By:

Planning

Public Hearing:

03/09/21

Adopted:

03/09/21

## WASILLA PLANNING COMMISSION RESOLUTION SERIAL NO. 21-01(AM)

A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 21-01 TO AMEND CONDITIONAL USE PERMIT NO. 19-01 TO ALLOW CONSTRUCTION OF A 107 ROOM HOTEL AND A 3,000 SQUARE FEET BANK THAT WILL REPLACE 41,700 SQUARE FEET OF THE APPROVED RETAIL SQUARE FOOTAGE FOR THE DEVELOPMENT; AND APPROVE A HEIGHT EXCEPTION TO ALLOW A FOUR-STORY HOTEL WITH A MAXIMUM HEIGHT OF 54 FEET, WHICH IS 19 FEET TALLER THAN THE ALLOWED MAXIMUM OF 35 FEET IN WMC 16.24.030(A)(6), LOCATED AT THE SHOPPES AT SUN MOUNTAIN PHASE 2 CONDO PLAT, UNITS F & H (PREVIOUSLY LOTS 1-6, SUN MOUNTAIN SUBDIVISION).

WHEREAS, Tim Alley, The Boutet Company (agent Sun Mountain Development Group, LLC), submitted a conditional use permit application (CU #21-01) on February 12, 2021; 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 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 February 28, 2021; and

WHEREAS, the Planning Commission held a public hearing on this request on March 9, 2021; 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 Wasilla Municipal Code and 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. The hotel and credit union must be constructed consistent with the site plan and elevation drawings/renderings 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 to the plans and drawings require submittal of an amended conditional use permit application, including applicable fees, for Planning Commission review and approval. Substantial improvements may trigger additional improvements to address traffic impacts from such uses.
- 2. All other future development must be consistent with the site plan and elevation drawings/renderings attached as Exhibit B to Resolution Serial No. 18-03(AM) and Resolution Serial No. 19-01(AM). Any changes to these plans must be submitted to the City Planner for review and approval. Substantial modifications to the plans and drawings require submittal of an amended conditional use permit application, including applicable fees, for Planning Commission review and approval.

3. All other conditions of approval in Resolution Serial No. 18-03(AM) and 19-01(AM)

remain in effect that were not amended with this resolution.

4. Duane Drive must be operational to City standards with walking routes before full

buildout of the development. Left and right turn lanes at the STOP sign must be

provided with side street construction.

5. Maney Drive must be paved to City standards by the same time Hermon Road

Extension road project is completed.

6. Land use permits must be submitted separately for the hotel and the bank prior to

construction on the site. Permit applications must contain the required site plan,

landscape plan, and other information necessary to review for consistency with the

previous approvals and Title 16.

7. All signage must be reviewed and approved by the Planning Department via the

appropriate sign permit process.

8. A separate landscape guaranty must be provided to the city prior to the

commencement of construction for the hotel or credit union. The guaranty must

meet the requirements in WMC 16.33.050(G).

9. An as-built survey must be submitted to the Planning Department after completion of

each building.

ADOPTED by the Wasilla Planning Commission on March 9, 2021.

APPROVED:

ATTEST:

Eric Bushnell, Chair

Tina Crawford, AICP, City Planner

VOTE:

Passed Unanimously

## **EXHIBIT A**

# Wasilla Planning Commission Resolution 21-01(AM) FINDINGS OF FACT – Section 16.16.050, General Approval Criteria

An administrative approval, use permit, elevated administrative approval, elevated use permit or conditional use may be granted if the following general approval criteria and any applicable specific approval criteria of Section 16.16.060 are complied with. The burden of proof is on the applicant to show that the proposed use meets these criteria and applicable specific criteria for approval. An approval shall include a written finding that the proposed use can occur consistent with the comprehensive plan, harmoniously with other activities allowed in the district and will not disrupt the character of the neighborhood. Such findings and conditions of approval shall be in writing and become part of the record and the case file.

16.16.050(1)&(5) Neighbors/Neighborhoods. Due deference has been given to

the neighborhood plan or comments and recommendations from a neighborhood with an approved neighborhood plan.

Finding: This criterion is not applicable since the subject property is not part

of an adopted neighborhood plan.

16.16.050(2) Plans. The proposal is substantially consistent with the city

comprehensive plan and other city adopted plans.

Finding: This criterion is met since the proposed amendment is consistent

with the 2011 City of Wasilla Comprehensive Plan. The property is zoned Commercial and has a Generally Business and Commercial

future land use.

16.16.050(3) Special Uses. The proposal is substantially consistent with the

specific approval criteria of Section 16.16.060.

Finding: The specific approval criteria under 16.16.060 are not applicable.

16.16.050(4) Reviewing Parties. Due deference has been given to the

comments and recommendations of reviewing parties.

Finding: This criterion is met. The City mailed 63 notices to neighboring

property owners within 1,200' and the 21 review agencies that are typically provided with the opportunity to comment. No comments were received at the time of preparation of this staff report. Any comments received after the compilation of the packet will be

provided at the public hearing.

16.16.050(6)

Fire Safety and Emergency Access. The proposal shall not pose a fire danger as determined by the State Fire Marshal or the fire chief of the district in which the proposed use is located. Adequate access for emergency and police vehicles must be provided.

Finding:

This criterion is met. The Borough Fire Marshal's office will review the proposed buildings for compliance with all applicable fire codes, building codes and emergency access as related to the public health, safety and welfare.

16.16.050(7)

Traffic. The proposed use shall not overload the street system with traffic or result in unsafe streets or dangers to pedestrians...

Finding:

This criterion is met with approval of the proposed conditions of approval. The proposed development will have access points from S. Maney Drive, E. Sun Mountain Avenue, and S. Hermon Road. The prior development did not trigger the need for a Traffic Impact Analysis (TIA). However, the addition of the hotel and bank required review and approval of a TIA. The TIA has been reviewed by the City, State of Alaska Department of Transportation & Public Facilities (AKDOTPF), and the Matanuska-Susitna Borough (MSB).

16.16.050(8)

Dimensional Standards. The dimensional requirements of Section 16.24.010 are met.

Finding:

This criterion is met if the requested additional height is approved for the hotel. The site plan submitted with the application meets all the other dimensional standards.

16.24.050(9)

Parking. The parking, loading areas, and snow storage sites for the proposed development shall be adequate, safe and properly designed. The developer may be required to install acceptable lighting at pedestrian or vehicular access points.

Finding:

This criterion is met. The hotel requires 110 parking spaces but only has 101 spaces within the boundary of Unit H. However, the updated site plan submitted with this request proposes 29 parking spaces more than required for the entire development with adequate paved aisle widths, and snow storage onsite. Since parking is based on the entire development, the proposed parking for the hotel on Condo Unit H meets the code requirements.

16.16.050(10)

Utilities. The proposed use shall be adequately served by water, sewer, electricity, on-site water or sewer systems and other utilities.

Finding:

This criterion is met since water, sewer, and other utilities are available in the area.

16.16.050(11)

Drainage. The proposed use shall provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate runoff into public streets, adjoining lots and protect rivers lakes and streams from pollution. Uses may be required to provide for the conservation of natural features such as drainage basins and watersheds, and land stability.

Finding:

This criterion is met. The plans submitted with the initial conditional use permit approval and the amended site plan for this request provide adequate drainage on-site.

16.16.050(12)

Large Developments. Residential development of more than four units or non-residential development of more than ten thousand (10,000) square feet gross floor area may be required to provide a site plan showing measures to be taken for the preservation of open space, sensitive areas and other natural features; provision of common signage; provision for landscaping and provisions for safe and effective circulation of vehicles, pedestrians and bicycles. Nonresidential large developments must be located with frontage on one of the following class of streets: interstate, minor arterial, major collector or commercial.

Finding:

This criterion is met. The plans submitted with the initial conditional use application and the amended site plan for this request for the development indicate adequate open space, vehicle circulation, and landscaping and the site fronts on E. Sun Mountain Avenue, which is designated as a Major Collector roadway. Signage will be reviewed for consistency with Title 16 at time of submittal of sign permit. Note: Pedestrian circulation is addressed in Criterion 16.

16.16.050(13)

Peak Use. The proposed use shall not result in significantly different peak use characteristics than surrounding uses or other uses allowed in the district.

Finding:

This criterion is met since the proposed hotel and bank will be located within a commercial center that is in an area predominately developed with commercial uses.

## 16.16.050(14)

Off-Site Impacts. The proposal shall not significantly impact surrounding properties with excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises. Radio transmitters and any electronic communications equipment regulated by the Federal Communications Commission is specifically excluded from regulation by this section. Welding, operation of electrical appliances or power tools, or similar activities that cause off site impacts as described above are specifically regulated by this subsection. Buffering may be required to ameliorate impacts between residential and nonresidential uses. The owner of the property upon which the buffer is constructed is responsible for the maintenance of the buffer in a condition that will meet the intent of these criteria.

## Finding:

This criterion is met since the addition of a hotel and bank will not significantly impact surrounding properties with excessive noise, fumes or odors, glare, smoke, light, vibration dust, litter or interfere with electronic equipment. No buffering is required since there are no adjoining residential uses. The site is surrounded by commercially zoned property to the east, west, and south and undeveloped commercially zoned property to the north.

### 16.16.050(15)

Landscaping. The proposed use shall be designed in a manner that minimizes the removal of trees and vegetative cover, and shall conform to the standards in this title concerning the provision and maintenance of landscaping, and any landscaping plan that is required for the proposed use under this title. The approval authority also may condition approval on the provision of the following:

- a. A fenced storage area for common use, adequate to store boats, trailers, snowmobiles, recreational vehicles and similar items.
- b. Adequately sized, located and screened trash receptacles and areas.

## Finding:

This criterion is met. The previously approved landscape plans for the entire development are still in effect. In-depth review for consistency with Title 16 will occur when the land use permits are submitted for the hotel and the bank.

#### 16.16.050(16)

Walkways, Sidewalks and Bike Paths. Pedestrian walkways or bicycle paths may be required where necessary to provide reasonable circulation or access to schools, playgrounds, shopping areas, transportation or other community facilities. Improvements must be constructed to standards adopted by the engineer.

Finding:

This criterion is met. Appropriate internal pedestrian access points and sidewalks were approved as part of the original approval for the development and will be reviewed as part of each additional permit review.

16.16.050(17)

Water, Sewage and Drainage Systems. If a proposed use is within five hundred (500) feet of an existing, adequate public water system, the developer may be required to construct a distribution system and the connection to the public system...

Finding:

This criterion is met. Water and sewer are available for the site and the applicant will coordinate with the Public Works department to obtain necessary City permits. Additionally, the site plan shows drainage directed to on-site retention areas.

16.16.050(18)

Historic Resources. The proposed use shall not adversely impact any historic resource prior to the assessment of that resource by the city.

Finding:

The Matanuska-Susitna Borough Cultural Resources Office was notified of this application but did not provide any comments or objections.

16.16.050(19)

Appearance. The proposed use may be required to blend in with the general neighborhood appearance and architecture. Building spacing, setbacks, lot coverage, and height must be designed to provide adequate provisions for natural light & air.

Finding:

This criterion is met. The proposed architectural design and colors are substantially consistent with the renderings that were approved by the Planning Commission for the Shoppes at Sun Mountain (Reso. #18-03AM) and the updated materials and colors that were submitted by the developer to the City Planner for review in June 2019.

16.16.050(20)

Open Space and Facilities. The applicant may be required to dedicate land for open space drainage, utilities, access, parks or playgrounds. Any dedication required by the city must be based on a written finding that the area is necessary for public use or safety and the dedication is in compliance with adopted municipal plans and policy. The city finding shall conclude that a direct connection exists between the development and the need for the provision of the dedication...

Finding:

This criterion is met. No additional land is necessary for open

space and facilities.

16.16.050(21)

Winter Hassles. The proposed use shall not significantly

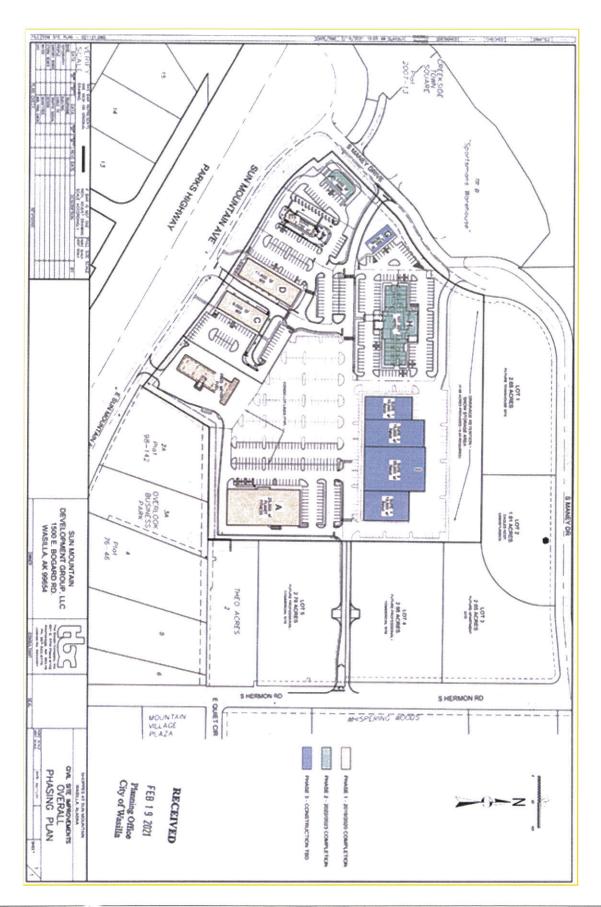
increase the impact on the surrounding area from glaciation or

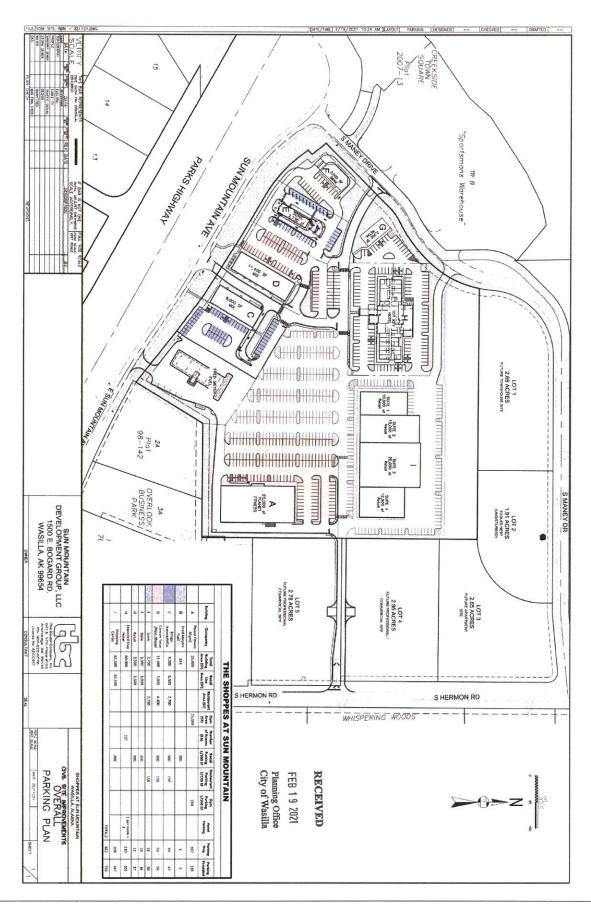
drifting snow.

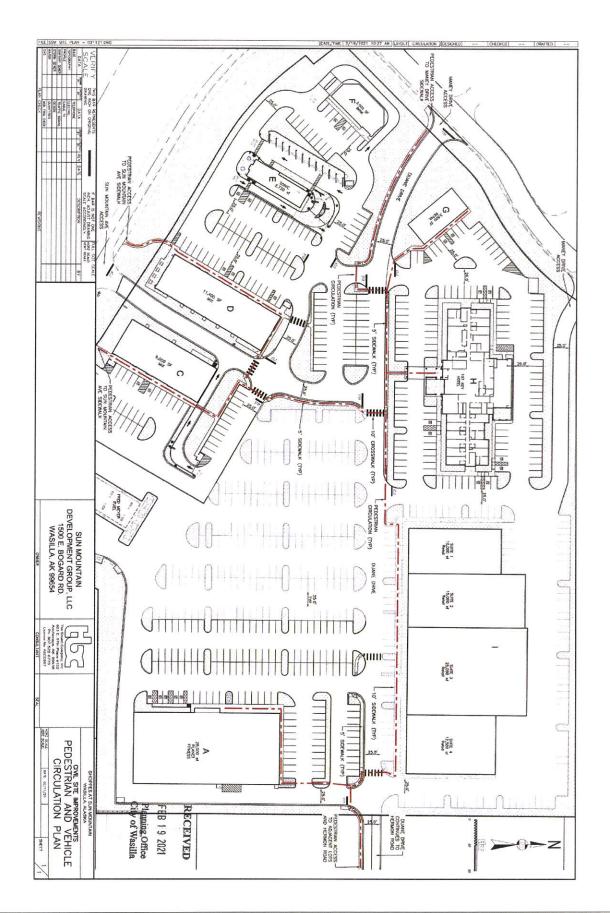
Finding:

This criterion is met since there are no foreseeable problems

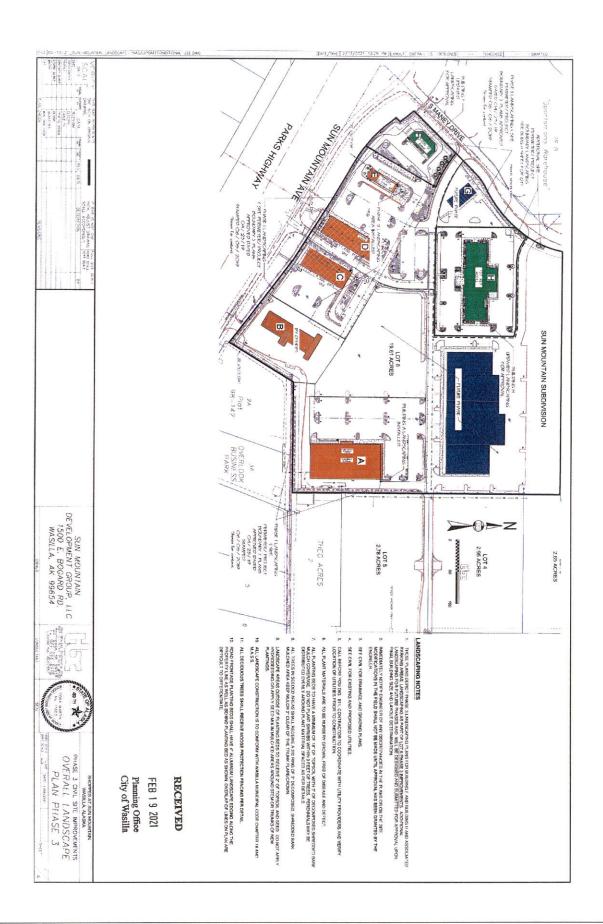
anticipated from winter conditions.

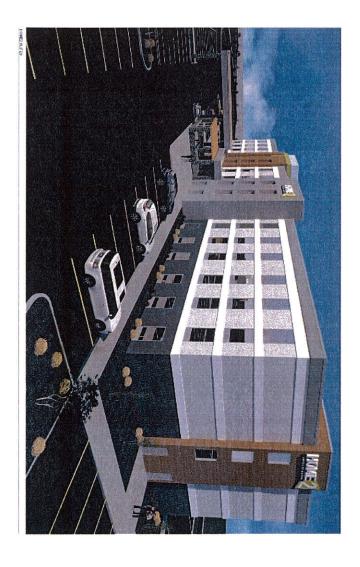












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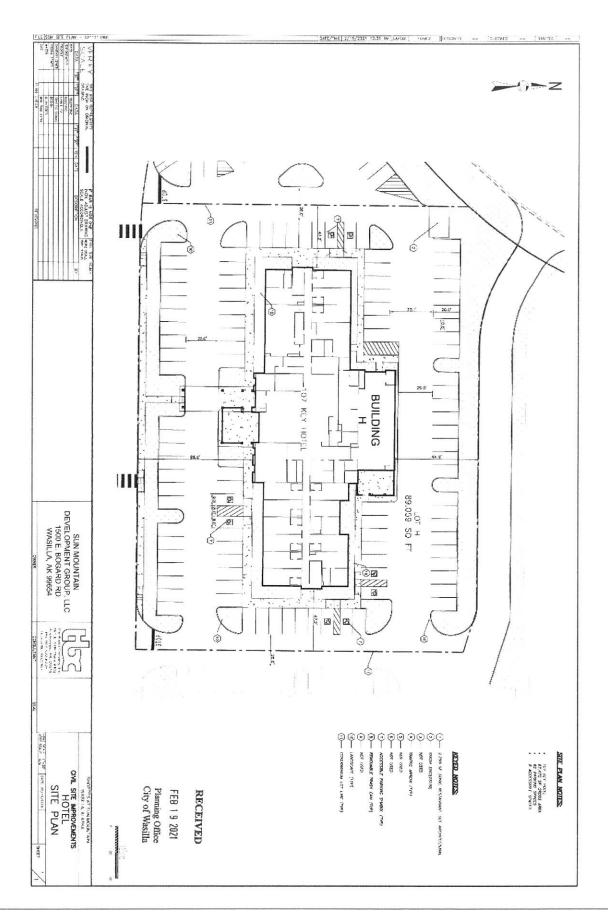
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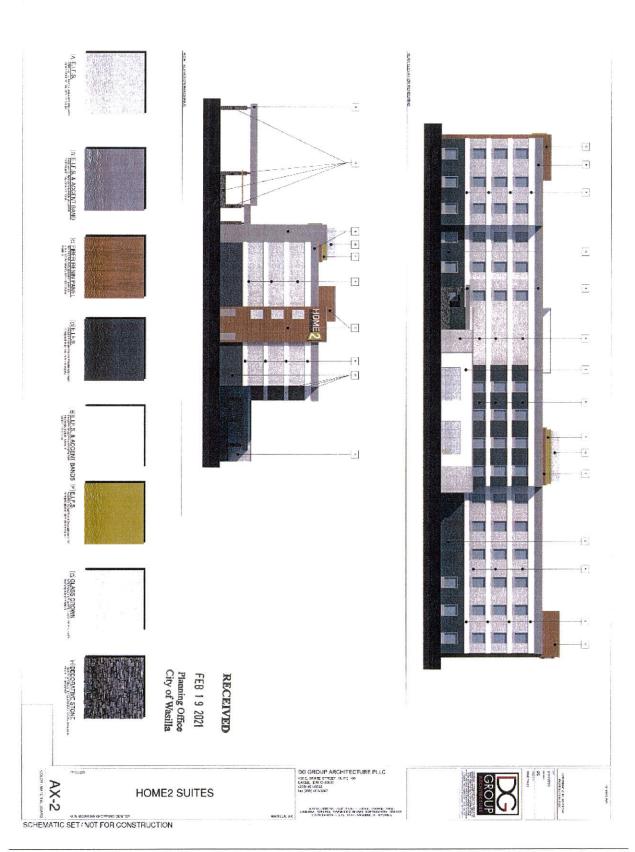
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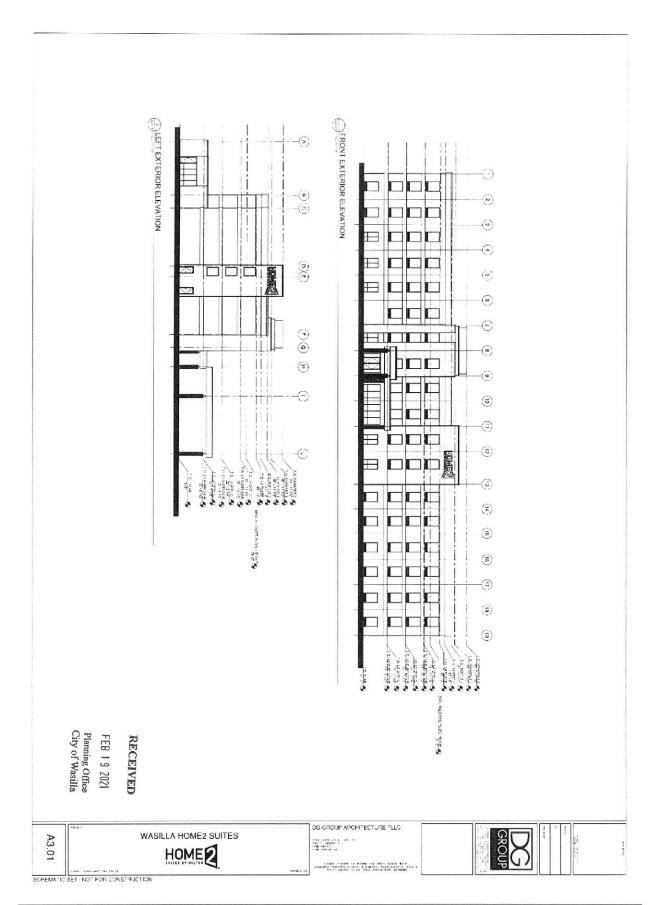
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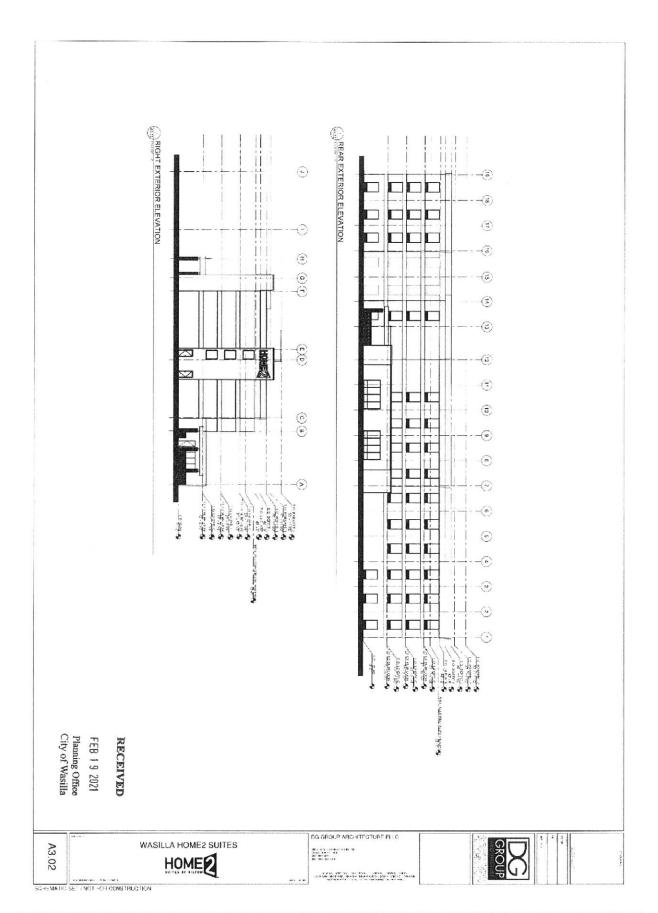


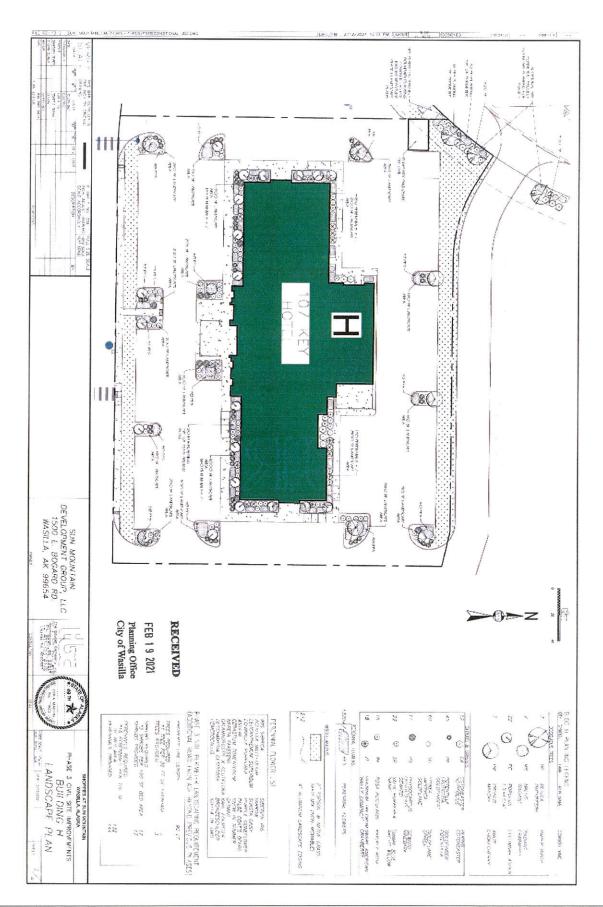


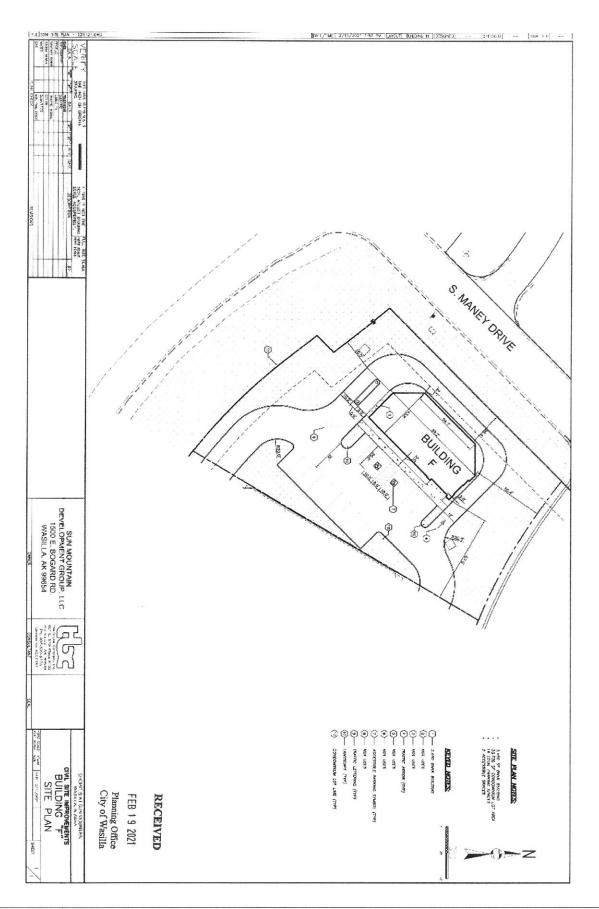


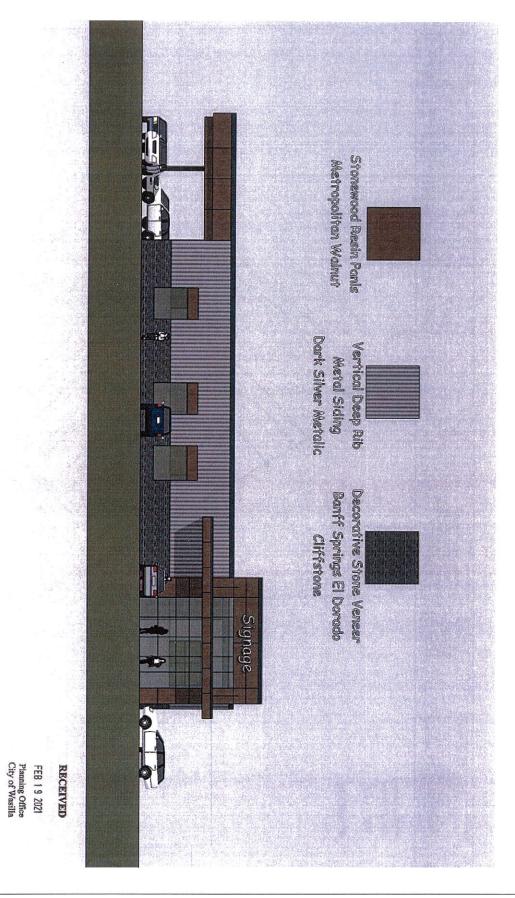












City of Wasilla Page 24 of 28 Resolution Serial No. 21-01(AM) Exhibit B

