



MAYOR
Verne E. Rupright

CITY PLANNER
Tina Crawford

WASILLA PLANNING COMMISSION

Dan King, Seat A
Daniel Kelly Jr., Seat B
Steven DeHart, Seat C
Doug Miller, Seat D
Glenda Ledford, 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 22, 2011

- 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 *(five minutes per person, for items not scheduled for public hearing)*
- VII. CONSENT AGENDA
 - A. Minutes of March 8, 2011, meeting.
- VIII. NEW BUSINESS *(five minutes per person)*
 - A. Public Hearing
 1. **Resolution Serial No. 11-07:** Approving Variance No. V11-01 allowing a 9' reduction from the required 25' front yard setback and a waiver of the required 10' parking lot perimeter planting bed for Tract A-3, Olson Subdivision 1999 Addition, to allow construction of

a 6,600 square feet commercial building on approximately 0.66 acres, generally located on the north side of the George Parks Highway just west of the Palmer-Wasilla Highway.

- a. City Staff
- b. Applicant
- c. Private person supporting or opposing the proposal
- d. Applicant

2. **Resolution Serial No. 11-08:** Approving Conditional Use Permit No. CU11-01 to allow the development of an 85,301 square foot Valley Native Primary Care Center on approximately 10 acres within a 34 acre site in the Commercial zoning district, on Tract A and Lot 1, Block 1, Rock Center Subdivision, Phase I, generally located on the northeast corner of Knik-Goose Bay Road and Palmer-Wasilla Highway.

- a. City Staff
- b. Applicant
- c. Private person supporting or opposing the proposal
- d. Applicant

IX. UNFINISHED BUSINESS

X. COMMUNICATIONS

- A. Permit Information
- B. Enforcement Log

XI. AUDIENCE COMMENTS

XII. STAFF COMMENTS

XIII. COMMISSION COMMENTS

XIV. ADJOURNMENT

I. CALL TO ORDER

The regular meeting of the Wasilla Planning Commission was called to order at 7:00 PM on Tuesday, March 8, 2011, in Council Chambers of City Hall, Wasilla, Alaska by A.C. Buswell, III, Chairman.

II. ROLL CALL

Commissioners present and establishing a quorum were:

- Mr. J. Dan King, Seat A
- Mr. Daniel Kelly, Jr., Seat B
- Ms. Glenda Ledford, Seat E
- Mr. Clark Buswell, Seat F
- Mr. Robert Webb, Seat G

Commissioners absent and excused:

- Mr. Steven DeHart, Seat C
- Mr. Doug Miller, Seat D

Staff in attendance were:

- Mr. Marvin Yoder, Deputy Administrator
- Ms. Tina Crawford, City Planner
- Ms. Tahirih Klein, Planning Clerk

III. PLEDGE OF ALLEGIANCE

- A. Commissioner Kelly led the pledge of allegiance.

IV. APPROVAL OF AGENDA

GENERAL CONSENT: The agenda was approved as presented.

V. REPORTS

- A. City Attorney
No report given.

- B. City Council
Mr. Yoder provided a brief summary of the joint Wasilla City Council meeting and the Matanuska-Susitna Borough regarding libraries.

C. City Planner

No report given.

D. City Public Works Director

Mr. Yoder provided a summary of the public right-of-way routes for the Wasilla bypass and a conflict with a subdivision being developed.

VI. PUBLIC PARTICIPATION (*five minutes per person, for items not scheduled for public hearing*)

There were no public comments.

VII. CONSENT AGENDA

A. Minutes of February 22, 2011, meeting

GENERAL CONSENT: Minutes were approved as amended.

VIII. NEW BUSINESS (*five minutes per person*)

A. Public Hearings

1. **Resolution Serial No. 11-05:** Recommending that the Wasilla City Council amend WMC 16.16.060, Specific Approval Criteria, to remove the limit on number of children permitted in a day care facility in the Commercial zoning district; and amend WMC 16.20.020, District Use Chart, to change the required review from a Use Permit to an Administrative Approval.

a. City Staff

Ms. Crawford stated there were four e-mails in support of the change and provided copies.

b. Applicant

City of Wasilla is the applicant.

c. Private person supporting or opposing the proposal

Chair Buswell opened the public hearing for Resolution Serial No. 11-05 for public input.

With no one present to speak, Chair Buswell closed the public hearing on Resolution Serial No. 11-05.

d. Applicant

MOTION: Commissioner Kelly moved to adopt Resolution Serial No. 11-05 as presented.

Discussion moved to the Commission.

MOTION: Commissioner Kelly moved for a primary amendment to add the words "no more" and remove "less" to read as follows:

- B. Day Care. In the RR, R1, and R2 [AND C] districts the following apply;
 - 1. A day care facility is limited to [LESS] no more than twenty-five (25) people.

Discussion ensued.

VOTE: The motion to amend Resolution Serial No. 11-05 as amended passed unanimously.

VOTE: The motion to approve Resolution Serial No. 11-05 as amended passed unanimously.

2. **Resolution Serial No. 11-06:** Recommending that the Wasilla City Council repeal Ordinance Serial No. 96-06, 1996 City of Wasilla Comprehensive Plan, as amended, and adopt the proposed 2011 City of Wasilla Comprehensive Plan.

a. City Staff

Ms. Crawford provided a brief summary of the history regarding the update to the Comprehensive Plan and stated she has not received any comments from the public or the Planning Commission.

b. Applicant

City of Wasilla is the applicant.

c. Private person supporting or opposing the proposal

Chair Buswell opened the public hearing for Resolution Serial No. 11-06 for public input.

With no one present to speak, Chair Buswell closed the public hearing on Resolution Serial No. 11-06.

d. Applicant

MOTION: Commissioner Kelly moved to approve Resolution Serial No. 11-06 as presented.

Ms. Sara Wilson-Doyle stated that the City is still waiting for 2010 Census data before finalizing the document and also some minor formatting and grammatical revisions.

Discussion moved to the Commission.

MOTION: Commissioner Kelly moved to amend Resolution Serial No. 11-06 to change the word Action to Policies in the Comprehensive Plan.

Discussion moved to the Commission.

VOTE: The motion to amend Resolution Serial No. 11-06 as amended failed with Commission Kelly in favor and Commissioner Ledford, Webb, King and Chair Buswell against.

VOTE: The motion to approve Resolution Serial No. 11-06 as presented passed unanimously.

Ms. Wilson-Doyle stated she handed out a couple items regarding the downtown area element.

X. UNFINISHED BUSINESS

There was no unfinished business.

IX. COMMUNICATIONS

No statements made regarding the following items.

- A. Calendar Review 2011
- B. Permit Information
- C. Enforcement Log

X. AUDIENCE COMMENTS

No one present.

XI. STAFF COMMENTS

- A. Staff Comments

Mr. Yoder stated they have compiled a list of businesses in the City of Wasilla Limits and will use it to discuss the proposed downtown overlay district and stated the City Attorney has written reconsideration for the outdoor firing range regarding noise implications in the RR zoning.

Ms. Crawford stated that she appreciates the Planning Commissioners' comments and the work they have done on the Comprehensive Plan and looking forward to working on Title 16.

XII. COMMISSION COMMENTS

Commissioner Kelly stated that he is grateful that the Comprehensive Plan is moving forward and thanked Sarah Wilson-Doyle.

Commissioner Webb asked the Planning Clerk to remind him of the City Council meetings in March.

Chair Buswell stated that he appreciates all the members on the Commission and their views.

XIII. ADJOURNMENT

The regular meeting adjourned at 7:30 PM.

ATTEST:

A.C. BUSWELL, III, Chairman

TAHIRIH KLEIN, Planning Clerk

Adopted by the Wasilla Planning Commission -, 2011.

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STAFF REPORT
Prepared by:
For the meeting of:

Case # V11-01
Planning Staff
March 22, 2011

I. SUMMARY FACTS:

Applicant: Calvin Koshiyama, Livingstone Stone, Inc.

Land Owner(s): Blue Rock Assets LLC

Proposal: A 9' variance from the required 25' front yard setback and a waiver of the required 10' parking lot perimeter planting bed for, to allow construction of a 6,600 square feet commercial building.

Location: Tract A-3, Olson Subdivision, 1999 Addition (generally located on the north side of the George Parks Highway just west of the Palmer-Wasilla Highway)

Parcel size: 0.66 Acres±

Zoning District: Commercial

Comprehensive Plan: The *1996 Expected Future Land Use Map* designates the subject property as "Generally Commercial/Business".

Surrounding Zoning: North: Commercial
South: Commercial
East: Commercial
West: Commercial

II. STAFF RECOMMENDATION:

Staff recommends approval of this request with the conditions noted on Page 7.

III. SUMMARY OF REQUEST

The applicant is requesting a 9' variance from the required 25' front yard setback and a waiver of the required 10' parking lot perimeter planting bed in order to construct a 6,600 square foot commercial building.

WMC 16.28.110 provides for variances to density, setback, or height standards of this chapter and WMC 16.33.070 allows a waiver or modification of the landscape density, location, or height.

WMC 16.24.030 Setbacks and height

A. Setbacks are measured from the outermost portion of the building to the nearest lot line or building as appropriate. Temporary buildings may be permitted within the side or rear yard area as administrative approval by the city planner. Where other setback standards are applicable, the most restrictive setback standards apply. The following are the building setback and height standards:

1. Front and rear yard setbacks are twenty-five (25) feet from the lot line. In the commercial district, the city planner may modify the front and rear setbacks by averaging the existing building line and applying this average setback to the building.

WMC 16.33.070 Waivers or modifications

A. The commission may waive or modify a requirement in this title concerning the density, location or height of landscaping as provided in this section.

IV. ISSUES REGARDING CODE

Wasilla Municipal Code sets forth the requirements for variance approvals in §16.28.110 and in §16.33.070. The procedural requirements and variance standards are identified below with appropriate staff findings for each. The first set of findings applies to the setback variance and the second set of findings is for the landscape waiver.

SETBACK VARIANCE:

§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.

Staff Finding: A complete application was submitted to the Planning Department on March 1, 2011.

§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.

Staff 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 notice was posted on the property and mailed on March 8, 2011 to all properties within a 1,200' radius, allowing for the proper number of days in which to comment in accordance with 16.16.040.

§16.28.110(C) Variance Standards.

A variance may be granted only if:

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;

Staff Finding: The conditions do not apply generally to other properties in the Commercial district or vicinity. This property has a very irregular shape that is not typically found in the surrounding properties or other commercial properties.

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;

Staff Finding: The property configuration is irregular in shape and contains easements along all four property lines that limit the developable area more than other similar properties in the area.

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;

Staff Finding: Without approval of a variance, only a very small commercial building could be built on the property.

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

Staff Finding: The applicant did not cause the conditions that require a variance. The property was originally larger, but Fred Meyer Stores, Inc., the previous owner, granted a right-of-way easement on approximately 3,531 square feet along the southern property line to the State of Alaska Department of Transportation and Public Facilities in 2002.

5. The variance is not sought solely to relieve pecuniary hardship or inconvenience.

Staff Finding: The variance is not sought to relieve a pecuniary (financial) hardship or inconvenience. Without any variance, it would be difficult to build a commercial building on this property.

§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;

Staff Finding: The variance and waiver request are necessary to allow reasonable use of the lots. The applicant is only proposing a 6,600 square foot building. Other commercial buildings on similar size tracts in the immediate area range between 3,940 to 7,990 square feet.

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

Staff Finding: The proposed commercial building is a permitted use 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;

Staff Finding: The variance is in keeping with the spirit and intent of the chapter since the property has a commercial zoning and future land use designation and is located within a commercially developed area.

4. The variance will not be detrimental to the public health, safety or welfare; and

Staff Finding: The variance will not be detrimental to public health or welfare.

5. The variance will not significantly adversely affect other property.

Staff Finding: The requested variance should not significantly adversely affect other properties in the area. The subject property is surrounded by commercial uses to the north and the Parks Highway to the south.

§16.16.040(A)(6) Decision.
The commission shall decide to deny, approve or approve with conditions the proposal or appeal. The burden of proof shall be on the applicant. The commission's decision may be made immediately following the public hearing portion of the commission meeting. The decision of the commission shall set forth the facts it finds relevant to its decision and the reasons for its decision. The effective date of the decision is the date the findings and the reasons are set out in writing and signed by the commission chairperson or the chairperson's designee.

LANDSCAPE WAIVER:

§16.33.070(A)(1) Preapplication Conference.
The applicant shall schedule a preapplication conference with the planner to review the proposed waiver or modification.

Staff Finding: The applicant met with the planner to discuss proposed site plan and necessary waivers, including the waiver process.

§16.33.070(A)(2) Application and Site Plan.
After the preapplication conference, the applicant shall submit an application for the waiver or modification to the planner with the appropriate fee. The application shall include a site plan depicting all information relevant to the requested waiver or modification. The planner may require that the site plan be produced by a registered professional engineer, architect, landscape architect or land surveyor.

Staff Finding: The applicant submitted the required application and site plan on March 1, 2011.

§16.33.070(A)(3) Public Hearing.
The commission shall hold a public hearing on the application. The notice, comment period, and hearing procedure shall be the same as provided in Section 16.16.040 for a conditional use.

Staff Finding: All notice, comment period, and hearing procedures were met (see setback variance staff finding for §16.28.110(B)).

§16.33.070(A)(4) Decision.
The commission may approve an application only if the commission finds that the application meets all of the following standards:

(a) Either (i) natural vegetative features within or adjacent to the property, or the shape, topography, drainage or other physical features of the property, make compliance with the landscaping requirements of this title impracticable or contrary to the public interest; or (ii) compliance with the landscaping requirements of this title will have an adverse effect on other property;

Staff Finding: The shape of the property makes it difficult to meet the required setbacks, parking, and landscape requirements in Title 16. In order to provide the required parking spaces and have reasonable use of the property, a waiver of the parking lot perimeter plant bed requirements is necessary.

(b) The special conditions that support the waiver or modification are not caused by the person seeking the waiver or modification, a predecessor in interest, or the agent of either;

Staff Finding: The applicant did not create the property configuration. He purchased the property after the plat was approved by the Matanuska-Susitna Borough.

(c) The waiver or modification is not sought solely to relieve pecuniary hardship or inconvenience;

Staff Finding: The waiver is necessary to allow construction of a commercial building with the required on-site parking and is not requested to relieve a financial hardship or inconvenience.

(d) The waiver or modification will not significantly affect adjacent property or water bodies; and

Staff Finding: The waiver will not affect adjacent properties or water bodies since the adjoining properties contain commercial uses and there are no water bodies abutting this property.

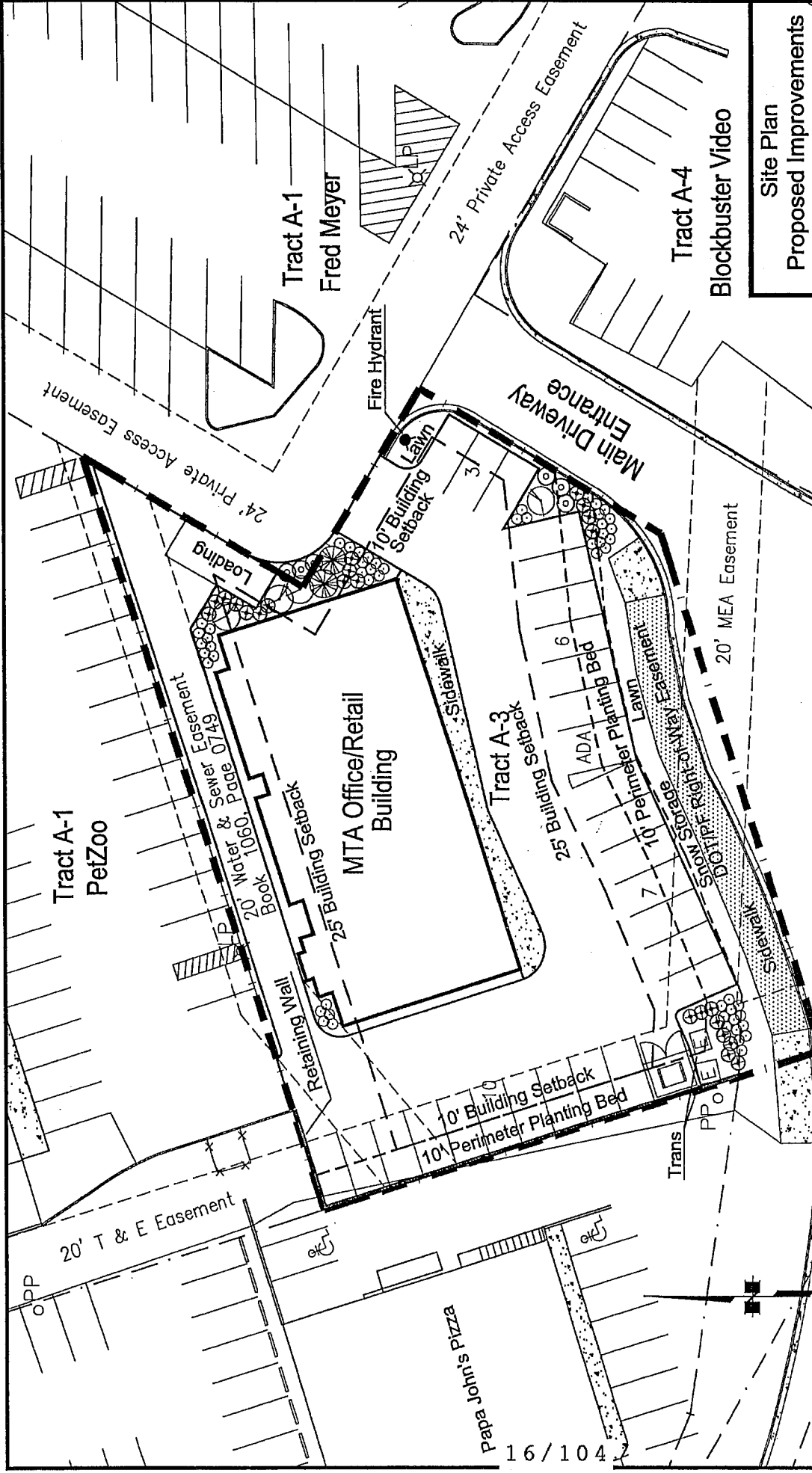
(e) The waiver or modification is consistent with the spirit and intent of this chapter.

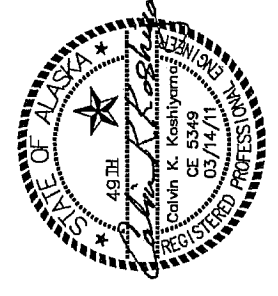
Staff Finding: The waiver is consistent with the spirit and intent of this chapter. The property is zoned Commercial and will be compatible with the surrounding uses.

VI. CONCLUSION AND RECOMMENDED CONDITIONS

Based on the above, staff recommends that the Planning Commission approve the requested variance with the following conditions:

1. Provide and maintain landscaping in excess of the minimum required landscaping on all pervious areas on the site; and
2. Provide and maintain vegetation on the pervious areas of the Alaska State Department of Transportation and Public Facility right-of-way easement.



<p>Site Plan</p> <p>Proposed Improvements</p>	 <p>PREPARED BY: CALVIN K. KOSHIYAMA</p>
<p>MTA Office / Retail Building Tract A-3, Wasilla, Alaska Fred Meyer-Wasilla Retail Center</p>	<p>CONSULTANT: Livingston Slone, Inc. 3900 Arctic Boulevard, Suite #301 Anchorage, Alaska 99503-5790 Tel. 907-562-2058 Fax. 907-561-4528</p>
<p>OWNER: Blue Rock Assets LLC ADDRESS: 1120 East Huffman, Suite 24#202 Anchorage, Alaska 99515 Phone: 907-227-3193</p>	<p>LEGAL DESCRIPTION: Olson Subdivision 1999 Addition Tract A-3, Section 11, T17N, R1W, S.M., Alaska</p>
<p>SCALE: 1:40</p>	

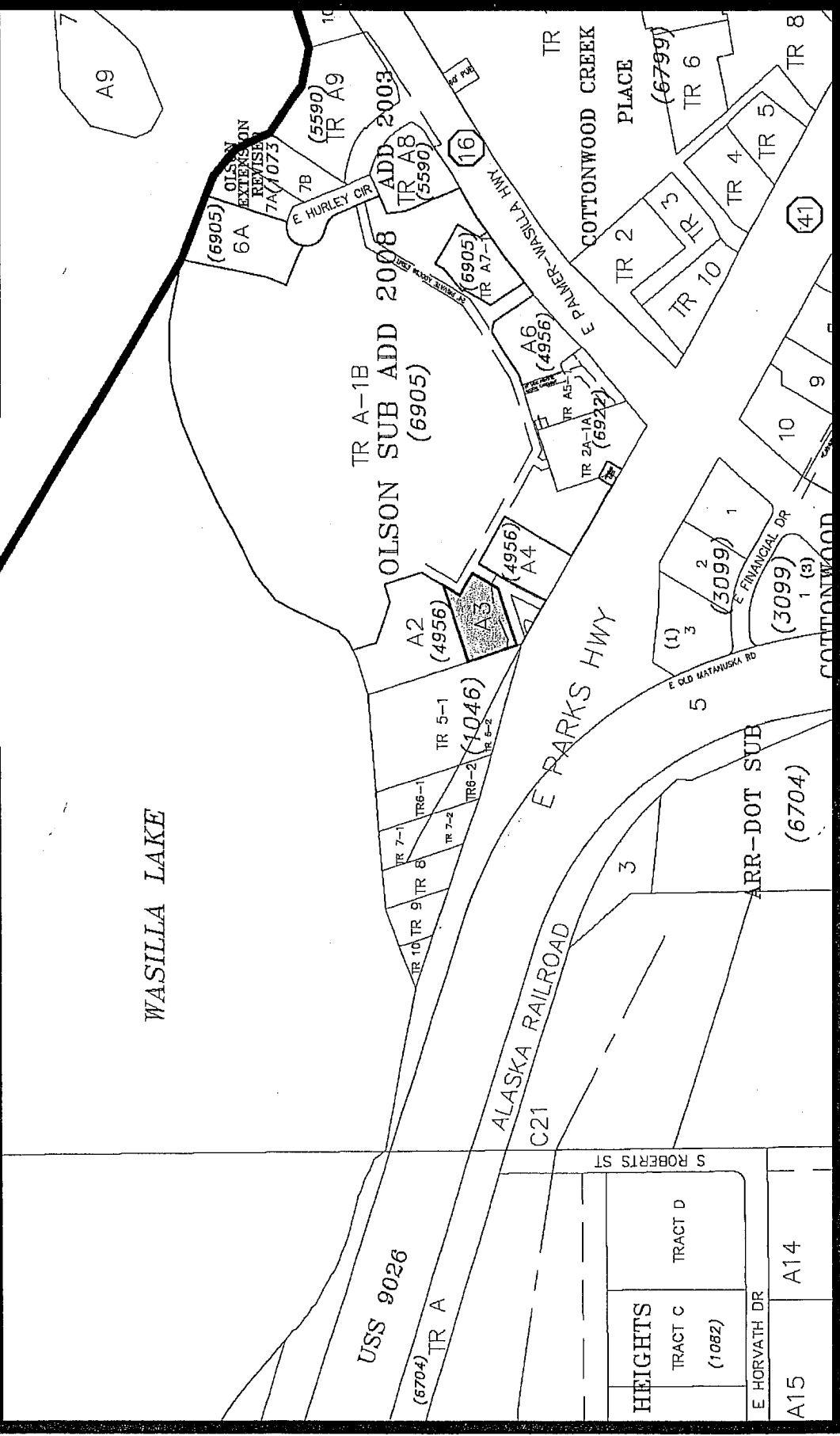
CASE NO. V11-01

A 9' *Variance* from the required 25' rear lot line setback and a waiver of the required 10' parking lot perimeter planting bed, on Tract A-3, Olson Subdivision 1999 Addition. Wasilla Municipal Code 16.24.030.A.1 requires front and rear yard setbacks of 25' from the lot lines and 16.24.040.D.4.b states a parking lot containing ten (10) or more parking spaces shall include around it perimeter a planting bed having a minimum width of ten (10) feet, parcel is zoned C-Commercial.

Applicant: Blue Rock Assets LLC

SUBJECT PROPERTY

SCALE IN FEET



**NOTIFICATION OF PUBLIC HEARING
-VARIANCE REQUEST-**

DATE: 03-07-11

CASE #: V11-01

The City of Wasilla Planning Commission will consider the following:

PETITIONER (S): Blue Rock Assets LLC

REQUEST: A 9' Variance from the required 25' rear lot line setback and a waiver of the required 10' parking lot perimeter planting bed; on Tract A-3, Olson Subdivision 1999 Addition. Wasilla Municipal Code 16.24.030.A.1 requires front and rear yard setbacks of 25' from the lot lines and 16.24.040.D.4.b states a parking lot containing ten (10) or more parking spaces shall include around it perimeter a planting bed having a minimum width of ten (10) feet, parcel is zoned C--Commercial.

You are being notified of this action as you are a property owner within 1,200' of the subject property, (WMC 16.16.040). A Planning Commission public hearing on this request is scheduled for **March 22, 2011 at 7:00 PM** in the City Council Chambers. Comments may be submitted in writing by filling in the spaces provided below and mailing to: City of Wasilla, Planning Office, 290 E. Herning Ave, Wasilla, AK 99654.

If there is not enough room below please attach a separate piece of paper. You may also fax comments to (907) 373-9021 or email them to: planning@ci.wasilla.ak.us. Your written comments on this request must reach the Planning Office on or before March 22, 2011 in order to be included in the packet. Comments received after that date will be available at the public hearing.

Anyone wishing to review the application for this case is encouraged to contact the Planning Office at (907) 373-9020 for additional information.

Name Ken Duffuo

Address 20441 Ptarmigan Blvd ER

Lot _____ Block _____ Subdivision Olson S/D Tract A-3

Comments: We have no objection to the proposed variance and reduced set back.

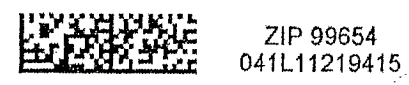
We appreciate the opportunity to comment and support the continued development.



CITY OF WASILLA
PLANNING OFFICE
290 E HERNING AVE
WASILLA, AK 99654
PHONE 373-9020 FAX 373-9021

5590000T00A9
CASCARA LLC
20441 PTARMIGAN BLVD
EAGLE RIVER, AK 99577-8736

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FIRST CLASS

PUBLIC NOTICE

Tahirih Klein

From: Duffus Kenneth <kndeng12@me.com>
Sent: Saturday, March 12, 2011 12:14 PM
Planning
Subject: Comments on Case #V11-01
Attachments: Document-.pdf

MAR 01 2011



CITY OF WASILLA
 • Planning Office •
 290 East Herning Avenue • Wasilla • Alaska • 99654-7094
 • Telephone 907-373-9020 •

Planning Office
 City of Wasilla

APPLICATION FOR VARIANCE

Permit #: V 11-01
 Date: 3-1-11

I. PROPERTY OWNER*		OWNER'S REPRESENTATIVE (If Any)	
Name: Blue Rock Assets LLC		Name: Livingston Slone, Inc. Calvin Koshiyama Joe Abegg	
Mailing Address: 1120 East Huffman, Suite 24 #202		Mailing Address: 3900 Arctic Blvd, Suite 301,	
Anchorage, Alaska 99515		Anchorage, Alaska 99503	
Contact Phone: Day 227-3193 Night		Contact Phone: Day 562-2058 Night	
FAX: 344-1619		FAX: 561-4528	
E-mail: bobcarleak@aol.com dprince@deveryprince.com		E-mail: cal@livingstonstone.com joe@livingstonstone.com	

II. PROPERTY INFORMATION	
Size of property	28,872 square feet or 0.6628 acres
Property tax #	54956000T00A3
Street Address:	N/A
Legal Description:	Lot(s) _____ Block _____ Subdivision Olson Subdivision 1999 Addition
OR	
Parcel/Tract	A-3 Section 11 Township T17N Range R1W
[Attach additional page if necessary.]	
Zoning:	RR Residential <input type="checkbox"/> R1 Single-family Residential <input type="checkbox"/> R2 Residential <input type="checkbox"/> RM Multi-family <input type="checkbox"/> C Commercial <input checked="" type="checkbox"/> I Industrial <input type="checkbox"/> P Public <input type="checkbox"/>

III. VARIANCE	
Applicant seeks a Variance from the following general requirement (s):	
Code Section #:	<u>16.24.030.A.1, 25 ft rear yard setbacks, and 16.24.040.D.4.b, perimeter landscaping.</u>
Describe problem and the minimum variation from code necessary to resolve the problem:	
A 6,600 sf building is proposed for Tract A-3. Tract A-3 is an unusually configured lot with utility easements and a DOT/PF ROW easement taking up a large portion of the site. There is also a grade difference between the site and the adjacent property to the west. These existing conditions, and the 25 ft rear yard setback and 10 ft perimeter planting bed required by the Codes prevent the development of the proposed 6,600 sf building and parking-circulation drives. We request a reduction of the rear yard setback to 16 ft and the elimination of the 10 ft perimeter planting bed requirement. Please see the attached Project Narrative for more detailed information.	

At Least two (2) days before the pre-application conference, submit the following materials to the Planning Office:

1. A copy of a plat or other legal description of the property.
2. A sketch of the property showing the features the applicant believes are relevant to the variance request.

APPLICATION

In addition to a site plan, the applicant must describe how their requested variance complies with each of the following five standards listed in Section 16.28.110 of the Land Development Code. You may use the space provided on this form or attach your answers. A variance may only be granted if the Planning Commission finds that these five standards are met.

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.

Describe how the problem stated on page one is unique to your property.

The unusual configuration of Tract A-3, along with the various utility easements and the DOT/PF Right-of-Way Easement have greatly reduced the area on-site that is available to construction of a 6,600 sf building and the required parking and circulation drives. The 25 foot rear yard setback and 10 foot perimeter planting beds will further restrict the available area.

2. Explain how the conditions described above 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 how conditions arise out of surrounding development or conditions.

Tract A-3 is the last undeveloped piece of land in the Fred Meyer shopping campus and has been impacted by the development of the adjacent business in the campus and the lot to the west that surround it. Parking lots and driveways of the neighboring tracts have been constructed up to and, in the case of the PetZoo parking lot, into the property. The Papa John's Pizza's service-loading area has been cut down to create a grade difference of up to 8 feet at the west property and will require a retaining wall. The DOT/PF ROW Easement has taken a sizable area from the property. All of these conditions, along with the unusual shape of the lot has created design-construction challenges for the project's development.

3. Describe why, (because of the conditions you have described), the strict application of the requirements of the code will result in an undue, substantial hardship to the owner or the property such that no reasonable use of the property could be made.

Adherence to the rear setback and landscape requirements will not allow for the planned building size and occupancy that will make this a feasible project for the owners. The area inside the setbacks, the ROW easement and the utility easements reduce the usable area in which to locate a 6,600 square foot building, as well as limits the layout of the building floor plan. It will also restrict the configuration of the driveways and parking stalls around the building.

4. Describe how or why 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.

Being the last undeveloped tract in the Fred Meyer shopping campus, the lot has been affected by the development of the surrounding businesses, changing the original lot configuration and grades. The reduction in lot size due to the DOT/PF ROW Easement (November 15, 2002), the dedication of the various utility easements, and the elevation difference at the west property (date of development unknown) were affected by the DOT/PF and the adjacent property owners. This all occurred prior to the present owners purchasing Tract A-3 from the Fred Meyer Stores, Inc., in April 09, 2008.

5. Describe any reasons not based on costs or inconvenience you have for requesting this variance.

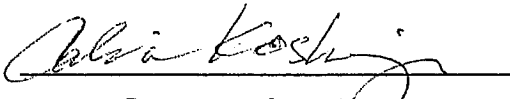
Tract A-3 is within the Fred Meyer shopping campus and is surrounded by driveways, parking lots and service areas. PetZoo is located over 70 feet from the lot. The property is surrounded by commercial uses. It is interior to these developments and is not located where it fronts a public area or property of dissimilar use. Allowing a smaller setback at the rear-north property and eliminating the planting beds will provide the owner with the ability to design a building whose layout and function will best serve the planned tenants uses and to match it with a parking-drive area that will satisfy the Code required parking density and the circulation needs of the planned coffee shop drive-through. It will produce a development that will blend with and complete the Fred Meyer shopping campus.

IV. FEE

A Fee of \$500 must accompany this application. Checks must be made payable to the CITY OF WASILLA.

V. CERTIFICATION

I certify that the representations made in this application and accompanying material are true.


Owner or Agent

03/01/11
Date

Notice

If a property qualifies for a variance under the Wasilla Development Code Section 16.28.110 (D), the variance granted must meet the following conditions:

1. The deviation from the requirements of Code that is permitted may not be more than is necessary to permit reasonable use of the lot;
2. The variance will not permit a land use that is prohibited by the Code;
3. The variance is in keeping with the spirit and intent of the Code and its requirements
4. The variance will not be detrimental to the public health, safety or welfare; and
5. The variance will not significantly adversely affect other property.

Notice of Right to Appeal: All decisions of the City Planner are appealable per WMC Title 16.

Blue Rock LLC
1120 E Huffman STE 24 #202
Anchorage, Alaska 99515

March 15, 2011

Livingstone Slone Inc.
Calvin Koshiyama, Joe Abegg
3000 Arctic Blvd., Suite 201
Anchorage Alaska 99503

RE: MTA Building lot A3 Fred Myer Site, Wasilla AK

Clavin and Joe,

This letter authorizes you and Livingstone Slone Inc. to fully represent Blue Rock LLC in matters before the City of Wasilla or the Mat Su Borough relating to waivers, variances, permits or other items as they may arise related to the project located on Lot A3 Fred Myer Development, Wasilla Alaska.

Thank you for your efforts thus far on the project.

Sincerely,



Robert C. Carle
Managing Member
Blue Rock LLC

Attachments

Variance Application

Project Narrative
Justification for Variance of Tract A-3 - Blue Rock Assets, LLC
Site Plan – Existing Conditions
Site Plan – Proposed Improvements
Vicinity Map (Google Map)
Plat – Olson Subdivision Addition 1999
Plat – Olson Subdivision Addition 2008
DOT/PF Right-of-Way Easement – Tract A-3
Conditional Use Permit, 02-01-08

MTA Office/Retail Building

Variance Application

Project Narrative

Project Description: A 6,600 square foot building is proposed for Tract A-3. The building will be occupied by MTA, which will utilize a minimum of 4,500 square feet. The remaining space is planned for a coffee shop. To serve the two tenants, a minimum of 23 parking stalls will be needed, as well as a drive-through lane for the coffee shop. The parking has been calculated based on 1 stall per 300 square feet of gross building area; commercial & office.

Three sides of the Tract; the north, east and south property lines, are bordered by property that is part of the Olson Subdivision and the Fred Meyer shopping campus. The north and east property lines of Tract A-3 border parking and driveways for Tract A-1 and Tract A-2 of the Fred Meyer shopping campus. The south property line borders the DOT/PF Right-of-Way Easement for Fred Meyer's main driveway entrance. The west property borders Papa John's Pizza's service/loading area.

Tract A-3 is an unusually configured lot. As originally platted, it was sized at 28,872 square feet. A 3,531 square foot portion along the south property was taken by the DOT/PF as a Right-of-Way Easement in 2002, leaving 25,341 square feet. 20 foot easements for various utilities run along the perimeter of Tract A-3. It is bordered on three sides; north, east and south, by the parking lots and driveways of the Fred Meyer shopping campus. It is adjacent to Papa John's Pizza on the west. The unusual shape of the lot, the existing utility easements running through the site and the DOT/PF Right-of-Way Easement, along with the building setback and planting bed requirements, greatly restrict the location and orientation of a 6,800 square foot structure and the required parking stalls and circulation drives. A difference in elevation, of up to 8 feet, exists along the west property, between the Papa John's Pizza service area and Tract A-3. To accommodate this elevation difference and meet the parking requirements, a retaining wall will be constructed.

16.24.030.A.1, 25 ft rear yard setback: Request submitted for a variance to allow the building to be situated 16 feet from the rear (north) property. The rear or north property line borders Tract A-2, which is part of Olson Subdivision and the Fred Meyer shopping campus. PetZoo, located on Tract A-2, is situated on the North end of the property from Tract A-3, a distance of approximately 78 feet, with parking separating PetZoo from the Tract A-3's north property line.

16.24.040.D.4.b, perimeter 10 ft planting bed - parking lot, ten or more parking stalls: Request submitted for a variance to remove the requirement for perimeter planting beds to allow development of a 6,800 square foot building, 23 stall parking lot and driveways.

Justification for Variance of Tract A-3
Blue Rock Assets, LLC

Blue Rock Assets, LLC seeks a variance request in order to fully develop the site to its highest and best use. The site is irregular in shape, which significantly limits the buildable area.

When the site was purchased it was represented to have a buildable area of 14,363 SF. Unfortunately when the Department of Transportation took part of the property for the road that abuts the southern boundary of the parcel, the remainder only allows for a buildable area of 12,549 SF.

The owners seek a variance request in order to develop a 6,600±SF retail office building on the site. Due to the irregular shape of the lot the site will only support a 5,000±SF building if the variance request is denied. The 1,600±SF difference in building size represents approximately \$300,000 to \$400,000 in building value that will be lost to the community in the form of decreased property taxes and to the owners in the form of diminished rents.

Our anchor tenant is MTA and they would like 4,500SF of retail/office space. A 5,000±SF building does not practically allow for two tenants in the building. As such we would be allocating the high land value across an even smaller building size, thereby further increasing the per unit lease rates to the tenant.

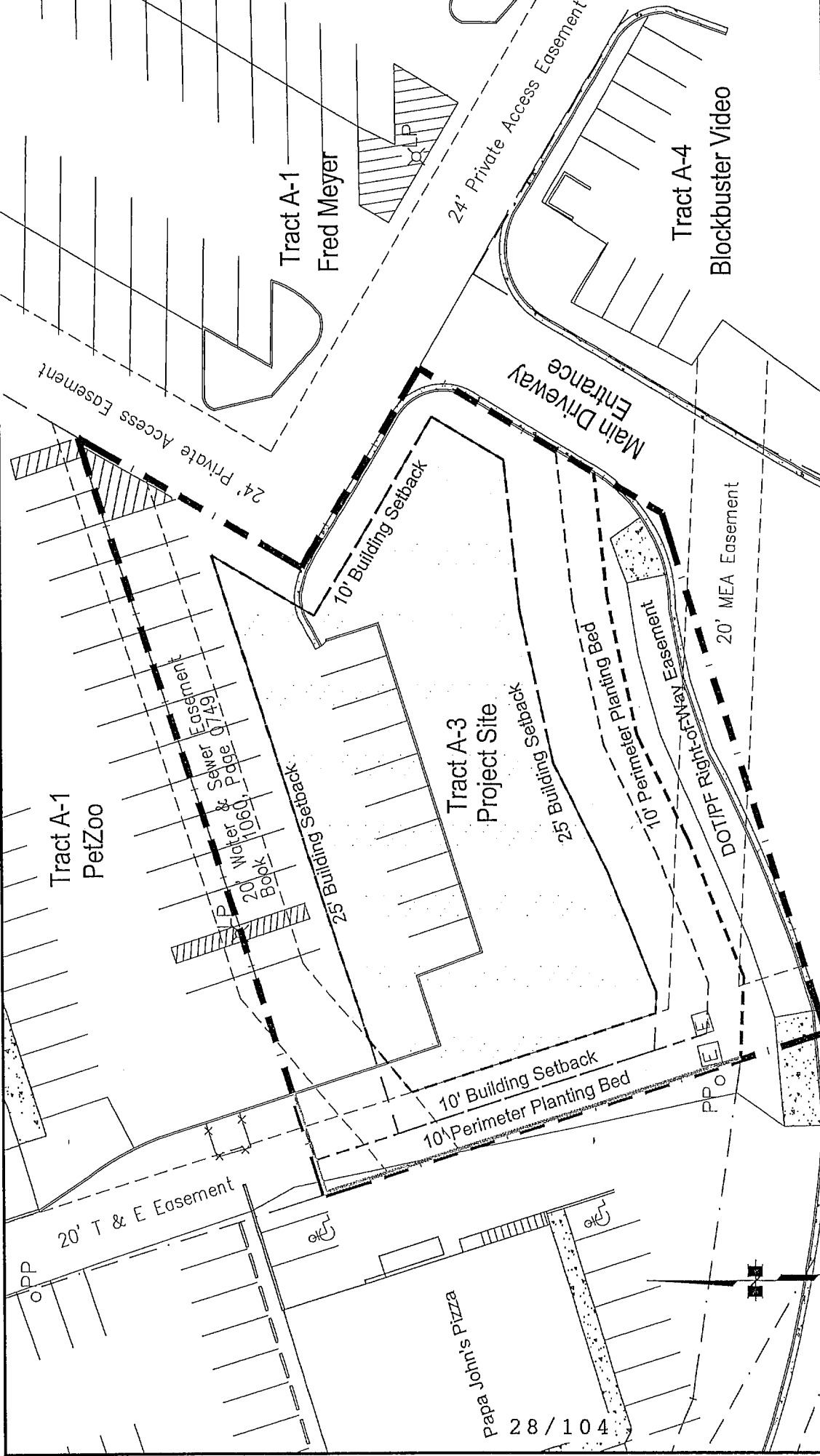
If the variance is approved and a 6,600±SF building can be constructed, the remaining area of 2,100±SF is larger enough to support another tenant in the building, thereby lowering the per unit lease rate for all tenants.

Approval of the variance creates a positive development for the overall Fred Meyer planned development. The larger building area means that community will receive increased property tax payments. The tenants lease rates will be lower allowing a wider range of potential tenants to lease the space. Blue Rock Asset would be able to developed the property to its highest and best use.

For the community and adjacent property owners, the benefits of approving the variance request far outweigh the costs.

- The costs are negligible.
 - Waiving the landscaping easement on the south edge of the property is offset by the greenbelt DOT maintains from the area of the take. No future buildings will be allowed to be built in the roadway.
 - Similarly, the building site to the west of the property is already developed to its highest and best use and the building is located a significant distance from our proposed building.

In summary, we believe approval of the variance request is in the best interest of the community and tenants.



Existing Conditions Site Plan

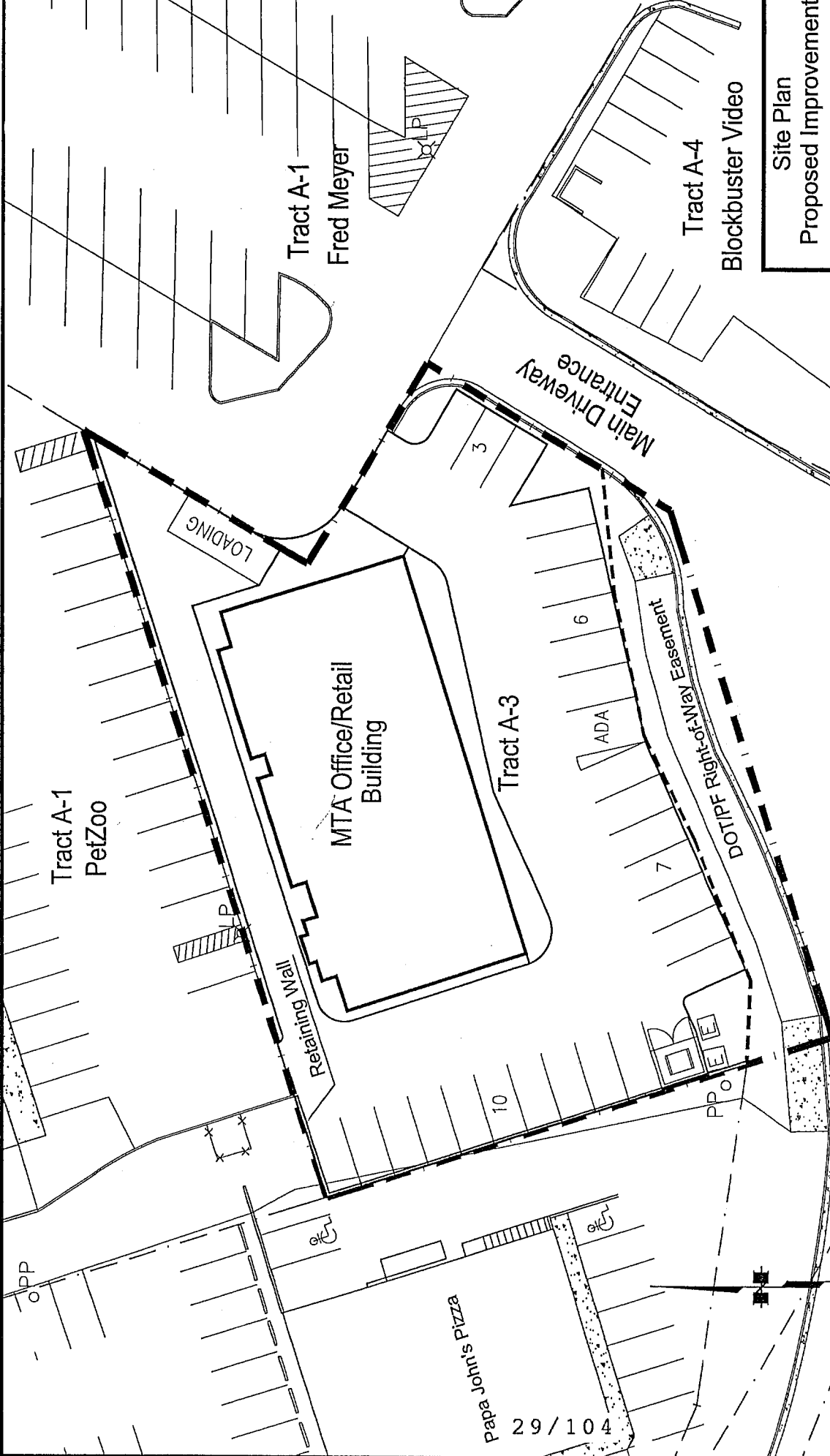
MTA Office / Retail Building
Tract A-3, Wasilla, Alaska
Fred Meyer-Wasilla Retail Center

CONSULTANT:
 Livingston Slone, Inc.
 3900 Arctic Boulevard, Suite #301
 Anchorage, Alaska 99503-5790
 Tel. 907-562-2058
 Fax. 907-561-4528

OWNER:
 Blue Rock Assets LLC
ADDRESS:
 1120 East Huffman, Suite 24#202
 Anchorage, Alaska 99515
 Phone: 907-227-3193

LEGAL DESCRIPTION:
 Olson Subdivision 1999 Addition
 Tract A-3, Section 11, T17N, R1W,
 S.M., Alaska

SCALE: 1" = 40'



Site Plan
Proposed Improvements

STATE OF ALASKA
 49TH
 Calvin K. Koshiyama
 CE 5349
 03/01/11
 REGISTERED PROFESSIONAL ENGINEER

PREPARED BY:
 CALVIN K. KOSHIYAMA

MTA Office / Retail Building
Tract A-3, Wasilla, Alaska
Fred Meyer-Wasilla Retail Center

CONSULTANT:
 Livingston Slone, Inc.
 3900 Arctic Boulevard, Suite #301
 Anchorage, Alaska 99503-5790
 Tel. 907-562-2058
 Fax. 907-561-4528

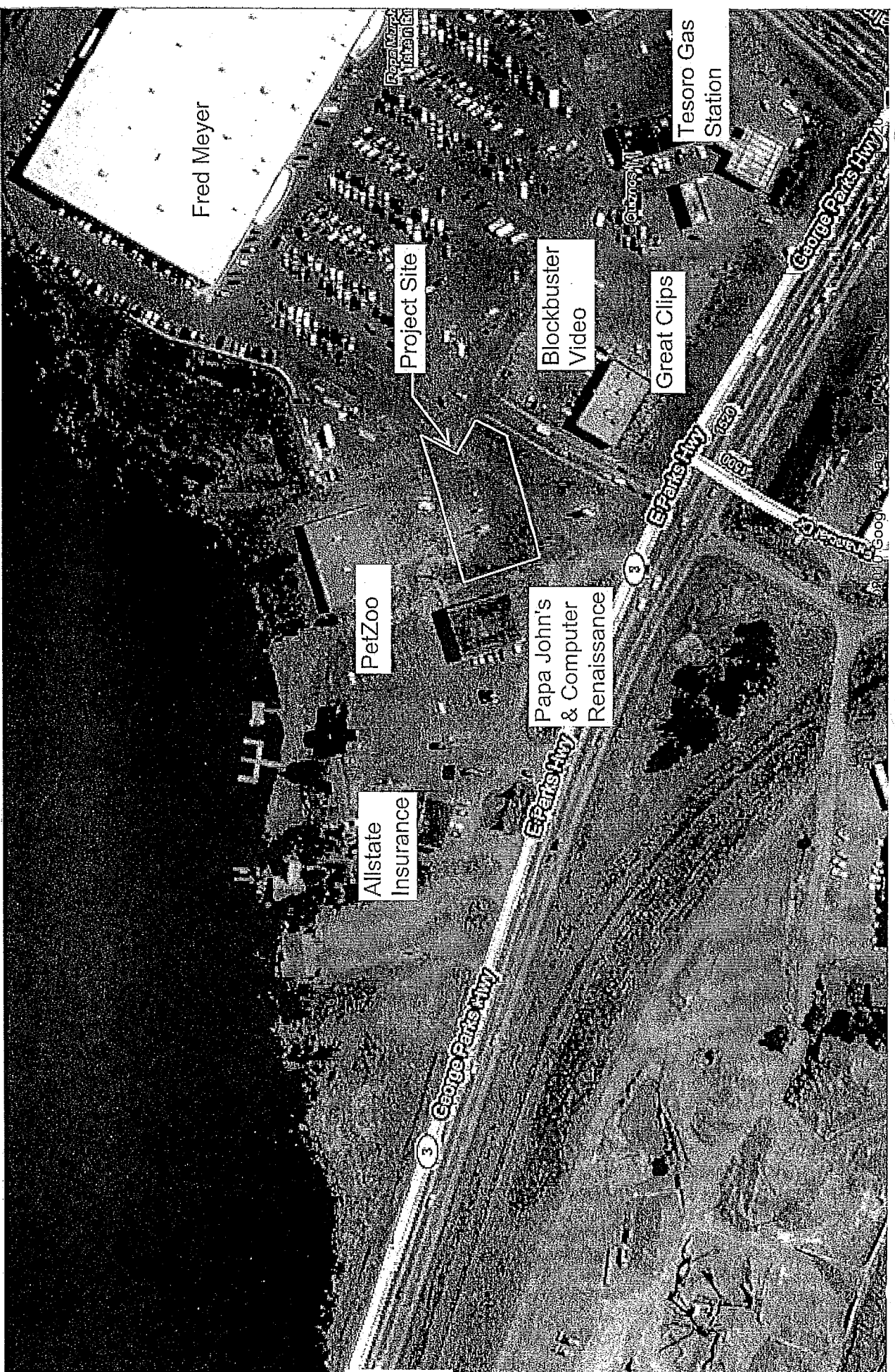
OWNER:
 Blue Rock Assets LLC
ADDRESS:
 1120 East Huffman, Suite 24#202
 Anchorage, Alaska 99515
 Phone: 907-227-3193

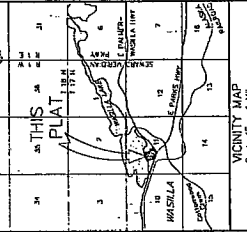
LEGAL DESCRIPTION:
 Olson Subdivision 1999 Addition
 Tract A-3, Section 11, T17N, R1W,
 S.M., Alaska

SCALE: 1:40

[Get Directions](#) [My Maps](#)

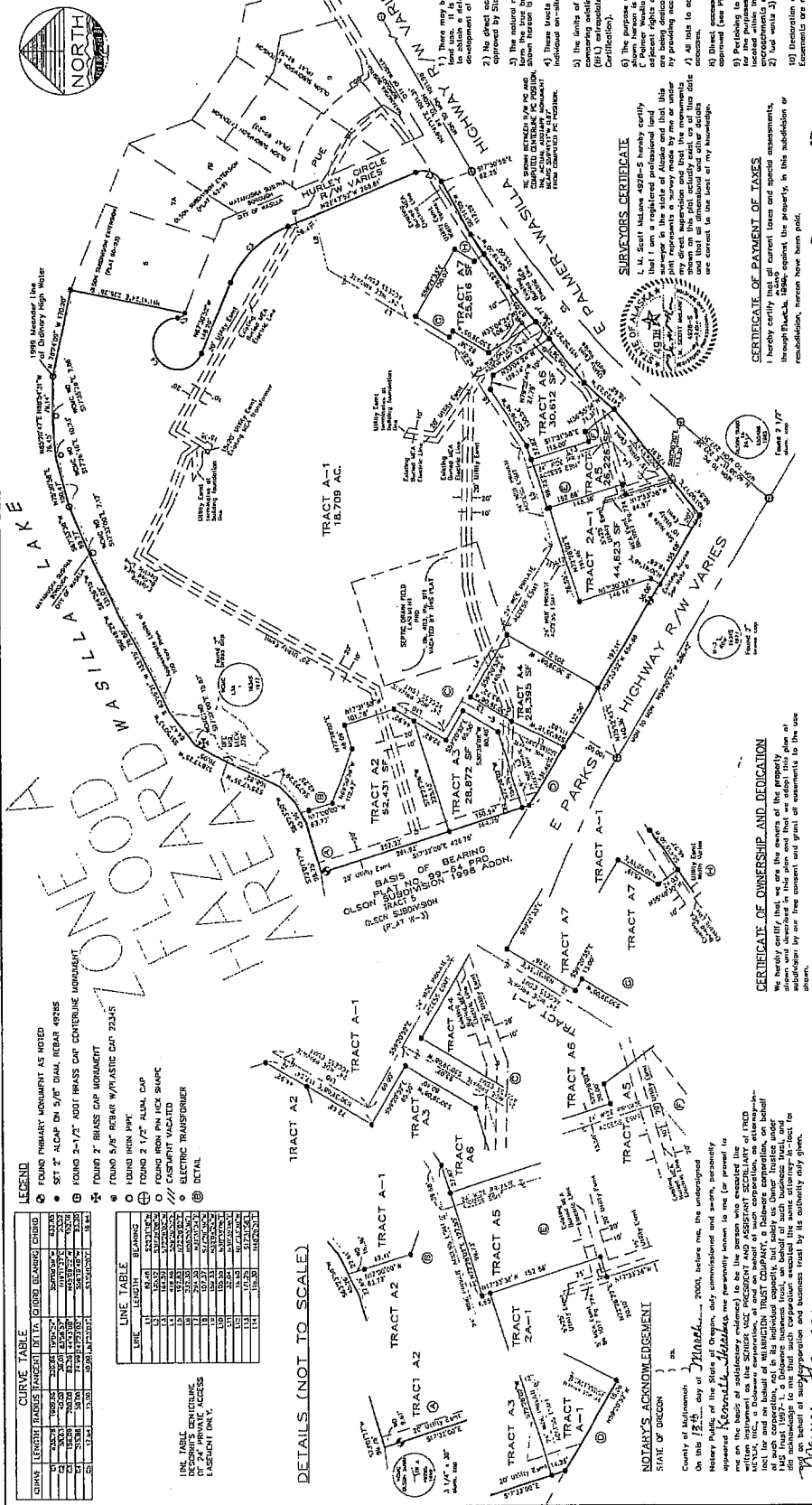
[Print](#) [Send](#) [Link](#)





FLOOD PLAIN CERTIFICATION
 Scale 1" = 1 Mile
 The State of Alaska Department of Transportation certifies that the subdivision shown on this plat is not located in a flood plain as defined in AS 18.05.010. The subdivision is located in the unincorporated area of the State of Alaska, and the State of Alaska Department of Transportation has no jurisdiction over the subdivision.

NOTES
 1) There may be federal, state, and local requirements governing the subdivision of land. It is the responsibility of the applicant to determine the requirements applicable to the subdivision of the parcels shown herein.
 2) No direct access to state maintained roads permitted unless approved by State Department of Transportation.
 3) The natural meanders of ordinary high water for waters (canal, stream, river, lake, etc.) shown on this plat shall remain intact and shall not be altered or changed in any way.
 4) Individual on-site systems are shown.
 5) The limits of zones A, FLOOD HAZARD AREA, was determined by comparing existing aerial photographs with the Flood Hazard Elevation (FHE) extrapolated from best available data (See Flood Plain Certification).
 6) The purpose of the 24 foot wide private access easements shown on this plat is to provide access to the E. Palmer-Wasilla Highway and the E. Parks Highway directly or thru adjacent rights of way and of public use easements, and the applicant shall provide access to the E. Palmer-Wasilla Highway by providing access to Tract 2A-1.
 7) All lots to access public roads only through the existing easements.
 8) Direct access from the E. Parks Highway is A.D.D.T. & P.F.S. (See Plat No. 2000-24-10-000) which Tract 2A-1.
 9) The purpose of this easement is to provide access to the E. Palmer-Wasilla Highway and the E. Parks Highway directly or thru adjacent rights of way and of public use easements, and the applicant shall provide access to the E. Palmer-Wasilla Highway by providing access to Tract 2A-1.
 10) Incorporation of Comments, Conditions, Restrictions and Easements are recorded:
 Book 10640 Page 211-212, Dated 3-22-00
 Book 10660 Page 210-213, Dated 3-22-00



LEGEND

FOUND PRIMARY MONUMENT AS NOTED
 SET 2" ALUM. ON 5/8" DIA. NEAR NOTES
 FOUND 2-1/2" ADOT BRASS CAP CENTERLINE MONUMENT
 FOUND 3" BRASS CAP MONUMENT
 FOUND 5/8" BRASS W/PLASTIC CAP 22x45
 FOUND IRON NAIL
 FOUND 1 1/2" ALUM. CAP
 FOUND 1 1/2" IRON SHANK
 FOUND CASPIUM W/ALUM. CAP
 ELECTRIC TRANSFORMER
 DETAIL

CURVE TABLE

CHORD	LENGTH	BRASS	MARKING	DELTA	CURVE	BEARING	CHORD
1	10.00	10.00	10.00	0.00	90.00	0.00	10.00
2	10.00	10.00	10.00	0.00	90.00	0.00	10.00
3	10.00	10.00	10.00	0.00	90.00	0.00	10.00
4	10.00	10.00	10.00	0.00	90.00	0.00	10.00
5	10.00	10.00	10.00	0.00	90.00	0.00	10.00

LINE TABLE

LINE	LENGTH	BEARING
1	10.00	0.00
2	10.00	90.00
3	10.00	0.00
4	10.00	90.00
5	10.00	0.00

LINE TABLE
 RECORDING CENTERLINE
 BEARING
 DISTANCE

NOTARY'S ACKNOWLEDGEMENT
 STATE OF OREGON
 County of Multnomah
 I, Notary Public, do hereby certify that the foregoing instrument was acknowledged before me this 15th day of March, 2000, by Stephen M. Hicks, President of TESSO ALASKA COMPANY, a Delaware corporation, on behalf of such corporation.
 My Commission Expires July 1, 2001
 NOTARY'S ACKNOWLEDGEMENT
 STATE OF ALASKA
 Third Judicial District
 The foregoing instrument was acknowledged before me this 15th day of March, 2000, by Stephen M. Hicks, President of TESSO ALASKA COMPANY, a Delaware corporation, on behalf of such corporation.
 My Commission Expires June 21, 2003

CERTIFICATE OF OWNERSHIP AND DEDICATION
 We hereby certify that we are the owners of the property shown and described in this plan and that we adopt this plan of subdivision by our free consent and grant of easements to the use shown.

CERTIFICATE OF PAYMENT OF TAXES
 I hereby certify that all current taxes and special assessments, through March, 1999, against the property in this subdivision or resubdivision, herein have been paid.

CERTIFICATE OF APPROVAL BY THE COMMISSION
 I hereby certify that this subdivision plan has been found to comply with the land subdivision regulations of the Metropolitan Planning Council, and that this plan has been approved by the Planning Commission on 3/14/00, 2000, and that this plan has been approved by the Planning Commission on 3/14/00, 2000, and that this plan has been approved by the Planning Commission on 3/14/00, 2000.

CERTIFICATE OF PAYMENT OF TAXES
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CERTIFICATE OF APPROVAL BY THE COMMISSION
 I hereby certify that this subdivision plan has been found to comply with the land subdivision regulations of the Metropolitan Planning Council, and that this plan has been approved by the Planning Commission on 3/14/00, 2000, and that this plan has been approved by the Planning Commission on 3/14/00, 2000.

AFFIDAVIT

I hereby certify that Fred Meyer, Inc. holds the herein specified property interest in the property shown and described hereon and that I hereby adopt this plan of subdivision by my free consent, dedicate all rights-of-way and public areas to the Matanuska-Susitna Borough and grant all easements to the use shown.

Book 965, Page 160
*Current Legal Description or
Book and Page of Document*

Olson Subdivision 1999 Addition
*Proposed Subdivision Name or
Public Use Easement*

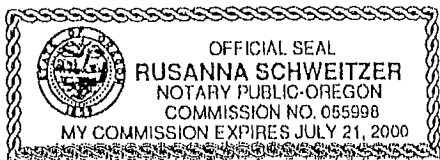
Robert B. Dimond
Name: Robert B. Dimond, Authorized Agent
Fred Meyer, Inc.
3800 SE 22nd Street
P.O. Box 42121
Portland, Oregon 97242

Lessee
Interest in Property

NOTARY ACKNOWLEDGMENT

STATE OF OREGON)
)ss.
County of Multnomah)

The foregoing Instrument was acknowledged before me, the undersigned Notary Public, on this 9th day of March, 2000, by Robert B. Dimond, the Vice President and Chief Financial Officer of Fred Meyer, Inc., a Delaware corporation, on behalf of such corporation.



Rusanna Schweitzer
Notary Public for the State of Oregon
Residing at: Sigard, OR
My commission expires: July 21, 2000

AFFIDAVIT

I hereby certify that Bankers Trust Company, as Administrative Agent for the Lenders holds the herein specified property interest in the property shown and described hereon and that I hereby adopt this plan of subdivision by my free consent, dedicate all rights-of-way and public areas to the Matanuska-Susitna Borough and grant all easements to the use shown.

Book 965, Page 160
*Current Legal Description or
Book and Page of Document*

Olson Subdivision 1999 Addition
*Proposed Subdivision Name or
Public Use Easement*

Susan L Lefevre
Name: Susan L Lefevre
Bankers Trust Company as
Administrative Agent for the Lenders
130 Liberty Street
New York, New York 10006

Beneficiary for a Deed of Trust
Interest in Property

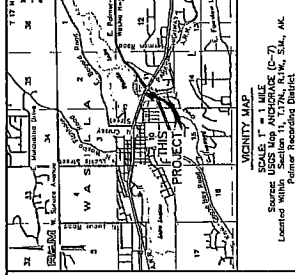
NOTARY ACKNOWLEDGMENT

STATE OF NEW YORK)
)ss.
County of New York)

The foregoing Instrument was acknowledged before me, the undersigned Notary Public, on this 9TH day of March, 2000, by SUSAN L. LEFEVRE the DIRECTOR of BANKERS TRUST COMPANY, a New York banking corporation, on behalf of such banking corporation, as Administrative Agent for the Lenders.

JoJean Travis
Notary Public for the State of New York
Residing at:
My commission expires:

JOJEAN TRAVIS
Notary Public, State of New York
No. 01TR5013241
Qualified in New York County
Commission Expires July 15, 2001



CURVE TABLE

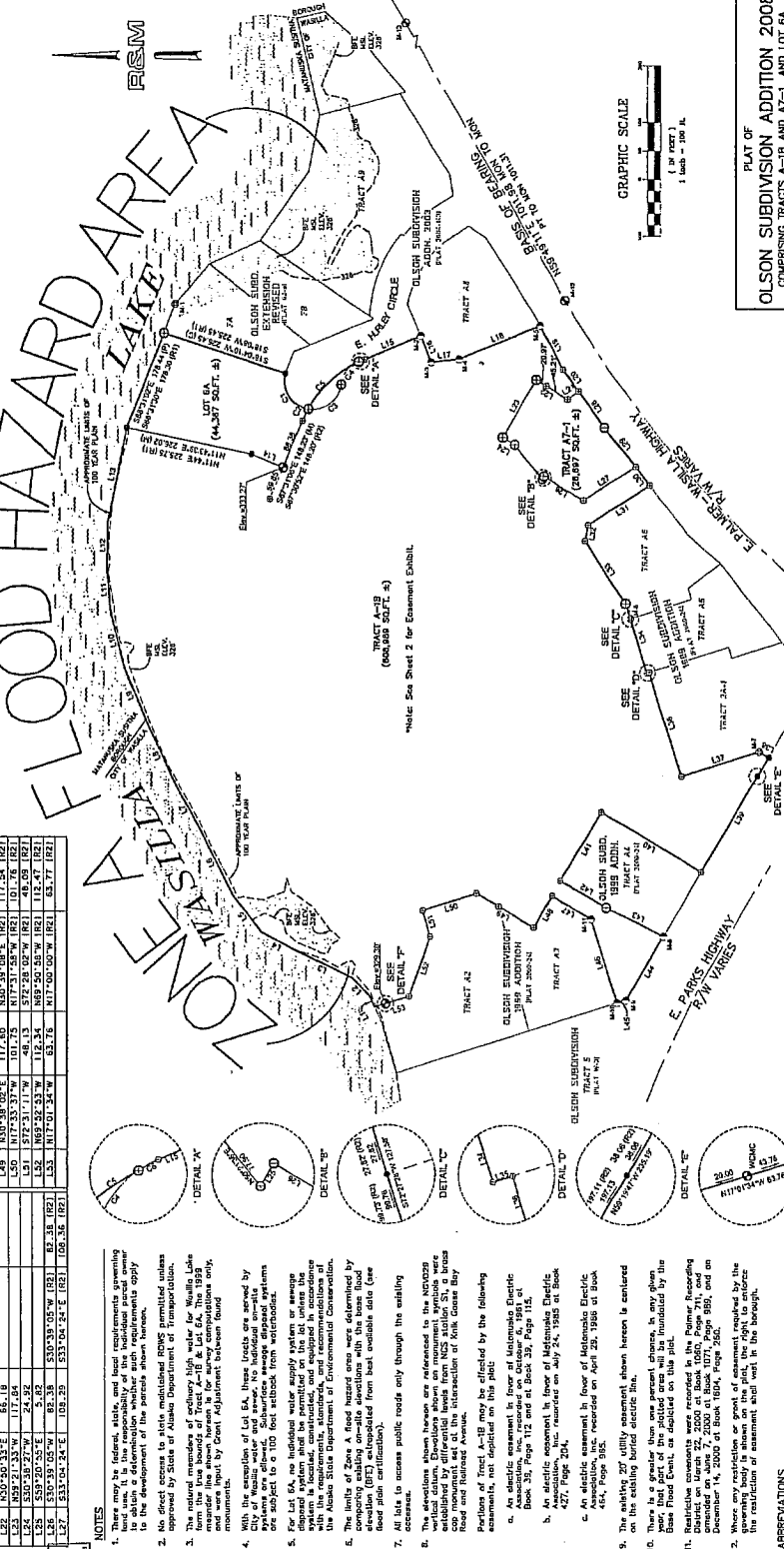
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD	BRG	CHORD
C1	50.00	23.49	23.17	55.37	53.72	25.43	74.10
C2	50.00	23.49	23.17	55.37	53.72	25.43	74.10
C3	50.00	23.49	23.17	55.37	53.72	25.43	74.10
C4	50.00	23.49	23.17	55.37	53.72	25.43	74.10
C5	50.00	23.49	23.17	55.37	53.72	25.43	74.10
C6	50.00	23.49	23.17	55.37	53.72	25.43	74.10
C7	50.00	23.49	23.17	55.37	53.72	25.43	74.10
C8	50.00	23.49	23.17	55.37	53.72	25.43	74.10
C9	50.00	23.49	23.17	55.37	53.72	25.43	74.10
C10	50.00	23.49	23.17	55.37	53.72	25.43	74.10

LEGEND

- SET 3 1/4" BRASS CAP ON 2" DIA. x 30" STAINLESS STEEL PIPE (TYP.)
- FOUND 1 1/4" DIA. PLASTIC CAP ON 5/8" REBAR
- SET 2" ALUMINUM CAP ON 5/8" x 30" REBAR (TYP.)
- FOUND 5/8" DIA. REBAR
- FOUND 1 1/2" ADJUST. BRASS CAP
- FOUND ALUMINUM CAP MOUNTOUT
- FOUND TYPICAL 2" CAP ON 5/8" DIA. REBAR PER PLAT No. 2006-24
- FOUND 1 1/4" DIA. PLASTIC CAP ON 5/8" REBAR
- RECORD DIMENSIONS PER PLAT 80-23
- RECORD DIMENSIONS PER PLAT 2000-24
- RECORD DIMENSIONS PER PLAT 2000-24

LINE TABLE

LINE	BEARING	LENGTH	MEASURED LENGTH	RECORD BEARING	RECORD LENGTH
L1	N63.22E151.6E	22.81	22.81	N63.22E151.6E	22.81
L2	N47.92E155.6E	45.29	45.29	N47.92E155.6E	45.29
L3	N52.14E152.7E	62.81	62.81	N52.14E152.7E	62.81
L4	N57.50E151.1E	81.49	81.49	N57.50E151.1E	81.49
L5	N62.86E152.1E	134.75	134.75	N62.86E152.1E	134.75
L6	N68.22E151.6E	131.05	131.05	N68.22E151.6E	131.05
L7	N73.58E152.1E	99.79	99.79	N73.58E152.1E	99.79
L8	N78.94E151.6E	102.49	102.49	N78.94E151.6E	102.49
L9	N84.30E152.1E	79.18	79.18	N84.30E152.1E	79.18
L10	N89.66E151.6E	116.37	116.37	N89.66E151.6E	116.37
L11	N95.02E152.1E	48.99	48.99	N95.02E152.1E	48.99
L12	N00.38E151.6E	145.00	145.00	N00.38E151.6E	145.00
L13	N05.74E152.1E	102.29	102.29	N05.74E152.1E	102.29
L14	N11.10E151.6E	116.37	116.37	N11.10E151.6E	116.37
L15	N16.46E152.1E	79.18	79.18	N16.46E152.1E	79.18
L16	N21.82E151.6E	116.37	116.37	N21.82E151.6E	116.37
L17	N27.18E152.1E	48.99	48.99	N27.18E152.1E	48.99
L18	N32.54E151.6E	116.37	116.37	N32.54E151.6E	116.37
L19	N37.90E152.1E	79.18	79.18	N37.90E152.1E	79.18
L20	N43.26E151.6E	116.37	116.37	N43.26E151.6E	116.37
L21	N48.62E152.1E	48.99	48.99	N48.62E152.1E	48.99
L22	N53.98E151.6E	116.37	116.37	N53.98E151.6E	116.37
L23	N59.34E152.1E	79.18	79.18	N59.34E152.1E	79.18
L24	N64.70E151.6E	116.37	116.37	N64.70E151.6E	116.37
L25	N70.06E152.1E	48.99	48.99	N70.06E152.1E	48.99
L26	N75.42E151.6E	116.37	116.37	N75.42E151.6E	116.37
L27	N80.78E152.1E	79.18	79.18	N80.78E152.1E	79.18



NOTES

- These may be federal, state, and local requirements governing the use of the property and the responsibility of the individual parcel owner to the development of the parcel shown herein.
- No direct access to state maintained ROWS permitted unless approved by State of Alaska Department of Transportation.
- The natural meanders of arbitrary high water for Wells Lake remainder line shown herein is for survey computations only. Measurements are by Great Adjustment between found monuments.
- With the exception of Lot 6A, these tracts are owned by the City of Anchorage and are subject to a 100 foot setback from waterbodies.
- For Lot 6A, no individual water supply system or sewage disposal system shall be permitted on the lot unless the applicant obtains all necessary permits and recommendations of the Alaska State Department of Environmental Conservation.
- The limits of Zone A flood hazard area were determined by the Alaska State Department of Environmental Conservation (BFD) extrapolated from best available data (see flood plain certification).
- All lots to access public roads only through the existing easements.
- Utilities shown herein are as indicated in the notes established by differential levels from NGS station SH, a brass benchmark located at the intersection of 4th Street and Road and Railroad Avenue.
- Performs of Tract A-1B may be effected by the following easements, not depicted on this plat:
 - An electric easement in favor of Metropolitan Electric Association, Inc. recorded on July 24, 1995 at Book 33, Page 112 and at Book 33, Page 115.
 - An electric easement in favor of Metropolitan Electric Association, Inc. recorded on July 24, 1995 at Book 427, Page 10.
 - An electric easement in favor of Metropolitan Electric Association, Inc. recorded on April 28, 1998 at Book 454, Page 385.
- The existing 207 utility easement shown herein is centered on the existing buried electric line.
- There is a grant of the easement shown herein, in any given case, to the grantee of the easement established by the Base Flood Event, as depicted on this plat.
- Restrictive covenants were recorded in the Palmer Recording Office on June 7, 2000 at Book 1071, Page 200, and on December 14, 2000 at Book 1694, Page 360.
- Where any restriction or grant of easement, required by the notes, is not shown on this plat, the restriction of easement shall vest in the borough.

ABBREVIATIONS

BFE BASE FLOOD ELEVATION (M) MEASURED
 C CONTRIBUTION (P) PROPORTIONED
 CO COMPOUND

FLOOD PLAN CERTIFICATE

I, David C. Hilde, hereby certify that I have reviewed the Wells Lake 100 year flood plain elevation using the data shown on Plat No. 2006-24 and that the elevation of the limits for 100 year flood area on this plat are correct to the best of my knowledge and belief and that the measurements and other details are true and correct to the best of my knowledge and belief.

DAVID C. HILDE, L.S. 10385 Date: 8/19/07

FLOOD PLAN CERTIFICATE

I, David C. Hilde, hereby certify that I have reviewed the Wells Lake 100 year flood plain elevation using the data shown on Plat No. 2006-24 and that the elevation of the limits for 100 year flood area on this plat are correct to the best of my knowledge and belief and that the measurements and other details are true and correct to the best of my knowledge and belief.

DAVID C. HILDE, L.S. 10385 Date: 8/19/07

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, Fred Meyer Stores, Inc., an Ohio corporation, hereby certify that I am the owner of the property shown on this plat and that I have the authority to execute this plat and to dedicate the property shown on this plat to the public use of the Borough of Wentzville, Ohio.

Fred Meyer Stores, Inc.
 Fred Meyer Stores, Inc., An Ohio Corporation,
 210, Bankers Building, Columbus, Ohio 43260
 Owner of Tract A-1A

NOTARY ACKNOWLEDGMENT

County of Hamilton, Ohio, before me, the undersigned Notary Public for the State of Ohio, on this 19th day of August, 2006, before me, the undersigned Notary Public, appeared Fred Meyer Stores, Inc., an Ohio corporation, and one or more of its authorized officers, and acknowledged to me that they are the duly authorized officers of the corporation and that they have the authority to execute this plat and to dedicate the property shown on this plat to the public use of the Borough of Wentzville, Ohio.

Cheryl A. Child
 Notary Public for the State of Ohio
 My Commission Expires 8/19/07

CERTIFICATE OF OWNERSHIP

I, Katherine T. Hurley, hereby certify that I am the owner of the property shown on this plat and that I have the authority to execute this plat and to dedicate the property shown on this plat to the public use of the Borough of Wentzville, Ohio.

Katherine T. Hurley
 Katherine T. Hurley, Owner
 1001 S. 10th St., Anchorage, AK 99507
 Owner of Lot 6

NOTARY ACKNOWLEDGMENT

Subscribed and sworn before me this 19th day of August, 2006.

Katherine T. Hurley
 Katherine T. Hurley, Owner
 1001 S. 10th St., Anchorage, AK 99507
 Owner of Lot 6

CERTIFICATE OF OWNERSHIP

I, West Valley Properties, LLC, an Alaska Limited Liability Company, hereby certify that I am the owner of the property shown on this plat and that I have the authority to execute this plat and to dedicate the property shown on this plat to the public use of the Borough of Wentzville, Ohio.

West Valley Properties, LLC
 West Valley Properties, LLC, President
 210, Bankers Building, Columbus, Ohio 43260
 Owner of Tract A1

NOTARY ACKNOWLEDGMENT

Subscribed and sworn before me this 19th day of August, 2006.

West Valley Properties, LLC
 West Valley Properties, LLC, President
 210, Bankers Building, Columbus, Ohio 43260
 Owner of Tract A1

CERTIFICATION OF PAYMENT OF TAXES

I hereby certify that all taxes and assessments levied on the property shown on this plat have been paid.

David C. Hilde
 David C. Hilde, Director
 Borough of Wentzville, Ohio
 Date: 8/19/07

PLANNING AND LAND USE DIRECTOR'S CERTIFICATE

I certify that this subdivision plat has been found to comply with the land use regulations of the Metropolitan-Southwest Planning and Land Use Commission, and that the plat is in accordance with the Comprehensive Zoning Ordinance of the Borough of Wentzville, Ohio, and that the plat is in accordance with the Comprehensive Zoning Ordinance of the Borough of Wentzville, Ohio.

David C. Hilde
 David C. Hilde, Director
 Borough of Wentzville, Ohio
 Date: 8/19/07

PLANNING AND LAND USE DIRECTOR'S CERTIFICATE

I certify that this subdivision plat has been found to comply with the land use regulations of the Metropolitan-Southwest Planning and Land Use Commission, and that the plat is in accordance with the Comprehensive Zoning Ordinance of the Borough of Wentzville, Ohio, and that the plat is in accordance with the Comprehensive Zoning Ordinance of the Borough of Wentzville, Ohio.

David C. Hilde
 David C. Hilde, Director
 Borough of Wentzville, Ohio
 Date: 8/19/07

SEAL

DAVID C. HILDE, L.S. 10385

SEAL

DAVID C. HILDE, L.S. 10385

Palmer Plat
2009-67

No Marks/Seals Outs ide of Border

AFFIDAVIT

(I)(We) hereby certify that (I)(We) hold the herein specified property interest in the property shown and described hereon and that (I)(We) hereby adopt this plan of subdivision by (my)(our) free consent(,)(.) (dedicate) (all rights-of-way) (and public areas) (to the Matanuska-Susitna Borough) and (grant all easements to the use shown). (delete inapplicable phrases)

Reception/Serial No. _____

OLSON 1999 Add. Tract A7

Current Legal Description or Book & Page of Document

Proposed Subdivision Name or Public Use Easement

Don Clary
Signature
Don Clary

1st Deed of Trust lien
Interest in Property
Denali Alaskan Federal Credit Union

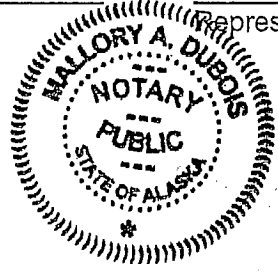
Printed Name
440 E. 36th Ave., Anch., AK.

Company Name
Vice President
Representative's Title

Address

NOTARY CERTIFICATION

State of Alaska)
Third Judicial District)ss



SUBSCRIBED and SWORN to (or affirmed) before me this 24 day of July

2009, by Don Clary
(name of signers(s))

MAD
(signature and seal of notary)
My commission expires: 5-8-2013

No Marks/Seals Outside of Border

AFFIDAVIT

(I)(We) hereby certify that (I)(We) hold the herein specified property interest in the property shown and described hereon and that (I)(We) hereby adopt this plan of subdivision by (my)(our) free consent(,)(.) (dedicate) (all rights-of-way) (and public areas) (to the Matanuska-Susitna Borough) and (grant all easements to the use shown). (delete inapplicable phrases)

Reception/Serial No. _____

Lot Six (6) Olson Subd
Current Legal Description or
Book & Page of Document

Olson Subdivision
Proposed Subdivision Name or
Public Use Easement

[Signature]
Signature

Beneficiary of Trust
Interest in Property

Read Dunn
Printed Name
501 N. Main St. Suite 120
Wasilla AK 99654
Address

Matanuska Valley Federal
Credit Union
Company Name
Loan Manager
Representative's Title

NOTARY CERTIFICATION

State of Alaska)
)ss
Third Judicial District)

SUBSCRIBED and SWORN to (or affirmed) before me this 20 day of July
2009, by Read Dunn
(name of signers(s))



[Signature]
(signature and seal of notary)
My commission expires: _____



RIGHT OF WAY EASEMENT

THE GRANTOR, FRED MEYER STORES, INC., whose address is 3800 SE 22nd Ave., Portland, Oregon 97202, for and in consideration of TEN AND NO/100 ----(\$10.00.) DOLLARS, in hand paid, grants unto the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, P.O. Box 196900, Anchorage, Alaska 99519-6900, its successors or assignees, a perpetual, full and unrestricted right of way easement along, over, under and across the following described tract of land located in the State of Alaska, to wit:

All that part of the following described tract of land:

Tract A-3, OLSON SUBDIVISION 1999 ADDITION, according to Plat No. 2000-24, located in the Palmer Recording District, Third Judicial District, State of Alaska,

which lies within the right of way lines of Project No. NH-OA4-1(12)/52474 delineated as to said tract of land on the plat attached hereto and made a part of hereof as page 3 of this instrument and designated as:

Parcel No. E-55

said parcel containing approximately 328 square meters, (3,531 square feet) more or less, in addition to existing right of way, is hereby granted to the State of Alaska for the purpose of public uses as a right of way, including the right to construct, operate and maintain public improvement of all kinds

The Grantor hereby covenants with the State of Alaska that the Grantor has good title to the above described tract of land and covenants that the State of Alaska shall have quiet and peaceable possession thereof; and shall have a free and unrestricted right to maintain said facilities, as long as the right of way, of which this easement area is a part, remains a public way.

Dated this 15th day of November, 2002.

FRED MEYER STORES, INC.

BY: ROBERT T. CURREY-WILSON

ITS: VICE PRESIDENT

CORPORATE ACKNOWLEDGMENT

State of OREGON)
) SS
County of Multnomah)

ON THIS 15th day of November, 2002, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared Robert T. Currey-Wilson, the Vice President of FRED MEYER STORES, INC., known to me to be the identical individual who executed the foregoing instrument and he acknowledged to me that he executed the same as a free and voluntary act and deed of said company, with full authority to do so and with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.



Maureen Flanagan
Notary Public for Oregon
Residing at Portland, Oregon
My commission expires July 7, 2005

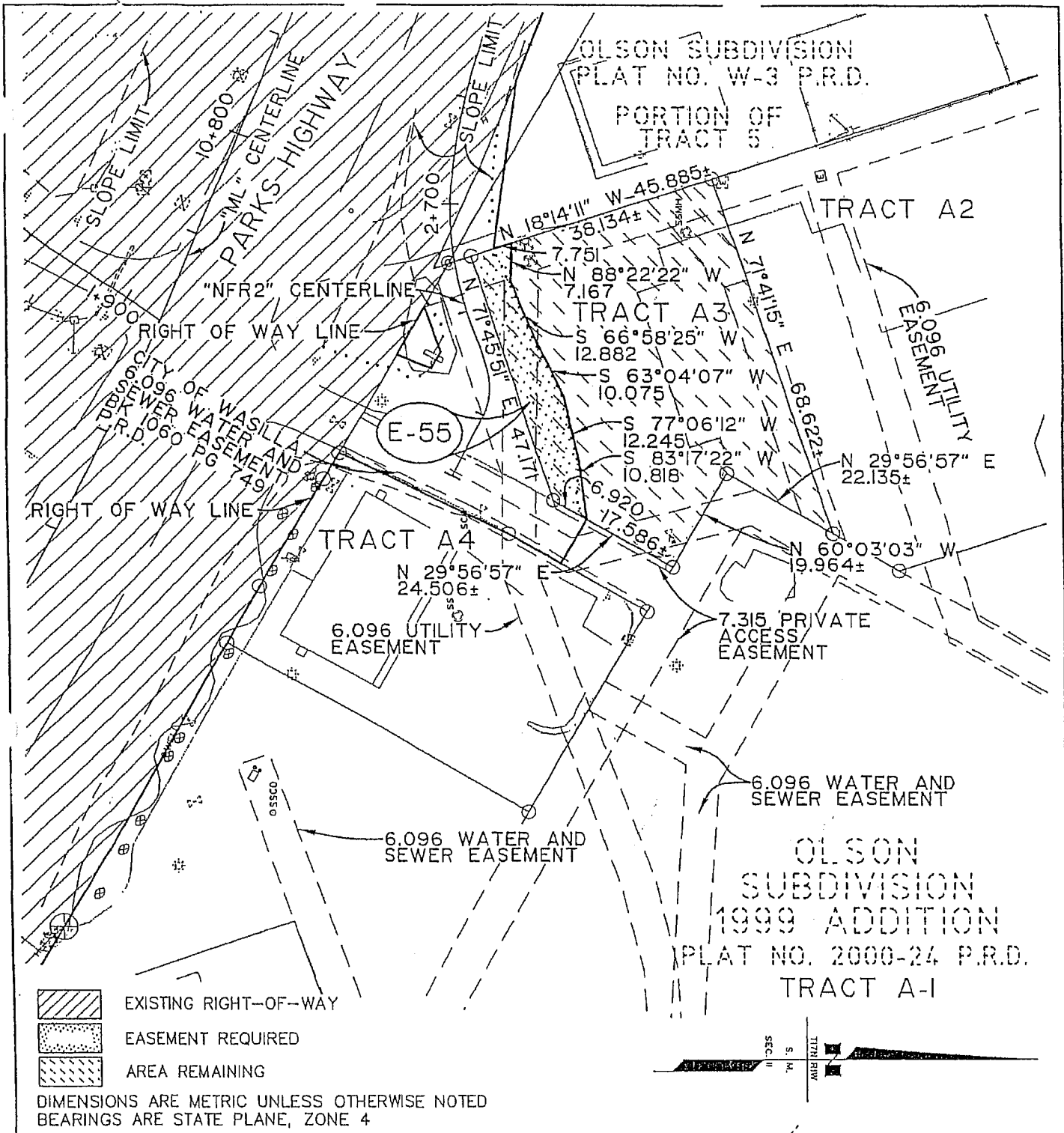
CERTIFICATE OF ACCEPTANCE




THIS IS TO CERTIFY that the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, Grantee herein, acting by and through its Commissioner, hereby accepts for public purposes the real property, or interest therein, described in this instrument and consents to the recordation thereof:

IN WITNESS WHEREOF, I have hereunto set my hand this 30 day of Dec, 2002 cw

DEPARTMENT OF TRANSPORTATION and PUBLIC FACILITIES 71

By: [Signature]
For the Commissioner



-  EXISTING RIGHT-OF-WAY
-  EASEMENT REQUIRED
-  AREA REMAINING

DIMENSIONS ARE METRIC UNLESS OTHERWISE NOTED
 BEARINGS ARE STATE PLANE, ZONE 4



STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

RIGHT OF WAY REQUIRED FOR
 PARKS HIGHWAY, SEWARD MERIDAN TO CRUSEY STREET
 NH-OA4-1(12) / 52474

OWNER'S INITIAL RE
 ATTACHED TO EASEMENT
 PAGE 3 OF 3 DATED 11-15-02

	GROSS TAKE	0.0328 ha
	NET TAKE	0.0328 ha
DRAWN BY <u>MJP</u>	REMAIN	0.2682± ha

SCALE 1:1000 DATE 09/09/02 PARCEL NO. E-55



DATE	DESCRIPTION
02/01/08	ISSUED CONDITIONAL USE PERMIT
02/01/08	ISSUED COUNTY PERMIT

SITE DATA

SUBJECT SITE AND ZONING: SUBJECT SITE IS A 100,000 SQ. FT. PARCEL OF APPROXIMATELY 2.25 ACRES ZONED R-100 (RESIDENTIAL SINGLE-FAMILY) IN THE CITY OF WASILLA. THE SUBJECT SITE IS ADJACENT TO THE EXISTING FRED MEYER STORE, AND IS SEPARATED FROM THE EXISTING STORE BY A 100' WIDE DRIVEWAY. THE SUBJECT SITE IS BOUNDARY ADJACENT TO THE EXISTING STORE AND IS SEPARATED FROM THE EXISTING STORE BY A 100' WIDE DRIVEWAY. THE SUBJECT SITE IS BOUNDARY ADJACENT TO THE EXISTING STORE AND IS SEPARATED FROM THE EXISTING STORE BY A 100' WIDE DRIVEWAY.

PROJECT LOCATION: THE PROJECT IS LOCATED ON THE EAST SIDE OF THE SUBJECT SITE, ADJACENT TO THE EXISTING STORE. THE PROJECT IS LOCATED ON THE EAST SIDE OF THE SUBJECT SITE, ADJACENT TO THE EXISTING STORE. THE PROJECT IS LOCATED ON THE EAST SIDE OF THE SUBJECT SITE, ADJACENT TO THE EXISTING STORE.

OWNER: FRED MEYER STORES, INC. AND AFFILIATES, INC.
 3800 86TH AVENUE
 PORTLAND, OREGON 97202
 503.232.8844
 503.797.2559 FAX

DESIGNER: CARROLL-HAUSEN ENGINEERING, INC.
 1401 EAST PARKS HWY.
 WASILLA, AK 99554
 907.232.8844
 907.232.8845 FAX

PERMITTING AGENCIES: CITY OF WASILLA, AK
 1401 EAST PARKS HWY.
 WASILLA, AK 99554
 907.232.8844
 907.232.8845 FAX

ADJACENT PROPERTIES: THE SUBJECT SITE IS ADJACENT TO THE EXISTING FRED MEYER STORE TO THE WEST AND TO THE EXISTING FRED MEYER STORE TO THE EAST. THE SUBJECT SITE IS ADJACENT TO THE EXISTING FRED MEYER STORE TO THE WEST AND TO THE EXISTING FRED MEYER STORE TO THE EAST.

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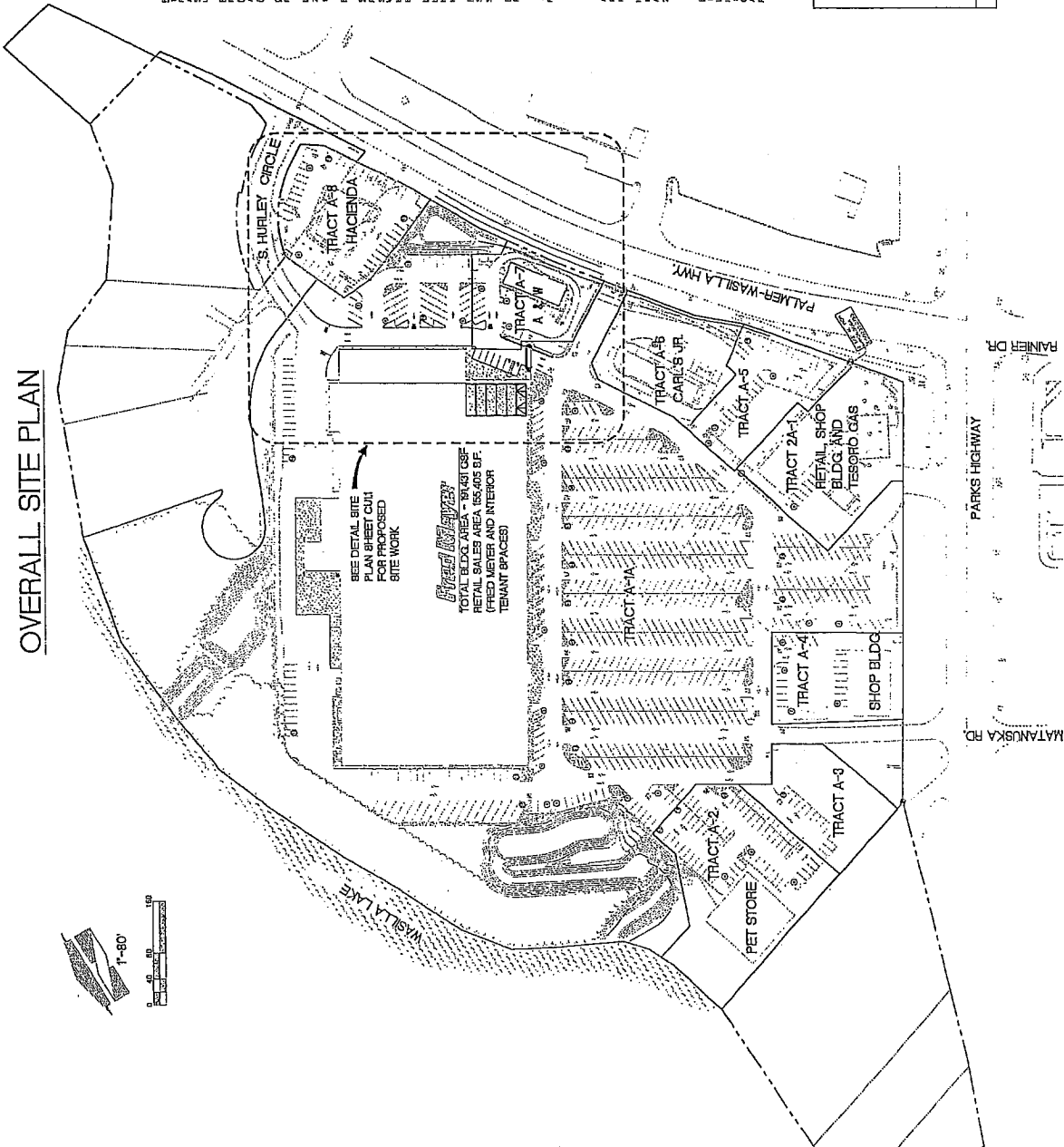
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OVERALL SITE PLAN



PARKING AND AREA STATISTICS

TRACT	TYPE	AREA (SQ. FT.)	PERCENTAGE
TRACT A-1	RETAIL	100,000	100%
TRACT A-2	RETAIL	100,000	100%
TRACT A-3	RETAIL	100,000	100%
TRACT A-4	RETAIL	100,000	100%
TRACT A-5	RETAIL	100,000	100%
TRACT A-6	RETAIL	100,000	100%
TRACT A-7	RETAIL	100,000	100%
TRACT A-8	RETAIL	100,000	100%
TRACT A-9	RETAIL	100,000	100%
TRACT A-10	RETAIL	100,000	100%

City of Wasilla
 REPRINT
 *** CUSTOMER RECEIPT ***
 Oper: CASH Type: DC Drawer: 1
 Date: 3/01/11 01 Receipt no: 20782

Description	Quantity	Amount
PG LAND USE PERMIT	1.00	1500.00

B/L account number:
 00100003221100

PRINCE, DEVERY
 MAG

Tender detail		Amount
CK CHECK	5297	1500.00
Total tendered		1500.00
Total payment		1500.00

Trans date: 3/01/11 Time: 14:12:06

*** THANK YOU FOR YOUR PAYMENT ***

CITY OF WASILLA - PLANNING OFFICE
 CASH RECEIPT FORM

Livingslow Slow, Inc

V11-01

NAME:	Calvin Preston	AMOUNT DUE \$	500.00
DATE:	3-1-11		
F4	COPY	Copy Income	\$.25 #
P6	LAND	Land Use Permit	\$500.00 Subd. Name:
C2	MAPS	Wasilla Map Large	\$ 10.00 Lot #
MS	MR	Miscellaneous Receipt	\$ Block #
C8	PLAN	Plans & Specifications	\$ Tract
F4	CD	CD COPY	\$10.00

By: Planning
Public Hearing: 03/22/11
Adopted:

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 11-07**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING VARIANCE NO. V11-01 ALLOWING A 9' REDUCTION FROM THE REQUIRED 25' FRONT YARD SETBACK AND A WAIVER OF THE REQUIRED 10' PARKING LOT PERIMETER PLANTING BED FOR TRACT A-3, OLSON SUBDIVISION 1999 ADDITION, TO ALLOW CONSTRUCTION OF A 6,600 SQUARE FEET COMMERCIAL BUILDING ON APPROXIMATELY 0.66 ACRES, GENERALLY LOCATED ON THE NORTH SIDE OF THE GEORGE PARKS HIGHWAY JUST WEST OF THE PALMER WASILLA HIGHWAY.

WHEREAS, Calvin Koshiyama, applicant, submitted an application for a variance on March 1, 2011, along with a site plan and application fee; and

WHEREAS, notice of the application was mailed to all property owners within a 1,200' 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 March 15, 2011; 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 has developed Findings of Fact summarizing the basic facts and reasoning of the Commission regarding the requested variance.

NOW THEREFORE BE IT RESOLVED, that the Wasilla City Planning Commission, after due consideration of 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 adopted the Findings of Fact and conditions of approval attached as Exhibit A and incorporated herein; and

BE IT FURTHER RESOLVED, that the Wasilla Planning Commission, grants the request for variance to the front yard setbacks and waives the required parking lot perimeter planting beds for Tract A-3, Olson Subdivision, 1999 Addition as it meets the criteria of §16.28.110 and 16.33.070 with the following conditions:

1. Provide and maintain landscaping in excess of the minimum required landscaping on all pervious areas on the site; and
2. Provide and maintain vegetation on the pervious areas of the Alaska State Department of Transportation and Public Facility right-of-way easement.

ADOPTED by the Wasilla Planning Commission on - 2011.

APPROVED:

A.C. Buswell, III, Chairman

ATTEST:

Tina Crawford, City Planner

**Findings of Fact
Variance 11-01**

SETBACK VARIANCE:

§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 March 1, 2011.

§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 notice was posted on the property and mailed on March 8, 2011 to all properties within a 1,200' radius, allowing for the proper number of days in which to comment in accordance with 16.16.040.

§16.28.110(C) Variance Standards.
A variance may be granted only if:

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 district or vicinity. This property has a very irregular shape that is not typically found in the surrounding properties or other commercial properties.

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: The property configuration is irregular in shape and contains easements along all four property lines that limit the developable area more than other similar properties in the area.

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: Without approval of a variance, only a very small commercial building could be built on the property.

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 applicant did not cause the conditions that require a variance. The property was originally larger, but Fred Meyer Stores, Inc., the previous owner, granted a right-of-way easement on approximately 3,531 square feet along the southern property line to the State of Alaska Department of Transportation and Public Facilities in 2002.

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. Without any variance, it would be difficult to build a commercial building on this property.

§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 and waiver request are necessary to allow reasonable use of the lots. The applicant is only proposing a 6,600 square foot building. Other commercial buildings on similar size tracts in the immediate area range between 3,940 to 7,990 square feet.

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

Finding: The proposed commercial building is a permitted use 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 since the property has a commercial zoning and future land use designation and is located within a commercially developed area.

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 should not significantly adversely affect other properties in the area. The subject property is surrounded by commercial uses to the north and the Parks Highway to the south.

§16.16.040(A)(6) Decision.

The commission shall decide to deny, approve or approve with conditions the proposal or appeal. The burden of proof shall be on the applicant. The commission's decision may be made immediately following the public hearing portion of the commission meeting. The decision of the commission shall set forth the facts it finds relevant to its decision and the reasons for its decision. The effective date of the decision is the date the findings and the reasons are set out in writing and signed by the commission chairperson or the chairperson's designee.

LANDSCAPE WAIVER:

§16.33.070(A)(1) Preapplication Conference.

The applicant shall schedule a preapplication conference with the planner to review the proposed waiver or modification.

Finding: The applicant met with the planner to discuss proposed site plan and necessary waivers, including the waiver process.

§16.33.070(A)(2) Application and Site Plan.

After the preapplication conference, the applicant shall submit an application for the waiver or modification to the planner with the appropriate fee. The application shall include a site plan depicting all information relevant to the requested waiver or modification. The planner may require that the site plan be produced by a registered professional engineer, architect, landscape architect or land surveyor.

Finding: The applicant submitted the required application and site plan on March 1, 2011.

§16.33.070(A)(3) Public Hearing.
The commission shall hold a public hearing on the application. The notice, comment period, and hearing procedure shall be the same as provided in Section 16.16.040 for a conditional use.

Finding: All notice, comment period, and hearing procedures were met (see setback variance Finding for §16.28.110(B)).

§16.33.070(A)(4) Decision.
The commission may approve an application only if the commission finds that the application meets all of the following standards:

(a) Either (i) natural vegetative features within or adjacent to the property, or the shape, topography, drainage or other physical features of the property, make compliance with the landscaping requirements of this title impracticable or contrary to the public interest; or (ii) compliance with the landscaping requirements of this title will have an adverse effect on other property;

Finding: The shape of the property makes it difficult to meet the required setbacks, parking, and landscape requirements in Title 16. In order to provide the required parking spaces and have reasonable use of the property, a waiver of the parking lot perimeter plant bed requirements is necessary.

(b) The special conditions that support the waiver or modification are not caused by the person seeking the waiver or modification, a predecessor in interest, or the agent of either;

Finding: The applicant did not create the property configuration. He purchased the property after the plat was approved by the Matanuska-Susitna Borough.

(c) The waiver or modification is not sought solely to relieve pecuniary hardship or inconvenience;

Finding: The waiver is necessary to allow construction of a commercial building with the required on-site parking and is not requested to relieve a financial hardship or inconvenience.

(d) The waiver or modification will not significantly affect adjacent property or water bodies; and

Finding: The waiver will not affect adjacent properties or water bodies since the adjoining properties contain commercial uses and there are no water bodies abutting this property.

(e) The waiver or modification is consistent with the spirit and intent of this chapter.

Finding:

The waiver is consistent with the spirit and intent of this chapter. The property is zoned Commercial and will be compatible with the surrounding uses.

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STAFF REPORT
Prepared by:
For the meeting of:

Case # CU 11-01
Planning Staff
March 22, 2011

I. SUMMARY FACTS:

Applicant: Dowl HKM
4041 B Street
Anchorage, AK 99503

Land Owner: Southcentral Foundation
4501 Diplomacy Drive, Suite 200
Anchorage, AK 99508

Proposal: Development of an 85,301 square foot Valley Native Valley Native Primary Care Center on approximately 10 acres within a 34 acre site.

Location: 1001 Knik-Goose Bay Road
Tract A and Lot 1, Block 1, Rock Center Subdivision, Phase I

Parcel Size: 10 acres± (within a 34 acre site)

Existing Zoning: Commercial

Comprehensive Plan: Generally Commercial/Business

Surrounding Land Use: North: Vacant Land
South: Construction Equipment/Multifamily Residential
East: Vacant Land
West: Commercial

II. STAFF RECOMMENDATION:
Approval with Conditions

III. COMPLIANCE WITH WMC 16.16.050 – GENERAL APPROVAL CRITERIA

16.16.050 *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.*

- Staff 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.*
- Staff Finding: Staff finds that this criterion is met since the proposed expansion of the existing commercial use is consistent with the Comprehensive Plan's *Expected Future Land Use Map* designation, "Generally Commercial/Business" and the Commercial zoning that implements the adopted Comprehensive Plan.
- 16.16.050(3)** *Special Uses. The proposal is substantially consistent with the specific approval criteria of Section 16.16.060.*
- Staff Finding: The specific approval criteria under 16.16.060 are not applicable since medical facilities/office buildings are not one of the special uses with additional criteria.
- 16.16.050(4)** *Reviewing Parties. Due deference has been given to the comments and recommendations of reviewing parties.*
- Staff Finding: The City mailed 123 notices to neighboring property owners within 1200' and the 25 review agencies that are typically provided with the opportunity to comment. Only one comment was received from a resident, which is included in this packet. Any comments received after the compilation of the packet will be provided at the public hearing and can be addressed at that time.
- 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.*
- Staff Finding: The State Fire Marshall's Office will review the plans for compliance with all applicable fire codes, building codes and emergency access as related to the public health, safety and welfare prior to construction.
- 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...*
- Staff Finding: Staff finds that the applicant has prepared a Traffic Impact Analysis (included in the packet) and is coordinating with the Alaska State Department of Transportation and Public Facilities to determine if any off-site traffic mitigation is required.
- 16.16.050(8)** *Dimensional Standards. The dimensional requirements of Section 16.24.010 are met.*

Staff Finding: Staff finds that this criterion is met since the attached site plan submitted by the applicant 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.*

Staff Finding: Staff finds that this criterion is met since the attached site plan indicates the required 285 paved parking spaces (including 9 handicapped spaces), four (4) off-street loading space, adequate paved aisle widths, and the 12,800 square feet of snow storage (only 8,800 SF required).

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.*

Staff Finding: Staff finds that this criterion has been met since, according to the Public Works Director, the site is adequately served by water and sewer and other utilities are currently available in the area.

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.*

Staff Finding: The proposed drainage plan indicates on-site storage of all runoff from the site. Additionally, in-depth review and approval of the plans will be required by the Public Works department prior to construction.

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.*

Staff Finding: Staff finds that this criterion is met. The site is located at the intersection of Knik-Goose Bay Road and Palmer-Wasilla Highway, which are designated as a Rural Major Collector and a Rural Minor Arterial, respectively. The site plan indicates sufficient open space, vehicle and pedestrian circulation, and landscaping and there are no sensitive areas or natural areas to be preserved on site. Signage will be reviewed for consistency with Title 16 at time of submittal of sign permit.

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.*

Staff Finding: Staff finds that there should not be different peak use characteristics than the surrounding uses or area since the surrounding area is zoned commercial.

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.*

Staff Finding: Staff finds that this criterion is met since the proposed Valley Native Primary Care Center should not produce the negative effects noted above. No additional buffering is required since only vacant commercial land abuts the property lot lines.

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.*

Staff Finding: Staff finds that the site plan indicates the proposed dumpster location and landscaping. The proposed landscaping exceeds the minimum required landscaping for the site. Additionally, the applicant will be required to provide a landscape bond/guaranty equal to the amount of the estimated cost of 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.*

Staff Finding:

Staff finds that this criterion is not applicable since the area is developed predominantly with commercial uses and offices and is not close to schools, playgrounds, shopping areas, transportation, or community facilities.

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.

Staff Finding: Staff finds that this criterion is met since the Public Works Director has determined that City utilities are in the immediate area and sufficient capacity exists for the proposed Valley Native Primary Care Center. The applicant will coordinate with the Public Works department to obtain all necessary City permits.

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.*

Staff Finding: Staff finds that there are not any known historic resources. However, the Matanuska-Susitna Borough Cultural Resources Office plans to review the site but was unable to complete the review prior to completion of this packet. Any comments will be provided to the Commission at the public hearing.

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 and air.*

Staff Finding: Staff finds that this criterion is met since the proposed project provides architectural detail and site design that will enhance the area and provide for adequate light and air to surrounding properties.

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...

Staff Finding: Staff finds that this criterion is not applicable since the construction of the proposed Valley Native Primary Care Center does not support dedication of a portion of the property for a public open space or facility.

16.16.050(21) *Winter Hassles. The proposed use shall not significantly increase the impact on the surrounding area from glaciation or drifting snow.*

Staff Finding: Staff finds that this criterion is met since no foreseeable problems associated with winter conditions are anticipated for the proposed primary care and all snow storage will be accommodated on site.

V. FINDINGS

Process Findings:

Application: Planning staff has determined that the application along with supporting data is complete and submission requirements were met in a timely manner.

- Public Notice: All public noticing requirements of WMC 16.16.040(B) have been met. Public notice was mailed March 8, 2011 to all properties within a 1,200' radius, allowing for the proper number of days in which to comment in accordance with 16.16.040, notices were posted on the property and at City on March 8, 2011, and an advertisement for the hearing ran in the March 15, 2011 edition of the Frontiersman.
- Comment Period: The written comment period was appropriately given and comments received by mail have been included in the packet. Any comments received after distribution of the March 22, 2011 packet will be provided at the meeting.
- Public Hearing: The public hearing is scheduled in compliance with the requirements of WMC 16.16.040(D).
- Decision: Draft Findings of Fact are included as Exhibit A in the attached Planning Commission Resolution Serial No. 11-08 supporting the Commission's decision in compliance with WMC 16.16.040(F).

VI. CONCLUSION AND RECOMMENDED CONDITIONS OF APPROVAL:

Staff recommends approval of this request with the following conditions of approval:

1. All exterior lighting must be arranged and shielded to reflect the light away from adjoining land uses and to prevent glare/interference with traffic.
2. The following items must be completed prior to construction:
 - A. State Fire Marshall'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.
 - B. The applicant must submit a Landscape Guarantee per WMC 16.33.040(A) in the form of a cash deposit in escrow or a surety bond.
 - C. The applicant must consult with DEC and the City Public Works department and follow the appropriate stormwater procedures and regulations prior to construction.
 - D. Continue to coordinate with Alaska State DOT/PF and construct any required off-site traffic mitigation.
3. Construction on the site must substantially comply with the site plans included in this packet. Any changes to the site plans must be submitted to the City Planner for review. Substantial modifications will require submittal of an amended conditional use application, including application fee and Planning Commission review and approval.

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IMPERVIOUS AREA CALCULATIONS

TRACT A

PAVING = 3.6 ACRE
BUILDING = 1.3 ACRE

LOT 1

PAVING = 1.9 ACRE

LEGEND

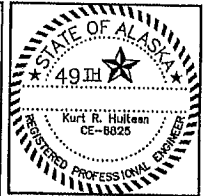
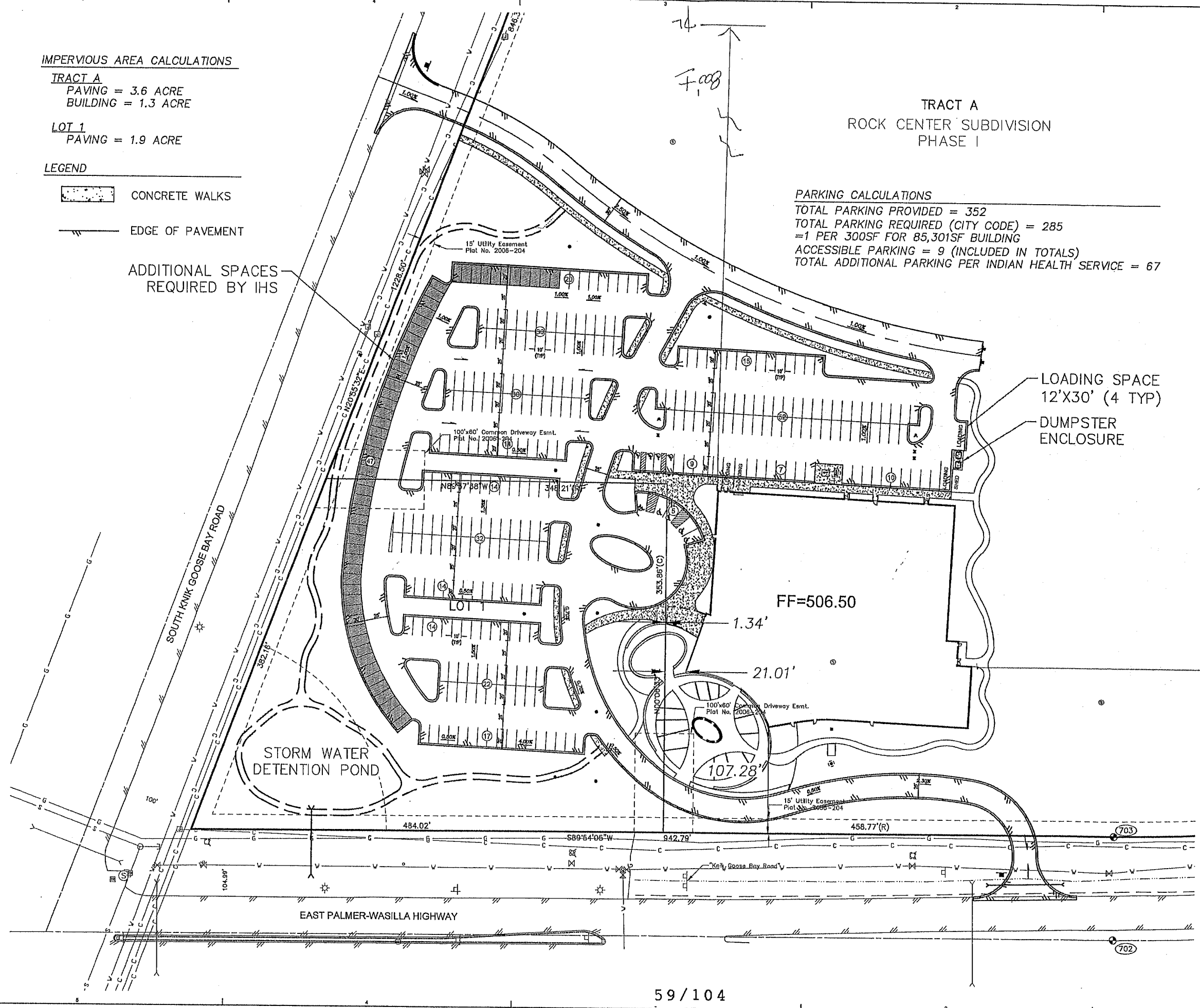
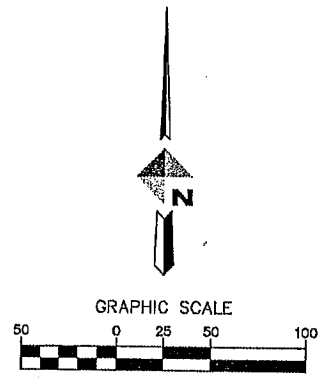
- CONCRETE WALKS
- EDGE OF PAVEMENT

ADDITIONAL SPACES
REQUIRED BY IHS

TRACT A
ROCK CENTER SUBDIVISION
PHASE I

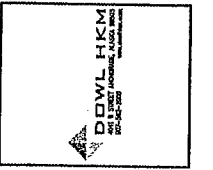
PARKING CALCULATIONS

TOTAL PARKING PROVIDED = 352
TOTAL PARKING REQUIRED (CITY CODE) = 285
= 1 PER 300SF FOR 85,301SF BUILDING
ACCESSIBLE PARKING = 9 (INCLUDED IN TOTALS)
TOTAL ADDITIONAL PARKING PER INDIAN HEALTH SERVICE = 67



kpb architects
mbbj
222 Pine Avenue North, Wasilla, AK 99609
(907) 226-5555 Fax (907) 226-5500

NEESER CONSTRUCTION, INC.
Anchorage, Alaska 99502
Phone (907) 249-1000
Fax (907) 249-1005



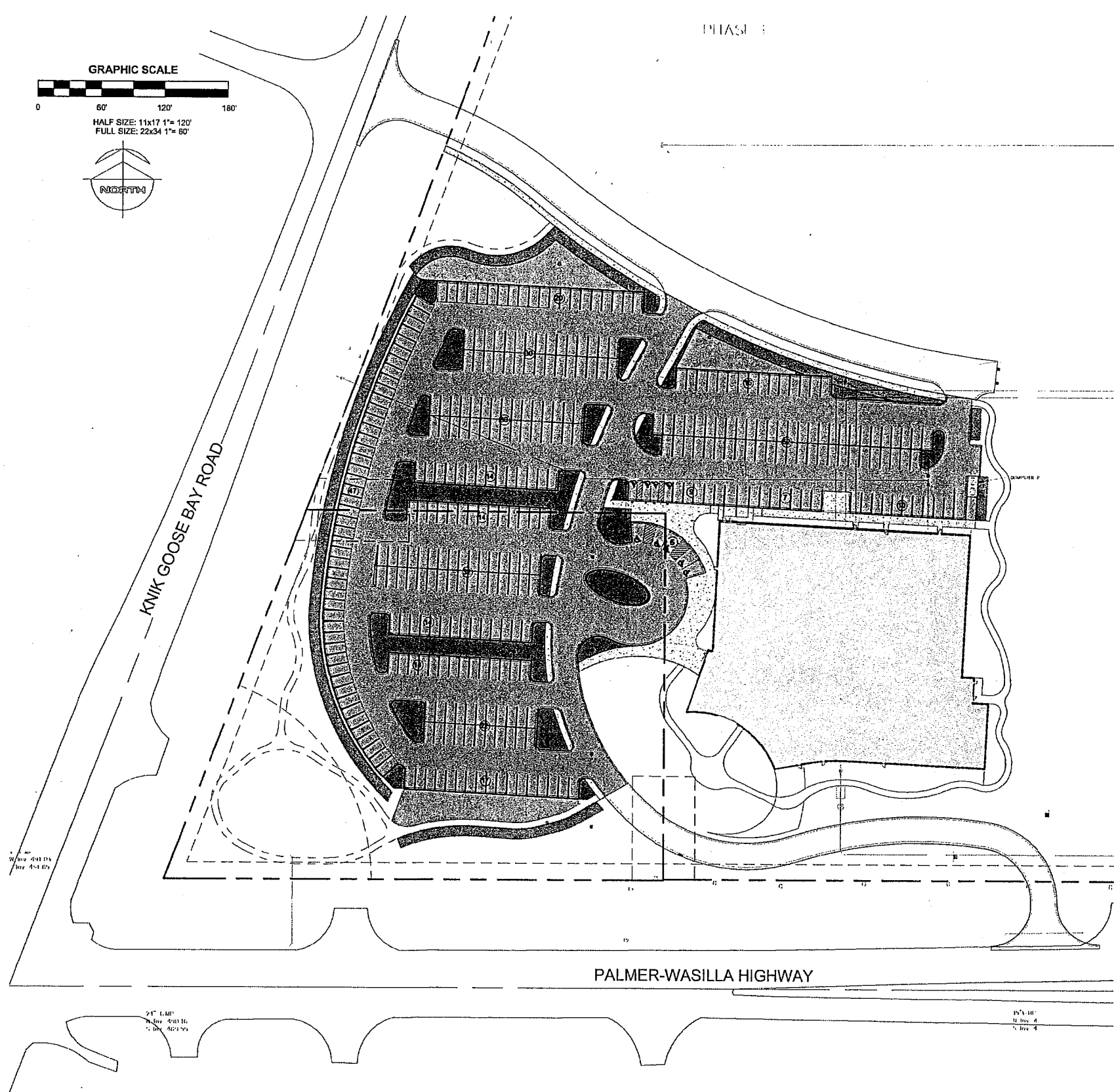
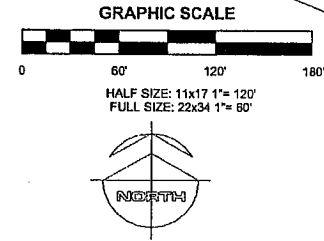
SOUTH CENTRAL FOUNDATION
NATIVE PRIMARY CARE CLINIC
WASILLA, AK

REVISION	SCHEDULE	DATE

JOB NO. - NCI	11101
JOB NO. - kpb	A9061.01
JOB NO. - mbbj	100748.00
DATE	03/03/2011
DRAWN	RDL
REVIEWED	KRH

SHEET NAME
GUD OVERALL SITE PLAN

SHEET NO.
C2.07






15% INTERIOR LANDSCAPING CALCULATION:

TOTAL AREA CONSISTING OF PAVED PARKING AND DRIVELANES: 154,477 s.f.
CALCULATION: 154,477 x 0.15 = 23,171 s.f.
TOTAL AREA CONSISTING OF PARKING LOT LANDSCAPE: 24,508 s.f.

SNOW STORAGE CALCULATION:

TOTAL NUMBER OF PARKING SPACES: 352
CALCULATION: 352 x 25s.f. = 8,800 s.f.
TOTAL AREA OF SNOW STORAGE SHOWN: 12,800 s.f.

LEGEND

-  SNOW STORAGE
-  INTERIOR LANDSCAPE
-  PERIMETER LANDSCAPE

1 INTERIOR LANDSCAPE/SNOW STORAGE AREA CALCULATIONS
1" = 60'-0"

kpb architects

nbbj

231 Third Avenue, Suite 400, Anchorage, Alaska 99501
Tel: (907) 276-1058 Fax: (907) 276-8533

NEESER CONSTRUCTION, INC.

2501 Blueberry Road, Anchorage, Alaska 99503
Office (907) 276-1058 Fax (907) 276-8533

CONSULTANT LOGO INFO

Southcentral Foundation
Valley Native Primary Care Center
Wasilla, Alaska

REVISION SCHEDULE	
DESCRIPTION	DATE

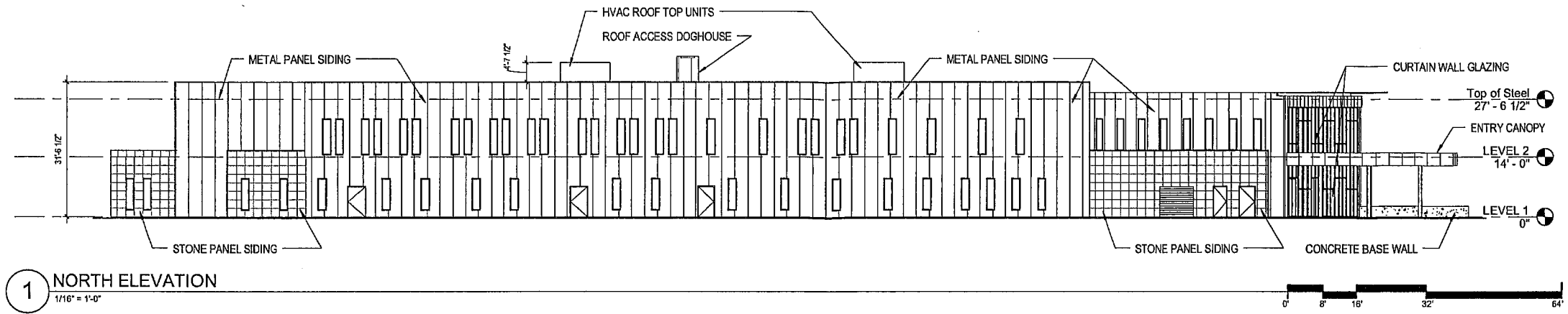
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JOB NO. - kpb	A8061.01
JOB NO. - nbbj	100748.00
DATE	03/01/2011
DRAWN	ERL
REVIEWED	Checker

SHEET NAME
SITE PLAN - Snow Storage,
Interior Landscape & Perimeter
Landscape

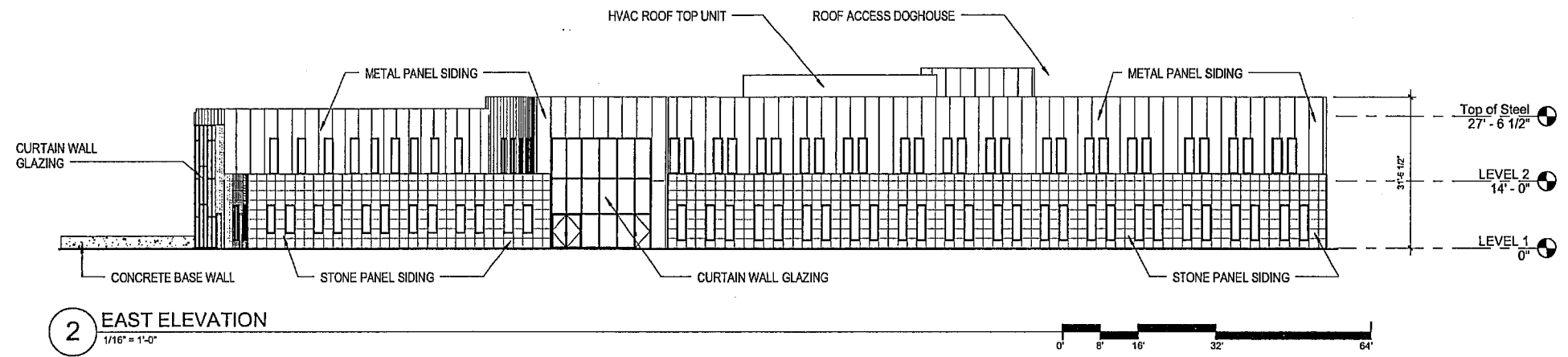
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L2.03

CONDITIONAL USE PERMIT APPLICATION

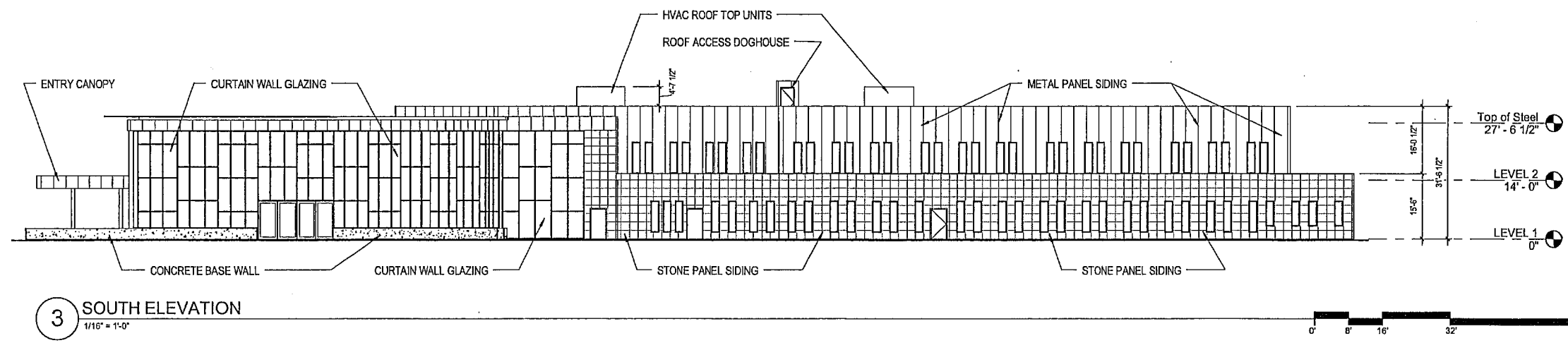
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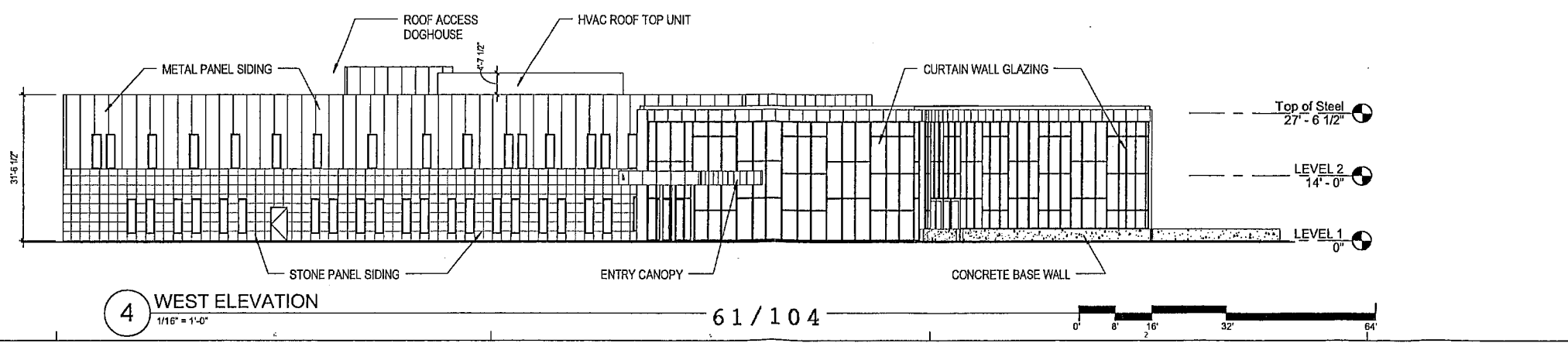
1 NORTH ELEVATION
1/16" = 1'-0"



2 EAST ELEVATION
1/16" = 1'-0"



3 SOUTH ELEVATION
1/16" = 1'-0"



4 WEST ELEVATION
1/16" = 1'-0"

61/104

STAMP

kpb architects

nbbj

233 Yale Avenue North, Seattle, WA 98109
(206) 461-5555 Fax (206) 461-7776

NEESER CONSTRUCTION, INC.

2001 Blueberry Road
Office (907) 276-1058

Anchorage, Alaska 99503
Fax (907) 276-8533

CONSULTA
KIT LOGO /
INFO

Southcentral Foundation
Valley Native Primary Care Center
Wasilla, Alaska

REVISION SCHEDULE		
#	DESCRIPTION	DATE
1		

CONDITIONAL USE PERMIT APPLICATION

JOB NO. - NCI	11101
JOB NO. - kpb	A9051.01
JOB NO. - nbbj	100748.00
DATE	03/01/2011
DRAWN	ghm
REVIEWED	Checker

SHEET NAME
EXTERIOR ELEVATIONS

SHEET NO
A2.01A

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CU #11-01
MSB Map #WA 11
T17N, R01W, Sec. 10

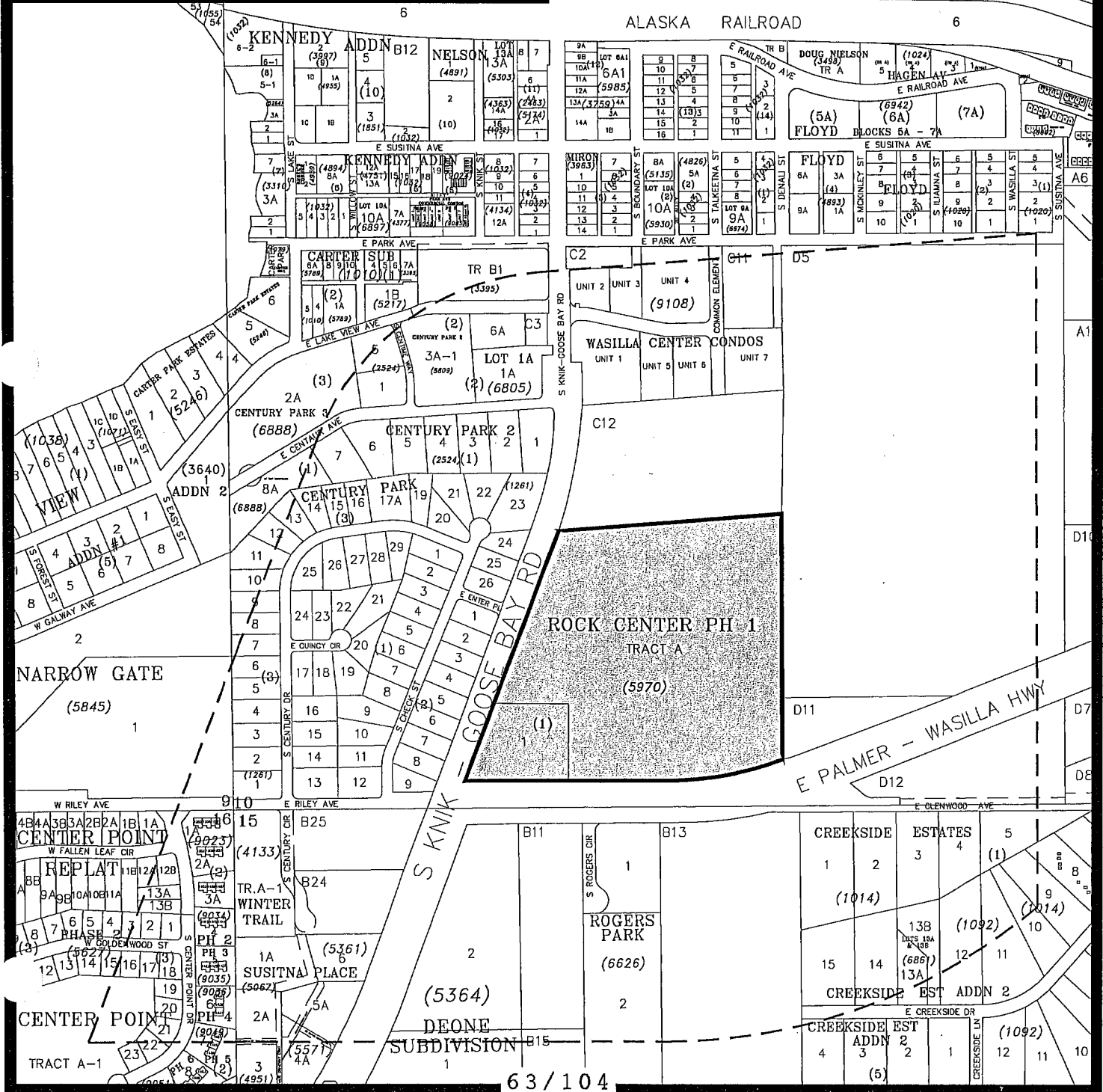
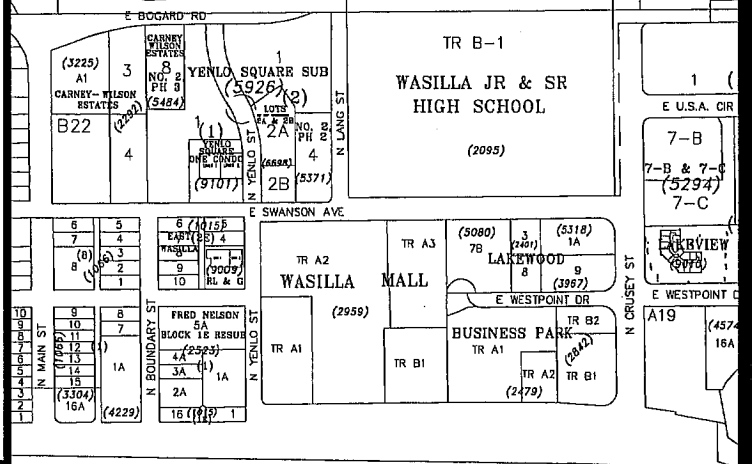


SCALE IN FEET



**SUBJECT
 PROPERTY**

City of Wasilla/Planning - 03-07-2011



From: Anne Kilkenny <annekilkenny@hotmail.com>
Sent: Friday, March 11, 2011 2:56 PM
To: Planning
Subject: re: CUP Case CU 11-01

P. O. Box 870163
Lot 15, Block 1, Century Park
Wasilla, AK 99687-0963

March 11, 2011

Dear Planning Commission Members,

Re: Conditional Use Permit Track A, Block 1, Lot 1 Rock Center Subdivision, Phase I

Regarding this Conditional Use Permit application, we have the following issues we want to bring to your attention: soils, drainage, and traffic access

Soils. In this area there is a shallow layer of loam, atop a layer of packed clay, atop an impermeable layer of glacial till.

Evidence of the impermeability of the soils on this site is the year-round existence of a drainage-fed pond at the sw corner of Lot 1, Block 1 (the corner of Knik Rd and the Palmer-Wasilla Hwy extension). This pond overflows during spring thaws and in periods of heavy rain. The overflow progresses westerly through a culvert under Knik-Goosebay Road. It then flows westerly on E. Riley Avenue to near the corner of S. Century Drive and E Riley, and then flow across the top of E. Riley Avenue into the Senior Center complex adjacent to KGB Road. This overflow occasionally freezes into a wide sheet of ice on E Riley, which the City plans to be developed into a collector.

Therefore, given the impermeability of the soils in this area, we urge the Planning Commission to require more sophisticated run-off management than otherwise might be required. For example, the normal number of gravel swales will likely be insufficient for handling any parking lot run-off.

Drainage. Given that this site is at the top of a hill and tends to drain toward the Senior Center as described above, the permit should specify that all run-off must be contained and managed on site or channeled through a city storm drainage system.

Traffic Access. Access to this site from E Palmer-Wasilla Hwy should be limited to right turn entrance and egress because the E Palmer-Wasilla Hwy is divided at that point.

Access to the site from S Knik-Goosebay Road should occur opposite E Enter Place.

Sincerely,

Pat Johnson

Anne Kilkenny

MAR 09 2011

NOTIFICATION OF PUBLIC HEARING
-CONDITIONAL USE REQUEST-

DATE: March 7, 2011

CASE: CU 11-01

APPLICANT (S): Southcentral Foundation

REQUEST:

For conditional use permit to build an 85,301 square feet, Valley Native Primary Care Center, located on Tract A, and Block 1, Lot 1, Rock Center Phase I Subdivision.

You are being notified of this action as you are a property owner within 1,200' of the subject property, (WMC 16.16.040). A Planning Commission public hearing on this request is scheduled for March 22, 2011 at 7:00 PM in the City Council Chambers. Comments may be submitted in writing by filling in the spaces provided below and mailing to: City of Wasilla, Planning Office, 290 E. Herning Ave, Wasilla, AK 99654. If there is not enough room below please attach a separate piece of paper. You may also fax (907) 373-9021 or email your comments to: planning@ci.wasilla.ak.us. Your written comments on this request must reach the Planning Office on or before March 22, 2011 in order to be included in the packet. Comments received after that date will be available at the public hearing.

Anyone wishing to review the application for this case is encouraged to contact the Planning Office for additional information.

Name Chris R. Powell City Council Development Director City Center Wasilla
Address 4101 Arctic Blvd, Ste 203
Lot _____ Block _____ Subdivision Wasilla Center Center Units 1-7

Comments:
The proposed project will provide significant higher wage
employment to local residents also increasing other business
activity. Additionally this developer will create 150-200
rough native families seeking health care as a better
alternative than going to Anchorage



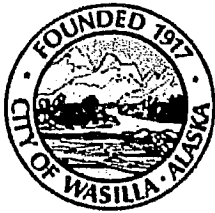
CITY OF WASILLA
PLANNING OFFICE
290 E HERNING AVE
WASILLA, AK 99654
PHONE 373-9020 FAX 373-9021

9108000U001
WASILLA CENTER DEV LLC
4101 ARCTIC BLVD
STE 203
ANCHORAGE, AK 99503

FIRST CLASS

NOTICE OF PUBLIC HEARING

**SEE SEPARATE
DOCUMENT FOR
COMPLETE
APPLICATION
FOR CU 11-01**



CITY OF WASILLA
 • Planning Office •
 290 East Herring Avenue • Wasilla • Alaska • 99654-7091
 • Telephone 907-373-9020 •

APPLICATION FOR CONDITIONAL USE CU# LL-01

PROPERTY OWNER*	OWNER'S REPRESENTATIVE (If Any)
Name: Southcentral Foundation	Name: DOWL HKM
Mailing Address: 4501 Diplomacy Drive, Suite 200 Anchorage, Alaska 99508	Mailing Address: 4041 B Street Anchorage, Alaska 99503
Contact Phone: Day _____ Night _____ (907) 729-4955	Contact Phone: Day _____ Night _____ (907) 562-2000
FAX: (907) 729-4928	FAX: (907) 563-3953
E-mail: jsears@scf.cc	E-mail: mritter@dowlhkm.com

*Attach list of additional owners if any.

PROPERTY INFORMATION
Size of property: Approximately 10 acres within a 34-acre site
Property tax # Tract A: 5970000T004 and Lot 1, Block 1: 59701301L001
Street Address: 1001 Knik-Goose Bay Road
Legal Description: Lot(s) <u>1</u> Block <u>1</u> Subdivision <u>Rock Center Phase I</u>
OR Parcel/Tract <u>A</u> Section _____ Township _____ Range _____
[Attach additional page if necessary.]
Zoning: RR Residential <input type="checkbox"/> R1 Single-family Residential <input type="checkbox"/> R2 Residential <input type="checkbox"/> RM Multi-family <input type="checkbox"/> C Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Public <input type="checkbox"/>
Requested Use: Conditional Use for a Primary Care Center.

AUTHORITY TO APPLY FOR CONDITIONAL USE:

I hereby certify that I am (I am authorized to act for the) owner of the property and that I am applying for a Conditional Use in conformance with Title 16 of the Wasilla Municipal Code of Ordinances. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the conditional use.

DATE: 3/1/2011

SIGNATURE: *Michelle J Ritter*

Comprehensive Plan Information			
Expected Future Land Use Map shows property as :			
Generally Residential <input type="checkbox"/>	Parks <input type="checkbox"/>	Mixed Use Area <input checked="" type="checkbox"/>	
Generally Commercial/Business <input checked="" type="checkbox"/>	Generally Industrial <input type="checkbox"/>	Public/Institutional <input type="checkbox"/>	

Land Use	
Describe current use of property covered by this application: Vacant	
Surrounding property: (Describe how land adjacent to the property is currently being used.)	
North:	Commercial
South:	Commercial
East:	Commercial / Rural Residential
West:	Commercial / Multi-Family Residential

Attach a written narrative addressing the following Criteria –	
16.16.050	
A. 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 <u>16.16.060</u> 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.	
1.	Neighbors. Due deference has been given to the neighborhood plan or comments and recommendations from a neighborhood with an approved neighborhood plan.
2.	Plans. The proposal is substantially consistent with the city comprehensive plan and other city adopted plans.
3.	Special Uses. The proposal is substantially consistent with the specific approval criteria of Section <u>16.16.060</u> .
4.	Reviewing Parties. Due deference has been given to the comments and recommendations of reviewing parties.
5.	Neighborhoods. Due deference has been given to the neighborhood plan or comments and recommendations from a neighborhood with an approved neighborhood plan.
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.
7.	Traffic. The proposed use shall not overload the street system with traffic or result in unsafe streets or dangers to pedestrians.
8.	Dimensional Standards. The dimensional requirements of Section <u>16.24.010</u> are met.
9.	Parking. The parking, loading areas and snow storage sites for the proposal shall be adequate, safe and properly designed. The developer may be required to install acceptable lighting at pedestrian or vehicular access points.

<p>10. Utilities. The proposed use shall be adequately served by water, sewer, electricity, on-site water or sewer systems and other utilities.</p>
<p>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, watersheds, and land stability.</p>
<p>12. Large Developments. Residential development of more than four units or nonresidential 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 classes of streets: interstate, minor arterial, major collector or commercial.</p>
<p>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.</p>
<p>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 this criteria.</p>
<p>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:</p> <ol style="list-style-type: none"> 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.
<p>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.</p>
<p>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</p>

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.

18. Historic Resources. The proposed use shall not adversely impact any historic resource prior to the assessment of that resource by the city.

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 and air.

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. No land may be accepted by the city unless:

- a. The location, shape, size and character of the area is suitable for the planned use;
- b. The uses authorized for an area are appropriate to the scale and character of the uses considering its size, density, expected population, topography, and the number and type of dwellings and uses to be conducted;
- c. The area must be suitably improved for its intended use, but common open space containing natural features worthy of preservation may be left unimproved;
- d. If the final development plan provides for buildings, landscaping or other improvements in the dedicated area, the developer must provide a bond or other adequate assurance that such improvements will be completed. The city shall release the bond or other assurance when the buildings, structures or improvements have been completed according to the development plan;
- e. All land must be conveyed under one of the following options:
 - i. It may be conveyed to an agency that will agree to maintain in perpetuity the area and any buildings, structures, or improvements which have been placed on it.
 - ii. When no maintenance of the area is required, it may be conveyed to all new owners in undivided joint ownership.
 - iii. When the land is not dedicated to a public agency and maintenance of the common space is required, an association for maintenance of the area must be established. Covenants establishing the association must be approved as to form by the city attorney, and by the commission as to whether the covenants provide for maintenance of the area in a manner which

assures its continuing use for its intended purpose.
 iv. Conveyance of an area must be consistent with AS 34.07 the Horizontal Property Regime Act.
 21. Winter Hassles. The proposed use shall not significantly increase the Impact on the surrounding area from glaciation or drifting snow. (Ord. 06-47(AM) § 4, 2006; prior code § 16.43.508)

Application Check list:

- Applicant has owner's authorization to submit application.
- Narrative addressing criterion is attached.
- Application fee.
- Legal description.

Accepted by: <i>Tina Crawford</i>	Representative Affidavit: N/A <input type="checkbox"/> Attached <input checked="" type="checkbox"/>	Fee: \$500.00	Tentative WPC Hearing Date: 3-22-2011
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City Planner Approval:
 This Land Use Permit is valid beginning _____, 20____, unless an appeal is filed, upon which all activity must cease on this property.
 Approval of City Planner: _____ Date: _____

Notice of Right to Appeal: All decisions of the City Planner are appealable per WMC Title 16.



DOWL HKM

March 1, 2011
W.O. 60715

Ms. Tina Crawford
Planning Department
City of Wasilla
290 E. Herning Avenue
Wasilla, Alaska 99654

Subject: South Central Foundation Valley Primary Care Center
Conditional Use Permit Submittal

Dear Ms. Crawford:

DOWL HKM, on behalf of South Central Foundation, is pleased to submit a Conditional Use Permit (CUP) for the Valley Native Primary Care Center (VNPCC) for consideration by the Planning Commission. The CUP is to allow for the development of the VNPCC on Parcel No. 5970000T004 and 5970B01L001, legally described as Tract A and Lot 1, Block 1, Rock Center Subdivision, Phase I.

Thank you for your time and consideration of this exciting new project. Please contact us if you have any questions or comments.

Sincerely,
DOWL HKM



Timothy C. Potter
Senior Planner

Attachments: As stated

D60715.Crawford.MR.TCP.030111.mas



February 28, 2011

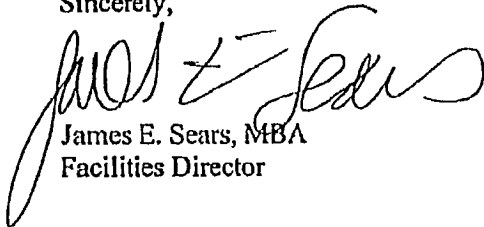
Ms. Tina Crawford, Planning Director
City of Wasilla
290 E. Herning Avenue
Wasilla, AK 99654-7091

Subject: South Central Foundation Valley Primary Care Center
Tract A and Lot 1, Block 1, Rock Center Subdivision, Phase I
Letter of Authorization

Dear Ms. Crawford:

This letter authorizes DOWL HKM to act on Southcentral Foundation's behalf regarding any land use actions associated with the property referenced above. If you have any questions, please feel free to call me at 907-729-4928.

Sincerely,



James E. Sears, MBA
Facilities Director

CONDITIONAL USE APPLICATION

Project Description Overview

DOWL HKM is submitting this application on behalf of the property owner, Southcentral Foundation (SCF), to request approval for a Conditional Use Permit (CUP) for the Valley Native Primary Care Center (VNPCC) located within the City of Wasilla (Wasilla). The project is located on Tract A and Lot 1, Block 1, Rock Center Subdivision. Tract A is approximately 30.51 acres in size and Lot 1, Block 1 is approximately 3.40 acres in size for a total of approximately 34 acres. Of the 34 acres, approximately 10 acres will be developed for the VNPCC development. The parcel is located at the northeast corner of the intersection of Palmer-Wasilla Highway and Knik-Goose Bay (KGB) Road (Figure 1 - Location Map). The parcel is bordered by KGB Road to the west and Palmer-Wasilla Highway to the south. The site is proposed to have access from both Palmer-Wasilla Highway and KGB Road. The parcel is identified by Tax ID number 5970000T004 (Tract A) and 5970B01L001 (Lot 1) (Appendix A).

This proposal is for a CUP to allow for the development of the VNPCC on the subject site. The site is zoned Commercial (C) District. Wasilla Development Code (WDC) Section 16.20.010.A.5 states that the intent of the commercial district is

“...to protect areas of existing commercial development and to provide areas for the continued growth of commercial enterprise. The uses in this zone are oriented towards serving the commercial needs of the residents of the city and the surrounding area.”

Commercial uses with over 10,000 square feet of gross floor area are also required to go through the conditional use site design review public process to evaluate the specific design criteria proposed.

It is anticipated that the VNPCC will operate from 8:00 a.m. to 5:00 p.m., Monday through Friday. There will be between 190 to 200 employees on staff during each 8-hour shift.

Background

SCF is an Alaska Native-owned community health care provider delivering medical, dental, and behavioral health services to eligible Tribal members within Indian Health Service's (IHS) Anchorage Service Unit (ASU). The ASU is 107,413 square miles (an area larger than the state of Colorado), and includes an estimated 59,000 Alaska Native and American Indian (AN/AI) people living in Anchorage, the Matanuska-Susitna Valley, and 60 rural villages. Within the ASU is the Palmer-Wasilla Service Area, a 25,000-square-mile area (approximately the size of the state of West Virginia), which alone serves almost 6,650 users.

Currently SCF leases approximately 5,468 square feet for its outpatient clinic that serves the active IHS users living in the Palmer-Wasilla Service Area. The existing facility, the Mat-Su Native Primary Care Center, provides primary care services that range from acute care to wellness appointments for newborns to elders. The facility offers a full-time Behavioral Health Consultant, a full-time Dietician, and limited pharmacy and radiology services.

Massive shifts in the population demographics of AN/AI IHS beneficiaries are making the need for a larger facility in the Matanuska-Susitna Borough (MSB) critical. Based on the 2009 IHS active user population, there are almost 6,650 active users in this area. SCF's 2009 Master Plan projects a minimum user population of 10,168 by 2020. The current space constraints severely limit the services that can be provided directly to the active users in the Palmer-Wasilla Service Area. Additionally, the current facility is located in a leased strip mall which limits the possible expansion opportunities at the current location.

SCF is proposing the development of the VNPCC in Wasilla to fill the growing need for services in the Matanuska-Susitna Valley. In the proposed facility, primary care, behavioral health, dietary, radiology, and pharmacy services will be expanded to meet the existing and projected need of the area. Additionally, dental and optometry services will be provided at the new facility, as sufficient space will be available to accommodate these additional services.

Conditional Use Permit Standards (WDC 16.16.050)

Approval of the conditional use permit application is based on the following standards:

- 1. Due deference has been given to the neighborhood plan; or comments and recommendations from a neighborhood with an approved neighborhood plan.*

Not applicable. No neighborhood plan exists for this site in Wasilla; however, the 1996 Wasilla Comprehensive Plan designates the future land use of this site as commercial/business, which the Plan characterizes as a combination of shopping malls and individual businesses.

- 2. Plans. The proposal is substantially consistent with the city comprehensive plan and other city adopted plans.*

The 1996 Wasilla Comprehensive Plan designates the future land use of this site as commercial/business. The general surrounding area is developed with both Residential and Commercial uses. The lands to the north and south are developed with Commercial uses and the lands to the east and west are developed with Commercial and Residential uses. Thus, the project is substantially consistent with the surrounding land uses.

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

No specific approval criterion in Section 16.16.000 applies to the proposed VNPCC development.

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

No review of the proposed conditional use permit can occur until an application is submitted to Wasilla. As such, there have been no comments or recommendations to address. As the development process proceeds for this site, any comments or recommendations that are received will be considered and addressed, as appropriate.

5. *Neighborhoods. Due deference has been given to the neighborhood plan or comments and recommendations from a neighborhood with an approved neighborhood plan.*

Not applicable. No neighborhood plan exists for this site in Wasilla; however, the 1996 Wasilla Comprehensive Plan designates the future land use of this site as commercial/business, which the Plan characterizes as a combination of shopping malls and individual businesses.

The general surrounding area is developed with both residential and commercial uses. The lands to the north and south are developed with commercial uses and the lands to the east and west are developed with Commercial and residential uses. Thus, the project is substantially consistent with the surrounding land uses.

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.*

The project site is designed to provide for fire and police access in and around the site. Hydrants will be installed to meet fire coverage for the building on the project site. Prior to construction, the project will be submitted to the Fire Marshall for fire approval. Currently, fire and Emergency Medical Services for Wasilla are provided to the project site by the Central Mat-Su Fire Department.

7. *Traffic. The proposed use shall not overload the street system with traffic or result in unsafe streets or dangers to pedestrians.*

The site is bounded by KGB Road and Palmer-Wasilla Highway. Site access will be from both KGB Road and Palmer-Wasilla Highway. KGB Road is classified as a Rural Major Collector by the State of Alaska Department of Transportation and Public Facilities (DOT&PF). The segment between Palmer-Wasilla Highway and the Parks Highway has a posted speed of 45 miles per hour (mph). The right-of-way (ROW) is owned and maintained by the DOT&PF and has a 2009 annual average daily traffic (AADT) of 9,250 vehicles per day (vpd), per DOT&PF Annual Traffic Volume Report 2007-2009.

Palmer-Wasilla Highway is classified as a Rural Minor Arterial by DOT&PF. The posted speed is 45 mph. The ROW is owned and maintained by the DOT&PF and has a 2009 annual AADT of 11,460 vpd, per the DOT&PF Annual Traffic Volume Report 2007-2009.

Due to the size of this development, a Traffic Impact Analysis (TIA) was performed to evaluate whether any improvements were needed to adequately serve the site. The draft TIA was submitted to the DOT&PF for review in February 2011. SCF will coordinate with DOT&PF to determine if any off-site traffic mitigation will be required (Appendix B – Draft TIA).

8. Dimensional Standards. The dimensional requirements of Section 16.24.010 are met.

The dimensional standards applicable to this site include setbacks and building height. The following setbacks apply to commercial sites (WDC 16.24.030): Front and rear yards, 25 feet; side yard, 10 feet or none if all requirements of the State of Alaska Fire and Life Safety Regulations are met. Building heights are limited to 35 feet; however, in the commercial district, building heights may exceed 35 feet if approved under a use permit.

The proposed building is located at least 25 feet from the north and south property lines and is at least 10 feet from the east property line (Appendix C – Civil Site Plan). The building height is proposed to be 30 feet. This project meets the dimensional requirements of Section 16.24.010 and 16.24.030.

9. Parking. The parking, loading areas and snow storage sites for the proposal shall be adequate, safe and properly designed. The developer may be required to install acceptable lighting at pedestrian or vehicular access points.

The parking area, loading areas, and snow storage areas for the building are designed according to the WDC. WDC 16.24.040 requires that all non-residential off-street parking facilities be located within 300 feet of the subject property boundary. For the proposed VNPCC (office) use at this site, the parking requirement is one space per 300 square feet of gross floor area.

Based on the current 85,301-square-foot building, 285 provided parking spaces are required. The current site plan has 352 spaces (Appendix C – Civil Site Plan), which is an IHS requirement. SCF is currently pursuing a waiver from the IHS parking requirement to reduce the

parking to the 285 spaces required by WDC. The additional IHS parking spaces have been shaded on the site plan. If a waiver is granted by IHS, the shaded parking spaces will not be constructed. The grading and drainage plan and landscaping will not be altered due to the potential decrease in parking stalls.

The WDC requires one loading berth per 20,000 square feet (sf) for any non-residential building over 5,000 sf. Based on the current building size of 85,301 sf, four loading berths would be required. The site has four loading berths as shown on the Civil Site Plan (Appendix C).

The WDC requires a 10-foot-wide planting bed around the perimeter of the parking lot for parking lots containing more than 10 spaces. In addition, parking lots containing more than 40 spaces are required to have landscaping islands covering at least 15 percent of the parking lot, in addition to the 10-foot perimeter planting bed. The site has a 10-foot-wide planting bed around the perimeter of the parking lot and landscaping islands covers approximately 15 percent of the parking lot as shown on the Landscape Plan (Appendix D).

The WDC requires one flood light per 25 parking spaces to illuminate the required off-street parking. This lighting may be combined with any applicable access lighting requirements. The WDC includes additional requirements for off-street loading spaces and snow storage. At least 14 lights are required to illuminate the off-street parking for 353 parking spaces and 12 lights are required to illuminate the off-street parking for 285 parking spaces. The site will have a minimum of 12 lights (Appendix E – Lighting Cut Sheets), in combination with the required access lighting.

10. Utilities. The proposed use shall be adequately served by water, sewer, electricity, on-site water or sewer systems and other utilities.

The site has access to the public sewer main system on the east side of the property, and access to the public water main system is available along the west and south side of the site. A 15-foot utility easement extends along the western and southern property boundary. A 40-sewer easement that overlaps an 80-foot electrical easement extends along the eastern boundary of the project site. SCF will coordinate with water and sewer providers on design of water/sewer services to the facility.

11. Drainage. The proposed use shall provide for the control of 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, watersheds, and land stability.

Stormwater from the site will be directed to on-site catch basins. The catch basins will be connected via pipe network and will be routed to an on-site detention pond located at the southwest corner of the site (Appendix C – Civil Site Plan). An overflow pipe will be installed from the detention pond to the ditch within DOT&PF's ROW along Palmer-Wasilla Highway.

12. Large Developments. Residential development of more than four units or nonresidential 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 classes of streets: interstate, minor arterial, major collector or commercial.

Please see the attached Site Plan and Landscaping Plan (Appendices C and E) which demonstrate the 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. Additionally, SCF has included within their design several site enhancements, which include: a canopy, portions of heated sidewalk, and exterior signage upgrade.

SCF is currently evaluating alternative design elements that they may or may not include in their final constructed project. These alternative design elements are subject to available funding and include an exterior gathering area, a playground area, and a gravel path. This CUP submittal includes two site plans. Figure L2.00 (Appendix D) includes the design options that have approved funding. Figure L.201 (Appendix D) demonstrates what the site will look like with the betterments if additional funding becomes available to provide the discussed enhancements. We

are requesting approval of both site plans so that if funding becomes available for the betterments SCF may move forward without additional CUP permitting.

Signage and wayfinding are illustrated in Appendix F. All signage will comply with WDC16.32.130 and is subject to approval of a Sign Permit by Wasilla.

Additionally, it is anticipated that this project will strive to achieve a Silver rating under the USGBC LEED 2009 NC system, in accordance with IHS A/E Guidelines and best practices.

The development fronts upon KGB Road, which is classified as a Rural Major Collector and Palmer-Wasilla Highway, which is classified as a Rural Minor Arterial.

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.

This use is not anticipated to significantly affect the peak use characteristics of the area, due to the existing commercial use within the project area. The proposed use of this site is expected to enhance and complement the existing commercial services that are present in the area. As mentioned, a draft TIA was submitted to DOT&PF in February 2011 and SCF will coordinate with DOT&PF to determine any off-site traffic mitigation that may be required for the project.

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 are 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 be the intent of this criteria.

The proposed use does not typically generate 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. The proposed development is not anticipated to have adverse off-site impacts.

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. This approval authority also may condition approval on the provision of the following:

- i. A fenced storage area for common use, adequate to store boats, trailers, snowmobiles, recreational vehicles and similar items.*
- ii. Adequately sized, located and screened trash receptacles and areas.*

The landscape concept for the overall development is to blend with the existing vegetation surrounding the site, create a welcoming environment for visitors, and compliment the built environment (Appendix D – Landscape Plan). Plant materials from Southcentral and Interior Alaska will create an inviting place for indigenous people and visitors to feel at home. Designated planting areas adjacent to roadways, parking areas, and buildings provide adequate planting zones, assist in wayfinding, and provide a clear view of the buildings. Adequate space is allocated around the parking area to meet WDC required snow storage; which will be topsoil and seed. Planting zones include two types of street plantings (type 1 and type 2), parking lot plantings, perimeter site plantings, and building foundation plantings. Each phase of the development will require different planting zones, with Phase I providing clear design standards for the future development.

The site has been cleared of existing vegetation and is surrounded by prominent natural stands of native vegetation on the north and east property lines. The south and west property lines are directly adjacent to DOT&PF ROWs and have minimal low growing vegetation.

Street tree planting type 1, street tree planting type 2, parking lot plantings, perimeter site plantings, building foundation wall plantings, and healing garden zones are included in the base bid. The betterments for landscape include at the exterior gathering area.

Each planting zone is unique and provides a diverse plant pallet for the project. Street tree plantings type 1 include the main vehicular central spine with street trees (i.e. *Betula papyrifera*) in lawn between the curb and pathway. Street tree plantings type 2, is located between the looped vehicular travel way and the parking lots and consist of street trees (i.e. *Quercus Macrocarpa*) and low growing shrubs (i.e. *Spirea japonica*, *potentilla fruiticosa*, ect.) to provide an edge that defines the two different spaces. The parking area for Phase I has large planting islands which provide adequate space to plant evergreen trees (*Picea pungens*, ect.) and shrubs to break up the parking area.

The perimeter site planting zone is the zone which complements the existing vegetation the most. Plant material in this zone will be planted with randomly placed deciduous (single- and multi-stem *Betula papyrifera*, *Larix Siberica*) and evergreen trees (*Picea pungens*), and shrubs to emulate the natural environment. This zone will allow views into the site to clearly see the buildings while also defining the edge of the site. The building foundation planting zone is intended to soften the edge of the parking and create a welcoming environment to people visiting the building.

The healing garden zone is a place for SCF to plant future native vegetation that can be used for medicinal purposes (plant material for this area will be provided by the owner at a future time). This area will consist of topsoil only. The retention pond zone will consist of native grasses that typically grow in natural wetland areas in Alaska. Plant material will be focused on the exterior of the pond adjacent to the pathway and meander loosely toward the center of the pond. The exterior gathering zone will include low-growing native grasses and plants with perennials. This area includes plant material that will endure occasional pedestrian traffic during large events that spill outside from the building into the gathering area or a group celebrating around the fire pit.

Plant materials for all planting zones are designed to eliminate the need for a permanent irrigation system. Aggregate mulch which does not blow around in the wind will be

incorporated into the planting zones. Boulders will be placed throughout the site to compliment plant material and add accents to planting zones.

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.

Pedestrian access within this site is a design priority. Main intersections are highlighted by crosswalk connections for safe pedestrian passage. Although users will mainly be arriving by vehicle, SCF is committed to creating a safe and enjoyable pedestrian experience (Appendix C – Site Plan).

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 water 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.

A public sewer main system runs along the eastern property line of this site, allowing for the proposed development to connect to that main line. A public water main runs along the southern and western property line of the site, allowing for the proposed development to connect to that main line. Water and sewer service will be constructed in accordance with the State of Alaska Department of Environmental Conservation (DEC) and Wasilla requirements. The applicant will obtain required permits from Wasilla.

18. Historic Resources. The proposed use shall not adversely impact any historic resource prior to the assessment of that resource by the city.

There are no known historic resources present at this site. No historic resources will be adversely impacted.

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 and air.

The architectural design of the building will blend in with the natural environment as well as showcase the Alaska Native culture. Upon entering the building, the arctic entry will protect the interior from the harsh environment. The curved glass exterior will greet patients arriving to the site and expresses continuity of space between exterior and interior that celebrates the mountains views and honors community. This sweeping curtain wall will provide views to the landscape and to the natural environment of the sky and mountains while allowing in large amounts of natural lighting. The curtain wall will consist of three glass colors patterned across the glazing system. The subtlety of the three glass colors will speak to the cool tones seen in ice which will be in contrast with the warm earth tones of the stone and insulated metal panels of the rest of the building.

The use of exterior material and pattern tries to relate to the culture of hand-made craft. The base of the building will be a golden toned limestone expressed in thin vertical panels that are laid out in an irregular pattern. The upper floor of the building will consist of insulated metal panels of two subtly different warm colors in an irregular order to create depth and interest. The use of both materials resembles, in conceptual ways, the rich culture of craft in the community. For example weaving, an important cultural craft, connects architectural elements with Alaska Native culture and art. The metal panels will be a larger pattern than the limestone base reflecting birch basket construction. The interplay of scale, texture, and materials will create a richness and warmth to the building exterior.

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. No land may be accepted by the city unless:

- iii. *The location, shape, size and character of the area is suitable for the planned use.*
- iv. *The uses authorized for an area are appropriate to the scale and character of the uses considering its size, density, expected population, topography, and the number and type of dwellings and uses to be conducted.*
- v. *The area must be suitably improved for its intended use, but common open space containing natural features worthy of preservation may be left unimproved.*
- vi. *If the final development plan provides for buildings, landscaping or other improvements in the dedicated area, the developer must provide a bond or other adequate assurance that such improvements will be completed. The city shall release a bond or other assurance when the buildings, structures or improvements have been completed according to the development plan.*
- vii. *All land must be conveyed under one of the following options:*
 - a) *It may be conveyed to an agency that will agree to maintain in perpetuity the area and any buildings, structures, or improvements which have been placed on it.*
 - b) *When no maintenance of the area is required, it may be conveyed to all new owners in undivided joint ownership.*
 - c) *When the land is not dedicated to a public agency and maintenance of the common space is required, an association for maintenance of the area must be approved as to form by the city attorney, and by the commission as to whether the covenants provide for maintenance of the area in a manner which assures its continuing use for its intended purpose.*
 - d) *Conveyance of an area must be consistent with AS 34.07 the Horizontal Property Regime Act.*

It is not anticipated that this development would require dedication of land for a public purpose.

21. Winter Hassles. The proposed use shall not significantly increase the impact on the surrounding area from glaciation or drifting snow.

It is not anticipated that this development will contribute to glaciation or drifting snow to the surrounding area. The building entrances and loading areas will be taken into consideration to reduce the amount of glaciations and snow drifting in pedestrian areas. The proposed commercial development will have snow removal requirements, as required for their business use.

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 11-08**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. CU11-01 TO ALLOW THE DEVELOPMENT OF AN 85,301 SQUARE FOOT VALLEY NATIVE PRIMARY CARE CENTER ON APPROXIMATELY 10 ACRES WITHIN A 34 ACRE SITE IN THE COMMERCIAL ZONING DISTRICT, LOCATED ON TRACT A AND LOT 1, BLOCK 1, ROCK CENTER SUBDIVISION, PHASE I, GENERALLY AT THE NORTHEAST CORNER OF KNIK-GOOSE BAY ROAD AND PALMER-WASILLA HIGHWAY.

WHEREAS, Southcentral Foundation applied for Conditional Use Permit No. UP 11-01 to develop an 85,301 square feet Valley Native Primary Care Center; and

WHEREAS, notice of the application for a was mailed to all property owners within a 1,200' radius and review agencies and the Wasilla Planning Commission as required by §16.16.040(A)(2) of the Wasilla Municipal Code; and

WHEREAS, a notice of the Wasilla Planning Commission public hearing was published in the Frontiersman on March 15, 2011; and

WHEREAS, a notice was posted on the property and at City Hall on March 8, 2011; and

WHEREAS, the Wasilla Planning Commission conducted a public hearing on the requested conditional use 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 has developed Findings of Fact summarizing the basic facts and reasoning of the Commission regarding the requested conditional use.

NOW THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission, after due consideration of 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 adopted the Findings of Fact attached as Exhibit A and incorporated herein; and

BE IT FURTHER RESOLVED, that the Wasilla Planning Commission, grants the request for a conditional use to develop the 85,301 square feet Valley Native Primary Care Center as it meets the criteria of §16.28.110 with the following conditions:

1. All exterior lighting must be arranged and shielded to reflect the light away from adjoining land uses and to prevent glare/interference with traffic.
2. The following items must be completed prior to construction:
 - a. State Fire Marshall'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.
 - b. The applicant must submit a Landscape Guarantee per WMC 16.33.040(A) in the form of a cash deposit in escrow or a surety bond.
 - c. The applicant must consult with DEC and the City Public Works department and follow the appropriate stormwater procedures and regulations prior to construction.
 - d. Continue to coordinate with Alaska State DOT/PF and construct any required off-site traffic mitigation.

3. Construction on the site must substantially comply with the site plans included in this packet. Any changes to the site plans must be submitted to the City Planner for review. Substantial modifications will require submittal of an amended conditional use application, including application fee and Planning Commission review and approval.

ADOPTED by the Wasilla Planning Commission on -, 2011.

A. C. Buswell, III, Chairman

ATTEST:

Tina Crawford, City Planner

Findings of Fact Conditional Use 11-01

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.

Staff 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.

Staff Finding:

Staff finds that this criterion is met since the proposed expansion of the existing commercial use is consistent with the Comprehensive Plan's Expected Future Land Use Map designation, "Generally Commercial/Business" and the Commercial zoning that implements the adopted Comprehensive Plan.

16.16.050(3)

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

Staff Finding:

The specific approval criteria under 16.16.060 are not applicable since medical facilities/office buildings are not one of the special uses with additional criteria.

16.16.050(4)

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

Staff Finding:

The City mailed 123 notices to neighboring property owners within 1200' and the 25 review agencies that are typically provided with the opportunity to comment. Only one comment was received from a resident, which is included in this packet.

Any comments received after the compilation of the packet will be provided at the public hearing and can be addressed at that time.

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.

Staff Finding: The State Fire Marshall's Office will review the plans for compliance with all applicable fire codes, building codes and emergency access as related to the public health, safety and welfare prior to construction.

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...

Staff Finding: Staff finds that the applicant has prepared a Traffic Impact Analysis (included in the packet) and is coordinating with the Alaska State Department of Transportation and Public Facilities to determine if any off-site traffic mitigation is required.

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

Staff Finding: Staff finds that this criterion is met since the attached site plan submitted by the applicant 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.

Staff Finding: Staff finds that this criterion is met since the attached site plan indicates the required 285 paved parking spaces (including 9 handicapped spaces), four (4) off-street loading space, adequate paved aisle widths, and the 12,800 square feet of snow storage (only 8,800 SF required).

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.

Staff Finding: Staff finds that this criterion has been met since, according to the Public Works Director, the site is adequately served by water and sewer and other utilities are currently available in the area.

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.

Staff Finding: The proposed drainage plan indicates on-site storage of all runoff from the site. Additionally, in-depth review and approval of the plans will be required by the Public Works department prior to construction.

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.

Staff Finding: Staff finds that this criterion is met. The site is located at the intersection of Knik-Goose Bay Road and Palmer-Wasilla Highway, which are designated as a Rural Major Collector and a Rural Minor Arterial, respectively. The site plan indicates sufficient open space, vehicle and pedestrian circulation, and landscaping and there are no sensitive areas or natural areas to be preserved on site. Signage will be reviewed for consistency with Title 16 at time of submittal of sign permit.

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.

Staff Finding: Staff finds that there should not be different peak use characteristics than the surrounding uses or area since the surrounding area is zoned commercial.

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.

Staff Finding: Staff finds that this criterion is met since the proposed Valley Native Primary Care Center should not produce the negative effects noted above. No additional

buffering is required since only vacant commercial land abuts the property lot lines.

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.

Staff Finding:

Staff finds that the site plan indicates the proposed dumpster location and landscaping. The proposed landscaping exceeds the minimum required landscaping for the site. Additionally, the applicant will be required to provide a landscape bond/guaranty equal to the amount of the estimated cost of 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.

Staff Finding:

Staff finds that this criterion is not applicable since the area is developed predominantly with commercial uses and offices and is not close to schools, playgrounds, shopping areas, transportation, or community facilities.

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.

Staff Finding: Staff finds that this criterion is met since the Public Works Director has determined that City utilities are in the immediate area and sufficient capacity exists for the proposed Valley Native Primary Care Center. The applicant will coordinate with the Public Works department to obtain all necessary City permits.

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.

Staff Finding: Staff finds that there are not any known historic resources. However, the Matanuska-Susitna Borough Cultural Resources Office plans to review the site but was unable to complete the review prior to completion of this packet. Any comments will be provided to the Commission at the public hearing.

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 and air.

Staff Finding: Staff finds that this criterion is met since the proposed project provides architectural detail and site design that will enhance the area and provide for adequate light and air to surrounding properties.

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...

Staff Finding: Staff finds that this criterion is not applicable since the construction of the proposed Valley Native Primary Care Center does not support dedication of a portion of the property for a public open space or facility.

16.16.050(21) Winter Hassles. The proposed use shall not significantly increase the impact on the surrounding area from glaciation or drifting snow.

Staff Finding: Staff finds that this criterion is met since no foreseeable problems associated with winter conditions are anticipated for the proposed primary care and all snow storage will be accommodated on site.

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PERMIT INFORMATION 2011

DATE	PERMIT #	TYPE	SQ FTG	LEGAL	SUBD	NAME	STREET	STATUS
ADMINISTRATIVE APPROVAL								
02/04/11	A11-01	DUPLEX	2,398	2253B02L005B	LAKESHORE RSB	MORAN, ANDREW	445 N WESTCOVE DR	RM
01/20/11	A11-02	TENANT SPACE	900	1901 B01L005C	SNIDER #3 RSB	MCKENZIE, JERRY	181 W PARKS HWY	C
02/04/11	A11-03	SIGN		4229B01L001A	WASILLA TWN	MARTIN, RANDALL	212 N BOUNDARY ST	C
02/10/11	A11-04	COMM <						
		10,000 SQ FT	1,500	5797000L002A	IDITAPARCEL ADD I	WOOD, JIM	483 W PARKS HWY	C
02/22/11	A11-05	GREENHOUSE	1,133	1524000L003	RAVENSWOOD DIV I	PETERSON, WES	503 RAVENSWOOD	RR
02/25/11	A11-06	SFD	2,300	6791B01L066	PRIMOSE POINTE	FENDER, ANOTOLY	241 W RIVERDANCE CIR	RR
PENDING	A11-07	COMM <						
		10,000 SQ FT		1066B01L07	WASILLA TWNST	ANDERSON, BRENDA	276 N BOUNDARY ST	C
USE PERMITS								
PENDING	U11-01	ADULT DAY CARE						
				1190B01L015	ADVENTURE EST	ADAMS, WARREN	1632 N LUCILLE ST	R-2
PENDING	U11-02	COMM<						
		10,000 SQ ST		9108000U002	WASILLA CENTER	FULLER, BRENDA	9108000U002	C
CONDITIONAL USE PERMITS								
PENDING	CU11-01	COMM>						
		10,000 SQ FT	85,301	5970000T004 & 5970B01L001	ROCK CNETER PH I	SOUTHCENTRAL FOUNDATION	1001 KNIK-GOOSE BAY	C
PLANNED UNIT DEVELOPMENT (PUD)								
REZONE								
02/08/11	R11-01	REZONE		2542000L003		SUMMERS, AARON & ANGELA	1470 N WASILLA-FISHHOOK RD	RR
				17N01W07A004				
				PTN				
PENDING	R11-02	REZONE		17N01W08B004		LUNDGREN, GARY	401 N CHURCH RD	RR
				PTN				
LEGAL NON-CONFORMING USE								
SHORELINE SETBACK								

99 / 104

VARIANCE												
PENDING	V11-01	SETBACK & PERIMETER LANDSCAPING		4956000T00A3	OLSON SUB 199 ADD	BLUE ROCK ASSETS LLC	1491 E PARKS HWY					C
AMNESTY												



Code Compliance Log January 2011



DATE	COMPL. DISP. SELF	NAME/ADDRESS	INF. CON.	LTR. ISS?	CASE STATUS	NOTES
1/3/2011	S	Holiday station	Y	N	HCP parking violation	11-573 Citation W 046571
1/3/2011	S	West Side Center	Y	N	HCP parking violation	11-576 Citation W 046575
1/3/2011	D	Skate Park	Y	N	RAL dog	11-582 impound & transport
1/4/2011	S	Carrs	Y	N	HCP parking violation	11-753 Citation W 043902
1/4/2011	S	Carrs	Y	N	HCP parking violation- misuse	11-753 Citation W 046572
1/4/2011	D	KGB & Minnetonka	N	N	MVA traffic control	11-798
1/4/2011	S	Lake Lucille Park	N	N	Facility/security check	11-806
1/4/2011	S	Main & Nelson	Y	N	ATV violation	11-740 verbal warning
1/5/2011	FUP	Palmer court	Y	N	Traffic court	
1/5/2011	D	McDonalds	N	N	Panhandler	11-902 no violation observed
1/5/2011	C	491 Talkeetna	Y	N	Trash/animal waste complaint	11-916 unfounded
1/5/2011	FUP	150 W Spruce	Y	N	Report of dog on dog attack	11-818 unfounded
1/5/2011	S	1750 Fanciful	Y	N	RAL dogs x2	11-930 verbal warning
1/5/2011	D	700 Shadowood	Y	N	RAL dog	11-931 unable to locate
1/6/2011	S	Lake Lucille Park	N	N	Facility/security check	11-1126
1/6/2011	C	Wild Zone	Y	N	Land use complaint	11-1164 unfounded
1/6/2011	C	291 Paulson	Y	N	Land use complaint	11-1181 verbal warning
1/10/2011	C	3173 Southview	Y	N	RAL dog, ongoing	11-1939 verbal warning
1/10/2011	S	Perkup Espresso	Y	N	Open dumpster attracting ravens	11-1946 verbal warning
1/10/2011	D	AIC	Y	N	Report of lost dog	11-1943 return to owner
1/10/2011	D	Financial & PWH	N	N	RAL dog	11-1972 unable to locate
1/10/2011	D	Lake Lucille	Y	N	Reckless driving on lake	11-1937
1/10/2011	D	Mile 50 Parks	N	N	Agency assist- DOA dog	11-1989
1/11/2011	D	Sears (WPD)	Y	N	Test & dispose of found drugs	11-2078
1/11/2011	D	Lake Lucille	Y	N	Reckless driving on lake	11-2102
1/12/2011	AG ASST	Valley Wide			Provide animal control support	US Marshals fugitive task force
1/13/2011	AG ASST	Valley Wide			Provide animal control support	US Marshals fugitive task force
1/14/2011	AG ASST	Valley Wide			Provide animal control support	US Marshals fugitive task force
1/14/2011	D	Parks & Crusey	N	N	ATV violations	11-2675 unable to contact
1/14/2011	S	Target	Y	N	ATV violations	11-2679 verbal warnings
1/17/2011	D	Wasilla Vet Clinic	Y	N	Report of dog bite	11-3192 unfounded
1/17/2011	D	Fred Meyer	Y	N	Shoplifting violation	11-3210 citation W 043907



Code Compliance Log January 2011



DATE	COMPL. DISP. SELF	NAME/ADDRESS	INF. CON.	LTR. ISS?	CASE STATUS	NOTES
1/18/2011	FUP	131 W Parks	Y	N	Business license violation	10-75096
1/18/2011	FUP	1024 Snowhill	Y	N	Report of dog bite	11-3281 unfounded
1/19/2011	D	Parks & Hermon	N	N	DOA dog in ROW	11-3482 disposal
1/19/2011	S	Liberty Tax	Y	N	Sign violation	11-3531 verbal warning
1/19/2011	FUP	131 W Parks	Y	N	Business license violation	10-75096 Citation W 043908
1/19/2011	FUP	Dellwood area	Y	N	Report of dog bite	11-3281 unfounded
1/19/2011	D	Evangelos	Y	N	RAL dog	11-3561 return to owner
1/19/2011	D	551 Robin	Y	N	RAL cat	11-3411 unfounded
1/19/2011	S	Pet Zoo	N	N	Security check	11-3513
1/21/2011	D	Lucille & Aspen	N	N	DOA dog in ROW	11-3838 disposal
1/24/2011	D	1001 Wilder	Y	N	Barking/RAL dog ongoing	11-4442 verbal warning
1/24/2011	C	1050 Pinion	Y	N	Report of dog bite	11-4461 unfounded
1/24/2011	D	1551 Lacy Loop	Y	N	RAL dog/trash storage	11-4416 verbal warnings
1/24/2011	D	981 Snohomish	Y	N	RAL dog	11-4425 verbal warnings
1/25/2011	FUP	Perkup Espresso	Y	N	Open dumpster attracting ravens	11-1946 verbal warning
1/25/2011	S	Main & Bogard	Y	N	ATV violations x2	11-4715 verbal warnings
1/25/2011	PAT	Mr. Lube	N	N	Assist patrol with theft report	11-4737
1/25/2011	FUP	1001 Wilder	Y	N	Barking/RAL dog ongoing	11-4442 verbal warning
1/26/2010	D	210 E Spruce	Y	N	Report of cattery	11-4912 refer to planner
1/27/2011	PAT	Peck & Bogard	N	N	Assist with traffic control	11-5082
1/27/2011	D	Skate Park	Y	N	Welfare check- snowboarders	11-5102 refer to public works
1/27/2011	S	Brett Ice Arena	N	N	Security check	11-5108
1/31/2011	D	501 Denali	Y	N	RAL cat	11-5840 impound & transport
1/31/2011	C	501 Denali	Y	N	Snow encroachment	11-5883 verbal warning
1/31/2011	D	MSB Animal Shelter	Y	N	Assist AST warrant arrest	11-5902



Code Compliance Log February 2011



DATE	COMPL. DISP. SELF	NAME/ADDRESS	INF. CON.	LTR. ISS?	CASE STATUS	NOTES
2/1/2011	C	1600 Trail Cir	Y	N	RAL dog	11-6137 verbal warning
2/1/2011	S	Brett Ice Arena	N	N	Facility/security check	11-6147
2/2/2011	D	Old Mat & Seward Meridian	N	N	Assist patrol with found property	11-6298
2/2/2011	S	MUSC	N	N	Facility/security check	11-6367
2/3/2011	D	Milk Maids Espresso	N	N	Assist patrol with trespasser	11-6468
2/3/2011	D	Holiday Station	N	N	Assist patrol suspicious person	11-6537
2/3/2011	D	Spruce & Lucille	Y	N	Kids sledding in road	11-6537
2/3/2011	S	MUSC	N	N	Facility/security check	11-6563
2/4/2011	S	201 E Swanson	N	N	Suspicious vehicle	11-6757
2/4/2011	S	Lake Lucille Park	N	N	Facility/security check	11-6765
2/4/2011	C	1250 Clinton	Y	N	RAL dogs	11-6786
2/7/2011	D	3001 Tamarak	Y	N	RAL dogs	11-7432 verbal warning
2/7/2011	D	960 Snowhill	Y	N	RAL dog	11-7435 citation W 043909
2/7/2011	C	400 Graybark	Y	N	Report of excess dogs	11-7478 unfounded
2/7/2011	FUP	1250 Clinton	Y	N	RAL dogs	11-6786 verbal warnings x2
2/7/2011	S	Brett Ice Arena	N	N	Facility/security check	11-7509
2/8/2011	C	WalMart	N	N	Report of parking violations	11-7643 unfounded
2/8/2011	C	Subway	Y	N	Dumpster/trash violation	11-7650 verbal warning
2/8/2011	C	901 Pinehurst	Y	N	RAL cat	11-7667 impound/transport
2/8/2011	D	1601 Glenkerry	N	N	Assist patrol	11-7691
2/8/2011	S	Lake Lucille Park	N	N	Facility/security check	11-7715
2/9/2011	FUP	2150 Totem	N	N	Assist investigations with search	11-7819
2/9/2011	S	Lake Lucille Park	N	N	Facility/security check	11-7831
2/9/2011	D	1660 Centurian	Y	N	Assist patrol with vehicle theft	11-7861
2/9/2011	C	901 Pinehurst	Y	N	RAL cat	11-7895 impound/transport
2/10/2011	FUP	2200 Ridgewood	Y	N	Barking dog complaint	11-7938 verbal warning
2/14/2011	C	Subway	Y	N	Dumpster/trash violation	11-7650 verbal warning (2 nd)
2/14/2010	S	Lake Lucille Park	N	N	Facility/security check	11-8896
2/15/2011	PAT	Turn a Leaf Thrift Store	N	N	Assist patrol with suspicious vehicle	11-9066
2/16/2011	S	Fred Meyer	Y	N	HCP parking violation	11-9298 citation W 043903
2/17/2011	FUP	1250 Clinton	Y	N	RAL dogs	11-6786 citations W 043918,919
2/17/2011	D	1081 Craig Stadler	Y	N	Barking dog complaint	11-9502 verbal warning



Code Compliance Log February 2011



DATE	COMPL. DISP. SELF	NAME/ADDRESS	INF. CON.	LTR. ISS?	CASE STATUS	NOTES
2/18/2011	S	Elkhorn & Lucille	Y N		Abandoned vehicle in ROW	11-9681 24 hour red tag
2/22/2011	D	Crestwood & Cache	Y N		RAL dog	11-10491 verbal warning
2/22/2011	S	1001 Wilder	N N		Dog welfare check	11-10501
2/22/2011	FUP	1115 Pullman	Y N		Assist patrol with knock & talk	11-10507
2/22/2011	D	Parks & Sun Mountain	N N		MVA traffic control	11-10535
2/22/2011	D	1026 Dellwood	Y N		Public assist reference firearms	11-10552
2/23/2011	C	Carrs	Y N		Land use complaint	11-10681 verbal warning
2/23/2011	C	961 Snohomish	Y N		Dog welfare check	11-10706
2/24/2011	S	700 Maney	Y N		Illegal dumping	11-10824 verbal warning
2/24/2011	PAT	Bumpus	Y N		Assist patrol with suspicious vehicle	11-10835
2/24/2011	PAT	Nelson at Wonderland	N N		Assist patrol with traffic hazard	11-10842
2/24/2011	D	100 Heritage	Y N		Cat bit by RAL dog	11-10849
2/24/2011	C	3001 Tamarak	Y N		RAL dogs	11-7432 verbal warning (2 nd)
2/24/2011	C	Tokyo Restaurant	Y N		HCP parking violation	11-10884 citation W 043904
2/25/2011	FUP	700 Maney	Y N		Illegal dumping	11-10824 site inspection
2/25/2011	S	Bumpus	Y N		Suspicious vehicle	11-10988
2/28/2011	S	Brett Ice Arena	N N		Facility/security check	11-11639
2/28/2011	S	Post Office	Y N		HCP parking violation	11-11644 citation W 043910
2/28/2011	D	Fred Meyer	Y N		HCP parking violation- misuse	11-11646 citation W 046573
2/28/2011	D	1794 Neil Cir.	Y N		RAL dog/barking complaint	11-11674 unfounded