
REGULAR MEETING

1. CALL TO ORDER

The regular meeting of the Wasilla Planning Commission was called to order at 6:00 PM on Tuesday, October 8, 2019, in Council Chambers of City Hall, Wasilla, Alaska by Eric Bushnell, Chair.

2. ROLL CALL

Commissioners present and establishing a quorum were:

Eric Bushnell, Seat A
Darrell Breese, Seat B
Jessica Dean, Seat C
Simon Brown, Seat D
Nikki Velock, Seat E

Staff in attendance were:

Lyn Carden, Deputy Administrator
Archie Giddings, Public Work Director
Tina Crawford, City Planner
Leslie Need, City Attorney (via teleconference)
Tahirih Revet, Planning Clerk

3. PLEDGE OF ALLEGIANCE

Commissioner Velock led the Pledge of Allegiance.

4. APPROVAL OF AGENDA

GENERAL CONSENT: The agenda was approved as presented.

5. REPORTS

5.1 City Deputy Administrator

Ms. Carden provided a report on business licenses in 2019 and the status of the alcohol licensing discussion and she also stated that Raising Cane's will have the grand opening on November 19.

5.2 City Public Works Director

No report given.

5.3 City Attorney

Ms. Need stated there is no pending litigation related to a Planning Commission decision. She disclosed that her firm worked with Sun Mountain Development LLC and the Boutet Company on the Shoppes at Sun Mountain development but that she or any other member of the firm haven't worked on the items on the agenda and there shouldn't be a conflict of interest. However, she requested that the Chair allow the applicant an opportunity to object to her participation.

5.4 City Planner

Ms. Crawford reported that the variance application on tonight's agenda originally requested three variances, but the applicant withdrew variance request #2 and #3.

6. PUBLIC PARTICIPATION (*Three minutes per person for items not on agenda*)

No one stepped forward.

7. CONSENT AGENDA

7.1 Minutes of September 10, 2019, regular meeting

GENERAL CONSENT: Minutes were approved as presented.

8. NEW BUSINESS (*five minutes per person*)

8.1 Public Hearing

1. Item: R19-02 (Reso. #19-14)
Applicant: Stephanie Smith
Owner: RFN Properties LLC
Request: Rezone the southwest 2.1 +/- of Lot B18, Township 17 North, Range 1 West, Section 15 from Rural Residential (RR) to Commercial (C).

Lot Area: 2.1 +/- acres

Location: Lot 18, Township 17 North, Range 1 West, Section 15

Zoning: Rural Residential (RR)

a. City Staff

Ms. Crawford provided her staff report regarding the rezone request.

b. Applicant

Mr. Gary Lorusso, Keystone Surveying, representative for the property owner, provided information regarding the proposed rezoning request.

c. Private person supporting or opposing the proposal

No comments.

d. Applicant

No comments.

MOTION: Commissioner Dean moved to approve Rezone #19-02 (Resolution Serial #19-14), as presented.

VOTE: The motion to approve Rezone #19-02 (Resolution Serial #19-14), passed unanimously.

- 2 Item: CU19-02 (Reso. #19-15)
 Applicant: Tim Alley, The Boutet Company
 Owner: Sun Mountain Development Group LLC
 Request: Amendment to the required timeline for installation of the
 required perimeter landscaping and the landscaping for the
 fitness building area for the Shoppes at Sun Mountain
 development from 2019 to Summer 2020 (Condition #8 of
 Planning Commission Resolution Serial No. 19-01AM
 approving Conditional Use Permit #19-01).
 Lot Area: 19.61 +/- acres
 Location: Lot 6, Sun Mountain Subdivision
 Zoning: Commercial (C)
 a. City Staff

Ms. Need reiterated the information provided in her report above regarding her firm representing the applicant regarding other aspects of the Shoppes of Sun Mountain development.

Ms. Crawford provided her staff report regarding the requested amendment.

b. Applicant

Tim Alley, The Boutet Company, representative for applicant, indicated that they did not object to participation by the City Attorney and then provided information regarding the requested amendment.

c. Private person supporting or opposing the proposal

No one stepped forward.

[CLERK'S NOTE: Commissioner Dean exited the meeting at 6:26 PM]

d. Applicant

Mr. Daniel Hacker provided information regarding dust control on the site until the landscaping is planted.

MOTION: Commissioner Breese moved to approve Conditional Use Permit #19-02 (Resolution Serial #19-15), as presented.

VOTE: The motion to approve Conditional Use Permit #19-02 (Resolution Serial #19-15), passed unanimously.

- 3 Item: V19-06 (Reso. #19-16)
 Owner: Sun Mountain Development Group LLC
 Request: Three variances to the sign regulations for two freestanding
 signs at the Shoppes of Sun Mountain development of Lot 6,
 Sun Mountain. Variance #1 is a variance of 75 square feet to
 the maximum 150 square feet of sign area on a freestanding
 sign (Sign "A") to allow 225 square feet of sign area. Variance
 #2 is a variance of 321.25 square feet to the maximum 150

square feet of sign area on a freestanding sign (Sign "B") to allow 471.25 square feet of sign area. Variance #3 is a variance of 13 feet to the maximum height of 30 feet for a freestanding sign to allow a 43 feet high freestanding sign (Sign "B")

Lot Area: 19.61 +/- acres
Location: Lot 6, Sun Mountain Subdivision
Zoning: Commercial (C)

a. City Staff

Ms. Need reiterated the information provided in her report above regarding her firm representing the applicant regarding other aspects of the Shoppes of Sun Mountain development.

Ms. Crawford provided her staff report and reminded the Commission that the applicant withdrew the request for variance #2 and #3.

b. Applicant

Mr. Daniel Hacker, representative of Sun Mountain Development Group, LLC, indicated that he did not object to participation by the City Attorney and provided information regarding the requested variance.

c. Private person supporting or opposing the proposal

No one stepped forward.

d. Applicant

No other applicant comments.

MOTION: Commissioner Brown moved to approve Variance #19-06 (Resolution Serial #19-16), as presented.

Discussion moved to the Commission.

VOTE: The motion to approve Variance #19-06 (Resolution Serial #19-16), passed Commissioner Breese in opposition, Commission Brown, Bushnell and Velock in favor.

- Resolution Serial No. 19-17:** A resolution of the Wasilla Planning Commission recommending that they City Council amend Title 16 of the Wasilla Municipal Code to add Chapter 16.26, Short-term Rentals, that includes sections to address purpose and intent, definitions, applicability, application and fee, approval criteria – new and renewal, standards, prohibitions, issuance – term, renewal – transferability, denial, violations – enforcement, appeals, and severability; and amend Section 16.20.020, District Use Chart, to add the permit approval required for a short-term rental and to amend the permit approval required for bed and breakfast, hotel, home occupation, and motel.

a. City Staff

Ms. Crawford provided her staff report regarding the proposed regulations for short-term rentals.

b. Private person supporting or opposing the proposal

Mr. Stu Graham stated he that he is a City Council member but is speaking as a city resident and requested information regarding revocation of a short-term rental permit.

Mr. Noel Lowe, city resident, spoke in favor of the proposed short-term rental regulations.

Mr. Chris McGinty, city resident, requested that the Commission amend the regulations regarding duplexes to remove the requirement for owner occupancy in one of the units.

MOTION: Commissioner Velock moved to approve Resolution Serial No. 19-17, as presented.

Discussion moved to the Commission.

MOTION: Commissioner Bushnell moved to amend the main motion to revise Section 16.26.060(A)(2) to read as follows:

2. Duplex. One of the two units in a lawfully permitted duplex may be rented as a short-term rental. ~~provided that the owner or the representative resides in the adjoining unit.~~

VOTE: The motion to amend the main motion, passed with Commissioner Brown opposed, Commissioner Bushnell, Breese and Velock in favor.

MOTION: Commissioner Brown moved to amend the main motion to revise Section 16.26.100(C) to read as follows:

C. The ~~City Police Chief~~ Alaska State Troopers or any other law enforcement with jurisdiction within the city limits or the Matanuska-Susitna Borough Fire Code Official has determined that the short-term rental poses a serious threat to public health safety, or welfare; or

VOTE: The motion to amend the main motion passed unanimously.

MOTION: Commissioner Bushnell moved to amend the main motion to revise Section 16.27.110(D)(2) to read as follows:

2. For a second violation within any 12-month period, the penalty shall be \$1,000.00 and may also include revocation of the permit.

VOTE: The motion to amend the main motion, passed unanimously.

VOTE: The motion to approve Resolution Serial No. 19-17, as amended, passed unanimously.

- 8.2 Committee of the Whole
1. Discussion regarding food trucks within city limits
 2. Discussion regarding density in Rural Residential zoning

MOTION: Commissioner Breese moved to enter into the Committee of the Whole to discuss Title 16 revisions regarding food trucks and density in Rural Residential zoning at 7:28 PM.

[CLERK'S NOTE: City Attorney exited the meeting at 7:29 PM.]

MOTION: Commissioner Breese moved to exit the Committee of the Whole at 8:09 PM.

9. UNFINISHED BUSINESS

No unfinished business.

10. COMMUNICATIONS

No statements made regarding the following items.

- 10.1 Permit Information
- 10.2 Enforcement Log
- 10.3 Matanuska-Susitna Borough Planning Commission agenda

11. AUDIENCE COMMENTS *(three minutes per person)*

No comments.

12. STAFF COMMENTS

Mr. Giddings provided information regarding impacts from septic tanks on one acre lots and how the state deemed it safe for a septic and water.


13. COMMISSION COMMENTS


Commissioner Bushnell thanked everyone on for participating in tonight's meeting.

14. ADJOURNMENT

The regular meeting adjourned at 8:13 PM.

ATTEST:

 11-18-2019
ERIC BUSHNELL, Chair Date


TAHIRIH REVET, Planning Clerk

Adopted by the Wasilla Planning Commission November 7, 2019.