Please refer to Planning Commission Rule #25: Any action taken during this meeting is subject to reconsideration during this meeting or at the next. A request for reconsideration at the next meeting must be submitted in writing by a Planning Commissioner (who voted on the prevailing side) by the close of business the day following the meeting.

Worksession, Opening Statements, and Consent Agenda

Audio Track 1, 2, 3

APPROVED

CU2017-011: A request by Leslea Nunley DBA Tanana Herb Company for conditional use approval of a marijuana cultivation facility, indoor large in the General Use 1 (GU-1) zone on Lot 3, Tanana Chase Subdivision. (Located at 3495 Old River Landing Road, on the southeast corner of Perkins Drive and Old River Landing Road). (Staff Contact: Manish Singh)

Audio: Track 3, 4

CONDITIONS

1. 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 comply with all recommendations and/or requirements resulting from the plan review by the State of Alaska Department of Public Safety (Division of Fire and Life Safety, Plan Review Bureau).

   c. The applicant or holder of this conditional use permit shall submit a ‘No-rise Certification for Floodways’ and obtain a new floodplain permit and a new certificate of compliance for the proposed improvements, or revise the building design, to comply with Title 15 Floodplain Management Regulations.

2. The marijuana cultivation facility, indoor large shall not operate between the hours of 9:00 p.m. and 7:00 a.m.

3. Indoor cultivation, drying, and processing rooms or portions of the building shall be equipped with appropriately sized odor filtration systems to eliminate odor from the cultivation and processing operations.

4. 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 marijuana cultivation facility, indoor large, an amendment to the Conditional Use Permit may be required pursuant to FNSBC 18.104.050(D).
FINDINGS OF FACT

1. 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 not inconsistent with ‘Perimeter Area’ and ‘Preferred Residential Land’ comprehensive plan land use designations. The Comprehensive Plan Land Use Goal 3 and Economic Development Goal 2 are being enhanced with the development 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 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 well and a septic system
   b. The site is served by Chena Goldstream 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 and will provide sufficient energy supply for indoor cultivation activities.
   d. Six (6) off-street parking spaces and a loading area have been provided on-site, which are adequate for the proposed cultivation conditional use.
   e. Traffic generated by the proposed use will have relatively little impact on Perkins Drive and Old River Landing Road which are maintained by Becker Ridge road service area and have 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 GU-1 zone, Title 15 Floodplain Management Regulations and Standards for Commercial Marijuana Establishments (FNSBC 18.84, FNSB 15.04 and 18.96.240, respectively) as well as state requirements for a commercial marijuana cultivation facility.
   a. Security systems, alarms, locks, 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 according to 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 would 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 negligible because the operation is completely indoors.
   f. The outdoor lighting would point downwards and would not negatively impact adjacent neighbor because of the existing vegetative buffer.
g. With the conditions imposed, the marijuana cultivation facility would not operate
during night times to protect public health, safety, and welfare of surrounding
property owners.

APPROVED

RZ2017-003: A request by F. Lawrence Bennett from Bennett Engineering on behalf of Joseph W.
Dinkins to rezone approximately 15,000 sq.ft. of Lots 9, 10 and 11, Block 1, South Cushman
Subdivision from Multiple-Family Residential (MF) to General Commercial (GC) or other appropriate
zone. (Located south of 22nd Avenue and west of South Cushman Street). (Staff Contact:
Manish Singh)

Audio: Track 5

RECOMMENDED FOR APPROVAL

Closing Comments and Adjournment.

Audio: Track 5

Further information may be obtained from FNSB Department of Community Planning at 459-1260