



# Chugiak Community Council

Post Office Box 671350  
Chugiak, Alaska 99567

<p><i>Board Officers</i></p> <p>Jake Horazdovsky, President Blake Merrifield, Vice President Tom Looney, Secretary Burke Wonnell, Treasurer</p>	<p><i>Board Members</i></p> <ul style="list-style-type: none"> <li>• Darryl Parks</li> <li>• Will Taygan</li> <li>• Leslie Echols</li> <li>• Rashae Johnson</li> </ul>
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<p><i>Alternate Board Member</i></p> <p>Bruce Aspray</p>	<p><i>Alternate Board Member</i></p> <ul style="list-style-type: none"> <li>• Harold Parker</li> </ul>
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*Fire Lake*

*Chugiak*

*Peter's Creek*

*Mirror Lake*

*Thunderbird Heights*

*Eklutna*

## MEETING AGENDA

**THIS WILL BE A VIRTUAL  
MEETING VIA ZOOM – See the  
Chugiak Community Council  
[Web page](#) for log-in info.  
Chugiak Council Website Link  
<http://communitycouncils.org/servelet/content/9.html>**

Thursday, March 17, 2022, 7:00p.m.

1. CALL TO ORDER (Quorum 5 Elected Board Members)
2. INTRODUCTIONS (Board Members / Presenters / Guests from outside the Chugiak Community Council area)
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES
5. UNFINISHED BUSINESS
  - -
6. UPDATES
  - Chugiak Volunteer Fire – Fire Chief, Tim Benningfield
  - Legislative
  - Assembly
  - ASD
7. GUEST PRESENTATIONS (Limited to 15 Min)
  - ASD – Bond Presentation
  - Eagle Exit Update Sean Murphy
8. NEW BUSINESS
9. REPORTS
  - CBERRRSA Board of Directors (Road Board) – Blake Merrifield
  - C/ER Advisory Board (CERAB) – Jake Horazdovsky
  - Federation of Community Councils (FCC) – Darryl Parks
  - Financial – Burke Wonnell
  - ER/C Parks and Recreation Board of Supervisors – Will Taygan
  - Chugiak Eagle River Chamber of Commerce – Leslie Lance
  - Secretarial – Tom Looney
  - General Council Business – Jake Horazdovsky
10. OPEN FORUM
  - Public Notice of Alices Proposed Marijuana Retail Establishment – Town Hall Meeting March 30<sup>th</sup> at the Eagle River Lions Club at 5pm. See attached Memo.
11. NEXT MEETING DATE: Our next business meeting will be 21 April 2022, 7 PM.

## 12. ADJOURNMENT

Join CCC conversations on Facebook:

**Facebook:** chugiak community council

Visit CCC web page / sign up to receive emails:

• **Web:** [communitycouncils.org](http://communitycouncils.org) •

Contact the CCC by email:

• **Email:** [chugiakcouncil@gmail.com](mailto:chugiakcouncil@gmail.com)

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## ALICE'S – A PROPOSED MARIJUANA RETAIL ESTABLISHMENT

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**TO:** EAGLE RIVER COMMUNITY MEMBERS

**FROM:** THE ALICE'S TEAM – LICENSE NUMBER 29087

**SUBJECT:** COMMUNITY ENGAGEMENT & FACTS ABOUT PROPOSAL

**DATE:** 3.10.2022

The memorandum is intended to provide facts and information regarding the proposed marijuana establishment, Alice's, located at 12111 Horseshoe Drive, Suite 1, Eagle River, AK 99577. The owners of Alice's are Dave Miltersen, Chris Shill, Walter Adolphs, & Lonn Goldbeck. All of the owners either live or work in Eagle River, or live AND work in Eagle River.

- **The Alice's ownership group has a combined 82 years of owning successful businesses that serve your community.**
- **The Alice's ownership group currently employs 53 of your community members.**

### A Brief Introduction to Industry:

The industry started after the people voted to approve the commercialization of legal, tested, taxed, and regulated marijuana sales in 2014. By 2016 the licensing process began and has grown into the industry it is today. All marijuana businesses are 100% owned by Alaskan residents.

- As of March 10, 2022, there are **6,992** active and in use marijuana handler permit holders in the state of Alaska – this means that almost **7,000 jobs** have been generated in Alaska, during a recession, solely by the marijuana industry. This does not include or capture the ancillary jobs and businesses created by the industry such as engineer firms, surveyor services, legal and accounting services, marketing design and packaging businesses, etc. The average salary for a marijuana budtender, not including customer tips, is **\$40,910.00**.
- State Taxes Generated by the Marijuana industry<sup>1</sup>:
  - As of January 31, 2022, for year (2022) to date marijuana excise taxes generated - **\$2,490,656** (February numbers are not published yet).
  - For the year of 2021, Marijuana Excise taxes paid to Alaska exceeded **\$30 million**.
  - On average, revenue to the state of Alaska for Excise taxes is consistently apprx. **\$2.5 million monthly**.
- Municipality of Anchorage Marijuana 5% Sales Tax<sup>2</sup>:
- Total Sales Taxes Collected for MJ sales: \$5,785,953.00
- TOTAL taxable Anchorage marijuana sales: \$115,719,068.00 (meaning legalization has removed over \$100 Million in revenue from illegal operators).

Recap – this new industry has generated over 7 thousand new jobs; \$30 million to the state in Excise taxes; and an annual revenue to the municipality of over \$5 million, which reduces your property taxes.

### State & Eagle River Sensitive Use Measurements & No Eligible Parcels Available in CER:

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<sup>1</sup><http://tax.alaska.gov/programs/programs/reports/monthly/MarijuanaReport.aspx?ReportDTM=1/31/2022>

<sup>2</sup><https://www.muni.org/Departments/finance/treasury/programtaxes/MarijuanaTax/Documents/Statistical%20reports%20-%20tax%20summaries,%20etc/tax-summary-2021.pdf>

**Alaska State Sensitive uses and Method of Measurement:** State will not approve any marijuana establishment if it is within 500 feet (pedestrian route) of the following uses: school ground (measured from edge of school ground to public entrance of marijuana shop); recreation or licensed day care (measured from outer boundaries of facility to main entrance of marijuana shop); church (measured main entrance of church to front door of marijuana shop); correctional facility (main entrance of correctional facility to main entrance of marijuana shop).

**Anchorage – Title 21 – Eagle River Sensitive Uses & Measurement:** CER sensitive uses are vastly expansive then the State or general Anchorage sensitive uses. Sensitive Uses for CER and Anchorage, CER sensitive uses that are not sensitive uses in Anchorage identified with an asterisk\* : schools, playgrounds, housing facility owned by a public housing authority, day care, homeless shelters, habilitative care facility, dedicated parks\*, residential district established for CER\*, Harry McDonald Memorial Center\*, community centers, neighbor recreational centers, churches, correction facilities, athletic fields, & correctional community residential centers.

Zoning allowed in Anchorage (excluding CER) for marijuana retail shops: B3, I1, I2, and downtown zones.

Zoning allowed in CER: CE-RC, CE-I1; CE-I2; CE-I3.

Why did Alice choose 12111 Horseshoe Drive? There is no eligible property in Eagle River Chugiak area where marijuana establishments are allowed to do business. The restrictions above eliminate the ability to obtain approval without a variance from the code. See attached map authored by Planning Department that demonstrates the only available allowed property is where the shooting range is already developed. **See Exhibit A.**

What would Alice's need to move forward? Variances from the various sensitive uses on the attached professional surveyor AND a Title 21 Text amendment. **See Exhibit B.**

What is a Title 21 Text Amendment & why does Alice's need it?

Alice's is located in B3 zone – which means it is not within the permitted CER zoned uses, however, there is a silver lining. Engaging in a Text Amendment to add B3 zoning to conditional use approval allowed, zoning for a marijuana retail shop does NOT open up the Eagle River Chugiak area to marijuana establishments. The map authored by the Planning Department, Exhibit A, includes B3 as an allowed zone, so adding B3 would not result in any further opened properties for marijuana establishments. The Text amendment we are proposing would do two things: Add B3 as an allowed zone for marijuana shops; and (2) set a limit of the number of allowed marijuana shops in the Eagle River Chugiak area. That limit of allowed number of marijuana shops should be set by you, the community.

The main concern we have heard from community members is that they are not so much concerned about this particular shop and this particular location, they are concerned that if the Assembly grants a variance for this shop, then they would grant a variance for the next shop that applies, and the next one after that, and so on.. BUT if the Text Amendment is an excellent vehicle to get a number limit of shops allowed in the Eagle River Chugiak area.

Further, if an Eagle River assemblyperson introduced and sponsored the Text Amendment to the assembly, with community support, there should be little to no push back or changes from the Assembly to modify the Text Amendment brought forth, by an Eagle River assemblyperson with community support. If this was successful, the Community's fears that marijuana shops would start popping up everywhere in the CER area would be nullified and Alice's, a locally owned business would be able to operate, and the number of store(s) in Eagle River would be set in the code.

### Proposed Marijuana Operation:

- Security Considerations: All persons must provide ID as they enter the marijuana store, 24/7 camera coverage of all areas in and around the store, video required to be stored for at least 40 days, exterior lighting required, alarm system at all points of entries and windows, all persons who own the store AND who work at the store have to pass a criminal FBI background check, no persons other than authorized employees and law enforcement may enter restricted access areas.
- Smell Concerns – on February 17<sup>th</sup>, 2022, we hosted a community meeting at the proposed facility and one of the concerns was smell. To be clear, there will be NO marijuana growing at this facility and NO onsite consumption in any form. However, for additional smell controls and to address community concerns, shortly after the 2/17 meeting Alice’s amended its operating plan to only sell prepackaged marijuana.
- Packaging – all marijuana and products must be in child-resistant and opaque containers before leaving the store. Additionally, branding and labeling cannot be appealing to kids, so no cartoons or edibles that look like familiar candies.
- Title 21 improvements to the facility – site work, upgrades to building and access, landscaping and other improvements will be required.
- Why wasn’t the Feb. 17<sup>th</sup> meeting done at the community council instead? First reason, we asked to be on the agenda for the community council in January but the agenda was full<sup>3</sup>, and then in February, we were told that Alice’s could not be included in the February ERCC meeting because it “doesn’t fit our schedule due to personal plans”, Alice’s then requested a spot on the March 10<sup>th</sup> agenda, which the community council accepted. Unfortunately, the community council voted against supporting the license without Alice’s ownership present. (see below).

**\*\*Alice’s is hosting another community meeting – please join us to keep the discussion and community input going – we really want to hear from as much of the community as possible \*\***

**MARCH 30<sup>th</sup>, 2022 @ 5PM** – till everyone gets their time to share their thoughts

Eagle River Lions Club, located at the corner of Eagle River Road & E Eagle River Loop  
18344 Eagle River Road, Eagle River AK 99577

**Contact Info:**

**Lonn Goldbeck**

907-715-8683

lonn@alices-ak.com

**Dave Miltersen**

907-277-8379

dave@alices-ak.com

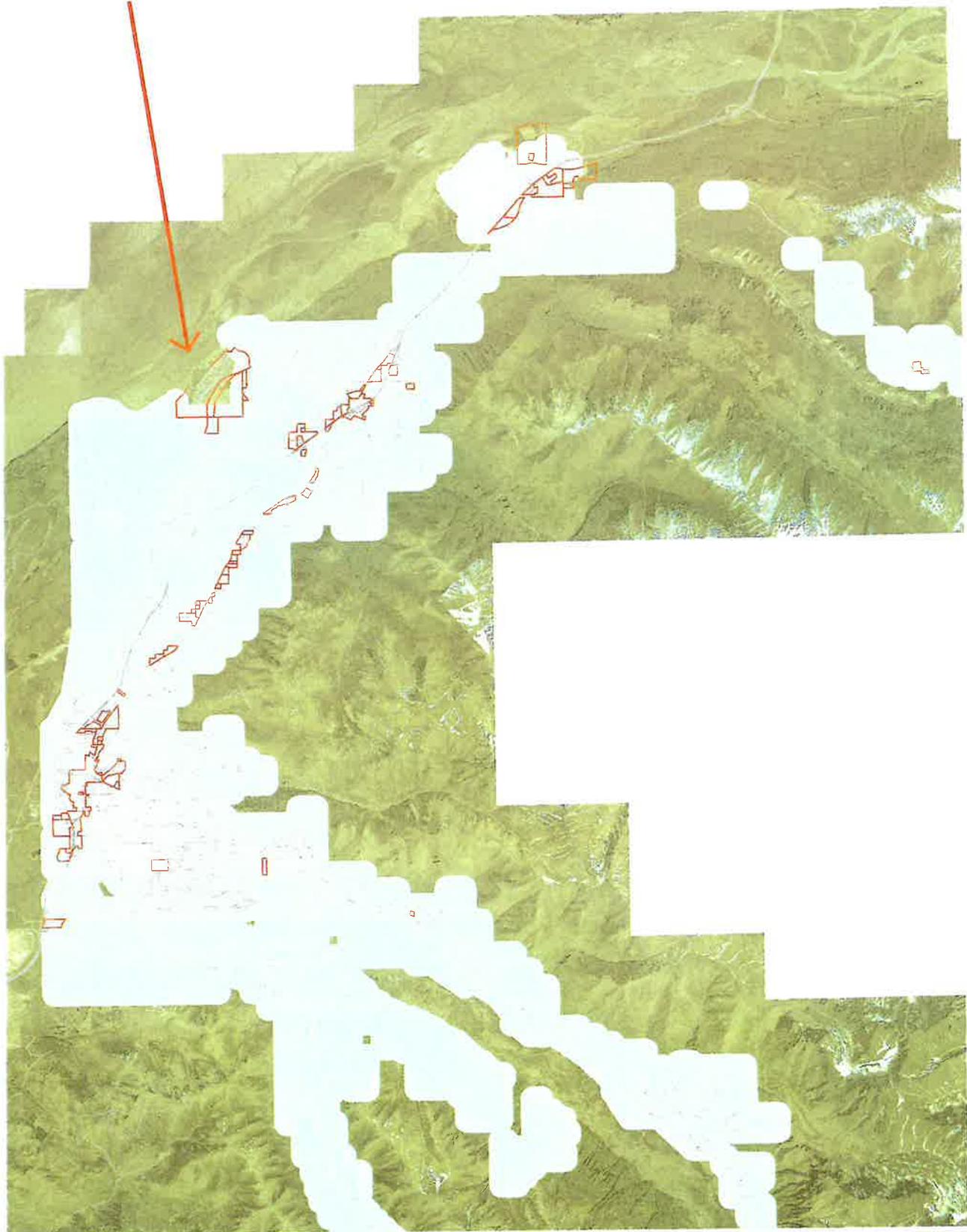
Jana Weltzin – Attorney for CDLW, Inc. jana@jdw counsel.com 907-231-3750

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<sup>3</sup> On Jan. 11<sup>th</sup> the Eagle River Community Council President informed Jana that the community council could not include us on their February meeting as it “doesn’t fit our schedule due to personal plans for Feb” and offered Alice’s a spot to present at the March 10<sup>th</sup>, 2022, community council, which Alice’s eagerly accepted and will be attending and presenting at the March 10<sup>th</sup> ERCC. Unfortunately, at the February ERCC meeting the council voted on a resolution to object to the Alice’s license, without even giving Alice’s the chance or opportunity or notice to be there and present or defend itself – this is the same meeting in which the Council’s president said that having Alice’s at that meeting wouldn’t “fit our schedule due to personal plans” – we are disappointed that the council denied us the opportunity to be on the agenda to present to the council at the February meeting, and then at that same meeting, discussed Alice’s without allowing for Alice’s to be on the agenda and voted against supporting the license. This meeting agenda originally did not have Alice’s on the agenda, after pushing the issue with ERCC, we secured this time to present under “old” business.

## Exhibit A

# Eligible Parcel in CE-ER for Marijuana Establishment



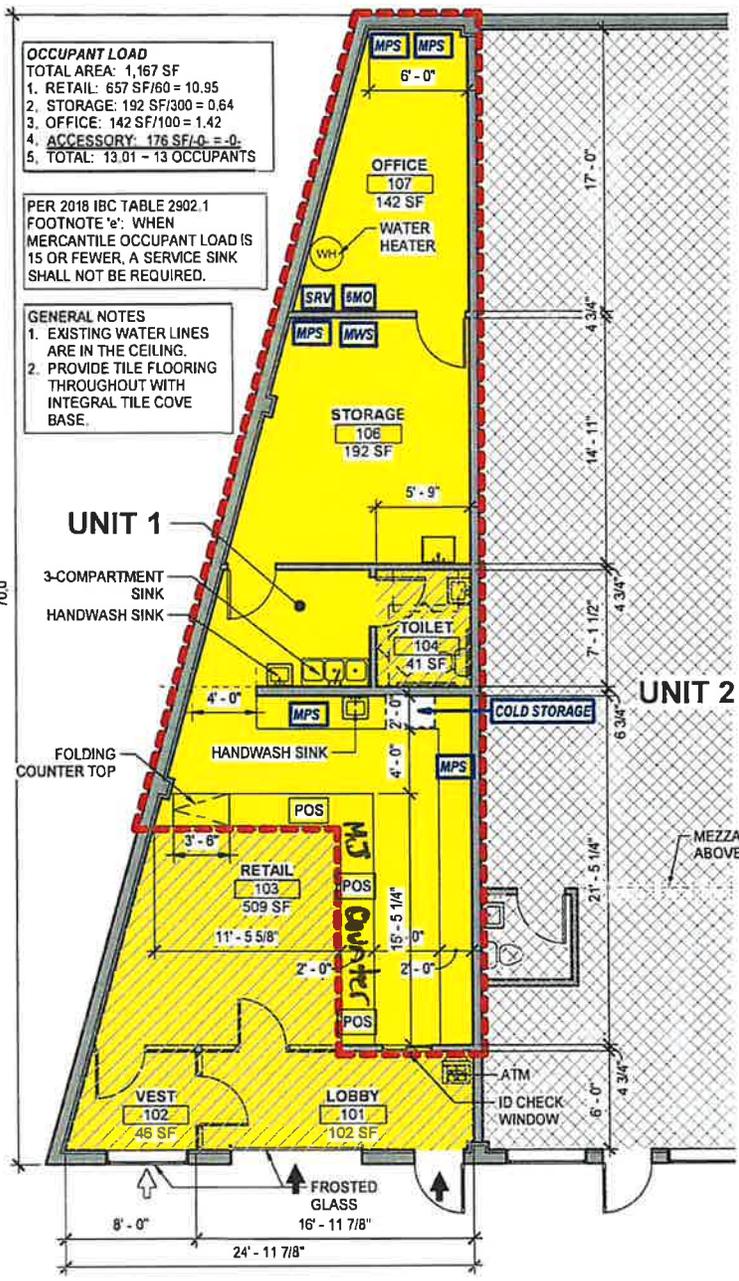
0 0.5 1 2 Miles

CE-B3, CE I-1, CE I-2, and CE I-3 Zoning Districts  
1000ft Buffer from Protected Land Uses

## Exhibit B



## Exhibit C



**OCCUPANT LOAD**  
 TOTAL AREA: 1,167 SF  
 1. RETAIL: 657 SF/60 = 10.95  
 2. STORAGE: 192 SF/300 = 0.64  
 3. OFFICE: 142 SF/100 = 1.42  
 4. ACCESSORY: 176 SF/0 = -0.  
 5. TOTAL: 13.01 - 13 OCCUPANTS

PER 2018 IBC TABLE 2902.1  
 FOOTNOTE 'a': WHEN  
 MERCANTILE OCCUPANT LOAD IS  
 15 OR FEWER, A SERVICE SINK  
 SHALL NOT BE REQUIRED.

**GENERAL NOTES**  
 1. EXISTING WATER LINES  
 ARE IN THE CEILING.  
 2. PROVIDE TILE FLOORING  
 THROUGHOUT WITH  
 INTEGRAL TILE COVE  
 BASE.

**LEGEND**

- ➔ PROJECT EXTERIOR DOOR
- ➞ PROJECT EXTERIOR WINDOW
- UNRESTRICTED ACCESS
- BUILDING AREA NOT IN PROJECT
- Proposed**
- RETAIL LICENSED PREMISES
- RESTRICTED ACCESS Area
- MARIJUANA PRODUCT STORAGE
- MARIJUANA FLOWER/TRIM STORAGE
- MARIJUANA WASTE
- MARIJUANA QUARANTINE
- SURVEILLANCE
- 6 MONTH RECORD STORAGE



① 1st Floor Plan - Premises *Diagrams 1, 2+5*  
 3/16" = 1'-0"

LICENSEE: CDLW, INC.		1ST FLR	TOTAL
DOING BUSINESS AS: ALICE'S			
PREMISES ADDRESS: 12111 HORSESHOE DRIVE, UNIT 1	LICENSE NUMBER/TYPE: NIA - MARIJUANA RETAIL STORE	1,057 SF	1,057 SF
CITY: EAGLE RIVER		TOTAL:	1,057 SF
STATE: ALASKA			
ZIP: 99577			

DRAWINGS AT 8.5x11 ARE 1/2 SCALE INDICATED

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**ARCHITECTS**  
 P. O. Box 230083 - Anchorage, Alaska 99523-0083 - (907)522-9193

**Alice's License # 29087**  
 MJ Retail - Tenant Improvement  
 Change of Use  
 Lot 19 Block 12  
 Waller G Pippie #2 Subdivision  
 12111 Horseshoe Drive, Unit 1  
 Eagle River, AK 99577

sheet name  
**Marijuana Premises  
 Plan - 1st Floor**  
 Release Date 04-30-2021  
 sheet number  
**AP1**