

By: Planning
Public Hearings: 5/14/13, 5/21/13,
7/9/13, and
8/13/2013
Adopted: 8/13/2013

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 13-06**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING ADMINISTRATIVE APPROVAL A13-027 AND USE PERMIT NUMBER UP13-02 TO ALLOW MATANUSKA ELECTRIC ASSOCIATION (MEA) TO CONSTRUCT NEW 115 KV DOUBLE CIRCUIT TRANSMISSION LINES ON NEW 80-100 FOOT TALL TRANSMISSION TOWERS ALONG THE NORTH SIDE OF THE PARKS HIGHWAY RIGHT-OF-WAY BEGINNING AT THE EASTERN CITY BOUNDARY, THEN CROSSING TO THE SOUTH SIDE OF THE PARKS HIGHWAY AT THE EAST END OF THE CREEKSIDE PLAZA SHOPPING CENTER, THEN EXTENDING WESTERLY BEHIND THE SHOPPING CENTER AND ADJOINING PROPERTIES, THEN CROSSING TO THE NORTH SIDE OF THE PALMER-WASILLA HIGHWAY EXTENSION RIGHT-OF-WAY AT THE LIGHT AT HOME DEPOT, THEN CONTINUING SOUTHWEST ALONG THE NORTH SIDE OF THE PALMER-WASILLA HIGHWAY EXTENSION RIGHT-OF-WAY TO APPROXIMATELY GLENWOOD AVENUE, THEN HEADING NORTH TO THE EXISTING HERNING SUBSTATION.

WHEREAS, the City of Wasilla ("the City") has the authority to execute powers that have been granted to it through legislative action and voter mandate, which include planning, taxation and assessments, economic development, police, roads, airport, utilities (e.g. water and sewer), parks, recreation, museum and library; and

WHEREAS, the City established the Wasilla Planning Commission ("the Commission") with duties that include hearing and deciding all permit applications that require a public hearing; and

WHEREAS, the City has a Mission Statement that the City is to "...provide optimum service levels to the public as cost effectively as possible to ensure a stable and thriving economy, promote a healthy community, provide a safe environment and a quality lifestyle, and promote maximum citizen participation in government"; and

WHEREAS, the City annually adopts long-range goals as part of the City's budget that reflect the City's commitment to provide the highest level of public service

while tackling the complex issues that the City must address to preserve and enhance the quality of life for current and future residents of the City and for visitors to this community; and

WHEREAS, the City adopted the updated 2011 City of Wasilla Comprehensive Plan ("the Plan") that contains policy statements, goals, objectives, actions, standards, and maps that are intended to guide the decision-making of the City's elected officials, commissions, and staff regarding future development and quality of life; and

WHEREAS, the City adopted a Land Development Code (Title 16) in 1996 to implement the Plan and to ensure that future development and growth in the City is consistent with the values of its residents, identify and avoid, mitigate, or prohibit the negative impacts of growth, and to ensure that development is of the proper type, design, and location; and

WHEREAS, the Matanuska Electric Association (MEA), submitted two land use permit applications, Administrative Approval Number A13-027 and Use Permit Number U13-02, on April 3, 2013 requesting approval to construct new 115 kV double circuit transmission lines on 80-100 foot tall towers in a 100 foot wide right-of-way easement within the city limits as described above and shown on the attached maps dated December 7, 2012; and

WHEREAS, the applicant submitted a request that the Commission waive the site plan requirements of WMC 16.08.015 as allowed in subsection(D)(2) with the recommendations of the Public Works Director and the City Planner; and

WHEREAS, the City Planner elevated the applicant's request to the Commission per WMC 16.12.040 and 16.16.020; and

WHEREAS, all public hearing dates and times were publicly advertised consistent with WMC 16.16.020; and

WHEREAS, the Wasilla Planning Office mailed 598 notices for the public hearing to property owners within a minimum of 1,200 radial feet of the subject property and to 25 review agencies consistent with WMC 16.16.020; and

WHEREAS, the Commission conducted the first public hearing on May 14, 2013 and, after taking extensive testimony and evidence, voted 5-1 to continue the meeting until May 21, 2013; and

WHEREAS, at the May 21, 2013 public hearing, the Commission re-opened the public hearing to allow additional testimony by MEA, City staff, and the public.

WHEREAS, the Commission voted 4-1 to continue the public hearing until July 9, 2013 and directed staff to conduct meetings and/or workshops to work with MEA, the Matanuska-Susitna Borough, the Knik-Fairview Community Council, and interested residents and businesses to identify additional potential routes for the proposed transmission lines that would be consistent with the Plan and other applicable policies and codes and that minimize negative impacts to residents and business owners and to the scenic vistas; and

WHEREAS, the City planning staff hired a consultant to facilitate two consecutive public workshops on June 27, 2013 to provide attendees the opportunity to identify potential route alternatives for the proposed transmission lines and a summary of the recommendations was prepared for review by the Commission; and

WHEREAS, MEA did not attend the public workshops on June 27, 2013, but submitted a letter objecting to the workshops to the Commission Chairman on June 7, 2013; and

WHEREAS, approximately 23 residents, business owners (and/or their representatives), a representative from the Knik-Fairview Community Council, and other interested persons attended the June 27, 2013 workshops and worked in groups to

identify other potential routes for the proposed MEA transmission lines that would have less negative impact on the businesses, residents, scenic views in the area, and the visual attractiveness of the City; and

WHEREAS, a summary of the recommendations from the June 27, 2013 workshops was prepared by the consultant and provided to the Commission in the meeting packet for the July 9, 2013 public hearing; and

WHEREAS, at the July 9, 2013 public hearing, the Commission continued its deliberations on the permit requests, taking into account the information submitted by the applicant, evaluation and recommendations of staff contained in the staff report, the information included in the all of the meeting packets for these permit applications (submitted as part of the public record), written comments from the public and review agencies, public testimony at all public hearings, the recommendations obtained at the June 27, 2013 public workshops, the 2011 City of Wasilla Comprehensive Plan, and the City of Wasilla Land Development Code (Title 16), and other pertinent information brought before them; and

WHEREAS, WMC 16.16.050, General Approval Criteria, states that an elevated administrative approval and/or elevated use permit may be granted by the Commission if the general approval criteria are complied with; and

WHEREAS, WMC 16.16.050, further states that the burden of proof is on the applicant to show that the proposed use meets the general approval criteria and that findings are made indicating that the proposed use can occur consistent with the Plan, harmoniously with other activities allowed in the district, and will not disrupt the character of the neighborhood; and

WHEREAS, the Commission acknowledges that MEA desires to create a redundant transmission loop within the Valley and improve and enhance the existing

service between the Eklutna Generation Station to the Herning (Wasilla) substation in order to provide power to accommodate future growth and to provide reliable power to the surrounding areas; and

WHEREAS, the Commission has considered the information referenced above along with information contained within the permit applications and record, information in the meeting packets, the staff report, including additional information submitted at the public hearings to supplement the record, staff's testimony, the applicant's testimony, and written comments and verbal testimony provided by city residents, business owners within the city, review agencies and other interested parties; and

WHEREAS, the Commission has determined that the construction of 115 kV double circuit overhead transmission lines on 80-100 foot towers along the proposed route through the City is not consistent with the vision for the City as outlined in the City of Wasilla Comprehensive Plan and Land Development Code (Title 16) does not meet all of the general approval criteria and will have a significant negative impact on the visual appearance and scenic resources, property values of residential and commercial properties, and potential for future commercial development on vacant commercially-zoned properties along the proposed route (as outlined in the findings of fact attached to this resolution as Exhibit A); and

WHEREAS, the Commission has determined that underground installation of the proposed 115 kV double circuit transmission lines within the proposed route is consistent with the 2011 City of Wasilla Comprehensive Plan and Land Development Code, since it will not affect the visual appearance and scenic resources along the proposed route and/or negatively impact existing and potential commercial development on commercially-zoned properties (as outlined in the findings of fact attached to this resolution as Exhibit A); and

WHEREAS, at the July 9, 2013 public hearing, the Commission directed staff to draft a resolution and findings of fact that approved the permit requests with the condition that the transmission lines be installed underground within the proposed route shown in Exhibit B and bring it back for adoption at the August 13, 2013 Commission meeting.

NOW, THEREFORE BE IT FURTHER RESOLVED that based on the information referenced above and all of the information in the record, the Commission hereby approves Administrative Approval Number A13-027 and Use Permit Number U13-02 with the adopted Findings of Fact, attached as Exhibit A and incorporated herein, with the following conditions:

1. The transmission lines must be installed underground; and
2. The underground transmission lines must be installed within the corridor shown on the drawings dated December 7, 2012, attached as Exhibit B.

ADOPTED by the Wasilla Planning Commission on August 13, 2013.

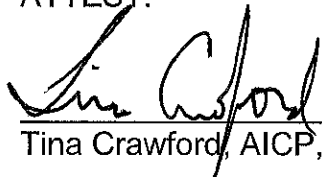
DATE:

8/16/2013

APPROVED:


Daniel Kelly, Jr., Chairman

ATTEST:


Tina Crawford, AICP, City Planner

VOTE: Passed with Commissioner Brown, Dean, Green, Ledford and Chair Kelly in favor, and Commissioner Sumner in opposition

**WASILLA PLANNING COMMISSION
FINDINGS OF FACT
ADMINISTRATIVE APPROVAL NUMBER 13-027 AND USE PERMIT NUMBER 13-02**

The Wasilla Planning Commission hereby makes the following findings of fact in connection with land use permits Administrative Approval Number A13-027 and Use Permit Number 13-02:

General Approval Criteria Findings

Section 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.*

Finding: There are no approved neighborhood plans for neighborhoods along the proposed transmission line route.

16.16.050(2) *Plans. The proposal is substantially consistent with the city comprehensive plan and other city adopted plans.*

Finding: Locating an overhead transmission line on 80-100 foot tall towers along the proposed route is not substantially consistent with the City Comprehensive Plan or Land Development Code. It is also not consistent with the City Mission Statement or the City Council's adopted Goals and Initiatives.

The over-arching vision outlined in the Comprehensive Plan is to take the necessary steps to ensure the City remains region's major commercial center, generates the sales tax revenue that is required to maintain and enhance the quality of life for its residents, and enhances the visual attractiveness of the community. The ability to do this is directly tied to the attractiveness of the City as a place to live, work, and do business. Also, the Land Development Code's overall purpose is to achieve the goals and objectives of the Comprehensive Plan and to avoid, mitigate, or prohibit the negative

impacts of growth and the City Council's overall goal is to preserve and enhance the quality of life for residents and visitors to the City.

The proposed centerline of the transmission line is within the right-of-way of two of the main commercial corridors within the City – the Parks Highway and the Palmer-Wasilla Highway Extension. Additionally, this area has the most potential for new commercial development since there are several large commercially-zoned properties along the proposed route.

Currently, the Parks Highway and Palmer-Wasilla Highway Extension commercial corridors contain some of the largest sales tax generators within the City and have the greatest potential to attract new large-scale commercial development. Since the City's entire budget is primarily based on the collection of sales tax, existing and future sales tax dollars are essential for the City to improve the quality of life, safety, and welfare of its citizens.

The 100-foot easement requested by MEA for the transmission lines will impact the ability to utilize a significant portion of the valuable commercial square footage fronting these commercial corridors since MEA's utility easement clearing policies require the removal of all vegetation (except grass) within utility easements and also prohibits the placement of signage and structures. This will require commercial businesses to locate the required perimeter and parking landscaping areas, structures, and signs up to 50 feet away from the property line. This will reduce visibility of the signage and reduce the amount of square footage available for parking and structures. Additionally, the location of 80-100 foot tall transmission line structures will significantly reduce the visual attractiveness of these properties.

These impacts will discourage further commercial development/redevelopment in these areas, which is inconsistent with the following goals, objectives, and/or actions within the Comprehensive Plan (copies of the applicable sections are included in the packet):

- *Encourage development opportunities that support the City's role as a regional commercial center.* (Chapter 4 – Land Use, Goal 2).
- *Encourage expansion of the City's major commercial areas to accommodate regional demands.* (Chapter 4 – Land Use, Goal 2, Objective 2.1).
- *Continue to promote and enhance the City's future as the region's major center for commerce, services, visitor hospitality, culture and arts, transportation and industry.* (Chapter 7 – Economic Vitality, Goal 1).

- *Adopt policies and programs that will ensure that the City remains the preferred place in the Valley for shopping, services, employment, arts, entertainment, sports, and culture. (Chapter 7 – Economic Vitality, Goal 1, Objective 1.1)*
- *Encourage the development of new anchor developments, facilities, and attractions that generate economic activity. (Chapter 7 – Economic Vitality, Goal 1, Objective 1.3)*

The 80-100 foot tall transmission towers supporting the transmission lines will significantly impact the scenic mountain vistas viewed from these corridors and will significantly, and permanently, decrease the attractiveness of the City. Also, MEA's utility easement clearing regulations require that the utility easement be cleared of vegetation (except grass), including required landscaping for commercial development. Clearing this vegetation will seriously degrade the visual attractiveness of the Parks Highway and Palmer-Wasilla Highway Extension commercial corridors, which is inconsistent with the following goals, objectives, and/or actions within the Comprehensive Plan:

- *Preserve and enhance the City's unique community assets (Chapter 6 – Community Assets, Goal 4).*
- *Enhance the City's visual appearance and identity. (Chapter 6 – Community Assets, Goal 4, Objective 4.2).*
- *Identify landmarks and features of visual interest to residents and visitors, and explore opportunities for enhancing access to them and/or framing views for the public (e.g. scenic overlooks, pullouts, site development that maintains and/or incorporates views.) (Chapter 6 – Community Assets, Goal 4, Action 4.2.1)*
- *Work to tap community pride and owners' self interest in enhancing properties along the Parks Highway by partnering with the Chamber of Commerce and other organizations on community beautification and cleanup efforts. (Chapter 6 – Community Assets, Goal 4, Action 4.2.2).*
- *Collaborate with ADOT&PF to identify ways to preserve landscaping along state roadways and minimize dust pollution from winter maintenance. (Chapter 6 – Community Assets, Goal 4, Action 4.2.3).*

The visual blight created by the proposed transmission towers and lines will significantly impact the scenic mountain views along these main corridors into the City and will decrease the attractiveness of the City. This is inconsistent with the City's goal to attract tourists and residents to the area, as identified in the following goals, objectives, and/or actions within the Comprehensive Plan:

- *Continue to promote and enhance the City's future as the region's major center for commerce, services, visitor hospitality, culture and arts, transportation and industry.* (Chapter 7 – Economic Vitality, Goal 1).
- *Promote the City as a base for Valley recreation and a "Gateway to Adventure."* (Chapter 7 – Economic Vitality, Goal 1, Objective 1.4).

The provision of a redundant electrical transmission loop for an area that already has existing power supply does not offset the significant impacts to future development/redevelopment of the commercial properties along the proposed route, the visual attractiveness and scenic mountain vistas viewed from these roadways, or the ability to promote Wasilla as a tourist destination. Especially since, as shown in MEA's routing studies, other transmission line routes are available that are consistent with the City's plans and goals and would have significantly less impact on the City.

However, this criterion is met with the condition of approval that the transmission lines be installed underground.

16.16.050(3) *Special Uses. The proposal is substantially consistent with the specific approval criteria of Section 16.16.060.*

Finding: This criterion is not applicable since there are no specific approval criteria for utility facilities.

16.16.050(4) *Reviewing Parties. Due deference has been given to the comments and recommendations of reviewing parties.*

Finding: The City mailed 568 notices regarding the first public hearing to neighboring property owners within a 1200' radius from the proposed centerline of the transmission lines and 25 review agencies.

City staff received numerous comments in opposition to the proposed route for the overhead transmission lines on 80-100 foot tall towers from business owners and City residents due to the impact to the attractiveness of the area, the scenic views from residential properties, and decreases in property values. The majority of the comments in support of the proposed route were submitted by residents in the Fairview Loop area, which would be directly affected by the Cottle substation route that was presented by MEA as another optional route. (Copies of the comments received by staff are included in the public hearing record along with additional written comments received after the compilation of the hearing packets and those provided at the public hearings.)

Agency review comments were also received from the Alaska Railroad expressing concerns about the portion of the proposed route where it crosses the Palmer-Wasilla Highway Extension.

However, this criterion is met with the condition of approval that the transmission lines be installed underground.

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.***

Finding: This criterion is met since no comments were received from the Borough Fire Chief expressing concerns about a potential fire danger for the proposed transmission lines.

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...***

Finding: This criterion is not applicable since the proposed transmission lines will not generate any additional traffic on the City's street system.

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

Finding: The City Land Development Code (Title 16) prohibits any building or footings within 75 feet from the mean high-water mark of a water course or water body, including lakes, streams, and rivers.

However, this criterion is met with the condition of approval that the transmission lines be installed underground.

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.***

Finding: This criterion is not applicable since parking is not required for utility facilities.

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.***

Finding: This criterion is not applicable since the proposed use is a utility facility.

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.*

Finding: The proposed transmission line structures will not create drainage problems. However, the applicant will be required to take the necessary steps to control any runoff during construction, especially runoff that would impact any waterbodies or wetland areas.

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.*

Finding: This criterion is not applicable since this is not a large lot development.

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.*

Finding: This criterion is not applicable since the definition of "peak use" refers to use characteristics such as traffic, parking, visitation, etc.

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.

Finding: This criterion is met since the proposed transmission lines will not create excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, interference with radio or television receivers, or cause significant line voltage fluctuation off the premises.

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.**

Finding: MEA's request for a 100 foot wide right-of-way easement that will be cleared of vegetation, shrubs, landscaping features, or trees for aboveground utilities is inconsistent with this criterion (see MEA's clearing brochure and vegetation rules and regulation in the Supplemental Information section of the record). It is also inconsistent with the purpose of the Code's landscaping standards, which is to "...enhance the community's environment and visual character, provide attractive and functional separation and screening between uses, and to attract visitors and tourists to the city for the economic benefit of everyone in the community."

The Code also states that only 70 percent of a lot may be cleared of vegetation. Any vegetation that MEA clears that is located on private property will count toward the maximum amount that be cleared for development. Also, removal of vegetation or landscaping on currently developed properties may cause them to be out of compliance with the City's landscape regulations.

However, this criterion is met with the condition of approval that the transmission lines be installed underground.

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.

Finding: This criterion is not applicable to a utility facility.

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.

Finding: This criterion is not applicable since water, sewage, and drainage systems are not required for utility facilities.

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.*

Finding: The MSB Cultural Resources Office did not submit any comments. However, MEA should contact them prior to any clearing or construction.

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.*

Finding: MEA's utility easement clearing requirements will significantly impact the scenic mountain views along the proposed route and will decrease the attractiveness of the City and the gateway corridor. Also, the requirement to clear all landscaping within the 100 feet wide right-of-way causes the proposed 80-100 foot tall transmission towers to be more visible since there will be no vegetative buffer to soften or screen the appearance or a vegetated background to minimize the starkness and massive size of the structures. Also, the proposed transmission towers will be 45-65 feet taller than any building/structure permitted within the city limits.

The proposed overhead transmission lines on 80-100 foot tall towers will be out of character with the general appearance of the area. The majority of the businesses along the proposed route within the city limits have chosen to have a more attractive "curb appeal" by placing the utilities underground and/or accessing utilities from the rear of the property.

However, this criterion is met with the condition of approval that the transmission lines be installed underground.

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...

Finding: This criterion is not applicable for a utility 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.*

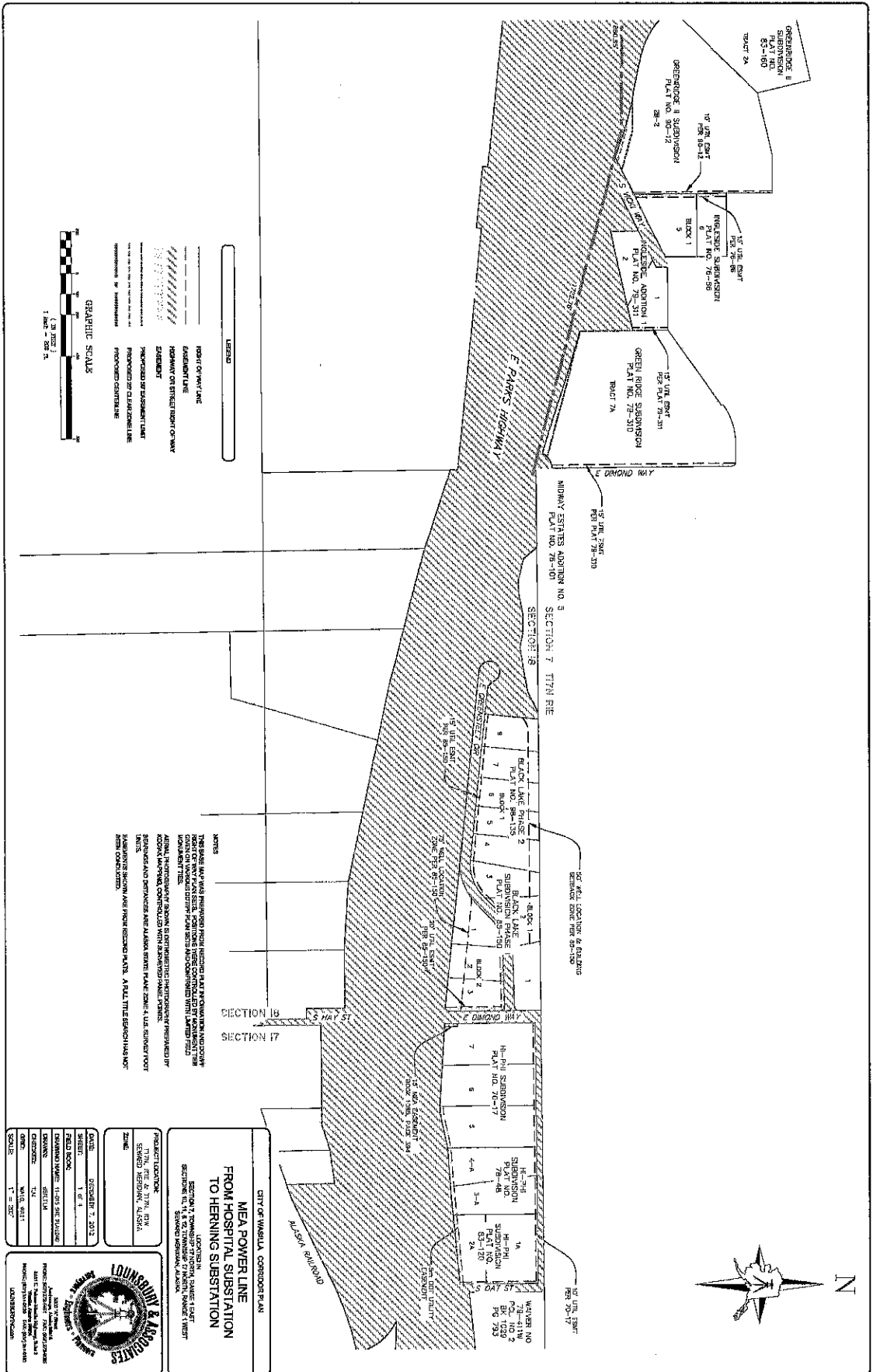
Finding: This criterion is met since the proposed use will not significantly increase the impact on the surrounding area from glaciations or drifting snow.

Additional Substantive Findings:

1. The Parks Highway is the gateway to the rest of northern Alaska and contains beautiful scenic views and resources that need to be preserved.
2. Overhead transmission lines on 80-100 foot tall towers along the proposed route create a long-term visual blight along the main corridors through the City and will negatively impact the City's beautification efforts that are directed by the City Comprehensive Plan.
3. The majority of businesses along the proposed route have underground electrical utilities.
4. MEA did not meet the burden of proof to show that the proposed overhead transmission lines on 80-100 foot tall towers met the general approval criteria in Wasilla Municipal Code 16.16.050 (Land Development Code) since the permit requests were not consistent with at least four of the criteria.
5. MEA did not submit competent and/or substantial evidence to prove that the proposed route is the only viable route – only that it was the least expensive route. Financial cost to the applicant is not the main or only consideration when determining consistency with the general approval criteria in the City Land Development Code and/or the goals, objectives, and actions adopted in the 2011 City of Wasilla Comprehensive Plan.
6. Several other routes were analyzed by MEA in the route analysis study submitted with the permit applications (*Hospital Substation to Herning Substation Transmission System Route Selection (Herning Circuit Routing and Easement Study) – Analysis of Five Routing Options and Selection of Preferred Route*, dated July 2012) that, although not optimal from a financial viewpoint, are more consistent with the City's Comprehensive Plan and land use regulations and criteria.

7. The rating criteria used by MEA in the routing analysis for the proposed transmission line routes only addressed cost, ability to strengthen MEA's grid, minimize public controversy, and the schedule to energize. Although typically addressed in transmission line routing studies, MEA did not address or consider visual impacts or compatibility with the zoning and land uses in the area.
8. Overhead transmission lines on tall towers should be placed in areas where they are less visible and have less impact, such as industrial areas or in less populated/developed areas. Based on a review of other utility facilities within Alaska and the lower 48 states, most overhead transmission lines on tall towers are located in industrial areas, remote areas, or are buffered from view by dense vegetation.
9. MEA did not submit any competent and/or substantial evidence to prove that there is an immediate pressing need for the proposed transmission lines.
10. According to testimony provided by Joe Griffith, MEA General Manager, to the Regulatory Commission of Alaska, MEA can provide power from the Eklutna Generation Station to the Herning substation utilizing existing power lines – just not as efficiently as they could with the upgraded transmission lines (10/24/12 and 3/13/13 RCA testimony. Also in 4/3/13 application packet – page 3 of site plan waiver packet, which states that it will increase reliability and capacity and provide redundancy.)
11. MEA's clearing policies for utility easements are significantly more stringent than the requirements in the National Electrical Safety Code (NESC). The NESC only requires 25 feet clearance between vegetation and the lowest hang or swing of the transmission lines and removal of trees that are in danger of falling into the transmission lines. The NESC standards allow lower height trees and shrubs if more than 25 feet from the lines. MEA's clearing policy requires the removal of all vegetation (except grass) from the utility easement. This is inconsistent with the purpose of the landscaping regulations, which is to enhance the community's visual character to attract visitors and tourists to the city for the economic benefit of everyone in the community.
12. The public places a higher value on properties without overhead power lines.
13. MEA testified at the May 21, 2013 Wasilla Planning Commission meeting that they were unwilling to consider any other route due to the higher costs.
14. Although requested by the Wasilla Planning Commission at the May 21, 2013 public hearing, MEA did not provide information regarding the cost to install the transmission lines underground.
15. MEA submitted a letter on June 7, 2013 objecting to the June 27, 2013 workshops that were requested by the Planning Commission to identify other potential overhead transmission line routes that would meet MEA's needs and be consistent with the City's Comprehensive Plan and the general approval criteria for permits.

16. MEA was unwilling to consider any additional routes other than the proposed route submitted with the permit applications, which was the same route that was submitted in an earlier permit submittal to the City in November 2012 that was subsequently withdrawn by MEA prior to the January 2013 public hearing.
17. MEA disregarded all input provided by the City staff, the residents and businesses along the proposed route regarding the negative impacts to the quality of life, scenic views along the route and from residential properties, and existing businesses.
18. Although requested by City staff, MEA refused to provide adequate renderings depicting the visual impacts that would be created if the overhead transmission lines on 80-100 foot tall towers were installed along the proposed route (MEA only provided one photo rendering showing a very small portion of the proposed route after the City staff generated photo simulations for the entire route.)
19. Availability of power is just one criteria used by developers when deciding whether to locate a business within a specific area. Other considerations of equal or greater importance include the number of consumers within an area, the visibility of the business, the ability to design a site that is attractive to customers, the ability to maximize the square footage of the parcel, etc.



LEGEND

- RIGHT-OF-WAY LINE
- EASEMENT LINE
- RIGHTWAY OR TRUSSEIGHT OF WAY
- EASEMENT
- PROPERTY OF STATEMENT LINE
- PROPERTY OF CLAIMANT LINE
- PROPERTY OF CENTERLINE

GRAPHIC SCALE

1" = 250' H.

1" = 100' V.

NOTES

1. THIS MAP WAS PREPARED FROM RECORD PLATS AND RECORDS IN THE PUBLIC RECORDS OF THE COUNTY OF ST. LOUIS, MISSOURI, AND THE RECORDS OF THE CITY OF ST. LOUIS, MISSOURI.

2. THE BOUNDARIES AND AREAS SHOWN ON THIS MAP HAVE BEEN MEASURED AND VERIFIED BY THE ENGINEER AND FOUND TO CORRESPOND WITH THE RECORD PLATS AND RECORDS.

3. EASEMENTS SHOWN ARE FROM RECORD PLATS. A FULL TITLE SEARCH HAS NOT BEEN CONDUCTED.

CITY OF WALLA WALLA CORRIDOR PLAN

MEA POWER LINE FROM HOSPITAL SUBSTATION TO HERZING SUBSTATION

PROJECT LOCATION:
SECTION 17, TOWNSHIP 17N, RANGE 14E, DISTRICT 5N

LOCATION IN SECTION:
SEE RECORD PLAT NO. 78-310

DATE: DECEMBER 7, 2012

SHEET: 1 OF 1

FIELD BOOK: 14-2012-2

ENGINEER: DAVID E. STEVENS

CONSULTANT: W&A ENGINEERS

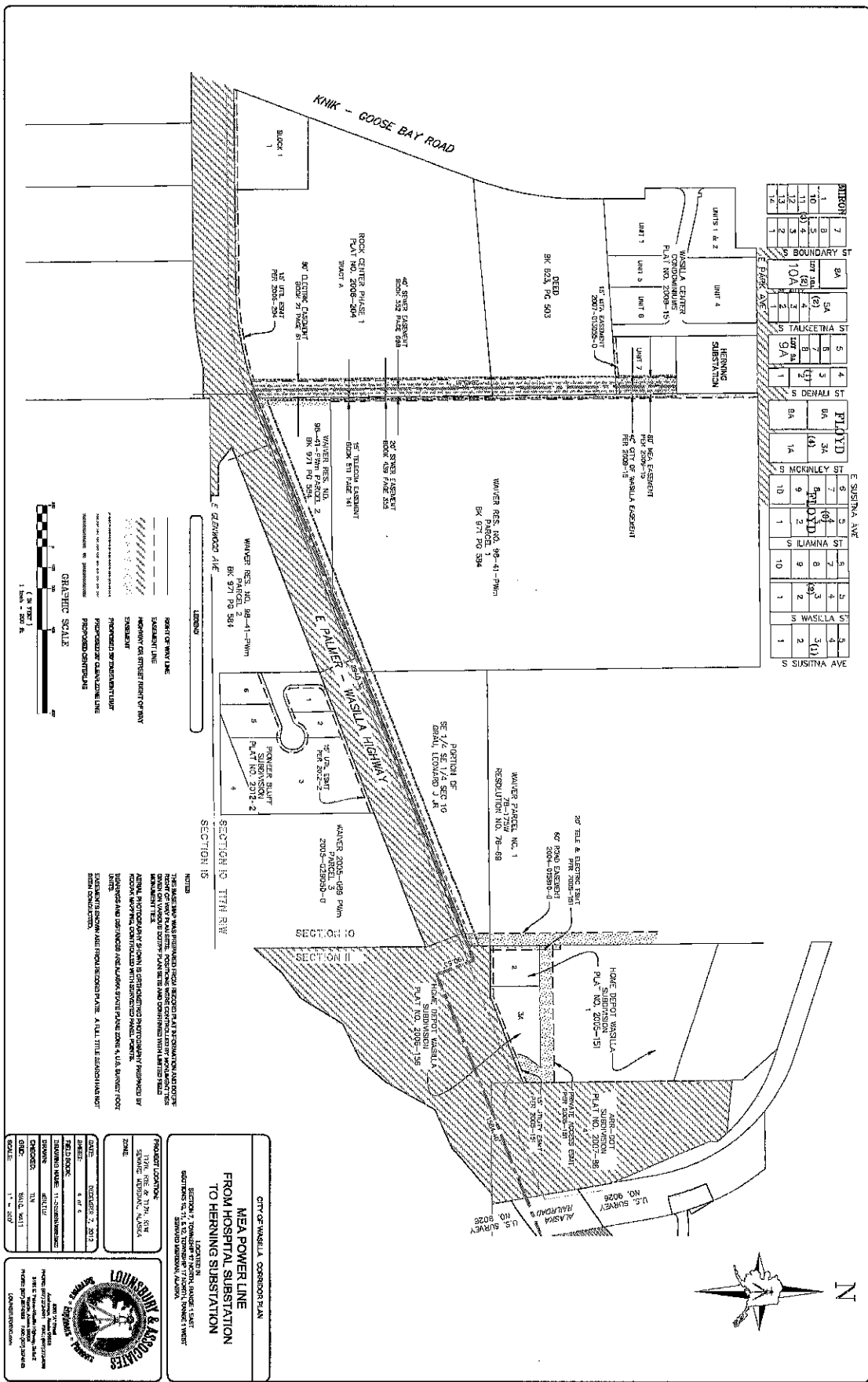
SCALE: 1" = 250'

DATE: 2012

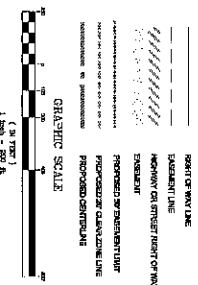
SCALE: 1" = 250'

LABORATORY:
PROF. DAVID E. STEVENS
1100 N. 3RD AVENUE
WALLA WALLA, WA 99157
PHONE: (509) 565-4444
FAX: (509) 565-4445
WWW.WANDENGINERS.COM





PLAT NO.	7	8A	5	4	3	2	1
UNIT	1	2	3	4	5	6	7
PLAT NO.	10	11	12	13	14	15	16
UNIT	1	2	3	4	5	6	7
PLAT NO.	17A	18A	19A	20A	21A	22A	23A
UNIT	1	2	3	4	5	6	7



NOTES:

- THE MEA POWER LINE WAS DESIGNED TO BE INSTALLED IN THE CONDUIT AND THE CONDUIT WAS DESIGNED TO BE INSTALLED IN THE MEA POWER LINE. THE MEA POWER LINE WAS DESIGNED TO BE INSTALLED IN THE CONDUIT AND THE CONDUIT WAS DESIGNED TO BE INSTALLED IN THE MEA POWER LINE.
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CITY OF WASILLA CARBOR-FAN

MEA POWER LINE FROM HOSPITAL SUBSTATION TO HERRING SUBSTATION

SECTION 15, TOWNSHIP 4 NORTH, RANGE 1 WEST, SECTION 15, T.4N. R.1W. S.15E.

DATE: DECEMBER 7, 2012

DRAWN BY: [Name]

CHECKED BY: [Name]

SCALE: 1" = 200'

LOUNSBURY & ASSOCIATES

REGISTERED PROFESSIONAL ENGINEER

NO. 10000

STATE OF ALASKA

DATE: DECEMBER 7, 2012

DRAWN BY: [Name]

CHECKED BY: [Name]

SCALE: 1" = 200'