THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

MEMORANDUM

TO: Chair and Members of the Board

DATE: January 26, 2017

FROM: Sara Chambers
Interim Director, Marijuana Control Board

RE: Tempt, LLC #11091

This is an application for a Standard Marijuana Cultivation Facility in the Municipality of Anchorage by Tempt, LLC DBA Tempt, LLC

Date Application Initiated:	09/23/2016
Date Under Review:	10/24/2016
Incomplete Letter(s) Date:	01/16/2017
Date Final Corrections Submitted:	01/18/2017
Determined Complete/Notices Sent:	01/18/2017
Local Government Response/Date:	01/18/2017 – Protest pending municipal license and special land use permit
DEC Response/Date:	N/A deferred
Fire Marshal Response/Date:	N/A deferred
Objection(s) Received/Date:	Yes

Concerns: Anchorage Driver Training, LLC is located next door to the proposed cultivation facility. The center holds a contract with the Anchorage School District to teach children aged 14 and up how to drive. Staff has considerable concern that Anchorage Driver Training, LLC, falls under the definition provided in 3 AAC 306.990(b)(35):

3 AAC 306.010. License restrictions (a) The board will not issue a marijuana establishment license if the licensed premises will be located within 500 feet of a school ground, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility

3 AAC 306. 990(b)(35) "recreation or youth center" means a building, structure, athletic playing field, or playground (A) run or created by a local government or the state to provide athletic, recreational, or leisure activities for persons under 21 years of age; or (B) operated

by a public or private organization licensed to provide shelter, training, or guidance for persons under 21 years of age

Recommendation: If the board finds that Anchorage Driver Training meets the definition of "recreation or youth facility," it is recommended to deny based on the requirements of 3 AAC 306.010.