

By: Planning
Public Hearing: 11/15/16
Adopted: 11/15/16

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 16-14(AM)**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION DENYING A DESIGN EXCEPTION TO ALLOW THE INSTALLATION OF A NEW WALL SIGN ON THE MAIN STREET SIDE OF THE VALLEY CHIROPRACTIC CLINIC BUILDING THAT IS 18.8 SQUARE FEET LARGER (8.9 PERCENT OF THE TOTAL WALL AREA FACING THE STREET) THAN THE 24 SQUARE FEET OF SIGNAGE ALLOWED (FIVE PERCENT OF THE TOTAL WALL AREA FACING THE STREET) AND APPROVING THE WALL SIGN TO BE A “BACKLIT/HALO” TYPE OF LIGHTED SIGN ON LOT 1, BLOCK 1, BIRCH PARK WASILLA SUBDIVISION.

WHEREAS, James and Cindi Martin, Valley Chiropractic Clinic, submitted an application for a design exception to the sign standards in the Downtown Overlay District Design Standards (DE16-01) on October 11, 2016; and

WHEREAS, the application included the required site plan and narrative that addresses the general approval criteria in §16.16.050 of the Wasilla Municipal Code; and

WHEREAS, notice of the application was mailed to all property owners within a 1,200 foot radius, the appropriate review agencies, the Wasilla Planning Commission, and the Wasilla City Council as required by §16.16.040(A)(2) of the Wasilla Municipal Code; and

WHEREAS, a notice of the Planning Commission public hearing was published in the Frontiersman on November 6, 2016; and

WHEREAS, the Planning Commission held a public hearing on this request on November 15, 2016; and

WHEREAS, the Wasilla Planning Commission deliberated on this request taking into account the information submitted by the applicant, the evaluation and recommendation by staff contained in the staff report, public testimony – both written and verbal, the applicable provisions of the Downtown Overlay District Design Standards, Wasilla Municipal Code, Comprehensive Plan, and other pertinent information brought before them; and

WHEREAS, the Wasilla Planning Commission adopted Findings of Fact, attached as Exhibit A, summarizing basic facts and reasoning of the Commission; and

NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission hereby approves this application with the Findings of Fact, attached as Exhibit A and incorporated herein, with the following conditions:

1. All signage must be consistent with the drawings attached to this Resolution as Exhibit B. Any changes to these plans must be submitted to the City Planner for review and approval. Substantial modifications will require submittal of an amended design exception application, including application fee and Planning Commission review and approval.
2. The design exception is only approved for the proposed Valley Chiropractic Clinic sign indicated in the drawings attached to this Resolution as Exhibit B. Any future changes to the signage by this business, other than replacement/repair of damage due to fire or a natural disaster, must conform to the sign regulations in the Downtown Overlay District. Additionally, all signage for future businesses or tenants in this building must conform to the sign regulations in place at that time.

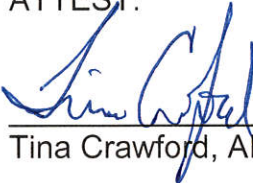
ADOPTED by the Wasilla Planning Commission on November 15, 2016.

APPROVED:

 11/23/16

Jessica Dean, Chair

ATTEST:



Tina Crawford, AICP, City Planner

VOTE: Passed Unanimously

EXHIBIT A
Wasilla Planning Commission Resolution 16-14
FINDINGS OF FACT
Section 16.20.040(L), Design Exceptions

16.24.040(L) – Design Exceptions

The planning commission may grant design exceptions if a proposed project is a unique and exceptional design concept that enhances the downtown overlay district, or if by reason of unusual circumstances, the strict application of any provision of this section would result in exceptional practical difficulty or undue hardship due to the circumstances unique to the particular property in question as provided in this subsection. The planning commission may impose additional conditions to ensure that the design is consistent with the purpose and intent of this section.

- (1) Application.** *After the pre-application conference, the applicant shall submit an application for the design exception to the city planner with the appropriate application fee. The site plan for the application shall depict all information relevant to the requested waiver or modification.*

Finding: The applicant submitted the required application and fee.

- (2) Public hearing.** *The planning commission shall hold a public hearing on the application. The notice, comment period, and hearing procedure shall be the same as provided in § 16.16.040 for a conditional use.*

Finding: All notification requirements above have been met.

- (3) Consideration.** *In evaluating an application, the planning commission may consider any of the following alternatives to offset a design deficiency, if they find that the proposed alternative will serve the purpose of this section:*
- (a) Fences and walls may be used in lieu of landscaping and may be allowed to screen parking when there is not enough room to provide an effective landscape screen.*
 - (b) Additional enhanced architectural details, consisting of period and style appropriate appointments and materials not typically used due to high cost.*
 - (c) More and higher quality architecturally appropriate windows.*
 - (d) Quality public seating meeting the standards in this section, such as benches in front of shops and businesses.*
 - (e) Installation of quality decorative pavement/paver designs, especially in areas highly visible to the public such as driveway aprons and building entrances along main streets.*
 - (f) Additional or alternative storm water design solutions such as bio swales, rain gardens and cisterns.*

- (g) *Use of a new, innovative or non-traditional energy efficient building technology, such as solar panels and insulated prefabricated wall panels.*

Finding: The above alternatives are not applicable to this request.

- (4) *Decision. The planning commission may approve an application only if they find that the application meets one or more of the following standards:*

- (a) *The waiver or modification is consistent with the purpose of this section and will not materially adversely affect the surrounding area or the downtown overlay district as a whole;*

Finding: The waiver for the halo lighting is consistent with the purpose of the design exception section and the sign regulations in the Downtown Overlay District.

- (b) *The proposed project is a unique and exceptional design concept that enhances the downtown overlay district; and*

Finding: The proposed halo lighting for the sign is unique or exceptional in design in such a way that it enhances the downtown overlay district.

- (c) *Strict application would result in exceptional practical difficulty or undue hardship due to the circumstances unique to the particular property in question. A hardship shall not qualify as an undue hardship if it is of a person's own making.*

Finding: The strict application does result in exceptional practical difficulty or undue hardship due to any circumstances that are unique to this property.

