



CITY OF WASILLA

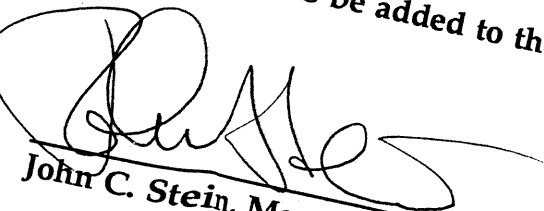
290 E. HERNING AVE.
WASILLA, ALASKA 99654-7091
PHONE: (907) 373-9050
FAX: (907) 373-0788

COUNCIL MEMORANDUM NO. 92-114

From: Mayor Stein
Date: September 24, 1992
Subject: Appeal of Wasilla Planning and Utilities Commission Decision - Wesley Allen, Lot 5D, Block 1, Snider #3 (Subway Shop)

A telefax request to appeal the Planning Commission's granting of a variance to the required 50' setback from the Parks Highway was received late Thursday.

We ask that this be added to the Council agenda for Monday, September 28.


John C. Stein, Mayor

APPROVED
DATE: 9-28-92
BY: ELM

Note: The Appeal itself Was not Accepted.



Matanuska-Susitna Borough

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645

PHONE: 745-4801 • FAX: 745-0886

PLANNING DEPARTMENT

September 24, 1992

Mayor John C. Stein
City of Wasilla
290 East Herning Avenue
Wasilla, Alaska 99654

Dear Mayor Stein:

Subject: NOTIFICATION OF DECISION TO APPEAL

Enclosed is a copy of the Notification of Decision to Appeal the decision of the Wasilla Planning and Utilities Commission granting a 25' building front lot line setback variance for lot 5D, Block 1, Snider Subdivision, Addition #3. The decision to file this appeal has not been arrived at capriciously as I earnestly believe that the City of Wasilla should be the one making its own decisions about its future development. Our interpretation of the city's code, however, indicates that the Commission may have erred in its decision in that their Findings do not support the evidence in the record.

Additionally, we wish to note that the city may want to review the manner in which the Commissioner's decisions are drafted. In the case at hand, Floyd Dollerhide, who acted as the agent for the applicant, prepared the written Findings. Although Mr. Dollerhide, a member of the Wasilla Planning and Utilities Commission, stepped aside to present his client's case, and did not vote on the issue, the perception, especially by someone unfamiliar with Mr. Dollerhide's high ethical standards, could arrive at a false conclusion in regards to how the decision was made. The findings should be prepared by the Commission membership sitting in review of the request.

Please let us know the first available date for the City Council to hear the appeal.

Yours truly,

John Duffy
Planning Director

Enclosure: as noted above

cc/duw\Wasilla\AppealL



Matanuska-Susitna Borough

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645

PHONE: 745-4801 • FAX: 745-0886

PLANNING DEPARTMENT

NOTIFICATION OF DECISION TO APPEAL

DATE: September 24, 1992

TO: Wasilla City Council

FROM: John Duffy, Planning Director^D

SUBJECT: NOTIFICATION OF DECISION TO APPEAL DECISION OF THE WASILLA PLANNING AND UTILITIES COMMISSION GRANTING A VARIANCE FOR LOT 5D, BLOCK 1, SNIDER SUBDIVISION #3, WASILLA, ALASKA

PROCESS:

A. An appeal to the Council of a Commission decision may be filed with the Director by any aggrieved person, including the developer. The appeal must be filed with the Director within ten calendar days of the date of the Commission decision along with the required fee. An appeal so filed stays the decision of the Commission until the final action of the Council on the appeal.

Appellant: Matanuska-Susitna Borough
Date of Commission Decision: September 15, 1992
Date of Appeal: September 24, 1992

B. The appeal must contain a clear description of the decision or decisions being appealed, the date of the decision, the error claimed and an explanation of the error.

This appeal is in regard to the September 15, 1992 decision of the Wasilla Planning and Utilities Commission granting of a 25' front lot line setback variance. The appeal is being filed for, but is not limited to, the following reasons:

1. The Findings are not supported by the evidence in the record.

2. Development of the site is possible without the issuance of a variance based upon our review of the applicant's site plan. Indeed a larger structure than proposed by the applicant could be built in compliance with the 50' setback requirement. This fact, as well as an absence of topographic constraints or other mitigating circumstances make us believe that the variance should not have been granted. It is our belief that the code, *17.43.431A*, requires that in order for a variance to be granted the Commission must find that all standards of this section must be met. Therefore, since the site allows the construction of a 2,000 s.f. structure in conformance with the existing 50' setback, the Commission, in our opinion, has erred. Although the variance will allow development to occur that will provide for a more visible setting, however this fact does not apply to the existing standards of the Wasilla Development Code.

See attached copy of site survey indicating allowable building footprint area and hypothetical building layout proving development is possible without the need for a variance.

We request that the hearing of the appeal be scheduled for the next Wasilla City Council Meeting.

HERMING

AVENUE

AIRPORT DRIVE

10' side and rear lot line setbacks

40'

WEST

123.09

132.95

50

53

10' UTILITY EASEMENTS

PROPOSED BUILDING LAYOUT

N 83° 35' 20" W

48.66

506° 25' 00" W

9.90

LOT 5D

10,696 S.F.

EXISTING BUILDING

50 FT SETBACK

57.50

506° 25' 00" W

102.65

N 79° 27' 10" W

500° 19' E

85.60

40'

NOTE THAT THE EXISTING BUILDING DEFINES THIS PROPERTY LINE AND TWO PROPERTY CORNERS.



132'

PARKS HIGHWAY

● SET 5/8" x 30" REBAR

○ FOUND 5/8" REBAR

LOT SURVEY

SCALE 1" = 40'

LOT 5D, BLOCK 1
AMENDED PLAT OF
SNIDER SUB. NO. 3 PLAT 80-53

DOLLERHIDE ENGINEERING

DATE 6-25-92

F. R. DOLLERHIDE, P.E.
POST OFFICE BOX 871812
WASILLA, ALASKA 99687

PALMER RECORDING DISTRICT

(907) 376-5485



CITY OF WASILLA

290 E. HERNING AVE.
WASILLA, ALASKA 99654-7091
PHONE: (907) 373-9050
FAX: (907) 373-0788

RESOLUTION NO. 92-09

A RESOLUTION OF THE WASILLA PLANNING AND UTILITIES COMMISSION OF THE CITY OF WASILLA, ALASKA, APPROVING A VARIANCE REQUEST AND DEVELOPMENT PERMIT REQUEST FOR THE SUBWAY SANDWICH SHOP - LOT 5D, BLOCK 1, SNIDER SUBDIVISION #3, WASILLA, ALASKA

WHEREAS, an application has been received for a Variance Request and Development Permit Request for a 25 foot building setback from Parks Highway, Lot 5D, Block 1, Snider Subdivision #3, Wasilla, Alaska, for the Subway Sandwich Shop, and

WHEREAS, this application was duly advertised and a public hearing held on September 15, 1992.

NOW THEREFORE BE IT RESOLVED, that the Wasilla Planning and Utilities Commission of the City of Wasilla voted to grant a Variance Request and Development Permit Request for the 25 foot building setback for the Subway Sandwich Shop with the following conditions:

1. The deviation from the setback requirement permitted by this variance will be no more than is necessary to permit a reasonable use of the lot.
2. The variance does not permit a land use that is prohibited by the Wasilla Development Code.
3. The variance is in keeping with the spirit and intent of the Wasilla Development Code in that the variance still requires a 25 foot building setback from the Parks Highway.
4. The variance will not adversely affect adjacent property.
5. The variance will not create traffic flow problems along the property boundaries and at the ingress and egress points along Parks Highway and will not cause danger to pedestrians. The ingress only will be from Parks Highway with the egress on to Herning Avenue.
6. The driveway from the Parks Highway will be moved 10 feet to the east and the curb cut driveway will be 60 feet from the edge of the cross street to concur with DOT/PF Driveway Regulations.
7. Specific provisions will be provided for stormwater and snow melt runoff and must be directed only into the Parks Highway storm drain system or disposed of on the property. Provisions for on-site snow removal storage/disposal must be provided.
8. Adequate parking will be provided.
9. Beautification and landscaping of the premises will be provided.
10. Comply with all federal, state, borough and city laws, statutes, regulations and ordinances.

BE IT FURTHER RESOLVED, that the findings of the Planning and Utilities Commission in substantiation of the granting of the variance are as stated on the attached document entitled "FINDINGS FOR VARIANCE REQUEST," Subway Sandwich Shop, Lot 5D, Block 1, Amended Plat of Snider Subdivision No. 3, dated September 17, 1992.

I certify that a resolution in substantially the above form was passed by the Commissioners at a duly called and conducted meeting of the Wasilla Planning and Utilities Commission on September 15, 1992.

RESPECTFULLY SUBMITTED:

APPROVED:

Marilyn K Stewart
Marilyn Stewart
Planning Clerk

Vic Kohring
Vic Kohring, Chairman

FINDINGS FOR VARIANCE REQUEST

SUBWAY SANDWICH SHOP

Lot 5D, Block 1

Amended Plat of Snider Subdivision No. 3

The applicant for this development has made a variance request for a 25-foot building setback from the Parks Highway. The City of Wasilla Planning and Utilities Commission has approved this variance and in doing so offers the following findings of fact:

1) The conditions upon which the variance application is based do not apply generally to properties in the vicinity other than the property for which the variance is sought. This lot was created by subdivision prior to the implementation of the Wasilla Development Code requiring minimum core area lot size of 20,000 square feet and a 50-foot setback. Most of the other properties in this area already have buildings on them which were constructed prior to the 50-foot setback being in effect. Other lots in the area are of sufficient size to accommodate this setback.

2) Such conditions that warrant granting the variance arise out of the shape of the property and surrounding development. The lot depth from the Parks Highway on the west side is 85.6 feet and after subtracting the setback requirement on both streets only allows a 25-foot depth in which to position a building. Further, the average depth of the lot is less than the frontage, increasing the lot area that falls within the 50-foot setback. The surrounding development does not come close to meeting the 50-foot setback, and this impacts this lot in terms of visibility from the Parks Highway.

3) The strict application of this setback to the property will result in an undue and substantial hardship. This hardship is illustrated by the narrow 25-foot depth on the western portion of the property in which a building could be placed. The development to the east has a building on the common property line with, obviously, no setback. This structure also is set back approximately 11 feet from the Parks Highway and severely limits the visibility of the proposed development. The proposed 2000 square foot building represents only a 20 percent coverage; and the code allows a 40 percent coverage, with increases above that if certain amenities are provided. Placement of this small building on the eastern portion of the lot would result in a limited visibility from traffic on the Parks Highway and would severely affect the business. The total of all of the areas of this lot falling within right-of-way setbacks is 58 percent. This leaves only 42 percent of the lot in which to place a building, and this limited use of the lot causes an undue and substantial hardship in the use of the property.

4) The special conditions requiring the variance are not caused by the person seeking the variance, a predecessor in interest, or the agent of either. The current owner and applicant is several owners removed from the subdivider of the property. Even the owner who subdivided the property did not create the problem. At the time of subdivision there was no Wasilla Development Code; and consequently, there was no minimum lot size of 20,000 square feet or a 50-foot setback requirement. The conditions that now require the variance were created by the implementation of the Wasilla Development Code.

5) This variance is not sought to relieve pecuniary hardship. This variance is sought to allow the reasonable use of the lot for a restaurant. The applicant will not be "saving" any money by the granting of the variance; i.e., the construction and site development costs would be the same whether or not the variance is granted.

Having found in favor of the variance, the City of Wasilla Planning and Utilities Commission notes that this variance complies with the following conditions:

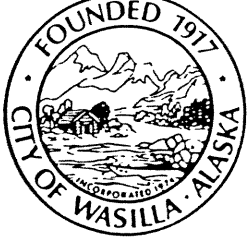
1) The deviation from the setback requirement permitted by this variance is no more than is necessary to permit a reasonable use of the lot. The variance does not eliminate the 50-foot setback but modifies it only to require a 25-foot setback. This allows a reasonable use of the lot and still mandates a setback greater than the existing buildings on each side of this development.

2) The variance will not permit a land use that is prohibited by the Wasilla Development Code. The proposed use is presently allowed by the code.

3) The variance is in keeping with the spirit and intent of the code and the requirements from which relief is sought. The intent is to keep buildings from being too close to the Parks Highway; and this variance still requires a 25-foot setback, which is a greater setback than the adjacent and several of the neighboring buildings in the area.

4) The variance will not be detrimental to the public health, safety, or welfare. No aspects of health, safety, or welfare are compromised in going from a 50-foot setback to a 25-foot setback.

5) The variance will not adversely affect other property. This alteration of the setback requirement will not adversely affect the use, exposure, or other aspects of other property.



CITY OF WASILLA

290 E. HERNING AVE.
WASILLA, ALASKA 99654-7091
PHONE: (907) 373-9050
FAX: (907) 373-0788

August 14, 1992

Dawn Webster
Code Compliance Officer
Matanuska-Susitna Borough
350 East Dahlia
Palmer, AK 99645

RE: Wasilla Planning & Utilities Meeting Date Change

Dear Dawn,

Due to the fact that the Primary Election is being held on September 8, 1992, the Wasilla Planning & Utilities meeting will be held on Tuesday, September 15, 1992.

Please note that the public hearing scheduled for September 8, 1992 will have to be postponed until September 15, 1992. Please apologize to Mr. Allen on our behalf if this causes any problem.

Also please note that the next meeting in September is scheduled for Tuesday, September 29, 1992.

Sincerely,

Marilyn L. Stewart

Marilyn L. Stewart
Planning Clerk

MS/ms

cc: Vic Kohring, Chairman WP&UC

MATANUSKA-SUSITNA BOROUGH

350 East Dahlia
Palmer, Alaska 99645

FYI

ADVERTISEMENT

DATE OF ORDER: August 4, 1992

PUBLISHER(S)	DATE(S) REQUIRED	ACCOUNT NO.
Frontiersman	August 7 and 12, 1992	Contract
Anchorage Daily		MATA 0070
Type of Advertisement: (X) Display () Classified () Public Information		
THE MATERIAL HEREIN MUST BE PRINTED IN ITS ENTIRETY ON THE DATE(S) SHOWN ABOVE. AFFIDAVIT OF PUBLICATION IS REQUIRED PRIOR TO PAYMENT.		
MSB ACCOUNT NO:		

NOTICE OF PUBLIC HEARING
WASILLA PLANNING & UTILITIES COMMISSION

7:00 p.m.

City Council Chambers

September ¹⁵ 8, 1992

The Wasilla Planning & Utilities Commission will hold a public hearing on September 8, 1992 at 7:00 p.m., in the City Council Chambers to listen to public testimony regarding the application for a Major Development Permit/Variance from a requirement of MSB 17.43 Wasilla Development Code, submitted by Wesley S. Allen. The Major Development Permit/Variance request is to allow the construction of a 2,000 s.f. Subway Sandwich Shop and office area to be located 25' from the George Parks Highway. The Wasilla Development Code requires that buildings constructed adjacent to the George Parks Highway must be 50' from the front lot line. The proposed development is located on lot 5D, Snider Subdivision #3, in Wasilla, Alaska. The Planning and Utilities Commission invites you to attend the hearing and submit your comments. For additional information, please contact Dawn Webster at 745-9861.

Requested by: Dawn U. Webster Approved by: _____



CITY OF WASILLA

290 E. HERNING AVE.

WASILLA, ALASKA 99654-7091

PHONE: (907) 373-9050

FAX: (907) 373-0788

August 11, 1992

Planning Department
Matanuska-Susitna Borough
10 E. Dahlia Avenue
Wasilla, Alaska 99645

Attention: Dawn Webster

Re: Major Development Permit
Subway Sandwich Shop

Dear Ms. Webster:

The following comments are submitted for consideration for the requested major development permit.

There appears to be no specific plan for stormwater or snow melt run-off. The intersection of Herning and Airport Drive is often flooded as the run-off exceeds the storm drain capacity. The run-off from the subject lot must be directed only to the Parks Highway storm drain system or disposed of on the property.

The trash enclosure is depicted as enclosed by a fence. Owner should insure that the trash collection truck will have access to the container from on the property and will not block the street during collection.

Owner does not appear to have made provision for on-site snow storage/disposal. Snow may not be pushed onto the public right-of-way.

Exit planned on Airport Drive presents hazard for traffic turning right off Parks Highway. Traffic exiting property onto Airport Drive will not have adequate queuing room to enter Parks Highway. Recommend ingress/egress at that location be denied.

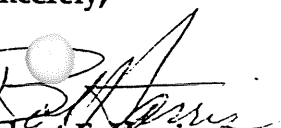
Traffic coming off Parks Highway to drive through window will have to cross through lane of vehicles attempting to exit property onto Parks Highway. Recommend that Parks Highway be used to only enter onto the property and that egress onto Parks Highway be denied.

Building layout should accommodate delivery trucks on the property and not result in blocking of streets during delivery.

Parking planned for west side of building will require curb cuts to enter/exit from street.

Thank you for the opportunity to comment.

Sincerely,


Robert E. Harris
Deputy Administrator



Matanuska-Susitna Borough

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645

PHONE: 745-4801 • FAX: 745-0886

PLANNING DEPARTMENT

MEMORANDUM

DATE: September 8, 1992

TO: Wasilla Planning and Utilities Commission

FROM: John Duffy, Planning Director *[Signature]*

BY: Dawn U. Webster, Code Compliance Officer *[Signature]*

SUBJECT: VARIANCE REQUEST AND DEVELOPMENT PERMIT REQUEST FOR LOT 5D, BLOCK 1, SNIDER SUBDIVISION #3, WASILLA, ALASKA

BACKGROUND:

On August 4, 1992 an application was submitted by Wesley Allen for a variance request and a development permit to cover the construction of a 2,000 s.f. restaurant and office building on lot 5D, Block 1, Snider Subdivision #3, Wasilla, Alaska. Wasilla Development Code MSB 17.43.853.B. states that **buildings must be set back fifty feet from the right-of-way of the Parks Highway**. The variance is requested to allow reduction of the building setback from 50' to 25' at the Parks Highway.

DISCUSSION:

Development of a restaurant and office building are permitted uses in the Core Area of the city. A Minor Development Permit would be required to cover the construction of the building if a variance had not been requested. MSB 17.43.421 states that **"A use-by-right or a minor development that requires a variance must be processed as a major development."** The site plan indicates a 40' x 50' building located 25' from the Parks Highway, 10' from the west property line (Airport Drive), 12' from the north property line (Herning Avenue) and, at its closest point, 55' from the east property line (adjacent to Kashim's).

No variance may be granted by the Commission unless the applicant has proven that all the standards of 17.43.431A have been met. The standards are as follows:

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 this the variance is sought;

Applicant Response: *Property on both sides of this property are already developed and occupy the entire 50' of required 50' setback. The Subway Sandwich Shop will still be 25' farther back than both the Kashim Motel and the Mug Shot Saloon. These buildings do not present an attractive appearance for the City of Wasilla. This new building, an indication of economic growth for the City of Wasilla will be "shadowed" by these two buildings and more specifically, the view from the Parks of this building will be restricted.*

Staff Response: All lots along the Parks Highway are subject to the 50' building setback therefore the conditions upon which the variance application is based does apply to properties in the district or vicinity for which the variance is sought. The requested variance does not meet this standard.

The Kashim Motel, constructed in 1960, is "grandfathered" in its present location. The Mug Shot Saloon, also constructed in 1960, has a porch roof which extends into the right-of-way area. The roof could be removed without disturbing the remainder of the building which is "grandfathered" in its present location.

2. Such conditions arise out of natural features inherent in the property such a shape or topographical conditions of the property or because of unusual physical surroundings, or such conditions arise out of surrounding development or conditions.

Applicant Response: *Setback requirements restrict the use of over 50% of my property and I will not be able to build the Subway Sandwich Shop within the city limits of Wasilla. I will be forced to attempt to purchase property near Mile 37 of the Parks Highway for the proposed use. The requested variance does not meet this standard.*

Staff Response: There are no topographic constraints on the property which eliminate the possibility of development. Many lots in the Wasilla Townsite, adjacent to the Parks Highway, smaller than the subject parcel have been developed. The setback regulations on this property only relate to the building. The remainder of the lot may be used for installation of signage, parking, snow storage, trash receptacle, or landscaping. If the subject parcel is not large enough to accommodate a single-story, 2,000 s.f. Subway Sandwich Shop and office space and meet all the code requirements for development it may not be the appropriate lot for this project.

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.

Applicant Response: *It is possible to construct a 2,000 s.f. building on the*

property without the variance, however, the configuration of the building would be such that it cannot be laid out in a manner that Subway could utilize the space that would be built. The configuration would not conform to Subway's interior requirements.

Staff Response: The applicant has stated that a 2,000 s.f. building can be constructed on the site. Therefore, the variance cannot be granted because he cannot meet all the standards of MSB 17.43.431A.

Staff has had a discussion with Mr. Steve Adams, of Subway Sandwich Shop, regarding the average shop size and number of employees. Mr. Adams stated that the shops run between 1,200 and 1,700 s.f. but that the normal shop is approximately 1,500 s.f. Smaller ones have been constructed with special permission from Subway headquarters. He confirmed that the interior layout is specified by the Connecticut office and must meet specific space requirements. We also discussed the applicant's request for a drive-through window as part of the application and noted the minimal depth of the lot and the potential traffic hazards. Mr. Adams stated that there are no drive-through windows at the Anchorage shops but that he does have one in Fairbanks and one in Juneau. As a result of our call, he stated that he would re-review the site plan to see if any modifications could be made. Mr. Adams also advised us that there would be approximately 8 people on the largest workshift and that the average shop has between 22 to 24 restaurant seats.

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.

Applicant Response: *This land was subdivided prior to the adoption of current land use requirements. The land use requirements will render over 50% of my property as being unbuildable. The buildings on both sides of this property extend all the way into the 50' setback zone.*

Staff Response: The applicant's desire to construct a 2,000 s.f. restaurant and office building on this site is the reason that a variance is being requested. Development of this property is possible without requesting a variance.

Our records indicate that Snider Subdivision #3 was platted on May 15, 1980. The lot line setback requirements were adopted by the Borough in 1973; at that time setback from a public right-of-way was 25'. Wasilla's land use ordinance was first adopted on November 16, 1982 and addressed a 25' setback from public right-of-way. In 1986 the Wasilla Development Code was adopted and it addressed a requirement for the 50' building setback from the Parks Highway. The requested variance does not meet the standards for granting a variance.

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

Applicant Response: *The setback requirements restrict me to the point that I will not be able to develop the property without a variance.*

I have enclosed a copy of the lot survey with the 50' setback drawing in. Please note that it consumes over 50% of my property. Please note the location of the buildings on both sides of this property.

Staff Response: The variance is not sought solely to relieve pecuniary hardship or convenience. Mr. Allen is the owner of the subject property would like to be able to develop it. Staff has determined that this property can be developed without the need for a variance.

Although Mr. Allen has requested the variance to permit him to utilize his property to the highest and best use, "Highest" and "Best Use" are not issues addressed with regard to granting a variance because a **variance is actually permission to break the law** and must be kept to a minimum.

Staff has determined that this project does not qualify for a variance because it does not meet all the standards as set forth in 17.43.431A.

If a property qualifies for a variance, the variance granted must meet the following conditions:

1. The deviation from the requirement of this chapter that is permitted by the variance may be no more than is necessary to permit a reasonable use of the lot.

Staff Response: A variance is not required to permit a reasonable use of the lot. The lot could accommodate residential, commercial and light industrial use without a variance.

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

Staff Response: Restaurant and office spaces are permitted land uses in the Core Area.

3. The variance is in keeping with the spirit and intent of this chapter and the requirement from which relief is sought.

Staff Response: A variance is not required to allow for reasonable development of this property.

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

Staff Response: The variance, if granted, would create traffic flow problems along the property boundaries at the ingress and egress points especially if the Parks Highway were to be widened in this area.

5. The variance will not adversely affect other property.

Staff Response: By permitting the structure to be located closer to the front lot line, the Parks Highway will experience more congestion in this area.

During our review of the site plan, staff determined that a 2,000+ s.f. building can be located on the site without granting a variance.

The permit application and variance request were distributed to the review agencies and the following comments were received:

1. MSB Planning Department: Site plan as proposed creates some safety issues. There are conflicts between traffic flow and drive-through window; pedestrians cross main traffic flow getting from parking to building; parking spaces at north and west of building are not readily accessible; direct access onto Parks Highway is not desirable, at a minimum it should be restricted to entrance only.

Mr. Allen's response: *I request that traffic flow on the site plan be as follows: Parks Highway be used only to enter property and that egress be on Herning Avenue.*

2. State Department of Transportation and Public Facilities: We concur with this variance. However, the driveway out onto the Parks Highway need to be moved to the east about 10'. The DOT/PF Driveway Regulations require that a curb cut driveway to 60' from the edge of the cross street. On this plat, the distance shown is only 50'.

3. City of Wasilla:(A) There appears to be no specific plan for stormwater or snow melt run-off. The intersection of Herning and Airport Drive is often flooded as the run-off exceeds the storm drain capacity. The run-off from the subject lot must be directed only to the Parks Highway storm drain system or disposed of on the property.

(B) The trash enclosure is depicted as enclosed by a fence. Owner should insure that the trash collection truck will have access to the container from on the property and will not block the street during collection.

(C) Owner does not appear to have made provision for on-site snow

storage/disposal. Snow may not be pushed onto the public right-of-way.

(D) Exit planned on Airport Drive present hazard for traffic turning right off Parks Highway. Traffic exiting property onto Airport Drive will not have adequate queuing room to enter Parks Highway. Recommend ingress/egress at that location be denied.

Traffic coming off Parks Highway to drive through window will have to cross through lane of vehicles attempting to exit property onto Parks Highway. Recommend that Parks Highway be used to only enter onto the property and that egress onto Parks Highway be denied.

See Mr. Allen's comment above.

(E) Building Layout should accommodate delivery trucks on the property and not result in blocking of streets during delivery.

(F) Parking planned for west side of building will require curb cuts to enter/exit from street.

4. Department of Environmental Conservation: See attached letter.

OPTIONS:

1. Deny the variance request based on the fact that it does not meet the standards of 17.43.431A.
2. Grant the variance request.
3. Grant the variance request on the condition that a new site plan be provided indicating correction of the traffic flow and Parks Highway driveway conditions.

RECOMMENDATION:

Staff respectfully recommends Option #1 based on the fact that the request does not meet all the requirements of 17.43.431A.

Staff believed this to be a viable project. In an effort to try to make the site work, we have explored other building layout possibilities as well as traffic flow suggestions. The minimum parking requirement for this project is 16 spaces @ 10' x 20'. Mr. Adams has advised us that Subway does not **require** the construction of a 2,000 s.f. building.

cc/wasilla\Allen

Dear Ms. Dawn Webster

1. I request that traffic flow on the site plan be as follows. Parks Highway be used only to enter property and that egress be on Hermining Ave.

2. Change from 27 full time employees to ~~27~~ full time employees plus 18 part time employees.

Wesley S. All
8/13/92

STATE OF ALASKA
DEPT. OF ENVIRONMENTAL CONSERVATION

WALTER J. HICKEL, GOVERNOR

P.O. Box 871064
Wasilla, Alaska
99687-9998
(907) 376-5038

August 25, 1992

Ms. Dawn Webster
Code Compliance Office
Matanuska-Susitna Borough
350 Dahlia Avenue
Palmer, Alaska 99645

Matanuska-Susitna Borough

RECEIVED

RE: Lot 5D, Snider Subdivision; Major Development Permit

Dear Ms. Webster:

This letter is in response to your public notice of August 5, 1992, received in this office on August 10, 1992, which enclosed a copy of a completed Permit Application, and site plan, for the proposed development on the referenced property.

You requested comments on this proposed plan from the Department for consideration by the Borough in responding to the applicants request for a development permit.

Upon review of the application and of the file on this property, it was noted that the applicant had indicated that future individual water and wastewater supply systems are to be connected to the City of Wasilla Public Water and Public Sewer Systems. Please be advised that this subdivision is currently served by the city's public water and wastewater systems, which are currently in compliance with Department requirements. Therefore, as long as the proposed structure is connected to these systems, this Department has no objections to the proposal.

It should be noted though, that the applicant will need to submit plans to this office for the proposed connections for review and approval by the Department. The plans which must be approved by the Department, prior to construction, need to detail septic tank and line sizes, pumping vault specs., proposed usage, and how the connections will be tied into the City Systems. DEC files indicate that there is an existing wastewater disposal system on the proposed location. This existing system will have to be properly abandoned and documented with this office. In addition there was at one time, two existing wells in the area, which had well radii of 200 feet. There is no documentation on file which indicates if the wells were properly abandoned. Due to the possible interference with the placement of the septic tank and pumping vault, this documentation will need to be provided or the wells properly abandoned. In the event that these wells are still in place and the separation distances are inadequate, they will need

to be properly abandoned.

Thank you for coordinating with the Department on this application. If you have any questions, please feel free to contact me at this office.

Sincerely,

A handwritten signature in cursive script that reads "Randy Mileur". The signature is written in dark ink and is positioned above the typed name and title.

Randy Mileur
Environmental Specialist II

RRM:dbc

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION — DIVISION OF MAINTENANCE & OPERATIONS

WALTER J. HICKEL, GOVERNOR

4111 AVIATION AVENUE
P.O. BOX 196900
ANCHORAGE, ALASKA 99519-6900
(FAX 243-1512)

August 13, 1992


Dawn Webster
Code Compliance Office
MatSu Borough
350 E. Dahlia Ave.
Palmer, AK 99645

Re: SUBWAY Sandwich Shop, Wasilla

Dear Ms. Webster:

We concur with this variance. However, the driveway out onto the Parks Highway needs to be moved to the east about 10 feet. The DOT/PF Driveway Regulations require that a curb cut driveway be 60' from the edge of the cross street. On this plat, the distance shown is only 50 feet.

Sincerely,



K. Chris Kepler, P.E.
MatSu District Superintendent

KCK/srf

File No. D- 922F
Project Name: Subway

CITY OF WASILLA
373-9070

DEVELOPMENT PERMIT APPLICATION

DEVELOPER

Name Wesley S. Allen

Mailing Address P.O. Box 872603

Wasilla, AK 99687

Phone 376-6868 (Bus.) 376-6868 (Home)

Owner(s)	Name	Address
	<u>Wesley/Barbara Allen</u>	<u>P.O. Box 872603</u>
		<u>Wasilla, AK 99687</u>

PROJECT SITE

Legal Description Lot 5D Block 1 Snider sp #3

Street Address 201 W. Parks Highway

Wasilla, AK 99687

Zone District CA

Size of Property 10,000 Sq. Ft. .25 Acres

Current Use of Property Vacant

PROPOSED USE

Description of project - include all improvements _____

Subway Sandwich Shop

Number of residential units 0

Gross floor area of nonresidential space 2,000 SF

Pre-application conference held (date) 7/10/92

Density bonus requested No Yes %

Intensity bonus requested No Yes %

This application is for:

Minor development (residential project of four or fewer units)

Major development (all other)

This project will be totally completed by Aug 93 or (if to be developed in phases) in accordance with the phasing plan outlined below and indicated on the site plan forming part of this application.

<u>Phase</u>	<u>Estimated Date of Completion</u>
_____	_____
_____	_____
_____	_____
_____	_____

My project meets all applicable General Requirements of MSB 17.43.801 through 899 (see attached checklist).

Variance(s) is/are not requested.

Variance(s) from the following General Requirement(s) is/~~are~~ requested.

Policy-Section No.

Describe Problem & Relief Sought

17.43.851

Front lot line set back

PLANS

Supply ~~30~~⁷ copies of the following information as applicable. *Site Plan*

Title Block

Project Name
Designer (engineer's or surveyor's stamp if applicable)
Sheet Key and title of sheet if applicable
North arrow and scale

Vicinity Map

For the property and a 400-foot radius from the boundary thereof:

1. Property lines, public property
2. Streets, water, sewer and utility lines, bike paths, trails and sidewalks, other public improvements
3. Existing and approved improvements with indication of current and/or approved use of each
4. Sensitive areas
5. Five foot contours
6. (If well or leach field are to be employed) location of existing wells and leach fields.

Site Plan

1. Property boundary
2. Two foot contours before and after development
3. Sensitive areas
4. Trees over 4" caliper (place "X" through trees to be removed).
5. Streets; legal access if not from a public street
6. Easements; location of water and sewer lines, and utility easements to serve the property.
7. Existing improvements
8. Proposed improvements
9. Vehicular access, parking spaces, RV storage areas; loading areas, trash receptacles, snow storage areas
10. Drainage ways and improvements
11. Pedestrian access
12. Sensitive areas
13. Parks and public improvements proposed for dedication; common areas and improvements to be dedicated to property owners
14. Setbacks; screening and buffering features
15. Location of well and leach field, if applicable
16. Total square footage of site; number of dwelling units, gross floor area of nonresidential space; Floor Area Ratio (FAR) percent of property dedicated to the public
17. Patio and yard areas, landscaping materials, location and type of trees, shrubs etc. to be planted, outdoor recreation features
18. View corridors of lakes or mountains from public right of way through the property before and after development
19. Features which improve fire or police service to the development

* Show Signage
Elevation of Bldg.

Renderings

1. Side, front and back building elevations, screening and buffering features and sign
2. Detail of signs (all faces)

Subdivision Plats

Subdivision is also subject to Borough approval under MSB Title 16, Subdivision Regulations. Materials may be used to satisfy requirements of both this chapter and MSB Title 16. However, the developer is responsible for making application for subdivision plat approvals required and to coordinate the development permit and the subdivision plat applications.

Fees

Payment in accordance with the following fee schedule must accompany this application. Checks should be payable to the Matanuska-Susitna Borough.

- X Minor development @ \$100
- Major development @ \$500 plus:
 - \$25 per lot for single-family development
 - +\$25 per dwelling unit for multi-family development
 - +\$25 per 1,000 sq. ft. of gross floor area for non-residential development

Certification

I certify that the representation made in this application and accompanying plans are true and I agree to comply with conditions placed on any permit.

July 10, 1992
Date

Wesley S. Allen
Owner or Agent

CITY OF WASILLA
DEVELOPMENT CODE
GENERAL REQUIREMENTS
CHECKLIST

Y= Yes, complies w/requirement
N= No, does not comply
NA= Non Applicable
V= Variance requested/recommended/approved

MSB 17.43 Requirement	Applicability (Determined at Pre-app Conf.)	Evidence of Compliance	Evaluation of Compliance						Conditions on Requirement				
			Developer		Director		Commission						
			Y	N	NA	V	Y	N	NA	V			
806 PARKING & LOADING		See Below											
807 Enlargement or change in use		Site Plan (indicate existing spaces)	X				✓						
808 Mixed Use		Site Plan					✓						
810 Location		Site Plan	X										
811 Joint Use		Site plan, attached explan- ation, prepaid signed agreement						✓					
813 Boundary protection		Site Plan/drawing	X					✓					
814 Screening		Site Plan, description	X					✓					
815 Lighting		Site Plan, drawings	X					✓					
817 Space size and aisle width		Site Plan w/dimensions or scale	Y				✓					10 x 20	
818 Paving		Specified on Site Plan	X				✓						
820 Min. no. spaces		Site Plan	X				✓						
822 Handicap		Indicate on site plan	X				✓						
824 Loading		Site Plan	X				✓						
SIGNS													
830 General		Description, drawings Site Plan	Y				✓						
831 Portable Signs		Same as other signs											
832 Bulletin Boards		Site Plan, drawings, description	X					✓					
833 Real Estate		Site Plan/statement	X					✓					
834 Subdivision sale		Site Plan/description	X					✓					
835 Home Occupation		Description	X					✓					
836 Parking		Site plan/description	X					✓					

CITY OF WASILLA
DEVELOPMENT CODE
GENERAL REQUIREMENTS
CHECKLIST

Y= Yes, complies w/requirement
N= No, does not comply
NA= Non Applicable
V= Variance requested/recommended/approved

MSB 17.43 Requirement	Applicability (Determined at Pre-app Conf.)	Evidence of Compliance	Evaluation of Compliance					
			Developer Y N NA V	Director Y N NA V	Commission Y N NA V	Conditions on Requirement Y N NA V		
<u>SENSITIVE AREAS</u> 840 Hazard areas		. Location and extent shown on site plan . Location & design of improvements by engineer	X					
842 Waterbodies		. Site plan indicating setback including water wells . Indicate any maintenance easement. . Fish & Game and Corps	X					
843 Wetlands		. Borough consistency review . Corps permit or clearance . Site plan showing extent and location of wetlands	X					
844 Dedications		. Location & extent of areas on site prohibiting development. . Show easements, submit easement documents.	X					

CITY OF WASILLA
DEVELOPMENT CODE
GENERAL REQUIREMENTS
CHECKLIST

Yes, complies w/requirement
No, does not comply
= Non Applicable
Variance requested/recommended/approved

MSB 17.43 Requirement	Applicability Determined at Pre-app Conf.) Evidence of Compliance	Evaluation of Compliance											
		Developer		Director		Commission		NA		V			
		Y	N	NA	V	Y	N	NA	V	Y	N	NA	V
7 Flood Damage Prevent	. Location & extent of Flood Hazard Area . Borough Flood Permit			X					V				
<u>PERFORMANCE REQUIREMENTS</u>													
0 Bldg Height CA & Ind. Dist.	. If in controlled air space indicate finished grade contours . Site plan w/bldg hts. (see bldg. ht. def.) . Site Plan w/bldg. hts.							V					
Other districts	Site Plan indicating no. of dwelling units per lot or DFA lot size in sq. ft. - include any density/intensity bonuses.							V					
53 Setbacks	Site Plan to scale			X									
55 Resi. buffer	Site Plan								V				
57 Individual Water & Sewer	. Site Plan indicating water/sewer easements . Certification by certified installer			X					V				
58 Water pollution	. Certification for Single-family home . DEC approval for other systems.			X					V				

Variance request is sought

CITY OF WASILLA
 DEVELOPMENT CODE
 GENERAL REQUIREMENTS
 CHECKLIST

Y= Yes, complies w/requirement
 N= No, does not comply
 NA= Non Applicable
 V= Variance requested/recommended/approved

MSB 17.43 Requirement	Applicability (Determined at Pre-app Conf.)	Evidence of Compliance	Evaluation of Compliance						Conditions on Requirements
			Developer Y N NA V	Director Y N NA V	Commission Y N NA V	Commission Y N NA V	Commission Y N NA V	Commission Y N NA V	
859 Animals		. Statement as to kind and no of animals to be kept. . Size of lot . Site Plan showing facilities for animals . Written plan for site maintenance. . Signature of all adjacent neighbors as required. . State plumbing & electrical inspections as required. . State fire marshal plan review as required.	X	V					
861 Building Codes		. Performance . Site plan showing lighting . Drawings . Performance . Compliance w/city code . Site Plan Drawings	X	V					
862A Noise 862B Light		Required plans, drawings permits and approvals . Comply w/City Code . Required approvals . Drawings	X	V					Conditioned as app p
863 Trash Receptacle			X	V					Conditioned as approp
<u>PUBLIC IMPROVEMENTS</u>									
865 Plans (Post permit)			X	V					Conditioned as approp
866 Improvement Construction			X	V					Conditioned as approp
867 Certification (Post Permit)			X	V					Conditioned as approp

CITY OF WASILLA
DEVELOPMENT CODE
GENERAL REQUIREMENTS
CHECKLIST

= Yes, complies w/requirement
= No, does not comply
A= Non Applicable
= Variance requested/recommended/approved

MSB 17.43 Requirement	Applicability (Determined at Pre-app Conf.)	Evidence of Compliance	Evaluation of Compliance						Conditions on Require	
			Developer Y N NA V	Director Y N NA V	Commission Y N NA V	NA	NA	V		
TREETS, CURB, GUTTER, AND SIDEWALKS										
69 General Requirements		. Comply w/city standards. . Site plan, soils reports, cross-sections as needed Comply w/intent	X				✓			
70 Street Class		. Site Plan	X				✓			
71 Cul-de-sacs		. Borough Approval	X				✓			
73 Walkways		. Site Plan	X				✓			
74 Sidewalks WB & CA Districts		. Site Plan . Comply w/City Code	X				✓			
75 Bike Paths		. Site Plan . Comply w/DOT/PF Standards	X				✓			Approval by City Eng. & DEC
WATER SYSTEM										
78 Water System		Schematic	X				✓			Approval by City Eng. & DEC
79 Community Water System		. Eng. cert of adequate Supply . Water Rights . Maintenance Agreement . Plans and Specs Suitable for DEC . Working drawings	X				✓			
80 Fire Flows										
82 Oversizing Condition of permit)										

CITY OF WASILLA
DEVELOPMENT CODE
GENERAL REQUIREMENTS
CHECKLIST

Y = Yes, complies w/requirement
N = No, does not comply
NA = Non Applicable
V = Variance requested/recommended/approved

MSB 17.43 Requirement	Applicability (Determined at Pre-app Conf.)	Evidence of Compliance	Developer			Evaluation of Compliance Director			Commission			Conditions on Requirements	Approval of DEC & City Engineer		
			Y	N	NA	Y	N	NA	Y	N	NA			Y	N
<u>SANITARY WASTE</u> 885 Public Sewer		Schematic	X												
886 Oversizing (Condition of permit)		Schematic			X										
888 Community Sewer		.Maintenance Agreement .Certification by Installer .Engineers soils report .Percolation tests .Site Plan			X										
890 Septic System															
<u>STORM DRAINAGE</u> 892 Plan		Drainage Plan/ with Site Plan													
893 City System		. Show easements . Schematic . Payment-in-lieu Site Plan													
896 Mobile Home Parks		OPS & Reclamation Plan													
899 Resource Extraction															



Matanuska-Susitna Borough

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645
PHONE: 745-4801 • FAX: 745-0886
PLANNING DEPARTMENT

APPLICATION FOR VARIANCE FROM A REQUIREMENT OF THE CITY OF WASILLA DEVELOPMENT CODE MSB 17.43

FILE NO. V- _____

Date Received _____

Applicant's Name Wesley S. Allen

Mailing Address P.O. Box 872603 Wasilla, AK 99687

Phone 376-6868 (Bus) _____ (Home) 376-6868

Property Owner(s) Name Wesley & Barbara Ann Allen

Address P.O. Box 872603 Wasilla, AK 99687

This application seeks a variance from the following General Requirement:

<u>Code Section No.</u>	<u>Describe Problem and Relief Sought</u>
<u>17.43.853</u>	<u>The setback requirements will prevent me from utilizing my property for its highest and best use. The requirements of this section will prevent me from utilizing over 50 % of my property. The buildings on both sides of this property extend all the way into the 50' of the set back.</u>
	<u>I request a variance of of this code section allowing me to build within 25' of my property line.</u>

Preapplication

Preapplication Conference Date 7/29/92
(Obtained from Director's Office)

At least seven days before the preapplication conference, submit the following materials to the Director:

1. A map or copy of the relevant part or a plat showing the location of the property.
2. A sketch of the property showing the features the applicant believes are relevant to the variance request, and
3. A brief narrative describing the problem and what the applicant desires in the form of relief from the requirements of the ordinance.

Such material must be submitted in three copies plus such additional copies and the Director finds necessary to allow review by other agencies whose comments may be necessary to allow review by other agencies whose comments may be necessary at the preapplication stage.

Application (Complete this portion after your preapplication conference)

- Thirty copies of the application are attached.
 Thirty copies of a plot plan of the relevant part of the parcel or lot involved together with improvements involved drawn by a registered engineer or licensed surveyor (if required) are attached.

After each of the following standards, please describe how your project complies with that standard:

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.

~~Property on both sides of this property are already developed and occupy the entire 50' of required 50' setback. The Subway Sandwich Shop will still be 25' farther back than both the Kashim Motel and the Mug Shot Saloon. These buildings do not present an attractive appearance for the City of Wasilla. This new building, an indication of economic growth for the City of Wasilla will be 'shadowed' by these two buildings and more specifically, the view from the Parks of this building will be restricted~~

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.

~~Setback requirements restrict the use of over 50 % of my property and I will not be able to build the Subway Sandwich Shop with the City Limits of Wasilla. I will be forced to attempt to purchase property near Mile 37 of the Parks Highway for the proposed development.~~

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.

~~It is possible to construct a 2000 SF Building on the property without the variance, however, the configuration of the building would be such that it cannot be laid out in a manner that Subway could utilize the space that would be built. The configuration would not conform to Subway's interior requirements.~~

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 ~~eight.~~ *with*

~~This land was subdivided prior to the adoption of current land use requirements. The land use requirements will render over 50 % of my property as being unbuildable. The buildings on both sides of this property extend all the way into the 50' setback zone.~~

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

~~The set back requirements restrict me to the point that I will not be able to develop the property without a variance.~~

~~I have enclosed a copy of the lot survey with the 50' setback drawn in. Please note that it consumes over 50 % of my property. Please note the location of the buildings on both sides of this property.~~

Fee

A fee of \$500 must accompany this application. Checks shall be made payable to the Matanuska-Susitna Borough.

Certification

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

7-29-92

Date

Wesley S. Allen

Owner of Agent

Revised 6/16/92

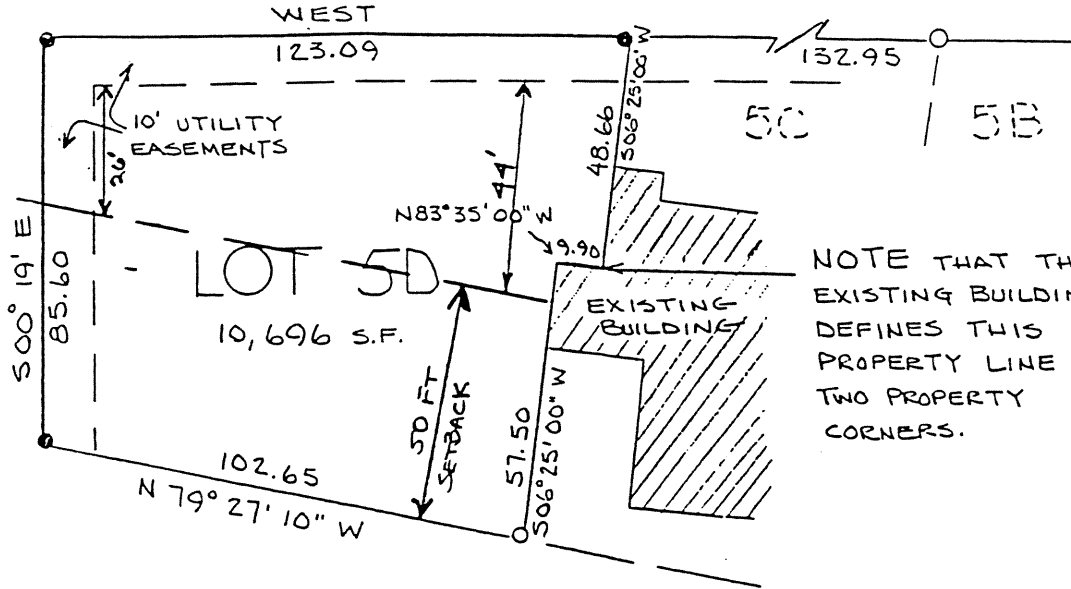
cc/duw\Form\WVAR



AIRPORT DRIVE

FIRST AVENUE

40'



NOTE THAT THE EXISTING BUILDING DEFINES THIS PROPERTY LINE AND TWO PROPERTY CORNERS.

132'

PARKS HIGHWAY

- SET 5/8" x 30" REBAR
- FOUND 5/8" REBAR

LOT SURVEY

SCALE 1" = 40'

DATE 6-25-92

LOT 5D, BLOCK 1
AMENDED PLAT OF
SNIDER SUB. NO. 3 PLAT 80-53

PALMER RECORDING DISTRICT

**DOLLERHIDE
 ENGINEERING**

F. R. DOLLERHIDE, P.E.
 POST OFFICE BOX 871812
 WASILLA, ALASKA 99687

(907) 376-5485

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.901 Application. The Relative Policies in Sections 901 through 984 of this chapter are used in conjunction with the scoring system set out in MSB 17.43.509 to encourage positive impacts of development and to discourage the negative impacts. Numbers in parenthesis in the text and tables in Sections 902 through 984 are the importance multipliers used in the scoring system set out in MSB 17.43.509. Letters used in the text and tables in Sections 902 through 984 have the following meanings:

"A" means the policy is an absolute requirement.

"O" means the policy is not applicable.

"CA" means the importance multiplier applies only in the CA District.

"X" means the importance multiplier applies in all districts except the CA District.

Importance multipliers may not be used where the policy sets out a requirement for an action or an improvement that is made a requirement by another section of this chapter.

In applying the Relative Policies to a proposed development, the following procedures and principles are to be used:

1. Evaluate a development for its impact on each Relative Policy and assigned a performance score as follows:

+2 points are assigned if the development does an exceptional job in implementing the policy,

+1 point is assigned if the development does a significant job of implementing the policy,

0 points are assigned if there will be no material detriment or benefit to the public on the basis of that policy only or if the policy is irrelevant to the development,

-1 point is assigned against the development if it will have some negative impact on the community on the basis of that policy only, and

-2 points are assigned against the development if it will have a significant negative impact on the community on the basis of that policy only.

2. Multiply the development's performance score by the importance multiplier set out in Section 901 et seq. for each policy for the relevant district to obtain the development's weighted score for that policy.

3. Add the development's weighted scores for all the relevant, relative policies in Section 901 et seq. to obtain the weighted total score.

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY
 PROJECT EVALUATION

17.43.905 Public Improvements Provided by the Developer/User. Subdividers provide the designated items at the time of platting. Except where the improvement is an absolute requirement, development on already platted lots may implement the policies of this section by the execution by the property owner of a recordable waiver of the right to protest the formation of a special assessment district and the levy of an assessment for the construction of the improvements.

Existing Platted Lots		New Subdivisions		ITEM	Performance		
CA	X	CA	X		Requested	Recommended	Decision
5	3	A	3	(a) Paved Streets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	2	3	3	(b) Trail Linkage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	2	A	2	(c) Curb, Sidewalk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	4	A	3	(d) Storm Drainage System where not required by MSB 17.43.893	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A	3	A	4	(e) Public Sewer System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A	3	A	3	(f) Public Water System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
0	0	4	2	(g) Public Park	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
0	0	3	3	(h) Site for school or other public building	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	2	4	3	(i) Public Access to a water body	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	2	5	3	(j) Street Lights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DEVELOPER'S PROPOSAL:				Total	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

N/A

PERFORMANCE SCORE REQUESTED 0

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED 0

DECISION:

IMPORTANCE MULTIPLIER _____
 PERFORMANCE SCORE _____
 WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY
 PROJECT EVALUATION

17.43.908 Other Improvements Provided by the Developer/User. Except where the improvement is an absolute requirement, development on already platted lots may implement the policies of this section by the execution by the property owner of a recordable waiver of the right to protest the formation of a special assessment district and the levy of an assessment for the construction of the improvements.

Existing Platted Lots		New Subdivisions		ITEM	Performance		
CA	X	CA	X		Requested	Recommended	Decision
0	0	3	2	(a) Development Area (private) park or recreation feature	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
0	0	3	3	(b) Development Area Access to water body	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	3	5	4	(c) Underground Utilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	2	3	2	(d) Snow Storage Area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A	A - Multi & nonres.	A	A - Multi & nonres.	(e) Covered, secure, screened trash receptacles	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
0	2 - other 0	4	2 - other 2	(f) Covenant against mobile homes/temporary buildings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
0	0	2	0	(g) Covenants requiring architectural review	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	2	4	2	(h) RV storage - multifamily	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Total					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DEVELOPER'S PROPOSAL:

DNA

PERFORMANCE SCORE REQUESTED 0

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED 0

DECISION:

IMPORTANCE MULTIPLIER _____
 PERFORMANCE SCORE _____
 WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.910 Ambience.

A. Development is encouraged (CA=4, X=5) to provide grass yards within or outside of setback areas as follows:

CA		X
10 Feet	front	25 Feet
5 Feet	side and rear	10 Feet

B. Development is encouraged (CA=5, X=3) to screen building mechanical equipment, and outdoor storage of vehicles and equipment.

C. Development is encouraged (CA=5, X=3) to incorporate landscaping including trees, shrubs and flowers in setback and yard areas.

PERFORMANCE

<u>Requested</u>	<u>Recommended</u>	<u>Decision</u>
A. <u>4</u>		
B.		
C. <u>5</u>		
TOTALS		

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED _____

DIRECTOR'S EVALUATION:

none shown

PERFORMANCE SCORE RECOMMENDED 0

DECISION:

IMPORTANCE MULTIPLIER	_____
PERFORMANCE SCORE	_____
WEIGHTED SCORE	_____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.915 Mobile Homes and Mobile Home Parks. Where allowed by Sections 301 through 364 of this chapter, mobile homes and mobile home parks are discouraged (3).

DEVELOPER'S PROPOSAL:

N/A

PERFORMANCE SCORE REQUESTED _____

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED N/A

DECISION:

IMPORTANCE MULTIPLIER _____
PERFORMANCE SCORE _____
WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.923 Density Compatibility.

A. In the CA District, residential development at twice or greater than the average density of adjacent development lots is discouraged (2). Such development at four times the average is discouraged (4).

B. In districts other than the CA District, development at 1.5 or greater than the average density of adjacent developed lots is discouraged (3). Development at four times the average is discouraged (5).

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED NA

DIRECTOR'S EVALUATION:

10,000 s.f. land, 2,000 s.f. building

PERFORMANCE SCORE RECOMMENDED NA

DECISION:

IMPORTANCE MULTIPLIER _____
PERFORMANCE SCORE _____
WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.928 Public Amenities. Development which contains, fosters or encourages the following is encouraged:

CA	X	ITEM
4	2	(a) Public Library
4	2	(b) Health Care
3	3	(c) Recreation
4	1	(d) Car Pooling/Public Transportation
4	3	(e) Pedestrian/Bike Paths
4	3	(f) Police Surveillance Protection
5	4	(g) Fire Protection

PERFORMANCE

<u>Requested</u>	<u>Recommended</u>	<u>Decision</u>
a. _____	_____	_____
b. _____	_____	_____
c. _____	_____	_____
d. _____	_____	_____
e. _____	_____	_____
f. _____	_____	_____
g. _____	_____	_____
Totals _____	_____	_____

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED NA

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED N/A

DECISION:

IMPORTANCE MULTIPLIER _____
 PERFORMANCE SCORE _____
 WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.930 Coordinated Development. Residential development of more than ten units and nonresidential development of more than 10,000 square feet gross floor area are encouraged (3) to be designed to provide for all of the following: preservation of open space, sensitive areas and other natural features; provision of buffers and screens between residential and nonresidential development within the development, common signage, and provisions of safe and convenient parking and circulation for autos, pedestrians and bicycles. This concept incorporates a holistic approach to development planning rather than just meeting minimum standards.

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED NA

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED N/A

DECISION:

IMPORTANCE MULTIPLIER _____
PERFORMANCE SCORE _____
WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY
PROJECT EVALUATION

17.43.940 Sensitive Areas.

A. Multi-family or commercial development of property adjacent to water bodies is encouraged (CA=2, X=4) to provide public access to the water.

B. Development is encouraged (4) to preserve scenic vistas from public places. "Scenic vistas" include significant views of lakes or mountains from public streets or parks. Preservation techniques include siting or improvements on the lot, sensitive treatment of height and bulk, landscaping, preservation and/or opening of trees on the site, and/or permanent open space easements on the site.

C. Development in Sensitive Areas set forth in this section 910 is encouraged (CA=4, X=3) to dedicate those areas as common facilities. The developer may cluster the density ascribed to the Sensitive Area elsewhere on the site. The points under this policy are doubled if the Sensitive Area is dedicated to the public.

PERFORMANCE

<u>Requested</u>	<u>Recommended</u>	<u>Decision</u>
a. _____	_____	_____
b. _____	_____	_____
c. _____	_____	_____
Totals _____	_____	_____

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED NA

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED N/A

DECISION:

IMPORTANCE MULTIPLIER _____
 PERFORMANCE SCORE _____
 WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY
PROJECT EVALUATION

17.43.943 Hazard Areas.

A. Development in flood hazard areas, floodways, and flood plains designated under MSB 17.28 or on the Constraints Map in the Comprehensive Plan is discouraged (CA=4, X=3).

B. Development on slopes over thirty percent (30%) is discouraged (3).

C. Development on slopes between fifteen and thirty percent (15-30%) is discouraged (2) unless designed, engineered and constructed to maintain slope stability and minimize erosion through contouring and replanting.

D. Development not on the city designated storm drainage system is discouraged (4) from discharging storm water runoff at a different rate, amount, velocity, turbidity or location than present immediately prior to development.

E. Development covered by this Section must be designed by a registered professional engineer and must minimize risk of loss of life or property and meet the requirements of MSB 17.28 applicable.

PERFORMANCE

<u>Requested</u>	<u>Recommended</u>	<u>Decision</u>
a. _____	_____	_____
b. _____	_____	_____
c. _____	_____	_____
d. _____	_____	_____
e. _____	_____	_____
Totals _____	_____	_____

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED NA

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED N/A

DECISION:

IMPORTANCE MULTIPLIER _____
 PERFORMANCE SCORE _____
 WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.946 Air Pollution. Major development projects are encouraged (3) to take affirmative steps beyond those required by the State Department of Environmental Conservation to reduce potential air pollution on the site.

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED NA

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED N/A

DECISION:

IMPORTANCE MULTIPLIER _____
PERFORMANCE SCORE _____
WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.952 Trees. Development is discouraged (4) from clearing more than the minimum trees necessary for construction of improvements and access.

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED NA

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED 0

DECISION:

IMPORTANCE MULTIPLIER _____
PERFORMANCE SCORE _____
WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.960 Core Area. Nonresidential development is encouraged (5) in the CA District.

DEVELOPER'S PROPOSAL:

Subway Sandwich Shop

PERFORMANCE SCORE REQUESTED 5

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED 5

DECISION:

IMPORTANCE MULTIPLIER _____
PERFORMANCE SCORE _____
WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.963 Remainder of the City.

A. Commercial and public/institutional development is discouraged (2) outside the Core Area.

B. Light industrial development other than agriculture is discouraged (4) outside the Core Area.

C. Notwithstanding subsection A above, properly sited, lighted and buffered small retail projects designed to serve the immediate neighborhood are encouraged (3) where collectors and arterials intersect with each other in the I District.

PERFORMANCE

<u>Requested</u>	<u>Recommended</u>	<u>Decision</u>
a. _____	_____	_____
b. _____	_____	_____
c. _____	_____	_____
d. _____	_____	_____
e. _____	_____	_____
Totals _____	_____	_____

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED NA

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED NA

DECISION:

IMPORTANCE MULTIPLIER _____
 PERFORMANCE SCORE _____
 WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.966 Shared Parking. Nonresidential development which uses shared or common parking facilities with neighboring development is encouraged (4).

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED NA

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED 0

DECISION:

IMPORTANCE MULTIPLIER _____

PERFORMANCE SCORE _____

WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.970 New Jobs. Development which contains new facilities for jobs in the City is encouraged (4). One additional point will be awarded for every four full time equivalent jobs created in the development. The raw score multiplier determined under Section 509 of this chapter does not apply to the additional points under this section.

22 full time positions will be created

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED 5.5 points

DIRECTOR'S EVALUATION:

Need to discuss this with the owner - if it really is 22 there is not enough parking

PERFORMANCE SCORE RECOMMENDED -

DECISION:

IMPORTANCE MULTIPLIER _____

PERFORMANCE SCORE _____

WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.972 Local Hire. The points awarded in Section 970 of this chapter are doubled if the developer or occupant adopts and implements a viable local hire program.

*All persons hired will be local
A viable local hire program will be
implemented.*

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED _____

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED _____

DECISION:

IMPORTANCE MULTIPLIER _____

PERFORMANCE SCORE _____

WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.974 New Basic Jobs. The additional points awarded in Section 970 of this chapter are doubled for all permanent jobs which are new to the community, as opposed to new accommodations for existing jobs.

All permanent jobs are new to the community.

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED _____

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED _____

DECISION:

IMPORTANCE MULTIPLIER _____
PERFORMANCE SCORE _____
WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.976 Recreation Development. Development incorporating or promoting recreation opportunities available to the public is encouraged (CA=5, X=4)

Recreational development will be enhanced and promoted by the fact that sportsman, fishermen, tourists and ect. will have access to a lunch that they can purchase, take with them, store it and consume it at a later time allowing them participate more fully in recreational opportunities that are available.

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED

~~1~~

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED

~ N/A

DECISION:

IMPORTANCE MULTIPLIER _____
PERFORMANCE SCORE _____
WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.978 Resorts. Destination resort development containing at a minimum lodging, restaurant, and facilities for recreation or meetings is encouraged (CA=5, X=4).

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED NA

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED 0

DECISION:

IMPORTANCE MULTIPLIER _____
PERFORMANCE SCORE _____
WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.980 Jobs. The additional points awarded under Section 970 of this chapter are doubled if the jobs are in the recreation or resort/convention visitor industry.

see comments under section 17.43.976

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED _____

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED 0

DECISION:

IMPORTANCE MULTIPLIER _____
PERFORMANCE SCORE _____
WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.982 Public Buildings and Facilities. Development containing federal, state, or borough (other than the school district) offices of facilities are encouraged (5).

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED NA

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED 0

DECISION:

IMPORTANCE MULTIPLIER _____
PERFORMANCE SCORE _____
WEIGHTED SCORE _____

CITY OF WASILLA DEVELOPMENT CODE RELATIVE POLICY

PROJECT EVALUATION

17.43.984 Public Jobs. The points set out in Section 970 of this chapter are doubled if those jobs are in the public sector.

DEVELOPER'S PROPOSAL:

PERFORMANCE SCORE REQUESTED NA

DIRECTOR'S EVALUATION:

PERFORMANCE SCORE RECOMMENDED 0

DECISION:

IMPORTANCE MULTIPLIER _____
PERFORMANCE SCORE _____
WEIGHTED SCORE _____

RELATIVE POLICY PROJECT EVALUATION WEIGHTED SCORE - TALLY SHEET

Policy Sec. No.	Request	Recommended	Decision
905		C	
908		C	
910		C	
915		O	
920		C	
923		C	
928		C	
930		C	
940		C	
943		C	
946		C	
949		O	
952		C	
960		5	
966		C	
970		-	
972		-	
974		-	
976		C	
978		C	
980		C	
982		C	
984		C	
NET TOTAL		5	