

By: Planning
Public Hearing: 04/11/23
Adopted: 04/11/23

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 23-05**

**A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING
CONDITIONAL USE PERMIT NO. 23-01 TO CONSTRUCT A 6,345 SQUARE FOOT
ADDITION FOR AN ONLINE ORDER CUSTOMER PICK-UP AREA AT AN EXISTING
WALMART STORE FOR A PROPERTY LOCATED AT SECTION 13, TOWNSHIP 17
NORTH, RANGE 01 WEST, LOT A006 (1350 S. SEWARD-MERIDIAN PARKWAY).**

WHEREAS, Wasilla Municipal Code Section 16.20.020, District Use Chart, requires a conditional use permit for buildings with a gross floor area greater than 10,000 square feet in the Commercial zoning district; and

WHEREAS, Geoff Solomonson, Galloway & Company, agent for Wal-Mart Real Estate Business Trust, submitted a conditional use permit application (CU #23-01) on March 13, 2023; 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 April 2, 2023; and

WHEREAS, the Planning Commission held a public hearing on this request on April 11, 2023; 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. All previous conditions of approval in Planning Commission Resolution Nos. 99-13, 05-24, and 06-28 (initial conditional use permit and amendments) are adopted by reference and made part of this approval.
2. 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.
3. A landscape plan must be submitted to the City Planner for review and approval no later than May 31, 2023. The plan must meet the requirements

EXHIBIT A
Wasilla Planning Commission Resolution 23-05
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 use is substantially consistent with the 2011 City of Wasilla Comprehensive Plan. The property is zoned Commercial and has a Generally Commercial/Business 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 67 notices to neighboring property owners within 1200' and the 21 review agencies that are typically provided with the opportunity to comment. One comment was received in support, two comments were in opposition, and two were responses from review agencies indicating that they did not have any 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 addition 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 since the proposed addition 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 adequate parking and snow storage on the lot. Based on the existing and proposed square footage, 755 parking spaces are required and the proposed site plan provides 1,089 parking spaces.

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 on the lot.

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 since adequate on-site retention of runoff and stormwater is provided on the lot.

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 site has frontage/access on Seward-Meridian Parkway, an arterial roadway, and has sufficient open space and circulation.

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 lots along Seward-Meridian are zoned Commercial and 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 addition 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 properties and vegetative buffering/berm exists between Walmart and the adjoining residential homes to the west.

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 condition will be met with the adoption of Condition #3. WMC 16.33.030(F) and 16.33.060(E), which requires the applicant to submit a landscape plan that meets the requirements in these sections. These sections authorize the City Planner to reduce or waive the requirements for legal, nonconforming commercial buildings where planting of landscaping is physically infeasible due to the location of existing structures or required paved parking.

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 since the site provides adequate internal pedestrian sidewalks and crosswalks from the parking lot to the building. Although there are no public sidewalks in the Seward-Meridian Parkway right-of-way, they are not required at this time.

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 since the site already has the required water/sewer/septic connections and drainage systems.

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.***

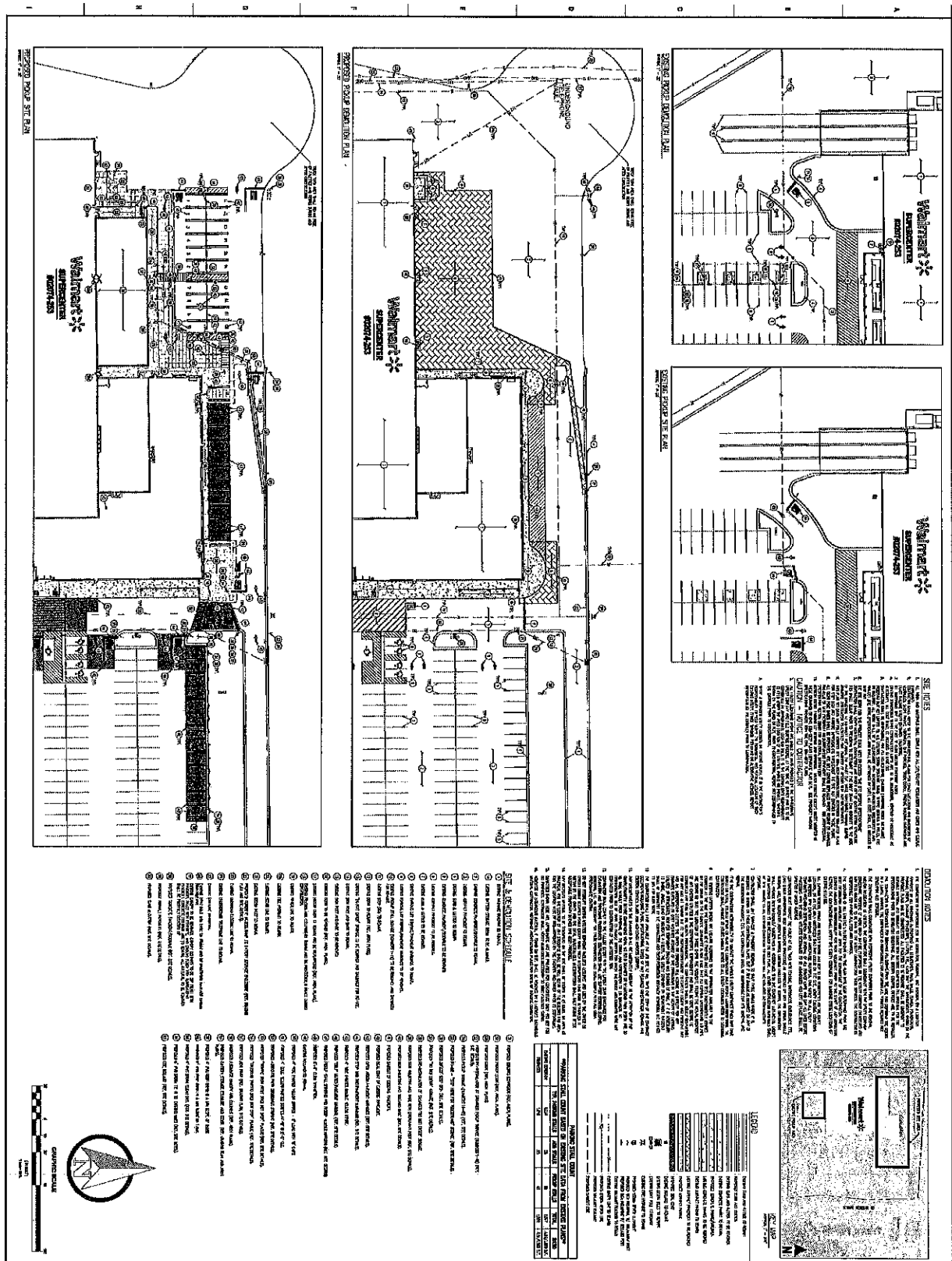
Finding: This criterion is met since the proposed addition will have similar colors and materials as the existing store.

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.



DEMOLITION AND SITE PLAN
 CS1

Walmart
 SUPERCENTER
 1300 S SEWARD WAY
 WASILLA, AK 99607-2222



Galloway
 ENGINEERS
 1000 W. BROADWAY
 ANCHORAGE, AK 99501

CONTRACTOR'S CHECKLIST
 NAME: _____
 DATE: _____
 CHECKED BY: _____
 PROJECT NO.: _____

NO.	DESCRIPTION	DATE	STATUS
1	VERIFY PERMITS		
2	VERIFY CONTRACT		
3	VERIFY SCHEDULE		
4	VERIFY SAFETY PLAN		
5	VERIFY UTILITIES		
6	VERIFY DEMOLITION METHODS		
7	VERIFY DISPOSAL		
8	VERIFY SITE RESTORATION		
9	VERIFY FINAL INSPECTION		

GENERAL NOTES
 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF WASILLA AND THE STATE OF ALASKA.
 2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
 3. ALL DEMOLITION DEBRIS SHALL BE PROPERLY DISPOSED OF AT AN APPROVED LOCATION.
 4. THE CONTRACTOR SHALL MAINTAIN A SAFE WORKING ENVIRONMENT AT ALL TIMES.
 5. ALL UTILITIES SHALL BE PROTECTED AND MARKED PRIOR TO DEMOLITION.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL HAZARDOUS MATERIALS.
 7. THE CONTRACTOR SHALL MAINTAIN RECORDS OF ALL DEMOLITION ACTIVITIES.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE RESTORATION OF THE SITE TO ITS ORIGINAL CONDITION.
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES.
 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ENVIRONMENTAL RESOURCES.
 12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL HISTORICAL RESOURCES.
 13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL CULTURAL RESOURCES.
 14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ARCHAEOLOGICAL RESOURCES.
 15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL PALEONTOLOGICAL RESOURCES.
 16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL BOTANICAL RESOURCES.
 17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ZOOLOGICAL RESOURCES.
 18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL GEOLOGICAL RESOURCES.
 19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL SOIL RESOURCES.
 20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL WATER RESOURCES.
 21. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL AIR RESOURCES.
 22. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL CLIMATE RESOURCES.
 23. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL SOUND RESOURCES.
 24. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL VIBRATION RESOURCES.
 25. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL LIGHT RESOURCES.
 26. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ELECTROMAGNETIC INTERFERENCE RESOURCES.
 27. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL RADIO FREQUENCY INTERFERENCE RESOURCES.
 28. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL THERMAL RESOURCES.
 29. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL CHEMICAL RESOURCES.
 30. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL BIOLOGICAL RESOURCES.
 31. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL SOCIAL RESOURCES.
 32. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ECONOMIC RESOURCES.
 33. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL CULTURAL HERITAGE RESOURCES.
 34. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL HISTORIC RESOURCES.
 35. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ARCHITECTURAL RESOURCES.
 36. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ARTISTIC RESOURCES.
 37. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL SCIENTIFIC RESOURCES.
 38. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EDUCATIONAL RESOURCES.
 39. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL RECREATIONAL RESOURCES.
 40. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL HEALTH RESOURCES.
 41. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL SAFETY RESOURCES.
 42. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL SECURITY RESOURCES.
 43. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL DEFENSE RESOURCES.
 44. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ENERGY RESOURCES.
 45. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL NATURE RESOURCES.
 46. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL BEAUTY RESOURCES.
 47. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL WELL-BEING RESOURCES.
 48. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL QUALITY OF LIFE RESOURCES.
 49. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL HUMAN RESOURCES.
 50. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL PLANETARY RESOURCES.

