

By: Planning  
Public Hearing: 06/10/14  
Adopted: 06/10/14

**WASILLA PLANNING COMMISSION  
RESOLUTION SERIAL NO. 14-16**

**A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING VARIANCE NO. V14-04 FOR A VARIANCE OF 25 FEET TO THE MINIMUM 25 FOOT FRONT YARD SETBACK TO ALLOW A ZERO SETBACK ALONG THE SEWARD MERIDIAN PARKWAY IN ORDER TO CONSTRUCT A 60,000 SQUARE FOOT FUN CENTER, LOCATED ON LOT A8, TOWNSHIP 17N, RANGE 1W, SECTION 13, IN THE COMMERCIAL ZONING DISTRICT.**

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WHEREAS, John Schweiger, owner, submitted an application for a variance on May 16, 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 feet 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 June 3, 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:

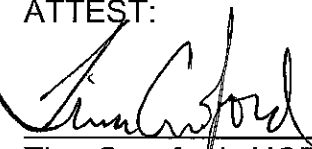
1. The Matanuska-Susitna Borough Fire Chief's office must review this proposal for compliance with all applicable fire codes, building codes and emergency access as related to the public health, safety and welfare.
2. Construction on the site must substantially comply with the site plan and landscape plans date stamped May 21, 2014, attached as Exhibit B to Resolution Serial No. 14-16. 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 June 10, 2014.

APPROVED:

  
Glenda Ledford, Chairman      6/17/14  
Date

ATTEST:

  
Tina Crawford, AICP, City Planner

VOTE:      Passed Unanimously

**EXHIBIT A**  
**Wasilla Planning Commission Resolution 14-16**  
**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 May 16, 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 May 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. Lot A8 has an unusual lot configuration, as shown in the site plan and has a significant change in elevation from Seward Meridian Parkway to the developable surface of the lot.

***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, the lot has unusual topography and lot configuration/access that presents development challenges.

**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: Strict application of the code setbacks will unnecessarily limit the area that can be developed on this lot and will impact internal connectivity with the existing theater.

**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 special conditions are due to natural physical conditions and were not caused by the property owner.

**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.

**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 is the minimum necessary to allow reasonable use of the lot and allows a better design.

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

Finding: The proposed fun center is permitted in 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;**

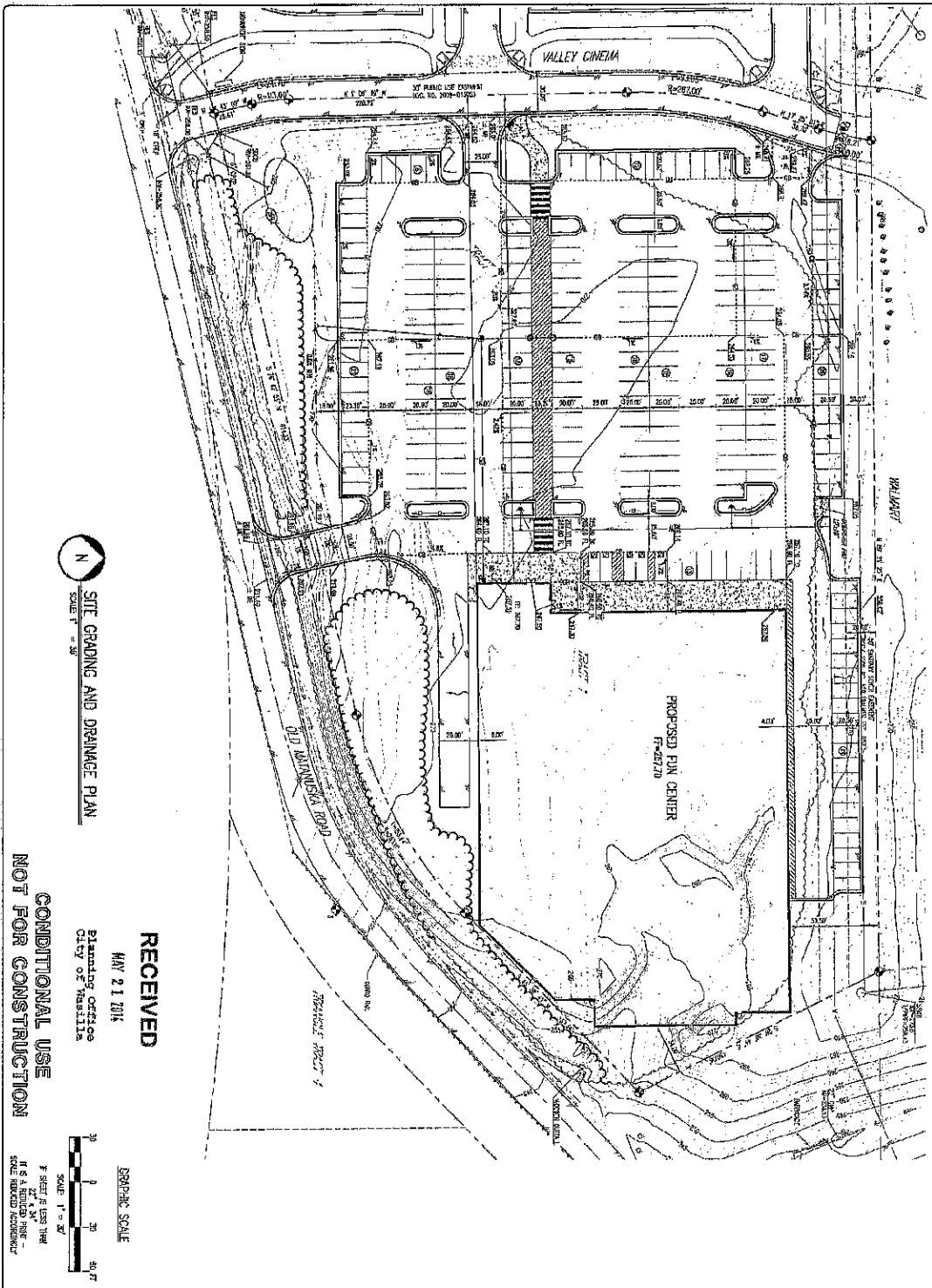
Finding: The variance is in keeping with the spirit and intent of the chapter.

**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.



**SITE GRADING AND DRAINAGE PLAN**  
SCALE: 1" = 30'

**CONDITIONAL USE**  
**NOT FOR CONSTRUCTION**

**RECEIVED**  
MAY 21 2014  
Planning Office  
City of Wasilla



PROJECT NO.	0107
DATE	04/10/14
SCALE	1" = 30'

**SITE GRADING AND DRAINAGE PLAN**

**ENTERPRISE ENGINEERING, INC.**  
1450 SOUTH SEWARD MERIDIAN PARKWAY  
WASILLA, ALASKA 99587  
TEL: 907.562.1234  
WWW.ENTERPRISE-ALASKA.COM



REV.	DATE	DESCRIPTION

**CONDITIONAL USE PLAN SET**  
**WASILLA FUN CENTER**  
1450 SOUTH SEWARD MERIDIAN PARKWAY  
WASILLA, ALASKA  
TRACT 1, S 1/2, NE 1/4, SEC 15, T17N, R17W, SEWARD MERIDIAN

