



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

**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.

March 24, 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
 - E. Open Meetings Act and Parliamentary Procedures Report
- VI. PUBLIC PARTICIPATION
- VII. COMMISSIONER REQUESTS
- VIII. CONSENT AGENDA
 - A. Minutes of February 24, 2009 meeting
- IX. NEW BUSINESS
 - A. Public Hearings

1. **Resolution Serial No. 09-09:** A Resolution of the Wasilla Planning Commission approving a request from Nick Fonov representing Fonov Investments, LLC; K & K Enterprises; and the 42143 Trust to rezone 10.7 acres from (RR) - Rural Residential to (C) - Commercial and including Lot 8D, Block 1, Wasilla Woods RSB; and Lots 9 and 10, Block 1, Wasilla Woods Subdivision within Section 3, Township 17 North, Range 1 West, Seward Meridian, Alaska.
2. **Resolution Serial No. 09-10:** A Resolution of the Wasilla Planning Commission recommending waiver of the variance application fee paid by Nikolay Fonov.

B. Capital Improvement Program (CIP) Project Prioritization Discussion

X. UNFINISHED BUSINESS

A. Election of officers

1. Chair
2. Vice Chair

XI. COMMUNICATIONS

- A. Calendar Review April/May 2009
- B. Permit Information
- C. Enforcement Log

XII. AUDIENCE COMMENTS

XIII. STAFF COMMENTS

XIV. COMMISSION COMMENTS

XV. 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, March 24, 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
- Ms. Jessie Laub-Elkins, Seat D
- Mr. Stan Tucker, Seat E
- Mr. Clark Buswell, Seat F
- Mr. Robert Webb, Seat G

Commissioner absent and excused.

- Mr. Brandon Wall, Seat C

Staff in attendance were:

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

III. PLEDGE OF ALLEGIANCE

- A. Mr. Buswell led the pledge of allegiance.

IV. APPROVAL OF AGENDA

GENERAL CONSENT: The agenda was approved as amended.

VI. REPORTS

- A. City Attorney

Mr. Klinkner, City Attorney:

- Stated the Council introduced various Title 16 amendments and scheduled for public hearing at the next Council meeting.
- Stated the litigation involving zoning in Wasilla which has been going on for years, the Debra Lubra case involving an illegal dog kennel in a Rural

Residential neighborhood. The briefing before the Alaska Supreme Court has closed and should have oral arguments scheduled within the next 60 - 90 days and a decision before the end of the year.

B. City Council

Mr. Yoder:

- Stated two ordinances are still coming up at City Council for first reading and they will be the Conservation Subdivision and Traffic Impact Analysis ordinances. The others that have also passed will be up for public hearing and adoption at the next meeting and because there are a series of ordinances coming through, the City Council is discussing if they should have an effective date later on so they can all have the same effective date for the group of ordinances.

C. City Planner

Mr. Holycross, City Planner:

- Stated the permitting at the front counter is slower than last year for both commercial and residential at this time.
- Stated the Planning Department is gearing up for annexation that will be brought forward in the future and the Comprehensive Plan is in the process of being updated, also within the next month a consultant should be hired.

D. City Public Works Director

- None.

E. Open Meetings Act and Parliamentary Procedures Report.

Mr. Tucker and Mr. Kelly stated they both attended the training by the Matanuska-Susitna Borough and both gave a brief summary of the training.

VI. PUBLIC PARTICIPATION

None.

VII. COMMISSIONER REQUESTS

Mr. Kelly stated he noticed that there isn't any planning by the Wasilla Planning Commission. The body as a whole reacts to items brought forward and he believes the request is to talk about the Commissioners desire's for issues and projects that they would like to see brought forward and then publicly addressed and placed on the agenda for further discussion and review.

Mr. Kelly believes placing this under Commissioner Comments would not be appropriate because the public normally isn't present at this time.

MOTION: Commissioner Kelly moved to add Commissioner Requests to the agenda after Public Participation.

Discussion moved to the Commission.

MOTION: Commissioner Buswell moved to postpone adding Commissioner Requests to the agenda after Public Participation.

Discussion moved to the Commission

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

VIII. CONSENT AGENDA

- A. Minutes of February 24, 2009 meeting

GENERAL CONSENT: Minutes were approved as presented.

IX. NEW BUSINESS

- A. Public Hearings

1. **Resolution Serial No. 09-09:** A Resolution of the Wasilla Planning Commission approving a request from Nick Fonov representing Fonov Investments, LLC; K & K Enterprises; and the 42143 Trust to rezone 10.7 acres from (RR) – Rural Residential to (C) – Commercial and including Lot 8D, Block 1, Wasilla Woods RSB; and Lots 9 and 10, Block 1, Wasilla Woods Subdivision within Section 3, Township 17 North, Range 1 West, Seward Meridian, Alaska.

Mr. Holycross stated the Findings of Fact were not in the packet but were e-mailed to the Planning Commissioners and copies were available as handouts. Mr. Holycross then read in Resolution Serial No. 09-09.

Mr. Holycross then asked the Commission if they read the Findings of Fact and if not would they like him to read it into the record.

Mr. Tucker asked all the Commissioners if they read in the Findings of Fact, all stated yes and so it was not necessary for Mr. Holycross to read them in.

Mr. Holycross stated he would like to read in the Conclusion and Recommendation and he then read into record the Conclusion and Recommendation of the Findings of Fact.

Discussion moved to the Commission.

Mr. Tucker asked if there was a representative present.

1. Mr. Nick Fonov

Mr. Fonov:

- Stated he has been going through the process for several months and originally he requested a zone change then his application was changed to a variance, which wasn't approved, so now they are going through the zone change process.
- Stated that he would encourage the Planning Commission to approve the zone change request.

Discussion moved to the Commission.

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

1. Mr. Steve Stoll

Mr. Stoll:

- Stated he is very protective of his RR neighborhood.
- Stated that he is planning on constructing a 6,000 square foot building on one of his lots and understands the reasons why the Planning Commission doesn't want big commercial signs or a lot of commercial traffic in a residential neighborhood.
- Stated in Mr. Fonov's case, this is a commercial area and he is doing the appropriate thing and probably should have done this first.

With no other audience comments, Mr. Tucker closed the public hearing and asked Mr. Fonov if he had any closing comments. Mr. Fonov had no comment.

MOTION: Commissioner Kelly moved to adopt Resolution Serial No. 09-09.

Discussion moved to the Commission.

MOTION: Commissioner Kelly moved to add "WHEREAS the subject properties are adjacent to property that is commercial."

Discussion moved to the Commission.

Mr. Kelly withdrew his motion.

Discussion moved to the Commission.

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

2. **Resolution Serial No. 09-10:** A Resolution of the Wasilla Planning Commission recommending waiver of the variance application fee paid by Nikolay Fonov.

Mr. Holycross read in Resolution Serial No. 09-10.

Mr. Klinkner stated the Planning Commission does not have authority to approve the waiver of the application fee but this Resolution is a recommendation from the Planning Commission to the City Council for their approval.

Discussion moved to the Commission.

Mr. Tucker asked if Mr. Fonov had any comments.

1. Mr. Nick Fonov

Mr. Fonov:

- Stated that the request for a zone change has been a miscommunication and that he would appreciate the Planning Commission approving the recommendation

Mr. Tucker opened the public hearing on Resolution No. 09-10.

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

Discussion moved to the Commission.

MOTION: Commissioner Kelly moved to adopt Resolution Serial No. 09-10, as corrected by Mr. Klinkner.

Discussion moved to the Commission.

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

- B. Capital Improvement Program (CIP) Project Prioritization Discussion.

Mr. Holycross:

- Stated that the City of Wasilla goes through the budget process about this time of the year and the information provided is a preliminary draft and Mr. Giddings will provide a five year break down at the next meeting.

Mr. Yoder:

- Stated last year the Planning Commission reviewed the capital projects and as Mr. Kelly stated is what they are looking at as far as the planning projects around the City what the Planning Commission is what they are looking for to put in the five year plan.
- Stated the five year plan in the handout is from 2009 through 2013. A lot of these are capital improvement projects for utilities and infrastructure. They are looking at feedback from the Planning Commission and what you think you would like to see brought forward.
- Mr. Yoder then went through the handout that was adopted last year and what changes have been made.

Mr. Kelly made suggestions on the prioritization regarding the capital projects.

Mr. Hall asked Mr. Yoder if they could clarify the amounts with the additions and subtractions at the next meeting.

X. UNFINISHED BUSINESS

A. Election of officers

Nominations for Chair are Stan Tucker and Dan Kelly. A ballot vote will be done.

1. Chair

VOTE: Vote by ballot, count was three for Stan Tucker and three for Dan Kelly.

2. Vice Chair

Mr. Tucker stated since neither nominee was voted in, election of officers will be moved to the next meeting.

XI. COMMUNICATIONS

A. Calendar Review April/May 2009

Mr. Tucker stated that Mr. Wall will be attending a meeting in April and Mr. Tucker volunteered to attend a meeting in May and Mr. Webb volunteered to attend a meeting in June.

No comments were made regarding the following items.

- B. Permit Information**
- C. Enforcement Log**

XII. AUDIENCE COMMENTS

None.

XIII. STAFF COMMENTS

A. Staff Comments

Mr. Klinkner

- None

Mr. Yoder

- None

Mr. Holycross

- Stated there will be a joint work session with the City Council to discuss the comprehensive plan and will be before a Planning Commission meeting.

XIV. COMMISSION COMMENTS

B. Commissioner Comments

Commissioner Kelly

- Stated he attended the City Council meeting and didn't have anything for the Planning Commission.
- Stated on April 13, 2009, the City Council will have quite a few items brought forward and will be a busy night.

Commissioner Buswell

- Stated he is glad to see Mr. Hall back and would like to see what the City Council is proposing to change on the subdivision rewrite because a lot of time and effort went into it.

Commissioner Laub-Elkins

- Stated that if they looked at the total area for the rezone and if the comprehensive plan was updated then may have helped in the discussion.

Commissioner Webb

- Stated he will not be at the next meeting.

Commissioner Hall

- Asked if the density requirement would be added to Title 16.

Mr. Yoder stated they would be.

Commissioner Tucker

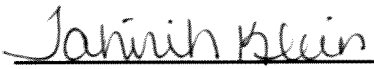
- Asked if the elections can be moved to a meeting when a full commission is present and was told that it will be under unfinished business until a new chair has been elected.
- Stated he appreciates that Mr. Hall is back and on the Planning Commission.
- Thanked everyone for being here and encourages public involvement.

XV. ADJOURNMENT

The regular meeting adjourned at 8:49 PM.

ATTEST:


STAN TUCKER, Chairman


TAHIRIH KLEIN, Planning Clerk

Adopted by the Wasilla Planning Commission April 14, 2009.