

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 18-11**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION DENYING DESIGN EXCEPTION #1 TO ALLOW INSTALLATION OF TWO NEW WALL SIGNS ON THE NORTH AND SOUTH FACING WALLS ON THE EXISTING BUILDING INSTEAD OF THE PERMITTED ONE WALL SIGN (MAY NOT EXCEED FIVE PERCENT OF THE WALL AREA) ON THE SIDE OF THE BUILDING FACING THE STREET. THE NORTH FACING WALL SIGN WILL BE 25.38 SQUARE FEET OF SIGNAGE THAT IS 7.02 PERCENT OF THE TOTAL WALL AREA (361.59 SQUARE FEET) AND THE SOUTH FACING WALL WILL BE 19.2 SQUARE FEET OF SIGNAGE THAT 5.31 PERCENT OF THE TOTAL WALL AREA – BOTH SIGNS EXCEED THE MAXIMUM OF FIVE PERCENT OF THE WALL AREA. THE SIGNS WILL BE ON A BUILDING LOCATED ON LOT 2A, BLOCK 7, WASILLA TOWNSITE RSB SUBDIVISION.

WHEREAS, Anthony Dellapietro, Hempire Co., submitted an application for a design exception to the sign standards in the Downtown Overlay District Design Standards (DE 18-01) on July 3, 2018; and

WHEREAS, the application included the required drawings 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 feet 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 September 2, 2018; and

WHEREAS, the Planning Commission held a public hearing on this request on September 11, 2018; and

WHEREAS, the Wasilla Planning Commission deliberated on this request taking into account the information submitted by the applicants, evaluation and recommendations of staff contained in the staff report, public testimony - both written and verbal comments, 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 for denying the design exception requests; and

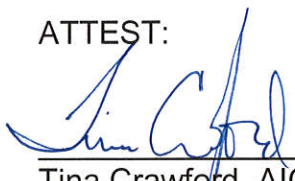
NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission hereby denies this design exception request with the Findings of Fact, attached as Exhibit A and incorporated herein.

ADOPTED by the Wasilla Planning Commission on September 11, 2018.

APPROVED:

 9-12-18
Brian Mayer, Vice-Chair Date

ATTEST:


Tina Crawford, AICP, City Planner

VOTE: Passed Unanimously

EXHIBIT A
Wasilla Planning Commission Resolution 18-11
FINDINGS OF FACT
Section 16.20.040(L), Design Exception

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 is not consistent with the purpose of this section and will materially adversely affect the downtown overlay district as a whole. The request is to place wall signs on the north and south sides of the building instead of meeting the requirement to place the wall sign on the wall facing the street right-of-way. Additionally, the size of the proposed wall signs exceeds the maximum five percent of the wall area (North = 7.02% and South = 5.31%). The two wall signs are permitted by the existing regulations without an exception if the sign area were reduced to five percent of the wall area and the request for the freestanding sign was withdrawn. Additionally, since the adoption of the Downtown Overlay District and associated design standards, six businesses have installed signage consistent with the adopted regulations (Alaska Massage Clinic, H&R Block, K-9 Cuts, Butterfly Native Thriftique, Valley Chiropractic, and Black Birch Books). Only two businesses have been granted sign exceptions. The first was for Valley Chiropractic to allow "halo lit" signage and the other was for the Matanuska Valley Federal Credit Union to allow replacement of an existing wall sign that is internally lit and exceeded the maximum height for a wall sign of 24 feet (sign was 36' 4").

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

Finding: The proposed signage is not unique or exceptional in design in such a way that it enhances the downtown overlay district. As indicated in the findings above, numerous other businesses were able to install/update signage that was consistent with the sign regulations.

- (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 of the sign regulations does not result in exceptional practical difficulty or undue hardship due to any circumstances that are unique to this property. As indicated above, the sign regulations allow wall signs on the north and south sides of the building provided that the wall signs are not more than five percent of the wall area and a freestanding sign is not located on the property.

Based on the building's close proximity to Main Street, the permissible signage for this business provides sufficient sign visibility from Main Street (see attached aerial photograph). Also, this building is only about 175 feet from a four-way stop sign intersection of Main Street and Swanson Avenue and approximately 570 feet north of the signalized intersection at Parks Highway and Main Street. Due to the short distance between the light and the stop sign, traffic is typically travelling at speeds less than the posted 25 MPH speed limit. A chart indicating the appropriate letter heights is included with the staff report that indicates that letters as small as 6.5 inches would be sufficient for visibility at 25 MPH. However, the applicant is proposing 10-inch letter sizes. With the specific location factors for the subject property, the increased letter size typically needed for moving traffic to allow sufficient time to view the sign and make turning decisions is not needed.