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DATE: November 16, 2016

TO: Planning Commission

FROM: Eric Feldt, Planner II, AICP, CFM
Community Development Department

FILE NO.: USE2016 0026

PROPOSAL: A Conditional Use permit for a marijuana retail use along Front Street in downtown Juneau.

A handwritten signature in black ink, appearing to be "ERF", located to the right of the "FROM:" field.

GENERAL INFORMATION

Applicant: Fireweed Factory LLC

Property Owner: Fireweed Factory LLC

Property Address: 237 Front Street

Legal Description: Lot 3 Block 81 Tidelands Addition

Parcel Code Number: 1-C07-0-K81-003-0

Site Size: 202 square feet

Comprehensive Plan Future Land Use Designation: Traditional Town Center (TTC)

Zoning: Mixed Use (MU)

Utilities: Public Water & Sewer

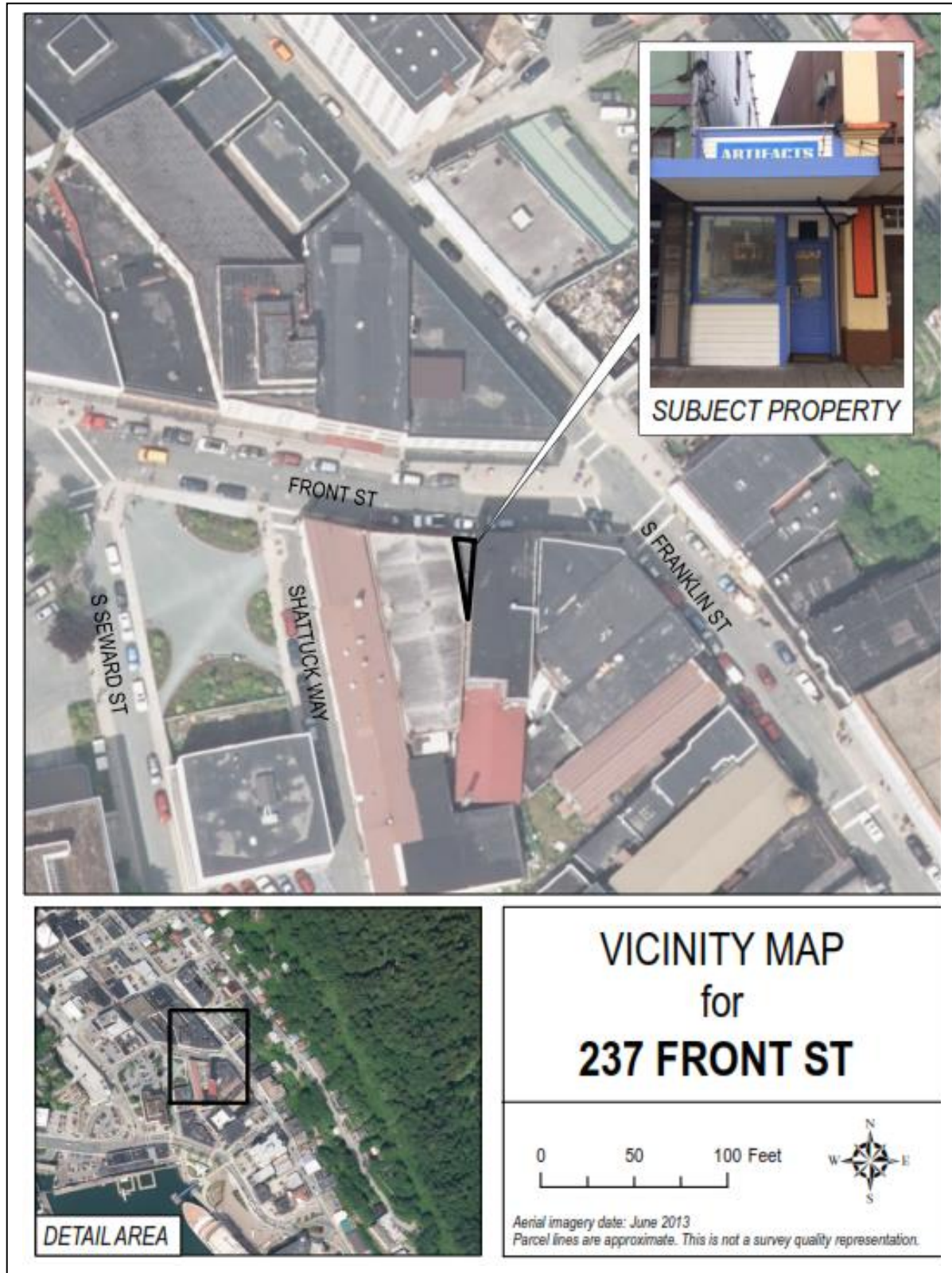
Access: Front Street

Existing Land Use: Jewelry Store

Surrounding Land Use:

- North - Retail, MU, Front Street & N. Franklin Street
- South - Retail, MU, Shattuck Way
- East - Restaurant, MU, Front Street
- West - Retail, MU, Front Street

Vicinity Map



ATTACHMENTS

- Attachment A - Conditional Use Permit Application
- Attachment B - Development Permit Application
- Attachment C - Project Narrative
- Attachment D - Plat
- Attachment E - Floor Plan
- Attachment F - Public Notice

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit for a new marijuana retail establishment at 237 Front Street in downtown Juneau. The applicant's marijuana will originate from their permitted and licensed marijuana cultivation establishment near the Juneau International Airport. The applicant may obtain marijuana from other legal sources for the retail store, if desired. On-site consumption of marijuana is not part of the retail use.

BACKGROUND

In late 2015, the CBJ Assembly established permitting regulations and processes for recreational use marijuana and categorized it into four different land uses: 1) Cultivation; 2) Product Manufacturing; 3) Testing; and 4) Retail.

Per City & Borough of Juneau §49.65.1205, all marijuana land uses require applicants to obtain the following three items:

- 1) An approved Conditional Use from the CBJ Planning Commission.
- 2) A license issued from the CBJ.
- 3) A License issued from the State of Alaska.

The applicant must obtain an approved Conditional Use permit and State license before receiving a license from the CBJ.

Earlier this year, the applicant gained an approved State license (No. 10266) and CBJ Conditional Use permit (USE2016-0017) for a marijuana cultivation establishment along Airport Boulevard near the Juneau International Airport. However, the applicant has not yet received an issued marijuana license from the CBJ.

Currently, the applicant has submitted documents to the State to obtain a license for the subject retail site. The State license is currently active.

Pursuant to §49.15.330, the applicant attended a required Pre-Application Conference with CBJ staff on September 28, 2016 to discuss applicable regulations and permit processes for the subject Conditional Use permit.

ANALYSIS

As stated earlier, the applicant must first receive an approved Conditional Use permit prior to obtaining a license issued by the CBJ. Sections 49.15.330 and 49.65.1245 set forth the required submittals and findings for a Conditional Use permit for a marijuana use. Compliance with section 49.15.330 is discussed under 'Findings' and section 49.65.1245 is provided below.

§49.65.1245 - Marijuana establishment conditional use permits.

(a) In addition to the permit application and supporting materials required by CBJ [49.15.330\(c\)](#), an applicant for a conditional use permit for a marijuana establishment must submit the following additional materials:

(1) A site plan of all buildings on the property where the marijuana use will be located, including, but not limited to: A floor plan showing how the floor space is or will be used to include, but not limited to, restricted access areas and the total floor area of the building(s);

The applicant has provided a floor plan indicating a total interior space of 157 square feet. This space consists of retail area, sales counter, secured recording equipment and storage area, and restroom facility. Marijuana will be located in the recessed product display, storage, and retail areas. The floor plan also shows where lighting, surveillance cameras, and an air filter will be located.

(2) A security plan indicating how the applicant will comply with the requirements imposed by state law;

The applicant's security plan is provided in the narrative, under 'Safety and Security' pages 5 & 6. In summary, the applicant will utilize staff training objectives, restrict public access points, and utilize a video security system with an IP off-site viewing and recording capabilities and video management software. The applicant indicates that the security systems used will fulfill applicable State of Alaska regulations No.s 3 ACC 306.715 and 3 ACC 306.720.

(3) A waste disposal plan indicating how the applicant will comply with the requirements imposed by state law;

The applicant's waste disposal plan is provided in the narrative at the bottom of page 4. In summary, the applicant will comply with State of Alaska regulations AS 3AAC 306.730 and 306.740. Waste at the retail site will be inventoried per State law and transported to the CBJ land fill.

(4) A screening plan illustrating the applicants compliance with AS 17.38.070 making it unlawful to display marijuana or marijuana products in a manner that is visible to the general public from a public right-of-way;

The applicant's screening plan is stated in the narrative on page 3. The retail establishment has two windows, one in the front along Front Street and one along the side of the building. The front window will consist of opaque security glass. No marijuana product will be visible through the side window, and thus, it will not be covered.

(5) If the establishment is to be served by a private septic system, certification from a registered, qualified engineer licensed by the State of Alaska that the system has adequate capacity for the proposed use, or will with improvements;

This is addressed in the applicant's narrative on page 3. The site has access to CBJ sewer but no water. To gain water service, the applicant could install a new water line for the new bathroom. However, in 2018, the CBJ will replace the utilities along Front Street which includes a new water line to the subject retail business. The applicant will wait until 2018 to have access to a permanent water service line. Until then, the applicant is permitted to install a temporary hot water portable hand washing sink and incinerator toilet. An email from the CBJ Building Code Official provided in Attachment C indicates acceptance of the use of temporary bathroom facilities.

(6) Marijuana cultivation facility license applicants must provide a ventilation and filtration plan describing the systems that will be used to ensure compliance with CBJ [49.65.1260](#) and whether the applicant intends on using carbon dioxide. The applicant shall specify if carbon dioxide enrichment will be used in cultivation and by what means the carbon dioxide will be produced. Plans should indicate the storage area for fuels used to produce carbon dioxide;

Not Applicable. This proposal is for a marijuana retail use.

(7) Marijuana product manufacturing facility license applicants, marijuana cultivation facility license applicants, and marijuana testing facility license applicants must specify

all means to be used for cultivating, growing, extracting, heating, washing or otherwise changing the form of the marijuana plant, along with proposed ventilation and safety measures to be implemented for each process;

Not Applicable. This proposal is for a marijuana retail use.

(8) Marijuana cultivation facility license applicants and marijuana product manufacturing facility license applicants must specify the methods to be used to prevent the growth of harmful mold and compliance with limitations on discharge into the wastewater system; and

Not Applicable. This proposal is for a marijuana retail use.

(9) Any additional documentation determined by the director to be necessary for the commission to make a decision whether to approve or deny the permit, or approve with conditions, to ensure compliance with this chapter or CBJ [49.15.330\(f\)](#).

None.

Project Site

The project is inside a very small wedge-shaped building located between the Imperial Bar and Ben Franklin store on the south side of Front Street. The interior space is 158 square feet.

Project Design

The project design is provided in the attached narrative and floor plan. The business will have a retail display area, employee counter spaces, product storage and preparation area, and a restroom.

Vehicular and Pedestrian Traffic

Since marijuana retail is a new use to the community, there will likely be a high demand for the product. The applicant will have a greeter to ensure that lines do not form and block the sidewalk. The traffic levels in the area are not expected to significantly increase with the change of the type of retail use. Although, the opening of the store may have a short-term rush customers, the local streets can accommodate additional traffic levels.

Parking and Circulation

The property is located in the PD-1 parking district where no parking is required for internal-only improvements, such as the subject proposal. Therefore, no additional parking required is required.

Noise

No additional noise levels are expected with the proposed use. Noise levels along Front Street

are typical of a downtown shopping street with a mix of retail, restaurants and bars, and housing.

Public Health or Safety

Although the proposed use is retail in nature and is adjacent to other retail uses, the retail product can be dangerous if consumed improperly. State law requires the installation of signage inside the business to inform customers about its use and affects to health. This signage is discussed in detail further in the memo under 'Required Signage and Display of Documents'.

Further, with the legalization of marijuana and the introduction of businesses selling marijuana for general consumption for the first time, some retail stores may experience a high volume of business. To ensure public safety for those entering and exiting the business and the general site, the applicant will have a greeter at the site to check identification, control the number of people entering the store, and general security. Using a greeter will ensure that those under the age of 21 do not enter the retail establishment and customers do not block the public sidewalk.

Habitat

No habitat regulated under Title 49 will be impacted by this project.

Property Value or Neighborhood Harmony

The site is located in the core of downtown where diverse uses exist, such as bars, restaurants, apartments, retail, and various public services. Operating under the restrictions of the CBJ and State, the proposed marijuana retail use is not expected to decrease property value or negatively affect neighborhood harmony.

Hours of Operation

The hours of marijuana operations are restricted per §49.65.1250, which states that marijuana may not be distributed, sold, or dispensed at marijuana licensed premises between the hours of 1:00 am and 8:00 am Monday through Sunday. The applicant's narrative indicates that their hours of operation will be between 10:00 am and 7:00 pm, seven days a week, except during special events and seasonal demand. These hours comply with §49.65.1250. Staff finds that if the subject Conditional Use permit is approved, the applicant's hours of operation shall be permissible to the fullest extent under §49.65.1250 because the site is located in the core of downtown area where late-night business operations currently occur.

Required Signage and Display of Documents

Per §49.65.1255, the applicant shall display two warning signs and the CBJ marijuana establishment license inside the store in a conspicuous place. Compliance with §49.65.1255 will be addressed during building permit review. CBJ will issue these signs if the Conditional Use permit is approved and CBJ license is issued.

Required Odor and Ventilation System

Per §49.65.1260, all marijuana establishments shall utilize a system which prohibits the detection of noxious odors from outside the licensed premises. The applicant will provide a recycled air filtration system. A ceiling ventilation system will be installed in the retail area, as indicated in the floor plan. This system pulls air in, sends it through a carbon filter, and then sends the filtered air back into the retail area. This will ensure that the inside air is filtered and kept inside.

Also, the applicant's narrative states that the business will have a greeter stationed at the entrance to check identification, ensure queuing on the sidewalk doesn't occur, and control overall the entering of customers. By use of the greeter, air from inside will be controlled by ensuring the door is not left open.

Conditions of Marijuana Establishments

Pursuant to §49.65.1245 (b-e), the commission may impose conditions to any marijuana establishments to ensure compliance with applicable laws, to mitigate impacts to adjacent residences, and ensure consistency between CBJ issued permits and State licenses. The following conditions are standard for any marijuana establishment:

(b) If a licensee desires to modify the licensed premises by changes to equipment, increased use, such as in accordance with an approved state license endorsement, or any approved plan, an amendment to the original application and required fee shall be submitted for review and approval.

(c) In addition to any conditions imposed under CBJ [49.15.330](#)(g), the commission may impose any conditions necessary to ensure compliance with this chapter or state law or designed to mitigate impacts of the development on surrounding residences.

(d) The commission shall impose as a condition of any permit issued by the commission under this title a requirement that the applicant submit a complete copy of the applicant's approved state license application to the department for review prior to operating. If the director determines there are substantive inconsistencies between the state license application and the conditional use permit application, the commission shall review the development for consistency with this title.

(e) Conditional use permits issued to marijuana establishments under this chapter shall be subject to review by the commission every five years from the date of issuance. Such review shall be subject to CBJ [49.15.330](#) except that the commission may only amend or add conditions if necessary to ensure compliance with this title. If an appeal challenging the amendments to a conditional use permit is filed, the new conditions shall be stayed and the existing permit shall govern the operations of the

marijuana establishment until the conclusion of the appeal. The scope of review on appeal is restricted solely to the amended conditions.

Conformity with Adopted Plans

Comprehensive Plan

The CBJ 2013 Comprehensive Plan provides a 20-year visionary outlook of how the community should grow or be preserved for the future. Neighborhoods are broken into land use designations which guide density levels and sets forth recommended land uses. The commercial area of downtown is designated Traditional Town Center (TTC), as shown on Map M on page 163. In summary, the TTC is designated for an area appropriate for high density housing, major employment centers, mix of retail and residential developments. Pages 184–186 provide policies pertaining to the downtown area; the following are germane to the project:

SUBAREA POLICIES: MAP ‘M’ POLICIES

POLICY 10. Promote mixed uses downtown. Encourage small-scale neighborhood-serving retail and personal service businesses and increased multifamily development within the urban center. Encourage housing over ground-floor retail space, Single-Room-Occupancy (SRO) dwellings and/or loft-style housing in downtown. [Page 185]

POLICY 19. When considering applications for building permits for commercial uses within the downtown Juneau area, consider the potential noise impacts of mechanical equipment or patrons on adjacent residential uses. It may be appropriate to establish a noise ordinance for the downtown Juneau subarea where case-by-case analysis, conditions of permits and enforcement activities are not practical to solve noise problems. [Page 187]

General Comprehensive Plan Policies

Policy 5.1 To develop and sustain a diverse economy, providing opportunities for employment for all residents. [Page 44]

Policy 5.18 To encourage and support entrepreneurship and innovation in the economy of Juneau and Southeast Alaska. [Page 64]

Policy 5.20 To encourage residents and businesses to “Look Local First” for purchases of goods and services. [Page 66]

Historic District

The site is located in the Juneau Downtown Historic District where the 1981 Downtown Historic District Development Plan and 2009 Downtown Historic District Design Standards and Guidelines apply to ensure continued historic integrity. These two plans primarily influence exterior elements of buildings. The exterior of the building will be altered by the applicant by 1) replacing the existing door, and 2) replacing the large display window. The existing door needs to be replaced. Unlike the existing door, the new door will not have a window due to security purposes. The new display window will be backed with a frosted, opaque plexiglass to prevent views of marijuana product from outside, as consistent with State law. Detailed drawings of the new door have not been prepared by the applicant at this time. If the subject Conditional Use permit is approved, the applicant will submit drawings of the door to the Historic Resources Advisory Committee (HRAC) during the building permit process. At which time, staff will ensure the new door complies with applicable standards of the two aforementioned historic plans and standards.

Also, the applicant intends to have commercial signage for the proposed retail use. New signage will comply with §49.45.260 *Historic district sign standards*. Although the applicant has not filed a Sign permit for review at this time, the Floor Plan shows a profile view of the façade containing the lettering “The FIREWEED FACTORY”. The applicant states that this is a placeholder and is not proposed. Nevertheless, a complete review of any signage for this site will be done once the applicant applies for a sign permit.

Economic Development Plan

The goal of this Plan is to ensure Juneau’s future continues increased economic resiliency and prosperity. Of the Plan’s seven initiatives, ‘Revitalizing Downtown’ is most germane to the proposal. Although this priority does not speak specifically to retail or marijuana businesses, the proposal results in continued economic use of downtown store space, continued property and sale tax growth, and activity in the downtown. This furthers efforts towards downtown revitalization.

Staff finds the proposed marijuana retail use is consistent with the policies and land use designation of the Comprehensive Plan, Downtown Historic Plans, and Economic Development Plan.

FINDINGS

CBJ §49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
 2. Whether the proposed use is appropriate according to the Table of Permissible Uses;
- and,

3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ § 49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area; or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ §49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested conditional use permit complete?

Yes. Staff finds the application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

2. Is the proposed use appropriate according to the Table of Permissible Uses?

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 2.300 for the Mixed Use zoning district.

3. Will the proposed development comply with the other requirements of this chapter?

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the November 18 and 28 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

Furthermore, the proposed development complies with §49.65.1245 *Marijuana establishments conditional use permits*.

4. Will the proposed development materially endanger the public health or safety?

No. With staff's recommended conditions and the subsequent building permit review process, the public health and safety will not be materially endangered.

5. Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?

No. With staff's recommended conditions, the approval of the subject permit will not be out of harmony with property in the neighboring area.

6. Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

Yes. The proposal is consistent with the policies and land use designation of the Comprehensive Plan, consistent with the Downtown Historic Plan and Economic Plan, and complies with the Land Use Code, Title 49.

Per CBJ §49.70.900 (b)(3), General Provisions, the Director makes the following Juneau Coastal Management Program consistency determination:

7. Will the proposed development comply with the Juneau Coastal Management Program?

N/A. No elements of the project are affected by the Juneau Coastal Management Program.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a marijuana retail business in downtown Juneau. The approval is subject to the following conditions:

1. Prior to issuing Certificate of Occupancy, the applicant shall submit to CDD a state of Alaska license that permits the use of marijuana retail at the subject site that matches subject plans and operations described in the subject Conditional Use permit.
2. The applicant shall ensure that no obstruction onto a public right-of-way is created by the business.
3. Prior to issuance of a building permit, the applicant shall submit detailed drawings of the proposed door to ensure retention of the building's historic integrity.

TO BE COMPLETED BY THE APPLICANT

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

9.28.16

DEVELOPMENT PERMIT APPLICATION

Project Number <i>USE 16-26</i>	CITY and BOROUGH of JUNEAU	Date Received: <i>9/28/16</i>
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION	Project Description <i>Cannabis retail store</i>		
	PROPERTY LOCATION		
	Street Address <i>237 Front St.</i>	City/Zip <i>Juneau, AK 99801</i>	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) <i>Lot 3 Block 81 Tidelands Addition Plat 354 Juneau Recording District</i>		
	Assessor's Parcel Number(s) <i>1-C07-0-K81-003-0</i>		
	LANDOWNER/ LESSEE		
	Property Owner's Name <i>The Fireweed Factory LLC</i>	Contact Person: <i>Paul V. Disdier</i>	Work Phone: <i>907.957.2670</i>
	Mailing Address <i>8393 No. Douglas Juneau, AK 99801</i>	Home Phone: <i>907.586.6790</i>	Fax Number: <i>same</i>
	E-mail Address <i>thefireweedfactory@gmail.com</i>	Other Contact Phone Number(s):	
	LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****		
<p>I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:</p> <p>A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.</p> <p>B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.</p> <p><i>XX</i> <i>Paul V. Disdier</i> <i>9/28/16</i> Landowner/Lessee Signature Date</p> <p><i>X</i> _____ Landowner/Lessee Signature Date</p> <p>NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.</p>			
APPLICANT If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name <i>same</i>	Contact Person:	Work Phone:	
Mailing Address	Home Phone:	Fax Number:	
E-mail Address	Other Contact Phone Number(s):		
<p><i>XX</i> <i>Paul V. Disdier</i> <i>9/28/16</i> Applicant's Signature Date of Application</p>			

OFFICE USE ONLY BELOW THIS LINE

STAFF APPROVALS	<input checked="" type="checkbox"/>	Permit Type	**SIGN	Date Received	Application Number(s)
		Building/Grading Permit			
		City/State Project Review and City Land Action			
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
		Mining Case (Small, Large, Rural, Extraction, Exploration)			
		Sign Approval (If more than one, fill in all applicable permit #'s)			
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
	<input checked="" type="checkbox"/>	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			<i>USE 2016 0026</i>
		Variance Case (De Minimis and all other Variance case types)			
		Wetlands Permits			
	Zone Change Application				
	Other (Describe)				
Comments:					Permit Intake Initials <i>JKL</i>

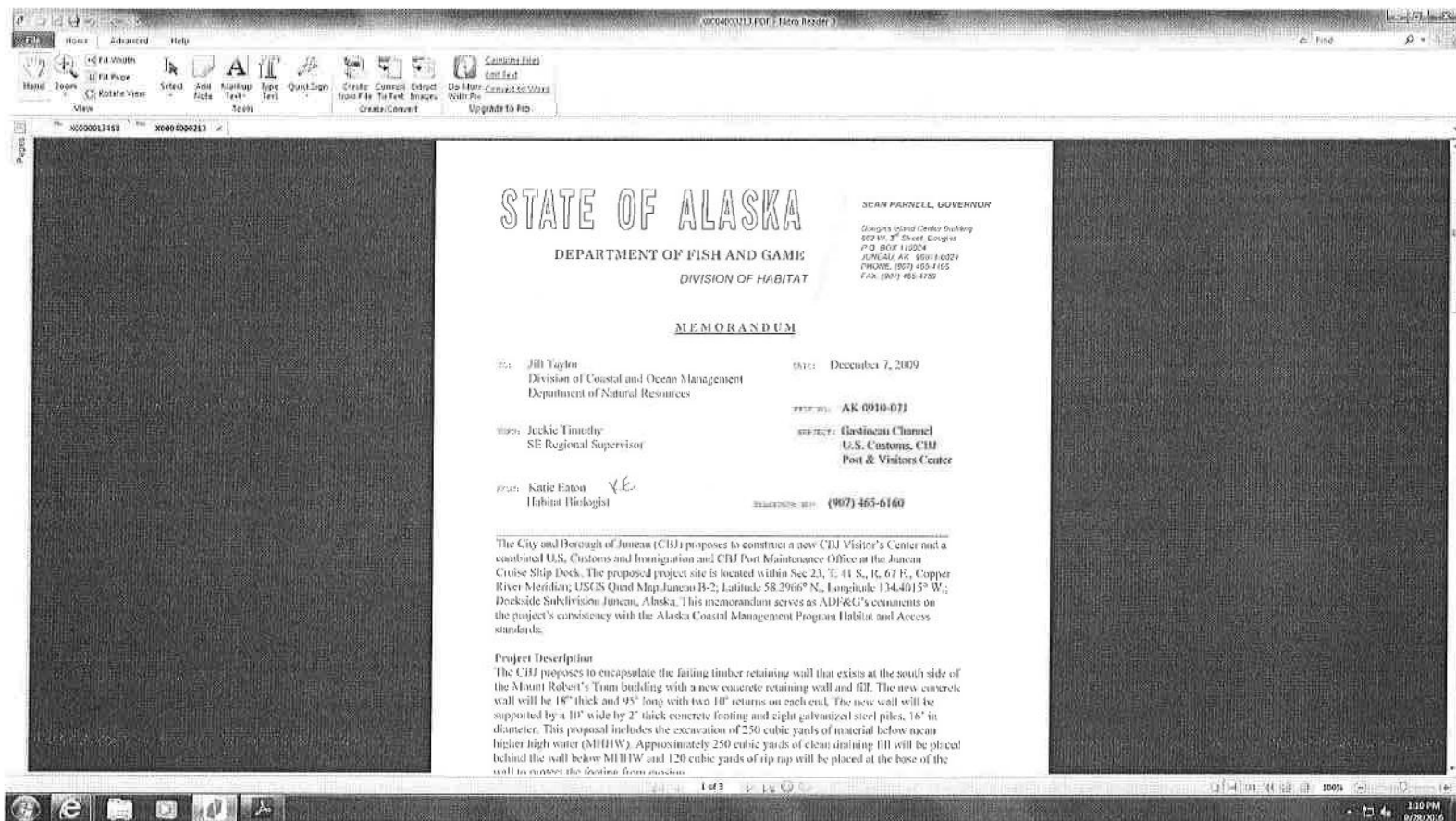
***Public Notice Sign Form filled out and in the file.

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

I:\FORMS\2010 Applications

Attachment B

Revised November 2009



CBJ Conditional Use Permit Application

Cannabis Retail Store

September 2016

The Fireweed Factory

8393 No. Douglas

Juneau, Alaska 99801

Narrative

Contents:

Applicant business structure

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Property location and history

Property development

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Safety and Security

Summary

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Historic photograph

Copy of Deed

Site plan

Floor plan

CBJ Public Notice Phase I Downtown Street Improvements

CBJ bathroom approval

DEC bathroom approval

Bathroom fixtures

Applicant business structure

The Fireweed Factory is a LLC licensed in the State of Alaska. As a manager/owner company some members will oversee its operation or be employees. The Fireweed Factory LLC is being operated as a vertically integrated company that incorporates the "seed to sale" business model.

The company applied and was approved for a standard cultivation license (#10266) by the State of Alaska Alcohol and Marijuana Control Board in July 2016. The status of this license is "active" and granted for the development phase our business. The start of any actual cannabis product delivery must wait until all CBJ and State license requirements are met.

We have also applied for our State retail license and our status with the AMCO office is currently under review. The AMCO board will next meet in late October to consider our retail application.

Property Ownership

The Fireweed Factory LLC purchased property located at 237 Front Street in downtown Juneau in August 2016 for a proposed retail cannabis store. The lot measures 202 square feet and the building's interior space measures about 158 square feet.

(See deed attachment.)

Property location and history

The existing single story building proposed for our retail store is located on Lot 3 Block 81 Plat 543 Juneau Recording District and is within the allowed mixed-use commercial zone for cannabis premises. The property is wedged between the Imperial Bar and the Ben Franklin store.

The history of this building reveals that it was built about 1900 and through time housed a variety of businesses. Currently it serves as a artisan jewelry retail store. An historic photograph of the site shows a large advertising sign erected on it for the Winter and Pond Photography Shop next door.

(See historic photo and plat attachment.)

Property development

The interior is in good finished condition and will take very little alteration to serve our purpose. No structural changes need to be made. Only two non-load bearing walls will be built to create a secure storage room and a unisex employee bathroom. A new roof was completed this summer. We do not intend on applying for an on-site consumption endorsement from the AMCO board at this location.

Noise will be minimal and in keeping with other retail development and operations.

We will install a charcoal filter to control odor as per CBJ Ordinance 2015-38 and replace the filters annually or to manufacturer's recommendation.

(See attachments for building floor plan.)

The building was provided with a sewer line to the property in the 1980s, but for some reason, no water line. CBJ has plans to upgrade the utilities in the downtown area along Front Street in 2018. We will temporarily install a hot water portable hand washing sink and incinerator toilet for use by our employees to meet the AMCO requirements. Both of these fixtures are approved for similar operations with UL, CSA and NSF Standards being met. We have sought approval for the bathroom fixtures and have received a State DEC Food Safety & Sanitation Permit #113010949 and notification from the CBJ building department indicating its intent to approve them for use. The proposed bathroom space is currently used for storage.

(See CBJ Public Notice Phase I Downtown Street Improvements, DEC and CBJ approval attachments)

Because we will have only two employees at any one time and the bathroom space is prohibitively small with no structurally reasonable possibility for enlargement, the accessible standards set by International Building Code and the 2010 ADA Title 1 do not apply to the bathroom area. Signs encouraging employees to frequently wash their hands will be displayed.

The large front window will be covered with 3M window security film and backed by an opaque panel. The small side window by the front door is angled so no cannabis product would be visible from the public right of way. The store greeter will be stationed at this window to observe the entrance and to check ID of customers as they prepare to enter.

Along with the required signs, there will be three business signs on the building exterior: one on the front window, one small hanging sign under the sidewalk canopy and one large sign mounted on the building above the canopy. All signage will conform to CBJ 49.45 regulations and State regulations.

Business operations

Our hours of operation will typically be from 10 am to 7 pm seven days a week except for special events and seasonal demand.

We will only be stocking prepackaged cannabis products from our cultivation facility or prepackaged manufactured products made with our cannabis from other licensed vendors. Packaging and testing will meet the State regulations. Any deliveries to the store will occur during normal business hours. Limited non-cannabis items will be sold in the store.

Cannabis products will be displayed daily in the restricted area behind the sales counter and removed at the end of the business day to be placed in a safe within the restricted and locked storage room.

We plan to hire at least two full time employees. One will be a greeter stationed inside at the front door to check ID to make sure no one under 21 years of age or impaired enters. The greeter will control the number and flow of customers into the store. They will also make sure crowds do not form at the front door and the public right-of-way is not obstructed. Another employee will always be in the restricted sales area behind the counter.

All marijuana handlers in the store will be licensed per State regulation 3 ACC 306.425. Employees will be required to attend site-specific training sessions on safety and security before employment starts. A current list of permit handlers will be kept on-site along with a copy of their State handler's certificate and card expiration dates. The company Employee Manual (required reading of all employees) will emphasize the criminal penalties for diversion any cannabis products.

Limited cannabis waste will be generated from the store as all our cannabis products will be prepackaged. The mandatory three day notification for cannabis waste disposal to the State AMCO office under AS 3AAC 306.730 and 306.740 will be followed. The waste will be disposed of according to these regulations. After entering into the inventory tracking system and notification to the AMCO board, unsalable cannabis product will be taken to our cultivation facility, made unusable, locked in our warehouse dumpster and disposed of in the CBJ landfill or offered to the Juneau Community Garden for composting.

Liquid waste will be also taken to our cultivation facility in sealed containers and disposed into the CBJ sewage system.

All required records pertaining to business transactions and procedures including inventory tracking, taxes, security, employee records, sales and visitor log will be stored on-site. Back-up records will be stored off-site.

All interior and exterior required postings of signs and licenses will be complied with.

.Additional diversion of product methods are:

- Signs alerting the public of the security measures will be installed.
- Daily inventory control via the State required inventory tracking system (METRC) performed with an owner/manager and employee present.
- A point of sale system (probably Greenbits) that is compatible with the State inventory tracking system will provide a secure sales/inventory.
- Verifying that METRC tags appear on all products and plants from seed to sale.
- All cannabis products will be weighed on certified scales at the supplier and after received at the retail store.
- Transportation manifests will be logged into METRC at supplier locations and verified at the retail store site.
- Installation of security cameras that record 24/7 and are placed so all areas of the store inside and outside are visible.
- Real time monitoring of the security video recording by an owner/manager or employee via a smartphone or computer.
- Interior and exterior lighting adequate for clear video recording identification.
- Cannabis products will be removed from the display area at the end of the day and placed in the safe.
- Access to the retail safe will be limited to an owner/manager and a few authorized employees.
- No cannabis product will be given or traded to another individual, nor coupons issued.

Safety and security

Securing our store for the safety of our employees is a primary concern for our business. Employees will be trained in safe product handling as well as the security equipment and procedures of our retail store. Three areas of the retail store will be restricted to those without a visitor pass, a handler's permit or official permissions.

The one door to the premises will be a commercial grade metal door that will have a type one lock with deadbolt. The one door and two windows shall have alarms attached.

A company phone will be available for use by employees for emergency situations.

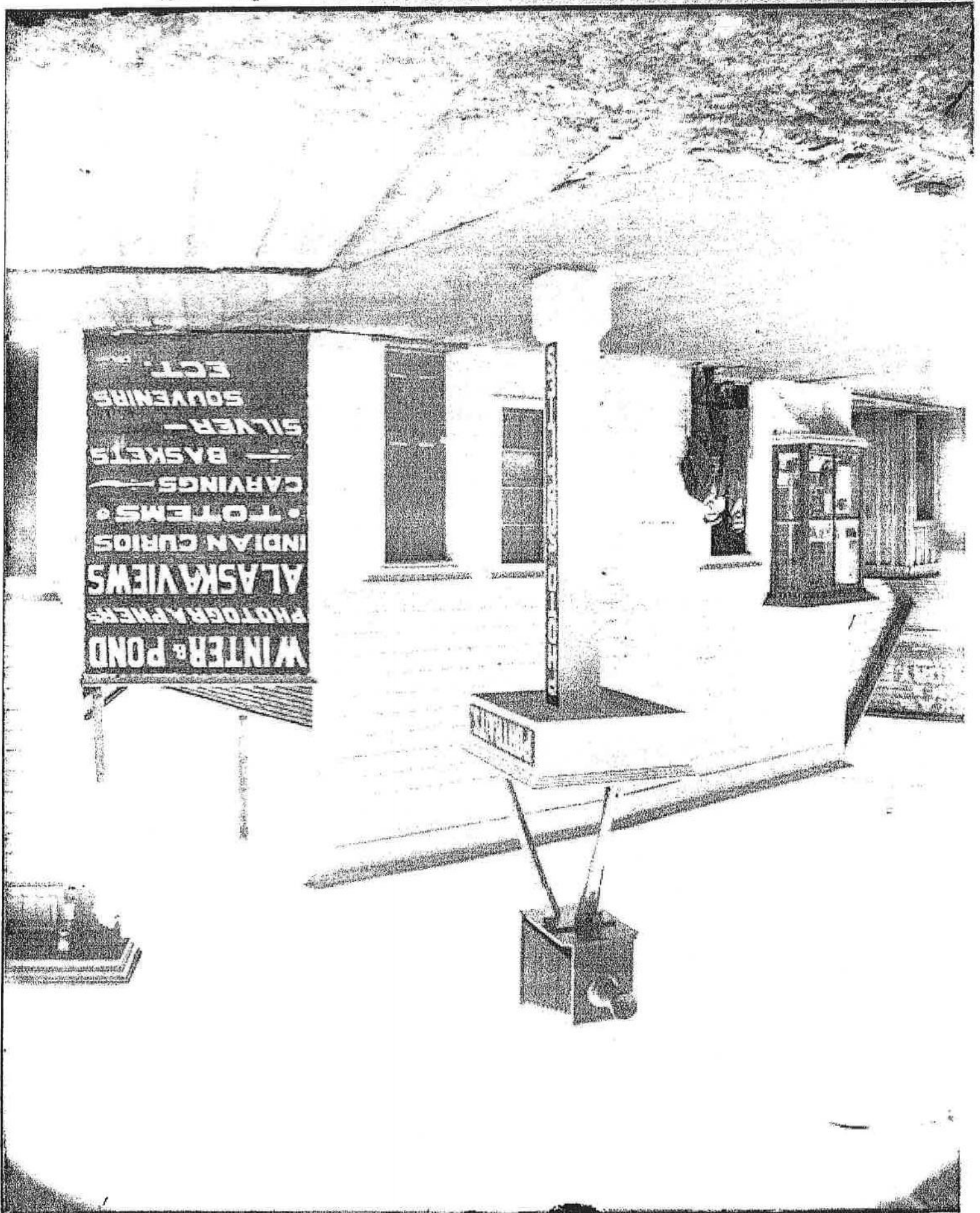
The building will have the most advanced security systems available, fulfilling State regulations 3 AAC 306.715 and 3 AAC 306.720. Camera systems will be IP based and will capture and transmit images over an IP network. IP video allows the user to view and record footage remotely from a smartphone or tablet. A manager or employee will monitor the opening and closing of the store remotely via smartphone or computer in real time.

Cameras will record in HD 1080p and have the ability to record in the infrared spectrum to provide detailed images even in total darkness. The cameras will also record in Wide Dynamic Range (WDR), which creates a clearer more identifiable image and ensures optimal image detail, along with facial recognition software. Surveillance cameras will be outfitted with vandal-proof enclosures. These enclosures help to minimize physical damage to the camera lens. For outside placement a weather-resistant enclosure will be used to prevent water damage. These cameras will be placed inside and out at all entrances to prevent robbery and catch detailed imagery in case an unauthorized person breaks into the buildings. Cameras will record 24 hours a day and have a battery backup system.

Video Management Software will be used in conjunction with a network video recorder to view, record and manage all cameras from a monitoring station or a remote device such as a smartphone or tablet. Downward facing motion detecting spotlights will be used at the entrance area. The alarm system will include multiple duress alarm access points, multiple panic alarm access points, digital dialer with cellular backup, and equipment failure notification alarm. Real-time monitoring of security systems will be provided by a professional security company. The main security monitoring equipment will be stored in the restricted storage area.

Summary

The primary goals of this retail operation will be to provide the highest quality, safe cannabis to the public while giving our employees a desirable and safe workplace. It is our desire to integrate this new product into the local market in a socially responsible way and help eliminate illegal sales.



Attachment C

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2016-003839-0

Recording Dist: 101 - Juneau

8/10/2016 10:45 AM Pages: 1 of 2



File for Record at Request of:

First American Title Insurance Company

AFTER RECORDING MAIL TO:

Name: **The Fireweed Factory LLC**

Address: **8313 N Douglas Hwy**

Juneau, AK 99801

File No.: **0231-2703982 (JV)**

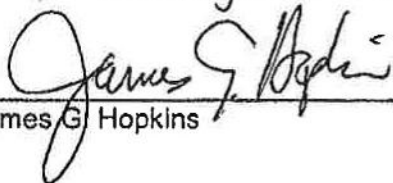
STATUTORY WARRANTY DEED

THE GRANTOR, **James G. Hopkins**, an unmarried person, whose mailing address is **5284 S Casa Prieto Drive, Juneau, AK 99801**, for and in consideration of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION**, in hand paid, conveys and warrants to **The Fireweed Factory, LLC**, residing at **8313 N Douglas Hwy, Juneau, AK 99801**, the following described real estate, situated in the **Juneau** Recording District, **FIRST** Judicial District, State of **Alaska**:

Lot 3, Block 81, TIDELANDS ADDITION TO THE JUNEAU TOWNSITE, according to Plat 354, Records of the Juneau Recording District, First Judicial District, State of Alaska.

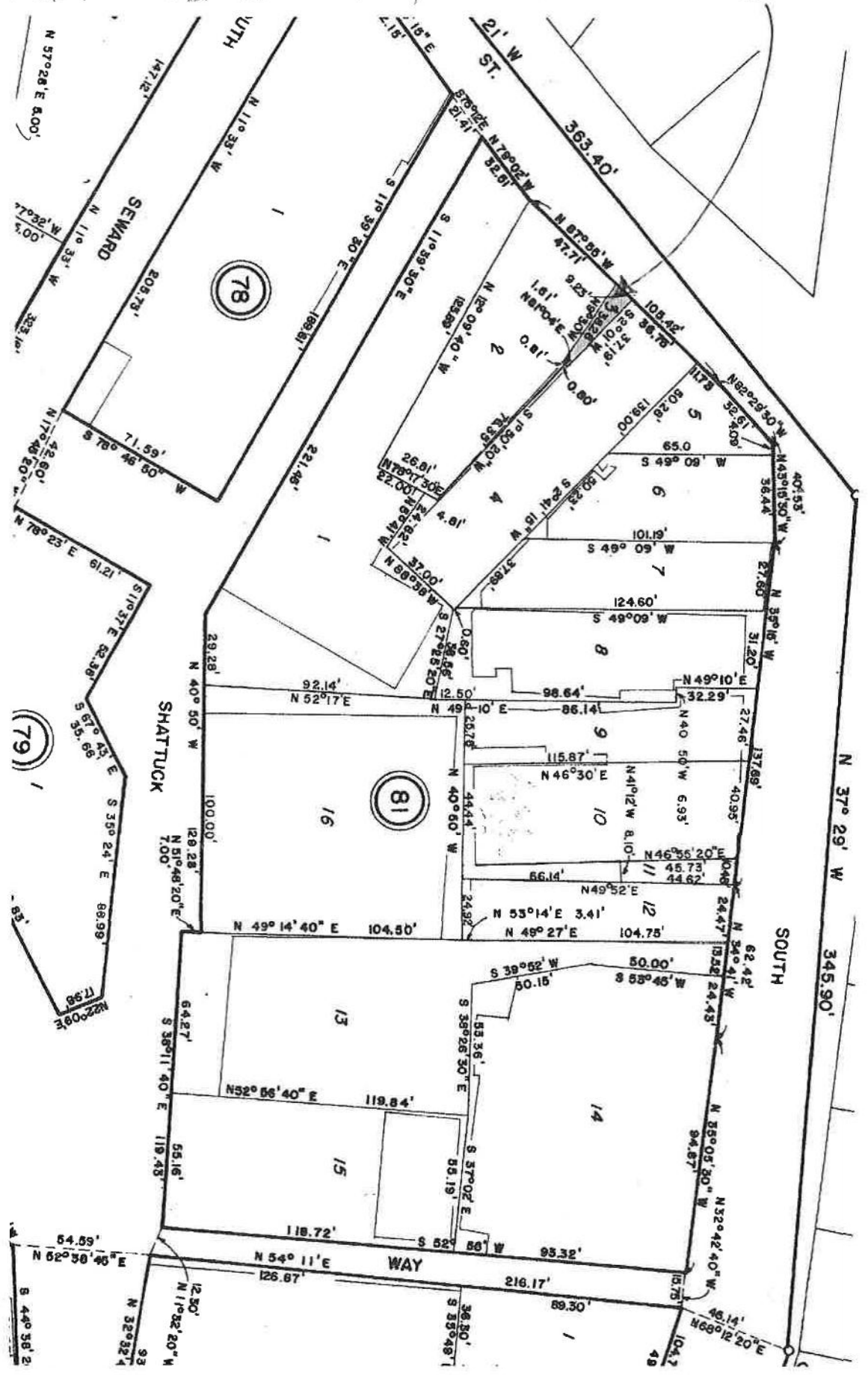
SUBJECT TO reservations, exceptions, easements, covenants, conditions and restrictions of record, if any.

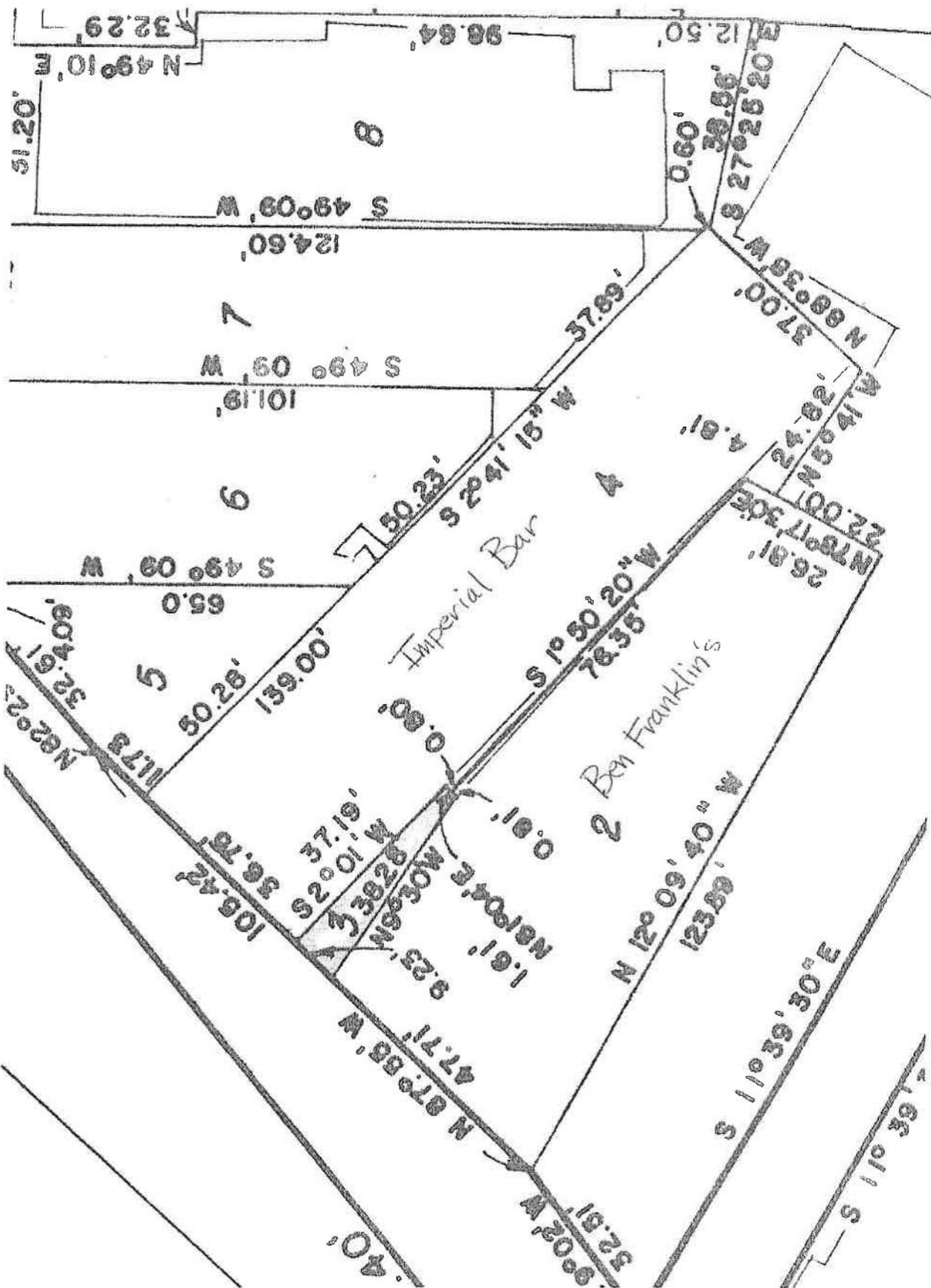
Dated: August 9th, 2016.



James G. Hopkins

Proposed Retail Store location The Fireweed Factory



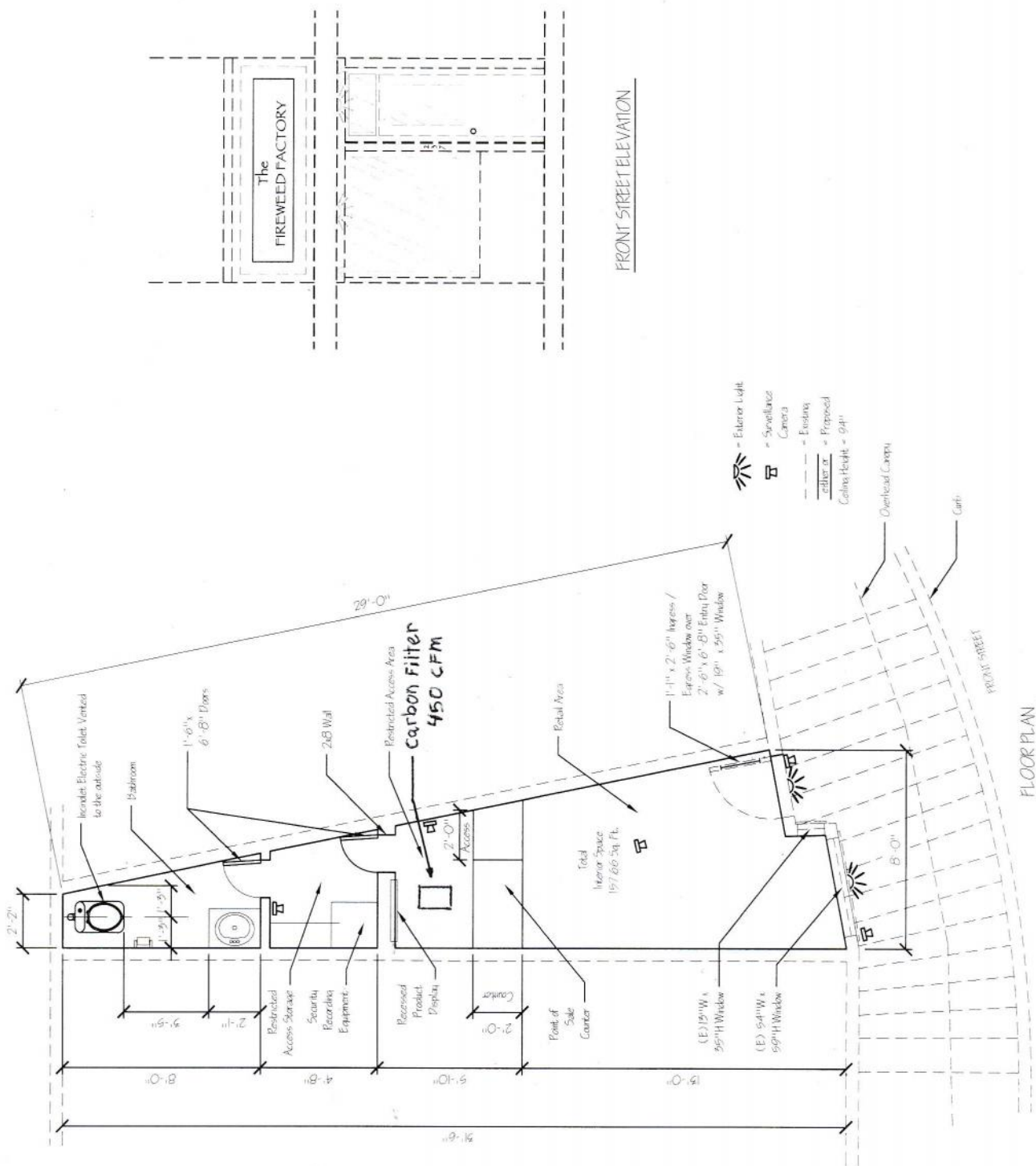


Lot 3 Block 81
Plat 354

The Fireweed Factory
Retail store

237 Front St.
Juneau

Attachment D



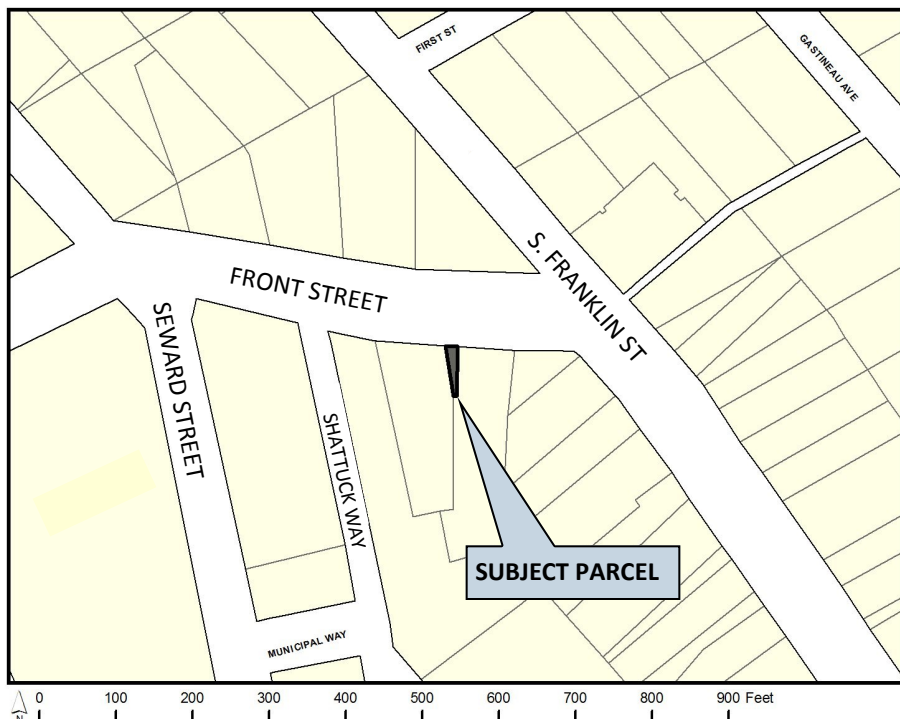
The Fireweed Factory
 257 Front Street
 Juneau, Alaska 99801
 957-2670

SCALE:
 1/4" = 1'-0"

Sheet 1 of 1



NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



PROPOSAL: A Conditional Use Permit for Marijuana retail use along Front Street in downtown Juneau.

File No:	USE2016 0026	Applicant:	Fireweed Factory LLC
To:	Adjacent Property Owners	Property PCN:	1-C07-0-K81-003-0
Hearing Date:	November 30, 2016	Owner:	Fireweed Factory LLC
Hearing Time:	7:00 PM	Lot Size:	202 square feet
Place:	Assembly Chambers	Zoned:	MU (Mixed Use)
	Municipal Building	Site Address:	237 Front Street
	155 South Seward Street	Accessed Via:	Front Street
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a week before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

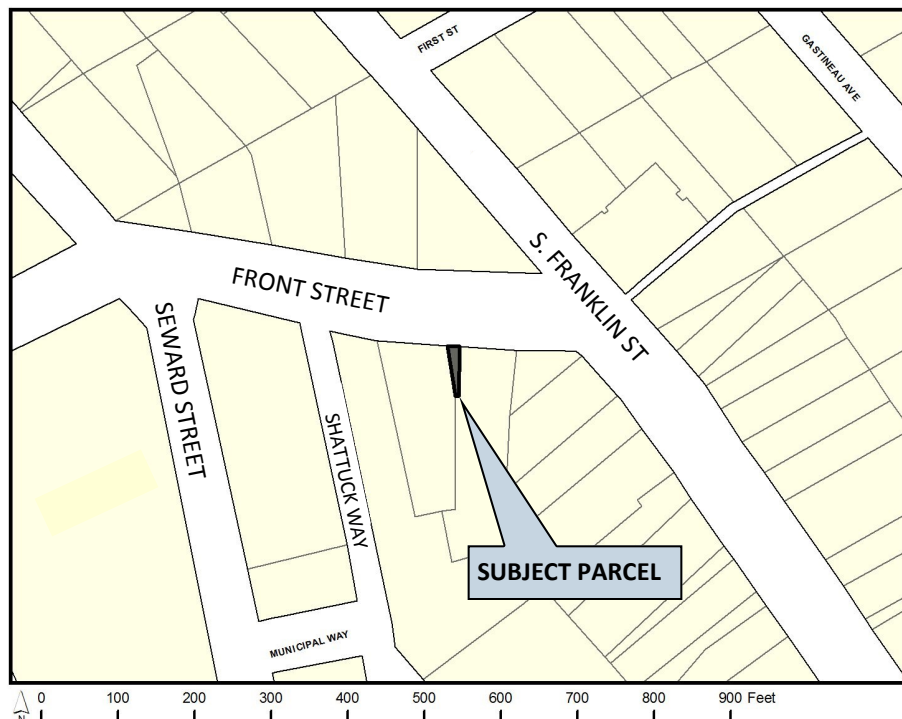
If you have questions, please contact Eric Feldt at eric.feldt@juneau.org or 586-0764



Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at <http://www.juneau.org/assembly/novus.php>



NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



PROPOSAL: A Conditional Use Permit for Marijuana retail use along Front Street in downtown Juneau.

File No:	USE2016 0026	Applicant:	Fireweed Factory LLC
To:	Adjacent Property Owners	Property PCN:	1-C07-0-K81-003-0
Hearing Date:	November 22, 2016	Owner:	Fireweed Factory LLC
Hearing Time:	7:00 PM	Lot Size:	202 square feet
Place:	Assembly Chambers	Zoned:	MU (Mixed Use)
	Municipal Building	Site Address:	237 Front Street
	155 South Seward Street	Accessed Via:	Front Street
	Juneau, Alaska 99801		

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Attachment F

Date notice was printed: October 17, 2016