

By: Planning
Public Hearing: 08/08/17
Adopted: 08/08/17

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 17-19**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING VARIANCE NO. V17-02 ALLOWING A VARIANCE OF 11 PERCENT TO THE MINIMUM 15 PERCENT LANDSCAPE ISLAND REQUIREMENTS FOR LOT 2; A VARIANCE TO ALLOW FLOWERING SHRUBS IN LIEU OF THE REQUIRED FLOWERS IN THE REQUIRED LANDSCAPE BEDS; AND A VARIANCE TO ALLOW THREE LANDSCAPE ISLANDS IN LIEU OF THE REQUIRED 10-FOOT WIDE PLANTING BED ALONG THE PARKS HIGHWAY FOR A BINGO FACILITY IN AN EXISTING BUILDING ON LOTS 2 AND 3, CARSON PLAZA SUBDIVISION.

WHEREAS, Tamas Deak, KPB Architects, applicant, submitted an application for a variance on July 21, 2017, along with a site plan and application fee; and

WHEREAS, notice of the application was mailed to all property owners within a 1,200' radius and review agencies and the Planning Commission 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 August 2, 2017; and

WHEREAS, the Wasilla Planning Commission conducted a public hearing on the requested variance taking into account the information submitted by the applicant, the information contained in the staff report, written and verbal testimony, the applicable provisions of the Wasilla Municipal Code and Comprehensive Plan, and other pertinent information brought before them; and

WHEREAS, the Wasilla Planning Commission has developed Findings of Fact summarizing the basic facts and reasoning of the Commission regarding the requested variance.

NOW THEREFORE BE IT RESOLVED, that the Wasilla City Planning Commission, after due consideration of the information submitted by the applicant, the information contained in the staff report, written and verbal testimony, the applicable provisions of the Wasilla Municipal Code and Comprehensive Plan, and other pertinent information brought before them adopted the Findings of Fact and conditions of approval attached as Exhibit A and incorporated herein; and

BE IT FURTHER RESOLVED, that the Wasilla Planning Commission, grants the requested landscaping variance with the following conditions:

- 1. Landscaping must be installed and maintained as shown in Sheet L2.01, attached to Resolution Serial No. 17-19 as Exhibit B.
- 2. Property owner must maintain existing vegetation on Parks Highway right-of-way slope and plant and maintain grass along Old Matanuska Road right-of-way as indicated on Sheet L2.01.
- 3. Any changes to the landscape plan must be submitted to the City Planner for review and approval. Substantial modifications will require submittal of an amended variance application, including application fee and Planning Commission review and approval.
- 4. A landscape bond or guaranty, consistent with the requirements in §16.44.040 of the Wasilla Municipal Code, must be submitted to the Planning Department prior to commencement of the use as a bingo facility.
- 5. Fencing in the landscape beds along Old Matanuska Road must be moved interior a minimum of three feet as required in WMC 16.24.040(D)(4)(b).
- 6. Each landscape island and planting bed must contain a minimum of one boulder as required in WMC 16.24.040(D)(4)(b).

ADOPTED by the Wasilla Planning Commission on August 8, 2017.

APPROVED:

 8/8/17

Jessica Dean, Chair

ATTEST:



Tina Crawford, City Planner

VOTE: Passed Unanimously

EXHIBIT A
Wasilla Planning Commission Resolution 17-19
FINDINGS OF FACT – Landscape Variance Approval Criteria

§16.33.070(A)(1) Preapplication Conference.
The applicant shall schedule a preapplication conference with the planner to review the proposed waiver or modification.

Staff Finding: The applicant met with the planner on-site to discuss proposed site plan and necessary waivers, including the waiver process.

§16.33.070(A)(2) Application and Site Plan.
After the preapplication conference, the applicant shall submit an application for the waiver or modification to the planner with the appropriate fee. The application shall include a site plan depicting all information relevant to the requested waiver or modification. The planner may require that the site plan be produced by a registered professional engineer, architect, landscape architect or land surveyor.

Staff Finding: The applicant submitted the required application packet and fee on July 21, 2017.

§16.33.070(A)(3) Public Hearing.
The commission shall hold a public hearing on the application. The notice, comment period, and hearing procedure shall be the same as provided in Section 16.16.040 for a conditional use.

Staff Finding: All notice, comment period, and hearing procedures were met (see setback variance staff finding for §16.28.110(B)).

§16.33.070(A)(4) Decision.
The commission may approve an application only if the commission finds that the application meets all of the following standards:

- (a) Either (i) natural vegetative features within or adjacent to the property, or the shape, topography, drainage or other physical features of the property, make compliance with the landscaping requirements of this title impracticable or contrary to the public interest; or (ii) compliance with the landscaping requirements of this title will have an adverse effect on other property;

Staff Finding: The existing building and asphalt parking lot, shape of the lots and double road frontage, and the slope of the lots along the Parks Highway right-of-way make it impractical to meet the landscape requirements in Title 16. The Parks Highway is approximately 10 feet higher in elevation than the lots and has a long retaining wall and significant slopes down to the developed surface area of the lots. The significant slope along the Parks Highway, including the snow maintenance in the winter, makes planting and maintaining any landscaping very difficult.

(b) The special conditions that support the waiver or modification are not caused by the person seeking the waiver or modification, a predecessor in interest, or the agent of either;

Staff Finding: The applicant did not create the special conditions on these lots. The topography of the lots and the existing building and asphalt parking lot were in place when the building was purchased by the existing owners.

(c) The waiver or modification is not sought solely to relieve pecuniary hardship or inconvenience;

Staff Finding: The waiver is not sought solely to relieve pecuniary hardship or inconvenience. The existing topography, building, and asphalt parking lot make it impractical to meet the landscaping requirements. Also, due to the limited visibility of the site from the Parks Highway, allowing the variance to substitute a significant number of flowering shrubs in place of the required shrubs and flowers will be consistent with the intent of the landscaping regulations while allowing ease of maintenance.

(d) The waiver or modification will not significantly affect adjacent property or water bodies; and

Staff Finding: The waiver will not affect adjacent properties or water bodies since the adjoining properties contain commercial uses and there are no water bodies abutting this property.

(e) The waiver or modification is consistent with the spirit and intent of this chapter.

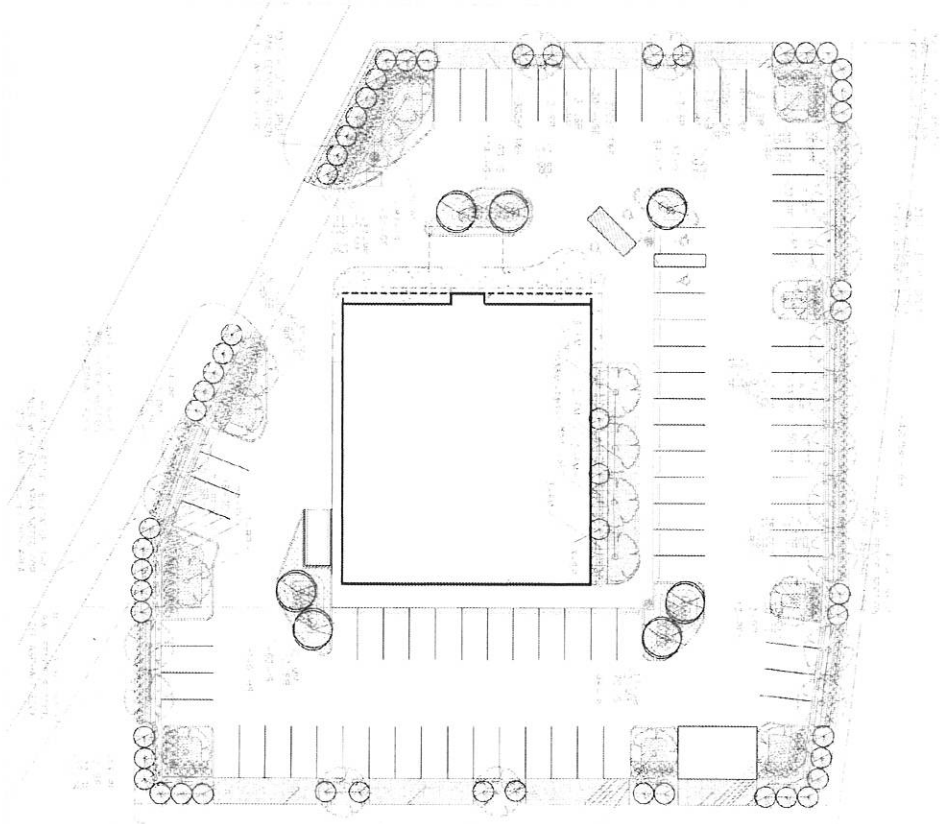
Staff Finding: The waiver is consistent with the spirit and intent of this chapter. The property is zoned Commercial, will be compatible with the surrounding uses, and the redevelopment/re-use of these lots will significantly improve the visual appearance of the area.

2 LANDSCAPE DESIGN NOTES

1. ALL PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

NO.	PLANT	QUANTITY	LOCATION
1	1" CALIBER PINE	100	PERIMETER
2	2" CALIBER PINE	50	PERIMETER
3	3" CALIBER PINE	25	PERIMETER
4	4" CALIBER PINE	10	PERIMETER
5	5" CALIBER PINE	5	PERIMETER
6	6" CALIBER PINE	2	PERIMETER
7	7" CALIBER PINE	1	PERIMETER
8	8" CALIBER PINE	1	PERIMETER
9	9" CALIBER PINE	1	PERIMETER
10	10" CALIBER PINE	1	PERIMETER
11	11" CALIBER PINE	1	PERIMETER
12	12" CALIBER PINE	1	PERIMETER
13	13" CALIBER PINE	1	PERIMETER
14	14" CALIBER PINE	1	PERIMETER
15	15" CALIBER PINE	1	PERIMETER
16	16" CALIBER PINE	1	PERIMETER
17	17" CALIBER PINE	1	PERIMETER
18	18" CALIBER PINE	1	PERIMETER
19	19" CALIBER PINE	1	PERIMETER
20	20" CALIBER PINE	1	PERIMETER
21	21" CALIBER PINE	1	PERIMETER
22	22" CALIBER PINE	1	PERIMETER
23	23" CALIBER PINE	1	PERIMETER
24	24" CALIBER PINE	1	PERIMETER
25	25" CALIBER PINE	1	PERIMETER
26	26" CALIBER PINE	1	PERIMETER
27	27" CALIBER PINE	1	PERIMETER
28	28" CALIBER PINE	1	PERIMETER
29	29" CALIBER PINE	1	PERIMETER
30	30" CALIBER PINE	1	PERIMETER
31	31" CALIBER PINE	1	PERIMETER
32	32" CALIBER PINE	1	PERIMETER
33	33" CALIBER PINE	1	PERIMETER
34	34" CALIBER PINE	1	PERIMETER
35	35" CALIBER PINE	1	PERIMETER
36	36" CALIBER PINE	1	PERIMETER
37	37" CALIBER PINE	1	PERIMETER
38	38" CALIBER PINE	1	PERIMETER
39	39" CALIBER PINE	1	PERIMETER
40	40" CALIBER PINE	1	PERIMETER
41	41" CALIBER PINE	1	PERIMETER
42	42" CALIBER PINE	1	PERIMETER
43	43" CALIBER PINE	1	PERIMETER
44	44" CALIBER PINE	1	PERIMETER
45	45" CALIBER PINE	1	PERIMETER
46	46" CALIBER PINE	1	PERIMETER
47	47" CALIBER PINE	1	PERIMETER
48	48" CALIBER PINE	1	PERIMETER
49	49" CALIBER PINE	1	PERIMETER
50	50" CALIBER PINE	1	PERIMETER

1 LANDSCAPE PLAN



CONDITIONAL USE APPLICATION

L2.01	1. PREPARED BY: [Name] 2. CHECKED BY: [Name] 3. DATE: [Date] 4. SCALE: [Scale] 5. SHEET NO.: [Number] 6. TOTAL SHEETS: [Total]	2430 East Parks Highway BIG VALLEY BINGO WASILLA, AK	 KPB ARCHITECTS 300 S. CENTRAL AVENUE, SUITE 100 WASHINGTON, AK 99653	
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