



## MEMORANDUM

TO: Chair Springer and Members of the  
Marijuana Control Board

DATE: October 16, 2018

FROM: Erika McConnell, Director

RE: 50 Shades of Green #14956  
Standard Cultivation Facility

The board approved this application in August of 2018; the license is currently in delegated status.

The City of Houston has protested the issuance of this license for not meeting a city setback/buffer requirement and for potential noncompliance with 3 AAC 306.010, the required separation distance from a church which is on the neighboring lot.

AMCO received several public objections to the issuance of this license. The objections were received during the objection period in current regulations which ended on August 31, 2018 (30 days after application was deemed complete). The applicant asserts that because her application was submitted before the regulations change that altered the public objection period, the prior objection period (30 days after publishing the public notice) should be applicable, meaning that these objections would not be valid. The application was initiated on October 20, 2017, the final public notice was published on November 19, 2017, and the objection period regulations change became effective on December 28, 2017. The first incomplete letter was sent on June 5, 2018, and the application was determined to be complete on August 1, 2018. The board, when adopting the regulations change to the public objection period, did not discuss how the change would affect applications currently being processed.

The objections assert that the facility is too close to a church, violating 3 AAC 306.010(a). Investigator Whiteman visited the site and determined that the shortest pedestrian route between the public entrance to the proposed licensed premises and the main public entrance to the church is less than 500 feet.

Other comments have been received that assert that religious services have not been regularly conducted at the neighboring building.

Attachments: City of Houston Protest  
Objection from Paul Moyer  
Objection from Roy Sumner  
Objection from Doug Ferrett  
Objection from Stephen Swanson  
Investigator Whiteman memo  
Licensee (Gabrielle Petersen-Christensen) email  
Additional letters received after end of objection period



Approved	Denied
Public Hearing	09.13.18
Date Action Taken	09.13.18
Attest:	<i>[Signature]</i> City Clerk

**CITY OF HOUSTON  
ACTION MEMORANDUM NO. 18-21**

**City Council Statement of protest for a New Marijuana Standard Cultivation License  
#14956 held by 50 Shades of Green LLC.**

Originator: Virgie Thompson, Mayor  
Date: September 6, 2018

Agenda of: September 13, 2018

Route to:	Department Head	Signature	Date
X	City Clerk	<i>[Signature]</i>	9/6/18
X	Fire Chief	<i>[Signature]</i>	9/6/2018
	Police Chief	<i>[Signature]</i>	9/6/18
X	Public Works Director	<i>[Signature]</i>	9/6/18
X	Treasurer	<i>[Signature]</i>	9/6/18

Reviewed by Mayor: *Virgie Thompson*

**Attachment(s):**

- Application Notice
- Staff referrals under HMC 5.10.050
- SOA notice of objection
- COH notice of objection
- Notice of Public Hearing
- Marijuana License 14956 Application

**Summary statement:**

50 Shades of Green LLC. has applied for a new for a Marijuana Standard Cultivation Establishment License #14956. State law requires local governing bodies to review requests pertaining to marijuana licenses within their municipalities. The City may waive the right to protest or may file a protest to a request.

Before taking action on a marijuana license application, the Mayor shall provide for a public hearing before the City Council. Within 15 business days after the referrals under HMC 5.10.050, the Mayor shall schedule each marijuana license application for consideration by the City Council at its next City Council meeting and send written notice to the applicant.

A review of the referrals relating to marijuana license application has been completed. Based on that review, The Mayor recommends the following action:

	<b>WAIVE THE RIGHT TO PROTEST</b>
<b>X</b>	<b>PROTEST</b> the issuance of the license for the following factors(s). (HMC 5.10.050).
<b>X</b>	➤ Staff referrals.
Public Works	<p>1).HMC 10.03.110 (F)(7)</p> <p>Marijuana Establishment Setback/Buffer.</p> <p>a. Structures containing a marijuana retail store shall be set back a minimum of 100 feet from any adjacent residential lot line, and include a minimum 25-foot vegetative buffer.</p> <p>b. All other marijuana establishments shall provide a minimum 25-foot setback and buffer of natural vegetation from adjacent properties.</p> <p>1).HMC 10.03.110 (6)(i)</p> <p>There shall be left a 25-foot-deep strip of native vegetation from the edge of the Parks Highway right-of-way, running parallel to the highway, for all properties that abut the Parks Highway right-of-way.</p>
	➤ Concentration of other licenses of the same and other types in the area.
<b>X</b>	➤ Other factors.
<b>X</b>	➤ Compliance under 3AAC 306.010(a)
	<p>3AAC 306.010 (a) License Restrictions</p> <p>(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. The distance specified in this subsection must be measured by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school ground, the outer boundaries of the recreation or youth center, the main public entrance of the building in which religious services are regularly conducted, or the main public entrance of the correctional facility. This section does not prohibit the renewal of an existing marijuana establishment license or the transfer of an existing marijuana establishment license to another person if the licensed premises were in use before the school ground, recreation or youth center, the building in which religious services are regularly conducted, or a correctional facility</p>

	began use of a site within 500 feet. If an existing marijuana establishment license for premises 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 is revoked or expires, the board will not issue another marijuana establishment license for the same premises unless the school ground, the recreation or youth center, the building in which religious services are regularly conducted, or the correctional facility no longer occupies the site within 500 feet.
	<b>CONDITIONS</b> recommend the <b>issuance</b> of the license with the following conditions(s). (HMC 5.10.060).
	<b>SUSPENSION OR REVOCATION</b> request a suspension or revocation of the license pursuant to 3 AAC 306.060;

If the City Council protests an application or recommends conditions on which the application shall be granted, the City Council shall state on record the reasons for its decisions, and the Mayor shall notify the Board and the applicant in writing of the decision.

***Reasons for protest:***

- 1). The applicant does not meet the City's setback/buffer land ordinance for a marijuana establishment. HMC 10.03.110 (F) (7).
- 2). The applicant has not been granted a variance for the buffer.
- 3). The City of Houston requests the Marijuana Board investigate compliance under 3AAC 306.010 as provided in the attached staff report and objection received from Pastor Doug Ferrett.

If the City Council finds that the basis for its decision to protest an application, or to recommend conditions on which the application should be granted, no longer exists, the City Council may rescind its decision and direct the Mayor to notify the Board and the applicant of the decision.

**Administration recommendation:** Approve Action Memorandum 18-21.

<b>Office of the City Clerk Use Only</b>	
Applicant noticed of Public Hearing: <input checked="" type="checkbox"/>	Applicant noticed of decision: <input checked="" type="checkbox"/> AMCO noticed of decision: <input checked="" type="checkbox"/>
MSB Noticed (Relocation only) <input checked="" type="checkbox"/>	Houston Planning Commission noticed of decision <input checked="" type="checkbox"/>



City of Houston, Alaska  
Mayor's Office



Tuesday, August 28, 2018

TO: City Clerk  
Public Works Director  
Fire Chief  
Police Chief/Mayor

**Application Type:** New

**License Type:** Marijuana Standard Cultivation Establishment License

**License Number:**

**Licensee/Applicant Name:**

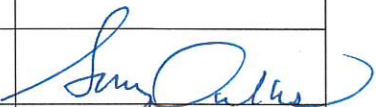
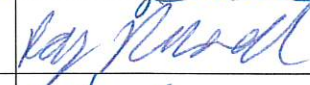

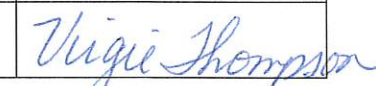
**Business Name:**

**Physical Location of Business:**

**The above referenced license was received by the City Clerk on:** 8/1/2018

Staff must determine whether the applicant complies with the provisions of  Marijuana Licensing and Regulations.

The application was reviewed in accordance with  Marijuana Licensing and Regulations; and the following findings are reported:

Department Name	Recommend Non- Protest	Recommend Protest (Please provide written statement under separate cover)	Authorized Signature
<b>Clerk's Office</b> HMC 5.10.050(B)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Public Works</b> HMC 5.10.050(A)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Fire Chief</b> HMC 5.10.050(D)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Police Chief</b> HMC 5.10.050(C)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Revised 6/18



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**MEMORANDUM**

DATE: August 27, 2018  
TO: Mayor Thompson  
FROM: Ray Russell, Public Works Director  
SUBJECT: Public Works Nonconformity Determination, 50 Shades of Green, LLC

**Re: 50 Shades of Green LLC, Standard Marijuana Cultivation Facility application**

Located at 14481 W. Marginal Access Road, (Parcel ID 70178 or BRYANT #1 LOT 10 )

Mayor Thompson,

After review of the application in accordance with Houston Municipal Code (HMC 5.10.050) Marijuana Licensing and regulations. My finding is as follows:

**Under HMC 10.03.110 PH district – Parks Highway district.**

*7. Marijuana Establishment Setback/Buffer.*

- a. Structures containing a marijuana retail store shall be set back a minimum of 100 feet from any adjacent residential lot line, and include a minimum 25-foot vegetative buffer.*
- b. All other marijuana establishments shall provide a minimum 25-foot setback and buffer of natural vegetation from adjacent properties.*

The building is approximately 13 feet from BRYANT #1 LOT 9 to the West. Corrective action would require a Variance.

There is also less than 25 feet of vegetative buffer to the Parks Highway ROW that is required for all properties in PH by HMC 10.03.110 6(b)i

**Additional information:**

*Alaska Regulations for the Marijuana Control Board 3AAC306.010 License restrictions.*

*(a) the board will not issue marijuana establishment license if the licensed premises will be located within 500 feet of a school ground, a recreational or youth center, a building in which religious services are regularly conducted, or a correctional facility. The distance specified in this subsection must be measured by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school ground, the outer boundaries of the recreation or youth center, the main public entrance of the building in which religious services are regularly conducted, the main public entrance of the correctional facility.*

Measured by shortest pedestrian path from door to door of the intended licensed building and the church I found it to be 142' +/- 2'. Measured by second route to the Parks Highway bike path and back the distance is 398' +/- 3'. See attached map.

Paul Moyer, Pastor of Big Lake Independent Baptist Church has confirmed with me that the church holds regular services at the 14457 W. Marginal Way location.

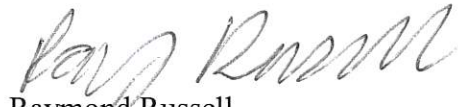
**Public Works Recommendations**

I recommend protest of the 50 Shades of Green marijuana application

My findings are based on Houston Municipal Code HMC 10.03.110 6(b)I and 10.03.110 7(b) and Alaska Administrative Code. 3AAC306.010

The applicant can apply for a variance with regards to the setbacks and buffering, through the process outlined in HMC 10.08.080 Variances..

CITY OF HOUSTON



Raymond Russell  
Deputy Public Works Director

Attachments:

Map



City of Houston, Alaska  
Public Works Department



August 30, 2018

50- Shades of Green  
SOA License Number 1059762  
P.O. Box 877848  
Wasilla AK 99687

Re: Marijuana License Review

Dear Business Owner:

Your marijuana license application has come up for review by the City of Houston. Per HMC 5.10.050 (A) the Public Works Department has reviewed your application for compliance.

At this time your application does not meet the provisions of HMC 10.03.110 for the following reason(s):

- ☐ Structure at license location does not conform to HMC Title 10.
- ☐ Use of land or structures at license location does not conform to HMC Title 10.
- ☐ Platting regulations, including recorded subdivision reservations, restrictions and covenants or the terms and conditions of any rezone does not conform to HMC Title 10.
- ☒ Other – *PH zoning Buffering and Setback requirements.*

The Public Works Department will recommend that your marijuana license be protested if the above non-conformities are not corrected. Please contact the Public Works Department to correct any non-conformities.

If you have any questions, you can reach the Public Works Department at 907-892-6869.

Respectfully,

Ray Russell  
Public Works  
[russell@houston-ak.gov](mailto:russell@houston-ak.gov)

CC: Mayor's Office  
City Clerk's Office  
Enclosures: Houston Municipal Code 5.10.050 and 10.03.110

#### **5.10.050 Review of marijuana establishment license application.**

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Upon receiving notice from the Marijuana Control Board of an application for the issuance, renewal, transfer of location or transfer to another person of a marijuana establishment location in the City, including without limitation an application to transfer a license to a license location in the City under AS [17.38](#), the City shall refer the application for review:

A. By the Public Works Department to determine whether any structure, or use of land or structures at the license location does not conform to HMC Title [10](#), applicable platting regulations, including recorded subdivision reservations, restrictions and covenants, or the terms and conditions of any rezone, planning commission approval, or administrative approval granted for the license location. The Public Works Department shall notify the applicant in writing of any nonconformity that it finds. In response to this notice, the applicant shall either:

1. Provide evidence satisfactory to the Mayor that the nonconformity has been corrected; or
2. Provide a plan for correction of the non-conformity satisfactory to the Mayor, with security satisfactory to the Mayor for the performance of the plan.

B. By the Clerk's office to determine whether the licensee or license transfer is delinquent in paying to the City any tax, assessment, business license fee, or other fee or charge, or to the Matanuska-Susitna Borough any real property tax, for the business that operates, or will operate, under the marijuana establishment license. The City Clerk shall notify the applicant in writing of any delinquency that it finds. In response to the notice, the applicant shall either:

1. Provide evidence satisfactory to the Mayor that the nonconformity has been corrected; or
2. Provide a plan for correction of the non-conformity satisfactory to the Mayor, with security satisfactory to the Mayor for the performance of the plan.

C. By the Police Department or Mayor to determine whether, in the opinion of the Police Chief or Mayor, there has been an excessive number of convictions or arrests for unlawful activity at the licensed premises, police reports at the licensed premises, or police dispatches to the licensed premises, or violations of HMC Title [8](#). The Police Department or the Mayor shall notify the applicant in writing of any adverse finding under this subsection.

D. By the Fire Chief to determine whether, in the opinion of the Fire Chief, there are conditions present that would endanger the public or responders in the event of an emergency, or there has been an excessive number of responses to the property due to false alarms, illegal burning or unsafe burn practices. The Fire Chief shall notify the applicant in writing of any adverse finding under this subsection. (Ord. 16-08 § 5, 2016; Ord. 17-03 § 5, 2017)

#### **5.10.060 Consideration by Council.**

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A. Before taking action on a marijuana establishment application under this section, the Mayor shall provide for a public hearing before the City Council. Within 15 business days after the referrals under HMC [5.10.050](#), the Mayor shall schedule each marijuana establishment license application for consideration by the City Council at its next City Council meeting and send written notice to the applicant. The notice shall include the following information:

1. The date and time of the meeting at which the Council will consider the application;
2. A statement that the applicant may appear before the Council at the meeting to defend the application; and
3. A summary of any unresolved findings adverse to the marijuana establishment application that have resulted from the referrals under HMC [5.10.050](#).



B. During the public hearing, the City Council shall provide the applicant an opportunity to make a presentation in defense of the application.

C. The City Council after public hearing shall determine whether to protest or recommend with conditions, the issuance, renewal or transfer of a marijuana establishment license application and shall consider the following factors it believes are pertinent. Such factors shall include, but are not limited to:

1. Review of referrals under HMC [5.10.050](#); and
2. The concentration of other licenses of the same and other types in the area; and
3. Any other factors the City Council determines is relevant to a particular application, including a reasonable expectation that the applicant will exercise the license for the duration of the term of the license.

D. For a marijuana establishment application that is subject to protest by the City under [3 AAC 306.060](#):

1. After considering the application and public hearing the City Council may decide to:
  - a. Protest the application under [3 AAC 306.060](#);
  - b. Recommend conditions on which the application should be granted under [3 AAC 306.060](#); or
  - c. Take no action on the application.
2. If the City Council protests an application or recommends conditions on which the application should be granted, the City Council shall state on the record the reasons for its decision, and the Mayor shall notify the Board and the applicant in writing of the decision of the Council and the reasons therefor.
3. If the City Council finds that the basis for its decision to protest an application, or to recommend conditions on which an application should be granted, no longer exists, the City Council may rescind its decision and direct the Mayor to notify the Board and the applicant of its rescission.

E. For one or more applications to relocate a marijuana establishment license in the City under [3 AAC 306.060](#):

1. After considering the applications, the City Council may decide to:
  - a. Approve one or more of the applications with or without conditions; or
  - b. Deny one or more applications.
2. The Mayor shall notify the Board, the Matanuska-Susitna Borough, and the applicants in writing of the decision of the Council and the reasons therefor. (Ord. 16-08 § 5, 2016)

### **10.03.110 PH district – Parks Highway district.**

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A. Intent. The purpose of this district is to encourage a moderate level of growth which will provide an economic base in Houston adequate to allow provisions of employment opportunities in the area and to avoid becoming dependent upon external governmental or economic factors and activities. It is also intended to maintain the qualities that make the George Parks Highway corridor an attractive community entry and community center. These qualities include buildings set back from the street, predominance of trees and other vegetation and building sizes and styles that reflect Houston's history and natural setting. It is intended to encourage this area to support a mixture of residential and commercial activities.

B. Permitted Principal Uses and Structures. The PH district allows the following development:

1. Single-family and two-family dwellings, and multifamily dwellings if eight or fewer units per acre;
2. Retail, office, service, or other commercial buildings with a footprint of 10,000 square feet or less;
3. Hotels, motels or other overnight accommodations;
4. Recreational vehicle parks or campgrounds with spaces for total of 50 or fewer tent camping or RV spaces;
5. Building for community civic uses;
6. Utility facilities;
7. Churches;
8. Parks and playgrounds;
9. Accessory uses;
10. Marijuana retail facilities, subject to setback and buffer requirements;
11. Marijuana testing facilities, subject to setback and buffer requirements;
12. Marijuana cultivation facilities, subject to setback and buffer requirements;
13. Alcohol beverage uses, involving the manufacturing, storage, or sale of alcoholic beverages.

C. Permitted Accessory Uses and Structures.

1. Accessory uses and structures are allowed as a part of a principal permitted use or structure on the same lot. An accessory use or structure is a use or structure which is clearly incidental and subordinate to the principal use or structure of a lot and which is commonly associated with and is on the same lot as the principal use or structure and integrally related to it.
2. Marijuana product manufacturing facilities.
3. Marijuana on-site consumption if licensed by the state of Alaska for that purpose and if collocated with a marijuana retail facility.

D. Conditional Uses and Structures. The PH district allows the following conditional uses and structures:

1. Multifamily dwellings of more than eight units per acre;
2. Retail, office, service, or other commercial buildings with a footprint of more than 10,000 square feet;
3. Recreational vehicle parks or campgrounds with spaces for a total of more than 50 tent camping or RV spaces;
4. Agricultural uses;
5. Used car lots;

6. Natural resources extraction;
7. Light industrial uses;
8. Telecommunication structures as regulated under the provisions of this chapter; and
9. Other uses that are compatible with the district, with character compatible to the uses listed here, and that are of similar or lighter intensity of use in terms of their traffic, noise or other off-site impacts, as determined by the Public Works Director.

E. Prohibited Uses and Structures. The following uses and structures are prohibited:

1. Mobile home parks;
2. Junkyards and refuse areas;
3. Correctional community residential centers;
4. Heavy industrial uses;
5. Any adult entertainment or business as defined in HMC [10.01.040](#);
6. Tower farms and tall structures over 100 feet in height, except as permitted under federal regulations;
7. Firework stands;
8. *Repealed by Ord. 16-05*;
9. Marijuana social clubs; and
10. Other uses and structures not listed as permitted or conditional are prohibited.

F. Development Standards. The development standards within this district are as follows:

1. The maximum building height is 35 feet. Buildings at a height that exceeds 35 feet require a variance from the City of Houston.
2. There is a 100-foot water body setback from the Little Susitna River for all structures.
3. Existing accesses onto Parks Highway are grandfathered. Any new accesses onto Parks Highway must be developed, to the extent, along section lines, or by providing frontage road access, in coordination with development on adjacent lot.
4. There is a floor area ratio (FAR) requirement of one.
5. The maximum lot coverage of the total of all buildings on a lot shall not exceed 50 percent.
6. Vegetative Buffer Standards.

a. Intent. The provision of a setting that is distinctive and representative of the community of Houston is important to the values of the citizens of Houston. This section establishes standards for maintenance, selective clearing, and planting of vegetation along the Parks Highway to maintain the attractive character of the roadway. These standards provide for continued residential development and commercial enterprise along the Parks Highway while maintaining a setting that reflects the values of the community. These standards also provide for an enhanced experience for visitors. It is the intent of these buffer standards to encourage development that will maintain the buffer of trees but, if so desired by the landowner, to allow views into residential areas and businesses.

b. Buffering Standards.

i. There shall be left a 25-foot-deep strip of native vegetation from the edge of the Parks Highway right-of-way, running parallel to the highway, for all properties that abut the Parks Highway right-of-way.

ii. The buffer shall not be encumbered by utility easements. Where utility easements exist, the buffer shall begin at the boundary of the utility easement and maintain a 15-foot width from the boundary of the utility easement.

iii. Where native vegetation has previously been cleared, native vegetation or a mix of native vegetation and ornamental vegetation up to a maximum of 50 percent ornamental vegetation may be replanted in replacement of cleared vegetation. Where native vegetation has been previously been grubbed, lawn, native vegetation, or ornamental vegetation may be planted in the cleared area.

iv. Where vegetation is planted in a previously cleared area, this shall include trees planted at a net density of one tree per 200 square feet (one tree per eight feet of highway frontage). Trees may be more tightly grouped or massed in one area in order to allow more open views to residences, businesses, or signage in other areas, within the buffer area. On lots adjacent to the Parks Highway, where a frontage or parallel access road is present, buffering requirements shall be from the lot line common with the edge of the frontage or access road, as opposed to the Parks Highway.

c. Buffering Standards Exceptions.

i. Buffer requirements do not apply to driveways authorized by Alaska State Department of Transportation and Public Facilities (ADOT and PF) that connect from the ADOT and PF right-of-way to abutting lots. ADOT and PF requires permits for driveway connection to a state right-of-way. Driveways shall cross the lot at an angle perpendicular to the roadway.

ii. Trimming of trees and shrubs is permitted to allow views to properties or signage. Unhealthy, damaged, or dead trees posing a hazard may be removed.

iii. Trimming of trees and shrubs is permitted within the buffer as needed to accommodate utility service between rights-of-way, utility easements, and development on individual lots.

iv. On properties where the portion of the lot fronting on the Parks Highway is crossed by one or more community utility easements running parallel to the road, and where such a utility easement extends more than 25 feet into the lot from the front property line of the lot, the vegetative buffer requirement is reduced such that the total depth of the easement and buffer does not exceed 50 feet (e.g., if the utility easement is 40 feet, the vegetative buffer would be 10 feet).

7. Marijuana Establishment Setback/Buffer.

a. Structures containing a marijuana retail store shall be set back a minimum of 100 feet from any adjacent residential lot line, and include a minimum 25-foot vegetative buffer.



b. All other marijuana establishments shall provide a minimum 25-foot setback and buffer of natural vegetation from adjacent properties.

8. Alcohol Beverage Establishment Setback/Buffer. Structures containing alcohol beverage retail or dispensing uses shall be set back a minimum of 100 feet from any adjacent residential lot line and include a minimum 25-foot vegetative buffer.

G. Minimum Lot Area Requirements. Lot area shall be 40,000 square feet.

H. Parking. See HMC [10.04.060](#).

I. Signs. See Chapter [10.05](#) HMC. (Ord. 08-13 § 5, 2008; Ord. 09-23 § 4, 2009; Ord. 11-06 § 4(3), 2011; Ord. 16-05(A) § 5, 2016; Ord. 17-02 § 5, 2017. Formerly Ch. 10.41 Art. IV)





THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of Commerce, Community,  
and Economic Development**

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

August 28, 2018

50 Shades of Green LLC  
DBA 50 Shades of Green LLC  
Via: [qnogrn@50shadesogreen.com](mailto:qnogrn@50shadesogreen.com)

Re: 50 Shades of Green LLC, License #14956

Dear 50 Shades of Green LLC:

At the August 16, 2018, meeting of the Marijuana Control Board in Fairbanks, Alaska, the board voted to approve your standard marijuana cultivation facility with delegation to the director. Delegation means that the board has authorized me to issue the license once all outstanding approvals are received.

After the board meeting we received an objection to your application submitted in accordance with 3 AAC 306.065. Your application will be brought back to the board at their October 16-17 meeting so that the board may consider the objection.

Please contact our office at [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov) with any questions or updates.

Sincerely,

A handwritten signature in cursive script that reads "Erika McConnell".

Erika McConnell  
Director

cc: License File  
City of Houston  
Matanuska-Susitna Borough

**From:** CHURCH - BIG LAKE INDEPENDENT BAPTIST [mailto:independent@mtaonline.net]  
**Sent:** Thursday, August 30, 2018 4:10 PM  
**To:** marijuana.licensing@alaska.gov  
**Cc:** qnogr@50shadesogreen.com; Vern.Halter@matsugov.us; representative.david.eastman@akleg.gov; senator.mike.shower@akleg.gov; Sonya Dukes <SDukes@houston-ak.gov>  
**Subject:** Objection to 50 Shades of Green, License# 14956

To whom it may concern:

My name is Douglas Ferrett, I am the Pastor of Independent Baptist Church of Big Lake (IBCBL). IBCBL owns the church building located at 14457 W. Marginal Access Road, Houston, Alaska. This building is Bible Baptist Church of Houston. When Pastor Miller passed away into the Lord's hands the congregation deeded this property to IBCBL. Currently we hold regular scheduled services on Wednesdays at this location (14457 W. Marginal Access Road). Our current plans are to maintain this building as a church for the foreseeable future. Please see our webpage for our advertised scheduled services:

<https://www.independentbaptistbiglake.com/services/>

I object to the application by 50 Shades of Green LLC located at 14481 W. Marginal Access Road, Houston, AK. I do not believe that this facility is more than 500 feet as required by 3 AAC 306.010, as the properties are directly adjacent and less than 500 feet apart. Therefore, I urge your office to decline this application accordingly. Please keep me informed of any public meetings for which this matter may be scheduled; I am also available for more information or questions about our church and the church property located at 14457 Marginal Access Road, Houston.

Thank you,

Pastor Doug Ferrett  
907-892-7327

## Sonya Dukes

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**From:** Sonya Dukes  
**Sent:** Thursday, August 30, 2018 5:12 PM  
**To:** 'CHURCH - BIG LAKE INDEPENDENT BAPTIST'; marijuana.licensing@alaska.gov  
**Cc:** qnognrn@50shadesogreen.com; Vern.Halter@matsugov.us; representative.david.eastman@akleg.gov; senator.mike.shower@akleg.gov; Virgie Thompson (vthompson@houston-ak.gov); Ray Russell (RRussell@houston-ak.gov); Amy Hansen; Lance Wilson  
**Subject:** RE: Objection to 50 Shades of Green, License# 14956

Pastor Ferrett,

I have received your objection, application 14956 is in the administrative process at this time.

As requested I will add you to our email serve list for Public Hearings.

In the City of Houston marijuana applications are set to public hearings. At this time License # 14956 has not been set for a public hearing.

The next Council Meeting will be September 13, 2018 at 7 pm. The agenda and public hearing items will be published on Friday, September 7<sup>th</sup>.

<https://www.houstonak.com/>

Please contact my office if you have any questions on the process. (907)892-6869.

You can click [HERE](#) to read the City's Marijuana Regulations

*Sonya Dukes, CMC*  
City Clerk  
City of Houston, Alaska  
PO Box 940027, Houston, AK 99694  
OFFICE: (907) 892-6869 FAX: (907) 892-7677  
Website: <http://www.houstonak.com/>  
Facebook: <https://www.facebook.com/houstonak/>

Vote Local October 2, 2018

State Primary Election: August 21, 2018 | State General Election: November 6, 2018



Public Records Law Disclosure: This e-mail may be considered public record and be subject to public disclosure.  
Confidentiality Notice: This e-mail may contain confidential or privileged information. It is intended only for the use of the recipient named above. If you believe you have received this message in error, please notify me immediately by reply email, delete the message from your computer, and destroy any paper copies.

City of Houston, Alaska  
Mayor's Office



September 6, 2018

50 Shades of Green LLC.# 14956  
Gabrielle Peterson-Christensen  
PO Box 877848  
Wasilla, AK 99687

Re: Marijuana Establishment License Review

Dear Business Owner:

Your marijuana establishment license application has come up for review by the City of Houston. Per HMC 5.10.060 the City Council will be holding a public hearing and considering the application at the next City Council meeting, to be held on the **13th day of September at 7:00 pm** at Houston City Hall, 13878 W Armstrong Road, Houston AK 99694.

You may appear before the Council at this publicly noticed hearing to defend your application.

Below is a summary of any unresolved findings for your application under HMC 5.10.050:

- AM 18-21: City Council Statement of Protest
  - 1). The applicant does not meet the City's setback/buffer land ordinance for a marijuana establishment. HMC 10.03.110 (F) (7).
  - 2). The applicant has not been granted a variance for the buffer.
  - 3). The City of Houston requests the Marijuana Board investigate compliance under 3AAC 306.010 as provided in the attached staff report and objection received from Pastor Doug Ferrett.

If you have any questions please contact the Clerk's Office at 907-892-6869.

Sincerely,

Virgie Thompson

Mayor

[vthompson@houston-ak.gov](mailto:vthompson@houston-ak.gov)

CC: Clerks Office

Public Works Department

Enclosure: Houston Municipal Code 5.10.050

AM 18-21

City of Houston, Mayor's Office • P.O. Box 940027 • Houston, Alaska 99694-0027

Phone: (907)892-6869 • Fax: (907) 892-7677 • email: [mayor@houston-ak.gov](mailto:mayor@houston-ak.gov)

Website: [www.houston-ak.gov](http://www.houston-ak.gov)

# Alcohol & Marijuana Control Office

Initiating License Application

10/20/2017 5:07:01 PM

**License Number:** 14956**License Status:** New**License Type:** Standard Marijuana Cultivation Facility**Doing Business As:** 50 SHADES OF GREEN LLC**Business License Number:** 1059762**Designated Licensee:** Gabrielle Petersen-Christensen**Email Address:** qnogrnrn@50shadesogreen.com**Local Government:** Houston**Community Council:****Latitude, Longitude:** 61.631334, -149.815449**Physical Address:** 14481 W Marginal Access Road  
Houston, AK 99694  
UNITED STATES**Licensee #1****Type:** Entity**Alaska Entity Number:** 10067899**Alaska Entity Name:** 50 Shades of Green LLC.**Phone Number:** 907-775-6552**Email Address:** qnogrnrn@50shadesogreen.com**Mailing Address:** PO Box 877848  
Wasilla, AK 99687  
UNITED STATES**Entity Official #1****Type:** Individual**Name:** Gabrielle Petersen-Christensen  
[REDACTED]  
[REDACTED]**Phone Number:** 907-775-6552**Email Address:** qnogrnrn@50shadesogreen.com**Mailing Address:** PO Box 877848  
Wasilla, AK 99687  
UNITED STATES**Entity Official #2****Type:** Individual**Name:** Pamela Thomas  
[REDACTED]  
[REDACTED]**Phone Number:** 907-707-4207**Email Address:** pamelasfive@gmail.com**Mailing Address:** PO Box 2166  
Palmer, AK 99645  
UNITED STATES**Entity Official #3****Type:** Individual**Name:** Jeffery Gresio  
[REDACTED]  
[REDACTED]**Phone Number:** 907-414-1644**Email Address:** jeffgmusic@gmail.com**Mailing Address:** PO Box 876642  
Wasilla, AK 99687  
UNITED STATES**Note:** No affiliates entered for this license.





THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7<sup>th</sup> Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

August 1, 2018

City of Houston

Attn: City Clerk

Via Email: [sdukes@houston-ak.gov](mailto:sdukes@houston-ak.gov); [sschug@houston-ak.gov](mailto:sschug@houston-ak.gov); [vthompson@houston-ak.gov](mailto:vthompson@houston-ak.gov)

Matanuska-Susitna Borough

Attn: Mark Whisenhunt

Via Email: [mwhisenhunt@matsugov.us](mailto:mwhisenhunt@matsugov.us); [permitcenter@matsugov.us](mailto:permitcenter@matsugov.us); [alex.strawn@matsugov.us](mailto:alex.strawn@matsugov.us)

<b>License Number:</b>	14956
<b>License Type:</b>	Standard Marijuana Cultivation Facility
<b>Licensee:</b>	50 Shades of Green LLC.
<b>Doing Business As:</b>	50 SHADES OF GREEN LLC
<b>Physical Address:</b>	14481 W Marginal Access Road Houston, AK 99694
<b>Designated Licensee:</b>	Gabrielle Petersen-Christensen
<b>Phone Number:</b>	907-775-6552
<b>Email Address:</b>	qnogrn@50shadesogreen.com

☒ **New Application**

AMCO has received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under 3 AAC 306.025(d)(2).

To protest the approval of this application(s) pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.010, 3 AAC 306.080, and 3 AAC 306.250 provide that the board will deny an application for a new license if the board finds that the license is prohibited under AS 17.38 as a result of an ordinance or election conducted under AS 17.38 and 3 AAC 306.200, or when a local government protests an application on the grounds that the proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the marijuana establishment, unless the local government has approved a variance from the local ordinance.

This application will be in front of the Marijuana Control Board at our August 15-17, 2018 meeting.

Sincerely,

Erika McConnell, Director

[amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)

City of Houston, Alaska  
Mayor's Office



September 14, 2018

50 Shades of Green LLC.# 14956  
Gabrielle Peterson-Christensen  
PO Box 877848  
Wasilla, AK 99687

Re: City Of Houston Marijuana Establishment License Decision

Dear Business Owner:

Your marijuana establishment license application was reviewed by the City of Houston. Per HMC 5.10.060 the City Council held a public hearing and considered the application at the City Council meeting on the 13th day of September 2018 at Houston City Hall, 13878 W Armstrong Road, Houston AK 99694.

Below is a summary of decisions on your application under HMC 5.10.050:

- The City Council protested. This action was taken as Action Memorandum 18-21.

Below is a summary of any unresolved findings for your application under HMC 5.10.050

- 1). The applicant does not meet the City's setback/buffer land ordinance for a marijuana establishment. HMC 10.03.110 (F) (7).
- 2). The applicant has not been granted a variance for the buffer.
- 3). The City of Houston requests the Marijuana Board investigate compliance under 3AAC 306.010 as provided in the attached staff report and objection received from Pastor Doug Ferrett.

A notice of this decision has been forwarded to the State Alcohol and Marijuana Control Office.

If you have any questions please contact the Clerk's Office at 907-892-6869.

Sincerely,

Virgie Thompson

Mayor

[vthompson@houston-ak.gov](mailto:vthompson@houston-ak.gov)

CC: Clerks Office

Public Works Department

Office of the City Clerk

AM 18-21

**From:** moyerpj12@startmail.com  
**To:** [Marijuana Licensing \(CED sponsored\)](#)  
**Cc:** [qnogm@50shadesogreen.com](mailto:qnogm@50shadesogreen.com); [david.eastman@akleg.gov](mailto:david.eastman@akleg.gov); [mark.shower@akleg.gov](mailto:mark.shower@akleg.gov); [vthompson@houston-ak.gov](mailto:vthompson@houston-ak.gov)  
**Subject:** Objection to Lic# 14956, 50 Shades of Green, LLC  
**Date:** Wednesday, August 22, 2018 9:09:43 PM

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To Whom it may concern;

I formally object to the granting of 50 Shades of Green LLC receiving a license to operate a marijuana facility located at 14481 W. Marginal Access Road, Houston. This facility is immediately adjacent (i.e. less than 500 feet) from an ACTIVE INDEPENDENT BAPTIST **CHURCH** located at 14457 W. Marginal Access Road, Houston. This church still holds regular scheduled services at the location and is also used for youth groups and missionary group purposes throughout the year. A granting of this license would be a direct violation of 3 AAC 306.010.

As an active member of this church I urge you comply with state regulations in not granting a license for this establishment. I also question how this application was deemed as "complete" when the city of Houston had notified the control board previously that this location would be in violation of 3 AAC 306.010. I am greatly concerned that this application was so readily deemed complete, and wonder how many other facilities throughout the State may be in violation due to the apparent failure to conduct proper due diligence of applications by the control board.

Thank you,

Paul A. Moyer  
PO Box 875002  
Wasilla, AK 99687  
907-414-7021

**From:** [Marijuana Licensing \(CED sponsored\)](#)  
**To:** ["moyerpj12@startmail.com"](mailto:moyerpj12@startmail.com)  
**Cc:** [Marijuana Licensing \(CED sponsored\)](#)  
**Subject:** RE: Objection to Lic# 14956, 50 Shades of Green, LLC  
**Date:** Thursday, August 23, 2018 8:49:00 AM  
**Attachments:** [image001.png](#)

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Good morning,

It appears that there is a typo in the email address for the applicant. The correct email address is:  
[qnogrn@50shadesogreen.com](mailto:qnogrn@50shadesogreen.com)

You are required to notify the applicant of your objection, and the public objection period ends on 8/31/18. Please send your objection to the correct email address for the applicant, and make sure to copy [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov) for our records.

Respectfully,



**Jacqueline Drulis**

Occupational Licensing Examiner  
Alcohol & Marijuana Control Office  
550 West 7th Avenue, Suite 1600  
Anchorage, Alaska 99501

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**From:** moyerpj12@startmail.com <moyerpj12@startmail.com>  
**Sent:** Wednesday, August 22, 2018 9:09 PM  
**To:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>  
**Cc:** qnogrn@50shadesogreen.com; david.eastman@akleg.gov; mark.shower@akleg.gov; vthompson@houston-ak.gov  
**Subject:** Objection to Lic# 14956, 50 Shades of Green, LLC

To Whom it may concern;

I formally object to the granting of 50 Shades of Green LLC receiving a license to operate a marijuana facility located at 14481 W. Marginal Access Road, Houston. This facility is immediately adjacent (i.e. less than 500 feet) from an ACTIVE INDEPENDENT BAPTIST **CHURCH** located at 14457 W. Marginal Access Road, Houston. This church still holds regular scheduled services at the location and is also used for youth groups and missionary group purposes throughout the year. A granting of this license would be a direct violation of 3 AAC 306.010.

As an active member of this church I urge you comply with state regulations in not granting a license for this establishment. I also question how this application was deemed as "complete" when the city of Houston had notified the control board previously that this location would be in violation of 3 AAC 306.010. I am greatly concerned that this application was so readily deemed complete, and wonder how many other facilities throughout the State may be in violation due to the apparent failure to conduct proper due diligence of applications by the control board.



Thank you,

Paul A. Moyer  
PO Box 875002  
Wasilla, AK 99687  
907-414-7021

**From:** moyerpj12@startmail.com  
**To:** [qnogrn@50shadesogreen.com](mailto:qnogrn@50shadesogreen.com)  
**Cc:** [Marijuana Licensing \(CED sponsored\)](#)  
**Subject:** FW: AMCO, Objection to Lic# 14956, 50 Shades of Green, LLC  
**Date:** Thursday, August 23, 2018 10:29:02 AM

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**From:** moyerpj12@startmail.com <moyerpj12@startmail.com>  
**Sent:** Wednesday, August 22, 2018 9:16 PM  
**To:** 'marijuana.licensing@alaska.gov' <marijuana.licensing@alaska.gov>  
**Cc:** 'qnogrn@50shadesogreen.com' <qnogrn@50shadesogreen.com>;  
'representative.david.eastman@akleg.gov' <representative.david.eastman@akleg.gov>;  
'senator.mike.shower@akleg.gov' <senator.mike.shower@akleg.gov>; 'vthompson@houston-ak.gov'  
<vthompson@houston-ak.gov>  
**Subject:** AMCO, Objection to Lic# 14956, 50 Shades of Green, LLC

To Whom it may concern;

I formally object to the granting of 50 Shades of Green LLC receiving a license to operate a marijuana facility located at 14481 W. Marginal Access Road, Houston. This facility is immediately adjacent (i.e. less than 500 feet) from an ACTIVE INDEPENDENT BAPTIST **CHURCH** located at 14457 W. Marginal Access Road, Houston. This church still holds regular scheduled services at the location and is also used for youth groups and missionary group purposes throughout the year. A granting of this license would be a direct violation of 3 AAC 306.010.

As an active member of this church I urge you comply with state regulations in not granting a license for this establishment. I also question how this application was deemed as "complete" when the city of Houston had notified the control board previously that this location would be in violation of 3 AAC 306.010. I am greatly concerned that this application was so readily deemed complete, and wonder how many other facilities throughout the State may be in violation due to the apparent failure to conduct proper due diligence of applications by the control board.

Thank you,

Paul A. Moyer  
PO Box 875002  
Wasilla, AK 99687  
907-414-7021

To AMCO

Concerning the property that you refer to as commercial with an abandon building on it. The property is owned by Independent Baptist Church Biglake. We have had on the 2<sup>nd</sup> Wednesday of the month 2 services one at 10:00 am and one at 7:00 pm for at least the last 2 yrs. We also have used the building for visiting missionaries and out of state work parties sent from the lower 48 from our Pastors sending church ( Pastor Doug is a missionary pastor). We are now starting to have weekly prayer service on 10:00 am. Wednesday and an evening prayer service on the 2<sup>nd</sup> Wednesday of the month.. We are in the process of posting the day and times on the sign out front. I think this denotes which is called an active church hence forth the 500ft rule should apply. I know you do not live on the property that you want to make into an active growing operation so you would not know that services are being held at this Houston Church building.

Thank You

Roy Sumner





# Public Notice

## Application for Marijuana Establishment License

**License Number:** 14956

**License Status:** Complete

**License Type:** Standard Marijuana Cultivation Facility

**Doing Business As:** 50 SHADES OF GREEN LLC

**Business License Number:** 1059762

**Email Address:** qnogrnr@50shadesogreen.com

**Latitude, Longitude:** 61.631334, -149.815449

**Physical Address:** 14481 W Marginal Access Road  
Houston, AK 99694  
UNITED STATES

### Licensee #1

**Type:** Entity

**Alaska Entity Number:** 10067899

**Alaska Entity Name:** 50 Shades of Green LLC.

**Phone Number:** 907-775-6552

**Email Address:** qnogrnr@50shadesogreen.com

**Mailing Address:** PO Box 877848  
Wasilla, AK 99687  
UNITED STATES

### Entity Official #1

**Type:** Individual

**Name:** Gabrielle Petersen-Christensen

**Phone Number:** 907-775-6552

**Email Address:** qnogrnr@50shadesogreen.com

**Mailing Address:** PO Box 877848  
Wasilla, AK 99687  
UNITED STATES

### Entity Official #2

**Type:** Individual

**Name:** Pamela Thomas

**Phone Number:** 907-707-4207

**Email Address:** pamelasfive@gmail.com

**Mailing Address:** PO Box 2166  
Palmer, AK 99645  
UNITED STATES

### Entity Official #3

**Type:** Individual

**Name:** Jeffery Gresio

**Phone Number:** 907-414-1644

**Email Address:** jeffgmusic@gmail.com

**Mailing Address:** PO Box 876642  
Wasilla, AK 99687  
UNITED STATES

**Note:** No affiliates entered for this license.

Interested persons may object to the application by submitting a written statement of reasons for the objection to their local government, the applicant, and the Alcohol & Marijuana Control Office (AMCO) not later than 30 days after the director has determined the application to be complete and has given written notice to the local government. Once an application is determined to be complete, the objection deadline and a copy of the application will be posted on AMCO's website at <https://www.commerce.alaska.gov/web/amco>. Objections should be sent to AMCO at [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov) or to 550 W 7th Ave, Suite 1600, Anchorage, AK 99501.

**POSTING DATE** \_\_\_\_\_



**From:** CHURCH - BIG LAKE INDEPENDENT BAPTIST  
**To:** [Marijuana Licensing \(CED sponsored\)](#)  
**Cc:** [qnogrn@50shadesogreen.com](mailto:qnogrn@50shadesogreen.com); [Vern.Halter@matsugov.us](mailto:Vern.Halter@matsugov.us); [Eastman, David C \(LEG\)](#); [senator.mike.shower@akleg.gov](mailto:senator.mike.shower@akleg.gov); [Dukes, Sonya \(GOV sponsored\)](#)  
**Subject:** Objection to 50 Shades of Green, License# 14956  
**Date:** Thursday, August 30, 2018 4:10:11 PM

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To whom it may concern:

My name is Douglas Ferrett, I am the Pastor of Independent Baptist Church of Big Lake (IBCBL). IBCBL owns the church building located at 14457 W. Marginal Access Road, Houston, Alaska. This building is Bible Baptist Church of Houston. When Pastor Miller passed away into the Lord's hands the congregation deeded this property to IBCBL. Currently we hold regular scheduled services on Wednesdays at this location (14457 W. Marginal Access Road). Our current plans are to maintain this building as a church for the foreseeable future. Please see our webpage for our advertised scheduled services:

<https://www.independentbaptistbiglake.com/services/>

I object to the application by 50 Shades of Green LLC located at 14481 W. Marginal Access Road, Houston, AK. I do not believe that this facility is more than 500 feet as required by 3 AAC 306.010, as the properties are directly adjacent and less than 500 feet apart. Therefore, I urge your office to decline this application accordingly.

Please keep me informed of any public meetings for which this matter may be scheduled; I am also available for more information or questions about our church and the church property located at 14457 Marginal Access Road, Houston.

Thank you,

Pastor Doug Ferrett  
907-892-7327

**From:** Talia Swanson  
**To:** [qnogrn@50shadesogreen.com](mailto:qnogrn@50shadesogreen.com); [Marijuana Licensing \(CED sponsored\)](#)  
**Subject:** Fwd: OBJECTION: 50 Shades of Green, LLC Houston Objection - S. Swanson  
**Date:** Thursday, August 30, 2018 11:38:05 AM  
**Attachments:** [AMCO ltr.docx](#)

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----- Forwarded message -----

**From:** **Talia Swanson** <[taliasgarden@gmail.com](mailto:taliasgarden@gmail.com)>  
**Date:** Wed, Aug 29, 2018 at 6:34 PM  
**Subject:** OBJECTION: 50 Shades of Green, LLC Houston Objection - S. Swanson  
**To:** <[marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)>

29 August 2018

TRANSMITTED VIA ELECTRONIC MAIL ONLY:

Attached is a copy of the objection letter to the proposed Marijuana Cultivation Facility in Houston, Alaska

Should you have any questions regarding this letter do not hesitate to contact the sender.

28 August 2018

**TRANSMITTED VIA ELECTRONIC MAIL ONLY:** [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)

Alcohol & Marijuana Control Office (AMCO)  
550 W. 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501

**RE: *Objection to 50 Shades of Green, LLC – Proposed Houston, Alaska Location***

Dear AMCO Representative:

It has come to my attention that a proposed marijuana grow site is scheduled to open next to our church. Contrary to previous statements that this is a “vacant building” as described by the 50 Shades of Green, LLC permit application.

Independent Bible Baptist Church conducts service at this location. Furthermore, as I understand the statute, marijuana grow sites are not allowed within 500 feet of a church or school. I sincerely hope that AMCO investigates this matter immediately and declines 50 Shades of Green grow permit.

Sincerely,

Stephen Swanson





THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of Commerce, Community,  
and Economic Development**

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

To: Erika Mc Connell  
From: Investigator Whiteman  
Re: Measurements for 50 Shades of Green LLC # 14956

On Monday, September 17<sup>th</sup> 2018, I was instructed to go to 50 Shades of Green LLC in Houston, AK to take measurements of distance from the doorway of Bible Baptist Church to 50 Shades of Green LLC's door to determine compliance with 3AAC306.010 License Restrictions.

At approximately 9:35 am I left Anchorage traveling to 14481 W. Marginal Road Access Road Houston, AK. (50 Shades of Green LLC)

At approximately 10:45 am I arrived at the parking area of the Bible Baptist Church next to 50 Shades of Green LLC property.

At approximately 10:50 am I met with Gabrielle Petersen-Christenson and I advised her I would be on the property to measure the distance between both the church and proposed licensed premises. Gabrielle asked about which measurement would be used. I informed her I was there to measure the distance in feet from door to door – one measurement if using the bike path and one using the roadway.

At approximately 10:59 am I was at the front porch to the church, an attempt to contact Pastor Doug Ferrett was unsuccessful so I showed my credentials to the church cameras and began measurements at approximately 11:00 am.

I began at the church door and measured out to the middle of the closest roadside to the middle of the doorway of 50 Shades of Green then straight to the door – which was **449.3 feet**.

I then measured door to door again using the same method only this time using the bike path – that measured **435.5 feet**.

At approximately 11:14 am the measurements were completed.

At approximately 11:20 am Gabrielle and Cathy Bullington asked about the measurements and I did inform them of the results – they asked questions regarding the municipal code and the Parks Highway departments interpretation I advised them to contact the proper jurisdictions for answers. They then stated that the church property had been for sale and they recently moved in and began having prayer services. I then requested that any questions and information be sent to the Director of AMCO Erika McConnell and that I was only there to take measurements and could not help them otherwise.

At approximately 11:30 am I Left the area. I arrived back in Anchorage at approximately 1:05 pm.

End of Report

Kendrick Whiteman

**From:** Gabrielle Petersen  
**To:** [McConnell, Erika B \(CED\); Marijuana Licensing \(CED sponsored\)](#)  
**Subject:** Public Notice Regulations  
**Date:** Wednesday, September 05, 2018 7:54:36 AM

---

Good Morning, I am emailing you concerning a question that I am attempting to find an answer to. It appears that the regulation for the public objections or statements made to the board is now subject to the 30 day period once the Director deems the application to be complete.

I find it difficult to get an answer to or understand, how is it that an application is subject to both regulations? if a person had completed the process of public notice and publishing prior to the change in the regulation wouldn't their application still fall under the regulation that it pertained to when the act was done? Or is it now that the regulations had changed an application is subject to both prior and current regulations? And if so, how is that possible? Especially if the delay in the process was not due to the applicant not completing or providing information needed, yet delayed due to the back log of work received by the board.

Example: In the Alaska Court System if a criminal is charged with a crime and later the law changes even though their trial or hearings had not been finished, the charge of the crime was prior to the law changing, therefore the criminal is not subjected to the new law due to the time of the charges or all criminals would have to go back and either do additional or completely different sentences, or may not have committed the crime at all knowing the new possible outcome. The criminal is not legally subject to the new law since the charges were filed before the law changed.

Thank you for your response, Respectfully

Gabrielle Petersen-Christensen

September 5, 2018

AMCO Board of Alaska  
550 W 7th Avenue Suite 1600  
Anchorage, Alaska 99501

RE: Objection to license number 14956 - 50 Shades of Green LLC

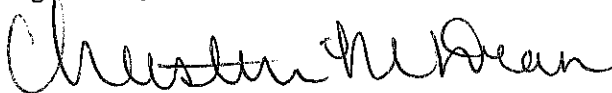
To Whom It May Concern;

I am Christine Dean, I have been involved with the Alaska Civil Patrol, a community based police patrol, and am the head of the Cheri Lakes/King Arthur neighborhood watch in Houaton, AK. I've resided in Houston, Alaska for six years. I've taken on the responsibility of knowing our neighborhoods and watching for those that need assistance or are trying to hurt or take from someone. I tend to pay attention to these things around me, more so than an average citizen. It is with this role that I can say I have traveled by and through the City of Houston, Alaska and have never observed regular services taking place at the church building located on Marginal Access Road and that the building was in fact for sale for a period of time of over a year.

I do not believe the objection letters submitted to the AMCO Board have been entirely truthful. There have not been, to my knowledge, regular religious services held at this building for a period of two years. I would not consider this building an active church.

Sincerely,

Christine Dean  
Neighborhood Watch Coordinator

A handwritten signature in black ink, appearing to read "Christine Dean".

907-631-2680

September 2, 2018

Cory Petersen  
PO Box 521431  
Big Lake, AK 99653  
907-354-6582

RE: License # 14956 50 Shades of Green LLC

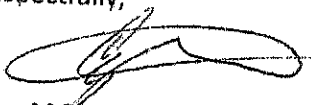
To whom it may concern

By way of introduction, my name is Cory M. Petersen, I am a former resident of the City of Houston and the Ex-Husband to Gabrielle Petersen-Christensen.

I have maintained and repaired the property listed at 14481 W. Marginal Access Road, Houston AK 99694. On a regular basis throughout the last 12 years. I have installed the current Heating and potable water system in the Houston Fire Department and with my current employer as the Service Manager of Christensen Construction LLC I am continually traveling to or through the City of Houston.

During the last two winters I have been to the property at 14481 W Marginal Access Road on multiple occasions and I have attempted to park at the property next door, due to snow I was not able to park there. The driveway had not been plowed for the entire winter and I did not notice any footsteps to the building in the snow. I have had to park across the Highway and walk across with my tools to complete the maintenance necessary. I can honestly say that no one has been using that building especially during the winters. Therefore, by my witness that property has been unmaintained throughout the last two years and left unused.

Respectfully,



Cory M Petersen

September 7, 2018

Houston City Counsel  
PO Box 940027  
Houston, AK 99694


Re: 50 Shades of Green LLC license #14956

To whom it may concern:

I have been a resident of the city of Houston for ten plus years. I have been a member of the Explorer Program with the City of Houston Fire Department. I have been and am frequently in the area of Down Town Houston. For the last three years I have been to the property located at 14481 W Marginal Access Way on several occasions to conduct ground and home maintenance. I have not witnessed any activity at the property next to the home now known as the old church building, and I have not seen any services or ground maintenance on the property during the winters or summers in these three years.

Respectfully,

Dakota McCants

A handwritten signature in black ink that reads "Dakota McCants". The signature is written in a cursive, flowing style with a long, sweeping underline that extends to the right.

09/08/18

Riverside Caimper Park

MP 57.7 Parks Hwy

Houston, AK 99694

To Whom It May Concern

We have lived at and operated the RV Park since 1998, Every summer we have people asking where they can find different things, one thing every summer is a church. I have always directed them to the church across the Hwy if that the type of church that they are looking for. A few years ago the church closed and at one point was up for sale when I asked I was told by someone in the community that the Pastor had passed away.

*Sheila Mortenson*



13 September 2018  
Lance L. Wilson  
PO Box 940065  
Houston, AK 99694  
(907) 892-3103  
lwilson@mtaonline.net

Alcohol & Marijuana Control Office  
Attn: Jacqlene Drulis  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, AK 99501

SUBJECT: Error in Marijuana Establishment License Number 14956 – Application  
Certifications (Form MJ-00)

Dear Ms. Drulis:

The application for a standard marijuana cultivation facility for 50 Shades of Green, License number 14956, contains a possible discrepancy with 3AAC306.010(a) that must be resolved before a license can be issued. On the MJ-00 form, the applicant certified that the proposed premises is not within 500 feet of a school ground, recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility as set forth in 3AAC306.010(a). This certification may no longer be true.

The adjacent property located at 14457 W. Marginal Access Road happens to be the location of a church that appears to be conducting regularly scheduled services. Additionally, the church building is not, or no longer is, simply a vacant building (per the applicant's site plan map). The adjacent property is the Bible Baptist Church annex of the Independent Baptist Church of Big Lake, and it is located far closer than the required 500 feet from the proposed standard cultivation facility.

The property adjacent to the proposed 50 Shades of Green standard marijuana cultivation facility, 14457 W. Marginal Access Rd., has been continually owned by a religious organization for more than 41 years. A property information search conducted on the Mat-Su Borough's "My Property" website, and the hyperlinks to title information at the DNR Palmer recording office, reveals that Lois Knapp deeded the adjacent property to the Bible Baptist Church (of Houston) on April 4, 1977. The Bible Baptist Church of Houston, Alaska deeded the property to the current owners, the Independent Baptist Church of Big Lake, Alaska on September 15, 2015.

<http://my.matsu.properties/mydetail.aspx?pID=51490>

The church's website posts a service schedule that indicates weekly prayer services are conducted each Wednesday morning at 10:00AM at 14457 W. Marginal Access Rd.

<https://www.independentbaptistbiglake.com/services/>

## INDEPENDENT BAPTIST CHURCH BIG LAKE, AK

Search

### SERVICES

#### Sunday Services:

Sunday School 10:00 am

Morning Worship 11:00 am

Evening Worship 6:00 pm

First Sunday of Every Month Fellowship Meal, followed by afternoon service.

#### Wednesday Prayer Services

Morning 10:00 am (Houston Church 14457 W. Marginal Access, just north of 3 Bears)

Evening 7:00 pm (2nd Sunday of every month evening prayer services @ Houston location 14457 W. Marginal Access Road)

Since learning that the applicant was continuing to press forward with Marijuana Establishment License Number 14956, despite several setback issues, I visited the adjacent church property to determine if services are in fact being conducted at this location.



5 Sep 18 (10:00 AM) Service Attendance, with 9 cars in the lot. The proposed standard cultivation facility location is the buff colored building to the right of the power pole.



Wednesday, 12 September 2018, 10:00 Prayer Service attendance with 8 cars in the lot. The proposed standard cultivation facility (Marijuana Establishment License Number 14956) is the buff colored building with the green roof to the left of the church.

I did not attempt to enter the church and actually observe services being conducted, but I can say that cars are not present in the lot at days/times not on the service schedule. I also did not attempt to make a record of services being conducted prior to September 5, 2018, but it certainly appears that the Independent Baptist Church of Big Lake is now conducting regularly scheduled services at 14457 W. Marginal Access Rd., and the church building is located much less than the required 500 foot minimum from the proposed marijuana establishment facility.

Thanks for your consideration,

(Original signed and mailed)  
Lance L. Wilson

## Statement of Paul Moyer concerning meeting with 50 Shades of Green LLC

On August 29<sup>th</sup>, 2018 after a regular scheduled prayer service at the Independent Baptist Church building in Houston, Ak the applicants for 50 Shades of Green LLC came to the Church and requested to talk to the Pastor. Pastor Doug Ferrett, his wife Linda Ferrett and myself sat down and talked with them. The conversation lasted approximately 90 minutes.

During the conversation the applicants were attempting to have the Church and members remove their objection to their license being granted by the State of Alaska. The applicants made repeated claims that they were growing marijuana to be sold for medicinal products. They claimed that the majority of their business would be for medicinal use and only a minority for recreational use.

The applicants towards the end of the conversation also asked something to the effect "What can we do to make the church happy". I interpreted this as an attempt to bribe the church. I told the applicants that even if the church removed its objection, that I would not remove mine as this would set a precedent for other churches in the state who might face similar circumstances.

At the Houston City Council meeting held on September 13<sup>th</sup>, 2018 the applicant gave public testimony. In this testimony the applicant made the claim that she wants to make a product that will help children who are ill by producing a product that will help them with seizures, illnesses and to keep them off of opioids. Audio of this testimony is available on the City of Houston's website. During this testimony the applicant also stated that she had recorded the conversation on August 29<sup>th</sup>, 2018. I would object to the applicant submitting this recording to the MCB without a copy being provided to me and the church; as the applicant could potentially edit the audio.

Paul A. Moyer

9/17/2018



September 20, 2018

This letter is intended for the sole purpose of bringing to light a certain issue that if not taken care of quickly could cause chaos in a new and budding industry. I urge each of you listed to conduct a full investigation and/or spread the news to parties who may have special interests within the Cannabis Industry in Alaska or in the Cannabis community. Who I am does not matter, only that I am a supporter of the Cannabis Industry and seek to ensure that corruption is best left out of the law making processes. Unfortunately, like many others I am unable to openly show my support as this would be career suicide. Until things change many high-profile leaders, doctors, lawyers, professionals, public leaders, public servants will remain silently fighting in the background.

Some of the entities who have been sent the following letter:

AMCO Board members  
Channel 2 News  
Channel 4 News  
Channel 11 News  
Anchorage Daily News  
Frontiersman  
Ak. Leaf Magazine  
People's Paper/Make a Scene  
Representative Mark Neuman  
Senator Lisa Murkowski  
Senator Dan Sullivan

*Anonymously Yours*





## **Houston, We Have A Problem..... Again!**

By: *Anonymously Yours*

Recently, after great urging by those I call my friends, I found myself attending the September meeting of the City of Houston, Alaska. With my penchant for parliamentary procedures, small town politics and a desire for fair practice in a new and growing Cannabis Industry, I had hopes for a progressive meeting. I choose to write in anonymity as I live and often work in the north end of the Mat-Su Valley also, having had both personal and professional dealings with 6 of the 7 current Houston Council members over the years I felt this a comfortable choice. I am "you", I am the public and, most of which I present here is public knowledge and can be found with research, the rest is merely my opinion after observation and mingling, lots of mingling.

Most of the entire State of Alaska is already aware that Houston has often been in the media for the Cities antics and financial woes, it comes with a reputation that I had thought they were working towards changing. In an effort to bring that change and much needed revenue to keep their little town solvent the city opened their arms up to the Cannabis industry on September 13, 2016. Today, they have two cultivations located in their city limits, one of which is a new facility. After witnessing the meeting of September 13, 2018, I walked away with a distinct impression that this will not be my first choice to start my new gardening enterprise, even knowing the Matanuska Susitna Borough requirements are much more rigorous for Cannabis Cultivations. First thing to come to mind is a famous quote by Walter Scott, "*Oh! What a tangled web we weave when first we practice to deceive.*" There was such bias by the City Council that I felt compelled to do some research on my own into the allegations brought against Gabrielle Petersen-Christensen, Owner of 50 Shades of Green, LLC. After much time, effort and research I was able to track down a copy of the packet Ms. Christensen provided each member of the Council. Compliments to the 50 Shades of Green team, few are so prepared when going before a Council. Her case was presented, giving information clearing her on all accounts yet, she was treated abruptly, with bias and in essence called a liar in front of a crowded Council chambers.

Up for contention: **AM 18-21: City Council Statement of protest for a new Marijuana Standard Cultivation License #14956 – Owner/Gabrielle Peterson-Christensen.** The City of Houston is denying this license based on:

- 1. Zoning Buffering and setback requirements for the PH District.**
  - a. Not applying for a Variance between neighbor**
  - b. Not enough buffering between highway and property**
- 6 of 7 Council members, Public Works Director Ray Russell and Clerk Sonya Dukes denied having knowledge of a Variance ever being applied for by Ms. Christensen.
  - Not, revealed to the Council nor public at that time was the "Approved" Minutes from the meeting of September 14, 2017, stating Ms. Christensen signed up to speak at that meeting and spoke with the Council about her Variance application. These Minutes can be found on the City of Houston website.
- Initially, an Encroachment was discussed but decided against when the Council explained an Encroachment is not needed and would cost whereas, a Variance is what she needed and would cost nothing.
  - City now claims an \$800.00 additional cost for Variance and a possible 3 months wait as the State of Alaska must first determine the Variance.
  - Neighbor presented Ms. Christensen with a signed Affidavit, giving full permission for a cultivation next door and accepting the Variance.
- Buffering between Parks Hwy. and property are listed on a road that does not exist "Marginal Access Rd. in Bryant Sub-division".
  - I urge the public to go check this out and walk this "road" the city says exists.



- Public Works Director Ray Russell has refused to use the 2010 updated map provided by D.O.T., clearly depicting boundaries, Mr. Russell is insistent on using 2004 outdated platting map that does not reflect road improvements by D.O.T. along the Parks Hwy.
- According to D.O.T. this road does not exist.

The real reason for contention however was not what is listed in #1 but rather something not listed on the agenda at all:

**2. Vacant property neighboring the other side of the facility is claiming itself a church and less than 500 ft away, if it is not a church a requirement of only 25 ft. is required.**

- Items in #2, Mayor Thompson announced would be for the State of Alaska to determine if the vacant property next door was in fact a Church.
  - City of Houston is equipped with: Planning Dept., Code Compliance and a full Comprehensive Plan yet, appear unable to regulate property within their city's limits.
  - Mayor Thompson proceeded to throw the State of Alaska under the bus by stating this was entirely up to the State to determine status for them.
- The State of Alaska Alcohol & Marijuana Control Office (AMCO) require all cultivation applicants to post in various public locations including the newspaper – this was deemed completed by the State. The public has 30 days from the last day of posting to bring forth complaints, comments or objections.
  - 10 months passed before any objections were received. No objections were received by AMCO Board until August 17, 2018, one day after AMCO Board approved 50 Shades of Green's license on August 16, 2018.
  - AMCO Board accepted objection letters going against their own regulations of a 30-day objection period. It is unknown "why" the AMCO Board would recognize this as acceptable.
  - AMCO Board changed this law "after" 50 Shades of Green's application was already in the review process. This decision should not be retroactive, is unacceptable and expresses an unfair due-process with possible collusion by the Board.
- Members of 50 Shades of Green recently visited their new neighbor in hopes of gaining understanding of their position. Present from the church: Pastor Doug Ferrett, his wife Linda Ferrett and a Paul Moyer.
  - 50 Shades has in possession a recording of this meeting.
  - Paul Moyer when asked, replied he was the Youth Leader for the Church yet, Pastor Ferrett admits the Church has no Youth Programs.
  - Mrs. Linda Ferrett admits that at the time the cultivation started up, the Church property "was" in fact vacant, boarded up and for-sale. Not until recently has it been being prepared for services.
  - Pastor Ferrett admitted knowledge of 30-day objection period but thought the City had it taken care of it. This action shows prior collusion between city and church since October 2017.
- Paperwork from proposed sale of property given by the licensed Real Estate agent state this structure has no septic or water systems. Viability of Church and parent church in question.
  - Not in compliance with State of Alaska codes on Public Facility requirements.
  - Public records show the Parent Church owned by Pastor Ferrett is out of compliance. There are no business licenses for: State, Borough or Houston found on record.
  - Claims status of "Constitutional Church" and registered with the State of Alaska and IRS under NAICS Codes: Business Administration yet, claim exemption from business licensing, taxes and permitting however, did hold a license until 2015.
  - NOT a 501c(3) as listed on their website and not a Non-Profit





- October 2017: an investor with 50 Shades of Green entered into negotiations to purchase vacant property. Escrow money was accepted by the vacant property owner. October 12, 2017 the financial deal fell through.
  - Supporting letters from Riverside RV Park, President of the Houston Crime Watch and others all stating this building has been vacant for a few years.
  - Pastor Ferrett was not present at the Council meeting to defend his church, Mr. Paul Moyer was the only speaker signed up to speak on behalf of the church.
  - 50 Shades of Green need only prove that regardless of what this vacant property claims to be now, it was not a church when they began and remained that way for 10 months.
- As if this was not enough, what was really disturbing about this meeting was the way it was being conducted, giving no reasons for what their votes were being based on. At one-point Mayor Thompson closed the comments and a vote was taken to close the public meeting of: **AM 18-21: City Council Statement of protest for a new Marijuana Standard Cultivation License #14956.**
    - No further comments on this matter would be heard per closing of this public hearing.
    - Once closed, supporters of the Cannabis industry did a mass exodus from City Hall.
    - Upon exit by Ms. Christensen and supporters Mr. Paul Moyer was allowed by Mayor Thompson and Council to again speak and dispute the facts given, Ms. Christensen was unaware of this rebuttal.
    - Council Member Lance Wilson chose this opportune time to present his argument against the cultivation facility. Offering photos taken of the church this month of September 2018, after it was already determined the Church began services in September 2018. C.M. Lance Wilson openly tried to sway the Council while Ms. Christensen was not present and after the public hearing had already been voted on and, closed.
    - This action did not go unnoticed by remaining individuals, some voicing their opinion on record. I am not surprised by this behavior only saddened.

The cannabis community has roots that run deep in the underground where conversations take place, secrets revealed that are not known to the general public. However, nothing is sacred underground and deals, silent partnerships and investments that are made in the dark often find the light of day. High profile members of small communities can do little without someone knowing something. For this reason, it would behoove members of any Council and/or Board to abstain or recuse themselves from discussion or vote on issues they might otherwise be involved in, public knowledge or not. Of a particular concern at the moment is it appears the powers-that-be are stalling the application review process, in effect causing owners to use up all funds during these extended waiting periods, something already being seen today with other operations. It is my understanding, this is the reality 50 Shades of Green face after having been stalled time and again by various changes throughout this process. Houston itself threatened another 3-4 months before 50 Shades of Green can even get back on track, this comes with costs while waiting: facility payments, utilities, insurance, payroll and employees being laid-off... all of it has a cost. For decades Alaska has been renown for the high-quality marijuana cultivated here and, right now we have an opportunity to set that bar even higher. Some of the top manufacturers, cultivators and pheno hunters in the world call Alaska home. Many who are trying to make a difference by healing, saving lives and providing relief from debilitating ailments. Educating our public will be imperative in the coming years to this industry and how we develop this natural resource. Send the message, clear and loud to the State of Alaska and all of the cities within, that the people of Alaska voted for the legalization of Marijuana and those rights will not be relinquished. If cities cannot regulate this industry on their own without procedural due process, then it is a power they should not wield.

The 50 Shades of Green team face an uncertain future in an unstable City, they deserve our support today. Now, is the time for the community to stand behind what is right and what is wrong and rally around your cannasisters and brothers. Not all evidence in Ms. Christensen's arsenal is listed here, nor did she reveal to the Council all that she



has. Should Ms. Christensen read this article, I highly recommend she seek consultation with an attorney willing to take this case on a pro bono or contingency basis. The evidence you retain shows potential collusion by possibly multiple entities. The makings of a great case for one wishing to make a name in Cannabis Law and possibly set precedent. I encourage all cannabis supporters to contact Ms. Christensen and give her that support her team needs. 50 Shades of Green/Gabrielle Petersen-Christensen – (907)775-6552 or: [gnogrn@50shadesogreen.com](mailto:gnogrn@50shadesogreen.com)

I encourage readers to look at the facts, draw your own conclusions then voice your opinion or concerns by calling your representatives, legislature and public leaders.

City of Houston - 907-892-6869 or: [sdukes@houston-ak.gov](mailto:sdukes@houston-ak.gov)

State AMCO Board - (907) 269-0350 or: [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)

Senator Lisa Murkowski – (907) 271-3735

Senator Dan Sullivan - (907) 357-9956

