



**MAYOR**  
Verne E. Rupright

**CITY PLANNER**  
Jim Holycross

**WASILLA PLANNING COMMISSION**

Gary Hall, Seat A  
Daniel Kelly Jr., Seat B  
Brandon Wall, Seat C  
Jessie Laub-Elkins, Seat D  
Stan Tucker, Chairman, Seat E  
Clark Buswell, Seat F  
Robert Webb, Seat G

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**CITY OF WASILLA  
PLANNING COMMISSION MEETING AGENDA  
WASILLA CITY COUNCIL CHAMBERS**

Wasilla City Hall, 290 E. Herning Avenue, Wasilla, AK 99654 / 907-373-9020 phone

**REGULAR MEETING**

**7 P.M.**

**MAY 12, 2009**

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF AGENDA

V. REPORTS

- A. City Attorney
- B. City Council
- C. City Planner
- D. City Public Works Director

VI. PUBLIC PARTICIPATION

VII. CONSENT AGENDA

- A. Minutes of April 28, 2009 meeting

VIII. NEW BUSINESS

- A. Public Hearing
  - 1. **Resolution Serial No. 09-13:** A Resolution of the Wasilla Planning Commission approving the City of Wasilla request to site an outdoor firing range on 59.96 acres in the Industrial (I) zoning district; Lot 1, New Wasilla Airport Addition No. 1.

2. **Resolution Serial No. 09-14:** A Resolution of the Wasilla Planning Commission approving the amendment to the Wasilla Planning Commission by-laws to amend them to be consistent with Wasilla Municipal Code.

IX. UNFINISHED BUSINESS

X. COMMUNICATIONS

- A. Calendar Review July/August 2009
- B. Permit Information
- C. Enforcement Log

XI. AUDIENCE COMMENTS

XII. STAFF COMMENTS

XIII. COMMISSION COMMENTS

XIV. ADJOURN

**REGULAR MEETING**

**I. CALL TO ORDER**

The regular meeting of the Wasilla Planning Commission was called to order at 7:00 PM on Tuesday, May 12, 2009, in Council Chambers of City Hall, Wasilla, Alaska by Stan Tucker, Chairman.

**II. ROLL CALL**

Commissioners present and establishing a quorum were:

- Mr. Gary Hall, Seat A
- Mr. Daniel Kelly, Jr., Seat B
- Mr. Brandon Wall, Seat C
- Ms. Jessie Laub-Elkins, Seat D
- Mr. Stan Tucker, Seat E
- Mr. Clark Buswell, Seat F
- Mr. Robert Webb, Seat G

Staff in attendance were:

- Mr. Jim Holycross, City Planner
- Ms. Tahirih Klein, Planning Clerk
- Mr. Marvin Yoder, Deputy Administrator
- Ms. Holly Suozzo, City Attorney

**III. PLEDGE OF ALLEGIANCE**

- A. Ms. Laub-Elkins led the pledge of allegiance.

**IV. APPROVAL OF AGENDA**

GENERAL CONSENT: The agenda was approved as presented.

**VI. REPORTS**

- A. City Attorney

Ms. Suozzo, City Attorney:

- None.

- B. City Council

Mr. Yoder, Deputy Administrator:

- Stated that the chairman of the Planning Commission spoke at the City Council meeting last night.

- Stated the Conservation Subdivision Ordinance was defeated, five members were present and three voted yes and two voted no and there needs to be four positive votes to pass a motion. There was quite a bit of discussion and a lot of testimony in favor and would like to see the Comprehensive Plan done before bringing forward again.
- Stated the other ordinances that were brought forward were passed by the City Council.

C. City Planner

Mr. Holycross, City Planner:

- Reminded the Planning Commission about the Comprehensive Plan kick-off meeting on June 9, 2009, at 6:00 p.m. Mr. Holycross also stated that Pat Coleman, USKH, will be in charge of running the meeting.

D. City Public Works Director

- None.

## VII. PUBLIC PARTICIPATION

1. Mr. Wayne Kubat

Mr. Kubat:

- Stated he lives one mile from the proposed firing range and is in favor of it.

2. Mr. Brad Laybourn

Mr. Laybourn:

- Stated he provided the right-of-way for the water and sewer to the City for the sports center.
- Stated he thinks it's wrong to put a firing range within the City and wrong that the only people that received notices lived within 1,200 feet. He spoke with all the neighbors on Lobo Street and Corkey Drive and not one of them are in favor of it.
- Stated the Katkus' live right next to the sports center and aren't in favor of it either.
- Stated as vast as the Valley is he can't believe they can't find a better place for the shooting range and maybe, in the future, put some outdoor sports fields and running tracks in the area. He believes having someone shooting in the area is wrong and dangerous.
- Asked who proposed to put the shooting range in at the sports center.

Mr. Holycross stated that the Mayor proposed the idea.

3. Mr. John Katkus

Mr. Katkus:

- Stated he lives adjacent to the sports center and received the notice for the public hearing on the shooting range.

- Stated they believe in gun rights and firearm safety and a gun range is a good idea but not in support of the location of the shooting range because of the proximity of it.
- Stated that he doesn't believe the noise will be eliminated unless the shooting range is completely contained.

4. Ms. Melissa Biggs

Ms. Biggs:

- Stated she lives about a mile from the sports center and she is opposed to the firing range being built there but not having one being built in the Valley.

5. Ms. Taffina Katkus

Ms. Katkus:

- Stated she is for firearms but she has a berry farm on her property that she has been developing over the last five years, and they live about a quarter of a mile from the sports center. The general public may not like the noise from a firing range so near by. She has invested a lot of time and effort into her berry farm and would appreciate the Planning Commission taking this into consideration when making their decision.

6. Ms. Laurie Magiera

Ms. Magiera:

- Stated she agrees with the Katkus family and she is against the noise level that would be created. Not against the firing range but would like it built in a different location.

## VIII. CONSENT AGENDA

A. Minutes of April 28, 2009 meeting.

GENERAL CONSENT: Minutes were approved as amended.

## IX. NEW BUSINESS

A. Public Hearing

1. **Resolution Serial No. 09-13:** A Resolution of the Wasilla Planning Commission approving the City of Wasilla request to site an outdoor firing range on 59.96 acres in the Industrial (I) zoning district; Lot 1, New Wasilla Airport Addition No. 1.

Mr. Holycross summarized the request for the outdoor firing range and then read Resolution Serial No. 09-13 into the record. Mr. Holycross then handed out written comments from Dan Kennedy; Paul Hulbert, from the Matanuska-Susitna Borough Platting Office; Robert Guertien, from the Matanuska-Susitna Borough Code Compliance Office; Laurie Magiera; and the Laybourns.

Mr. Yoder stated its good to point out the process and that action has already been taken for the City of Wasilla to have a firing range within the City Limits. Criteria in newly adopted code language for a firing range were approved with certain conditions placed and zoning. Criteria has been set and an ordinance approved permitting a firing range to be built within the City Limits and after the public hearing the Planning Commission will make a determination in favor or against the request on the Conditional Use Permit application.

Mr. Tucker opened the public hearing on Resolution Serial No. 09-13.

1. Mr. Dan Kennedy

Mr. Kennedy:

- Stated he is in favor of the Conditional Use Permit.
- Stated the rezone to industrial zoning for that area was a good idea and a future plan that was put into place a few years back that created community assets like the Menard Sports Complex and the master plan had future recreational opportunities.
- Stated he believes the conditional use permit is consistent with this type of plan for the future.
- Stated the City of Wasilla is developing community assets like ice rinks, parks, fields (Bumpus), and now an area for people to shoot guns.
- Stated he would like the Planning Commission to look at the diversified economic expansion that this community asset will provide throughout Southcentral.
- Stated that he read over the plan, the facts and findings, and according to the NRA noise prevention and engineering, in his opinion he believes the City of Wasilla is mitigating all the noise that will be generated from this activity.
- Stated the comments from the Public Participation had a common theme of trains, planes, and automobiles and the noise created by them and he thought the City had very good plan to mitigate the noise from those various activities.
- Stated that he would like to see the hours of operation reduced during the week.

Mr. Tucker stated that anyone that spoke during Public Participation on the firing range can still talk during the public hearing regarding the shooting range.

2. Mr. Brad Laybourn

Mr. Laybourn:

- Stated his wife works the night shift and during the day will be trying to get caught up on her sleep. The noise they already have without adding the gun fire may not be appreciated by the people in the area and it's a bad location.
- Mr. Laybourn stated that most accidents aren't planned and even though it's enclosed an accident can still happen in the facility.
- Asked if the berm was going to be built all the way around the facility?

Discussion moved to the Commission.

3. Mr. Neil Moss

Mr. Moss:

- Stated he doesn't live in the City of Wasilla but does live in the Valley.
- Stated he is an NRA certified range safety officer. He teaches hunter education and firearm safety to kids, coaches a youth shooting league, and is the state director for Alaska Clay Target for Kids.
- Stated he believes a firing range is as important as the other activities at the sports center.
- Stated shooting sports are a large part of the lives of Alaskans and our heritage and allowing a shooting facility in the City limits of Wasilla would be an asset to the community.
- Stated that it would make Wasilla a destination and a place where people would want to live.
- Stated he would like to see more places to teach hunter education and where kids can shoot after school.
- Stated he believes a shooting range is a valuable asset to the community.

Discussion moved to the Commission.

4. Mr. James Hastings

Mr. Hastings:

- Stated he appreciated the research the Planning Commission has done regarding the shooting range.
- Stated he has four years of experience as a range instructor in Berlin, Germany. There were two different ranges within the City and people lived within a kilometer of these ranges and they were able to fire anything from 45 caliber hand gun up to a 7.16 machine guns.
- Stated when hand guns are involved safety is absolutely the bottom line.
- Stated he understands about the noise with the residents in the area and the barriers that are installed along with the natural barriers minimize the noise.
- Stated every consideration is made to insure that there is no way that a backward fire can happen outside of the shooting hut which will be monitored by the range officer.
- Stated as far as the forward and side to side safety, thousands of people have been through the ranges with zero injuries.
- Stated he lives on Cottonwood Lake and can hear the train.
- Stated he thinks data should be gathered to insure the decibels are not reached and he recommends the hours of operation should be the same as boats, etc.

5. Mr. Mike Croner

Mr. Croner:

- Stated he was asked to put together source information for the development of the range. The drawings he brought to show the design to

address the noise issues and suggested the hours of operation be from 10:00 a.m. until 8:00 p.m. and a cease fire on Sundays.

- Stated in regards to noise levels with most high powered rifles will put out a certain decimal and gave a description.
- Stated accidents do happen and safety should be very important, a range safety manager and range officers should monitor the lanes very closely.
- Stated having an outdoor range would provide people that live in the area a central place to shoot and do it under supervision.
- Recommended that 50 caliber rifles or higher, except for black powder, or anything above and including half inch be allowed to be shot at the range.
- Stated he has 25 years of active service, NRA certified small arms instructor and a safety officer.

Discussion moved to the Commission.

6. Ms. Melissa Biggs

Ms. Biggs:

- Stated she shot at ranges in Colorado and they would state an all clear for people to start shooting. The range was about a mile away and it could be heard when all seven or eight lanes were being used.

Mr. Croner stated if you have a simultaneous discharge of weapons it will greatly enhance the sound and he suggested that you don't allow it to happen.

7. Ms. Taffina Katkus

Ms. Katkus:

- Stated her house is about as far from the Shooting Range as Teeland Store is from City Hall.
- Stated it is a sound issue for her family and believes having a range is a good thing for the community just not at that location.
- Stated her farm has brought in many different people and hearing the noise from the range does not go well with the environment she has created at her berry farm and asks the Planning Commission to consider this when making their decision.
- Stated they have had to ask the Sports Complex to stop certain activities that were going on during the day because of the loud noises.

8. Mr. John Katkus

Mr. Katkus:

- Stated he lives just south of the sports complex and the comments tonight are supportive of the concept of the shooting range.
- Stated the noise from the trains are only a few moments but will go away and the noise from the range will be more not matter what thought goes into the project or the design. He stated that depending on the time of the year will also make a difference in the noise level from a shooting range.



9. Mr. Wayne Kubat

Mr. Kubat:

- Stated if you put barriers up with any noise it will muffle it to a certain degree. He lives about 700 feet from the Parks Highway and hears constant noise and if he wants to get away from the noise he goes inside his house and closes the windows.
- Stated that the berms built around the range should muffle the sound and before making muzzle limits should perform decibels checks.
- Stated he believes the noise shouldn't be an issue.

10. Mr. Michael Newman

Mr. Newman:

- Stated he has been a part of building a range in Eagle River in 1985. The residential housing was about 1,250 feet away and in the cone of fire the nearest resident was about a mile and a half.
- Stated they only had one officer on duty at a time. The noise level was inside the facility was loud but outside the facility you didn't hear much of the shooting.
- Stated he would recommend prohibiting automatic and high caliber weapons because of the proximity of the residential homes. He didn't get complaints from the residents and then the area about a mile away was developed and they lowered the caliber use.

Discussion moved to the Commission.

11. Mr. Denny Loi, Sourdough Pawn & Gun

Mr. Loi:

- Stated he isn't a resident of Wasilla but he does business within the City Limits.
- Stated his biggest concern is the growing number of acquisitions of firearms in the Palmer and Wasilla areas.
- Stated that he is being told by his customers that there is a lack of safe firing ranges and that more ranges should be built.
- Stated he has taken his son out across from the Inlet and the area is completely trashed. There is a development of a range, which the NRA donated money to, off of Maud Road.
- Stated the NRA is planning on having their banquet at the Sports Arena next year and have concentrated on donating towards ranges in Alaska because of the lack of safe ranges to shoot at.
- Stated as far as the noise factor sometimes people need to give in a little to sacrifice for the whole and believes the range is being built responsibly.

Discussion moved to the Commission.

Mr. Corner:

- Stated that it was touched on in the past but he would like to reiterate if this should be developed, the City should make zoning considerations for future residential zoning in that area.

Mr. Laybourn:

- Stated the most interesting thing tonight is that there are only three people that live in the area and eight gun people from all over the Valley that know more about what's going on then the residents living in the area.
- Stated the range going in at Maud Road is the most suitable place because of the location.

Mr. Verne Rupright gave a statement and background information regarding the outdoor firing range.

Discussion moved to the Commission.

With no other audience comments, Mr. Tucker closed the public hearing.

**MOTION:** Commissioner Wall moved to adopt Resolution Serial No. 09-13.

Mr. Tucker asked if there were any objections by the Planning Commission if Mr. Hall would be able to ask specific questions of the public, no objections were made.

Discussion moved to the Commission.

**MOTION:** Commissioner Buswell moved to add that the fourth side be ballistically protected.

**VOTE:** Voting on the amendment, it passed unanimously.

**MOTION:** Commissioner Laub-Elkins moved to limit the use of calibers used to 50 and below, except for black powder.

**VOTE:** Voting on the amendment, it passed unanimously.

**MOTION:** Commissioner Laub-Elkins moved to amend condition number one to read, "...shall prohibit use of the range daily before 10 AM and after 8 PM. . ."

**VOTE:** Voting on the amendment, it passed unanimously.

**MOTION:** Commissioner Kelly moved to add a finding of fact to acknowledge the Commission permitted time extensions in an abnormal order during the hearing process for good cause and there were no objections when asked.

VOTE: Voting on the amendment, it passed unanimously.

MOTION: Commissioner Hall moved to consider reorienting the building 180 degrees to mitigate the decibels in the residential areas.

Discussion moved to the Commission.

VOTE: Voting on the amendment, it passed Mr. Hall, Mr. Kelly, Mr. Tucker, Mr. Buswell, Mr. Wall and Mr. Webb in favor and Ms. Laub-Elkins opposed.

Discussion moved to the Commission.

VOTE: Voting on the main motion as amended, it passed unanimously.

2. **Resolution Serial No. 09-14:** A Resolution of the Wasilla Planning Commission approving the amendment to the Wasilla Planning Commission by-laws to amend them to be consistent with Wasilla Municipal Code.

Ms. Suozzo stated she recommends Resolution Serial No. 09-14 be postponed due to the changes made, may be in contradiction with the Wasilla Municipal Code and Alaska State Statues.

MOTION: Commissioner Buswell moved to indefinitely postpone Resolution 09-14 until legal counsel can bring forward appropriate recommendations to correct discrepancies in the Commission's By-laws.

Discussion moved to the Commission.

VOTE: Voting on the main motion, it passed unanimously.

## V. UNFINISHED BUSINESS

- None

## XI. COMMUNICATIONS

- A. Calendar Review July/August 2009

Mr. Tucker stated he will attend the meeting in May and Mr. Webb volunteered to attend the meetings in June.

Mr. Buswell and Mr. Kelly volunteered to attend City Council meetings if for some reason anyone wasn't able to attend the meetings.

Mr. Wall volunteered to attend in July and Ms. Laub-Elkins volunteered to attend in August.

No comments were made regarding the following items.

- B. Permit Information
- C. Enforcement Log

## **XII. AUDIENCE COMMENTS**

- Mr. Croner stated good job.

## **XIII. STAFF COMMENTS**

### **A. Staff Comments**

Ms. Suozzo

- None.

Mr. Yoder

- None.

Mr. Holycross

- Stated he appreciates Mr. Tucker allowing those who testify to express themselves, but there is a five minute limit and understands that tonight was a hot button issue. He asked if in the future this can be monitored a little closer.
- Stated a reminder about the meeting on June 9th for the Comprehensive Plan kick-off.

Ms. Klein

- Stated Resolution Serial No. 09-01 had a paragraph with the statement where public notices were mailed to property owners within 1,200 feet, was deleted and Resolution Serial No. 09-01 did not need to be brought forward again but needed to bring to the attention of the Planning Commission.

## **XIV. COMMISSION COMMENTS**

### **A. Commissioner Comments**

Commissioner Webb

- None.

Commissioner Laub-Elkins

- None.

Commissioner Hall

- None.

Commissioner Wall

- Stated he would like to see something added to the sheet stating how the meeting is going to be run.

Commissioner Buswell

- Stated what happened tonight we need to remember when the Comprehensive Plan is being updated.
- Stated the Mayor said with out City being so small what we know as down town Wasilla will be commercial-industrial some day and we will see business and commercial areas spreading and pushing or crowding out residential areas.
- Stated he spoke with the previous City Planner and if the City had standard blocks instead of subdivisions it would be easier to expand the City a block at a time instead of by subdivisions. When the Comprehensive Plan is getting updated it could help address peoples concerns for the future expansion if something was written down.

Commissioner Kelly

- Asked Mr. Holycross to note when the Comprehensive Plan is being updated to consider the rifle range impact and zoning issues.

Commissioner Tucker

- Thanked all the Commissioners for their patience and the decision that was made about the shooting range.
- Asked the other Commissioners if they had a chance to view a sheet that was sent out about Fairview Loop connectors.
- Stated when it comes to the shooting range and there is a continual stream of airplanes taking off of Lucille Lake all summer long.
- Stated there is a problem with four wheelers within the City Limits and not sure if it can be addressed with the Comprehensive Plan.

## XV. ADJOURNMENT

The regular meeting adjourned at 10:28 PM.

ATTEST:



TAHIRIH KLEIN, Planning Clerk

Adopted by the Wasilla Planning Commission June 23, 2009.

  
STAN TUCKER, Chairman