

## 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



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

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

Application fee must be attached:  _x_ \$1,500 for Marijuana Retail Facility	/LEO ?'/4:J-fi- finy/ (7 J-/4f .&-
Prior to the public hearing, the applicant must also put the application. Applicants will be provided with Payment must be made prior to the application present	a statement of advertising and mailing charges.
Required Attachments for a Marijuana Cultivatio  Wastewater and Waste Material Disposal Pla Odor Mitigation and Ventilation Plan - 17.60 Hazardous Chemicals Information - 17.60.16 Security plan - 17.60.160 (D)	n - 17.60.160 (A) 0.160 (B)
Required Attachments for Both Retail and Cultiva_X Documentation demonstrating full compliance	
Subject Property: Township:17N, Range: _R	, Section:_L , Meridian:_ <u>Sewald</u>
TaxlD# <u>56932B01L001A</u>	
SUBDIVISION: MOUNTAIN ASH RSB	BLOCK(S): I ,LOT — A
OT(S): STREET ADDRESS: 6199 East Mountain I	Heather Way, Palmer, Alaska 99645
FACILITY / BUSINESS NAME: _Higher by Bad Gr	<del>alull3r,</del> =L=C
<b>Ownership:</b> A written authorization by the owner n	nust be attached for an agent or contact person, if the
owner is using one for the application. Is authorization	on attached? 0 Yes D No D N/A
Name of Property Owner	Name of Agent I Contact for application
ZELL 2015 FAMILY TRUST	Teresa Zell / Attorney Jana Weltzin
Mailing: 5850 EAST ALDER CIRCLE	Mailing: 5850 EAST ALDER CIRCLE
WAS ILLA, AK 99654	WASILLA, AK 99654
Phone: Hm 907-232-1809 Fax	Phone: Hm 907-232-1809 Fax
Wk_907-232-1809	Wk_907-232-1809 Cell
E-mailpwzelll809@gmail.com	E-mai I_te1i@badgramm3r.com

Site Plan - Attach a detailed, to scale, site plan clearly showing the following information:	Attached
Proposed and existing struchire(s) on the site. indicate which struchire(s) will be used for the proposed use. Dimensions and locations of all existing and proposed struch1res on the site in relationship to all property lines.	YES
Signage - Existing and Proposed.	YES
Location and dimensions for all access points to and from the site to public rights-of-way or public access easements.	YES
Buffering - Fences, vegetation, topography, berms, and any landscaping	YES
Drainage	YES
Vehicular and pedestrian circulation patterns.	YES
Exterior site lighting.	YES
Location and dimensions of parking areas to be provided	YES
Scale and north alTow using standard engineering intervals such as $I''=30'$ , $1''=50'$ or similar as required by project size.	YES

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

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:		
Is the conditional use compatible with and will it preserve or not materially detract from the value, character and integrity of the smTotmding area?	YES, please see narrative	
Will the granting of the conditional use pennit be hannful to the public health, safety, convenience and welfare?	NO	
Are sufficient setbacks, lot area, buffers and other safeguards being provided?	YES	
Does the conditional use fulfill all other requirements of MSB Chapter 17.60 pertaining to the conditional use in this section?	Please see naJTative	
Describe measures taken to prevent any potential negative effect upon other properties in the area due to such factors as noise and odor.	Please see naJTative	
Describe measures taken to reduce negative effects upon adjacent properties by:  Increased property line and right-of-way buffers  Planted benns and landscaping  Site and building design features which contribute to the character of the surrotmding area	Please see narrative	
Describe how this use is compatible with the character of the surrounding area.	Pis see narrative	
Current status of State License application process - 17.60.150 (D) (I)	pproved by the iv	

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17.60.170 Standards for Marijuana Retail Facilities:	Attached
Desclibe how the subject parcel is appropriate for the proposed conditional use. Include	
infonnation detailing:	
<ul> <li>The proximity of the proposed use to existing businesses;</li> </ul>	YES
• The proximity of parcels developed with residential uses;	
• Whether the roads associated with the proposed use have been, or will be, appropriate for commercial use; and	
• Proposed hours of operations.	
Provide inf01mation showing minimum parking standards have been met as required by MSB 17.60.170 (B) and (C).	YES

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

#### **OWNER'S STATEMENT:** 1am owner of the following propelty:

MSB	Tax	account	#(s)	_ 5693	32B0IL00IA_						4	
and,	I hereby	apply fo	or appro	val of	a conditional	use	permit to	operate	a	marijuana	related	facility
on th	e proper	ty as des	scribed	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 and state.

I understand that other rules such as local, state and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other petmits 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 petmission 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 occun-ing and, with prior notice, and at other times necessary to monitor compliance.

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

In Fa	ZELL 2015 FAM TRUST	2/20/24
Signature: Property Owner	Ptinted Name	Date
Anto	Teresa Zell	2/20/24
Signature: Agent	Printed Name	Date / /

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# **RETAIL MARIJUANA STORE CONDIT**

**USE PERMIT NARRATIVE** 

# Higher by Bad Gramm3r, LLC DBA HIGHER BY BAD GRAMM3R, LLC



Mat-Su Borough Development Services

a locally owned and operated business

Submitted: <u>6-ki:</u>)j, 2024

Prepared by:



JDW, LLC Jana D. Weltzin, Esq. 901 Photo Avenue, Second Floor Anchorage, AK 99503 jana@idwcounsel.com 630-913-1113 907-231-3750

On behalf of: Higher by Bad Gramm3r, LLC

#### Introduction:

We are pleased to re-introduce Teri and Peter Zell. The Zell's have lived in the Mat-Su Valley for over 50 years. Peter owned his own business installing satellite and home theater systems. For 30 years Teri worked for the State of Alaska, 22 of those years was spent at the Alaska State Parks as budget manager for the Mat-Su area, and finally retired in 2016. Peter opened Bad Gramm3r in 2017, and Teri followed with the Higher by Bad Gramm3r retail store on Hyer Road in 2019. Teri enjoys gardening and built a rather large formal garden that continues to grow. Peter stays active in the community and has several projects at all times.

This Conditional Use Permit ("CUP") application is for transferring an existing Retail Marijuana Store to operate in a new location and requests approval from this Honorable Commission. Higher by Bad Gramm3r's transfer of ownership and location application was been approved with delegation by the Marijuana Control Board "MCB" during the November 2023 meeting.

#### Required attachments for a marijuana retail facility conditional use permit narrative:

Is the conditinnc, luse compatible with and will it preserve or not materially detract from the surrounding area's value. character. and integrity?

The proposed use is compatible with adjacent properties and fits succinctly into the area as there is a mix of uses in the area - the area consists of large lots that house commercial uses and some residential uses. East Mountain Heather Way is a frontage road on the Palmer-Wasilla Hvry. To the west of the proposed site there are six businesses lining the road, behind the site there is the old bus barn, to the east is a 4.7-acre lot that due to terrain and trees, is not visible. The proposed retail store is located on a 1.34-acre lot, approximately 850.99 feet, door to door, from the existing location (1204 Hyer Spur) and is situated for commercial use. The entire licensed area, including the restroom, pack/prep/inventory storage rooms, and retail sales floor, will be approximately 2606.52 square feet. The proposed use fits into the surrounding uses' harmony in size and design. As the facility is situated on a large concrete/asphalt commercial use lot, there are minimal neighbors near this proposed location. The neighboring lot to the north is used as a private residence. The State of Alaska owns the lot to the northeast. The area west of the facility is Mat-Valley Meats, the lot to directly southwest has a commercial building part of which has a strudel shop business, and across the street is Mattress Ranch and undeveloped land. As described above, the proposed use will not detract from the surrounding area's character, value, and integrity. The facility will not produce noise pollution and has an odor control method.

Steps have been taken to reduce the potential adverse effects of the proposed use upon adjacent properties. The facility design utilizes an urban/commercial landscape screening and meets the Mat-Su Borough's setback requirements of 25' from public rights-of-way and 10' from side and rear lot lines. (See Site Plan)

The proposed use will meet all compatible uses allowed on adjacent properties and will improve the overall neighborhood as the premises will not emit odor, will not produce excess dust, will not produce noise pollution, and will have dedicated parking & loading, thus fitting in with adjacent property uses. A Traffic Impact Analysis (TIA)Threshold Worksheet is being

submitted to determine if this project requires a TIA. As detailed in the attached site plan, there will be ample space for parking on the premises and will have appropriate accessibility spaces under the Americans with Disabilities Act.

The security alarm system for Higher by Bad Gramm3r will be provided by FrontPoint security. When Higher by Bad Gramm3r is closed for business, the entire security system will be activated. Any attempt to enter the premises without proper access will trip the alarm system and immediately notify the licensee and/or the local police or fire depending on the nature of the alann triggered. Any attempt to power down the security panel is automatically detected and will alert the licensee. All employees will be trained on the security system. The Higher by Bad Gramm3r facility will utilize motion detectors from FrontPoint Security. The facility will also install a panic switch which will be programmed to communicate an emergency directly with the local authorities and the licensees. Window sensors will be installed on each window of the facility along with door sensors. Surveillance cameras will cover the entire licensed premises with the exception of the restroom. All restricted access areas will be covered by the cameras including each entrance and exit to restricted access areas, point of sale system, entrance/exit of the facility doors etc. The restricted access areas will have prominently posted signs around the premises stating, "Restricted Access Area: Visitors Must Be Escorted" and "Video Surveillance in Progress."

In the event a non-employee/agent of the company needs to access the restricted access area of the retail establishment, the company visitor policy will be adhered to. Visitors must show their valid photo identification and obtain a visitor badge to be displayed at all times in restricted areas. All restricted access area visitors must be preapproved by management (except for AMCO otlicials, law enforcement, or an agent of the Matanuska Susitna Borough) - there should be no unscheduled and unexpected visitors into the restricted access area of the retail. Higher by Bad Gramm3r staff must accompany visitors throughout the entire visit, with no more than five visitors to one staff member while in the restricted access area - again, there likely will not be visitors to the retail restricted access area because that area is for inventory storage and control and is separate from the retail display floor where customers can visit the store and purchase products. To maintain the security of the facility and to ensure control over all marijuana products, access to the restricted access areas will be monitored and permanently restricted. Access will only be granted to employees and licensees, AMCO agents, law enforcement, MSB Borough agents and the limited exception of scheduled preapproved visitors.

Additionally, Higher by Bad Gramm3r interior signage indicates that any members of the public are not allowed to have unescenied access in the restricted area. The exterior entrance and drive-thru signage warns the public that only persons over 21 may enter the retail establishment or utilize the drive-thru. Any drive-thru customers with children in the vehicle must confi<sup>th</sup> that they are the legal guardian of the children in the vehicle and the children are under the age of seven (7). Distinct and apparent cameras will be placed throughout and around the facility to encourage people not to attempt unauthorized access and to discourage criminal activity in the retail and surrounding areas. Cameras at the drive-thru will be able to identify individuals at a minimum of 20 feet away.

<u>Will the granting of the conditional use permit be harmfitl to public health, safety. convenience. and welfctre?</u>

No - Higher by Bad Gramm3r has a detailed security system and plan, diversion/inversion/theft control policies, and a loitering check plan.

The facility is a commercial marijuana retail store that will only allow access to those at least 21 years of age or older who have produced a valid, government-issued photo identification (ID) for staff to inspect before being accepted into the retail floor or given a menu at the drive-through. No on-site consumption is allowed at this retail establishment, and no customers may consume in their vehicles in the parking lot - the parking lot has distinct and apparent cameras pointed toward the parking lot to discourage further consumption in vehicles and loitering. A Higher by Bad Gramm3r employee shall perform regular parking lot and perimeter checks throughout the day, frequent but unscheduled so no member of the public picks up on a scheduled pattern, to ensure that no persons are loitering in the area, to identify any persons who may be scoping the facility out for illegal purposes or planning a robbery, and to check to ensure that no customers are consuming product on the property or in their vehicles.

All marijuana and marijuana products are displayed in locked display cabinets for customers to view. No marijuana product will be visible to the public fom the clrive-tlmt window. Ille current building, which is being moved to this proposed location, has a dlive-thru window that was approved and used dming the Covid emergency order at the active-operating retail stores ctnTent location has an abundance of safety features such as; safety plate glass, iron bars, a roll ok security shutter, a transaction drawer similar to that of a diive-thm phannacy or bank and cameras that can view the inside of any car and record the license plate of any vehicle that approachesthediive-thru window. The area behind the cabinets is restricted access, and signage is displayed accordingly. Employees open the cabinet from within the restricted retail access area and place the product into exit packaging (i.e., child-resistant, resealable, and opaque) at the cash register before handing it to the customer or placing the marijuana or product into the teller window. Once a customer's transaction is complete, they will be instructed by an employee to exit the retail store or drive away from the window.

In order to ensure Higher by Bad Gramm3r only allows access to persons over the age of 21, the retail establishment will check the ID of every person attempting to enter the retail store or use the drive-through window. Anyone under the age of 21 or who does not produce a valid photo ID issued by a federal or state agency authorized to issue ID cards must leave the premises, no matter how familiar the employee is with the customer. Any employee checking IDs has a valid marijuana handler permit and is trained to recognize altered/forged photo IDs.

Additional protections to ensure the prevention of any negative impact on public health, safety, convenience, and welfare:

√ The facility will have a 24-hour monitoring alann system, bright, prominent exterior lighting that is downward facing to minimize light pollution to neighboring lots, and a video surveillance system. Commercial locking mechanisms and video surveillance secure all entrances to capture individuals within 20 feet of all entry points as well as any vehicle approaching the drive-thru

window. Inside the licensed premises, video surveillance will cover all areas of the facility (except for the bathroom) 24/7 (stored for a minimum of 40 days) to monitor and identify all activity. A licensee must preapprove all visitors or a manager (except AMCO agents, MSB agents, and law enforcement). To maintain the security of the facility and all marijuana products, access to the facility will constantly be monitored and restricted. Access to restricted areas will only be granted to employees and licensees, AMCO agents, MSB agents, law enforcement, and the limited exception of scheduled preapproved visitors. Access to the sales floor will only be granted to customers who possess and provide a valid ID that evidences they are over the age of 21. As p rviously discussed, distinct and apparent cameras will be placed throughout and around the facility to encourage people not to attempt unauthorized access to the restricted access area and to discourage any criminal or mal- intent activity.

✓ On-site video surveillance will continuously monitor all areas of the premises. Employees will perform mandatory inventory counts weekly, check counts against Metre records, compare with point-of-sale reports to ensure no diversion or inversion is occurring, and document the reports as official business records. Higher by Bad Gramm3r will not tolerate any theft, inversion, or diversion, and all employees will complete mandatory training in recognizing such activity. Higher by Bad Gramm3r management team understands that diversion can happen in two ways - inversion and diversion - and is equally profitable to divel 1 product out of the legal system as it diverts product f om the illegal system into the legal market. If an employee is caught stealing marijuana or infusing the facility with the non-regulated black-market product, Higher by Bad Gramm3r will notify local law enforcement immediately, comply with all directives, and provide all necessary information and records for the investigation. Higher by Bad Gremm3r will take the necessary steps to ensure that illegal conduct by an employee does not compromise the facility's license and legitimate business operations. Once a theft is reported, a licensee or manager will update the product records in the tracking system, as needed, to maintain an accurate and comprehensive accounting for all marijuana products and inventory. Higher by Bad Gramm3r will comply with all inquiries and investigations lodged by AMCO as a result. Higher by Bad Gramm3r will discuss diversion prevention during interviews and training, all employees will be trained to spot signs of diversion and how to report suspected diversion. Employees will be provided a system to anonymously report suspected diversion to a licensee. The anonymous diversion notification box will be placed in a readily visible location in the store but private enough that they can access it without being seen by another staff member. Only the licensees will have access to the anonymous diversion tip line box. Documentation related to marijuana theft will be maintained as a business record for five (5) years and made available to AMCO upon request. Video recordings will be stored for forty (40) days. Cameras will provide a full view of the retail floor, entryway, safes, storage, and product packaging areas. Security monitors and video recording equipment will be securely located on-site.

✓ Qualified candidates will be hired on a probationary period, during which they will receive training and evaluation specific to their position. Training will include internal policies and procedures; state statutes and regulations; diversion, theft, and inversion prevention; sanitation and hygiene; legalities and regulation of recreational cannabis at state and federal levels; Metre use; point of sale system functions and use; identification of fake IDs, and safety protocols. Training

will occur throughout the year when topics arise that need further explanation or refreshing. A licensee or manager will present training and education to employees. As proper safety and security procedures are of the utmost importance to Higher by Bad Gramm3r, the most up-to-date reading materials will always be available to employees. Prior to beginning work, employees will be expected to understand the following: (I) Alaska laws, regulations, and codes governing the marijuana industry and marijuana establishments; (2) all of the permitting requirements to act as a marijuana handler (including obtaining a Marijuana Handler card from a state-approved course provider before commencing employment) and to work in a marijuana establishment; (3) Higher by Bad Gramm3r standards, operational protocol, and best practices concerning marijuana retail sales; (4) general safety procedures and security protocol; (5) how to think defensively if threatening situations occur; (6) in-depth information about particular strains and their features; (7) in-depth information on the requirements of each room, task, and system; and (8) the general federal, state, and local employment regulations by which Higher by Bad Gramm3r is governed. To ensure full coverage for each position, all employees will be cross-trained on the requirements of each job.

Higher by Bad Gramm3r will have "No Loitering" signs clearly posted around the licensed premises. If an employee suspects that a person is loitering, they will be given a verbal warning to leave the premises or law enforcement will be notified. Trained employees will maintain periodic checks around the propelly to deter unauthorized entrance or loitering around the facility. The exterior lighting system will keep the premises well-lit during closed hours and provide extra lighting for all surveillance recordings. Exterior lighting will be shielded and downward-directional to mitigate any unwanted light pollution. An employee will frequently check lighting to ensure that lighting is adequate to prevent dark spots and capture the best facial image of every person and vehicle that approaches the facility. If there are any issues with the quality of the surveillance capture, the lighting will be calibrated and/or additional lighting will be installed. All outdoor lighting will be shielded to protect against inclement weather and vandalism.

The facility's architectural design incorporates lighting to project light on to the building and downward. The alarm system will monitor for intrusions with motion detectors on all access points during closed hours, including the entrance to the licensed facility and secured storage. Live security footage will also be accessible to licensees and management via their cellular phones, so they may keep an eye on the facility even when they are away. Any attempted or actual intrusion will prompt an automatic, electronic alert to the security company who will then contact local law enforcement and a licensee or manager. All alarm systems and devices will be tested every six (6) months.

#### Are there sufficient setback<sup>s</sup>. lot area. buffers and other safeguards being provided?

As described previously, Higher by Bad Gramm3r is located within a 1.34-acre lot on E. Mountain Heather Way. This application and Higher by Bad Gramm3r's layout meet the required setbacks, buffers, and lot area. The entire retail store is enclosed in a commercial-grade building.

Plenty of on-site parking will be developed on the site for this use, including accessible spaces.

The facility has incorporated all measures to reduce the surrounding properties' negative effects, including natural landscaping screening and a modern architectural design that will not take away

f rom the surrounding area's character.

The facility will not produce any noise pollution and has an odor control method. A robust security plan and the "no loitering" policy will be implemented and thoroughly communicated to all employees. Additional safeguards include the following:

The lighting fixtures with sturdy housings will be positioned at an inaccessible height to deter vandalism and common obstructions. The bulbs will be extremely bright to maximize visibility and deter crime. The exterior lighting will be checked daily by the manager on duty or licensee to ensure that each light in the system is operational and that each mount is positioned for optimum recording clarity and to deter unauthorized presence on the premises. The building's architectural design incorporates shielded lighting to prevent light pollution.

A third-party security company will install the alann system and continuously monitor the electronic notifications if the alarm is triggered. The security company will periodically visit to check and maintain the equipment.

<u>Does the conditional use fiilfill all other requirements o (MSB Chapter 17.60 pertaining to the conditional use o (this section?</u>

Yes.

Describe measures being taken to prevent potential negative effect upon other properties in the area due to such {actors as noise and odor.

The proposed use produces very little noise. Higher by Bad Gramm3r does not anticipate any noise corning from the facility; if any noise is to be produced, it is comparable to surrounding land uses. The roads that serve the facility and surrounding uses fluctuate in traffic flow during rush hours; however, they do not seem to be used to their maximum capacity; therefore, any increase in traffic flow on the roads serving the area is sufficient to serve the area with this proposed retail use.

Higher by Bad Gramm3r will abide by a strict "no odor" policy per MSB 17.60.1 SO(A)( I) that will ensure no odor is detectable by the public f om outside the facilities. This use is a retail establishment and should not have any issues with odor seeping out f om the retail to the outside air. However, in an abundance of caution, odor control methods will be utilized and will consist of several methods meant to eliminate odors by utilizing methods including sealed containers and air sanitizers throughout the building and sealed containers when transporting marijuana to/from the premises. All marijuana at the retail facility will be either pre-packaged in smell-proof packaging for sale, in deli-style enclosed jars that are only opened to take the product out for sale to a customer and are repacked prior to exiting the facility, or in enclosed jars in small amounts for customers to smell.

### Describe how use is compatible with the character o(lhe surrounding area.

The facility is compatible with the suJTounding area's character as it exists on a commercial propelty surrounded by similar uses. As well, there are some vacant land parcels near the proposed parcel and across the E Palmer-Wasilla Hwy that have yet to be developed. The character of the

surrounding parcels and their uses are a good fit for a marijuana retail store. Within I000 feet of the proposed location, there appear to be five parcels used for commercial use, one industrial parcel, the remaining properties within I000 feet are residential and vacant.

#### Current status of Stale License Application Process.

The Marijuana Control Board approved the transfer of location application during the November 2023 MCB Meeting.

#### Waste Management

Storage of any solid or liquid marijuana waste. Higher by Bad Gramm3r will store liquid and solid marijuana that is to be rendered unusable marijuana waste in a locked and sealed 5-gallon bucket. This bucket will be kept under video surveillance in a restricted access area and only be accessible by an authorized employee, licensee, or agent. All waste will be recorded in Metre and logged as an official business record. Marijuana waste will be blended into a fine course before it is mixed into an organic living soil to render it unusable. The unusable marijuana waste will be sealed and locked in a 5-gallon bucket that contains organic living soil. The waste buckets will be stored in a restricted access area, away fi:om trash receptables, under video surveillance and only accessible by authorized personnel. Each bucket will be filled with 3 gallons of organic living soil to ensure a minimum of a I: I ratio between marijuana waste material and the organic living soil.

All Higher by Bad Gramm3r employees, agents, licensees, will be trained to identify all marijuana plant waste materials and marijuana product waste: Leaves, Stems, damaged marijuana products, returned marijuana products, expired marijuana products, leftover residue and material f<sup>r</sup>om prepackaging waste that takes place at the Higher by Bad Gramm3r facility (Example: converting I ounce of flower to pre-rolled and packed marijuana cigarettes).

Higher by Bad Gramm3r will use the Matanuska Susitna Borough Central Landfill to dispose of its marijuana waste that has been rendered unusable. A record of the final destination and the delivery date of marijuana rendered unusable will be kept. These records will be filed in the high security room and maintained for a minimum of 3 years.

#### Signage:

A sign with the company name will be affixed to the top of the building or on an independent signpost. The facility may also have signs on the sides of the building. Peter Zell sent sign information in a separate document directly to the MSB planner. Signage will comply with DOT private and/or commercial right of ways requirements as outlined in AS 19.25 I 05. Additional signs include "No Loitering",

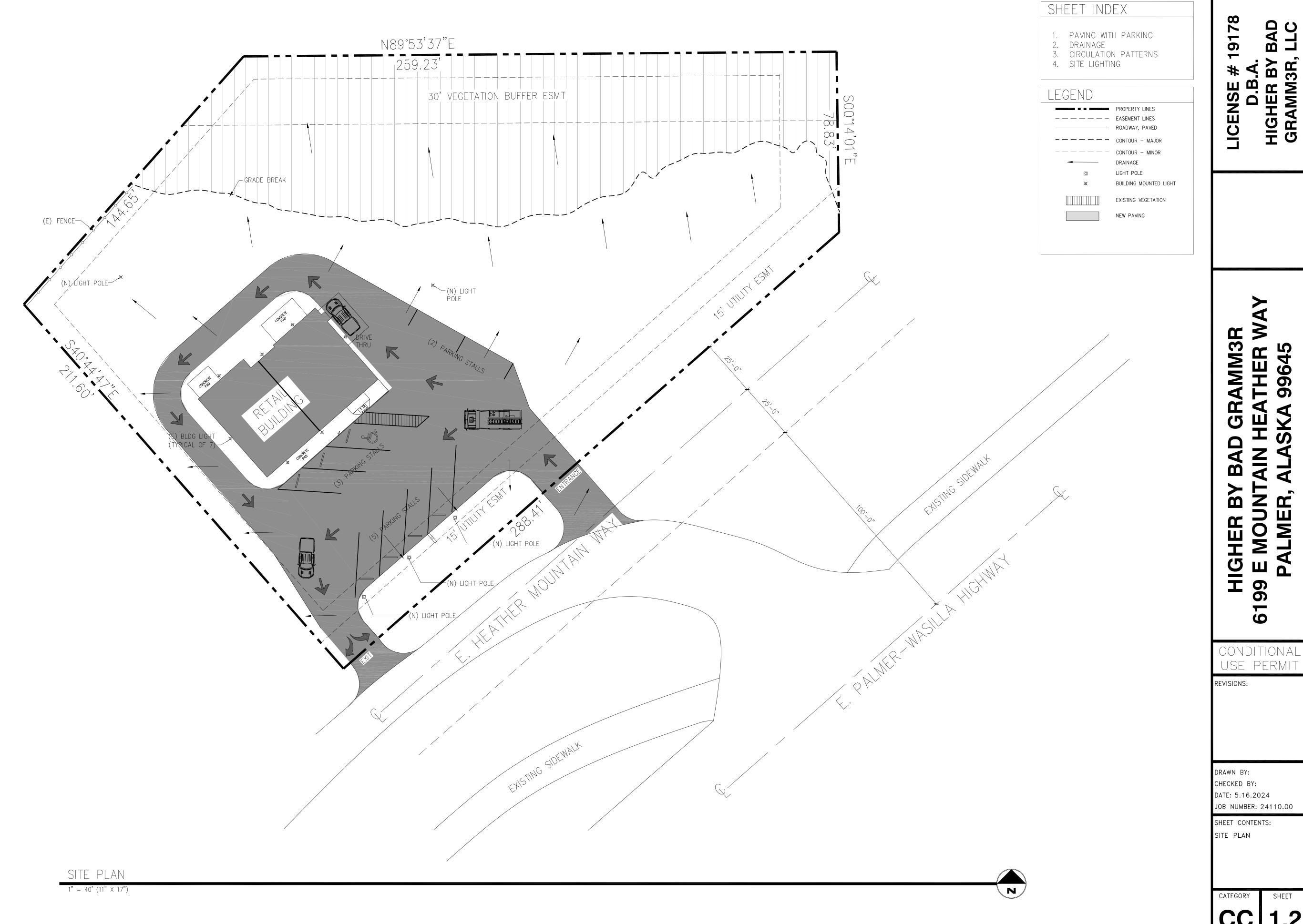
"Video Surveillance in Progress", "No One Under 21 Years of Age Allowed" and "Restricted Access Area" "Visitors Must be Escorted".

#### Misc. Items and Information.

Please see attached parking layout diagram, which complies with MSB 17.60. J70(B) and (C). Proposed hours of operation for the retail establishment shall be Monday - Sunday, 9 am - 10 pm.

The number of employees on-site will be between 4 and 6, depending on employee shifts, season, and other store needs.

Thank you for considering this conditional land use application.



**GRAMM3R** BAD B MOUNT. HIGHER 6199

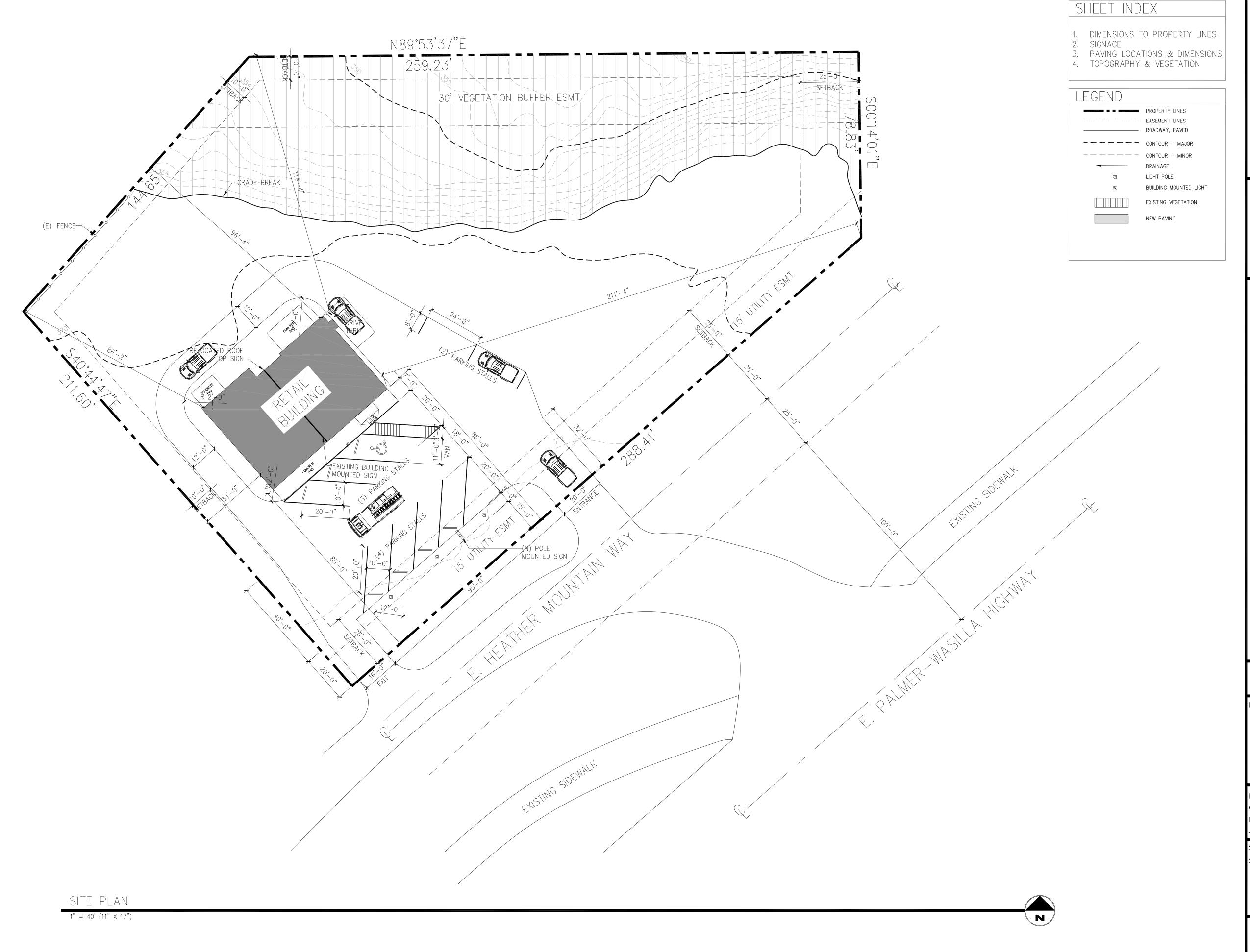
BAD LLC

CONDITIONAL USE PERMIT

REVISIONS:

DRAWN BY: CHECKED BY: DATE: 5.16.2024 JOB NUMBER: 24110.00

SHEET CONTENTS: SITE PLAN



GRAMM3R 99645 BAD **ER BY** HIGHE 6199

19178

BAD LLC

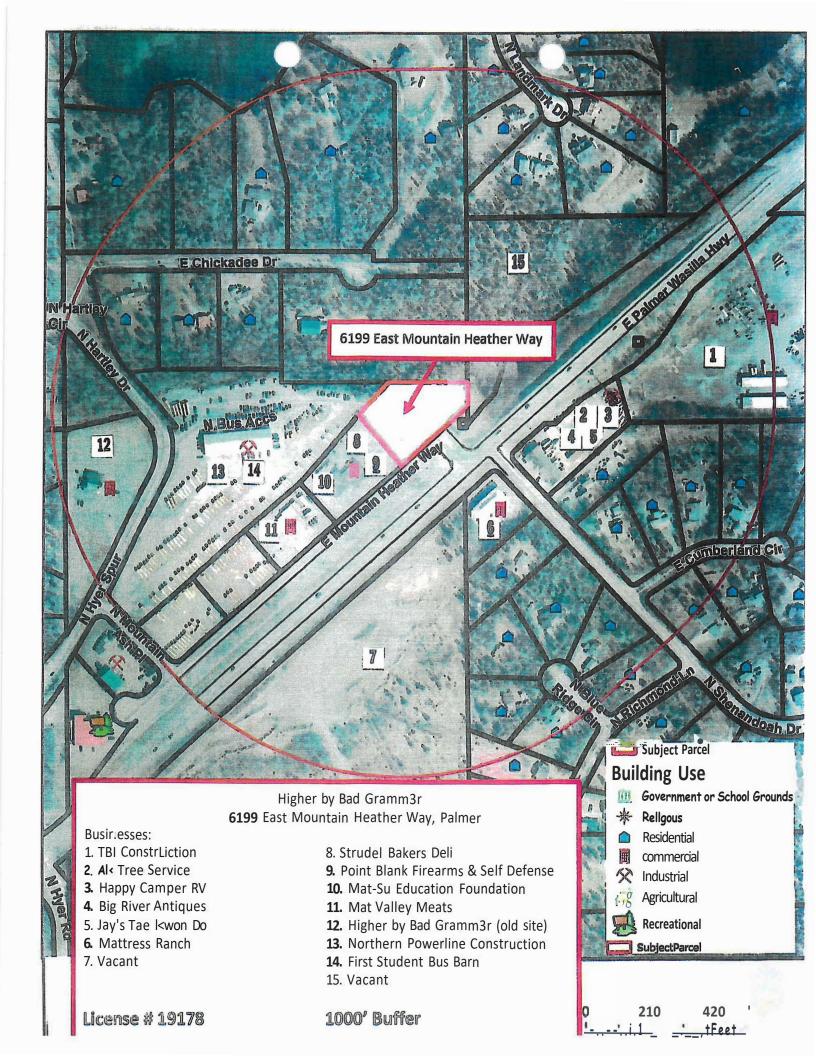
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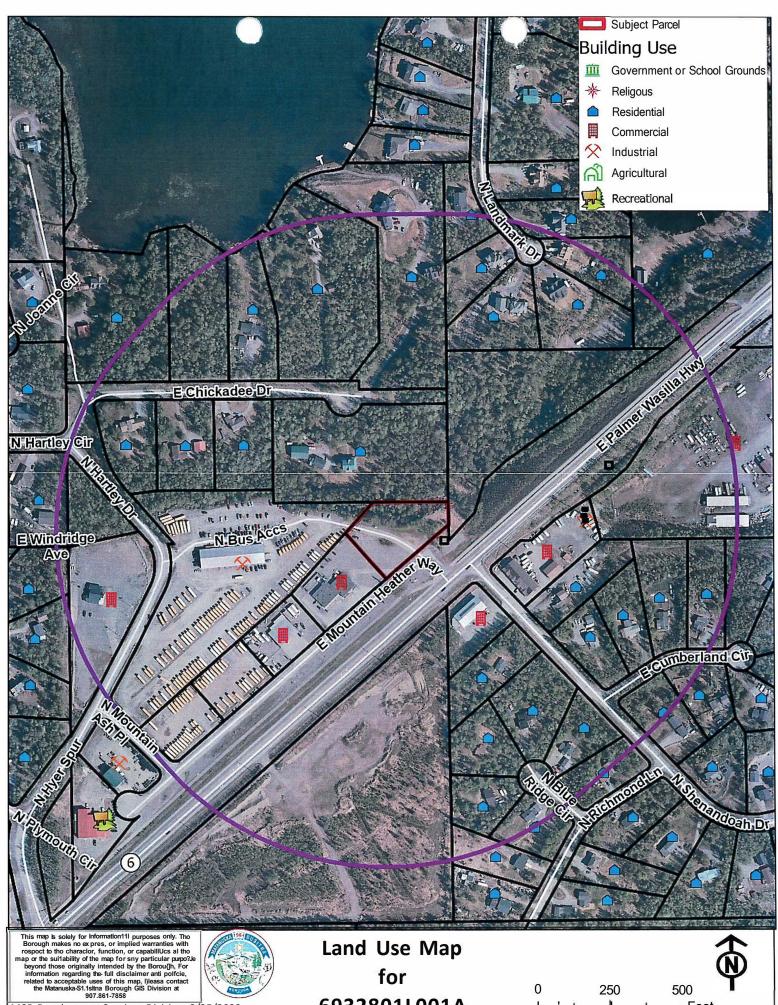
CONDITIONAL USE PERMIT REVISIONS:

DRAWN BY: CHECKED BY:

DATE: 5.16.2024 JOB NUMBER: 24110.00

SHEET CONTENTS: SITE PLAN



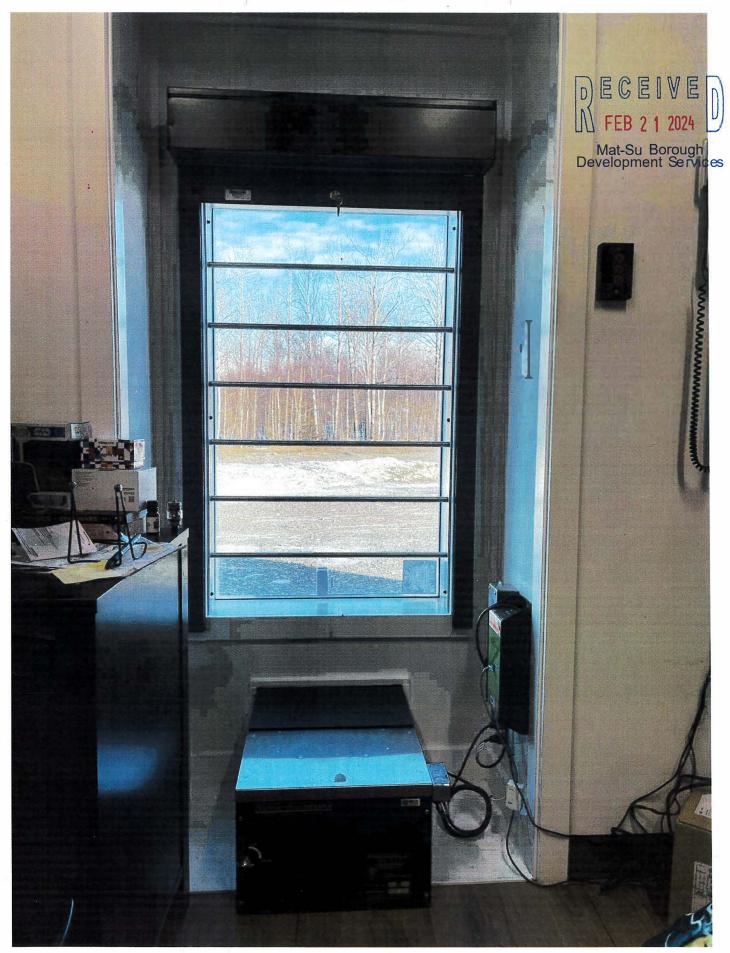


MSB Development Services Division: 9/25/2023

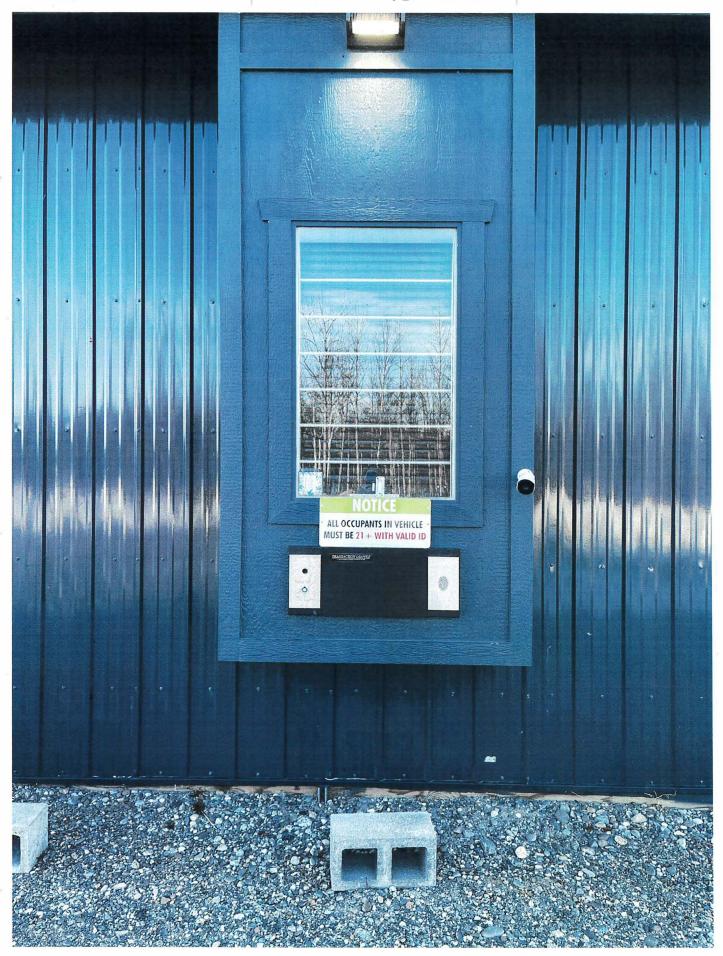
for 6932801L001A

250

500 Feet









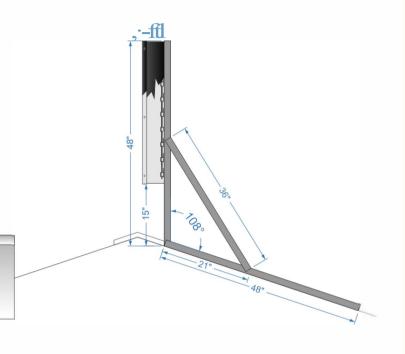


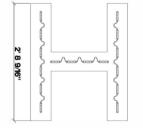






FAX 907.746.5197 INFO@DGSIGNSAK.COM WWW=DGSIGNSAK.COM





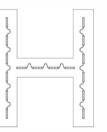
H 16 mods 16.0w 5.1 mod/ft<sup>2</sup>



6 mods 6.0w 4.7 mod/ft<sup>2</sup>



16 mods 16.0w 4.7 mod/ft<sup>2</sup>



H 16 mods 16.0 w 5.1 mod/ft<sup>2</sup>



18 mods 18.0w 5.6 mod/ft<sup>2</sup>



R 18 mods 18.0w 5.2 mod/ft<sup>2</sup>



Notes: This layout features our Panoramic Series Modules PA-3D-W6CL 1Watts per module, 6500K Pure White Color, 170 Degree Beam Angle

Letters and Logo: Module Clearance - 2.5" Module Run Gap - 5"



90 Modules: Everylite - Panoramic - PA-3O-W6CL 90 Total Modules 90.0 Watts

**APPROVAL REQUIRED!** 

APPROVED AS-IS CHANGES REQUIRED

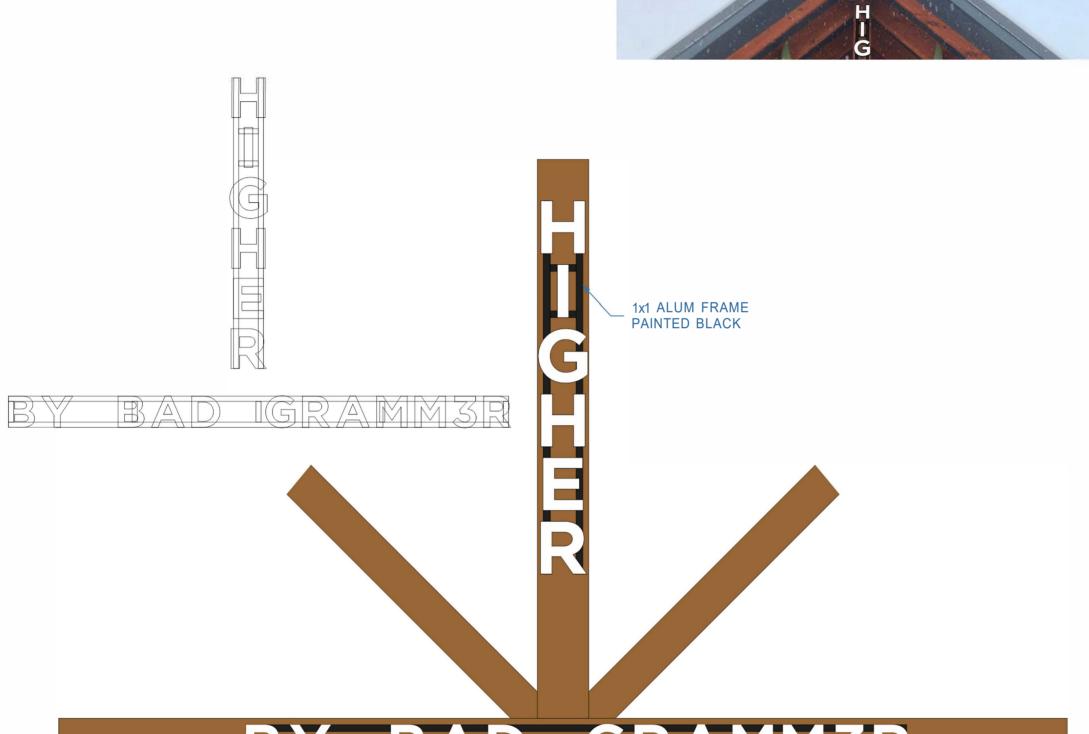
**SIGNATURE** 

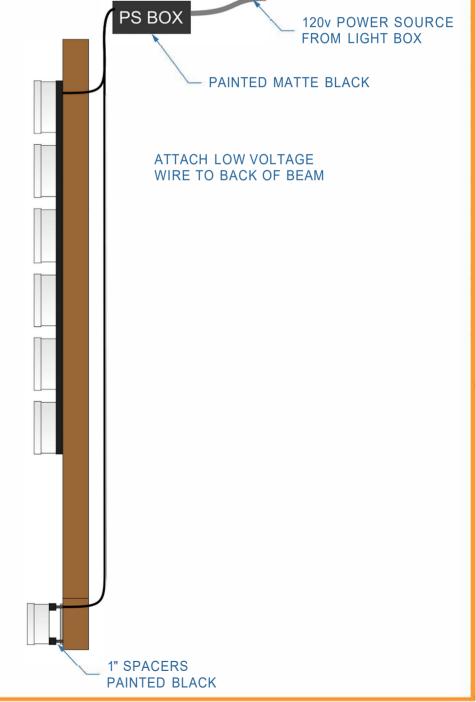
DATE











## TRAFFIC IMPACT ANALYSIS (TIA) THRESHOLD WORKSHEET

Complete this form as an aid to determine if your project requires a Traffic Impact Analysis, as per MSB Code 17.61.

Facility/Business Na	me: Bad G	Grammer									
MSB Tax Account I	D#(s): 693	2B01L001	1A								
Street Address: 6199 F	E. Mountain I	Heather W	/ay								
Applicant: Teresa Zell							Ow	ner	<u>х</u> с	or Agent	
Phone: 907 232-1809										-	
Roy A (Original TI	A) NON	DESIDI	FNT	IAI DEVE	I ODMENT						
Box A (Original TIA) NON-RESIDENTIAL DEVELOPMENT  Anticipated Project Size Peak Daily Trip P								Pe	ak Hour	Trip Rate	
Land Use Hour? Rate								Trips	Source		
Potoil	Acres	GF <i>A</i>	A Other*				27		6	Owner	
Retail		2,700	Osf	Existing		4	27		6	Owner	
*Specify: Existing custo	mer numbers	3									
Specify. Existing dusts	mer nambere										
Box B (Updated TI			y if	<del> </del>		TIA c					
Peak Hour Trips		d			our Trips					Peak Hour Trips ditional trips, a new	
In Current			`	x A or B)		,					
			Projected in <i>Updated</i> Development Plan				TIA is required)				
<b>Box C</b> (Information	ı regardi	ng the	pers	son/agency	who prepa	red tl	ne TIA)				
Prepared by: Panno	ne Engir	neering	Ser	vices LLC					Date: 20	24-03-11	
Comments:											
				For Offici	al Use Only	,					
				z or ojjece							
A Traffic Impact An										Borough staff	
to discuss th										4 1 4	
A Traffic Impact An exceed the the					nc generated	а ву п	ie propo	osea	aevelopn	ient does not	
					ed for the fol	llowin	g reaso	n(s):			
Daviawad I							Dat				
Reviewed by: NOTE: GFA = Gro	ss Floor	Area (h	nild	ing size)			Dat	e:			
ITE = Institute of Tran					tion Manual,	11th E	Edition, 1	627	Eye Street	, NW, Suite	

Revised 2/20/2024 Page 1 of 1

600, Washington, DC 20024-2729; (202)785-0609

### February 20, 2024



Owner & Agent Pennission Letter for Use and Occupancy of Premises

Matanuska-Susitna Borough Planning and Land Use Depaliment Development Services Division 350 East Dahlia Avenue Palmer, Alaska 99645

Re: Higher by Bad Gramm3r, LLC-Owner & Agent Authorization

Dear Planning Office,

I, Peter Zell, of ZELL 2015 FAM TR, hereby grant pelmission for Higher by Bad Gramm3r, LLC, to lease and use my property located at 6199 E Mountain Heather Way, Palmer, AK 99645, as a Marijuana Retail Store. I understand that Higher by Bad Gramm3r, LLC will commercially sell marijuana and marijuana products on this propeliy once the Matanuska-Susitna Borough approves the conditional use permit.

I, Teresa Zell, of Higher by Bad Gramm3r, LLC, authorize Jana Weltzin and her firm of JDW, LLC, to take all necessary actions to apply for and obtain one (1) conditional use pelmits for the operation of a Marijuana Retail Store of the property owned by ZELL 2015 FAM TR located at Township S 17 Range NO 1 Section E04 Lotl A, commonly known as 6199 East Mountain Heather Way, Palmer, AK 99645.

If you have any questions regarding this correspondence, please contact me.

Sincerely,

Peter Zell-trustee of ZELL 2015 FAM TR

Teresa Zell - Managing Member of Higher by Bad Gralmn3r, LLC



# Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600

Mat-Su Borough Development Services

February 22, 2024

Higher by Bad Grarnm3r, LLC

DBA: HIGHER BY BAD GRAMM3R, LLC

Via: teri@badgramm3r.com

Re: HIGHER BY BAD GRAMM3R, LLC #19178

Dear Higher by Bad Grarnm3r, LLC:

At the November 15 - 16, 2023 meeting of the Marijuana Control Board in Sitka, Alaska, the board voted to approve your Transfer of Location/Controlling Interest application with delegation to the director. Delegation means that the board has authorized me to issue the license once all outstanding approvals are received.

Please contact marijuana.licensing@alaska.gov with any questions.

Sincerely,



Regina T. Cruz Records and Licensing Supervisor

For Joan Wilson, Director

cc: License File

Matanuska-Susitna Borough

#### MSB • Depaltment of Emergency Services• Central Mat-Su Fire Depaltment

## Fire & Life Safety Division

Physical: Station 51 - 1911 S Terrace Court, Palmer Mailing: 101 W Swanson Avenue• Wasilla, AK 99654
Office (907) 861-8030 • Fax (907) 861-8157 • E-mail: FireCode@mM -o/J

February 29, 2024 U\FEB 2 9

Peter & Teri Zell 5850 E Alder Cir Wasilla AK 99654 907-232-1809 Pwzelli 1809@gmail.com

SUBJECT:

Bad Gramm3r

FIRE SERVICE AREA:

Central Mat-Su FSA

PLAN REVIEW:

2024-101

TYPE OF CONSTRUCTION:

VB

OCCUPANCY TYPE:

M

2021 INTERNATIONAL BUILDING AND FIRE CODE

Peter & Teri:

Plans for the relocation of subject facility have been reviewed by this office for confonnity with the State Fire Safety Regulations and are hereby approved as submitted. Enclosed is a celtificate of approval that must be posted on the premises until completion of the above facility. Any changes to the approved plans must be submitted to this office for review and approval.

Mat-Su Borough Development Services

It must be understood that the inclusion of and compliance with State Fire Safety Regulations does not preclude the necessity of compliance with the requirements of local codes and ordinances. Also understand that approval of submitted plans is not approval of omissions or oversights by this office or noncompliance with any applicable regulations. The plans have not been reviewed for compliance with the Federal Americans with Disabilities Act or structural requirements.

If we can be of further assistance in this matter, please contact us at the address above.

Sincerely,

Joshua P. Henson

Deputy Fire Marshal

## Fire and Life Safety Division

Central Mat-Su Fire Service Area No. 130 - District 1 Department of Emergency Services, Matanuska-Susitna Borough

## Plan Review #2024-101 Bad Gramm3r

Relocation 1-\pproval



This is to cellify that the plans for this building were reviewed by CMSFD's Fire & Life Safety Division on 2/29/2024, for conformance with AS 18.70.010-100; 13 AAC 50.027. This certificate becomes invalid 180 days after the work on the site is commenced within 180 days after issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the time work is commenced. An extension may be requested at the above mentioned address.

This certificate shall be posted in a conspicuous place on the premises listed above and shall remain posted until construction is completed. **Notice:** Any changes or modifications to the approved plans must be resubmitted for review by the Central **Mat-Su foe Department**.

Authority: AS 18.70.080, B AAC 50.075 & MSB RS 06-054

by Joshua P. Henson, Deputy Fire Marshal