

By: Planning
Public Hearing: 05/13/14
Adopted: 05/13/14

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 14-06**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING VARIANCE NO. V14-01 ALLOWING AN 14 FOOT VARIANCE FROM THE REQUIRED 25 FOOT REAR YARD SETBACK IN ORDER TO CONSTRUCT A 1,764 SQUARE FOOT STORAGE ADDITION TO AN EXISTING OFFICE BUILDING, LOCATED ON BLOCK 5, FLOYD 2010 SUBDIVISION IN THE COMMERCIAL ZONING DISTRICT.

WHEREAS, Dennis Smith, owner, Wasilla Station LLC, submitted an application for a variance on March 28, 2014, along with a site plan and application fee; and

WHEREAS, notice of the application was mailed to all property owners within a 1,200 foot radius and review agencies and the Planning Commission 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 May 6, 2014; and

WHEREAS, the Wasilla Planning Commission conducted a public hearing on the requested variance taking into account the information submitted by the applicant, the information contained in the staff report, written and verbal testimony, the applicable provisions of the Wasilla Municipal Code and Comprehensive Plan, and other pertinent information brought before them; and

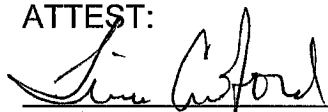
WHEREAS, the Wasilla Planning Commission adopted Findings of Fact, attached as Exhibit A, summarizing basic facts and reasoning of the Commission.

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. An encroachment permit is needed from Public Works since the paved driveway on that side of the building is located in the right-of-way. An encroachment permit authorizes the use of right-of-way for this type of use, subject to the City not needing the right-of-way. The City has recently improved E. Susitna Avenue and the building owner has constructed a retaining wall to use this portion of the right-of-way for a driveway.
2. The Matanuska-Susitna Borough Fire Chief's office shall review this proposal for compliance with all applicable fire codes, building codes and emergency access as related to the public health, safety and welfare.
3. Construction on the site must substantially comply with the site plan and landscape plans date stamped April 22, 2014, attached as Exhibit B to Resolution Serial No. 14-06. Any changes to the site plan must be submitted to the City Planner for review. Substantial modifications will require submittal of an amended conditional use permit application, including application fee and Planning Commission review and approval.

ADOPTED by the Wasilla Planning Commission on May 13, 2014.

ATTEST:



Tina Crawford/AICP, City Planner
VOTE: Passed Unanimously

APPROVED:



Glenda Ledford, Chairman Date 5/20/14

EXHIBIT A
Wasilla Planning Commission Resolution 14-06
FINDINGS OF FACT – 16.28.110

16.28.110(A) ***Application.***
An application for a variance must be submitted to the planner. The application must be accompanied by a site plan of the relevant part of the parcel or lot. The planner may require that the site plan be produced by a registered professional engineer or land surveyor. The site plan shall depict all information relevant to the variance request.

Finding: A complete application was submitted to the Planning Department on March 28, 2014.

16.28.110(B) ***Variance requests must be heard by the commission. Notice, comment period and hearing procedures follow the format outlined in WMC16.16.040.***

Finding: The public hearing was scheduled in a timely manner for the next available Planning Commission meeting and the hearing format is consistent with the requirements in WMC 16.16.040(E). Public notices were mailed on April 22, 2014 to all properties within a 1,200' radius.

16.28.110(C) ***Variance Standards.***
1. The conditions upon which the variance application is based do not apply generally to properties in the district or vicinity other than the property for which the variance is sought;

Finding: The conditions do not apply generally to other properties in the Commercial zoning district or vicinity. This site has a significant change in elevation from the property line to the paved roadbed for Susitna Avenue (approximately 6-8'). This grade separation minimizes any impact of this addition to Susitna Avenue due to the reduced setback from the right-of-way. Additionally, this site has numerous easements on the site that significantly limit the developable area of the site as compared to other properties in the area.

2. Such conditions arise out of natural features inherent in the property such as shape or topographical conditions of the property or because of unusual physical surroundings or such conditions arise out of surrounding development or conditions;

Finding: As stated above, this site has a significant change in elevation from the property line to the paved roadbed along with the numerous easements on the site.

3. Because of such conditions the strict application to the property of the requirements of this chapter will result in an undue, substantial hardship to the owner of the property such that no reasonable use of the property could be made;

Finding: Without approval of a variance, the addition could be located on another side of the building, but it would require the removal of parking spaces and/or landscaped areas. The site currently has the minimum required parking spaces and a reduction in parking spaces would not be allowed since it would not be consistent with the parking regulations. Also, the applicant has stated that the location of the proposed addition is necessary to coordinate with the existing floor plan and use of the building and cannot be located within the existing building due to the heavy loading on the floor and foundation systems.

4. The special conditions that require the variance are not caused by the person seeking the variance, a predecessor in interest, or the agent of either; and

Finding: The owner purchased the building with the current building footprint and parking layout, which was designed to meet the required setbacks and easement restrictions.

5. The variance is not sought solely to relieve pecuniary hardship or inconvenience.

Finding: The variance is not sought to relieve a pecuniary (financial) hardship or inconvenience. Although the addition could be located on another side of the building, it would require the removal of parking spaces and/or landscaped areas, which would make the existing building inconsistent with the parking requirements of the City code.

16.28.110(D) *If a property qualified for a variance under this section, the variance granted must meet the following conditions:*

1. The deviation from the requirement of this title that is permitted by variance may be no more than is necessary to permit a reasonable use of the lot;

Finding: The variance of 11' is the minimum necessary to construct the addition in a location that efficiently connects to the existing on the property and preserves the required parking spaces.

2. The variance will not permit a land use that is prohibited by this title;

Finding: The proposed additional storage to a commercial building is permitted by the Commercial zoning district.

3. The variance is in keeping with the spirit and intent of this chapter and the requirements from which relief is sought;

Finding: The variance is in keeping with the spirit and intent of the chapter.

4. The variance will not be detrimental to the public health, safety or welfare; and

Finding: The variance will not be detrimental to public health or welfare.

5. The variance will not significantly adversely affect other property.

Finding: The requested variance will not significantly adversely affect other properties in the area since the addition is proposed on the portion of the parcel that is significantly lower in elevation than Susitna Avenue and there is no direct access onto Susitna Avenue at this end of the property due to the steep grade.

Parking Calculation

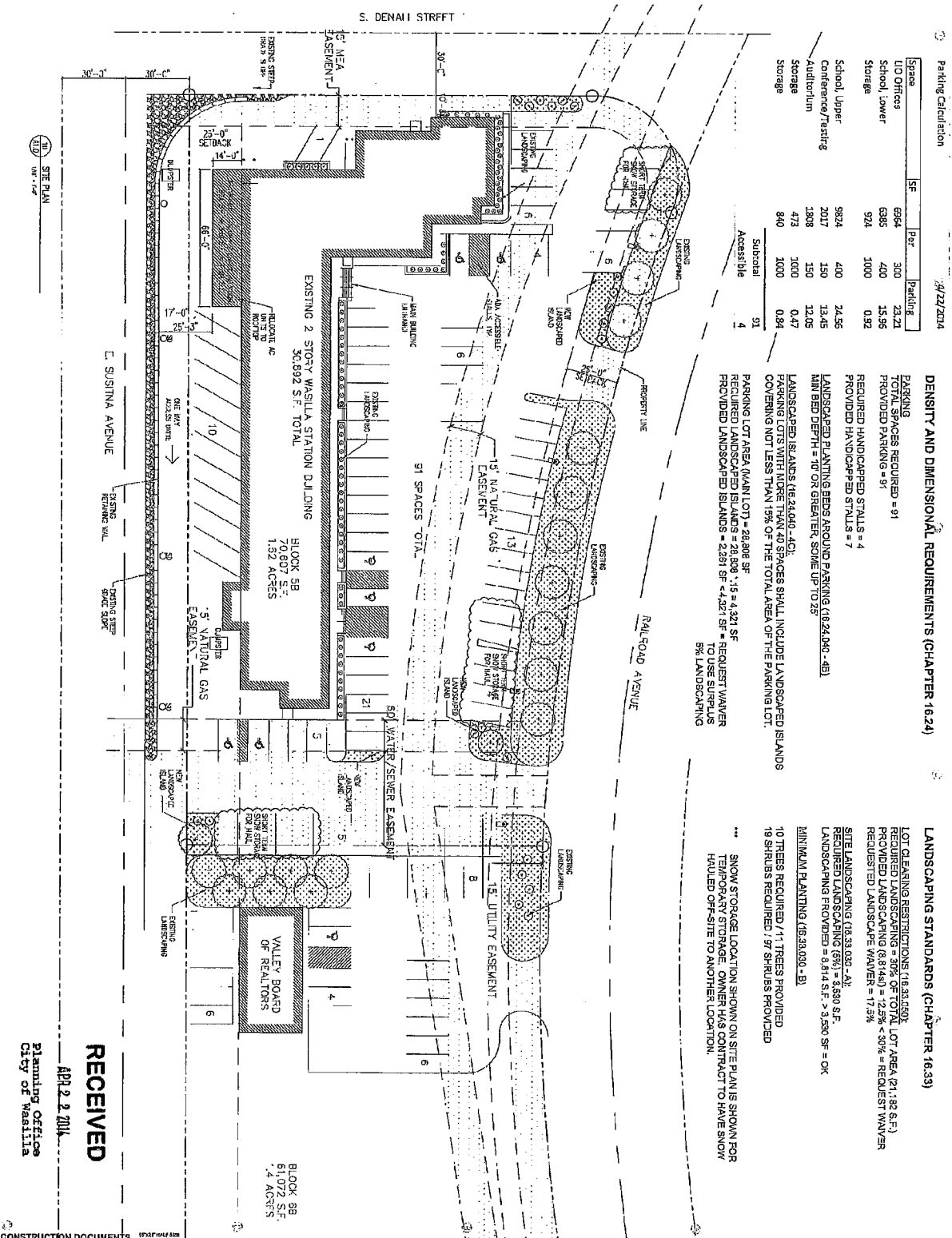
Space	SF	Per	Parking
LD Offices	6964	300	23.21
School/Lower	6385	400	15.96
Storage	924	1000	0.92
School Upper	9824	400	24.56
Conference/Training	2017	150	13.45
Auditorium	1388	150	12.05
Storage	473	1000	0.47
Storage	840	1000	0.84
Subtotal			91
Accessible			4

DENSITY AND DIMENSIONAL REQUIREMENTS (CHAPTER 16.24)

PARKING
 TOTAL SPACES REQUIRED = 91
 PROVIDED PARKING = 91
 REQUIRED HANDICAPPED STALLS = 4
 PROVIDED HANDICAPPED STALLS = 7
 LANDSCAPED PLANTING BEDS AROUND PARKING (16.24.04C - 4B)
 MIN BED DEPTH = 10' OR GREATER, SOME UP TO 25'
 LANDSCAPED ISLANDS (16.24.04D - 4C)
 PARKING LOTS WITH MORE THAN 40 SPACES SHALL INCLUDE LANDSCAPED ISLANDS COVERING NOT LESS THAN 15% OF THE TOTAL AREA OF THE PARKING LOT.
 PARKING LOT AREA (MAIN LOT) = 28,898 SF
 REQUIRED LANDSCAPED ISLANDS = 2,281 SF = 4.27%
 PROVIDED LANDSCAPED ISLANDS = 2,281 SF = 4.27%
 REQUEST WAIVER TO USE SURPLUS 8% LANDSCAPING

LANDSCAPING STANDARDS (CHAPTER 16.33)

LOT CLEARING RESTRICTIONS (16.33.03D)
 REQUIRED LANDSCAPING = 30% OF TOTAL LOT AREA (21,132 S.F.)
 PROVIDED LANDSCAPING (8,814 S.F.) = 12.5% < 30% = REQUEST WAIVER
 REQUESTED LANDSCAPE WAIVER = 17.5%
SITE LANDSCAPING (16.33.03D - A)
 REQUIRED LANDSCAPING (6921) = 6,580 S.F.
 LANDSCAPING PROVIDED = 8,814 S.F. > 6,580 S.F. = OK
MINIMUM PLANTING (16.33.03D - B)
 10 TREES REQUIRED / 11 TREES PROVIDED
 19 SHRUBS REQUIRED / 97 SHRUBS PROVIDED
 SNOW STORAGE LOCATION SHOWN ON SITE PLAN IS SHOWN FOR TEMPORARY STORAGE. OWNER HAS CONTRACT TO HAVE SNOW HAULED OFF-SITE TO ANOTHER LOCATION.



RECEIVED

APR 22 2014

Planning Office
City of Wasilla

**WASILLA STATION
STORAGE ADDITION
600 RAILROAD AVENUE
WASILLA, ALASKA**

MOORE

LANDSCAPE ARCHITECTURE

1000 W. 10TH AVENUE, SUITE 100
ANCHORAGE, ALASKA 99503
PHONE: 281-1111
WWW.MOORELA.COM

Drawing No.	A1.	Sheet No.	0
CONSTRUCTION DOCUMENTS			