



**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

**SPECIAL MEETING**

**6:30 P.M.**

**January 13, 2009**

PLANNING COMMISSIONERS' ORIENTATION

**REGULAR MEETING**

**7 P.M.**

- 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. Guest Speaker, Friends of Mat-Su – "Green Infrastructure"
- VI. PUBLIC PARTICIPATION
- VII. CONSENT AGENDA
  - A. Minutes of December 9, 2008 meeting

## VIII. NEW BUSINESS

### A. Public Hearings

1. **Resolution Serial No. 08-18 (Continuance):** Approving a request from MulvannyG2 architecture for Fred Meyer Stores Inc. and Wit-Rey, Inc. On approximately 18.76 acres in the Commercial (C) zoning district; Lot A1-A, Olson Subdivision Addition 2003; and Lot A-7, Olson Subdivision Addition 1999.
2. **Resolution Serial No. 09-01:** Amending WMC 16.24.010 regarding density and dimensional requirements; amending WMC 16.24.020 regarding maximum residential density and minimum lot area; and enacting WMC 16.24.025 to permit deviations from the residential density and dimensional requirements where additional open space is created under an approved conservation subdivision design, and establishing the procedure for approval of a conservation subdivision.
3. **Resolution Serial No. 09-02:** Adopting WMC 16.20.030, planned unit development overlay district, repealing WMC 16.16.060(K), specific approval criteria-planned unit development, and amending WMC 16.04.070, definitions, WMC 16.12.010, approvals by planner, WMC 16.16.070, rezoning, and WMC 16.20.020, district use chart, to provide for a planned unit development to be approved as an overlay zone instead of as a conditional use, and providing for related matters.
4. **Resolution Serial No. 09-03:** Amending WMC 16.04.070, definitions; amending WMC 16.08.060, application fees, to provide for fees for all applications under WMC Title 16; repealing WMC 16.28.030 through WMC 16.28.100; and adopting WMC 16.30, subdivisions, to establish design and construction standards for subdivisions in the city.

### B. Informational Memorandums

1. **IM No. 09-01:** Building Height Code Amendment Introduction
2. **IM No. 09-02:** Outdoor Shooting Range Code Amendment.

### C. Election of officers

1. Chair
2. Vice Chair

IX. UNFINISHED BUSINESS

X. COMMUNICATIONS

A. Calendar Review January/February 2009

B. Permit Information

C. Enforcement Log

XI. AUDIENCE COMMENTS

XII. STAFF COMMENTS

XIII. COMMISSION COMMENTS

XIV. ADJOURN

**SPECIAL MEETING**

Planning Commission orientation and review of Duties - January 2009 was presented by Marvin Yoder, Deputy Administrator.

**REGULAR MEETING**

**I. CALL TO ORDER**

The regular meeting of the Wasilla Planning Commission was called to order at 7:04 PM on Tuesday, January 13, 2009, in Council Chambers of City Hall, Wasilla, Alaska by Stan Tucker, Chairman.

**II. ROLL CALL**

Commissioners present and establishing a quorum were:

- 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

Commissioner absent and excused.

- Mr. Gary Hall, Seat A

Staff in attendance were:

- Mr. Marvin Yoder, Interim Deputy Administrator
- Mr. Jim Holycross, City Planner
- Ms. Tahirih Klein, Planning Clerk
- Mr. Archie Giddings, Public Works Director
- Mr. Tom Klinkner, City Attorney

**III. PLEDGE OF ALLEGIANCE**

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

**IV. APPROVAL OF AGENDA**

**GENERAL CONSENT:** The agenda was approved as presented.

## V. REPORTS

### A. City Attorney

Mr. Klinkner, City Attorney:

- None.

### B. City Council

Ms. Woodruff:

- Stated the City has received funding from other organizations and are in the process of budgeting the funding.
- Stated the City had the State of the City address yesterday and will be in front of the Chamber of Commerce on January 27, 2009.
- Stated the City is financially stable at this time and being mindful of the future.
- Stated the City Council is interested in the deliberations from tonight's meeting on the subdivision code and what will be brought forward to the City Council.

### C. City Planner

Mr. Holycross, City Planner:

- Stated the Planning office will bring forward proposed amendments to the building height code and draft language regarding condominiums and outdoor shooting ranges.

### D. City Public Works Director

Mr. Giddings, Public Works Director

- Stated the City Council passed Resolutions to support lobbying efforts for infrastructure, which are projects from last year.
- Stated the State of Alaska/DOT is asking for nominations for the STIP list that is due in February 2009.
- Stated that they are working on the five year CIP that will be brought forward to the Planning Commission and then the City Council.

### E. Guest Speaker - Kathy Wells, Friends of Mat-Su – "Green Infrastructure"

Ms. Wells provided information and a power point presentation.

## VI. PUBLIC PARTICIPATION

### 1. Mr. Garvan Bucaria

Mr. Bucaria:

- Stated he is in support of the resolution.
- Stated he has concerns regarding neighborhood plans and that the Planning Commission should consider this possibility.
- Stated he believes the Planning Commission should take more time to review the Resolutions, minimize the runoff from drainage, and coordinate and communicate better with the State of Alaska/DOT regarding the road system.

2. Mr. Justice McPherson

Mr. McPherson:

- Stated he does work for MASCOT, Transit, and Utility Planning with the Matanuska-Susitna Borough.
- Stated he is concerned with bicycle parking for urban areas, such as businesses and residential areas. Would like to see it addressed in the new developments and plans that allow reduction in car parking for bicycle parking spaces.

3. Ms. Heather Kelley

Ms. Kelley:

- Stated she is very much in support of the open space resolution.

## VII. CONSENT AGENDA

A. Minutes of December 9, 2008 meeting

GENERAL CONSENT: Minutes were approved as amended.

## VIII. NEW BUSINESS

A. Public Hearings

1. **Resolution Serial No. 08-18 (Continuance):** Approving a request from MulvannyG2 Architecture for Fred Meyer Stores Inc. and Wit-Rey, Inc. on approximately 18.76 acres in the Commercial (C) zoning district; Lot A1-A, Olson Subdivision Addition 2003; and Lot A-7, Olson Subdivision Addition 1999.

Mr. Holycross stated that he was asked by the Planning Commission to incorporate two letters that were submitted by Barghausen Consulting Engineers and R & M Consultants dated December 8, 2008. Mr. Holycross incorporated the letters into the revised staff report and he then read Resolution Serial No. 08-18.

Discussion moved to the Commission.

Mr. Tucker asked if there was a representative present.

1. Mr. Tom Gibbons, Director of Real Estate for Fred Meyer

Mr. Gibbons:

- Thanked the Planning Commission for considering the application.
- Stated that it is important to Fred Meyer to upgrade their store to meet the demands of their customers.
- Stated they are in agreement with Mr. Holycross's recommendation of approval and they can meet the conditions as set out.

Mr. Tucker opened the public hearing on Resolution No. 08-18.

1. Mr. Bill Kramer, Susitna Investments

Mr. Kramer:

- Stated that he is the owner of Tesoro gas station near Fred Meyer and also Lot 5 which is a lot between the Tesoro gas station and Carl's Jr.
- Stated that they didn't agree with the parking and filed an appeal.
- Stated that with the new provisions they are in favor of the expansion of Fred Meyer.
- Stated the City Planner did a fine job in going through the application from Fred Meyer.

2. Mr. Gary LoRusso

Mr. LoRusso:

- Stated the City Planner did a great job.
- Stated that the City needs to make sure they keep track of the trailer parking and would like to see Fred Meyer follow the conditions.

3. Ms. Kathy Well, Director of Friends of Mat-Su

Ms. Wells:

- Stated they were never against the expansion but it was an incomplete application.
- Stated staff did a great job with the conditions of approval.
- Thanked staff for having the Planning Commission packet available on their web site.

With no other audience comments, Mr. Tucker closed the public hearing and asked if a representative from Fred Meyer's had any more comments.

1. Mr. Tom Gibbons, Director of Real Estate for Fred Meyer

Mr. Gibbons:

- Stated that they have a timing issue on ordering supplies.

Discussion followed.

MOTION: Commissioner Buswell moved to adopt Wasilla Planning Commission Resolution Serial No. 08-18.

Discussion moved to the Commission.

VOTE: Voting on the motion, it passed unanimously.

2. **Resolution Serial No. 09-01:** Amending WMC 16.24.010 regarding density and dimensional requirements; amending WMC 16.24.020 regarding maximum residential density and minimum lot area; and enacting WMC 16.24.025 to permit deviations from the residential density and dimensional requirements where additional open space is created under an approved conservation subdivision

design, and establishing the procedure for approval of a conservation subdivision.

Mr. Holycross provided a brief background on the subdivision committee and how the draft subdivision code was created.

Mr. Holycross then read in Resolution Serial No. 08-05 from the Wasilla Parks and Recreation Commission recommending adoption of the conservation subdivision design code provisions.

Mr. Holycross read in letters from Ralph Baldwin, Bill and Heather Rice, and Stephen Stoll.

Mr. Holycross introduced members from the Subdivision Committee that were present and asked Mr. Chuck Leet to give a brief summary of the committee duties.

Mr. Chuck Leet provided a summary of the Subdivision Committee duties.

Mr. Holycross asked the Commissioners present if they have reviewed Resolution Serial No. 09-01 and whether he should read into the record or summarize the Resolution.

The Commissioners present stated yes they reviewed the Resolution and that it did not need to be read into the record, a summary would be fine.

Mr. Holycross then provided a summary of the Resolution.

Mr. Tucker opened the public hearing on Resolution No. 09-01.

1. Mr. Steve Stoll

Mr. Stoll:

- Stated he is very concerned with the Resolution. Mr. Stoll is in favor of subdivision development but there isn't a provision for open space or method of maintenance.
- Stated that the Nature Conservancy doesn't manage land they manage money.
- Stated that if the City is going to take care of private parks then the City should pay for them. Also, tie into the City sewer system.
- Asked that the wording in the document should be looked at and don't duplicate.

2. Mr. William Bruu

Mr. Bruu:

- Stated he agreed with Mr. Stoll's statement.
- Stated he is the vice president of Suburban Country Homeowners Association and they have been in existence since 1975 but this Homeowners Association is nearly defunct.



- Stated the Homeowners Association was suppose to be an owner of a piece of property along the creek but the land was never transferred to the Association.
- Stated that there are many subdivisions that have parcels of land that were designated as park areas, green space, creek reserves, and etc. The parcels were then supposed to be transferred to the Matanuska-Susitna Borough but they will not accept them because of the liability.

### 3. Mr. Mark Masteller

Mr. Masteller:

- Stated that he serves on the Matanuska-Susitna Borough Planning Commission and not speaking for the body.
- Stated he has done a lot of work researching various land use options and he strongly supports this conservation subdivision option.
- Stated he believes this gives the developers an additional option for subdivision planning and development that serves the community better as we move forward.
- Stated some benefits can be higher density while providing options like good surface and ground water quality; air quality; flood water storage areas; snow storage areas; storm water and on-site drainage treatment.
- Stated this could create future public transit accommodations and future utilities.
- Stated this type of development can provide places for small farms, community gardens, community connectivity, less cost in the grey area, and no net loss tax in revenue.
- Stated that he understands that this is an option to developers not mandatory.

### 4. Mr. Garvan Bucaria

Mr. Bucaria:

- States he supports the green infrastructure, there are some caveats.
- States he bought property near some playing fields that are managed by the borough. In that area it's a continuous problem with vandalism and trespassing.
- States in these subdivisions there should be a source of water and a septic system that is through the City.
- Stated the wording in the document should be looked at and stated some examples.
- Thanked the members on the subdivision committee and appreciated their hard work.

### 5. Mr. Rob Gamel

Mr. Gamel:

- Stated he has been a real estate developer since 1976 in the Anchorage, Eagle River, and in the Valley areas, has been apart of developing and master planning in environmental sensitive lands, and for 13 years was the project manager with Carr-Gottstein properties and then the CEO for

Eklutna Corporation and had quite a bit of sensitive soils that needed to be protected and this type of ordinance was used for this and for that matter is the national trend and national needs for protecting sensitive lands.

- Stated both in private industry as well as government that to protect sensitive land is to set it aside.
- Stated about ten years ago the Core of Engineers recommended the best way to is to set parcels aside in open space. Whether they become public or private is really largely determined on whether if they are passive; means open space areas with sensitive lands that are to be left undisturbed, and active; means more active areas that have trails, parks, etc.
- Stated if the development is bordering an area where it's going to get public use by a trail system by the areas surrounding it then it is usually better for the City or local Government to take it over.
- Stated he agrees with Mr. Bruu where the land needs to be dedicated it should be part of the plat and there are provisions in the code provided.

Discussion followed.

6. Mr. Kevin Sorensen

Mr. Sorensen:

- Stated that he developed property with common water and sewer, a trail system, and a pond in the common area. The easements are recorded and on the deeds where the owners are aware of them and the homeowner's association collects fees for the water and maintenance of the park and trails.
- States he supports the option a developer can use and that people want different things depending on the market.

7. Mr. Chuck Leet

Mr. Leet:

- Stated in general he has heard people in favor of this resolution and that the document can be updated in the future and believes this document is a start in the right direction.

8. Mr. Karl Lund

Mr. Lund:

- Stated he was on the subdivision committee and that he would have liked to see a draft of the code before it was presented, but he is glad it is moving forward.
- Stated that there a couple things he asked for and they are adding conditions where the lot sizes next to one another are different in size add a buffer between the parcels and a add a reclamation bond so there are funds to restore the land.

9. Mr. Steve Miller, Raven Engineering

Mr. Miller:

- Stated he is in favor of the conservation subdivision concept but the issues brought up tonight should be addressed before going forward.

10. Mr. Bill Kramer

Mr. Kramer:

- Stated he has been a commercial and residential developer for the last 25 years in Anchorage and Eagle River.
- Stated he is in favor of the resolution and is a great option to developers.
- Stated the proposed changes he would like to address are requests from builders on existing neighborhoods adjacent to new developments and current residents of new subdivisions. The trend of a certain segment of home buyers have changed and believes it is important to address this as a collective group.
- States the conservation subdivision allows buffers between existing subdivisions and new subdivisions, as well as other amenities, and connectivity.

11. Mr. Gary LoRusso

Mr. LoRusso:

- Stated that he was a part of writing the Borough subdivision regulations with Title 27 and worked on the City of Wasilla's site plan regulations.
- Stated that there is an exception he would like to see worded different and it is on page 7 of 9:

G. Minimum Open Space Dimensions.

..."Exceptions to this one hundred (100) foot minimum may be permitted for linear features such as stream and trail corridors which extend over the length of the property, buffers"...

- Stated that if there is no minimum lot size stated in the subdivision code it would then refer to Borough code.
- States the answer to questions about how things will be taken care as far as costs are on page 8 of 9 under maintenance of the open space and believe this document is ready to move forward.

12. Ms. Kathy Wells

Ms. Wells:

- Stated that she believes this document is ready to move forward and can be amended in the future and all the benefits that Mr. Masteller stated.

13. Mr. Russell Joyce

Mr. Joyce:

- Stated that he is a local realtor and is in support of giving options to the public and developers.

- Stated that he appreciates what the volunteers have accomplished on this project, what has been proposed allows the City to be good stewards of the land, and make a better community.
- Stated there is a cost when managing open space and he proposes the cost will be much higher, if we don't do this in the long run because of the ability of the community to go forward and be established as a place where people would like to live and be able to afford to live.
- Stated smaller lots, open space, and connectivity will make it more affordable and appealing for people who do not want larger lots to maintain.

14. Ms. Diane Woodruff

Ms. Woodruff:

- Stated that she is on the City Council but here as a member of the community.
- Thanked the members of the Committee, staff, Commissioners, everyone that attended the meetings, the public that attended tonight that were for or against, and she believes the importance of the public involvement in the process.
- Stated regarding the Shadowood Subdivision experience that one of the biggest issues the neighbors had was that they were looking at high density neighborhood standards. There is good density and not so good density and they have seen examples of each. This is a start to have standards in place and it is not going to be everything that everybody wants.
- Stated that in the table section under RR zoning that the wording might need attention from the City Attorney. It talks about 20,000 sq. ft. for City water and the issue that needs to be addressed is City sewer.

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

MOTION: Commissioner Kelly moved to adopt Wasilla Planning Commission Resolution Serial No. 09-01.

Mr. Tucker asked the Commission if they would like to take a five minute break, the Commission agreed to recess for five minutes.

The regular meeting recessed at 9:54 pm.

The regular meeting returned from recess at 10:01 pm.

Mr. Tucker stated that we had the public hearing on Resolution Serial No. 09-01.

Discussion moved to the Commission.

MOTION: Commissioner Kelly moved to postpone this motion to our next meeting.

Mr. Tucker stated that the motion dies for a lack of a second.

Mr. Tucker then asked the clerk to take a roll call vote.

VOTE: Voting on the motion, it passed with a roll call vote of 4, Commissioners Wall, Laub-Elkins, Tucker and in Webb in favor and 2, Commissioners Kelly and Buswell against.

Mr. Tucker stated that according to the Planning Commission By-Laws, "No new agenda item will be considered after 10:00 P.M. unless agreed to by five members present and the meetings will adjourn prior to 11:00 P.M. unless an extension is approved by five of the members present." Mr. Tucker then asked if there was any objection not to introduce any new items. There was no objection by the Commissioners.

The Planning Commission will not introduce the remaining new business items due to the lateness of the meeting and they will be placed on the next regular meeting agenda.

3. **Resolution Serial No. 09-02:** Adopting WMC 16.20.030, Planned Unit Development Overlay District, repealing WMC 16.16.060(K), specific approval criteria – planned unit development, and amending WMC 16.04.070, definitions, WMC 16.12.010, approvals by planner, WMC 16.16.070, rezoning, and WMC 16.20.020, district use chart, to provide for a planned unit development to be approved as an overlay zone instead of as a conditional use, and providing for related matters.
4. **Resolution Serial No. 09-03:** Amending WMC 16.04.070, definitions; amending WMC 16.08.060, application fees, to provide for fees for all applications under WMC Title 16; repealing WMC 16.28.030 through WMC 16.28.100; and adopting WMC 16.30, subdivisions, to establish design and construction standards for subdivisions in the city.

B. Informational Memorandums

1. **IM No. 09-01:** Building Height Code Amendment Introduction
2. **IM No. 09-02:** Outdoor Shooting Range Code Amendment

C. Election of officers

1. Chair
2. Vice Chair

**VII. UNFINISHED BUSINESS**

- A. None.

## **X. COMMUNICATIONS**

### **A. Calendar Review January/February 2009**

Chairman Tucker stated that Ms. Laub-Elkins has volunteered to attend in January and then asked for a volunteer to represent the commission to council in February, Mr. Kelly volunteered to be the representative in February.

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

## **XI. AUDIENCE COMMENTS**

### **1. Mr. Steve Stoll**

Mr. Stoll:

- Stated that because there are no standards some developers will not have the City in mind when developing.
- Stated the Planning Commission are the planners for the City of Wasilla and should send a finished product to the City Council not an incomplete document.

### **2. Mr. William Bruu**

Mr. Bruu:

- Stated that in the Ordinance being forwarded talks about ownership of the common areas, which states "Tenants in Common" and he believes the banks will not finance the loan because of it.

### **3. Mr. Gary LoRusso**

Mr. LoRusso:

- Stated that he disagrees with Mr. Bruu on the banks not financing a lot with Tenants in Common, because he developed a subdivision with open space and was able to get a bank to finance the project.
- Stated that the community septic systems being on City owned property is in the code being presented.

### **4. Mr. Chuck Leet**

Mr. Leet:

- Stated that he isn't sure how Resolutions Serial No. 09-01, No. 09-02, and No. 09-03 were broken up but believes they belong together and should be approved together and the Resolutions Serial No. 09-02 and No. 09-03 should go forward as well.

## **XII. STAFF COMMENTS**

### **A. Staff Comments**

Mr. Klinkner

- No comment.

Mr. Yoder

- Stated that the City and Borough have had three or four meetings regarding the property near the school asking the Borough to donate the piece of property to the City so they can maintain it. The transfer of the property has been the issue and the City is still working with the Borough to try and resolve the issue.
- Stated he agreed with Mr. Leet that the three items are a package deal and will need to decide if they will bring all three items to the City Council together. Will also take a hard look at all the comments and issues to make sure they are brought forward to the City Council and this meeting was very informative.

Mr. Holycross

- Thanked the Commissioners on their discussion about this and their previous work sessions on this code language.
- Welcomed the new Commissioners and even though they didn't get to work on this code language Mr. Holycross stated they will have more amendments being brought forward in the future.

### **XIII. COMMISSION COMMENTS**

#### **A. Commissioner Comments**

Commissioner Webb

- Stated that this Conservation Subdivision Resolution needed to go forward, there will always be issues and they will work themselves out.
- Stated the he won't be at the next meeting.

Commissioner Laub-Elkins

- Stated she likes the flexibility of the conservation subdivisions and they will add a lot of beauty to the City of Wasilla.

Commissioner Wall

- Extended his appreciation to Mr. Yoder on his training session and asked that the new Commissioners have a review of the Conservation Plan.
- Thanked Ms. Wells for her presentation.
- Asked why the maps in the packet weren't bigger and Mr. Holycross responded.
- Stated he had concerns of Resolution No. 09-01 on the minimum lot size and thinks it's important to allow the flexibility for the developers and encouraged to hear there is a minimum with the Borough so they don't go below the 8,400 sq. ft.

- Stated the concern that Mr. Stoll brought up on the cost to the City on water and sewer on the smaller communities was a good one. Believes that it should be up to the local owner's of these open spaces that the maintenance is kept up and the plan for the area stays in place.

Commissioner Buswell

- Stated his biggest issue was fairness and application and something that open could be interrupted at great variances. It may make it hard to apply it fairly across the board. Believes this is a great program and would like to see it in place.

Commissioner Kelly

- Stated his concern with tonight is that after listening to a public hearing and getting all the comments from everyone that was present. We did not utilize any of it because we closed it and sent it on to the council.
- Stated that is not our job and we should have worked on it after the fact, and he was very disappointed that they didn't go over possible changes that we thought were necessary, could have established a work session, or postponed our decision and considered the comments from tonight hearing.
- Stated that we don't have any recourse from what's been said tonight and bad or good it's over and hopes he doesn't see it happen again, but it may. Would like to see the public comments utilized as much as possible so it can give honor to those who took time out of their lives to be present at these meetings.
- Stated he knows it will be good to work with the Planning Commission and a continuation would have been nice.

Commissioner Tucker

- Thanked the Planning Commission and staff for being here until the late hour and welcomed the new Commissioners.

#### XIV. ADJOURNMENT

The regular meeting adjourned at 10:37 PM.

ATTEST:

  
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STAN TUCKER, Chairman

  
\_\_\_\_\_  
TAHIRIH KLEIN, Planning Clerk

Adopted by the Wasilla Planning Commission February 10, 2009.