

By: Planning
Public Hearing: 08/13/19
Adopted: 08/13/19

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 19-09(AM)**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING A DESIGN EXCEPTION TO THE DOWNTOWN OVERLAY DISTRICT DESIGN STANDARDS FOR AN ADDITION TO AN EXISTING BUILDING. THE EXCEPTION IS TO ALLOW NO LESS THAN 40 PERCENT OF THE BUILDING FAÇADE TO BE COMPOSED OF TRANSPARENT WINDOWS. LOTS 8 AND 9, BLOCK 6, WASILLA TOWNSITE SUBDIVISION.

WHEREAS, Vince Spezialy, EVSPEZ, Inc., submitted an application for a design exception to standards in the Downtown Overlay District Design Standards (DE19-01) on July 17, 2019; and

WHEREAS, the application included the required drawings and narrative that addresses the design exception criteria in §16.20.040(L) 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 August 4, 2019; and

WHEREAS, the Planning Commission held a public hearing on this request on August 13, 2019; 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

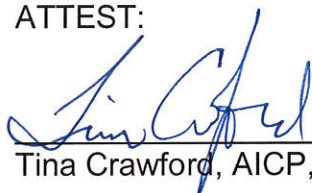
NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission hereby approves this design exception with the Findings of Fact, attached as Exhibit A and incorporated herein.

ADOPTED by the Wasilla Planning Commission on August 13, 2019.

APPROVED:


Eric Bushnell, Chair 8-20-2019
Date

ATTEST:


Tina Crawford, AICP, City Planner

VOTE: YES: Bushnell, Dean, and Velock
NO: Brown

EXHIBIT A
Wasilla Planning Commission Resolution 19-09
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 did not schedule a pre-application conference but submitted the required application and fee on July 17, 2019. The application contained sufficient information relevant to the requests.

- (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: Alternatives (b) and (c) could be considered by the Planning Commission as a condition of approval to offset the design deficiency.

(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 criteria is met because the design is consistent with the other surrounding businesses nearby and creates an art district.

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

Finding: The criteria is met since the project brings an element that is consistent and unique to the area and the building design supports the music and dance studio.

- (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: This criterion is not met.

