

By: Administration
Adopted: January 28, 2013

Vote: Buswell, Harris, Sullivan-Leonard, Lovell, Wall in favor and Woodruff opposed.

**CITY OF WASILLA
RESOLUTION SERIAL NO. 13-01**

A Resolution of the Wasilla City Council requesting that the Alaska Department of Transportation and Public Facilities (“the Department”) work with the City of Wasilla to identify other roadway design options for the proposed Knik-Goose Bay Road Reconstruction Project (Centaur Avenue to Vine Road) that are consistent with the City’s Comprehensive Plan, allow continued input on the project to address access and safety concerns as part of the Environmental Assessment process for the project, and that the Department submit the preferred alternative and design to the Planning Commission for their review and approval as required by Alaska Statute 35.30.010 and Wasilla Municipal Code Section 2.60.010.B.4.

WHEREAS, AS 35.30.010 requires that the Department submit the plans for a project to the planning commission for review and approval; and

WHEREAS, the City is concerned that due deference has not been given to public comment provided at the Department’s Open House on December 6, 2012 regarding the proposed Parks Highway four-lane divided highway project; and

WHEREAS, the City adopted an updated comprehensive plan in 2012 that states that streets should promote mobility, connectivity and access for current and future uses, the design should be based on community needs, and that supports economic development and growth; and

WHEREAS, the City requests that the Department allow a third-party independent review of the project by a transportation consultant to identify other options that are consistent with the goals, objectives, and actions in the City’s adopted comprehensive plan; and

WHEREAS, the City requests that the Department’s continue to work with the business district to address their access concerns; and

NOW, THEREFORE, BE IT RESOLVED, that the Wasilla City Council requests that the Department coordinate with the City of Wasilla to identify roadway design options for Knik-Goose Bay Road that are consistent with the City’s comprehensive plan and is reviewed and approved in accordance with Wasilla Municipal Code Section 2.60.010(B)(4) and Alaska Statute 35.30.010. to allow additional time to have a third-party independent review of the project by a transportation consultant to identify other options that are consistent with the goals, objectives, and actions in the City’s adopted comprehensive plan and to allow additional input regarding safety and access issues.

ADOPTED by the Wasilla City Council on January 28, 2013.


VERNE E. RUPRIGHT, Mayor

ATTEST:


KRISTIE SMITHERS, MMC, City Clerk

[SEAL]





CITY COUNCIL LEGISLATION STAFF REPORT

Resolution Serial No. 13-01: Requesting that the Alaska Department of Transportation and Public Facilities (“the Department”) work with the City of Wasilla to identify other roadway design options for the proposed Knik-Goose Bay Road Reconstruction Project (Centaur Avenue to Vine Road) that are consistent with the City’s Comprehensive Plan, allow continued input on the project to address access and safety concerns as part of the Environmental Assessment process for the project, and that the Department submit the preferred alternative and design to the Planning Commission for their review and approval as required by Alaska Statute 35.30.010 and Wasilla Municipal Code Section 2.60.010(B)(4).

Originator: Administration

Date: 1/14/2013

Agenda of: 1/28/2013

| Route to: | Department Head | Signature | Date |
|-----------|-----------------------|---|---------|
| X | Public Works Director |  | 1/17/13 |
| X | Finance Director |  | 1-17-13 |
| X | Deputy Administrator |  | 1-17-13 |
| X | City Clerk |  | 1/18/13 |

Reviewed by Mayor Verne E. Rupright:


Fiscal Impact: yes or no

Attachments: Alaska Statute 35.30.010 and Wasilla Municipal Code 2.60.010 (2 pages)

Summary Statement: This resolution supports the administration’s position that the Department needs to agree to a review by a third-part independent transportation consultant and continues to work with the public to resolve the access and safety issues for the proposed roadway improvements to the Knik-Goose Bay Road to identify a design that is consistent with the City comprehensive plan. This resolution also requests that the Department adhere to the review and approval provisions of Wasilla Municipal Code Section 2.60.010(B)(4) and AS 35.30.010(a)(1) for this project and all other future projects.

Recommended Action: Adopt Resolution Serial No. 13-01.

Sec. 35.30.010. Review and approval by local planning authorities.

(a) Except as provided in (b) of this section, before commencing construction of a public project,

(1) if the project is located in a municipality, the department shall submit the plans for the project to the planning commission of the municipality for review and approval;

(2) if the project is located within two miles of a village, the department shall submit the plans to the village council for review and comment;

(3) if the project is located within one-half mile of the boundary of an area represented by a community council established by municipal charter or ordinance, the department shall submit the plans to the community council for review and comment.

(b) Prior approval by a municipal planning commission may not be required before the commencement of construction of a highway or local service road if

(1) the department and the municipality have entered into agreement for the planning of the project under AS 19.20.060 or 19.20.070 and the plans for the project are completed in accordance with the terms of that agreement;

(2) the municipality has adopted a municipal master highway plan under AS 19.20.080 and the highway or local service road is consistent with the plan adopted; or

(3) the department has entered into agreement with the municipality for the planning of transportation corridors under AS 19.20.015 and the plans for the project are completed in accordance with the provisions of that agreement.

(c) If final disapproval by resolution of the governing body of the affected municipality or village is not received within 90 days from the date the project was submitted to the municipality or village, the department may proceed with the project.

Chapter 2.60 PLANNING COMMISSION

Sections:

- 2.60.010 Establishment, duties and compensation.
- 2.60.030 Seal.
- 2.60.040 Meetings.
- 2.60.050 Staff.
- 2.60.060 Decisions.

2.60.010 Establishment, duties and compensation.

- A. The planning commission consisting of seven members is established.
- B. The commission shall:
 - 1. Periodically review the land development code and make recommendations to the council for amendments;
 - 2. Undertake a general review of the comprehensive plan at least once every two years and make recommendations to the council for amendments;
 - 3. Annually, review one or more elements of the comprehensive plan, and make recommendations for amendment to the council;
 - 4. Review and make determinations on state construction projects in accordance with AS 35.30.010 and may impose conditions or modifications on these projects. If the commission determines the project should be disapproved or that modification should be made to which the state disagrees, the commission shall immediately notify the council and recommend disapproval by council resolution pursuant to AS 35.30.010(c);
 - 5. Make recommendations to the council on all proposed rezoning, indicating compliance with the applicable provisions of the land development code and the comprehensive plan;
 - 6. Hear and decide all permit applications that require a public hearing, including but not limited to applications for variances, rezones, and other procedures that may be required by the land development code;
 - 7. Hear and decide appeals of permit decisions made by the city planner;
 - 8. Investigate and prepare on an annual basis recommendations on a capital improvement program;
 - 9. Investigate and prepare reports on the availability of public lands for city purposes;

By: Planning
Public Hearing: 04/10/12
Adopted: 04/10/12

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 12-08**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION RECOMMENDING THAT, PURSUANT TO WMC 2.60.010(B)(4), THE WASILLA CITY COUNCIL FORWARD A RESOLUTION TO THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES REGARDING THE PROPOSED PARKS HIGHWAY LUCAS ROAD TO BIG LAKE CUTOFF RECONSTRUCTION EXPRESSING CONCERNS THAT THE PROPOSED FOUR-LANE DIVIDED HIGHWAY HAS NOT ADEQUATELY ADDRESSED THE CONCERNS EXPRESSED AT THE FEBRUARY 28, 2012 PLANNING COMMISSION MEETING THAT WAS HELD PURSUANT TO AS 35.30.010.

WHEREAS, the City of Wasilla is concerned that due deference has not been given to public comment provided at the February 28, 2012 Planning Commission Meeting regarding the Parks Highway proposed four-lane divided highway project; and

WHEREAS, Alaska Statute 35.30.010(c) allows the Department of Transportation to proceed with the project "if final disapproval" is not received by an affected municipality within 90 days from the date the project was submitted to the municipality; and

WHEREAS, the proposed four-lane divided highway was presented to the Wasilla Planning Commission on February 28, 2012 for the first time, and as such, the deadline for the municipality to act by resolution is May 28, 2012, as understood by the City of Wasilla to avoid the automatic provisions of AS 35.30.101(c); and

WHEREAS, the City of Wasilla has had concerns over the widening of the Parks Highway since 1996 when the City Council adopted Resolution No. WR96-02 that stated, "access to businesses fronting the Parks Highway should be a determining factor in the design of the roadway"; and

WHEREAS, City Council Resolution WR96-02 further indicated a four-lane Parks Highway design through a business district should not be divided by a raised median, but rather include a center turn lane (five lane) configuration for business access; and

WHEREAS, sixteen years later, business access continues to be a major factor in the roadway design of the Parks Highway widening to four-lanes from Wasilla to Big Lake; and

WHEREAS, the Wasilla Planning Commission requests the Department of Transportation continue to work with the business district to address their access concerns.

THEREFORE BE IT RESOLVED that the Wasilla Planning Commission hereby requests that the Wasilla City Council forward a resolution to the Department of Transportation disapproving the proposed Parks Highway four-lane divided highway design from Lucas Road to Big Lake Cut-Off in accordance with WMC 2.60.010(B)(4) and AS 35.30.010(c) so the public can have more than 90 days to work with the Department of Transportation on business access issues.

APPROVED by the Wasilla Planning Commission on April 10, 2012.

APPROVED:


A.C. Buswell, III, Chairman

ATTEST:


Tina Crawford, AICP, City Planner

VOTE: YES: Buswell, Kelly, Ledford, and Webb
NO: DeHart and Miller