying the rent and observing all of the terms, covenants and conditions described in this lease, may peaceably and quietly enjoy the premises described in this lease for the term of this lease.

18. **Removal of Improvements.**

Any installation or improvement made to or upon the property by the Lessee under Paragraph 6 (d) of this agreement shall, at the option of the Lessor, exercised at the termination of this agreement (a) becomes the property of the Lessor and remain upon the property at the termination of the agreement; or (b) be removed by the Lessee at the termination of this agreement, and the property restored to its former condition by the Lessee, at its expense. Equipment and trade fixtures will cap and make safe.

19. **Default.**

Any of the following acts or omissions shall be a default by the Lessee and a material breach of this lease:

(a) the failure by the Lessee to pay the rent described in paragraph 3;

(b) the failure by the Lessee to pay any additions to rent payable under paragraph 4;

(c) the failure by the Lessee to do, keep, observe and perform any of the other terms, provisions, covenants and conditions of this lease required to be kept, observed and performed by the Lessee;

(d) where the default remains uncured ten (10) days following written notice of the default by the Lessor to the Lessee.

(e) Where the default is for breach of this lease other than a payment of rent, and the default cannot be practicably cured within ten (10) days, the Lessee may propose to the Lessor, within ten (10) days of notice of the default, a plan by which the default will be cured within sixty (60) days and, if the proposed plan is feasible, does not detract from the adjoining premises, and is proposed in good faith, the proposed plan for cure of the fault will be accepted by the Lessor. The default in performance of a plan approved by the Lessor cannot be cured by a new proposed plan.

20. **Remedies on Default.**

In the event of any default by the Lessee, and at any time thereafter, the Lessor may serve written notice to quit upon the Lessee. The notice to quit shall provide that the Lessor elects to terminate the lease upon a specified date not less than ten (10) days after the date
upon which the notice to quit is served upon the Lessee. The lease shall then terminate upon the date set out in the notice to quit, unless the Lessor, in its discretion, and with no obligation that it do so, permits the Lessee to cure the default and recover the Lessee's rights under this lease. Termination of the lease by service of a notice to quit shall not relieve the Lessee of the obligation to pay rent, except as is expressly set out in this lease. No default or failure to perform a proposed plan for cure of a default shall be deemed waiver by the Lessor unless (a) the default is cured under Paragraph 18 or (b) a written waiver is signed by the Lessor, reciting the circumstances of the default and expressly waiving the default.

Lessee agrees that in the event of default any and all equipment, tools and cannabis plants will be forfeited to the Lessor.


(a) In the event that this lease shall be terminated as provided in paragraph 18, or by summary proceeding or otherwise, or that the event the premises or any part thereof shall be abandoned by the Lessee, the Lessor, or its agents, servants or representatives, may immediately or at any time thereafter re-enter and resume possession of the premises or any part thereof and remove all persons and property therefrom, either by summary proceeding for forcible entry and detainer or by any other suitable action or proceeding at law or equity.

(b) In the event that this lease is terminated as provided in paragraph 18, or terminated by summary proceedings or otherwise, or if the premises, or any part thereof shall be abandoned by the Lessee, the Lessor, in its own name or as an agent for the Lessee if the lease is not terminated, may re-let the whole or any portion of the premises, for any period equal to or greater than or less than the remainder of the current term of this lease, for any sums which it may deem reasonable, to any new use or purpose which it may deem appropriate or helpful in effecting such a lease. However, in no event shall the Lessor be under any obligation to re-let the premises for any purpose, which the Lessor may regard as injurious to the premises or to adjoining premises or to any Lessee which the Lessor, in the exercise of reasonable discretion, shall deem to be objectionable. The Lessor shall not in any event be required to pay the Lessee any surplus of any sums received by the Lessor on such a re-letting of the premises that may be received in excess of the rent reserved in this lease.

22. Damages on Default.

In the event that this lease is terminated under paragraph 18, or terminated by summary proceedings, or if the premises have been abandon, and whether or not the premises are re-let under paragraph 20, the Lessor shall be entitled to recover from the Lessee, and the Lessee shall pay to the Lessor:
(a) An amount equal to all expenses, if any including reasonable attorney's fees, incurred by the lessor in recovering possession of the premises;

(b) An amount equal to the amount of all rent which the Lessee agreed to pay to the Lessor under this lease, including additional rent, if any, less that amount of rent, if any, collected by the Lessor from the Lessee.


The Lessee agrees that in the event that the Lessee files a petition under Title 11 of the United State Code, seeking relief under the bankruptcy laws of the United States, or in the event the Lessee is the subject of an involuntary petition under those laws:

(a) If the Lessee, debtor in possession, or trustee fails to expressly assume this lease within sixty (60) days of the date of voluntary petition is filed or the date an order for relief is entered, this lease shall be deemed to have been rejected and the Lessee, debtor in possession or trustee shall be deemed to have no further rights under this agreement.

(b) If the Lessee, debtor in possession or trustee exercises any right it may have to assume this lease, the Lessee, debtor in possession or trustee, as a condition precedent to that assumption, shall (i) cure all defaults in performance of this lease; (ii) deposit with the Lessor an additional security deposit in a amount equal to the deposit provided in Paragraph 3 (c); and (iii) provide to the Lessor adequate assurance of future performance and demonstration of the ability of the Lessee, debtor in possession or trustee to perform the terms and conditions of this lease in the future.

(c) Any assignment or attempt by the Lessee, debtor in possession or trustee to assign the lease shall be subject to the provisions of Paragraph 7 and shall require adequate assurance of future performance from the proposed assignee.

(d) For the purposes of this paragraph, "adequate assurance of future performance" includes, but is not limited to, adequate assurance of timely payment of rent-, performance of the other terms and conditions of this lease, existence and preservation of adequate financial resources in the proposed assignee, compliance with other contracts and obligations of the Lessor, and preservation of tenant mix and balance at the shopping center.

(e) If at any time during the term of this agreement the Lessee or any of its assets located in Alaska is the subject of any judicial sale or execution sale, this agreement, at the option of -the Lessor, and with no implication of waiver should it fail to exercise that right, shall terminate immediately.

(a) The Lessee, upon the expiration or termination of this lease, will peaceably and quietly deliver up to the Lessor, its successors or assigns, the premises described in this lease.

(b) In the event the Lessee, with the consent of the Lessor, shall holdover in possession the premises after the expiration of this lease and without a written renewal of this lease, or written extension of the term of this lease, or a new lease entered into by the parties, the Lessee shall be deemed to be a tenant from month-to-month at the monthly lease payment last prevailing under Paragraph 3(b) of this lease, terminable by either party at the close of the first day of a calendar month on at least thirty (30) days written notice to the other party.

25. Lease Subordination.

This lease, whether or not recorded, is subordinate to any and all deeds of trust given by the Lessor that encumber or may encumber the premises.


The Lessee agrees that, upon reasonable notice and not less than twenty-four (24) hours, from the Lessor or the Lessor's agent, the Lessee will permit the Lessor or the Lessor's agent to show the premises to any party which the Lessor may deem appropriate. The Lessor and Lessee waive any right of confidentiality they might have with respect to releasing information regarding the terms of this lease to any other prospector Lessee, whether or not for the purposes of leasing these premises.

27. Inspection of the Property: Consultation with Attorney.

(a) The Lessee has inspected and examined the property and the condition of the property and accepts it as is, warrants that it is in full compliance with the terms and conditions of this agreement, and acknowledges that no promises, warranties or representations have been made to the Lessee except as are expressly set out in this agreement.

(b) All of the parties to this lease acknowledge that they have had the right to review this lease and all other documents relating to this lease with their own attorney. Each party electing to have this lease reviewed by an attorney shall bear the costs and expenses so incurred.

All notices required by this agreement shall be sent by the party required to give notice to the address first set out above, or to such other address as the party may have subsequently designated in writing. Except as provided in this lease, notice shall be complete when delivered or when placed in the United States mails, property addressed, with postage prepaid.

29. Succession of Interest.

The agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors in interest as fully and to the same extent as the original parties hereto.

30. Severability.

If any clause or term of this agreement shall be deemed invalid by any court of law, the enforceability of the remaining clauses and terms of the agreement shall be unaffected.


If, by reason of any default or breach of any term or condition of this agreement, a civil action is filed, the losing party agrees to pay the actual costs and attorneys’ fees incurred by the prevailing party. Venue in any such action shall be in the Superior Court for the State of Alaska, Fourth Judicial District.

32. Joint and Several Liability.

Each person signing this agreement as Lessee agrees and admits that he or she is jointly and severally liable to the Lessor for the full and complete performance of the term and conditions of this agreement.

33. Complete Agreement.

This agreement sets out the entire agreement between the parties, and no modifications may be made to it except in writing signed by both the Lessor and the Lessee.
IN WITNESS WHEREOF, the parties have executed and delivered this lease as of the date first above written.

Date: 2 March 17

Lessor: Double G Investments

STATE OF ALASKA

FOURTH JUDICIAL DISTRICT

) ss.

THIS IS TO CERTIFY that on this 2 day of March, 2016, before me, the undersigned Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Paul Gietschel to me known and known to me to be the person who executed the foregoing instrument, and he/she acknowledges to me that he/she signed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first in this certificate written.

Notary Public in and for the State of Alaska
My commission expires: February 1st, 2021
STATE OF ALASKA

FOURTH JUDICIAL DISTRICT

THIS IS TO CERTIFY that on this \text{and} day of March, 2016, before me, the undersigned Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared \text{Braden Roybal} to me known and known to me to be the person who executed the foregoing instrument, and he/she acknowledges to me that he/she signed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first in this certificate written.

\textbf{D. Burkett}

Notary Public in and for the State of Alaska
My commission expires: \text{February 1st, 2021}

STATE OF ALASKA
NOTARY PUBLIC
D. Burkett
My Commission Expires February 1, 2021
# General Information

<table>
<thead>
<tr>
<th>Date:</th>
<th>6/20/2016</th>
<th>Telephone:</th>
<th>253-508-6601</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>ROYBAL BRANDEN</td>
<td>Cell Phone:</td>
<td></td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>PO BOX 82427, FAIRBANKS AK 99708</td>
<td>Email:</td>
<td><a href="mailto:brandenroybal@yahoo.com">brandenroybal@yahoo.com</a></td>
</tr>
<tr>
<td>Property Description:</td>
<td>0345849 LOT 1 BLOCK 8 CARTWRIGHT AIR</td>
<td>Site Address:</td>
<td>2693 ARLA ST</td>
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<tr>
<td>Existing Use:</td>
<td>Industrial</td>
<td>Structure:</td>
<td>Warehouses</td>
</tr>
<tr>
<td>Proposed Use:</td>
<td>Commercial</td>
<td>Structure:</td>
<td>Marijuana cultivation facility, indoor large : 4,020 sf</td>
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<tr>
<td>Dwelling Units:</td>
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<td>New:</td>
<td>0</td>
</tr>
<tr>
<td>Existing:</td>
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<td>Existing:</td>
<td>0</td>
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<tr>
<td>Building Height (stories):</td>
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<td>Total Area of Structure:</td>
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<tr>
<td>Lot Size:</td>
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<td>New:</td>
<td>0 SF</td>
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<tr>
<td>Est. Construction Cost:</td>
<td></td>
<td>Existing:</td>
<td>16,000 SF</td>
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**Note:** This permit is for Bay 7 and Bay 8 of Building D on Lot 01, Block 38, Cartwright Air Industrial Park.
- I certify that I am the owner or that I am authorized to act for the owner of the property.
- I certify that this information is to the best of my knowledge true and complete.
- I acknowledge and will comply with the conditions set forth in this zoning permit.
- I understand that the holder of this permit is required to comply with all other applicable laws, including city, borough, state and federal laws.
- I agree to submit current and accurate documents if the site plan or other application materials are changed subsequent to issuance of this permit.
- I understand that this permit is appealable and that this appeal must be submitted and perfected within 15 days of the date of the decision in accordance with FNSBC 18.54.070.
- This permit is issued contingent upon the applicant obtaining the appropriate State of Alaska Commercial Marijuana Facility License.

Applicant Signature: See email from Mr. Roybal
Date: 06/20/2016

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**Zoning Specifications**

- **Existing Zone:** LI (100%)
- **Minimum Lot Size:** 0
- **Front Yard Req.:** 20
- **Side Yard Req.:** 0
- **Rear Yard Req.:** 0

- **Flood Zone:** AE (100%)
- **Road Service Area:** No
- **Parking SpacesReq.:** 3
- **Building Type:** Principal

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**Conditions**

- **Floodplain Permit Required:** Yes
- **FNSB Driveway Permit Required:** No
- **Conditions:** Marijuana cultivation facility, indoor large

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**Reasons:** Applicant withdrew with email on 06/20/2016
**Permit Approval:** Withdrawn

**Zoning Official:** Singh, M
Date: 6/20/2016

This is a Fairbanks North Star Borough Community Planning Department Zoning Permit. Please contact other departments and agencies to obtain permits as necessary.
**ELEVATION CERTIFICATE**

Important: Read the instructions on pages 1–9.

**SECTION A – PROPERTY INFORMATION**

A1. Building Owner's Name: Vinton, Inc.

A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 2693 Aira Street

City: Fairbanks  State: AK  ZIP Code: 99709

A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.): Lot 1, Block 8, Cartwright Air Industrial Park Subdivision (Plat No. B1-193 F.R.D.)

A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): Non-Residential

A5. Latitude/Longitude: Lat. 64° 48' 36" N  Long. 147° 46' 55" W  Horizontal Datum: NAD 1927 □ NAD 1993

A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.

A7. Building Diagram Number: 1A

A8. For a building with a crawlspace or enclosure(s):
   a. Square footage of crawlspace or enclosure(s) N/A sq ft
   b. Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: 0
   c. Total net area of flood openings in A8.b N/A sq in
   d. Engineered flood openings? Yes □ No □

A9. For a building with an attached garage:
   a. Square footage of attached garage: 16000 sq ft
   b. Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: 0
   c. Total net area of flood openings in A9.b N/A sq in
   d. Engineered flood openings? Yes □ No □

**SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION**

B1. NFIP Community Name & Community Number: Fairbanks-North Star Borough025009

B2. County Name: Fairbanks North Star Borough

B3. State: Alaska

B4. Map/Panel Number: 02090C436J

B5. Suffix: J

B6. FIRM Index Date: 03/17/2014

B7. FIRM Panel Effective/Revised Date: 03/17/2014

B8. Flood Zone(s): AE

B9. Base Flood Elevation(s) (Zone AO, use base flood depth) 436'

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9.
   □ FIS Profile □ FIRM □ Community Determined □ Other/Source: __________

B11. Indicate elevation datum used for BFE in Item B9: □ NGVD 1929 □ NAVD 1988 □ Other/Source: __________

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)?
   Designation Date: __________
   □ CBRS □ OPA

**SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)**

C1. Building elevations are based on:
   □ Construction Drawings* □ Building Under Construction* □ Finished Construction
   "A new Elevation Certificate will be required when construction of the building is complete.


   Benchmark Utilized: See Comments Page 2
   □ Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in Items a) through h) below. □ NGVD 1929 □ NAVD 1988 □ Other/Source: __________

Datum used for building elevations must be the same as that used for the BFE:

Check the measurement used.

a) Top of bottom floor (including basement, crawlspace, or enclosure floor) 439.9
   □ feet □ meters

b) Top of the next higher floor
   N/A
   □ feet □ meters

c) Bottom of the lowest horizontal structural member (V Zones only)
   N/A
   □ feet □ meters

d) Attached garage (top of slab) 439.9
   □ feet □ meters

e) Lowest elevation of machinery or equipment servicing the building
   (Describe type of equipment and location in Comments)
   N/A
   □ feet □ meters

f) Lowest adjacent (finished) grade next to building (LAG)
   439.5
   □ feet □ meters

g) Highest adjacent (finished) grade next to building (HAG)
   439.8
   □ feet □ meters

h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support
   N/A
   □ feet □ meters

**SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION**

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available.

I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

☐ Check here if comments are provided on back of form. Were the latitude and longitude in Section A provided by a licensed land surveyor? □ Yes □ No

Certifier's Name: James R. Ringstad

License Number: Alaska L.S.3474

Title: Reg. Land Surveyor

Reg. Land Surveyor: Company Name: 3 TIER-Alaska, Corp.

Address: P.O. Box 71940

City: Fairbanks  State: AK  ZIP Code: 99707

Date of Certification: 12/8/2014

Telephone: 907-456-5895

See reverse side for continuation.
SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments: The elevations, which are shown hereon, are based upon a 3/8” rebar, located at the section corner of sections 20, 21, 28, & 29, T1S, R1W, FM, which has a record elevation of 439.5 feet NAVD88 per plat number 2012-86 F.R.D., Alaska.

Signature: James R. Ringstad
Date: 12/8/2014

SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
   a) Top of bottom floor (including basement, crawlspace, or enclosure) is ________ feet ________ meters above or below the HAG.
   b) Top of bottom floor (including basement, crawlspace, or enclosure) is ________ feet ________ meters above or below the LAG.

E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 8–9 of Instructions), the next higher floor (elevation C2) in the diagrams) of the building is ________ feet ________ meters above or below the HAG.

E3. Attached garage (top of slab) is ________ feet ________ meters above or below the HAG.

E4. Top of platform of machinery and/or equipment servicing the building is ________ feet ________ meters above or below the HAG.

E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance?  □ Yes  □ No  □ Unknown. The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER’S REPRESENTATIVE) CERTIFICATION

The property owner or owner’s authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner’s or Owner’s Authorized Representative’s Name

Address
City
State
ZIP Code

Signature
Date
Telephone

Comments

☐ Check here if attachments.

SECTION G – COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community’s floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.

G1.  □ The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)

G2.  □ A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.

G3.  □ The following information (Items G4–G10) is provided for community floodplain management purposes.

G4. Permit Number
G5. Date Permit Issued
G6. Date Certificate Of Compliance/Occupancy Issued

G7. This permit has been issued for:  □ New Construction  □ Substantial Improvement

G8. Elevation of as-built lowest floor (including basement) of the building: ________ feet ________ meters Datum ________

G9. BFE or (in Zone AO) depth of flooding at the building site: ________ feet ________ meters Datum ________

G10. Community’s design flood elevation: ________ feet ________ meters Datum ________

Local Official’s Name
Title

Community Name
Telephone

Signature
Date

Comments

☐ Check here if attachments.
Building Photographs
See Instructions for Item A6.

IMPORTANT: In these spaces, copy the corresponding information from Section A.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
2693 Arla Street

City Fairbanks State AK ZIP Code 99709

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.

Right Front View (Photo taken 12/5/2014)

Right Front View (Photo taken 12/5/2014)
If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; “Front View” and “Rear View”; and, if required, “Right Side View” and “Left Side View.” When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.
Building Diagrams

The following diagrams illustrate various types of buildings. Compare the features of the building being certified with the features shown in the diagrams and select the diagram most applicable. Enter the diagram number in Item A7, the square footage of crawlspace or enclosure(s) and the area of flood openings in square inches in Items A8.a–c, the square footage of attached garage and the area of flood openings in square inches in Items A9.a–c, and the elevations in Items C7.a–h.

In A zones, the floor elevation is taken at the top finished surface of the floor indicated; in V zones, the floor elevation is taken at the bottom of the lowest horizontal structural member (see drawing in instructions for Section C).

**Diagram 1A**

All slab-on-grade single- and multiple-floor buildings (other than split-level) and high-rise buildings, either detached or row type (e.g., townhouses); with or without attached garage.

**Distinguishing Feature** – The bottom floor is at or above ground level (grade) on at least 1 side.*

**Diagram 1B**

All raised-slab-on-grade or slab-on-stem-wall-with-fill single- and multiple-floor buildings (other than split-level), either detached or row type (e.g., townhouses); with or without attached garage.

**Distinguishing Feature** – The bottom floor is at or above ground level (grade) on at least 1 side.*

**Diagram 2**

All single- and multiple-floor buildings with basement (other than split-level) and high-rise buildings with basement, either detached or row type (e.g., townhouses); with or without attached garage.

**Distinguishing Feature** – The bottom floor (basement or underground garage) is below ground level (grade) on all sides.*

* A floor that is below ground level (grade) on all sides is considered a basement even if the floor is used for living purposes, or as an office, garage, workshop, etc.
Alaska Department of Environmental Conservation - Wastewater Discharge Program

Documentation of Construction Approval Checklist

Notify Date 10/21/14  CI Name McGlinchy Ben
Install Date 10/21/14  Inspection Date Phone: (907)378-9395
Legal Cartwright Air Industrial Park S/D Lot 1 Blk 8 2693 Arla St., Fairbanks

Comments Two separate septic systems for each side of shop.

Received DOC: 3/19/2015  # days elapsed 149

YES (NO) Section I complete - Number of bedrooms: NO calcs.

YES (NO) Test hole log attached

YES (NO) Wastewater Disposal Section complete  Tank Size: 1000  Soil Type: SW
Field Size: 240  Min Req: no flow calcs.

Deep Tr Shallow Tr Bed Pit Mound Other Rock Size

YES (NO) Minimum ground cover met

YES (NO) Minimum separation distance met - if not met, verify waiver by DEC

Photos Tank with inlet or outlet exposed  NO Gallonage label

 Open Excavation of field Line leading to field

 Filter fabric pulled back to reveal sewer rock and perforated pipe in absorption field

 Finished grade with standpipes

YES (NO) Plan and Cross Section complete

Type of Well Private Class C Class B Class A

YES (NO) Soil classification from soil lab or registered engineer received for approved homeowner install

Spoke to installer for additional info Date: ________________

Documentation returned to installer Date: ________________

Reviewed Date 03/19/15  Signature

Comments: 3/15/16: Brian w/vp confirmed floor drums are not connected to systems. No outlet from trench designed to evaporate water. Any collected grit is collected in 55 gallon drums and disposed as hazardous waste.
Part I. General Information

Legal Description | Lot 1, Block 8, Cartwright Air Industrial Park
Street Address | 2693 Arla Street
Submitted By | Certified Installer No. 2013-30-1798
Installer Name | M & M Constructors, 1180 Chena Pump Rd, Fairbanks, AK 99709, mmconst@alaska.net, 907-479-6868

Part II. Wastewater Disposal

Onsite Wastewater System Serves | Single Family # of bedrooms ___________ Duplex Total # of bedrooms ___________
| Small Commercial Facility with Estimated Design Flow of less than 500 gpd. – show calcs below

System Installed By: | Certified Installer
| Inspection by a Registered Engineer

Installation Notification Date | 10/20/2014
Date Installed | 10/21/2014

Septic Tank | Size 2-1000 tanks
| Manufacturer Norwesco Lift Station Manufacturer
| # of Compartments 2 each Material Plastic

Type of Soil Absorption System | Deep Trench
| Shallow Trench
| Seepage Pit
| Bed
| Mound

Seepage Area | Classification SW - Well Graded Sands Rating - sq ft / bedroom 125

Soil Absorption Area | Field Dimensions (Length 20 ft Width 12 ft Thickness/Depth of Rock 1 ft)
Effective Absorption Area | 240 each system Size of Rock 3/4" to 1.5"

Perc Test Results | Minutes per Inch ___________ Application Rate ___________ sq ft / bedroom
| Performed By (Attach results – sealed and signed by a registered engineer)

Ground Cover Over | Septic Tank Insulation Thickness ___________ ft
| Absorption Area Insulation Thickness ___________ ft
Seal Registered Professional Engineer

Cleannout Pipes/Caps | # Cleanout(s) ___________ # Septic Tank Vents ___________ # of Leach Field Monitor Tubes ___________

Separation Distances from septic tank or absorption area, whichever is closest, to all nearby
Public drinking water sources ___________ ft, Class ___________ Private drinking water sources ___________ ft, holding tank ___________ ft
Nearest water bodies (see 18 AAC 72.020(b)) ___________ ft, Lot Line ___________ ft

Separation Distances from On Lot Sewer Lines to Drinking Water Sources - Public ___________ ft, Private ___________ ft

Separation Distances from Bottom of Distribution Rock to - Groundwater Table ___________ ft, Impermeable Soils ___________ ft

Separation Distance from Absorption Area to Slope exceeding 25% ___________ ft, 50+ ft

Comments / Recommendations / Criteria used to size commercial facility:
Installed 2 identical systems for each side of shop building. No well.

I certify that the above information, and that provided in Section III, is correct:

Signature | Ben McGlinchy
Printed Name

Title, Reg/Cert No, Inst No | 2013-30-1798 Date 01/16/2014

NOTE: Must be signed by a Certified Installer, DEC Staff or Approved Homeowner. If engineering seal bears printed name, registration number and is signed, those blocks need not be completed for engineered submittals. Do not modify this form.
Part III - Required Diagram of System(s)

1. In the space provided below, draw a Plan View of your project site and locate each of the following:
   - All Structures  
   - Property Lines  
   - Surface Water  
   - Drinking Water Source (Class)?  
   - Testhole  
   - Septic Tank  
   - Dimensions of Soil Absorption System  
   - Sources of Contamination  
   - All Cleanouts and monitor tubes  
   - Closest well on adjacent property  
   - Closest septic tank on an adjacent property

2. Show the separation distances between ALL Water Sources to the underlined Contamination Sources shown in #1 above.

---

**TESTHOLE LOG**
Date: 10/21/14

Locate and Label:
- Testhole Depth 11 ft
- Groundwater 7 ft
- Impermeable Soils n/a

<table>
<thead>
<tr>
<th>Depth</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 ft</td>
<td>Organic</td>
</tr>
<tr>
<td>2 ft</td>
<td></td>
</tr>
<tr>
<td>3 ft</td>
<td></td>
</tr>
<tr>
<td>4 ft</td>
<td>Well Graded Sands</td>
</tr>
<tr>
<td>5 ft</td>
<td></td>
</tr>
<tr>
<td>6 ft</td>
<td></td>
</tr>
<tr>
<td>7 ft</td>
<td>Water Table</td>
</tr>
<tr>
<td>8 ft</td>
<td></td>
</tr>
<tr>
<td>9 ft</td>
<td></td>
</tr>
<tr>
<td>10 ft</td>
<td>Well Graded Sands</td>
</tr>
<tr>
<td>11 ft</td>
<td></td>
</tr>
<tr>
<td>12 ft</td>
<td></td>
</tr>
<tr>
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<td>20 ft</td>
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</tr>
<tr>
<td>21 ft</td>
<td></td>
</tr>
<tr>
<td>22 ft</td>
<td></td>
</tr>
</tbody>
</table>

---

In the space below, draw a Cross Section view of the soil absorption area, identify each component and show the depth of the following:
- Soil cover  
- Absorption Material  
- Water Table  
- Impermeable Soil/Bedrock  
- Discharge pipes
- Insulation  
- Original Grade  
- Final Grade (include if original & final grade are different)

---

*Number of additional attachments (if needed). Comments:

169

Documentation of Construction Form  Revised March 2013
Application Material Received on
March 14, 2017

CU2017-016
ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1–9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

**SECTION A – PROPERTY INFORMATION**

<table>
<thead>
<tr>
<th>A1. Building Owner's Name</th>
<th>Policy Number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Double G Investments LLC</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.</th>
<th>Company File Number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>3665 Worrell Avenue</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>ZIP Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fairbanks</td>
<td>Alaska</td>
<td>99709</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 1, Block 8, Cartwright Air Industrial Park (Plat No. 81-193 F.R.D.)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.)</th>
<th>Residential</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>A5. Latitude/Longitude:</th>
<th>Horizontal Datum:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lat. 64° 48' 36&quot; N</td>
<td>NAD 1927</td>
</tr>
<tr>
<td>Long. 147° 46' 55&quot; W</td>
<td>NAD 1983</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>A7. Building Diagram Number</th>
<th>A8. For a building with a crawlspace or enclosure(s):</th>
</tr>
</thead>
<tbody>
<tr>
<td>1A</td>
<td>a) Square footage of crawlspace or enclosure(s) 0 sq ft</td>
</tr>
<tr>
<td></td>
<td>b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade 0</td>
</tr>
<tr>
<td></td>
<td>c) Total net area of flood openings in A8.b 0 sq in</td>
</tr>
<tr>
<td></td>
<td>d) Engineered flood openings? □ Yes □ No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>A9. For a building with an attached garage:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Square footage of attached garage 15,467 sq ft</td>
</tr>
<tr>
<td>b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade 0</td>
</tr>
<tr>
<td>c) Total net area of flood openings in A9.b 0 sq in</td>
</tr>
<tr>
<td>d) Engineered flood openings? □ Yes □ No</td>
</tr>
</tbody>
</table>

**SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION**

<table>
<thead>
<tr>
<th>B1. NFIP Community Name &amp; Community Number</th>
<th>B2. County Name</th>
<th>B3. State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fairbanks North Star Borough/025009</td>
<td>Fairbanks North Star Borough</td>
<td>Alaska</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>B4. Map/Panel Number</th>
<th>B5. Suffix</th>
<th>B6. FIRM Index Date</th>
<th>B7. FIRM Panel Effective/Revised Date</th>
<th>B8. Flood Zone(s)</th>
<th>B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth)</th>
</tr>
</thead>
<tbody>
<tr>
<td>02090C4366J</td>
<td>J</td>
<td>03/17/2017</td>
<td>03/17/2014</td>
<td>AE</td>
<td>436'</td>
</tr>
</tbody>
</table>

| B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: |
| FIFO Profile □ FIRM □ Community Determined □ Other/Source: | |

| B11. Indicate elevation datum used for BFE in Item B9: |
| NGVD 1929 □ NAVD 1988 □ Other/Source: | |

| B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? |
| □ Yes □ No |

Designation Date: ____________________

CBRS □ OPA

FEMA Form 086-0-33 (7/15) Replaces all previous editions. Form Page 1 of 6
## ELEVATION CERTIFICATE

**FOR INSURANCE COMPANY USE**

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>ZIP Code</th>
<th>Company NAIC Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fairbanks</td>
<td>Alaska</td>
<td>99709</td>
<td></td>
</tr>
</tbody>
</table>

**SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)**

C1. Building elevations are based on:  □ Construction Drawings*  □ Building Under Construction*  □ Finished Construction  
A new Elevation Certificate will be required when construction of the building is complete.


Complete items C2.a–h below according to the building diagram specified in item A7. In Puerto Rico only, enter meters.

**Benchmark Utilized:** See Comments, Page 2  
**Vertical Datum:** NAVD 1888

Indicate elevation datum used for the elevations in items a) through h) below.

□ NGVD 1929  ■ NAVD 1888  □ Other/Source: __________

Datum used for building elevations must be the same as that used for the BFE.

<table>
<thead>
<tr>
<th>Measurement</th>
<th>a) Top of bottom floor (including basement, crawlspace, or enclosure floor)</th>
<th>b) Top of the next higher floor</th>
<th>c) Bottom of the lowest horizontal structural member (V Zones only)</th>
<th>d) Attached garage (top of slab)</th>
<th>e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)</th>
<th>f) Lowest adjacent (finished) grade next to building (LAG)</th>
<th>g) Highest adjacent (finished) grade next to building (HAG)</th>
<th>h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>439.9 feet (meters)</td>
<td>N/A feet (meters)</td>
<td>N/A feet (meters)</td>
<td>439.9 feet (meters)</td>
<td>N/A feet (meters)</td>
<td>439.5 feet (meters)</td>
<td>439.8 feet (meters)</td>
<td>N/A feet (meters)</td>
</tr>
</tbody>
</table>

**SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION**

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor?  □ Yes  □ No  □ Check here if attachments.

<table>
<thead>
<tr>
<th>Certifier’s Name</th>
<th>License Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>James R. Ringstad</td>
<td>Alaska L.S. 6474</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Reg. Land Surveyor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3 TIER-Alaska, Corp.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th>P.O. Box 71940</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>ZIP Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fairbanks</td>
<td>Alaska</td>
<td>99709</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Signature</th>
<th>Date</th>
<th>Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>03/07/2017</td>
<td>(907) 466-5895</td>
</tr>
</tbody>
</table>

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)
The Buderus Logano GE315 boiler and (2) GeoComfort Geothermal Systems are located in a separate mechanical room on the North part of the building, as shown on rear of building pictures.

The elevations, which are shown hereon, are based upon a 5/8" rebar, located at the section corner of sections 20, 21, 28, & 29, T1S, R1W, FM, which has a record elevation of 439.5 feet NAVD88 per plat number 2012-08 F.R.D., Alaska
**ELEVATION CERTIFICATE**

See Instructions for Item A6.

<table>
<thead>
<tr>
<th>OMB No. 1560-0008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expiration Date: November 30, 2018</td>
</tr>
</tbody>
</table>

**IMPORTANT:** In these spaces, copy the corresponding information from Section A.

<table>
<thead>
<tr>
<th>Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>3065 Wurrell Avenue</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>ZIP Code</th>
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<tr>
<td>Fairbanks</td>
<td>Alaska</td>
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<tbody>
<tr>
<td>Company NAIC Number</td>
</tr>
</tbody>
</table>

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; “Front View” and “Rear View”; and, if required, “Right Side View” and “Left Side View.” When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.

**Photo One**

*Photo One Caption Front View - 3/3/2017*

**Photo Two**

*Photo Two Caption Rear Left View - 3/3/2017*
If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken, "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>ZIP Code</th>
<th>Company NAIC Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fairbanks</td>
<td>Alaska</td>
<td>99709</td>
<td></td>
</tr>
</tbody>
</table>

Photo One Caption  Rear Right View - 3/3/2017

Photo Two Caption

Photo Two
Building Diagrams

The following diagrams illustrate various types of buildings. Compare the features of the building being certified with the features shown in the diagrams and select the diagram most applicable. Enter the diagram number in Item A7, the square footage of crawlspace or enclosure(s) and the area of flood openings in square inches in Items A8.a–c, the square footage of attached garage and the area of flood openings in square inches in Items A9.a–c, and the elevations in Items C2.a–h.

In A zones, the floor elevation is taken at the top finished surface of the floor indicated, in V zones, the floor elevation is taken at the bottom of the lowest horizontal structural member (see drawing in instructions for Section C).

**DIAGRAM 1A**
All slab-on-grade single- and multiple-floor buildings (other than split-level) and high-rise buildings, either detached or row type (e.g., townhouses); with or without attached garage.

**DIAGRAM 1B**
All raised-slab-on-grade or slab-on-stem-wall-with-fill single- and multiple-floor buildings (other than split-level), either detached or row type (e.g., townhouses); with or without attached garage.

**DIAGRAM 2A**
All single- and multiple-floor buildings with basement (other than split-level) and high-rise buildings with basement, either detached or row type (e.g., townhouses); with or without attached garage.

**DIAGRAM 2B**
All single- and multiple-floor buildings with basement (other than split-level) and high-rise buildings with basement, either detached or row type (e.g., townhouses); with or without attached garage.

Distinguishing Feature – The bottom floor is at or above ground level (grade) on at least 1 side.*

Distinguishing Feature – The bottom floor is at or above ground level (grade) on at least 1 side.*

Distinguishing Feature – The bottom floor (basement or underground garage) is below ground level (grade) on all sides.*

Distinguishing Feature – The bottom floor (basement or underground garage) is below ground level (grade) on all sides; most of the height of the walls is below ground level on all sides; and the door and area of egress are also below ground level on all sides.*

* A floor that is below ground level (grade) on all sides is considered a basement even if the floor is used for living purposes, or as an office, garage, workshop, etc.
Application Material Received on
March 17, 2017

CU2017-016
# ELEVATION CERTIFICATE

**Important:** Follow the instructions on pages 1–9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

## SECTION A – PROPERTY INFORMATION

<table>
<thead>
<tr>
<th>Property Information</th>
<th>FOR INSURANCE COMPANY USE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A1. Building Owner's Name</strong></td>
<td>Policy Number:</td>
</tr>
<tr>
<td>Double G Investments LLC</td>
<td></td>
</tr>
<tr>
<td><strong>A2. Building Street Address (Including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.</strong></td>
<td>Company NAIC Number:</td>
</tr>
<tr>
<td>2993 Aria Street</td>
<td></td>
</tr>
<tr>
<td><strong>City</strong></td>
<td><strong>State</strong></td>
</tr>
<tr>
<td>Fairbanks</td>
<td>Alaska</td>
</tr>
<tr>
<td><strong>A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)</strong></td>
<td></td>
</tr>
<tr>
<td>Lot 1, Block 8, Cartwright Air Industrial Park (Plat No. 81-193 F.R.D.)</td>
<td></td>
</tr>
<tr>
<td><strong>A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.)</strong></td>
<td>Residential</td>
</tr>
<tr>
<td><strong>A5. Latitude/Longitude:</strong></td>
<td>Long. 147°46'55&quot; W</td>
</tr>
<tr>
<td>Lat. 64°48'36&quot; N</td>
<td>Horizontal Datum:</td>
</tr>
<tr>
<td><strong>A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>A7. Building Diagram Number</strong></td>
<td>1A</td>
</tr>
<tr>
<td><strong>A8. For a building with a crawlspace or enclosure(s):</strong></td>
<td></td>
</tr>
<tr>
<td>a) Square footage of crawlspace or enclosure(s)</td>
<td>0 sq ft</td>
</tr>
<tr>
<td>b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade</td>
<td>0</td>
</tr>
<tr>
<td>c) Total net area of flood openings in A8.b</td>
<td>0 sq in</td>
</tr>
<tr>
<td>d) Engineered flood openings?</td>
<td>☑ No</td>
</tr>
<tr>
<td><strong>A9. For a building with an attached garage:</strong></td>
<td></td>
</tr>
<tr>
<td>a) Square footage of attached garage</td>
<td>15,467 sq ft</td>
</tr>
<tr>
<td>b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade</td>
<td>0</td>
</tr>
<tr>
<td>c) Total net area of flood openings in A9.b</td>
<td>0 sq in</td>
</tr>
<tr>
<td>d) Engineered flood openings?</td>
<td>☑ No</td>
</tr>
</tbody>
</table>

## SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

<table>
<thead>
<tr>
<th>Firm Information</th>
<th>B2. County Name</th>
<th>B3. State</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>B1. NFIP Community Name &amp; Community Number</strong></td>
<td>Fairbanks North Star Borough</td>
<td>Alaska</td>
</tr>
<tr>
<td>02090C4366J</td>
<td>025009</td>
<td></td>
</tr>
<tr>
<td><strong>B4. Map/Panel Number</strong></td>
<td><strong>B5. Suffix</strong></td>
<td><strong>B6. FIRM Index Date</strong></td>
</tr>
<tr>
<td>02090C4366J</td>
<td>J</td>
<td>03/17/2017</td>
</tr>
</tbody>
</table>

**B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item 39:**

☐ FIS Profile ☑ FIRM ☐ Community Determined ⬜ Other/Source:

**B11. Indicate elevation datum used for BFE in Item B9:**

☐ MSL 1929 ☑ NAVD 1988 ☜ Other/Source:

**B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)?**

☐ Yes ☑ No

Designation Date: ______________________ ☐ CBRS ☑ OPA
### SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on:  
- [ ] Construction Drawings*  
- [ ] Building Under Construction*  
- [x] Finished Construction  

*A new Elevation Certificate will be required when construction of the building is complete.


**Benchmark Utilized:** See Comments, Page 2  
**Vertical Datum:** NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.
- [ ] NGVD 1929  
- [x] NAVD 1988  
- [ ] Other/Source:

Datum used for building elevations must be the same as that used for the BFE.

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Elevation (feet)</th>
<th>Check the measurement used.</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>Top of bottom floor (including basement, crawlspace, or enclosure floor)</td>
<td>439.9</td>
<td>[x] feet [ ] meters</td>
</tr>
<tr>
<td>b)</td>
<td>Top of the next higher floor</td>
<td>N/A</td>
<td>[ ] feet [x] meters</td>
</tr>
<tr>
<td>c)</td>
<td>Bottom of the lowest horizontal structural member (V Zones only)</td>
<td>N/A</td>
<td>[ ] feet [x] meters</td>
</tr>
<tr>
<td>d)</td>
<td>Attached garage (top of slab)</td>
<td>439.9</td>
<td>[x] feet [ ] meters</td>
</tr>
<tr>
<td>e)</td>
<td>Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)</td>
<td>439.9</td>
<td>[x] feet [ ] meters</td>
</tr>
<tr>
<td>f)</td>
<td>Lowest adjacent (finished) grade next to building (LAG)</td>
<td>439.5</td>
<td>[x] feet [ ] meters</td>
</tr>
<tr>
<td>g)</td>
<td>Highest adjacent (finished) grade next to building (HAG)</td>
<td>439.8</td>
<td>[x] feet [ ] meters</td>
</tr>
<tr>
<td>h)</td>
<td>Lowest adjacent grade at lowest elevation of deck or stairs, including structural support</td>
<td>N/A</td>
<td>[ ] feet [x] meters</td>
</tr>
</tbody>
</table>

### SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor?  
- [ ] Yes  
- [ ] No  
- [ ] Check here if attachments.

<table>
<thead>
<tr>
<th>Certificate's Name</th>
<th>License Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>James R. Ringstad</td>
<td>Alaska L.S. 6474</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Reg. Land Surveyor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Company Name</th>
<th>3 TIER-Alaska, Corp.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th>P.O. Box 71940</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>ZIP Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fairbanks</td>
<td>Alaska</td>
<td>99707</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Signature</th>
<th>Date</th>
<th>Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>03/16/2017</td>
<td>(907) 455-5895</td>
</tr>
</tbody>
</table>

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable):

The Buderus Logano GE315 boiler and (2) GeoComfort Geothermal Systems are located in an attached mechanical room on the North side of the building, as shown on rear of building pictures.

The elevations, which are shown hereon, are based upon a 5/8" rebar, located at the section corner of sections 20, 21, 28, & 29, T1S, R1W, FM, which has a record elevation of 439.8 feet NAVD88 per plat number 2012-86 F.R.D., Alaska.

FEMA Form 066-0-33 (7/15)  
Replaces all previous editions.  
Form Page 2 of 6
ELEVATION CERTIFICATE

FOR INSURANCE COMPANY USE

| Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. | OMB No. 1660-0008 |
| City | State | ZIP Code |
| Fairbanks | Alaska | 99709 |

SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED)
FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
   a) Top of bottom floor (including basement, crawlspace, or enclosure) is
      _______ . _______ □ feet □ meters □ above or □ below the HAG.
   b) Top of bottom floor (including basement, crawlspace, or enclosure) is
      _______ . _______ □ feet □ meters □ above or □ below the LAG.

E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is
   _______ . _______ □ feet □ meters □ above or □ below the HAG.

E3. Attached garage (top of slab) is
   _______ . _______ □ feet □ meters □ above or □ below the HAG.

E4. Top of platform of machinery and/or equipment servicing the building is
   _______ . _______ □ feet □ meters □ above or □ below the HAG.

E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? □ Yes □ No □ Unknown. The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER’S REPRESENTATIVE) CERTIFICATION

The property owner or owner’s authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner or Owner’s Authorized Representative’s Name

Address

City

State

ZIP Code

Signature

Date

Telephone

Comments

☐ Check here if attachments.
ELEVATION CERTIFICATE

**FOR INSURANCE COMPANY USE**

| Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. | 2693 Aria Street |
| City | State | ZIP Code | City | State | ZIP Code |
| Fairbanks | Alaska | 99709 | Company NAIC Number |

**SECTION G – COMMUNITY INFORMATION (OPTIONAL)**

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.

**G1.** The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)

**G2.** A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.

**G3.** The following information (Items G4–G10) is provided for community floodplain management purposes.

<table>
<thead>
<tr>
<th>G4. Permit Number</th>
<th>G5. Date Permit Issued</th>
<th>G6. Date Certificate of Compliance/Occupancy Issued</th>
</tr>
</thead>
</table>

**G7.** This permit has been issued for: ☐ New Construction ☐ Substantial Improvement

**G8.** Elevation of as-built lowest floor (including basement) of the building: _________, _________ feet ☐ meters Datum ___________

**G9.** BFE or (in Zone AO) depth of flooding at the building site: _________, _________ feet ☐ meters Datum ___________

**G10.** Community's design flood elevation: _________, _________ feet ☐ meters Datum ___________

**Local Official's Name**

**Title**

**Community Name**

**Telephone**

**Signature**

**Date**

**Comments (including type of equipment and location, per C2(e), if applicable)**

☐ Check here if attachments.
If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken, “Front View” and “Rear View”; and, if required, “Right Side View” and “Left Side View.” When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.

Photo One Caption Front View - 3/3/2017

Photo Two Caption Rear Left View - 3/3/2017
If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A6.
Building Diagrams

The following diagrams illustrate various types of buildings. Compare the features of the building being certified with the features shown in the diagrams and select the diagram most applicable. Enter the diagram number in Item A7, the square footage of crawlspace or enclosure(s) and the area of flood openings in square inches in Items A8.a–c, the square footage of attached garage and the area of flood openings in square inches in Items A9.a–c, and the elevations in Items C2.a–h.

In A zones, the floor elevation is taken at the top finished surface of the floor indicated; in V zones, the floor elevation is taken at the bottom of the lowest horizontal structural member (see drawing in instructions for Section C).

**DIAGRAM 1A**
All slab-on-grade single- and multiple-floor buildings (other than split-level) and high-rise buildings, either detached or row type (e.g., townhouses); with or without attached garage.

*Distinguishing Feature* – The bottom floor is at or above ground level (grade) on at least 1 side.*

**DIAGRAM 1B**
All raised-slab-on-grade or slab-on-stem-wall-with-fill single- and multiple-floor buildings (other than split-level), either detached or row type (e.g., townhouses); with or without attached garage.

*Distinguishing Feature* – The bottom floor is at or above ground level (grade) on at least 1 side.*

**DIAGRAM 2A**
All single- and multiple-floor buildings with basement (other than split-level) and high-rise buildings with basement, either detached or row type (e.g., townhouses); with or without attached garage.

*Distinguishing Feature* – The bottom floor (basement or underground garage) is below ground level (grade) on all sides.*

**DIAGRAM 2B**
All single- and multiple-floor buildings with basement (other than split-level) and high-rise buildings with basement, either detached or row type (e.g., townhouses); with or without attached garage.

*Distinguishing Feature* – The bottom floor (basement or underground garage) is below ground level (grade) on all sides; most of the height of the walls is below ground level on all sides; and the door and area of egress are also below ground level on all sides.*

* A floor that is below ground level (grade) on all sides is considered a basement even if the floor is used for living purposes, or as an office, garage, workshop, etc.
Application Material Received on March 28, 2017

CU2017-016
Included is a copy of the sign affidavit for 2693 Arla Street. In response to Tonya Bear’s question (DEC) our agricultural operation will not generate wastewater that goes in the building’s septic system. All wastewater is collected and reused for further plant watering. Included are photos of the water trench collection box and a picture of a waste bin collecting the water for reuse. If you have any further questions you can call me at (907) 347-1832.
Sincerely
Brittany Gitschel
Application Material Received on
March 31, 2017

CU2017-016
Dear Manish,

We have sold 2693 Arla Street to Double G Investments LLC, effect 3/31/2017. We would like to be removed as the owner of record and be removed from the staff report for subject property. Thank you for your assistance.

David Durham, SVP, CFIP  
Chief Credit Administrator  
NMLS# - 917178  
Phone (907) 452-1751; Fax (907) 451-3551  
500 Fourth Ave.  
Fairbanks, AK 99701  

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STATUTORY WARRANTY DEED

THE GRANTOR Mt. McKinley Bank
whose mailing address is: 500 Fourth Avenue Fairbanks AK 99701

for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to the
Grantee(s): Double G. Investments, LLC, An Alaska Limited Liability Company
whose mailing address is: PO Box 10690, Fairbanks, AK, 99710-0690

the following described real estate:

PARCEL I:

Block 67 of BJERREMARK SUBDIVISION, according to the plat filed March 2, 1945 as Instrument No. 86934; Records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska.

PARCEL II:

Lot 1, Block 8 of CARTWRIGHT AIR INDUSTRIAL PARK, according to the plat filed December 14, 1981 as Plat No. 81-193; Records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska.

PARCEL III:

A portion of the Northeast ¼ of the Southeast ¼, Section 20, Township 1 South, Range 1 West, Fairbanks Meridian, Records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska, more particularly described as follows:

BEGINNING at a point 50 feet West of the Northeast corner of the East ¼ of the Southeast ¼ of said Section 20; THENCE South 1,314 feet; THENCE West 480 feet to Corner No. 1 and the TRUE POINT OF BEGINNING; THENCE North 130 feet to Corner No. 2; THENCE West 120 feet to Corner No. 3; THENCE South 130 feet to Corner No. 4; THENCE East 120 feet to Corner No. 1, being the TRUE POINT OF BEGINNING.

SUBJECT TO property taxes; reservations and exceptions as contained in the U.S. Patent; easements of record; and covenants, conditions and restrictions of record, if any.
Dated this 29th day of March 2017.

Mt. McKinley Bank

By: Gary Roderick, Sr. Vice President

By: David Durham, Chief Credit Administrator

STATE OF ALASKA
JUDICIAL DISTRICT OR COUNTY: Fourth

THIS IS TO CERTIFY that on this 29th day of March 2017, before me, the undersigned Notary Public, personally appeared Gary Roderick, Sr. Vice President and David Durham, Chief Credit Administrator known to me and to me known to be the authorities of the corporation that executed the within instrument and known to me to be the person(s) who executed the within instrument on behalf of the corporation therein named and acknowledged to me that such corporation executed the same pursuant to its by-laws or a resolution of its Board of Directors.

Debra L. Hollingsworth

Notary Public in and for ALASKA
My commission expires: Oct 31, 2020

Statutory Warranty Deed
Page 2
FMATS
1. Call to Order

2. Introduction of Members and Attendees

3. Approval of the April 5, 2017 Agenda

4. Approval of the March 1, 2017 Minutes

5. Committee/Working Group Reports (including the Chair’s Report)
   a. Road/Rail Plan Working Group

6. Public Comment Period (Items not on the Agenda)

7. Old Business
   a. Title VI Implementation Plan Comments and Recommendation (Action Item)
   b. Cushman Street Bridge Field Trip Discussion
   c. FMATS Transition Plan Update

8. New Business

9. Other Issues

10. Informational Items
    a. State of Good Repair and other Target Setting Updates
    b. Extension of the Effective Date for Performance Targets
    c. 03.15.17 Policy Board Action Items
    d. Obligations and Offsets

11. Technical Committee Comments

12. Adjournment

Next Scheduled Technical Committee Meeting – Wednesday, May 3, 2017, Noon, City Hall, City Council Chambers