

By: Public Works Department  
Adopted: August 28, 2017  
Yes: Burney, Dryden, Graham, Harvey, Ledford, O'Barr  
No: None  
Absent: None

**City of Wasilla  
Resolution Serial No. 17-26**

**A Resolution Of The Wasilla City Council Recommending That The Matanuska-Susitna Borough Planning Commission Deny The Conditional Use Permit Application For The Operation Of A Marijuana Cultivation Facility Located At 2301 S. Knik-Goose Bay, Suite 1, Adjacent To The City Of Wasilla Boundary.**

WHEREAS, the City of Wasilla prohibits marijuana retail stores within the city limits in accordance with Wasilla Municipal Code 9.40.062; and

WHEREAS, in 2016 the City of Wasilla requested a minimum setback of 1,000 feet be established in Borough Code for the location of marijuana facilities from any city property; and

WHEREAS, the City of Wasilla prohibits marijuana facilities to protect the health, welfare and safety of Wasilla city residents and businesses as outlined in the City Comprehensive Plan and Title 16, Land Development Code; and

WHEREAS, the proposed marijuana cultivation facility located at 2301 S. Knik-Goose Bay Road is in an area for possible annexation by the City of Wasilla; and

WHEREAS, the state license for the proposed marijuana cultivation facility will be void after 90 days of an annexation in accordance with the Alaska Administrative Code 3 AAC 306.250.

NOW THEREFORE BE IT RESOLVED, the Wasilla City Council recommends denial of the Borough Conditional Use Permit Application for the operation of a marijuana cultivation facility located at 2301 S. Kink-Goose Bay Road, Suite 1, and any other marijuana facilities located within 1,000 feet of any city property.

ADOPTED by the Wasilla City Council on August 28, 2017.

  
BERT L. COTTLE, Mayor

ATTEST:

  
JAMIE NEWMAN, MMC, City Clerk





[SEAL]

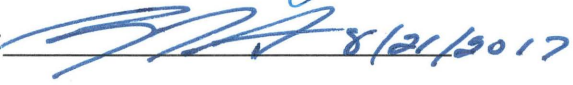
**CITY COUNCIL LEGISLATION STAFF REPORT**

**Resolution Serial No. 17-26: Recommending That The Matanuska-Susitna Borough Planning Commission Deny The Conditional Use Permit Application For The Operation Of A Marijuana Cultivation Facility Located At 2301 S. Knik-Goose Bay Road, Suite 1, Adjacent To The City Of Wasilla Boundary.**

Originator: Administration  
 Date: August 16, 2017

Agenda of: August 28, 2017

Route to:	Department Head	Signature	Date
X	Public Works Director		8/16/17
X	Finance Director		8/14/17
X	Deputy Administrator		8/21/17
X	City Clerk		8/21/17

Reviewed by Mayor Bert L. Cottle:  8/21/2017

**Fiscal Impact:**  yes or  no

**Account name/number:**

**Attachments:** Borough Conditional Use Permit Application and Map (4 pages)  
 Resolution Serial No. 17-26 (2 pages)

**Summary Statement:** The administration received notification of a Borough Conditional Use permit application for a Marijuana Cultivation Facility located at 2301 S. Knik-Goose Bay Road next to the city boundary of Wasilla. The Borough Planning Commission will conduct a public hearing concerning the application on September 18, 2017. Resolution Serial No. 17-26 is proposed to provide comment by the City Council and Mayor against the proposed conditional use permit.

**Recommended Action:** Adopt resolution.



# MATANUSKA-SUSITNA BOROUGH

## Planning and Land Use Department Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645  
Phone (907) 861-7822 • Fax (907) 861-8158  
Email: [permitcenter@matsugov.us](mailto:permitcenter@matsugov.us)

### CONDITIONAL USE PERMIT FOR MARIJUANA RELATED FACILITIES – MSB 17.60

Carefully read instructions and applicable borough code. Fill out forms completely. Attach information as needed. Incomplete applications will not be processed.

**Application fee must be attached:**

- \$1,000 for Marijuana Retail Facility
- \$1,000 for Marijuana Cultivation Facility

Prior to the public hearing, the applicant must also pay the mailing and advertising fees associated with the application. Applicants will be provided with a statement of advertising and mailing charges. Payment must be made prior to the application presentation before the Borough Planning Commission.

**Required Attachments for a Marijuana Cultivation Facility:**

- Wastewater and Waste Material Disposal Plan – 17.60.160 (A)
- Odor Mitigation and Ventilation Plan – 17.60.160 (B)
- Hazardous Chemicals Information – 17.60.160 (C)
- Security plan – 17.60.160 (D)

Matanuska - Susitna Borough  
Development Services

MAY 10 2017

Received

**Required Attachments for Both Retail and Cultivation Facilities:**

- Documentation demonstrating full compliance with applicable fire code – 17.60.150 (D) (2)

**Subject Property:** Township: E 1/2, Range: 5W 1/4, Section: SE 1/4, Meridian: SE 1/4  
 MSB Tax ID# 40087/17N01W17/1005000L00W-1  
 SUBDIVISION: Blissard Survey BLOCK(S): \_\_\_\_\_ LOT(S): W-1  
 STREET ADDRESS: 2301 S Kirk-Goose Bay Rd, Ste 1  
 FACILITY / BUSINESS NAME: Green Degree

**Ownership:** A written authorization by the owner must be attached for an agent or contact person, if the owner is using one for the application. Is authorization attached?  Yes  No  N/A

**Name of Property Owner**

Andrea E Kretschek  
 Mailing: 189 E Nelson Ave #265  
Wasilla AK 99654  
 Phone: Hm 907-310-0801 Fax \_\_\_\_\_  
 Wk 310-0801 Cell 310-0801  
 E-mail annie@kretschek.com

**Name of Agent / Contact for application**

Kerby Coman  
 Mailing: 4426 E Curtis dr.  
Wasilla AK 99654  
 Phone: Hm 884-3153 Fax \_\_\_\_\_  
 Wk 376-3155 Cell 884-3153  
 E-mail greendegree420@yahoo.com

<b>Site Plan – Attach a detailed, to scale, site plan clearly showing the following information:</b>	<b>Attached</b>
Proposed and existing structure(s) on the site. Indicate which structure(s) will be used for the proposed use. Dimensions and locations of all existing and proposed structures on the site in relationship to all property lines.	✓
Signage – Existing and Proposed.	✓
Location and dimensions for all access points to and from the site to public rights-of-way or public access easements.	✓
Buffering – Fences, vegetation, topography, berms, and any landscaping	✓
Drainage	✓
Vehicular and pedestrian circulation patterns.	✓
Exterior site lighting.	✓
Location and dimensions of parking areas to be provided	✓
Scale and north arrow using standard engineering intervals such as 1" = 30', 1" = 50' or similar as required by project size.	✓

<b>Map – Attach a detailed, to scale, vicinity map clearly showing the following information:</b>	<b>Attached</b>
Identify all existing land uses within 1,000 feet.	✓
Scale and north arrow using standard engineering intervals such as 1" = 30', 1" = 50' or similar as required by project size.	✓

<b>In order to grant a conditional use permit under MSB 17.60, the Planning Commission must find that each of the following requirements have been met. Explain the following in detail:</b>	<b>Attached</b>
Is the conditional use compatible with and will it preserve or not materially detract from the value, character and integrity of the surrounding area?	✓
Will the granting of the conditional use permit be harmful to the public health, safety, convenience and welfare?	✓
Are sufficient setbacks, lot area, buffers and other safeguards being provided?	✓
Does the conditional use fulfill all other requirements of MSB Chapter 17.60 pertaining to the conditional use in this section?	✓
Describe measures taken to prevent any potential negative effect upon other properties in the area due to such factors as noise and odor.	✓
Describe measures taken to reduce negative effects upon adjacent properties by: <ul style="list-style-type: none"> <li>• Increased property line and right-of-way buffers</li> <li>• Planted berms and landscaping</li> <li>• Site and building design features which contribute to the character of the surrounding area</li> </ul>	✓
Describe how this use is compatible with the character of the surrounding area.	✓
Current status of State License application process – 17.60.150 (D) (1)	✓

<b>17.60.170 Standards for Marijuana Retail Facilities:</b>	<b>Attached</b>
Describe how the subject parcel is appropriate for the proposed conditional use. Include information detailing: <ul style="list-style-type: none"> <li>• The proximity of the proposed use to existing businesses;</li> <li>• The proximity of parcels developed with residential uses; and</li> <li>• Whether the roads associated with the proposed use have been, or will be, appropriate for commercial use.</li> </ul>	N/A
Provide information showing minimum parking standards have been met as required by MSB 17.60.170 (B) and (C).	N/A

<b>Floor Plan for Marijuana Retail Facilities – Attach a detailed, to scale, floor plan clearly showing the following information:</b>	<b>Attached</b>
Dimensions of all structures.	N/A
Interior floor plans (specific location of the use or uses to be made of the development).	N/A
Net floor area square footage calculations.	N/A

**OWNER'S STATEMENT:** I am owner of the following property:

MSB Tax account #(s) 1005000200W-1 and, I hereby apply for approval of a conditional use permit to operate a marijuana related facility on the property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.60 and with all other applicable borough, state and federal laws.

I understand that other rules such as local, state and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorization may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public's health, safety and welfare and ensure the compatibility of the use with other adjacent uses.

I understand that it is my responsibility to identify and comply with all applicable rules and conditions, covenants, plat notes, and deed restrictions, including changes that may occur in such requirements.

I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, and at other times necessary to monitor compliance.

The information submitted in this application is accurate and complete to the best of my knowledge.

Andrew E. Kretschek      Andrew E. Kretschek      10/26/16  
Signature: Property Owner      Printed Name      Date

Kerby Coman      Kerby Coman      10-26-16  
Signature: Agent      Printed Name      Date





# Matanuska-Susitna Borough Land Information Parcel Report



Selected parcel highlighted

**Account ID:** 1005000L00W-1

**Owner(s):** KRETSCHKEK ANDREA E

**General Owner:** PRIVATE

**Legal Description:** BLISSARD SRVY

LOT W-1



Parcel location within Matanuska-Susitna Borough