

By: Planning
Public Hearing: 08/10/21
Adopted: 08/10/21

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 21-08(AM)**

**A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING
CONDITIONAL USE PERMIT NO. 21-06 TO CONSTRUCT A 10,500 SQUARE FEET
RESTAURANT WITH OUTDOOR DINING AND AN ENTERTAINMENT AREA FOR
SPECIAL EVENTS, LOCATED ON TRACT 3A, PIONEER OVERLOOK RSB.**

WHEREAS, Tim Alley, The Boutet Company, agent for Nanez Properties (Chepo's), submitted a conditional use permit application (CU #21-06) on July 9, 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 August 1, 2021; and

WHEREAS, the Planning Commission held a public hearing on this request on August 10, 2021; and

WHEREAS, the Wasilla Planning Commission deliberated on this request considering 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. Development must be consistent with the site plan and elevation drawings/renderings attached to this resolution as Exhibit B, as updated to address the conditions of approval below. Any other revisions to the approved plans must be submitted to the City Planner for review and approval. Substantial modifications require submittal of an amended conditional use permit application for Planning Commission review and approval, including applicable fees. Substantial improvements may trigger additional improvements to address traffic impacts from such uses.
2. Submit updated site plan prior to construction that addresses: (a) curbs or other structural barrier around all landscaped parking islands; (b) 25-foot-wide drive aisles in southern portion of the parking area (c) 20' length for handicap parking spaces; (d) labels building dimensions; and (e) shows ground-level mechanical and electrical equipment and provides appropriate screening.
3. Submit electrical plan and cut sheets for exterior and parking lot lighting per WMC 16.08.015(C)(11).
4. Submit required clearing/grading plan.
5. Submit updated landscape plans prior to construction that: (a) labels the dimensions of the landscaped areas; (b) provides decorative fencing in perimeter landscape bed on east side of driveway (c) provide correct

square footage for parking lot landscaping; and (d) remove note from landscaping along west side of parking lot since it is part of the required 15% landscaping for the parking area vs. optional.

6. Landscaping and landscaping structural requirements must be installed consistent with the requirements in Wasilla Municipal Code 16.33.050(F).
7. The Matanuska-Susitna Borough Fire Chief's office must review this proposal for compliance with all applicable fire codes, building codes and emergency access as related to the public health, safety, and welfare prior to construction
8. The applicant must coordinate with the City Public Works Department to obtain the permit approvals needed for any proposed water and/or sewer connections
9. All signage must be reviewed and approved by the Planning Department via the appropriate sign permit process prior to installation.
10. An as-built survey must be submitted to the Planning Department after completion of the building.

ADOPTED by the Wasilla Planning Commission on August 10, 2021.

APPROVED:


Eric Bushnell, Chair

ATTEST:


Tina Crawford, AICP, City Planner

VOTE: Passed Unanimously

EXHIBIT A
Wasilla Planning Commission Resolution 21-08(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 restaurant is substantially 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 99 notices to neighboring property owners within 1200' and the 21 review agencies that are typically provided with the opportunity to comment. Only three comments were received at the time of preparation of this staff report. All three were from the Matanuska-Susitna Borough indicating that they had no concerns. 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 building for compliance with all applicable fire codes, building codes and emergency access relating to 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. The proposed use will not overload the street system with traffic or result in unsafe streets or dangers to pedestrians.

16.16.050(8) ***Dimensional Standards. The dimensional requirements of Section 16.24.010 are met.***

Finding: This criterion is met since the site plan and elevations submitted with the conditional use permit application meet the 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 proposed site plan provides 128 parking spaces (five are handicap accessible spaces), which exceeds the requirement for 103 parking spaces. However, the site plan did not provide the required information regarding parking lot lighting. A condition of approval is included to address this item.

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 conditional use permit application 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 conditional use permit application provide adequate open space, vehicle circulation, and landscaping and the site has frontage and access onto E. Sun Mountain Avenue, which is designated as a Major Collector roadway. Signage will be reviewed separately for consistency with Title 16 and 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 use 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 proposed restaurant will not significantly impact surrounding properties with excessive noise, fumes or odors, glare, smoke, light, vibration dust, litter or interfere with electronic equipment. The site is surrounded by commercially zoned property to the east, west, and south. The lots to the north are zoned R1, Single-family Residential. Adequate buffering for the residences to the north is provided via the 200'± of natural vegetation that will be retained between the restaurant and the adjoining residential lots.

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 will be met with approval of the proposed condition of approval to provide an updated landscape plan that meets the requirements in WMC 16.33.

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: Not applicable since pathway is on south side of East Sun Mountain Avenue so connection is not required.

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.*

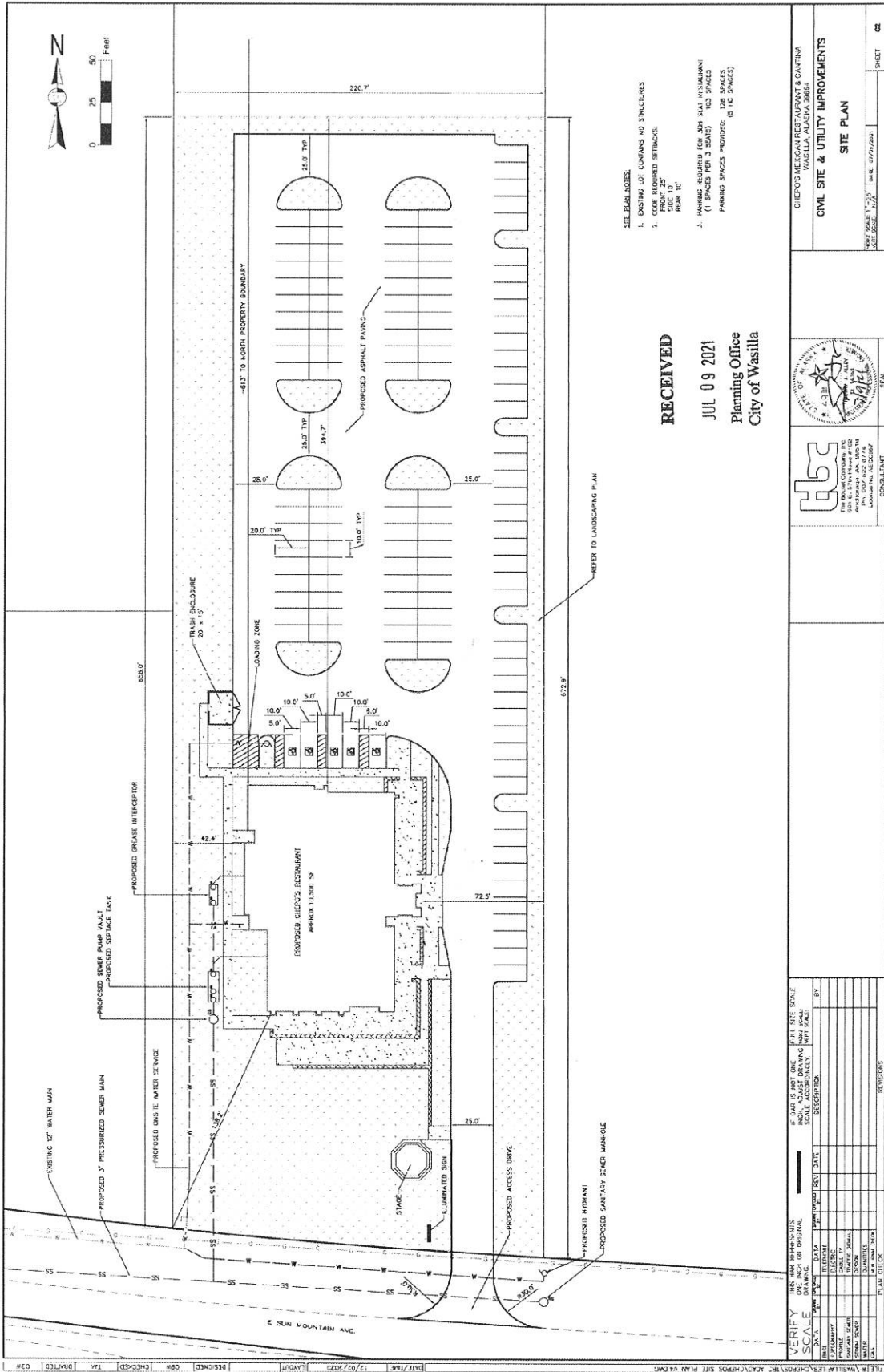
Finding: This criterion is met. The proposed architectural design incorporates many architectural details, including fenestration, building projections, and a variety of materials providing architectural interest.

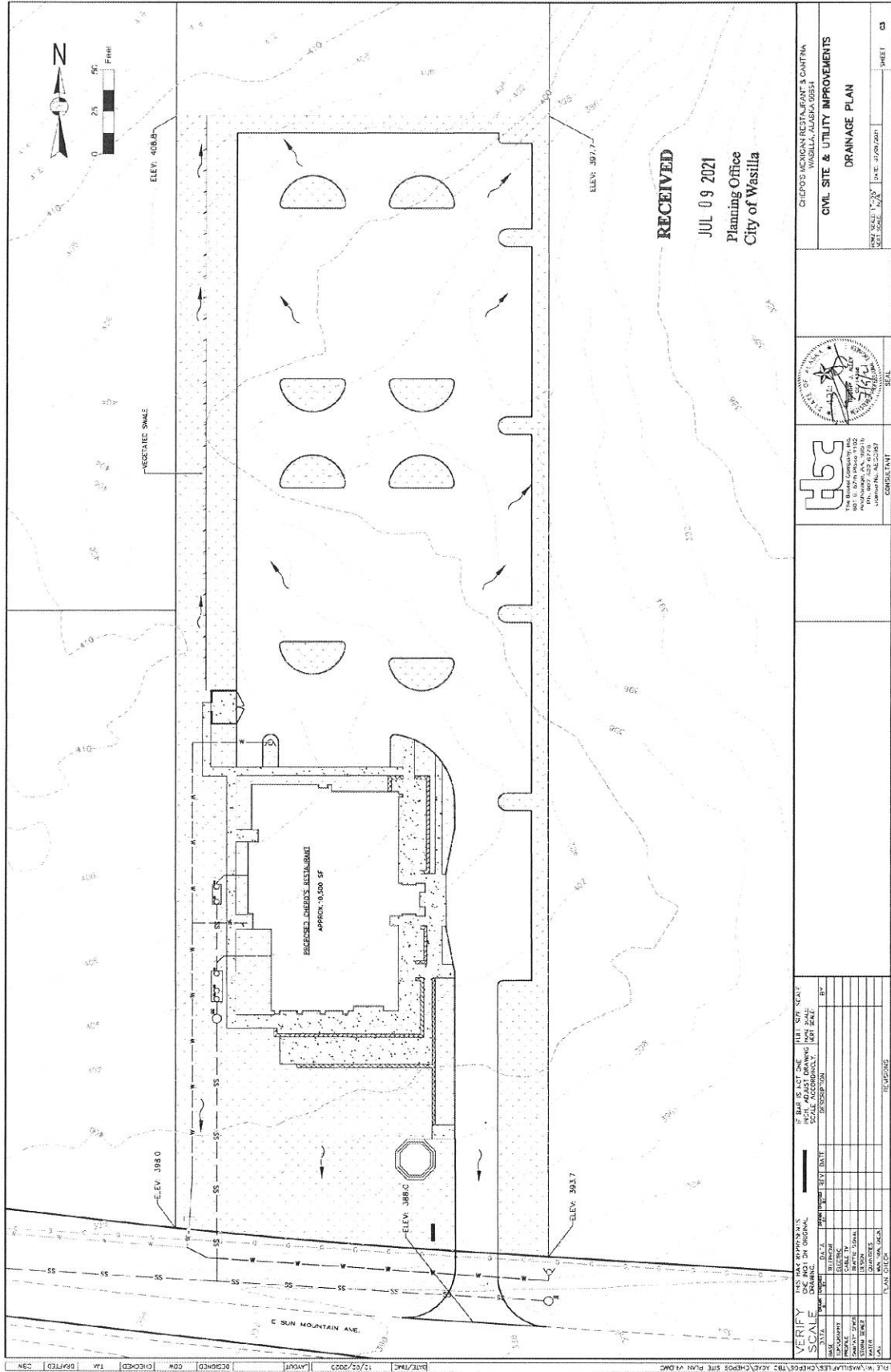
16.16.050(20) *Open Space and Facilities. The applicant may be required to dedicate land for open space drainage, utilities, access, parks or playgrounds. Any dedication required by the city must be based on a written finding that the area is necessary for public use or safety and the dedication is in 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...*

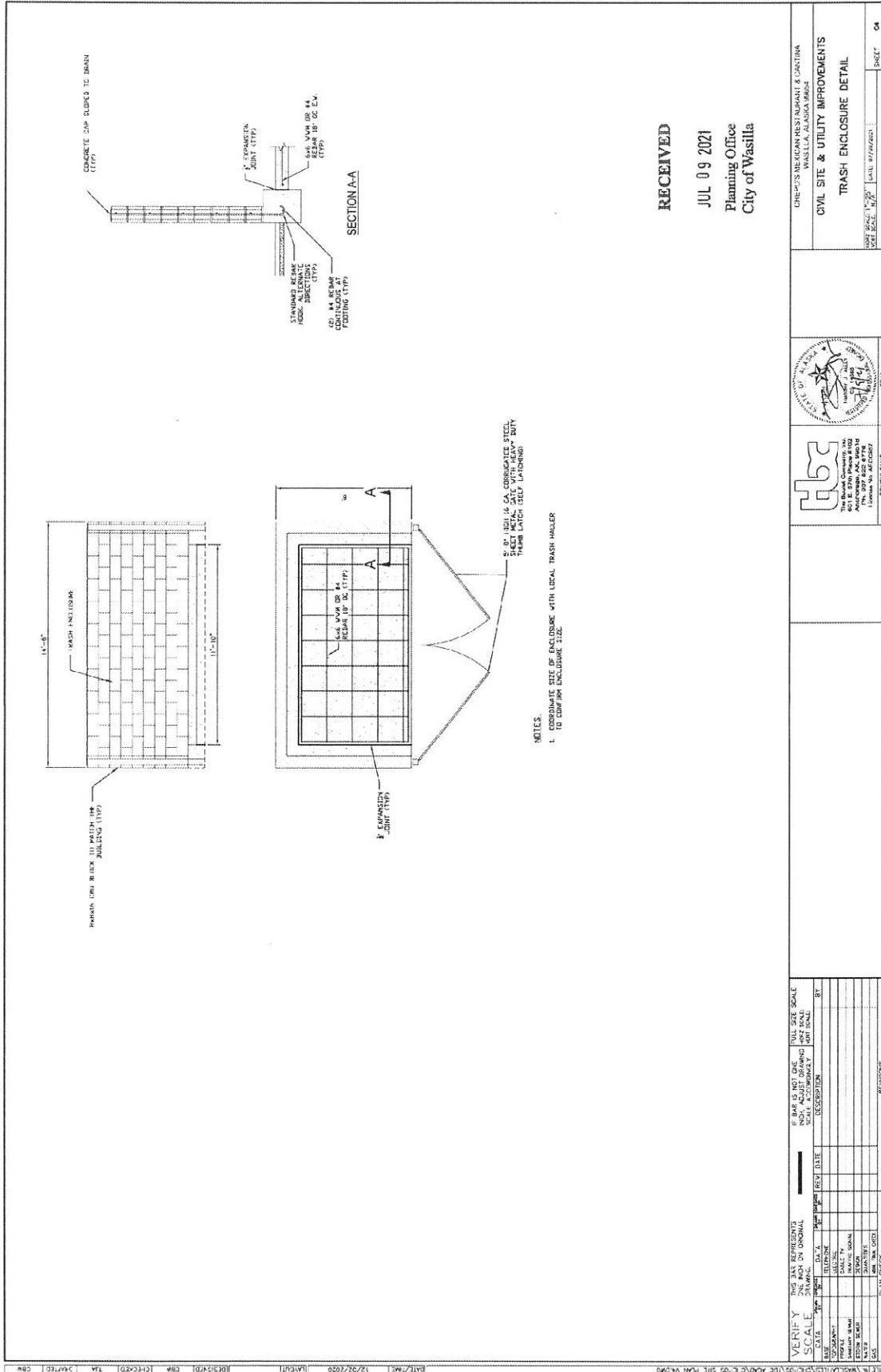
Finding: This criterion is met. No additional land is necessary for open space and facilities.

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.

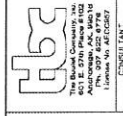




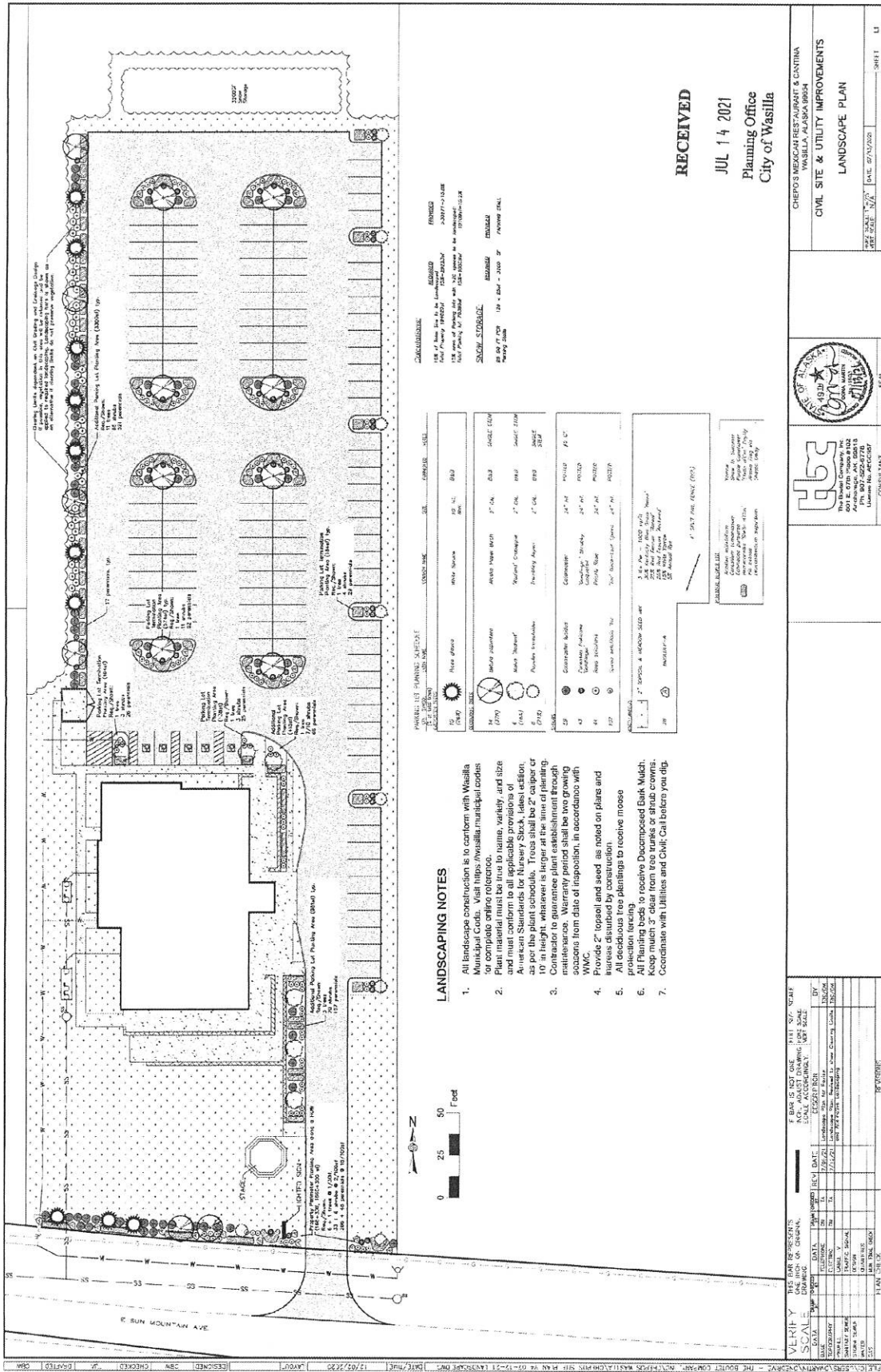


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CHEPUS MCGONNERS FURMAN & CURTINA
WASILLA, ALASKA 99684
CIVIL SITE & UTILITY IMPROVEMENTS
TRASH ENCLOSURE DETAIL
DATE: 07/09/2021
SCALE: 1/8" = 1'-0"



NO.	DATE	DESCRIPTION	SCALE
1	07/09/2021	TRASH ENCLOSURE DETAIL	1/8" = 1'-0"



- LANDSCAPING NOTES**
1. All landscape construction is to conform with Wasilla Municipal Code. Visit <https://www.wasilla.net/municipal-codes> for complete online reference.
 2. Plant material must be true to name, variety and size. American Standards for Nursery Stock, latest edition, as per the plant schedule. Trees shall be 2" caliper or 10' in height, whatever is larger at the time of planting. Contractor to guarantee plant establishment through maintenance. Warranty period shall be two growing seasons from date of installation, in accordance with WAC.
 3. Provide 2" topsoil and seed as noted on plans and herein disturbed by construction.
 4. All deciduous trees plantings to receive mulch protection fencing.
 5. All planting beds to receive Decomposed Dark Mulch. Contractor to provide and install mulch and mulch covers.
 6. Coordinate with Utilities and Civil Contractors for Dig.

CONCLUSIONS
 1. All work to be completed by 12/05/2020.
 2. All work to be completed by 12/05/2020.
 3. All work to be completed by 12/05/2020.
 4. All work to be completed by 12/05/2020.

PLANT SCHEDULE

NO.	SYMBOL	PLANT NAME	SIZE	QUANTITY	REMARKS
1	(Symbol)	Red Maple	2" Cal.	10	Planting Area
2	(Symbol)	Green Ginkgo	2" Cal.	10	Planting Area
3	(Symbol)	White Birch	2" Cal.	10	Planting Area
4	(Symbol)	Japanese Maple	2" Cal.	10	Planting Area
5	(Symbol)	Japanese Maple	2" Cal.	10	Planting Area
6	(Symbol)	Japanese Maple	2" Cal.	10	Planting Area
7	(Symbol)	Japanese Maple	2" Cal.	10	Planting Area
8	(Symbol)	Japanese Maple	2" Cal.	10	Planting Area
9	(Symbol)	Japanese Maple	2" Cal.	10	Planting Area
10	(Symbol)	Japanese Maple	2" Cal.	10	Planting Area

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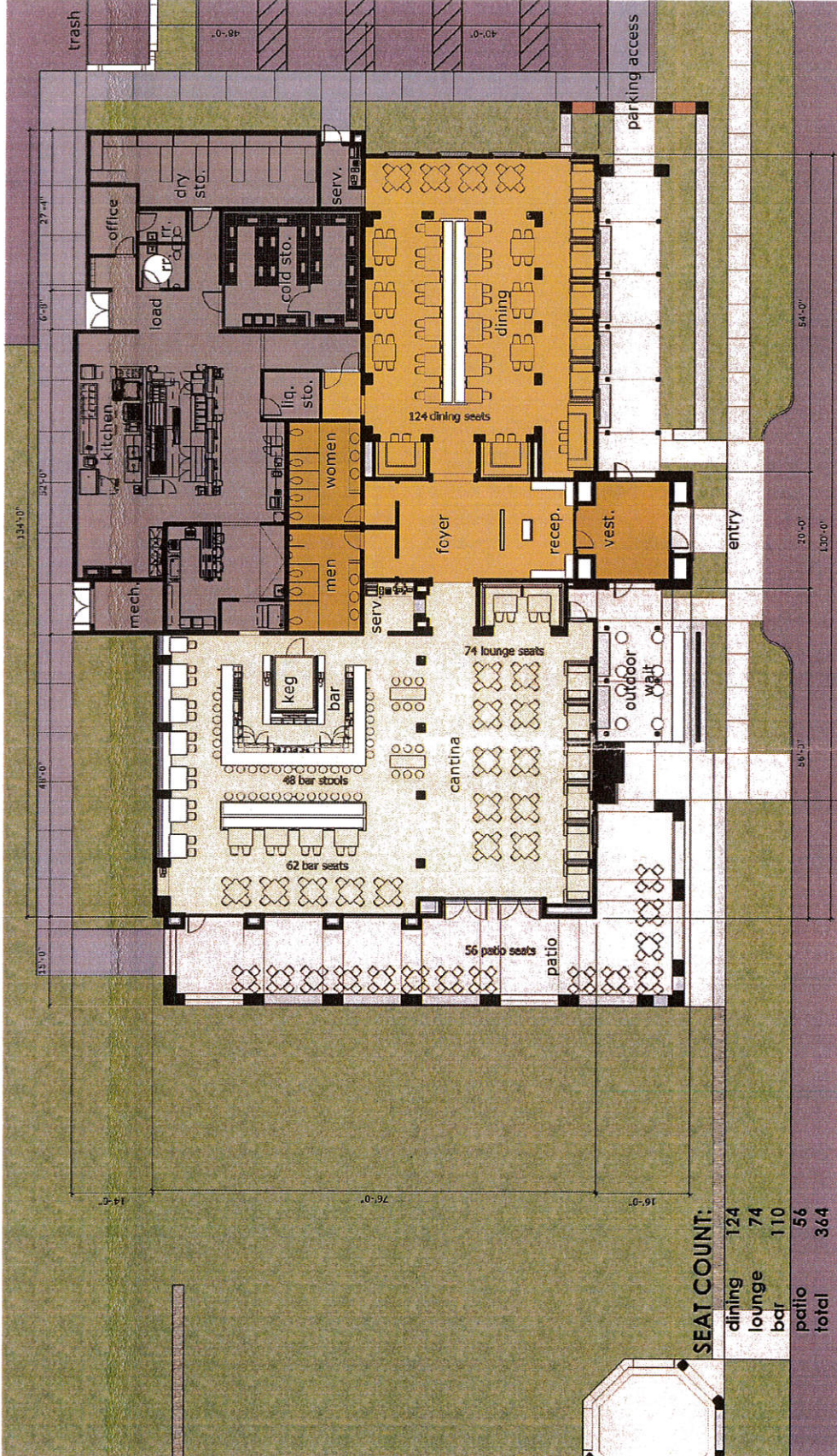
CHEPO'S MEXICAN RESTAURANT & CANTINA
 CIVIL SITE & UTILITY IMPROVEMENTS
 LANDSCAPE PLAN
 DATE: 07/14/2021



HCS
 The HCS Group, Inc.
 601 E. 6TH AVENUE SUITE 200
 WASILLA, ALASKA 99607
 TEL: 907-562-7278
 FAX: 907-562-7279

REVISIONS

NO.	DATE	DESCRIPTION
1	12/05/2020	ISSUED FOR PERMIT
2	12/05/2020	ISSUED FOR PERMIT
3	12/05/2020	ISSUED FOR PERMIT
4	12/05/2020	ISSUED FOR PERMIT
5	12/05/2020	ISSUED FOR PERMIT
6	12/05/2020	ISSUED FOR PERMIT
7	12/05/2020	ISSUED FOR PERMIT
8	12/05/2020	ISSUED FOR PERMIT
9	12/05/2020	ISSUED FOR PERMIT
10	12/05/2020	ISSUED FOR PERMIT



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FLOOR PLAN
CHEPO'S MEXICAN RESTAURANT & CANTINA



EXTERIOR VIEW - FROM NORTH

CHÉPO'S MEXICAN RESTAURANT & CANTINA

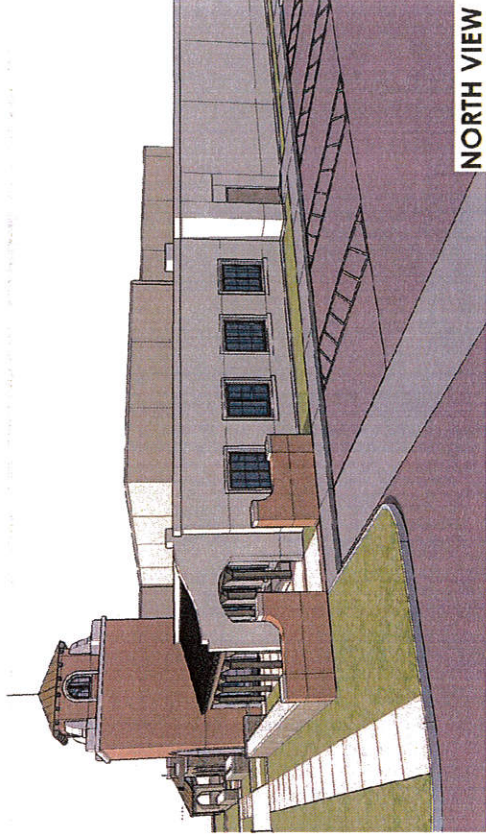
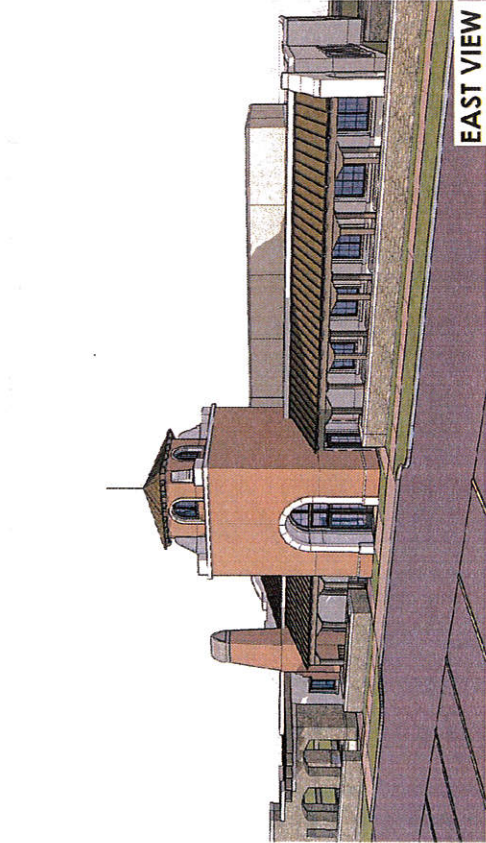
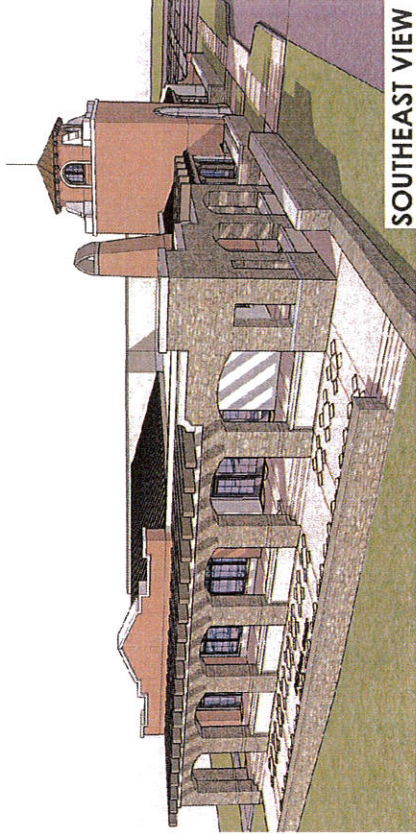
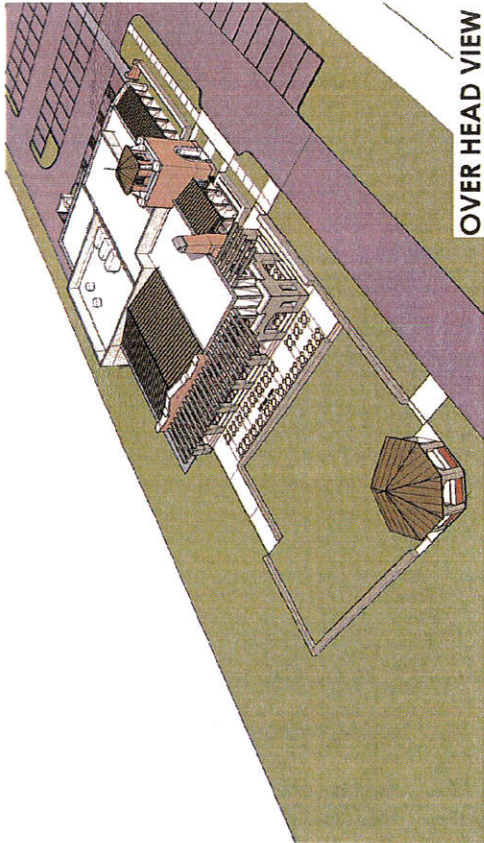
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architects

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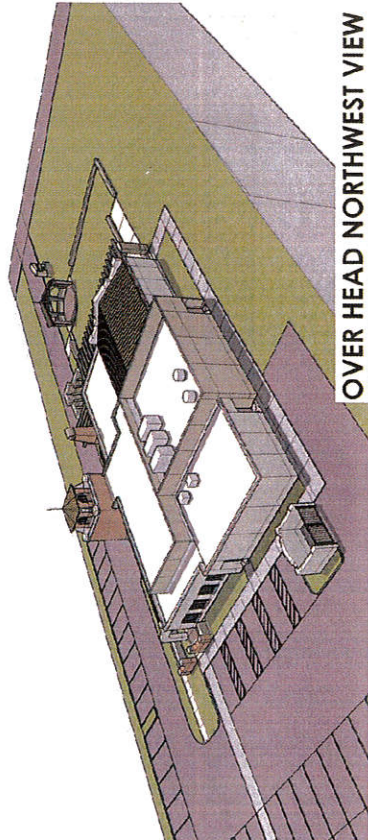
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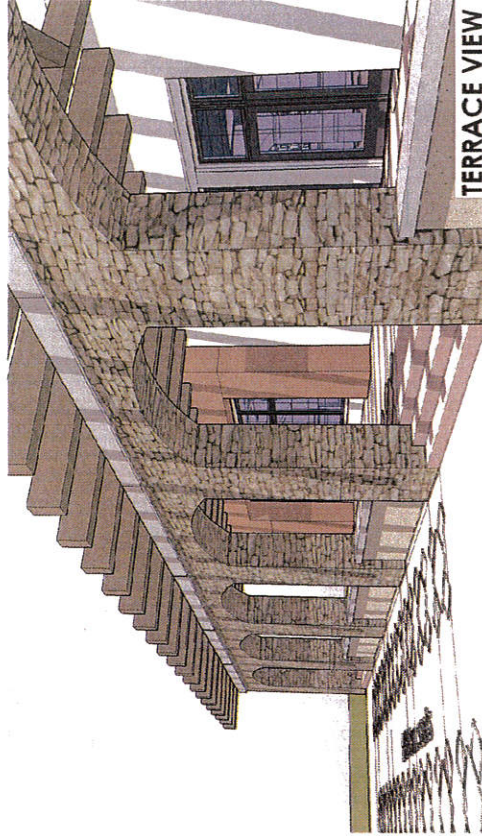
CHÉPO'S MEXICAN RESTAURANT & CANTINA



SOUTHWEST LAWN VIEW



OVER HEAD NORTHWEST VIEW



TERRACE VIEW



SOUTHEAST LAWN VIEW

VIEWS

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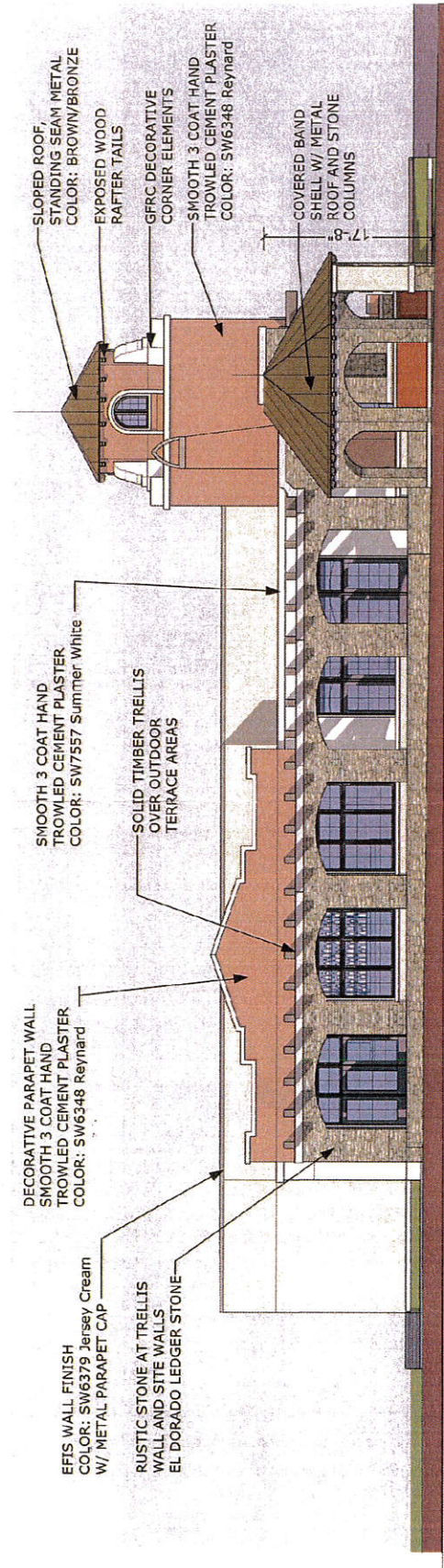
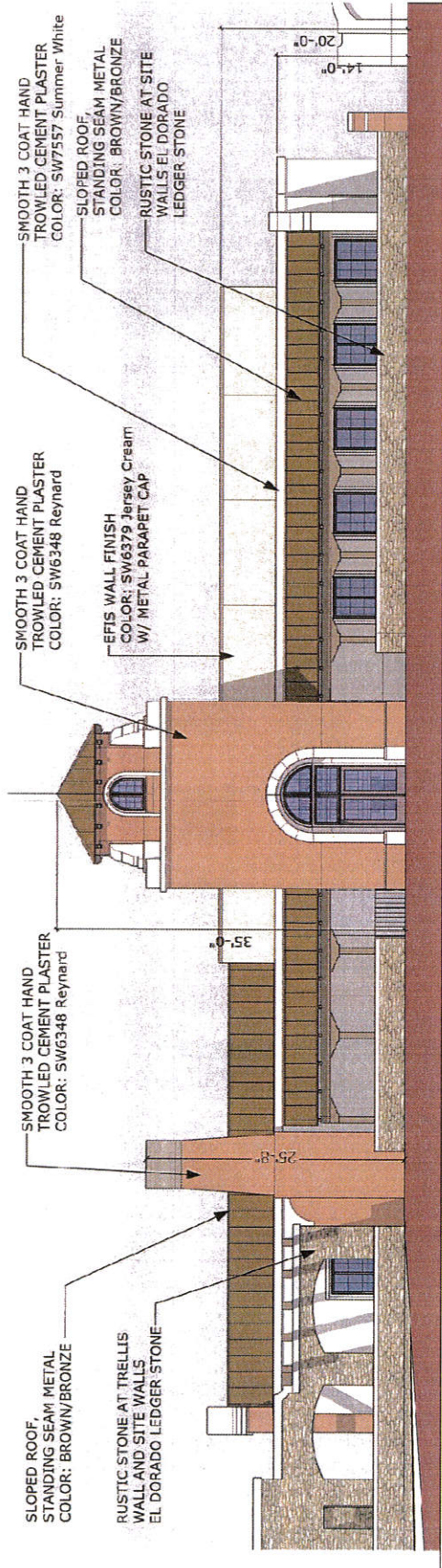
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CHEPO'S MEXICAN RESTAURANT & CANTINA

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DATE: 9 JUL 21

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BUILDING ELEVATIONS - EAST & SOUTH



JUL 09 2021

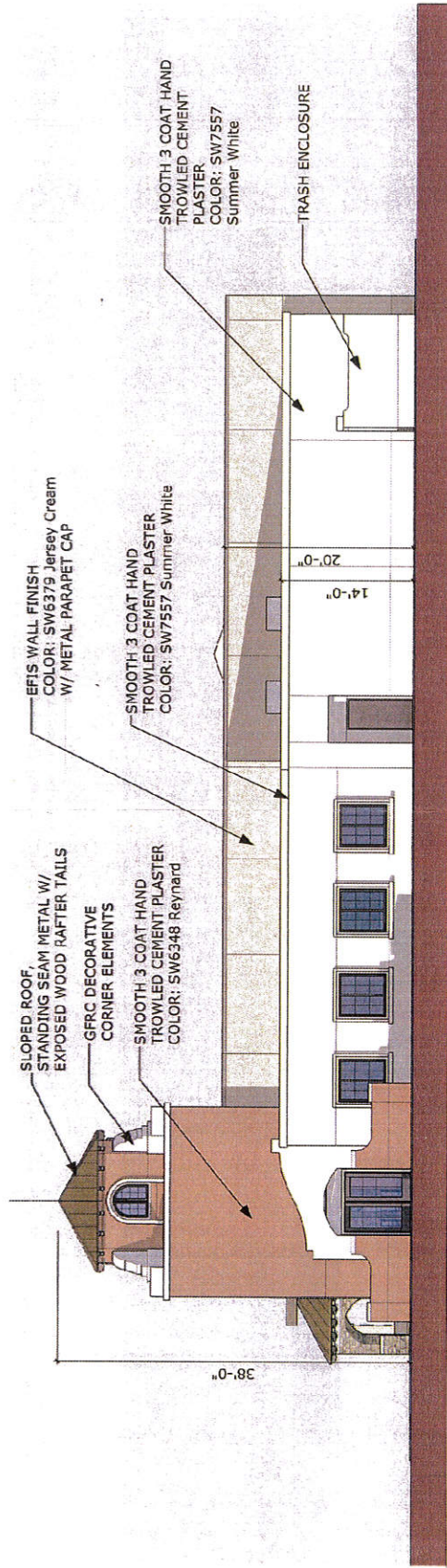
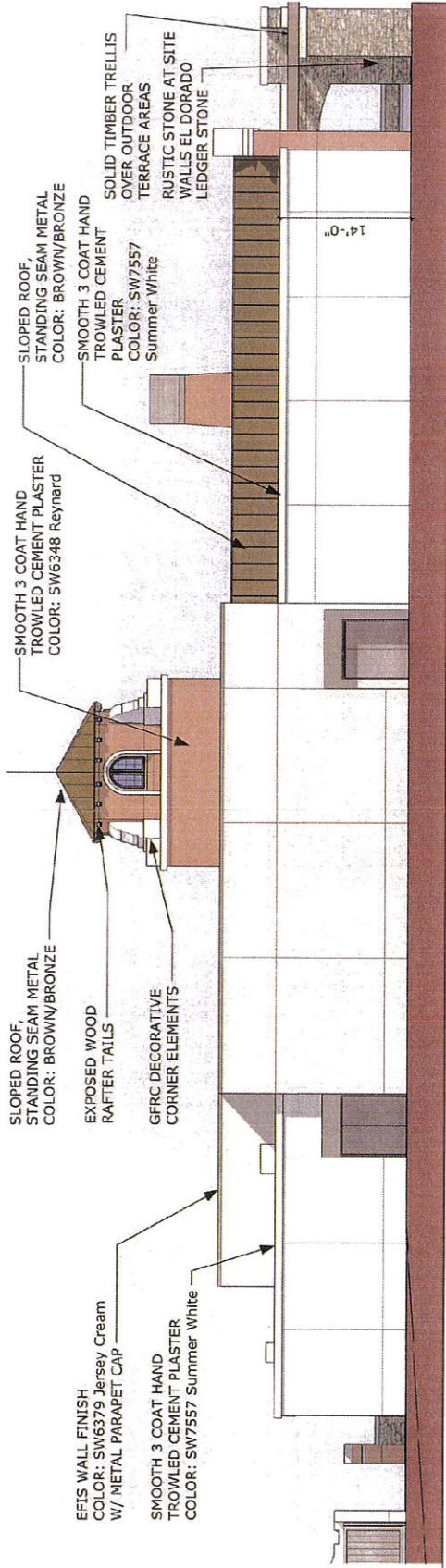
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MEXICAN RESTAURANT & CANTINA



DATE: 9 JUL 21



BUILDING ELEVATIONS - WEST & NORTH

CHÉPO'S MEXICAN RESTAURANT & CANTINA

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