

By: Mark Whisenhunt
Introduced: August 3, 2026
Public Hearing: August 17, 2026
Action: Approved

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 26-12**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A MARIJUANA RETAIL FACILITY LOCATED AT 9701 EAST PALMER-WASILLA HIGHWAY.

WHEREAS, an application has been received from Jana Weltzin, on behalf of Little Flare, LLC for a conditional use permit for the operation of a marijuana retail facility at 9701 East Palmer-Wasilla Highway, TAX ID#5865000L007A; and

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

WHEREAS, 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, the subject parcel is approximately 1.66 acres in size; and

WHEREAS, based on the information provided by the applicant, a Core Area Conditional Use Permit in accordance with MSB 17.61.020(A)(1) through (4) is not required; and

WHEREAS, the subject parcel is within the boundary of the Gateway Community Council; and

WHEREAS, the proposed retail facility will be wholly contained within a commercial structure approximately 1,632 square feet in size; and

WHEREAS, the property is located in the Core Area; however, there are no specific zoning designations for this parcel; and

WHEREAS, the proposed use will access the Palmer-Wasilla Highway which is managed by the State of Alaska; and

WHEREAS, the Palmer-Wasilla Highway has many different uses on its frontage, including residential, commercial, and industrial; and

WHEREAS, the closest residential structure is located approximately 545 feet north of the proposed use; and

WHEREAS, the application material indicates one backlight sign will be installed on the proposed facility. The sign will be installed on the south side of the building adjacent to the entrance; and

WHEREAS, the proposed hours of operation are 8:00 a.m. until 12:00 a.m., Monday through Friday, 10:00 a.m. until 12:00 a.m. on Saturday, and 10:00 a.m. until 10:00 p.m. on Sunday; and

WHEREAS, according to the application material, the proposed use will be located approximately 85.9 feet from the Palmer-Wasilla Highway right-of-way to the south, approximately 240 feet to the east side property line, approximately 93.3 feet to the north side

property line, and approximately 30 feet to the west side property line; and

WHEREAS, there are multiple commercial businesses in the surrounding area, including, but not limited to, a car wash, a junkyard/refuse facility, a storage facility, and an animal feed business; and

WHEREAS, the surrounding area is comprised of mixed uses. Parcels to the north and south contain both vacant land and residential uses. Parcels to the east contain both residential and commercial uses. Parcels to the west contain industrial, commercial, and residential uses; and

WHEREAS, consumption of marijuana is prohibited at the site; and

WHEREAS, people under the age of 21 are prohibited from entering the facility; and

WHEREAS, according to the application material, loitering will not be allowed; and

WHEREAS, the closest school (Colony High School) is approximately 1,262 feet away from the use; and

WHEREAS, according to the application material, the proposed use has a security plan in place, which includes education of employees on all security measures; and

WHEREAS, security cameras, motion detectors, and lighting are used to monitor all activities at the facility; and

WHEREAS, the State of Alaska Fire Marshal's office has issued the approved Plan Review #2026ANCH0242, for the commercial structure; and

WHEREAS, the commercial structure is in full compliance with the applicable State of Alaska fire code; and

WHEREAS, all marijuana products deemed unusable are blended and mixed with compostable material in a container. The waste will then be taken to an MSB waste acceptance facility to be disposed of; and

WHEREAS, the structure meets all applicable setback requirements required by MSB 17.55 - Setbacks and Screening Easements; and

WHEREAS, all of the required site plans and operational information have been provided by the applicant; and

WHEREAS, there are no industrial processes or equipment that generate noise associated with the proposed use; and

WHEREAS, the proposed use has an odor control plan in place that includes a "no odor" policy, sealed odor-proof containers, enclosed display jars, air sanitizers, and odor-control measures during transportation to ensure no odor is detectable outside the facility; and

WHEREAS, according to the application material, landscaping will include drainage retention, seeded grass and trees; and

WHEREAS, on April 16th, 2026, at the State of Alaska Marijuana Control Board meeting, the Board voted to approve Little Flare Retail Marijuana Store License #41029 with delegation; and

WHEREAS, a copy of the delegated approval for the applicant's marijuana retail facility has been provided to the MSB Development Services Division; and

WHEREAS, the applicant has provided a copy of the approved Plan Review #2026ANCH0242; and

WHEREAS, the plat requires access to the parcel from the southeast corner via the Palmer-Wasilla Highway, a State of Alaska-managed right-of-way. This location is required to be a common access point with the lot abutting the east lot line; and

WHEREAS, the parcel abutting the subject property to the east is developed with a residential use. It has two driveways onto the Palmer-Wasilla Highway, one of which is located at the common access point shared with the subject parcel; and

WHEREAS, a marijuana retail facility 1,632 square feet in size is required to provide five parking spaces with one ADA compliant space; and

WHEREAS, according to the site plan, thirty-six (36) customer parking spaces will be provided; and

WHEREAS, each space is 20 feet in length and ten feet wide; and

WHEREAS, there are no vertical clearance limitations on site;
and

WHEREAS, ADA guidelines require two van accessible parking spaces, for 26 to 50 spaces; and

WHEREAS, according to the site plan, two van accessible parking spaces, 10 feet wide with a shared ten-foot wide parking isle will being provided; and

WHEREAS, the Planning Commission has reviewed this application with respect to standards set forth in MSB 17.60.100, 17.60.150 and 17.60.170; and

WHEREAS, the Planning Commission conducted a public hearing on August 17, 2026, on this matter.

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 26-12:

1. The proposed use, with conditions, will not detract from the value, character, and integrity of the surrounding area (MSB 17.60.100(B)(1)).
2. The proposed use, with conditions, will not be harmful to the public health, safety, convenience, and welfare (MSB 17.60.100(B)(2)).
3. Sufficient setbacks, lot area, buffers or other safeguards are being provided (MSB 17.60.100(B)(3)).

4. The application material meets all of the requirements of this chapter (MSB 17.60.100(B)(4)).
5. The proposed use, with conditions, will not negatively affect other properties due to factors such as noise and odor (MSB 17.60.150(A)(1)).
6. Measures are in place, with conditions, to reduce negative affects upon adjacent properties (MSB 17.60.150(A)(2)(a-c)).
7. The proposed use, with conditions, is compatible with the character of the surrounding area (MSB 17.60.150(A)(3)).
8. The proposed use is more than 1,000 feet away from any school grounds (MSB 17.60.150(B)(1)).
9. The applicant has provided documentation demonstrating all applicable licenses pertaining to 3 AAC 306.005 have been obtained (MSB 17.60.150(D)(1)).
10. The applicant has provided documentation demonstrating the proposed use is in full compliance with all applicable fire code (MSB 17.60.150(D)(2)).
11. The proposed use is located on a parcel that is appropriate for commercial use (MSB 17.60.170(A)(1-3)).
12. The proposed use meets the minimum number of parking spaces for retail facilities (MSB 17.60.170(B)).

13. The proposed use complies with current ADA parking space guidelines (MSB 17.60.170(C)).

BE IT FURTHER RESOLVED, that the Planning Commission finds this application does meet the standards of MSB 17.60 and does hereby approve the conditional use permit for the operation of a marijuana retail facility, with the following conditions:

1. The operation shall comply with all applicable state and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
3. Borough staff shall be permitted to enter premises subject to this permit to monitor compliance with permit requirements. Such access will at minimum be allowed on demand when activity is occurring, and/or with prior verbal or written notice, and/or at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of this Conditional Use Permit.
4. The operation shall comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 - Noise, Amplified Sound and Vibration.

5. The hours of operation shall not exceed 8:00 a.m. to 12:00 a.m., Monday through Friday, 10:00 a.m. to 12:00 a.m. on Saturday, and 10:00 a.m. to 10:00 p.m. on Sunday.
6. A copy of the approved ADOT&PF Driveway Permit for the proposed access shall be provided to the Planning Department, prior to operating.
7. On-site consumption of marijuana and marijuana products is prohibited.

ADOPTED by the Matanuska-Susitna Borough Planning Commission
this 17th day of August, 2026.


For RICHARD ALLEN, Chair

ATTEST


LACIE OLIVIERI, Planning Clerk

(SEAL)



YES: McCabe, Scoggin, Fonov, Carpenter, Allen

NO: None

Handwritten signature or scribble, possibly reading "H. S. P."

