

By: Planning
Public Hearing: 10/11/22
Adopted: 10/11/22

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 22-03**

**A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING
CONDITIONAL USE PERMIT NO. 22-03 TO CONSTRUCT A 22,000 SQUARE FOOT
BUILDING CONTAINING 24 CONDOMINIUM GARAGE UNITS FOR PERSONAL
USE AND STORAGE, INCLUDING LARGE RECREATIONAL VEHICLES AND
BOATS. THE PROPERTY IS LOCATED AT 950 E. HORVATH DR, TOWNSHIP 17
NORTH, RANGE 1 WEST, SECTION 10, LOT A016.**

WHEREAS, Tim Alley, The Boutet Company, agent for Mat-Su Industrial Group LLC, submitted a conditional use permit application (CU #22-03) on September 9, 2022; 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 October 2, 2022; and

WHEREAS, the Planning Commission held a public hearing on this request on October 11, 2022; 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 required clearing/grading plan (WMC 16.08.015(C)(14)(b)).
3. Submit updated landscape plans prior to vertical construction that meets the requirement in WMC 16.33.060(F) to break up the blank façade of a building facing the street that is wider than 35'. Must provide trees, shrubs, perennial flowers, and boulders.
4. Submit required landscape guaranty prior to vertical construction as required in WMC 16.33.050(G).

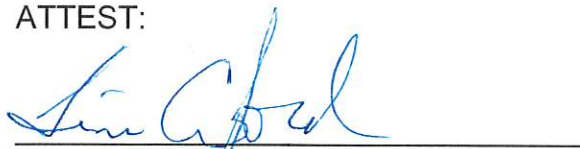
5. Landscaping and landscaping structural requirements must be installed consistent with WMC 16.33.050(F).
6. The Matanuska-Susitna Borough Fire Chief's office must review this proposal for compliance with all applicable fire codes, building codes and emergency access as related to the public health,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

ADOPTED by the Wasilla Planning Commission on October 11, 2022.

APPROVED:


Eric Bushnell, Chair

ATTEST:


Tina Crawford, AICP, City Planner

VOTE: Passed Unanimously

EXHIBIT A
Wasilla Planning Commission Resolution 22-03
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 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 64 notices to neighboring property owners within 1200' 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 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 since 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 a parking space in front of each unit along with parking within the unit and adequate snow storage is provided on the lot.

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 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. This property will be combined with other adjacent properties and then recorded as a condominium plat. The underlying lot will have access onto E. Horvath Drive and S. Roberts Street (Roberts St. is a major collector) and internal circulation, shared signage, and access will be planned at that time.

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 use 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.

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 condition of approval to provide an updated landscape plan that breaks up the blank building façade as required in WMC 16.33.060(F).

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 not applicable since Horvath Drive is a dead-end road and does not provide access to pedestrian oriented uses, a sidewalk is not required for pedestrian circulation. However, when the lots fronting S. Roberts Street are developed, a sidewalk will be required at that time to connect to the existing 5-foot-wide sidewalk along the west side of S. Roberts Street connecting to the existing pathway on the Palmer-Wasilla Highway.

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.

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.

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.

