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.

Opening Statements, and Consent Agenda(*)

*HP2017-004: Gold Mine Trail Road Upgrades – A request by the Department of Transportation and Public Facilities for local planning authority approval of the Gold Mine Trail Road Upgrades project. This project proposes to upgrade approximately 4,000 feet of Goldmine Trail Road with a new surface and safety improvements.

Audio Track 1

APPROVED

CU2017-019: A request by John Manthei for conditional use approval for a vocational school in the Rural Estates 2 (RE-2) zone on Lot 27, Koponen Homestead Subdivision (located at 2860 Roland Road, on the north side of Roland Road, west of Chena Pump Road). (Staff Contact: Stacy Wasinger).

Audio: Track 1
Audio: Track 4

FINDING OF FACT

1. Adequate transportation facilities do not appear to be in place to support the condition use application.
2. Traffic impact analysis provided in the packet depicts the worst case scenario for allowable uses but not for the conditional use, so the Planning Commission is not basing their decision on it.
3. Based on negative impacts to traffic, negative impacts to the residential character of the neighborhood caused by the proposed use and other potential uses in the future, the proposed conditional use does not protect health, safety, and welfare of the neighborhood and therefore, does not meet the intent and purpose of Title 18.

DENIED

CU2017-015: A request by Paul Gitschel for conditional use approval for a school building in the Multiple-Family Residential (MF) zone with the Mobile Home Subdivision (MHS) overlay zone on Block 67, Bjerremark Subdivision (located at 2404 Barnette Street, on the west side of Barnette Street, between 24th Avenue and 25th Avenue) (Staff Contact: Stacy Wasinger).

Audio: Track 2

CONDITIONS

1. The existing landscape and stormwater detention areas shall be maintained.
2. Street Intersection Visibility triangles shall be maintained pursuant to FNSBC 18.96.100.

3. The drop-off and circulation area to the north of the building shall be limited to one-way, eastbound traffic only.

4. If any modifications are made to the site plan, the maximum enrollment of 214 students, operational characteristics, or other FNSB required documents, the applicant or holder of this conditional use permit 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).

FINDINGS OF FACT

1. The proposed conditional use will conform to the intent and purpose of Title 18 and of other ordinances and state statutes because it will conform to Title 18 requirements as a conditional use in the MF/MHS zone.

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.

**APPROVED**

**CU2017-018:** A request by Karen Lowry on behalf of Gene Bloom for amendment of the conditional use approval of a commercial marijuana cultivation facility, indoor unlimited in the Light Industrial (LI) zone on TL-2013, TL-2014 and TL-2015, Section 20, T1S-R1W, F.M. (located at 2443 & 2448 Arvilla Street, on the southwest corner of Arvilla Street and Peger Road). (Staff Contact: Manish Singh).

Audio: Track 3

**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 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 and shall comply with all requirements and/or recommendations resulting from the plan review. Alternatively, the applicant or holder of this conditional use permit shall connect the buildings on TL-2014 (Building 1), TL-2017 (Building 3), and TL-2018 (Buildings 4, 5 and 6) to the Golden Heart Utilities sewer line.
d. The applicant or holder of this conditional use permit shall obtain a written wastewater control plan review by Golden Heart Utilities and shall comply with all requirements and/or recommendations resulting from the plan review.

2. No outdoor storage of marijuana or marijuana products shall be allowed pursuant to FNSBC 18.96.240 (A) (4). All marijuana or marijuana products shall be stored inside secure facilities.

3. Indoor cultivation, drying, and processing buildings shall be equipped with appropriately sized odor filtration systems to eliminate odor from cultivation operation.

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 permit shall submit revised documents to the FNSB Community Planning Department. If substantial modifications are made to these documents or to the operation of the marijuana cultivation establishment, 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 and of other ordinances and state statutes because it will conform to Title 18 requirements as a conditional use in the LI zone.

   a. The purpose of Title 18 will be met because the Fairbanks North Star Borough 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. 3 AAC 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 an onsite well and three 2,500 gal. tanks for water.
   b. The site is served by GHU Utility Services of Alaska. The building on TL-2015 (Building 2) is connected GHU Utility Services of Alaska and the building on the TL-2014 (Building 1) has a 1000 gallon underground septic holding tank. The buildings on TL-2017 (Building 3) and on TL-2018 (Buildings 4, 5 and 6) have a 500 gal. gray water tank for each structure.
   c. The site is served by University Fire Service Area for fire protection and rescue services and by Alaska State Troopers for law enforcement.
   d. The site is currently connected to the GVEA grid and will provide sufficient energy supply for indoor cultivation activities.
e. Fifteen employee parking spaces and a loading area have been provided on-site, which are adequate for the proposed conditional use.

f. The proposed cultivation facility is served by Arvilla Street and Peger Road. The proposed cultivation facility is not in a road service area. Traffic generated by the proposed use will have relatively little impact on Peger Road which is a minor collector type road.

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 (18.96.240) as well as state requirements for a commercial marijuana cultivation facility.

a. All employees will be required to have State of Alaska issued marijuana handler cards and will be trained in proper procedures to limit health and safety dangers.

b. Security systems, alarms, locks, and cameras will meet state regulations required to obtain a commercial marijuana cultivation license.

c. Any solid or liquid waste including marijuana plant waste will be disposed of according to state regulations.

d. Odor will be mitigated with appropriately sized odor filtration systems on each cultivation, drying, and processing building.

e. The noise generated from the cultivation buildings will be not negatively impact the neighborhood because the facility is located in a commercial and industrial neighborhood with other businesses having similar noise levels.

APPROVED

Closing Comments and Adjournment.

Audio: Track 4

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