

By: Rick Benedict  
Introduced: June 3, 2024  
Public Hearing: July 15, 2024  
Action: Adopted

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. PC 24-08**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION ADOPTING FINDINGS OF FACT AND CONCLUSIONS OF LAW TO SUPPORT DENIAL OF A CONDITIONAL USE PERMIT FOR A MARIJUANA RETAIL FACILITY KNOWN AS SHORELINE CANNABIS AT 4200 E. SNIDER DRIVE, TAX ID # 5274B03L007A.

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WHEREAS, the Planning Commission conducted a public hearing on June 17, 2024, for a conditional use permit to operate a marijuana retail facility known as Shoreline Cannabis at 4200 East Snider Drive, Tax ID # 5274B03L007A; and

WHEREAS, during the public hearing, the Planning Commission questioned the staff about the proposed retail facility's proximity to the Knik Charter School; and

WHEREAS, the Planning Commission voted to postpone Planning Commission Resolution 24-08 until the next scheduled meeting on July 15, 2024, for staff to look into the question; and

WHEREAS, MSB 17.60.030(A)(4) requires a conditional use permit for the operation of a marijuana retail facility; and

WHEREAS, MSB 17.60.030(B) states that unless this type of use is maintained under and in accordance with a lawfully issued permit, marijuana retail facilities are declared to be a public nuisance; and

WHEREAS, MSB 17.60.150(B)(1) requires that at the time of their establishment, marijuana-related conditional uses must be located more than 1000' from school grounds; and

WHEREAS, MSB 17.60.150(C) states that separation distances are measured in a direct line between the closest point of the facility within which the retail facility is located and the closest point on the lot or parcel of land upon which school grounds are located; and

WHEREAS, MSB 17.60.010 defines school grounds as a lot or parcel with facilities primarily used for the academic education of children or young people, typically under 18 years of age; and

WHEREAS, using borough aerial imagery, planning staff found that the proposed retail facility is located approximately 530 feet from the nearest boundary of the property on which Knik Charter School is situated; and

WHEREAS, Shoreline Cannabis marijuana retail facility is not currently open for business; and

WHEREAS, according to the application materials, at the June 1-2, 2023 meeting of the Marijuana Control Board in Anchorage, Alaska, the board voted to approve Shoreline Cannabis new marijuana retail store application with delegation to the director of the Alcohol Marijuana Control Office (AMCO); and

WHEREAS, according to the application material, delegated status means that the board has authorized the AMCO director to issue the license once all outstanding approvals are received; and

WHEREAS, according to the application material, the AMCO license to operate has not been issued; and

WHEREAS, according to the Matanuska-Susitna Borough School Board minutes, the Knik Charter School application was approved on December 15, 2021; and

WHEREAS, according to the Knik Charter School website, the school is located at 758 North Shoreline Drive; and

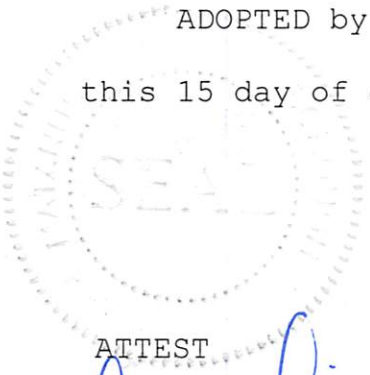
WHEREAS, according to the staff at Knik Charter School, they provided instruction to K-12 students during the 2022-2023 and 2023-2024 school years; and

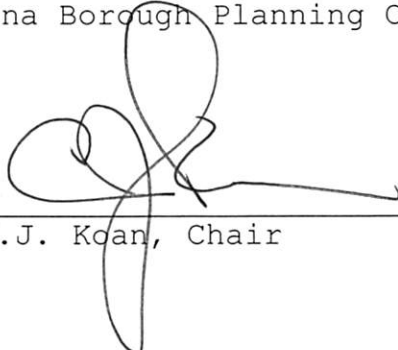
NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby adopts the aforementioned findings of fact and makes the following conclusions of law supporting approval of Planning Commission Resolution 24-08;

1. The proposed use fails to meet all the requirements of MSB 17.60 pertaining to marijuana retail facility use (MSB 17.60.100(B)(4)).
2. The proposed retail facility fails to meet the requirement that it be located more than 1,000 feet from a lot or parcel upon which school grounds are located (MSB 17.60.150(B)(1)).

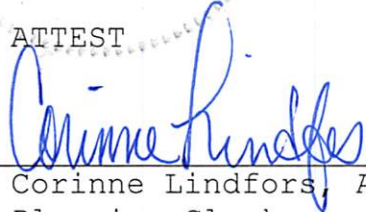
NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission finds this application does not meet the standards of MSB 17.60 and does hereby deny the conditional use permit for the operation of a marijuana retail facility at 4200 E. Snider Drive, TAX ID# 5274B03L007A.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 15 day of July, 2024.



  
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C.J. Koan, Chair

ATTEST

  
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Corinne Lindfors, Acting  
Planning Clerk  
(SEAL)

YES: Glenn, Koan, McCabe, Scoggin

NO: PLEN, Fernandez