# CORRESPONDENCE

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

October 26, 2018

Danish Gardens, LLC
DBA: Danish Gardens, LLC
Via email: DanishGardensAK@gmail.com

Re: Retail Marijuana Store Facility #10313

Dear applicant,

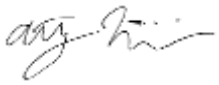
The AMCO Office has reviewed the documents submitted for the proposed marijuana establishment license referenced above. This letter is notice under 3 ACC 306.025(e)(2) that your application is incomplete and additional items are needed to complete the application. The additional items that need correction or resubmittal are listed below—please be sure to read the entire letter. **Please note that if the corrections and/or additional documents submitted in response to this letter are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure.**

- **MJ-02 Premises Diagram**
  - Please number your diagrams in accordance with the list on Page 1 of Form MJ-02.
  - 1st Floor Designation Plan:
    - Please clearly label the licensed premises of this establishment (this could be added to the "Retail Store" label, perhaps).
    - Please provide the overall dimensions for the restricted access areas.
    - The "Clean Room" has been designated as a restricted access area, but this room appears to have a toilet in it. Was it intentional to designate this room as restricted access?
  - Diagrams that meet the requirements listed for Diagram 2 and Diagram 5 are required.
- **MJ-03 Retail Supplemental**
  - Page 4, Section 6.1:
    - It appears that your response was too large to fit within the space provided. Please edit your response so that it fits in the box or use copies of Page 6 for additional space as needed.
  - Page 5:
    - The notarized signature on this page was not dated by the notary. Please provide a new signature page that has been notarized.
- **MJ-09 Statement of Financial Interest**
  - Page 1, Section 1 – Establishment Information for both:
    - The zip code has been listed as 99502, which is inconsistent with your lease.
- **Proof of Possession for Proposed Premises**

- Lease Agreement between Nanook Holdings Cinnabar, LLC (LandLord) and Dane Wyrick d/b/a All Decked Out Co (Tenant):
  - A disclaimer that the landlord/lessor will not take possession of or remove marijuana from the premises, and that AMCO will be contacted in the event that this is necessary is not present in this lease, but is required.
- Addendum to the Lease Agreement between Nanook Holdings Cinnabar, LLC (LandLord) and Dane Wyrick d/b/a All Decked Out Co (Tenant):
  - The tenant is inconsistently designated as All Decked Out Co or Dane Wyrick in different sections of the addendum.
- Commercial Lease between All Decked Out (Landlord) and Danish Gardens (Tenant):
  - It appears that this lease may be intended as a sublease, but is not referenced as such.
  - The landlord designated (All Decked Out) is not the entity granted the right to sublet the premises in the addendum to the lease between Nanook Holdings Cinnabar, LLC and Dane Wyrick. All Decked Out is also listed as All Decked Out, LLC on the signature page.
  - This agreement is inadequate to show that Danish Gardens, LLC has right to possession of the proposed premises because the tenant named is "Danish Gardens". However, the tenant on the signature page is listed as Danish Gardens, LLC, which is inconsistent with the first page of the lease.
- Amendment to Sub-lease Agreement between All Decked Out, LLC and Danish Gardens, LLC:
  - According to the documents provided, All Decked Out, LLC does not have right to possession of the premises.

It is very important that you submit the above corrections and/or documents in a timely manner so that AMCO staff has adequate time to review the corrections and/or additional documents which must be found to be complete within 90 days of the date of this letter.

Respectfully,



TJ Zielinski, Occupational Licensing Examiner
For,
Erika McConnell, Director
marijuana.licensing@alaska.gov

| | |
|---|---|
| **From:** | Marijuana Licensing (CED sponsored) |
| **To:** | Dane Wyrick |
| **Cc:** | Marijuana Licensing (CED sponsored); Jana Weltzin; Valerie Mastolier |
| **Subject:** | Incomplete application - Danish Gardens, LLC License #10313 |
| **Date:** | Friday, October 26, 2018 9:19:47 AM |
| **Attachments:** | 10313 Incomplete Notice.pdf<br>image001.png |

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Good morning,

Your application for your marijuana establishment license has been reviewed, and at this time is considered incomplete. See the attached notice regarding corrections, additional documents, and/or resubmittals that need to be addressed in your application.

**Please make sure to read the entire letter. If the submitted corrections are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure. Essentially, we will accept corrections one time within your 90-day deadline period. Feel free to call or email if you need clarification on any items from the Incomplete Notice.**

Let us know if you require copies of any documents that were submitted.

If you have any questions or concerns, please address them to marijuana.licensing@alaska.gov.

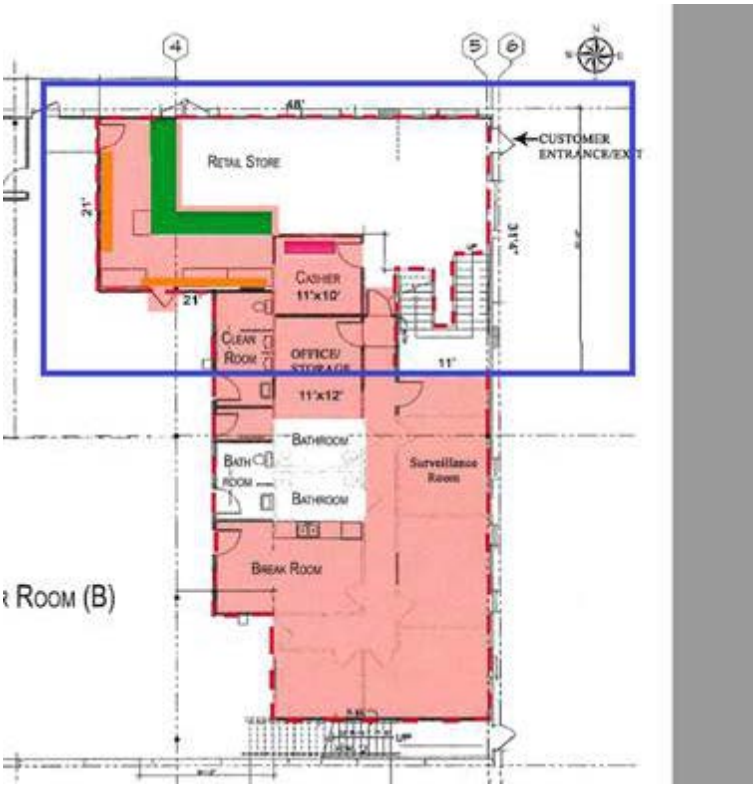
Sincerely,

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

| | |
|---|---|
| **From:** | Marijuana Licensing (CED sponsored) |
| **To:** | Jana Weltzin; Marijuana Licensing (CED sponsored) |
| **Cc:** | Valerie Mastolier; Dane Wyrick; Jasmine Wyrick |
| **Subject:** | RE: Incomplete response for retail store license Danish Garden Incomplete 10313 |
| **Date:** | Tuesday, November 20, 2018 2:00:22 PM |
| **Attachments:** | image002.png |

Good afternoon,

My apologies for not making that correction more clear. On the current diagram, room dimensions are listed for some sections of the licensed premises but not others, particularly the southern portion. In the image below, I drew a blue box around the section of the licensed premises that has the room dimensions listed.




Sincerely,

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

**From:** Jana Weltzin <jana@jdwcounsel.com>

**Sent:** Tuesday, November 20, 2018 12:00 PM
**To:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
**Cc:** Jana Weltzin <jana@jdwcounsel.com>; Valerie Mastolier <valerie@jdwcounsel.com>; Dane Wyrick <mrdane_ak@yahoo.com>; Jasmine Wyrick <danishgardensak@gmail.com>
**Subject:** Incomplete response for retail store license Danish Garden Incomplete 10313

Hello AMCO team – I reviewed the incomplete letter regarding the POPP and I believe what I have done (attached) corrects the issues you raised – attached are the rest of the items for the complete EXCEPT the dimensions for the RAA – can you help me understand exactly what you're looking for? Just square footage of RAA? Please let me know, Thanks!

Jana D. Weltzin, Esq.
JDW, LLC
Principal Owner
3003 Minnesota Drive Suite 201
ANC, AK
jana@jdwcounsel.com
630-913-1113
*Licensed in Alaska and Arizona

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Thank you.

**Think green, please don't print unnecessarily**

| | |
|---|---|
| **From:** | Marijuana Licensing (CED sponsored) |
| **To:** | Jasmine Wyrick; Jana Weltzin |
| **Cc:** | Marijuana Licensing (CED sponsored); Valerie Mastolier; Sherri Lindfors |
| **Subject:** | RE: Incomplete Application - Danish Garden Incomplete 10313 |
| **Date:** | Wednesday, November 21, 2018 3:53:44 PM |
| **Attachments:** | image001.png<br>10310 and 10313 First Floor Diagrams.pdf<br>10313 Diagram 2 & 3 & 5.pdf |

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Good afternoon,

I have completed my review of the submitted revisions, but at this time there are still some issues with Form MJ-02 and Proof of Possession for the Proposed Premises (POPPP), which will be detailed below.

**Form MJ-02: Premises Diagram**

**Diagram 1:**

In the initial Incomplete Notice, I noted that the Clean Room was designated as a restricted access area but probably should not be since it appears to be a bathroom. However, upon closer inspection of your diagram, it does not appear to be possible to access the Clean Room, the 6'8" x 4' room south of it, and one of the bathrooms from the licensed premises of the retail store without first going through the cultivation facility, which means that your licensed premises for the retail facility is currently non-contiguous (which is not allowed).

Additionally, there are three rooms near the Break Room that are designated restricted access areas of the retail facility: a 10'6" x 9' room, an 11' x 15'6" room, and an 11' x 13' room. However, the approved diagram for License #10310 shows that these rooms are a part of the cultivation facility and are used as a quarantine room and two dry rooms. Please see the attached "10310 and 10313 First Floor Diagrams" for reference. If you would like to keep these rooms part of the retail facility, you would need to submit and have approved Form MJ-14: Licensed Premises Diagram Change for the cultivation facility (License #10310) before the retail facility could become operational.

I also noticed that the latest diagram you submitted for this retail facility shows a 12' x 20' and a 10' x 12' room adjacent to Flower Room (B) (labeled as A on the other diagram) that are not depicted on the diagram for License #10310. I am only reviewing the application for the new retail facility right now, but this may also need to be addressed for #10310.

**Diagram 2 & 3 & 5:**

This revised diagram does not meet the requirements of Diagram 2 and 5 because it does not show the interior layout of the building, and also does not depict the second floor of the building.

**POPPP**

The corrections required on the lease may have been unclear, so I will try to clarify what is needed.

**For the Lease Agreement between Nanook Holdings Cinnabar, LLC (Landlord) and Dane Wyrick d/b/a All Decked Out Co (Tenant):**

This lease requires the disclaimer that the landlord cannot take possession of or remove marijuana

products and will contact AMCO for guidance. This was provided via an Amendment to the Lease Agreement with your corrections, but the amendment is inadequate at this time because it identifies the tenant as "All Decked Out Co", and not "Dane Wyrick" (who is doing business as All Decked Out Co).

**For the Addendum to Lease Agreement between Nanook Holdings Cinnabar, LLC (Landlord) and Dane Wyrick d/b/a All Decked Out Co (Tenant):** [Note – the addendum that allows subletting the premises]
The tenant on the Lease Agreement is identified as Dane Wyrick, but on the addendum the tenant is inconsistently identified as Dane Wyrick (in the first paragraph), but is identified as All Decked Out Co in the other sections of the addendum.

**For the Amended and Superseding Sublease (Commercial):**
On the revised sublease provided with your corrections, the Sublessor is identified as All Decked Out Co and not Dane Wyrick, the tenant named in the original Lease Agreement.

Please let me know if anything requires further clarification,

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

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**From:** Jana Weltzin <jana@jdwcounsel.com>
**Sent:** Wednesday, November 21, 2018 11:17 AM
**To:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
**Cc:** Valerie Mastolier <valerie@jdwcounsel.com>; Dane Wyrick <mrdane_ak@yahoo.com>; Jasmine Wyrick <danishgardensak@gmail.com>; Jana Weltzin <jana@jdwcounsel.com>
**Subject:** RE: Incomplete response for retail store license Danish Garden Incomplete 10313

Hi TJ – how does the attached revised diagram look to you? do you need anything else to deem this app complete? Thank you!

Jana

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**From:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
**Sent:** Tuesday, November 20, 2018 2:40 PM
**To:** Jana Weltzin <jana@jdwcounsel.com>; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
**Cc:** Valerie Mastolier <valerie@jdwcounsel.com>; Dane Wyrick <mrdane_ak@yahoo.com>; Jasmine Wyrick <danishgardensak@gmail.com>

**Subject:** RE: Incomplete response for retail store license Danish Garden Incomplete 10313

That is correct.

Sincerely,

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

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**From:** Jana Weltzin <jana@jdwcounsel.com>
**Sent:** Tuesday, November 20, 2018 2:30 PM
**To:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
**Cc:** Valerie Mastolier <valerie@jdwcounsel.com>; Dane Wyrick <mrdane_ak@yahoo.com>; Jasmine Wyrick <danishgardensak@gmail.com>
**Subject:** RE: Incomplete response for retail store license Danish Garden Incomplete 10313

So – you want us to do the dimensions on the southern portion? Is that what you're asking?

---

**From:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
**Sent:** Tuesday, November 20, 2018 2:00 PM
**To:** Jana Weltzin <jana@jdwcounsel.com>; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
**Cc:** Valerie Mastolier <valerie@jdwcounsel.com>; Dane Wyrick <mrdane_ak@yahoo.com>; Jasmine Wyrick <danishgardensak@gmail.com>
**Subject:** RE: Incomplete response for retail store license Danish Garden Incomplete 10313

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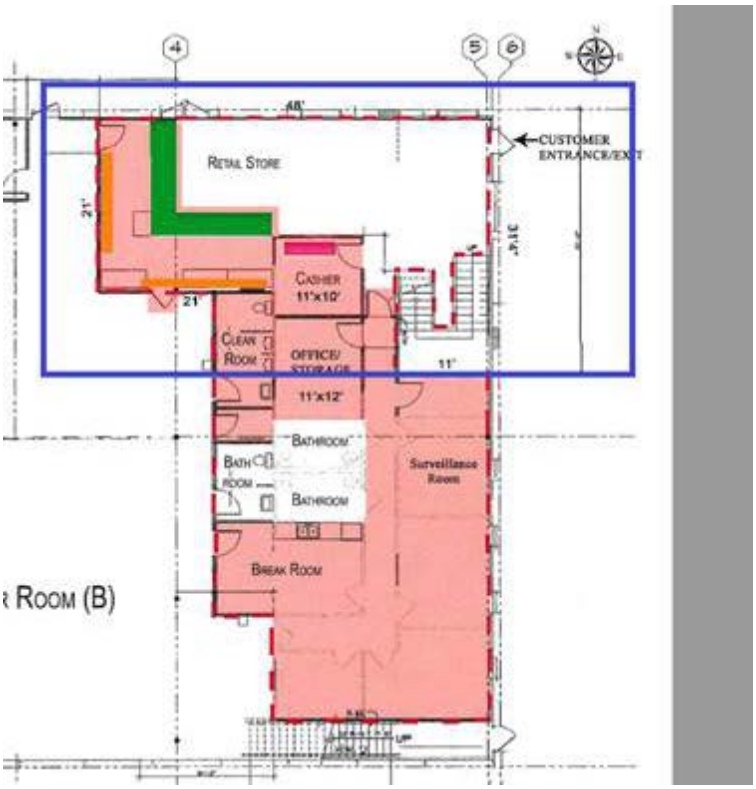


Sincerely,

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Jana D. Weltzin, Esq.
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Principal Owner
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Thank you.

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