

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 18-10(AM)**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING USE PERMIT NUMBER 18-03 TO OPERATE A COMMERCIAL BOARDING KENNEL WITH NO MORE THAN 30 DOGS AND SIX CATS WITH GROOMING SERVICES.

WHEREAS, Jennifer Johnston submitted Use Permit Number 18-03 requesting approval to operate a commercial boarding kennel on June 14, 2018; 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 and the public hearing 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, the city planner elevated the permit decision to the Planning Commission as outlined in §16.12.040; and

WHEREAS, a notice of the public hearing was published in the Frontiersman on July 22, 2018; and

WHEREAS, the Planning Commission held a public hearing on this request on July 31, 2018; and

WHEREAS, the Wasilla Planning Commission deliberated on this request taking into account the information submitted by the applicants, evaluation and recommendations of staff contained in the staff report, public testimony - both written

and verbal comments, the applicable provisions of the Wasilla Land Development 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. No more than 30 dogs and six cats (any age) are allowed in the kennel at any time.
2. The top/roof of the exterior dog run must be a solid noise-dampening material.
3. Opaque fencing must be installed between each exterior run and at the end of each exterior run to limit visual contact between dogs and any wildlife in the area.
4. Install either a six-foot-high opaque fence or a four-foot-high evergreen hedge around the perimeter of the dog kennel building.
5. Screen dog yard area with a minimum six-foot-high opaque fence.
6. Dogs must be supervised at all times while in the proposed dog yard.
7. Doggie doors must be closed between the hours of 10 PM – 8 AM to prevent access to the exterior kennel area during these times. Note: This does not preclude taking dogs outside on a leash during these hours to go potty.
8. Animal waste must be removed from the kennel site daily.

9. 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.
10. The applicant must consult with the appropriate agencies to address any necessary well, septic, stormwater, and/or wetland and wildlife reviews/permits.
11. Construction on the site must substantially comply with the site plan, landscape plan, and building/elevation drawings date stamped June 14, 2018, attached as Exhibit B to Resolution Serial No. 18-10. Any changes to the site plan must be submitted to the City Planner for review. Substantial modifications will require submittal of an amended use permit application, including application fee and Planning Commission review and approval.
12. An as-built survey must be submitted to the Planning Department after completion of the building.

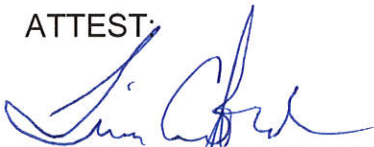
ADOPTED by the Wasilla Planning Commission on July 31, 2018.

APPROVED:


Brian Mayer, Vice-Chair

8-2-18
Date

ATTEST:


Tina Crawford, AICP, City Planner

VOTE: Yes: Brown, Bushnell, Dean, Mayer
No: Breese

EXHIBIT A
Wasilla Planning Commission Resolution 18-10(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 this parcel 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: The proposed use is substantially consistent with the Comprehensive Plan's *Expected Future Land Use Map* designation, "Mixed Use/Transitional" and the Rural Residential zoning that implements the adopted Comprehensive Plan.

The Mixed Use future land use designation promotes "...a complimentary mix of residential, commercial, light industrial, and recreation uses that minimize the impacts of new development on existing resources and facilities by allowing a variety of uses in close proximity to one another."

The Rural Residential (RR) zoning district is intended to "...provide areas for very low-density rural residential and agricultural uses...This zone is intended to have a broader mix of compatible uses than other large lot residential areas." (WMC 16.20.010.A.1)

The RR zoning district allows single-family or one duplex per lot and allows a mix of smaller scale commercial uses (<10,000 SF) as either administrative approval (AA), use permit (UP), or conditional uses (WMC 16.20.020.A). They include: Commercial <10,000 SF (AA), cell towers (AA), convenience stores (AA), day care (AA), heavy equipment (AA), animal husbandry (UP), campgrounds (UP),

church (UP), dog kennel/cattery (UP), automotive sales (UP), ballfields (UP), zoo (UP), and resource extraction (CU).

With the recommended conditions of approval that address potential negative impacts (e.g. noise, odor, water contamination) and the large size of the parcel, design of the kennel, and the existing vegetation, the proposed kennel is consistent with this criteria.

16.16.050(3)

Special Uses. The proposal is substantially consistent with the specific approval criteria of Section 16.16.060.

Finding:

This criteria is met. The specific approval criteria for kennels is in Section 16.16.060(J), which states that a kennel may be allowed if a site plan is approved and the kennel building, dog runs, or other outside housing area is separated from any residential zoned lot line by a minimum of 50 feet.

The proposed kennel will be approximately 320 feet from the southern property boundary, 268 feet from the western boundary, 830 feet to the north, 480 feet to closest adjoining lot to the southeast.

16.16.050(4)

Reviewing Parties. Due deference has been given to the comments and recommendations of reviewing parties.

Finding:

The City mailed 109 notices on June 18, 2018 to neighboring property owners within 1200' and the 25 review agencies that are typically provided with the opportunity to comment. Twenty-eight comments were received regarding the project; 25 were from property owners in opposition to the proposed use and three were from review agencies that did not have any concerns. After receiving numerous concerns from neighbors, the permit approval was elevated to the Planning Commission and a notice was mailed to the same 109 property owners on July 9, 2018 advising them of the public meeting and an opportunity to provide additional comments. Eighteen comments were received in response to the public hearing notice: three from review agencies with no concerns and 15 from property owners in opposition to the proposed use. Copies of the comments received by staff are included in this packet. 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: The proposed use will not pose a fire danger and adequate access is provided for emergency and police vehicles.

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: The proposed use will not significantly impact the street system or create a danger to pedestrians.

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

Finding: The existing building complies with the minimum setbacks and maximum height requirements of §16.24.010.

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: The site has adequate parking areas and snow storage on site.

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: The site is adequately served by appropriate utilities.

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: The site has adequate areas for drainage and on-site retention.

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 not applicable since the proposed kennel is less than 10,000 square feet in size.

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: The proposed use will not result in significantly different peak use characteristics than the surrounding 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: With the conditions of approval requiring additional buffering, design requirements, and operational limitations, the noise impact will be minimized and based on the design of the building and the distance from nearby residences, there should not be any excessive odors from the kennel area.

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: The site plan shows the required landscaping.

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: Due to the location of the parcel, the construction of a sidewalk 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. A developer may be required to increase the size of existing public water, sewer or drainage lines or to install a distribution system within the development. The commission may require any or all parts of such installation to be oversized. The developer must submit to the engineer an acceptable plan that shows that if within ten (10) years an increase in capacity will be required to serve other areas how these needs will be met by oversized facilities. When installation of oversized facilities is required, the developer shall install such facilities at their own expense. The developer shall be reimbursed the amount determined by the engineer to be the difference in cost between the installed cost of the oversized utility lines and the installed cost of the utility lines adequate to serve both the development concerned and all other land to be served by the lines which is owned or under the control of the developer, provided the developer may not be required to install facilities unless funds for such oversizing have been appropriated for the purpose by the city and there is a sufficient unencumbered balance in the balance in the appropriation. No reimbursement may be made unless the developer has entered into such agreement with the city, including conveyances of personal property including lines, lift stations and valves and conveyances of land or rights in land, as the city determines may be necessary to ensure complete control by the city of its sewer, drainage and water lines when they are extended to serve the property of the developer. Notwithstanding the requirement that the developer construct improvements to existing systems, the commission may elect to accomplish the design or construction, or both, of improvements to be made to existing public systems. In such a case, the commission may require advance payment to the city of the estimated cost of work to be accomplished by the city. The developer shall*

reimburse the city for all expenses of such design or construction not paid in advance. A public system is adequate if, in the judgment of the engineer, it is feasible for the developer to make improvements to the public system which will provide the increased capacity necessary to serve the existing users and the new development at the same level as is being provided to the existing users. Prior to approval of a use for which a community water system is required, the developer must submit evidence showing that there is available a satisfactory source of water. A source of water is satisfactory only if it can be shown that the proposed source will produce water sufficient in quality and quantity to supply the development. The water system and the connection between such distribution systems and the source must be sized and constructed to meet fire flow and hydrant requirements for fire protection and that the developer has obtained or can obtain a water appropriation permit or certificate for the water from the state. The system must be built to city specifications available from the engineer.

Finding: The residential home has appropriate connections to water and sewer/septic.

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 and did not submit any 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 kennel provides appropriate building spacing, lot coverage, and the height and setbacks are consistent with the zoning regulations. The architectural design of the exterior of the building and size (2,304 SF) is consistent with a single-family home or a large residential accessory structure.

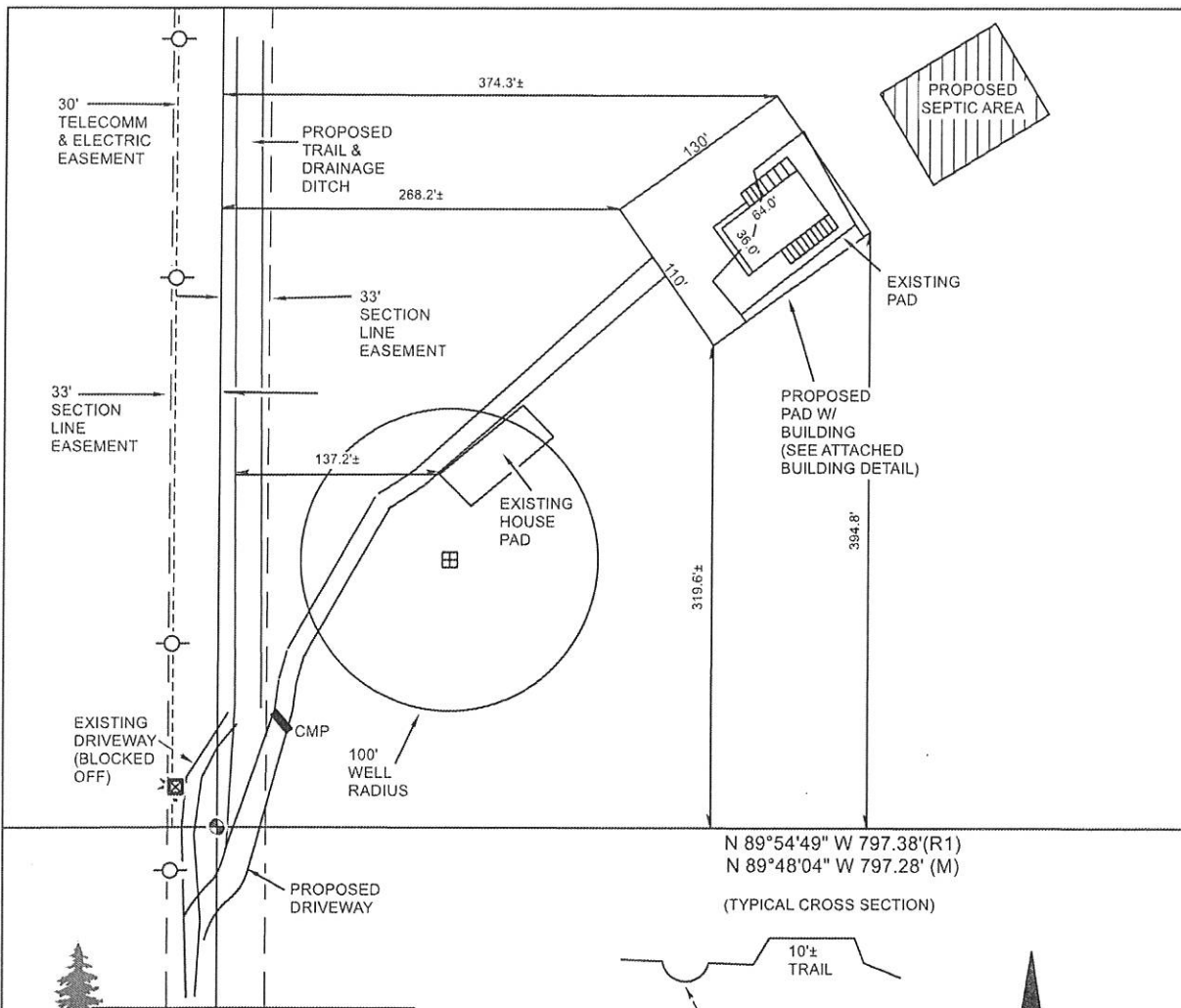
16.16.050(20) *Open Space and Facilities. The applicant may be required to dedicate land for open space drainage, utilities, access, parks or playgrounds. Any dedication required by the city must be based on a written finding that the area is necessary for public use or safety and the dedication is in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

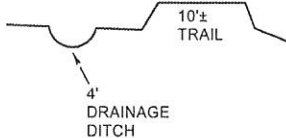
Finding: No additional land is necessary for open space and facilities.

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: There are no foreseeable problems anticipated from winter conditions.

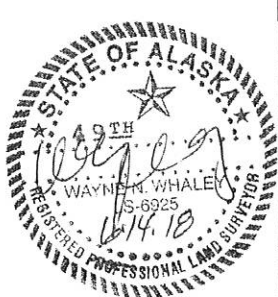


N 89°54'49" W 797.38'(R1)
 N 89°48'04" W 797.28' (M)
 (TYPICAL CROSS SECTION)



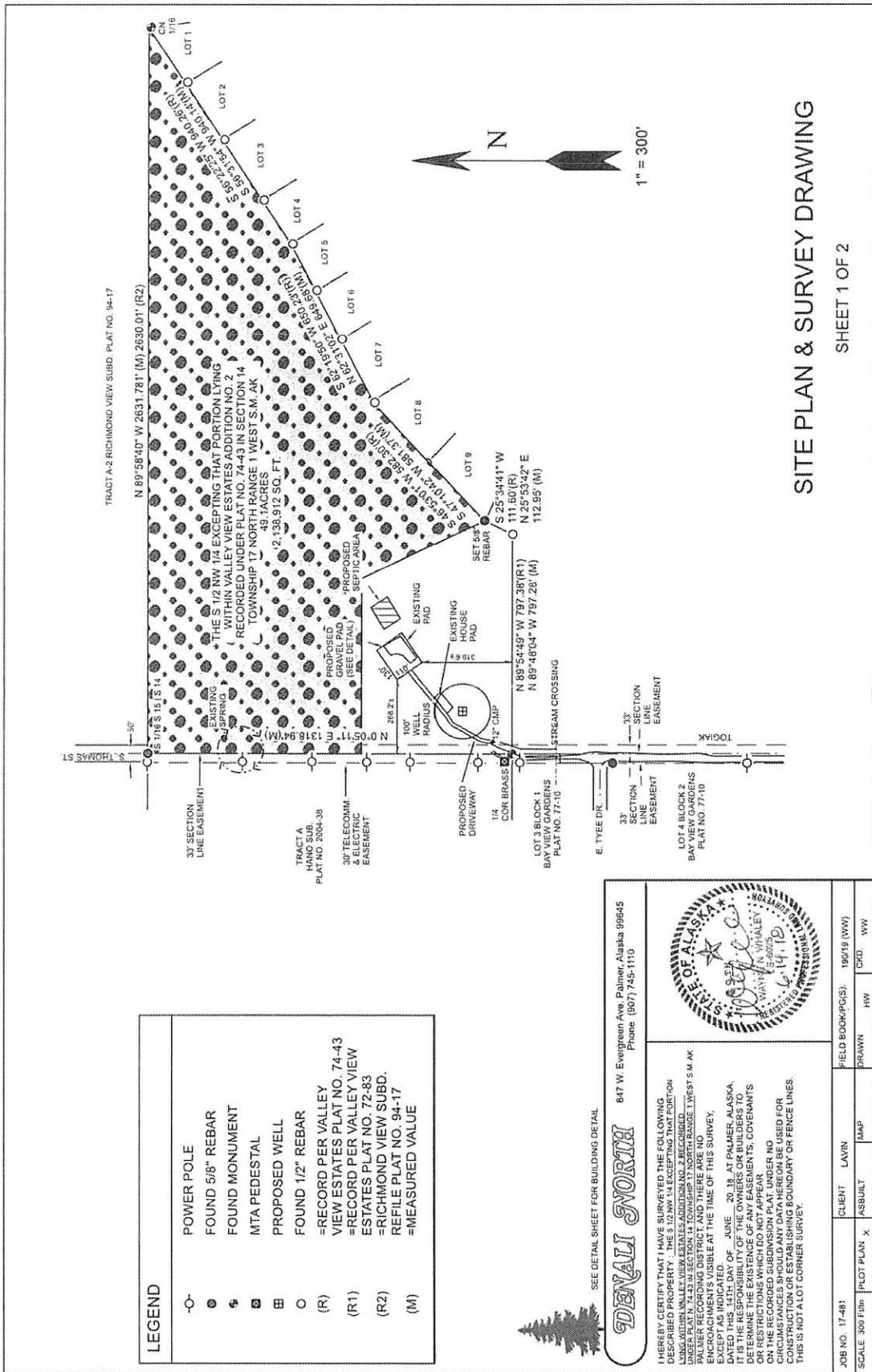
DENALI NORTH 847 W. Evergreen Ave. Palmer, Alaska 99645
 Phone (907) 745-1110

I HEREBY CERTIFY THAT I HAVE SURVEYED THE FOLLOWING DESCRIBED PROPERTY : THE S 1/2 NW 1/4 EXCEPTING THAT PORTION LYING WITHIN VALLEY VIEW ESTATES ADDITION NO. 2 RECORDED UNDER PLAT N. 74-43 IN SECTION 14 TOWNSHIP 17 NORTH RANGE 1 WEST S.M. AK PALMER RECORDING DISTRICT, AND THERE ARE NO ENCROACHMENTS VISIBLE AT THE TIME OF THIS SURVEY, EXCEPT AS INDICATED.
 DATED THIS 14TH DAY OF JUNE 20 18 AT PALMER, ALASKA.
 IT IS THE RESPONSIBILITY OF THE OWNERS OR BUILDERS TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, COVENANTS OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT. UNDER NO CIRCUMSTANCES SHOULD ANY DATA HEREON BE USED FOR CONSTRUCTION OR ESTABLISHING BOUNDARY OR FENCE LINES. THIS IS NOT A LOT CORNER SURVEY.

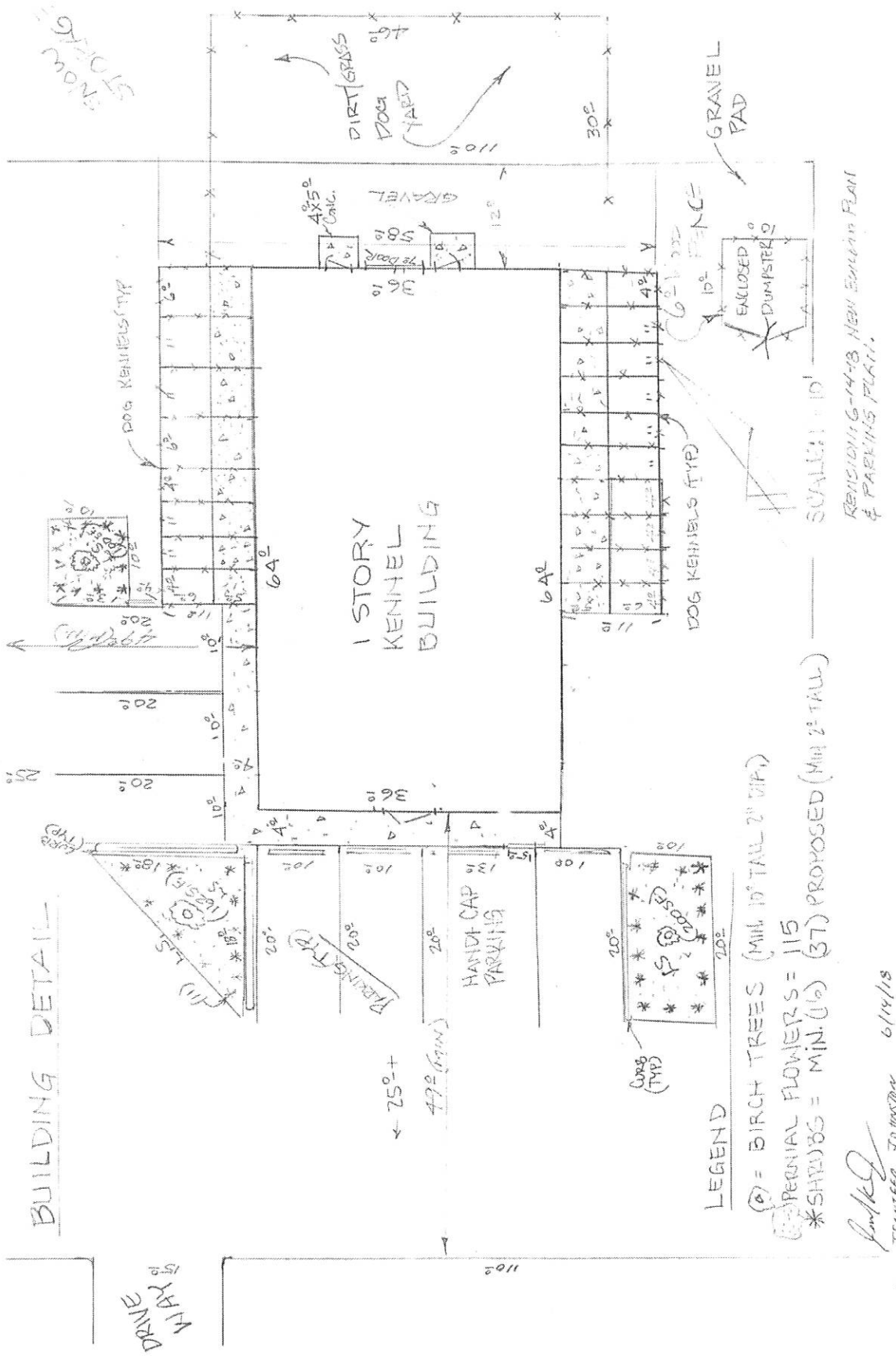


JOB NO. 17-481		CLIENT		FIELD BOOK/PG(S).	
SCALE 100 F/In	PLOT PLAN X	ASBUILT	MAP	DRAWN	CKD. WW

SHEET 2 OF 2



SITE PLAN & SURVEY DRAWING
SHEET 1 OF 2



BUILDING DETAIL

DRIVE WAY

1 STORY
KENNEL
BUILDING

LEGEND

- (O) = BIRCH TREES (MIN. 10' TALL 2" DIA.)
- (*) = REGIONAL FLOWERS = 115
- * SHRUBS = MIN. (1/2) (37) PROPOSED (MIN. 2' TALL)

REVISION G-1418 NEW BUILDING PLAN & PARKING PLAN.

6/14/18
JENNIFER THOMPSON



Auntie J's
Dog
Chalet
Last Frontier Contracting

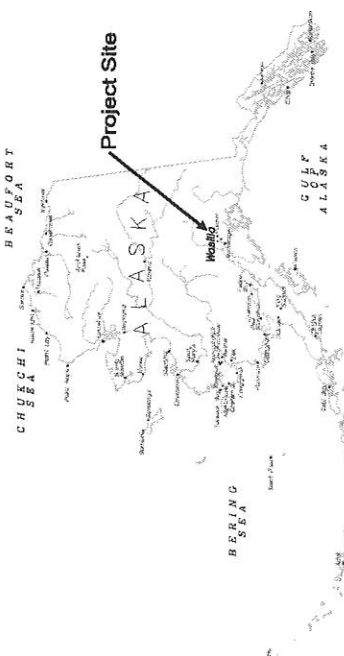
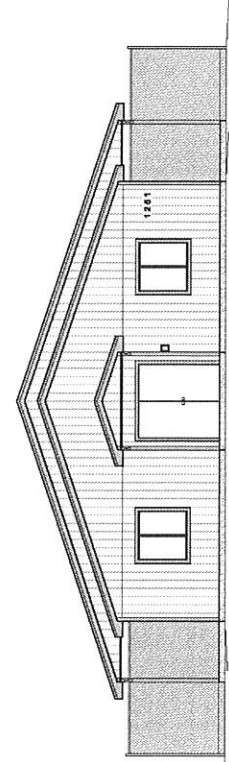
REV.	DATE	DESCRIPTION	APP.
1	3-07-18	ISSUED FOR REVIEW	JVR
2	3-15-18	ISSUED FOR REVIEW	JVR
3	4-11-18	ARCHITECTURAL APPROVAL	JVR

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PAGE	1 of 5
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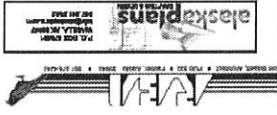
Auntie J's Dog Chalet

DRAWN FOR
Last Frontier Contracting
MARCH, 2018

FRONT ELEVATION
(PREVIEW)

110 COPYRIGHT NOTICE: All drawings and designs are the property of Last Frontier Contracting. No part of this drawing may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Last Frontier Contracting. The user of this drawing is responsible for obtaining all necessary permits and approvals from the appropriate authorities. The user of this drawing is also responsible for ensuring that all applicable codes and regulations are followed. The user of this drawing is also responsible for ensuring that all applicable codes and regulations are followed.

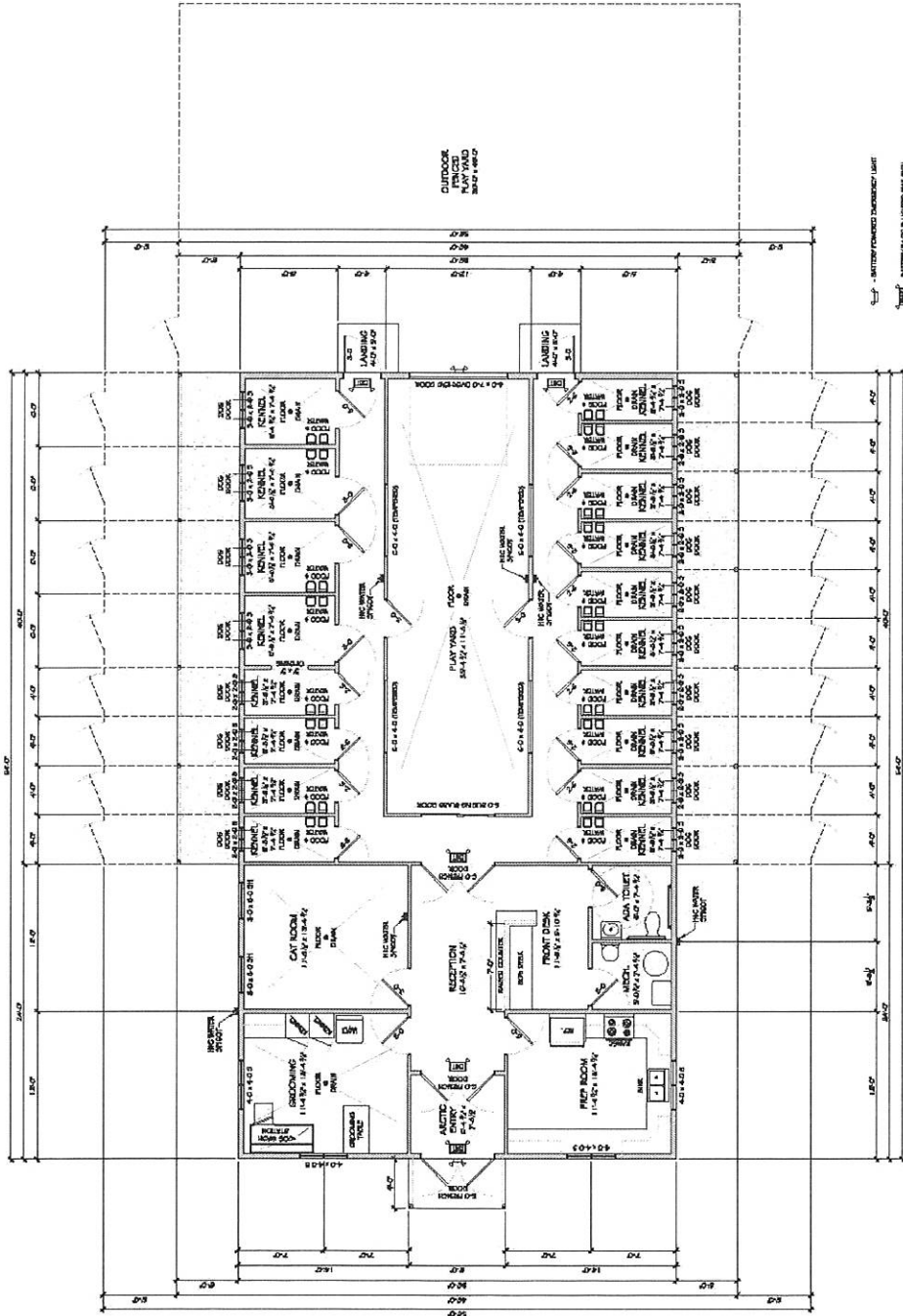


**Auntie Jo's
Dog Chalet**
Last Frontier Contracting

REV.	DATE	DESCRIPTION	APP.
1	07/18	ISSUED FOR REVIEW	JMR
2	12/16	ISSUED FOR REVIEW	JMR
3	11/10	ARCHITECTURAL APPROVAL	JMR

DESIGNED BY: JMR
CHECKED BY: ARK
PLACED: 3 of 5
NO. 100
SHEET NUMBER:
A3

111 2200 W. STATE ADDRESS 111
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FLOOR PLAN
SCALE: 1/4" = 1'-0"

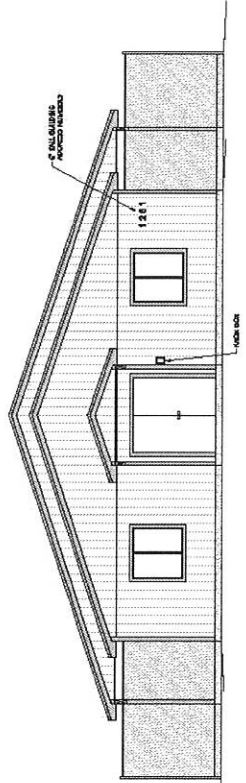


**Aurte Jo
Dog
Chalet**
Last Frontier Contracting

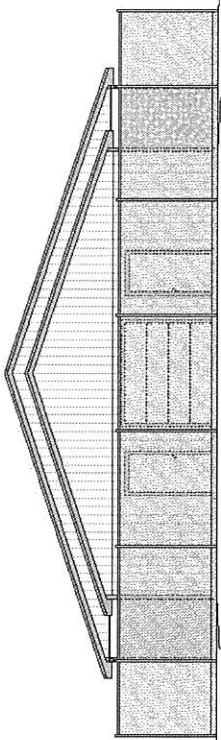
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2	05-15-18	ISSUED FOR PERMIT
3	04-11-18	ARCHITECTURAL APPROVAL

DESIGNED BY: JMK
 CHECKED BY: ARK
 DRAWN BY: JMK
 SHEET NUMBER: 4 of 5
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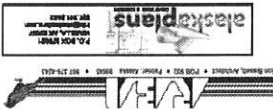
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FRONT ELEVATION
 SCALE: 1/4" = 1'-0"



BACK ELEVATION
 SCALE: 1/4" = 1'-0"



Last Frontier Contracting
 Aurte Jr
 Dog
 Chait

REV.	DATE	DESCRIPTION
1	5-07-18	ISSUED FOR PERMITS
2	5-15-18	ISSUED FOR PERMITS
3	4-11-18	ADDITIONAL APPROVAL

DRAWN BY	JM/R
CHECKED BY	ARR
SHEET NUMBER	5 of 5
PROJECT NUMBER	A5

ALL BUILDINGS ARE PRODUCED BY A LICENSED ARCHITECT OR ARCHITECTURAL FIRM. THE ARCHITECT OR ARCHITECTURAL FIRM IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT OR ARCHITECTURAL FIRM IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT OR ARCHITECTURAL FIRM IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.

RIGHT ELEVATION
 SCALE: 1/4" = 1'-0"

LEFT ELEVATION
 SCALE: 1/4" = 1'-0"