

**BEFORE THE HEARING OFFICER OF THE  
CITY OF WASILLA, ALASKA**

290 E. Herning Avenue  
Wasilla, Alaska 99654

IN THE MATTER OF THE APPEAL OF  
NOEL KOPPERUD AND ALEX KOPPERUD  
OF CITY OF WASILLA PLANNING  
COMMISSION RESOLUTION  
SERIAL NO. 15-10(AM)

Appeal Case No. 15-01

**Pre-Hearing Scheduling Order**

A Pre-Hearing Conference was held on September 23, 2015 attended by all Parties<sup>1</sup> of record. During the Conference issues were raised concerning completeness of the Record on Appeal. A Pre-Hearing Conference Order was issued dated September 24, 2015 establishing a procedure for addressing those issues. A subsequent Status Conference was held on October 16, 2015 to review the progress on completing the Record on Appeal issues. Those issues have now been addressed sufficiently to establish the following Hearing and Briefing dates:

December 9, 2015	Appellants Alex and Noel Kopperud's Opening Brief Due
December 9, 2015	"Interested Persons" <sup>2</sup> to file written comments
January 8, 2016	Appellee City of Wasilla Planner's Responsive Brief Due
January 8, 2016	Applicant William Starn's Response Brief Due
January 15, 2016	Appellants Alex and Noel Kopperud's Reply Brief Due
January 28, 2016	Appeal Hearing -- Wasilla City Council Chambers 9:00 a.m. – 5:00 p.m. <sup>3</sup>

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<sup>1</sup> Appellants Alex and Noel Kopperud, and Appellee Wasilla City Planner are collectively referred to herein as the "Parties," to be distinguished from "Interested Persons."

<sup>2</sup> "Interested Persons are those defined in Wasilla Municipal Code ("WMC") 16.36.010 as "... the applicant, each record owner of the property that as the subject of the decision, and any person or governmental agency who appeared before the planning commission and made an oral or written presentation with respect to the decision of the Planning Commission under appeal."

<sup>3</sup> The Appeal Hearing may conclude prior to 5:00 p.m. if all arguments and comments have been received. Further, if necessary the Hearing may be extended to continue after 5:00 p.m. or to another day pursuant to agreement of the Parties and order by the Hearing Officer.

### **Hearing time limits and Order of Presentation.**

The time limits and order of presentation at the Appeal Hearing shall be as follows:

1. Appellee City Planner, through her designated representative, is allotted 30 minutes to present the City's position and set forth the evidence and reasons relied upon for the Decision.<sup>4</sup>
2. Applicant William Starn, himself or through his designated representative, is allotted 30 minutes to respond and set forth arguments.
3. Each "Interested Person" (as defined by WMC 16.36.010) is allotted 10 minutes to make comments.
4. Appellants Alex and Noel Kopperud, themselves or through their designated representative, are collectively allotted 30 minutes to respond and set forth their arguments on appeal.
5. Appellee Wasilla City Planner, through her designated representative, is allotted 30 minutes to respond to arguments made by Appellants, Applicant, and/or "Interested Persons."
6. Appellants Alex and Noel Kopperud, themselves or through their designated representative, are allotted 30 minutes to respond to arguments of Appellee, Applicant, and/or "Interested Persons."

### **General Provisions**

1. All citations to the Record on Appeal shall be to the Record numbers included on the bottom middle of each page (i.e., 1 of 258). Citations to the Transcript(s) on appeal shall include the date of Hearing (i.e., June 9, 2015 or July 14, 2015) and the page and line(s).
2. All Briefs and attachments shall be filed with the City Clerk as email pdf attachments, at email address: [clerk@ci.wasilla.ak.us](mailto:clerk@ci.wasilla.ak.us). Service of all documents shall be made by the City Clerk's Office with a Certificate of Service prepared and distributed by the Clerk's Office.
3. It is strongly suggested that electronic documents exceeding 3 MB in size be sent in separate emails.

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<sup>4</sup> "Decision" refers to the Wasilla Planning Commission Resolution Serial 15-10(AM) approved July 14, 2015, with attached Exhibit A, Wasilla Planning Commission Resolution 15-10 Findings of Fact – 16.28.110.

4. Emails received by the City Clerk by 4:30 p.m. shall be deemed to be timely filed on that date. Any emails received after 4:30 p.m. shall be deemed to be filed on the following date.
5. Documents filed and served electronically shall not be sent by U. S. Mail.

IT IS SO ORDERED this 28<sup>th</sup> day of October, 2015.

By: Joseph N. Levesque  
Joseph N. Levesque  
Administrative Hearing Officer