

- Zoning: Industrial (I)
Future Land Use: Generally Industrial
- a. City Staff
 - b. Applicant
 - c. Private person supporting or opposing the proposal
 - d. Applicant

IX. UNFINISHED BUSINESS

X. COMMUNICATIONS

- A. Permit Information
- B. Enforcement Log
- C. Matanuska-Susitna Borough Planning Commission agenda

XI. AUDIENCE COMMENTS *(three minutes per person)*

XII. STAFF COMMENTS

XIII. COMMISSION COMMENTS

XIV. ADJOURNMENT

REGULAR MEETING

I. CALL TO ORDER

The regular meeting of the Wasilla Planning Commission was called to order at 6:00 PM on Tuesday, March 8, 2016, in Council Chambers of City Hall, Wasilla, Alaska by Jessica Dean, Chairman.

II. ROLL CALL

Commissioners present and establishing a quorum were:

Claudia Pinard, Seat A (present as of 6:04pm)
Debra Barrett, Seat B (present as of 6:01pm)
Jessica Dean, Seat C
Loren Means, Seat D
Brian Mayer, Seat E

Staff in attendance were:

Mr. Archie Giddings, Public Works Director
Ms. Tina Crawford, City Planner
Ms. Leslie Need, City Attorney (via teleconference)
Ms. Tahirih DesJardin, Planning Clerk

III. PLEDGE OF ALLEGIANCE

A. Ms. Crawford led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

GENERAL CONSENT: The agenda was approved as presented.

V. REPORTS

A. City Deputy Administrator
No report given.

B. City Public Works Director
Mr. Giddings provided a brief report on the construction of the new library.

C. City Attorney
No report given.

D. City Planner
No report given.

VI. PUBLIC PARTICIPATION *(Three minutes per person for items not on agenda)*

No one stepped forward to speak.

VII. CONSENT AGENDA

- A. Minutes of February 9, 2016, regular meeting

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

- A. Public Hearing

- 1. **Resolution Serial No. 16-04:** Recommending that the Wasilla City Council amend Title 16 of the Wasilla Municipal Code to add section 16.20.040, Downtown Overlay District, that establishes a downtown overlay district and adopts design standards for development and redevelopment on properties within the downtown overlay district.

- a. City Staff/Applicant

Ms. Crawford provided a brief overview of the history of the proposed downtown overlay and then went over the changes that were recommended by the Planning Commission and Downtown Overlay District Committee.

- b. Private person supporting or opposing the proposal
Chair Dean opened the public hearing.

Mr. Thomas Imlach stated that his father owns the building he has a business in the downtown overlay and had questions regarding the threshold for triggering compliance with the new regulations.

Mr. Seth Scavette, P3 Automotive, stated that he is a business owner in the proposed overlay and requested that the downtown overlay be amended to allow automotive uses as a conditional use.

Mr. David Martin, Valley Chiropractic, stated his concerns regarding the elimination of parking spaces on Main Street when the Main Street Couplet is completed. He asked that there be on-street parking in front of his business to offset the loss of parking spaces.

Ms. Cindy Bettine stated that she is a property and business owner in the proposed overlay and is in favor of the overlay. She also stated that she would like to have the Commission consider signs along the Parks Highway that direct drivers to businesses not located on the Parks Highway.

Mr. Kevin Baker stated his concerns regarding the proposed downtown overlay boundary and would like to see the western boundary moved to N. Knik Street and the eastern boundary be moved to N. Crusey Street to include the new library.

Mr. Stu Graham stated his concerns regarding the landscaping requirements in the parking areas and other areas of a business since the regulations do not mandate the type of trees, which allows trees that do not always stay healthy.

Mr. Richard Payne stated he is a business owner within the Downtown Overlay District but not a city resident. He stated that the proposed overlay district doesn't have a

reasonable threshold to require existing business owners to come into compliance with the design standards.

Ms. Beth Wright stated her support of the downtown overlay with the proposed amendments.

With no other comments, Chair Dean closed the public hearing.

MOTION: Commissioner Means moved to approve Resolution Serial No. 16-04, as presented.

MOTION: Commissioner Mayer moved to amend the main motion to revise the Section 16.20.040(E)(33) to be consistent with the legal definitions and terms as prescribed in Wasilla Municipal Code Section 9.40, as follows:

(33) Marijuana clubs, retail stores, and/or cultivation facilities.

VOTE: The motion to amend the main motion, passed unanimously.

VOTE: The motion to approve Resolution Serial No. 16-04 as amended, passed unanimously.

IX. UNFINISHED BUSINESS

No unfinished business.

X. COMMUNICATIONS

No statements made regarding the following items.

- A. Permit Information
- B. Enforcement Log
- C. Matanuska-Susitna Borough Planning Commission agenda

XI. AUDIENCE COMMENTS (*three minutes per person*)

No comments.

XII. STAFF COMMENTS

Ms. Crawford stated that adopting the downtown overlay is a start in the right direction and that it is a working document that can be changed as needed in the future.

Ms. Need stated that they are looking forward to the training session at the next meeting and to let them know if there any specific issues that the Commission would like to have covered during the training.

XIII. COMMISSION COMMENTS

Commissioner Means asked about questions regarding the Clapp Road project and why the alignment changed from Mack Road to Clapp Road.

Commissioner Barrett thanked the public that showed up tonight and stated that it was a good meeting tonight.

Commissioner Pinard stated that the Commission and task force worked hard to come to an agreement regarding the downtown overlay.

Chair Dean stated that she appreciates all the work that was put into the downtown overlay.

XIV. ADJOURNMENT

The regular meeting adjourned at 8:15 PM.

JESSICA DEAN, Chairman Date

ATTEST:

TAHIRIH DESJARDIN, Planning Clerk

Adopted by the Wasilla Planning Commission -, 2016.

REGULAR MEETING

I. CALL TO ORDER

The regular meeting of the Wasilla Planning Commission was called to order at 6:02 PM on Tuesday, April 12, 2016, in Council Chambers of City Hall, Wasilla, Alaska by Jessica Dean, Chair.

II. ROLL CALL

Commissioners present and establishing a quorum were:

Debra Barrett, Seat B
Jessica Dean, Seat C
Loren Means, Seat D
Brian Mayer, Seat E

Commissioner absent and unexcused was:

Claudia Pinard, Seat A

Staff in attendance were:

Ms. Tina Crawford, City Planner
Ms. Lyn Carden, Deputy Administrator
Mr. Matt Mead, City Attorney
Ms. Leslie Need, City Attorney
Ms. Sandi Connolly, Public Works Clerk

III. PLEDGE OF ALLEGIANCE

A. Commissioner Barrett led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

GENERAL CONSENT: The agenda was approved as amended to remove the minutes listed under the consent agenda portion of tonight's agenda and add to the May 10, 2016 agenda in order to allow appropriate notification of the anticipated action by the Commission.

V. REPORTS

A. City Deputy Administrator

Ms. Carden stated that State Legislation regarding cost sharing will be cut and will affect the City of Wasilla and many other places throughout Alaska.

B. City Public Works Director
No Report Given.

C. City Attorney

Ms. Need stated that she and Mr. Mead are present tonight to help present Commissioner Training and stated that the Hearing Officer sided with the City in the appeal in the decision to approve Resolution Serial No. 15-40 (AM) to approve a variance on Wasilla Lake.

D. City Planner

Ms. Crawford stated that the downtown overlay district will go to City Council for approval on April 25, 2016, provided a report from the recent planning conference she attended, and advised that there will be one or two drug counseling permits elevated to the Planning Commission for their review and decision at the May 10, 2016 meeting.

VI. PUBLIC PARTICIPATION (*Three minutes per person for items not on agenda*)

No one stepped forward to make a comment.

VII. CONSENT AGENDA

A. ~~Minutes of March 8, 2016, regular meeting~~

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

A. Committee of the Whole

MOTION: Commissioner Means moved to enter into the Committee of the Whole at 6:14 PM.

Entered into the Committee of the Whole for the following item:

1. Planning Commission training.

The City Clerk and City attorneys' provided a presentation for the Commissioners.

MOTION: Commissioner Barrett moved to exit the Committee of the Whole at 7:41 PM.

X. UNFINISHED BUSINESS

No unfinished business.

XI. COMMUNICATIONS

No statements made regarding the following items.

- A. Updated Planning Commission meeting calendar for 2016
- B. Permit Information
- C. Enforcement Log
- D. Matanuska-Susitna Borough Planning Commission agenda

XII. AUDIENCE COMMENTS (*three minutes per person*)

Ms. Gretchen O'Barr stated that this is the best training information she has ever heard.

XIII. STAFF COMMENTS

Mr. Mead thanked the City for having him and Ms. Need present and that it was nice to meet everyone.

XIV. COMMISSION COMMENTS

Commissioner Means stated that he appreciates the training he received and the time the City put into the presentation.

Commissioner Mayer stated that appreciates the training provided and the legal advice provided tonight.

Commissioner Barrett stated that she agrees with the previous comments and that this was a very enlightening meeting and thanked the City Clerk and City attorneys for attending tonight’s meeting and the information they provided.

Chair Dean stated that she thought that tonight’s information was the best information she has ever received for Commissioner training.

XV. ADJOURNMENT

The regular meeting adjourned at 7:45 PM.

JESSICA DEAN, Chair Date

ATTEST:

TAHIRIH DESJARDIN, Planning Clerk

Adopted by the Wasilla Planning Commission -, 2016.

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STAFF REPORT

Case #: U16-02
Prepared by: Planning Staff
Meeting Date: May 10, 2015

I. SUMMARY FACTS:

Applicant: K & H Civil Constructors, LLC
Owner: Mountain Village, LLC
Proposal: Gravel extraction operation with on-site material processing
Location: 1614 S. Clapp Street
Lot A4, Township 17 North, Range 2 West, Section 13
Parcel Size: 63.48± acres
Existing Zoning: Industrial
Future Land Use: Generally Industrial
Surrounding Land Uses: North: City of Wasilla Airport
South: Vacant
East: Vacant
West: Vacant

II. STAFF RECOMMENDATION:

Approval with conditions.

III. ELEVATION OF PERMIT DECISION

16.12.040 Elevation.

The planner may elevate any use permit decision to the planning commission at any time between the acceptance of the application and the close of the decision period. The elevation must be based on a written finding that the permit decision satisfies one or more of the following criteria:

A. The proposed use could have significant negative effects on or conflict with existing land uses adjoining the site in a manner or to a degree that warrants consideration by the commission;

B. The proposed use could have significant negative impacts on the utility system, traffic flow or city-provided services;

C. The proposed use could conflict with adopted city policies or raises a particular issue or set of issues in a manner or to a degree that warrants consideration by the commission;

D. A written request for elevation has been received from an official reviewing party. To be valid an objection from a reviewing party must cite conflict(s) with city policy or unusual negative impacts from the proposed use;

E. A request to elevate has been received from two or more members of the commission. The planner must determine that the request from the commission member satisfies one or more of the criteria above. (Prior code § 16.43.406)

Staff Finding: Staff is elevating this request to the Planning Commission for their review based on Subsections A and C above.

16.16.020 Procedure for elevations.

Once a permit approval has been elevated for review (see Section 16.12.040), the following procedures apply:

- A. Public Notice. If the planners' approval is elevated the planner shall:**
- 1. Place the application on the agenda of the next available meeting of the commission;**
 - 2. Publish the agenda item in a newspaper of general circulation or place a public service announcement on radio or television. The published notice must set out the time, date and place of the hearing, the name of the applicant the address or general location of the property and subject or nature of the action;**
 - 3. Within five days of elevation issue a public hearing notice;**
 - 4. Mail or electronically transfer a copy of the public hearing notice to the applicant, the commission members, the neighborhood association if the neighborhood has an approved neighborhood plan and to appropriate reviewing parties;**
 - 5. The public hearing notice shall be sent to the owners of property, as listed on the Matanuska-Susitna Borough property tax rolls, located within a minimum of one thousand two hundred (1,200) feet of the lot lines of the development. The public notice shall be posted in city hall and on the site. Staff will allow a minimum of ten (10) days (fourteen (14) calendar days) from the date of public notice mailing before scheduling a public hearing on the request before the planning commission.**
- B. Decision. The commission shall review the planners draft recommendation, and may hear comment(s) from reviewing parties, the applicant and the public. The commission shall decide either to deny, approve or approve with conditions, or the commission may with concurrence of the applicant return the approval to the planner for further review as a new use permit application. (Prior code § 16.43.502)**

IV. COMPLIANCE WITH WMC 16.16.050 – GENERAL APPROVAL CRITERIA

16.16.050 *An administrative approval, use permit, elevated administrative approval, elevated use permit or conditional use may be granted if the following general approval criteria and any applicable specific approval criteria of Section 16.16.060 are complied with. The burden of proof is on the applicant to show that the proposed use meets these criteria and applicable specific criteria for approval. An approval shall include a written finding that the proposed use can occur consistent with the comprehensive plan, harmoniously with other activities allowed in the district and will not disrupt the character of the neighborhood. Such findings and conditions of approval shall be in writing and become part of the record and the case file.*

16.16.050(1)&(5) *Neighbors/Neighborhoods. Due deference has been given to the neighborhood plan or comments and recommendations from a neighborhood with an approved neighborhood plan.*

Staff Finding: There is not an adopted neighborhood plan for this area.

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

Staff Finding: The Comprehensive Plan's *Expected Future Land Use Map* has this property designated as "Generally Industrial" and the following Comprehensive Plan Goals/Objectives/Actions apply to the proposed gravel pit:

- Chapter 3, Transportation, Goal 3, Objective 3.4 – Ensure that land uses adjoining the multi-modal node support and utilize the strategic transportation linkages.
 - Action 3.4.2 – Develop a conceptual site master plan for the transportation node and surrounding lands, which considers compatibility, connectivity, and buffering between non-compatible uses.
- Chapter 4, Land Use, Industrial, Intent – The Industrial designation provides for a variety of employment and economic development opportunities and seeks to preserve key industrial lands for existing and future industrial economic development.
 - Description – This designation allows a variety of industrial uses, including office industrial parks...Development is compatible with adjacent residential areas in terms of physical scale, intensity of activities, and through buffering and

transitions...Uses may include manufacturing, major transportation operations, research and development, industrial/business parks, warehousing and distribution, equipment and materials storage, vehicle and equipment repair, waste management and similar uses. Certain areas may allow for processing and distribution of natural resources and hazardous materials.

- Chapter 4, Land Use, Goal 2, Objective 2.2 – Ensure adequate land area preserved for industrial and manufacturing-type uses.

As proposed, the extraction plan/design for the gravel pit is not consistent with the goals and objectives above or the intent of the Generally Industrial future land use designation.

However, with the following conditions proposed by staff, the project will be substantially consistent with the Comprehensive Plan since it ensures that the site can be redeveloped in the future with economically viable land uses that support the multi-modal transportation node (City airport) and are compatible with the Menard Sports Center and existing and future residential and commercial uses along the new Clapp Road extension.

Condition 1: Excavation may not exceed the existing elevation in the deepest section of the previously excavated area of the site or eight feet from the water table, whichever is a higher elevation. Elevation of the deepest section must be determined by a licensed surveyor and provided to the Planning Department before any additional excavation.

Condition 2: Any type of rock crushing is prohibited on the site.

Condition 3: The slopes of the excavation areas must be less than or equal to a 2:1 slope.

Condition 4: Gravel extraction may only occur between May and October.

Condition 5: Hours of operation are limited to Monday through Friday from 7 AM to 8 PM.

16.16.050(3)

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

Staff Finding:

The following specific approval criteria under 16.16.060.F for Resource Extraction are applicable to this request:

F. Resource Extraction. A permit for the commercial extraction of a natural resource may be issued with such reasonable conditions as necessary. The use must meet all other pertinent requirements of this title and include an acceptable operation and reclamation plan that addresses the following concerns and assures that the adverse impact of the operation is minimized and the site will be left in a safe, stable and environmentally and aesthetically acceptable condition:

1. Methods and process of reclamation including stockpiling of topsoil for reuse;
2. Initial site conditions including existing land use, vegetation, soils, geology and hydrology;
3. Limits of operational areas;
4. Days and hours of operation;
5. Traffic patterns;
6. Fencing and screening;
7. Control of dust and noise;
8. Phasing of operations and reclamation steps;
9. Final condition of site including:
 - a. Relation to adjoining land forms and drainage features,
 - b. Relation of reclaimed site to planned or established uses of the surrounding area,
 - c. Demonstration that the final land form will have a viable land use compatible with land use trends in the surrounding area;
10. Methods to minimize potential conflict with existing uses that are significantly impacted by the development.

These criteria are adequately addressed provided that the Planning Commission approves the conditions proposed by staff and requires the applicant to comply with the information and reclamation plans included in the application materials submitted by the applicant.

16.16.050(4)

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

Staff Finding: The City mailed 62 notices to neighboring property owners within 1200'+ and the 25 review agencies that are typically provided with the opportunity to comment (Note: Notices were mailed twice – first upon receipt of the Use Permit application and the second when the permit was elevated to the Planning Commission.) Twelve comments were received regarding the proposed use. Three were from agencies indicating that they have no comment, two were from agencies advising the applicant of permitting requirements, one was from a resident in favor of the request, and six were from residents in opposition to the request. Copies of the comments received by staff are included in this packet. Any comments received after the compilation of the packet will be provided at the public hearing.

16.16.050(6) *Fire Safety and Emergency Access. The proposal shall not pose a fire danger as determined by the State Fire Marshal or the fire chief of the district in which the proposed use is located. Adequate access for emergency and police vehicles must be provided.*

Staff Finding: There is an existing access onto Clapp Road that should be adequate for access to the gravel pit.

16.16.050(7) *Traffic. The proposed use shall not overload the street system with traffic or result in unsafe streets or dangers to pedestrians...*

Staff Finding: The proposed gravel pit should not overload the street system with traffic or result in unsafe streets or dangers to pedestrians since Clapp Road is designated as a major collector roadway to the north of the site and a minor collector roadway to the south.

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

Staff Finding: The attached site plan submitted by the applicant complies with the minimum setbacks requirements of §16.24.010.

16.24.050(9) *Parking. The parking, loading areas, and snow storage sites for the proposed development shall be adequate, safe and properly designed. The developer may be required to install acceptable lighting at pedestrian or vehicular access points.*

Staff Finding: There is sufficient area on the site for parking.

16.16.050(10) ***Utilities. The proposed use shall be adequately served by water, sewer, electricity, on-site water or sewer systems and other utilities.***

Staff Finding: This criterion is not applicable since water and/or sewer is not required for the proposed gravel extraction operation.

16.16.050(11) ***Drainage. The proposed use shall provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate runoff into public streets, adjoining lots and protect rivers lakes and streams from pollution. Uses may be required to provide for the conservation of natural features such as drainage basins and watersheds, and land stability.***

Staff Finding: The site has adequate areas for drainage.

16.16.050(12) ***Large Developments. Residential development of more than four units or non-residential development of more than ten thousand (10,000) square feet gross floor area may be required to provide a site plan showing measures to be taken for the preservation of open space, sensitive areas and other natural features; provision of common signage; provision for landscaping and provisions for safe and effective circulation of vehicles, pedestrians and bicycles. Nonresidential large developments must be located with frontage on one of the following class of streets: interstate, minor arterial, major collector or commercial.***

Staff Finding: The site plan indicates buffers along the creek and other property boundaries.

16.16.050(13) ***Peak Use. The proposed use shall not result in significantly different peak use characteristics than surrounding uses or other uses allowed in the district.***

Staff Finding: The proposed gravel extraction operation will not result in significantly different peak use characteristics than the surrounding uses or area.

16.16.050(14) ***Off-Site Impacts. The proposal shall not significantly impact surrounding properties with excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises. Radio transmitters and any electronic communications equipment regulated by the Federal Communications Commission is specifically excluded from regulation by this section. Welding,***

operation of electrical appliances or power tools, or similar activities that cause off site impacts as described above are specifically regulated by this subsection. Buffering may be required to ameliorate impacts between residential and nonresidential uses. The owner of the property upon which the buffer is constructed is responsible for the maintenance of the buffer in a condition that will meet the intent of these criteria.

Staff Finding: The proposed gravel extraction operation will not generate excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference with radio/television receivers in the area. As shown on the proposed site plan, a significant buffer of natural vegetation will be retained along the creek and property lines to minimize and impacts to adjoining wetlands or properties. However, the proposed rock crushing will generate excessive noise and possibly dust. Therefore, staff is proposing a condition to prohibit material processing or crushing on site.

16.16.050(15) Landscaping. The proposed use shall be designed in a manner that minimizes the removal of trees and vegetative cover, and shall conform to the standards in this title concerning the provision and maintenance of landscaping, and any landscaping plan that is required for the proposed use under this title. The approval authority also may condition approval on the provision of the following:

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

Staff Finding: The attached site plan shows the proposed perimeter buffering that will preserve 30 percent of the existing natural vegetation (19.5 acres.) After the ten year mining period, the site will be reclaimed consistent with the reclamation plan included in the record.

16.16.050(16) Walkways, Sidewalks and Bike Paths. Pedestrian walkways or bicycle paths may be required where necessary to provide reasonable circulation or access to schools, playgrounds, shopping areas, transportation or other community facilities. Improvements must be constructed to standards adopted by the engineer.

Staff Finding: Adequate pedestrian and bicycle pathways are located along Clapp Road.

16.16.050(17)

Water, Sewage and Drainage Systems. If a proposed use is within five hundred (500) feet of an existing, adequate public water system, the developer may be required to construct a distribution system and the connection to the public system. A developer may be required to increase the size of existing public water, sewer or drainage lines or to install a distribution system within the development. The commission may require any or all parts of such installation to be oversized. The developer must submit to the engineer an acceptable plan that shows that if within ten (10) years an increase in capacity will be required to serve other areas how these needs will be met by oversized facilities. When installation of oversized facilities is required, the developer shall install such facilities at their own expense. The developer shall be reimbursed the amount determined by the engineer to be the difference in cost between the installed cost of the oversized utility lines and the installed cost of the utility lines adequate to serve both the development concerned and all other land to be served by the lines which is owned or under the control of the developer, provided the developer may not be required to install facilities unless funds for such oversizing have been appropriated for the purpose by the city and there is a sufficient unencumbered balance in the balance in the appropriation. No reimbursement may be made unless the developer has entered into such agreement with the city, including conveyances of personal property including lines, lift stations and valves and conveyances of land or rights in land, as the city determines may be necessary to ensure complete control by the city of its sewer, drainage and water lines when they are extended to serve the property of the developer. Notwithstanding the requirement that the developer construct improvements to existing systems, the commission may elect to accomplish the design or construction, or both, of improvements to be made to existing public systems. In such a case, the commission may require advance payment to the city of the estimated cost of work to be accomplished by the city. The developer shall reimburse the city for all expenses of such design or construction not paid in advance. A public system is adequate if, in the judgment of the engineer, it is feasible for the developer to make improvements to the public system which will provide the increased capacity necessary to serve the existing users and the new development at the same level as is being provided to the existing users. Prior to approval of a use for which a community water system is required, the developer must submit evidence showing that there is available a satisfactory source of water. A source of water is satisfactory only if it can be shown that the proposed source will produce water sufficient in quality and quantity to supply

the development. The water system and the connection between such distribution systems and the source must be sized and constructed to meet fire flow and hydrant requirements for fire protection and that the developer has obtained or can obtain a water appropriation permit or certificate for the water from the state. The system must be built to city specifications available from the engineer.

Staff Finding: Water and sewer is not required for the proposed gravel extraction operation.

16.16.050(18) ***Historic Resources. The proposed use shall not adversely impact any historic resource prior to the assessment of that resource by the city.***

Staff Finding: The Matanuska-Susitna Borough Cultural Resources Office was notified of this application and indicated that they did not have any objections.

16.16.050(19) ***Appearance. The proposed use may be required to blend in with the general neighborhood appearance and architecture. Building spacing, setbacks, lot coverage, and height must be designed to provide adequate provisions for natural light and air.***

Staff Finding: With the proposed buffers and setback from Clapp Road, the proposed gravel extraction operation will be significantly screened from view.

16.16.050(20) ***Open Space and Facilities. The applicant may be required to dedicate land for open space drainage, utilities, access, parks or playgrounds. Any dedication required by the city must be based on a written finding that the area is necessary for public use or safety and the dedication is in compliance with adopted municipal plans and policy. The city finding shall conclude that a direct connection exists between the development and the need for the provision of the dedication...***

Staff Finding: No additional land is necessary for open space and facilities.

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

Staff Finding: There are no foreseeable problems anticipated from winter conditions.

V. CONCLUSION AND RECOMMENDED CONDITIONS OF APPROVAL:

Staff recommends approval of this request with the following conditions:

1. Gravel extraction is approved for a ten year period beginning the date of approval by the Wasilla Planning Commission. Additional review/approval by the Wasilla Planning Commission is required to extend the extraction period.
2. The gravel extraction operation must be consistent with the approved site plan date stamped March 29, 2016, included as Exhibit B to Resolution Serial No. 16-05.) Any substantial modifications to the plans must be submitted to the Wasilla Planning Commission for review and approval.
3. Excavation may not exceed the existing elevation in the deepest section of the previously excavated area of the site or eight feet from the water table, whichever is a higher elevation. The elevation of the deepest section must be determined by a licensed surveyor and provided to the Planning Department before any additional excavation occurs on site.
4. Any type of rock crushing is prohibited on the site.
5. Gravel extraction may only occur between May and October.
6. Hours of operation are limited to Monday through Friday from 7 AM to 8 PM.
7. The slopes of the excavation areas must be less than or equal to a 2:1 slope.
8. A minimum of 30% of the parcel must remain in natural vegetation.
9. Per WMC 16.33.030(D), native vegetation shall be preserved, and there shall be no clearcutting or placement of fertilizer in any area of a lot that is within 75 feet of the mean highwater mark of any body of water, including a lake, stream, or river. Additionally, no extraction may occur within 200' of Lucille Creek or 75' of any identified wetlands.
10. Reclamation of the site must be consistent with the State of Alaska Material Site Reclamation Plan attached to this permit. However, instead of leaving the pit floor as gravel, the floor must be covered with topsoil and seeded with grass during final reclamation after all phases are completed.
11. The applicant must consult with DEC and follow the appropriate stormwater procedures and regulations.
12. Obtain all other necessary federal, state, borough, and/or local review and/or permits.

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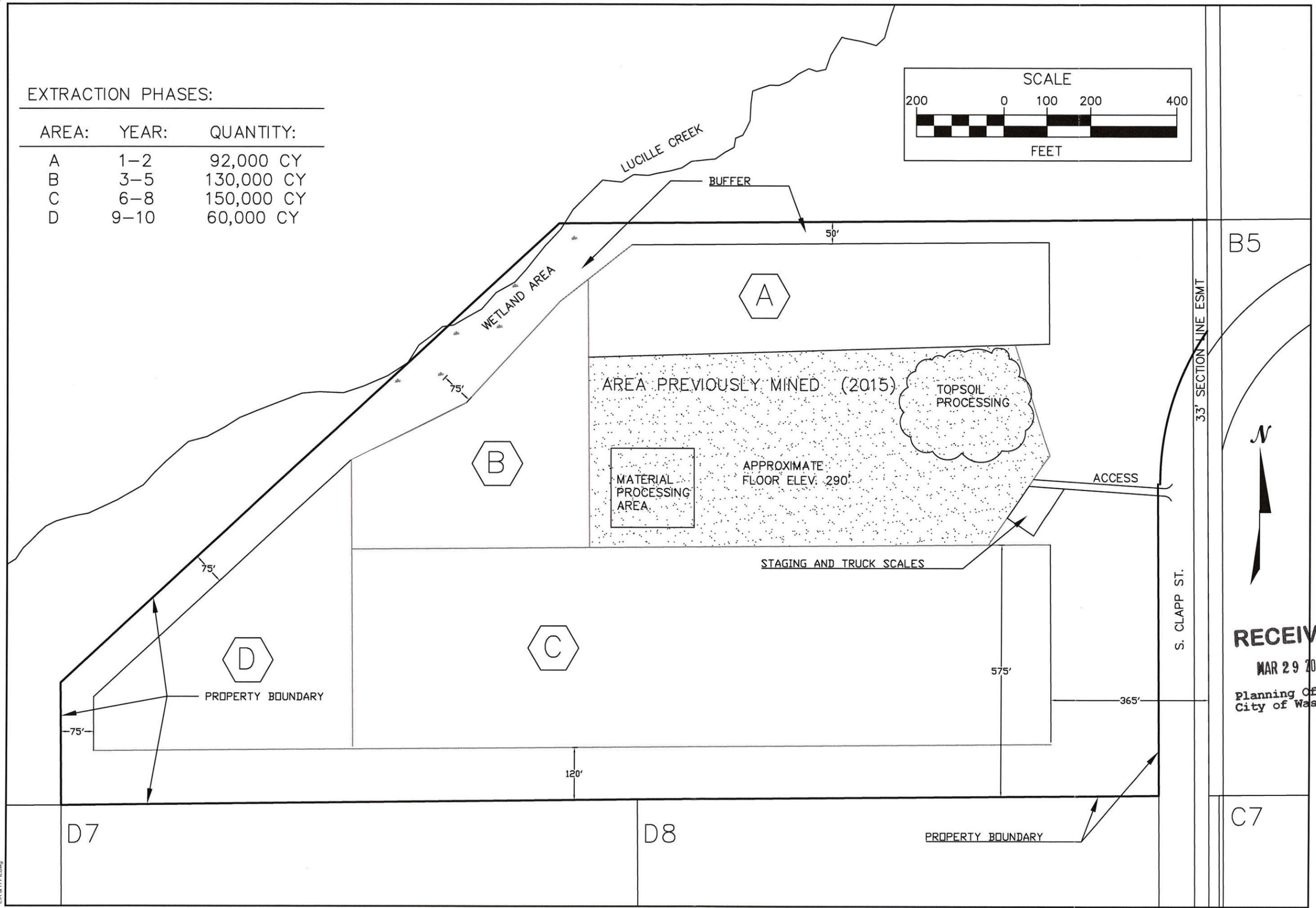
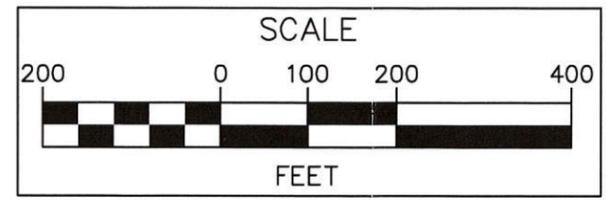
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EXTRACTION PHASES:

AREA:	YEAR:	QUANTITY:
A	1-2	92,000 CY
B	3-5	130,000 CY
C	6-8	150,000 CY
D	9-10	60,000 CY



REV	DATE	DESCRIPTION	BY

DESIGNED: BSK
CHECKED: BSK
DRAFTED: BSK
LAST SAVED: 3/28/2016 2:26 PM
PLOTTED: 3/28/2016 10:34 AM

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K & H Civil Constructors, LLC
Parcel: 17N02W13A4
WASILLA, AK

RECEIVED
MAR 29 2016
Planning Office
City of Wasilla



SCALE
HORZ. NA
VERT. NA
SHEET
01 of 01
PROJECT NO. 17N02W13A4

K & H Pildwag

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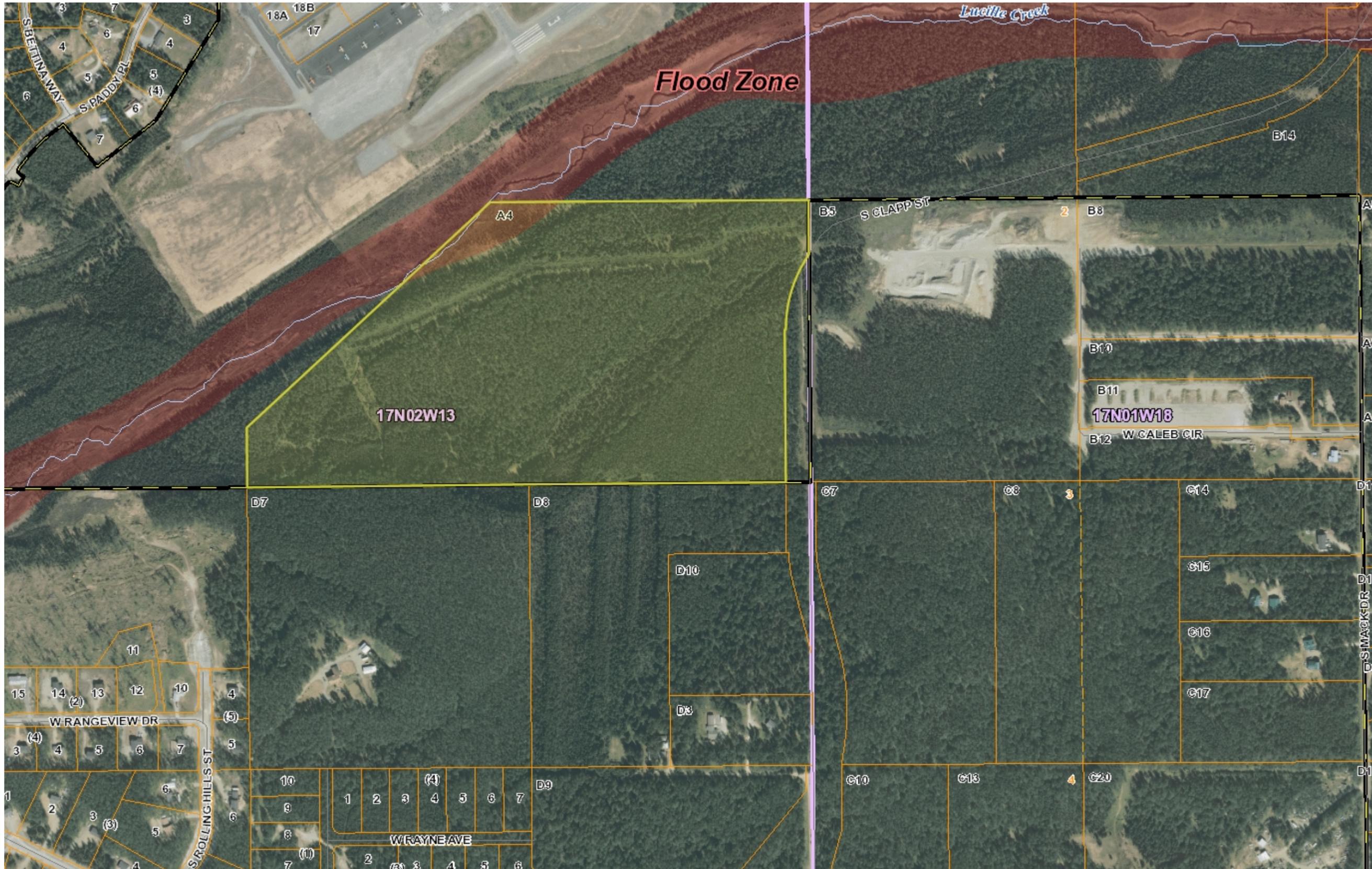
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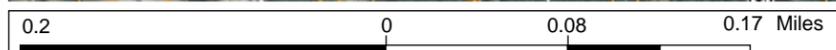


Matanuska-Susitna Borough



- ### Legend
- Public Facilities**
 - Administrative
 - Animal Care
 - City Hall or Courthouse
 - Community or Senior Center
 - Correctional Facility
 - Landfill or Transfer Station
 - Library
 - Medical
 - Post Office
 - Public Safety EMS
 - Public Safety Fire
 - Public Safety Fire/EMS
 - Public Safety Forestry
 - Public Safety Law Enforcement
 - School
 - Alaska Railroad
 - Streets**
 - Highway
 - Major Street
 - Medium Street
 - Minor Street
 - Primitive Road
 - Private Road
 - Mat-Su Borough Boundary
 - Incorporated Cities
 - Parcels
 - Flood Zone

1: 5,369



NAD_1983_StatePlane_Alaska_4_FIPS_5004_Feet
© Latitude Geographics Group Ltd.

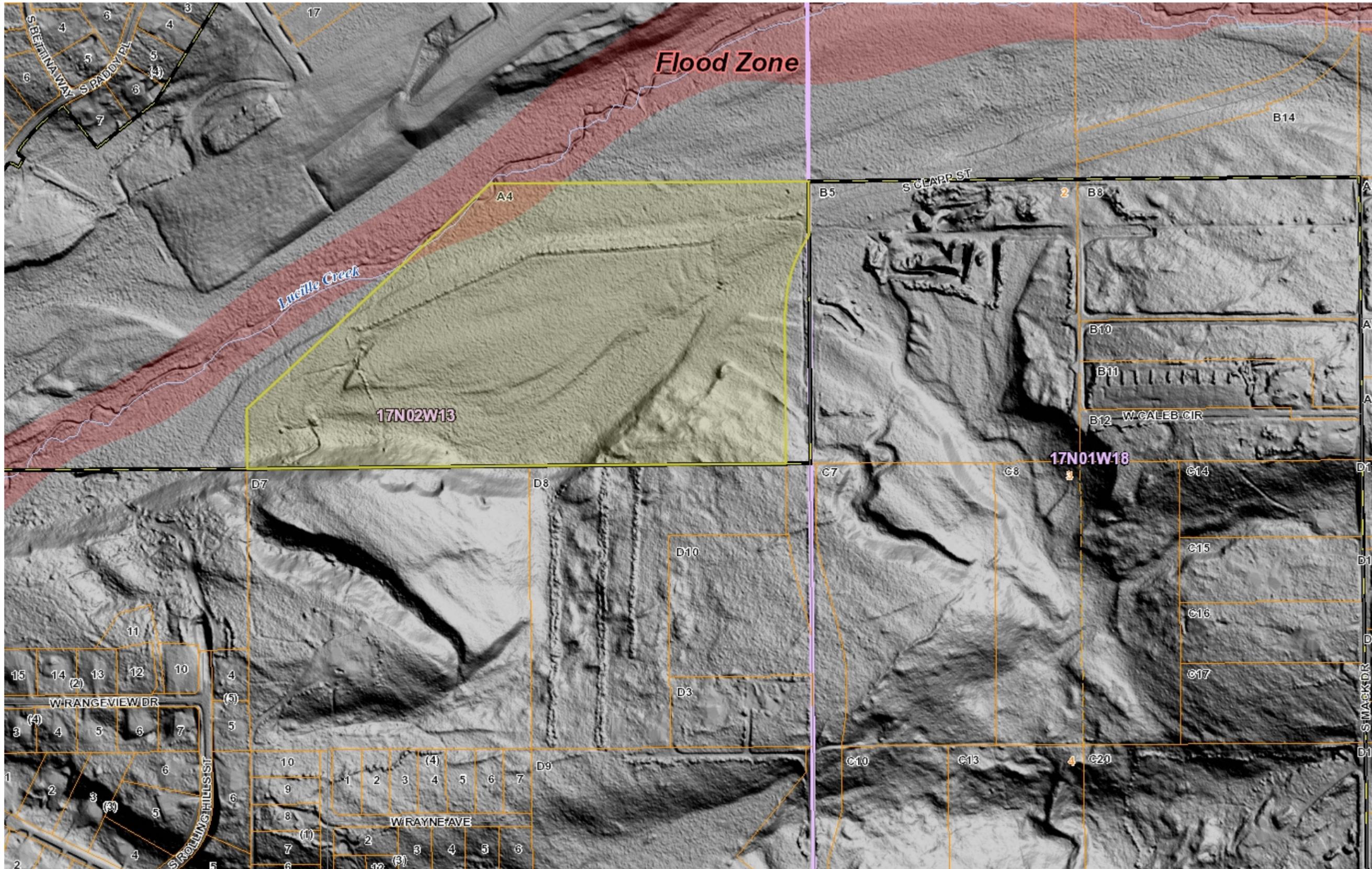
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes
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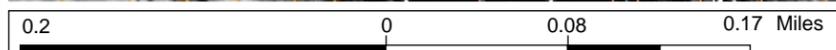


Matanuska-Susitna Borough



- ### Legend
- Public Facilities**
 - Administrative
 - Animal Care
 - City Hall or Courthouse
 - Community or Senior Center
 - Correctional Facility
 - Landfill or Transfer Station
 - Library
 - Medical
 - Post Office
 - Public Safety EMS
 - Public Safety Fire
 - Public Safety Fire/EMS
 - Public Safety Forestry
 - Public Safety Law Enforcement
 - School
 - Alaska Railroad
 - Streets**
 - Highway
 - Major Street
 - Medium Street
 - Minor Street
 - Primitive Road
 - Private Road
 - Mat-Su Borough Boundary
 - Incorporated Cities
 - Parcels
 - Flood Zone

1: 5,369



NAD_1983_StatePlane_Alaska_4_FIPS_5004_Feet
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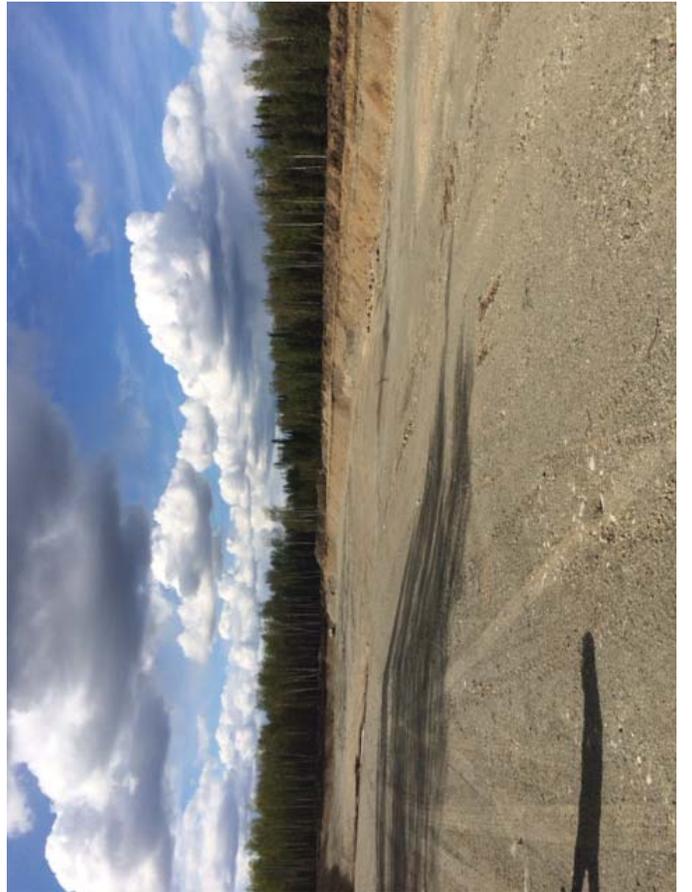
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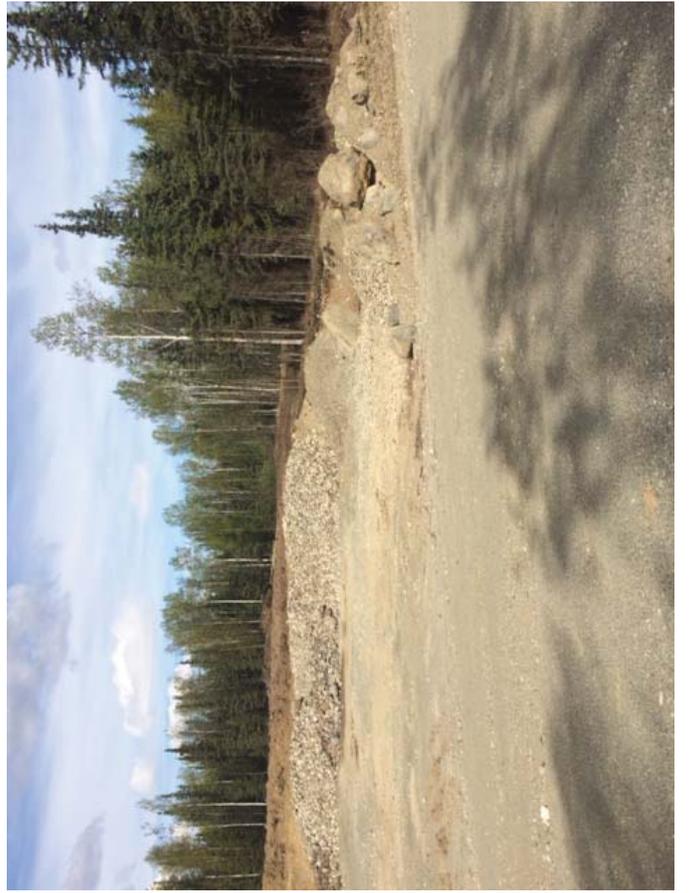
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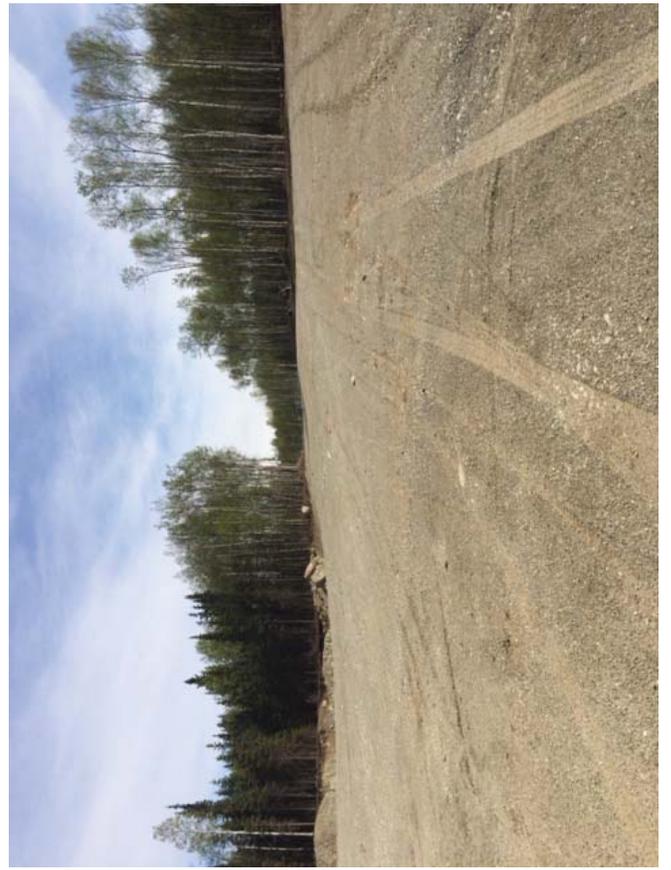
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- NOTICE OF APPLICATION FOR ELEVATED USE PERMIT -

Matanuska - Susitna Borough
Development Services

DATE: April 19, 2016
APPLICANT (S): K&H Civil Constructors, LLC
OWNER: Mountain Village LLC

CASE: U16-02

APR 25 2016

REQUEST: Approval of a gravel extraction site, which is located at 1614 S. Clapp Street, Lot A4, Township 17 North, Range 2 West, Section 13. The subject property is zoned Industrial, which requires approval of a Use Permit for a gravel extraction in accordance with WMC 16.12.020(A)(3) and WMC 16.20.020.

You are being notified of this action as you are a property owner either within 1,200' of the subject property or nearby property, (WMC 16.16.040). A Planning Commission public hearing on this request is scheduled for **May 10, 2016 at 6:00 PM** in the City Council Chambers. Comments may be submitted in writing by filling in the spaces provided below and mailing to: City of Wasilla, Planning Office, 290 E. Herning Ave, Wasilla, AK 99654. If there is not enough room below please attach a separate piece of paper. Comments may also be faxed to (907) 373-9021 or emailed to planning@ci.wasilla.ak.us. Written comments on this request must reach the Planning Office on or before **May 3, 2016** in order to be included in the packet. Comments received after that date will be available at the public hearing.

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

Name _____

Address _____

Lot _____ Block _____ Subdivision _____

Open Cases **Y** or **N**

SpUD **Y** or **N**

Comments: _____

FIRM # 8060 Zone X-A ^{City of Wasilla} (see attached map)

Comments: Northwest portion of parcel in "A" zone. Any development in an "A" zone requires a Flood Hazard Dev. Permit.

Date: 5/2/16 By: Doreen Jarrett



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

MSB Chief of Code Compliance
350 E. Dahlia Ave
Palmer, AK 99645

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Matanuska-Susitna Borough
APR 20 2016
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USE PERMIT 16-02

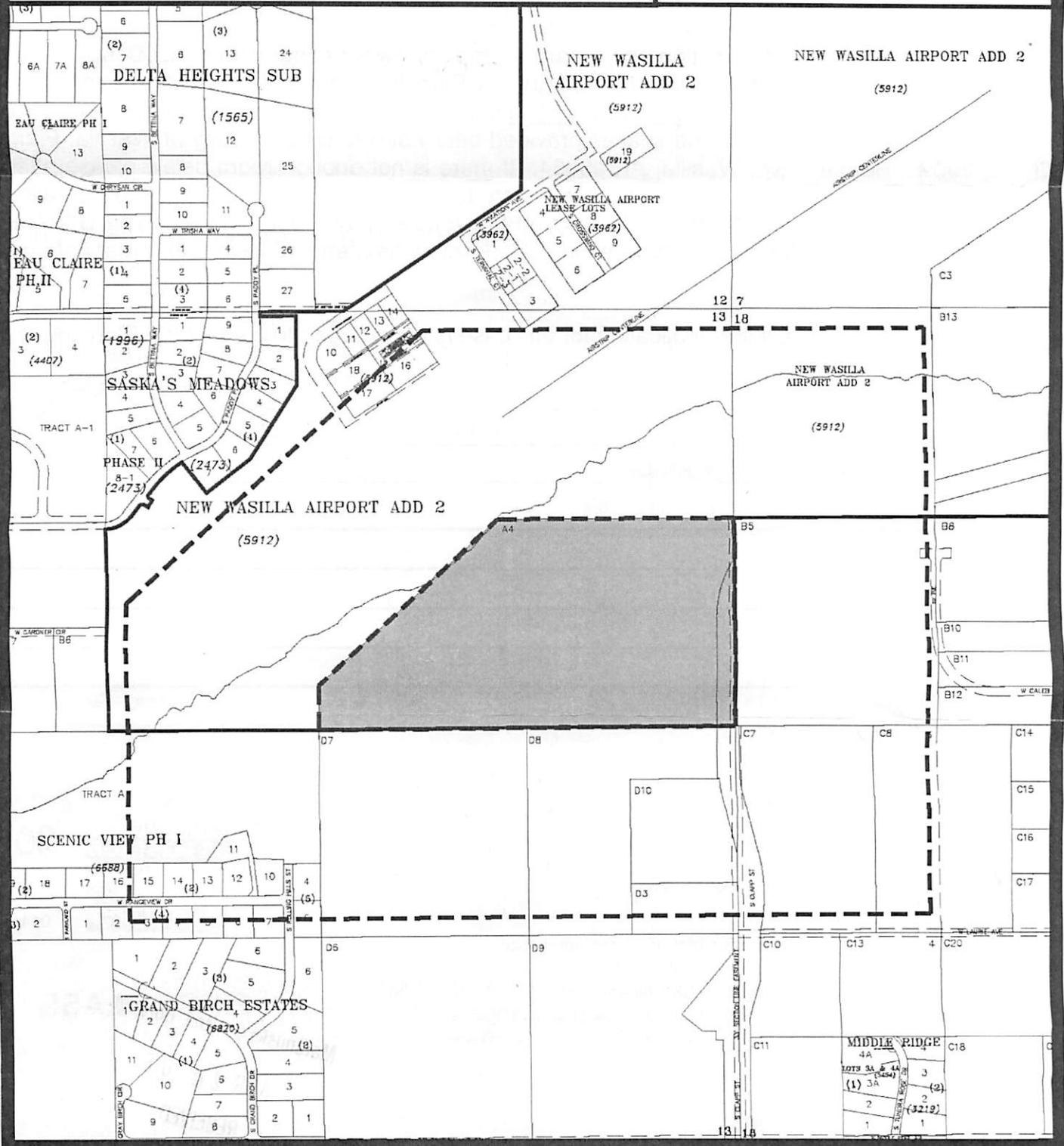
Use Permit application for an approval of
a gravel extraction site
LOCATED WITHIN
Lot A4, Sec. 13, T17N, R02W, S.M., AK.



SCALE IN FEET



HD 09 MSB Tax Map





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Tahirih DesJardin

From: Theresa Taranto <Theresa.Taranto@matsugov.us>
Sent: Monday, May 02, 2016 3:09 PM
To: Planning
Subject: RFC's
Attachments: Comments Cross Creek, Inc..pdf; Comments K & H Civil Const..pdf

Thank you,

Theresa Taranto
Development Services
Administrative Specialist

Mat-Su Borough
350 E Dahlia Ave.
Palmer, Alaska 99645
907-861-8574

- NOTICE OF APPLICATION FOR ELEVATED USE PERMIT -

DATE: April 19, 2016
APPLICANT (S): K&H Civil Constructors, LLC
OWNER: Mountain Village LLC

APPROVED
APR 25 2016

CASE: U16-02

REQUEST: Approval of a gravel extraction site, which is located at 1614 S. Clapp Street, Lot A4, Township 17 North, Range 2 West, Section 13. The subject property is zoned Industrial, which requires approval of a Use Permit for a gravel extraction in accordance with WMC 16.12.020(A)(3) and WMC 16.20.020.

PLATTING

You are being notified of this action as you are a property owner either within 1,200' of the subject property or nearby property, (WMC 16.16.040). A Planning Commission public hearing on this request is scheduled for **May 10, 2016 at 6:00 PM** in the City Council Chambers. Comments may be submitted in writing by filling in the spaces provided below and mailing to: City of Wasilla, Planning Office, 290 E. Herning Ave, Wasilla, AK 99654. If there is not enough room below please attach a separate piece of paper. Comments may also be faxed to (907) 373-9021 or emailed to planning@ci.wasilla.ak.us. Written comments on this request must reach the Planning Office on or before **May 3, 2016** in order to be included in the packet. Comments received after that date will be available at the public hearing.

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

Name _____

Address _____

Lot _____ Block _____ Subdivision _____

Comments: NO COMMENTS



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

MSB Platting Division Officer
350 E. Dahlia Ave
Palmer, AK 99645

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APR 29 2016

Planning Office
City of Wasilla

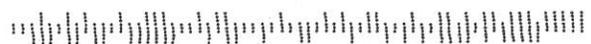
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Matanuska-Susitna Borough

APR 20 2016

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Tahirih DesJardin

From: Benkert, Ronald C (DFG) <ronald.benkert@alaska.gov>
Sent: Thursday, April 21, 2016 9:08 AM
To: Planning
Subject: Use Permit - Gravel Extraction - Case U16-02

The Alaska Department of Fish and Game, Division of Habitat (Habitat), has reviewed the above referenced Public Notice (Case U16-02) regarding development of a gravel extraction facility adjacent to Lucile Creek. The reviewed material indicates that the north western border of the project is immediately adjacent to Lucile Creek, a documented anadromous stream. Habitat recommends that a riparian buffer strip of at least 50 feet in width be maintained between the project and Lucile Creek. Additionally, any activities associated with this project that will require work below the ordinary high water mark of Lucile Creek may require a Fish Habitat Permit from this office.

Thanks you for the opportunity to comment on this project. Please feel free to contact me with any questions you may have.

Sincerely,

Ron Benkert
ADF&G
Division of Habitat
1800 Glenn Hwy., Suite 6
Palmer, AK 99645
907-861-3204



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Tahirih DesJardin

From: Katie Mobley <kmobley@mtaonline.net>
Sent: Tuesday, April 12, 2016 8:20 PM
To: Planning
Subject: K&H Civil Constructors, LLC

Mark Mobley
2901 W Milliste Rd
Lot A Block 10

I am completely apposed to this gravel extraction site. The noise pollution and traffic has already increased dramatically because of the new roads of Clapp and Mack. This is not a commercial or industrial area. It is a group of residential families that want to raise their children in a healthy and safe environment. I am against destruction of my property value for other peoples financial gain. Please do not approve this extraction site.

Mark Mobley

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Tahirih DesJardin

From: DebbieAllen@samsontug.com
Sent: Wednesday, April 13, 2016 6:23 AM
To: Planning
Subject: Fw: GRAVEL EXTRACTION

Date: 04/13/2016 07:21 AM
Subject: GRAVEL EXTRACTION

ACCT.NO 217N01W8C008
17N RANGE 1 W SECTION 18 LOT C8
Beth Allen
Delbert Allen

Our cousins.,the Laurie's, own land adjacent to us. We concur with their assessment of the proposal and oppose this gravel mine.

Thank you,

Debbie Allen

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- NOTICE OF APPLICATION FOR USE PERMIT -

DATE: **March 30, 2016**
APPLICANT (S): **K&H Civil Constructors, LLC**
OWNER: **Mountain Village LLC**

CASE: **U16-02**

REQUEST: Approval of a gravel extraction site, which is located at 1614 S. Clapp Street, Lot A4, Township 17 North, Range 2 West, Section 13. The subject property is zoned Industrial, which requires approval of a Use Permit for a gravel extraction in accordance with WMC 16.12.020(A)(3) and WMC 16.20.020.

You are being notified of this proposed action in accordance with Chapter 16.12 of the Wasilla Municipal Code, as you own property within 1,200 feet of the subject parcel.

Comments may be submitted in writing by filling in the spaces below and mailing to: City of Wasilla, Planning Office, 290 E. Herning Ave, Wasilla, AK 99654. If there is not enough room below please attach a separate piece of paper. You may also fax to (907) 373-9021 or email comments to planning@ci.wasilla.ak.us. Comments on the land use permit must be received by **April 13, 2016**.

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

Name Laurie Vivian C Est / Laurie Robt B Tr B

Address c/o Robert Laurie / PO Box 33543, Juneau, AK 99803-3543

Lot _____ Block _____ Subdivision 17N01W18C007

Comments: We oppose this proposal. Please see attached document for more information.



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

17N01W18C007
LAURIE VIVIAN C EST
LAURIE ROBT B TR B
PO BOX 33543
% ROBERT LAURIE
JUNEAU, AK 99803-3543

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03/29/2016
US POSTAGE \$00.48²

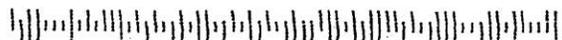


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We definitely oppose this proposal. The proposed gravel mine borders on two sides by an area designated by a recognized comprehensive plan as "rural residential" and on a third side by the watershed for Lucille Creek. We also estimate this proposed gravel mine will have a significant negative impact on our property value.

The Meadow Lakes Comprehensive Plan, adopted by the Matanuska-Susitna Borough in 2005, identified the area in which the proposed gravel mine is located as "rural residential". We recognize that the parcel in question was later annexed to the City of Wasilla and reclassified "industrial". The Wasilla Comprehensive Plan, adopted in 2011, describes that development in industrial areas "is compatible with adjacent residential areas in terms of physical scale, intensity of activities, and through buffering and transitions." We would expect that such compatibility applies to areas outside the Wasilla City limits as well as within city boundaries.

We are concerned that the proposed mine developed to the border of the property line and city limits is incompatible with the rural residential area adjacent to the parcel and that it may pose a threat to the watershed of Lucille Creek on another border of the parcel. With the completion of the Mack/Clapp Road extension, the area offers good opportunities for future residential expansion of the city.

The Wasilla Plan lists as one of the location criteria for industrial areas is that it be "located along major truck routes without the need to travel through incompatible uses such as residential or commercial retail". Should this gravel mine be permitted, we would hope that the truck traffic generated by it be disallowed on the portion of Mack/Clapp road from the mine to Knik-Goose Bay Road.

Our family has owned our property on Clapp Road for many years and are excited to finally have a nice road to access it. We've always pictured a nice residential neighborhood there among the beautiful trees. Don't ruin that with this gravel mine.

While it is possible for the gravel pit to generate substantial profits from the sale of the mined materials, for homes or property nearby it is a much different story. It is much more difficult to sell property near a gravel mine due to the noise, dust and traffic. Nobody wants a constant flow of dump trucks passing by their property, especially if you have children or pets.

Studies have shown that within a half mile of a gravel mine, there can be as much as a 25-30% reduction in property values. Within one mile, there could be a 14% reduction.

There are many gravel mines in the area so there is no need for new aggregate capacity. The area is currently serviced by 15 gravel operations with other new ones being proposed such as the one near Big Lake. The impact of this gravel mine will destroy the character of the area for many decades.

Tahirih DesJardin

From: Richmond, Laurie <LRichmond@klcorp.com>
Sent: Tuesday, April 12, 2016 8:00 AM
To: Planning
Cc: stevecolligan@mtaonline.net; alaskabob1@alaskan.com; Pat Von Gemmingen; Gary Lewis
Subject: Case: U16-02
Attachments: U16-02_17N01W18C007_Laurie_gravel_mine.pdf

Please see attached for our response to gravel mine permit.

Laurie Richmond
Lrichmond@kc-education.com
mobile: 503.329.1290

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- NOTICE OF APPLICATION FOR USE PERMIT -

DATE: March 30, 2016
APPLICANT (S): K&H Civil Constructors, LLC
OWNER: Mountain Village LLC

CASE: U16-02

REQUEST: Approval of a gravel extraction site, which is located at 1614 S. Clapp Street, Lot A4, Township 17 North, Range 2 West, Section 13. The subject property is zoned Industrial, which requires approval of a Use Permit for a gravel extraction in accordance with WMC 16.12.020(A)(3) and WMC 16.20.020.

You are being notified of this proposed action in accordance with Chapter 16.12 of the Wasilla Municipal Code, as you own property within 1,200 feet of the subject parcel.

Comments may be submitted in writing by filling in the spaces below and mailing to: City of Wasilla, Planning Office, 290 E. Herning Ave, Wasilla, AK 99654. If there is not enough room below please attach a separate piece of paper. You may also fax to (907) 373-9021 or email comments to planning@ci.wasilla.ak.us. Comments on the land use permit must be received by **April 13, 2016**.

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

Name James T + Barbara Mack
Address PO Box 870955, Wasilla, AK 99687
Lot _____ Block _____ Subdivision _____

Comments: We think the gravel extraction process would cause too much noise for our neighborhood. This would create more traffic with heavier vehicles which would also be loud. We are not in favor of this gravel extraction.



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

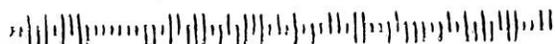
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MACK JAS T & BARBARA A
PO BOX 870955
WASILLA, AK 99687-0955

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- NOTICE OF APPLICATION FOR USE PERMIT -

DATE: March 30, 2016
APPLICANT (S): K&H Civil Constructors, LLC
OWNER: Mountain Village LLC

CASE: U16-02

REQUEST: Approval of a gravel extraction site, which is located at 1614 S. Clapp Street, Lot A4, Township 17 North, Range 2 West, Section 13. The subject property is zoned Industrial, which requires approval of a Use Permit for a gravel extraction in accordance with WMC 16.12.020(A)(3) and WMC 16.20.020.

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

Name Roland Hall
Address 2920 W. Millsite Rd. Wasilla AK 99654
Lot A7 Block _____ Subdivision 17 North Range 1W Section 18 Lot A7

Comments:

I Love it, Lets Do It. Wee Need Jobs For the Community. This is Not Something That Will hurt the Environment. Again, Wasilla Need Jobs.



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

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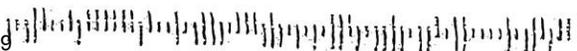
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Planning Office
City of Wasilla

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- NOTICE OF APPLICATION FOR USE PERMIT -

DATE: March 30, 2016
APPLICANT (S): K&H Civil Constructors, LLC
OWNER: Mountain Village LLC

CASE: U16-02

REQUEST: Approval of a gravel extraction site, which is located at 1614 S. Clapp Street, Lot A4, Township 17 North, Range 2 West, Section 13. The subject property is zoned Industrial, which requires approval of a Use Permit for a gravel extraction in accordance with WMC 16.12.020(A)(3) and WMC 16.20.020.

You are being notified of this proposed action in accordance with Chapter 16.12 of the Wasilla Municipal Code, as you own property within 1,200 feet of the subject parcel.

Comments may be submitted in writing by filling in the spaces below and mailing to: City of Wasilla, Planning Office, 290 E. Herning Ave, Wasilla, AK 99654. If there is not enough room below please attach a separate piece of paper. You may also fax to (907) 373-9021 or email comments to planning@ci.wasilla.ak.us. Comments on the land use permit must be received by **April 13, 2016**.

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

Name Leonard + Margaret Revet P.O. Box 871332
Address 4440 W. Rangeview Dr., Wasilla, AK ; Wasilla 99687
Lot 2 Block 4 Subdivision Scenic View PH I

Comments: After having lived 1/4 of a mile to old sand pit in Bethel where it wasn't in use anymore, we feel it will be same as that unused pit. Where teenagers use motorbikes and ATVs revving up motors as loud as possible into wee hours of 2 AM. This was too noisy, especially during summer months. We feel, similar situation will be "heaven" for teenagers or adults to use as their playground without any regards to folks, who work. The traffic will also increase. Unless this area will be gated to prevent public access when it's no longer in use.



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

*Margaret Revet
Leonard Revet*

03/29/2016
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6688B04L002
REVEY LEONARD & MARGARET
PO BOX 871332
WASILLA, AK 99687-1332

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APR 05 2016

Planning Office
City of Wasilla

PUBLIC NOTICE

99687#1332 B018

**March 31, 2016
PO Box 871332
Wasilla, Ak 99687
907)376-9366**

Lmrevet9@mtaonline.net

**City of Wasilla
PLANING OFFICE**

This is an addendum to the “NOTICE OF APPLICATION FOR USE PERMIT”, CASE: U16-02

In addition to the negative outlook for the future there are also conditions with the operation of a gravel excavation close by our neighborhood that will have immediate effect:

- 1) The noise of operation will be excessive, especially if they operate at night.**
- 2) The traffic on Clapp will have trucks going and coming from the pit, leading to broken car windshields etc., plus other traffic hazards with large gravel hauling trucks for vehicles turning into/off Clapp road.**
- 3) Property values will probably drop but may or may not be appraised by the Wasilla city or the Mat-Su Borough any different.**

Leonard Revet

Leonard Revet

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APR 05 2016

Planning Office
City of Wasilla

- NOTICE OF APPLICATION FOR USE PERMIT -
Matanuska-Susitna Borough
Development Services

DATE: **March 30, 2016**
APPLICANT (S): **K&H Civil Constructors, LLC**
OWNER: **Mountain Village LLC**

MAR 31 2016 CASE: **U16-02**

Received

REQUEST: Approval of a gravel extraction site, which is located at 1614 S. Clapp Street, Lot A4, Township 17 North, Range 2 West, Section 13. The subject property is zoned Industrial, which requires approval of a Use Permit for a gravel extraction in accordance with WMC 16.12.020(A)(3) and WMC 16.20.020.

You are being notified of this proposed action in accordance with Chapter 16.12 of the Wasilla Municipal Code, as you own property within 1,200 feet of the subject parcel.

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

Name _____
Address _____
Lot _____ Block _____ Subdivision _____

Comments: _____

Open Cases Y or N
SpUD Y or N
City of Wasilla
FIRM # 8060 Zone X-A
Comments: Any development in an
"A" zone requires a flood hazard develop
Permit per MSB 17.29.
Date: 4/11/16 By: Theresa Lavanto



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

MSB Chief of Code Compliance
350 E. Dahlia Ave
Palmer, AK 99645

** See attached Map*

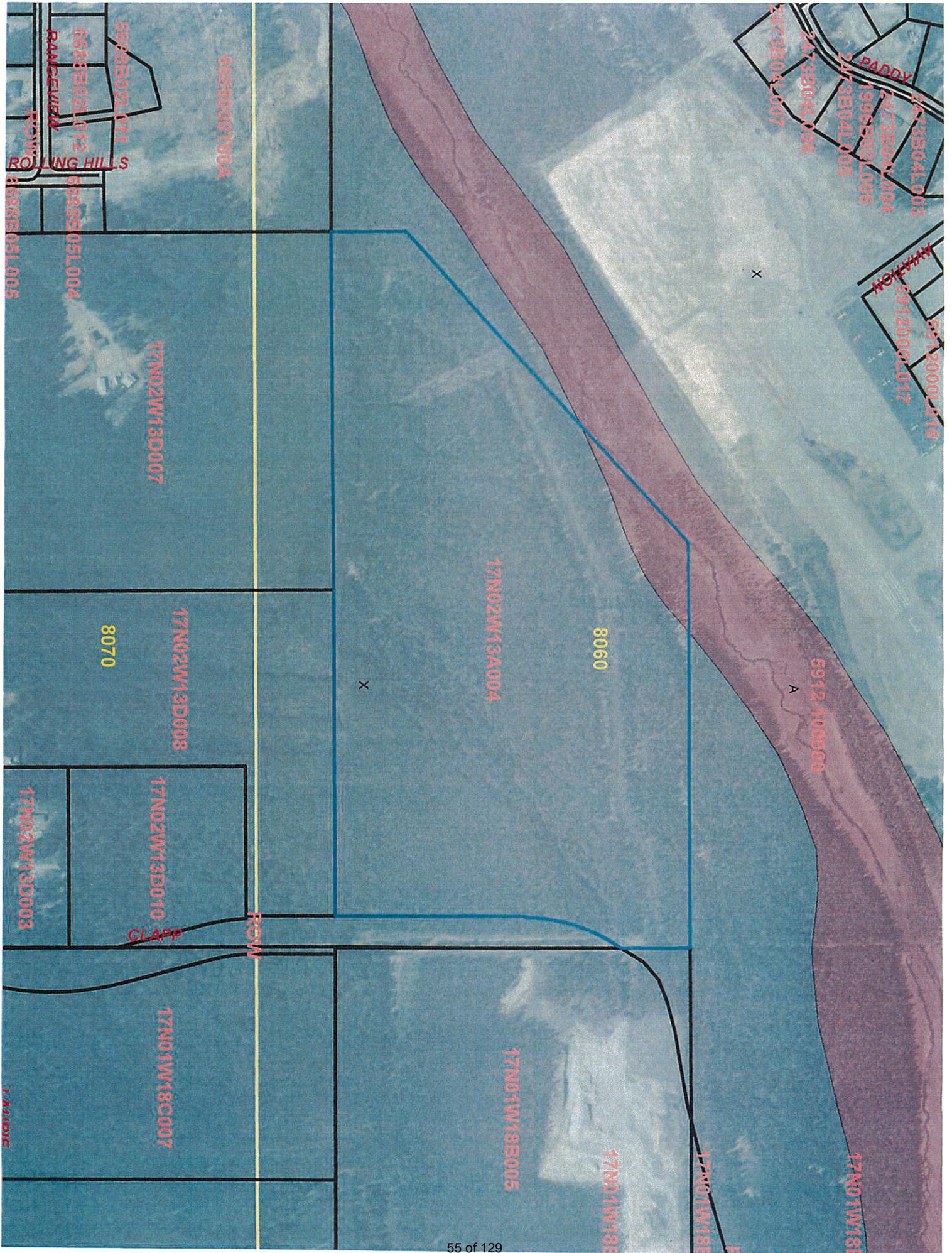
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MAR 31 2016



Tahirih DesJardin

From: Theresa Taranto <Theresa.Taranto@matsugov.us>
Sent: Monday, April 11, 2016 2:20 PM
To: Planning
Cc: Michelle Olsen; Alex Strawn
Subject: Notice of Application for Use Permit comments
Attachments: 1614 S Clapp St. Lot A4.pdf

Theresa Taranto
Development Services
Administrative Specialist

Mat-Su Borough
350 E Dahlia Ave.
Palmer, Alaska 99645
907-861-8574

- NOTICE OF APPLICATION FOR USE PERMIT -

DATE: **March 30, 2016**
APPLICANT (S): **K&H Civil Constructors, LLC**
OWNER: **Mountain Village LLC**

CASE: **U16-02**

REQUEST: Approval of a gravel extraction site, which is located at 1614 S. Clapp Street, Lot A4, Township 17 North, Range 2 West, Section 13. The subject property is zoned Industrial, which requires approval of a Use Permit for a gravel extraction in accordance with WMC 16.12.020(A)(3) and WMC 16.20.020.

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

Name _____

Address _____

Lot _____ Block _____ Subdivision _____

Comments: No COMMENT. F.W.



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

MSB Platting Division Officer
350 E. Dahlia Ave
Palmer, AK 99645



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Planning Office
City of Wasilla

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Matanuska-Susitna Borough

MAR 31 2016

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MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department Cultural Resources Division

350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 745-9859 • Fax (907) 745-9876

MEMORANDUM

DATE: 6 April 2016
TO: City of Wasilla Planning Department
FROM: Sandra Cook, Architectural Historian
SUBJECT: Use Permit 16-02
TITLE: Gravel Extraction site
LEGAL: Section 13, T17N, R02W, SM
TAX MAP: HO 09

NO OBJECTION

Cultural Resources Division staff has reviewed the above application and finds there are no known *recorded* sites on said property. This conclusion was derived through research of the documented sites on file in the Cultural Resources Division of the Matanuska-Susitna Borough and sites documented in Alaska Heritage Resource files at the State Office of History and Archaeology.

While we have no objection to the proposed action on the said property, and our records are not complete, we recommend caution during construction or related activities in the event cultural remains may come to light or be recovered. If cultural resources are found as a result of the above mentioned activity we would appreciate the chance to document them to augment our knowledge of local history. Cultural remains may include features such as cache pits, house pits, garbage pits, depressions and/or other non-removable indications of human activity, as well as, artifacts, buildings, machinery, etc.

Recording of cultural resources or other remains does not change ownership status of materials found, they belong to the property owner, nor does it prohibit your activity request. If cultural remains are located please contact this office at (907) 861-8655 as soon as possible. This would enable us to photograph and record any cultural materials that may be observed. Thank you for your cooperation. We appreciate you helping us learn more about our past.

Sincerely

Sandra Cook
Architectural Historian

NOTE§A.S.11.46.482 (a) of the Alaska Statutes states that

A person commits the crime of criminal mischief in the third degree if, having not right to do so or any reasonable grounds to believe the person have such a right...

(3) If a person knowingly

(A) defaces, damages or desecrates a cemetery or the contents of a cemetery or a tomb, grave, or memorial regardless of whether the tomb, grave, or memorial is in a cemetery or whether the cemetery, tomb, grave, or memorial appears to be abandoned, lost, or neglected; (B) removes human remains or associated burial artifacts from a cemetery, tomb grave, or memorial regardless of whether the cemetery, tomb, grave, or memorial appears to be abandoned, lost or neglected.

Tahirih DesJardin

From: Sandra Cook <Sandra.Cook@matsugov.us>
Sent: Wednesday, April 06, 2016 9:21 AM
To: Planning
Subject: Use Permit comments
Attachments: Use Permit Request-City of Wasilla--Use Permit 16-02.docx

See attached comments for Gravel Extraction Use Permit. Thanks for the opportunity to comment.

Sandra Cook
Architectural Historian
Matanuska Susitna Borough



CITY OF WASILLA PLANNING OFFICE
 290 E. HERNING AVE.
 WASILLA, AK 99654-7091
 PHONE: (907) 373-9020
 FAX: (907) 373-9021

Date: 3/25/16
 TID # 17N02W13A4
 Case No. 416 - 02

LAND USE PERMIT
 APPLICATION

<p>Type of application (check all that apply)</p> <p><input type="checkbox"/> Single Family Dwelling (SFD) <input type="checkbox"/> Garage/Shed</p> <p><input type="checkbox"/> Addition to SFD <input type="checkbox"/> Accessory Use</p> <p><input type="checkbox"/> Commercial under 10,000 sq. ft.</p> <p><input checked="" type="checkbox"/> Other (please specify) <u>Gravel Extraction</u></p> <p>Project Name and Description</p> <p><u>250,000</u> sq. ft. (<u>*Phase One</u>)</p> <hr/> <p><u>S. Clapp St. Gravel Extraction, K&H Civil</u></p> <p>Subdivision Name: <u>N/A</u> <u>TID# 17N02W13A4</u></p> <hr/> <p>Street Address of project:</p> <p><u>1614 S. Clapp St.</u></p> <hr/> <p>Zoning Designation: <u>Industrial</u></p>	<p>Property Owner:</p> <p><u>Mtn Village, LLC</u></p> <hr/> <p>Applicant Name:</p> <p><u>K&H Civil Constructors, LLC</u></p> <hr/> <p>Mailing Address:</p> <p><u>P.O. Box 877037</u></p> <hr/> <p><u>WASILLA, AK 99687</u></p> <hr/> <p>Phone:</p> <p><u>(907) 373-4133</u></p> <hr/> <p>Fax #:</p> <p><u>(907) 373-4136</u></p> <hr/> <p>Email:</p> <p><u>matte@khcivil.com</u></p>
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The following items must be shown on the Site Plan:

- All provisions of WMC 16.08.015 Site plan - As-built survey.

Applicant Certification:
 I certify that the information contained in this application is true and correct to the best of my knowledge, and that I understand that any false statements made by me on this application, may be subject to revocation or denial of the Land Use Permit. I further certify that I am the property owner or that I have been designated by the property owner to act on their behalf. I understand that the City of Wasilla will not be held liable for any improvements made to this property if an appeal is filed or if other types of permits for this property are required by another agency. I further understand that no activity may be made to this property until a Land Use Permit is valid.

Signature of Applicant: Matthew Kettner **Date:** 3/24/16

Signature of Owner: Dan F. Kennedy, member **Date:** 3/25/16
 (If different then Applicant)

Dan F. Kennedy, Member of Parent Co.
 Mtn. Village LLC
 4701 E. Shoreline Circle
 Wasilla, AK 99654
 (907) 357-8510 kennedy@kennedycpas.com

* All activity regulated or permitted under this title must comply with applicable borough, state & federal laws & regulations. (WMC 16.04.030)

K & H Civil Constructors, LLC

P.O. Box 877037

Wasilla, AK 99687

(907)373-4133; fax (907)373-4136

City of Wasilla

Land use permit application

March 24, 2016

Submitted by: K & H Civil Constructors, LLC

Parcel: 17N02W13A004, Mtn. Village, LLC

Address: 1614 S Clapp St.

Zoning: INDUSTRIAL

- A. 1. Neighbors- the area is currently undeveloped and located on a newly opened S Clapp St. connecting the Parks HWY and KGB Road.
- 2. Plans- the parcel is located in the City of Wasilla master airport area and is zoned "industrial" area.
- 3. Special Uses- the permit is for the commercial sale of sand and gravel for private and public works projects in the area. This includes City of Wasilla projects and Alaska DOT projects like the KGB 4 Lane expansion.
- 4. Reviewing Parties- access to the site may be granted to reviewing parties if necessary. This parcel was used in 2015 for gravel extraction for the construction of S Clapp Rd. by Bristol Construction.
- 5. Neighborhoods- applicant couldn't locate any "neighborhood plans" to review.
- 6. Fire Safety and emergency access- access for these needs to or through the property is excellent.
- 7. Traffic- it is estimated that 12 semi-truck loads per hour could enter and exit the property.
- 8. Dimension Standards- a minimum of 50' of vegetated buffer will remain around the perimeter of the parcel.
- 9. Parking- parking for employees will be approximately 4 vehicles. No snow storage is needed. No lighting is needed. Most of the material extraction will occur in the Spring through Fall seasons.
- 10. Utilities- no utilities are need for this permit. Temporary power will be generated on site with a 1-5kw portable generator to operate a commercial truck scale.
- 11. Drainage- the parcel is adjacent the Lucille Creek. Extraction of gravel will create an area to capture storm water at an elevation near the elevation of Lucille Creek.

2/2

K & H Civil Constructors, LLC

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12. Large Developments- this is not a residential development. It is a commercial development. When the parcel has been developed (mined), it could serve the purpose of many commercial uses like an electrical transmission station and large commodity storage area.
13. Peak use- the peak use will be from May through October in any given year. The time frame is the highway and road construction season.
14. Off-Site Impacts- dust and noise are the most likely potential impacts to the surrounding properties. Over 200,000 tons of material was extracted in 2015 without significant impact. Dust abatement measures on the S. Clapp Rd. will be implemented as necessary. The newest heavy equipment will operate on the property reducing air pollution impacts.
15. Landscaping- A vegetative buffer of at least 50' around the perimeter of the property will be maintained. An access gate will always be in place to control access and egress.
16. Walkways, sidewalks and bike Paths- the newly built bike path is on the opposite side of S. Clapp Rd from the entrance into the facility.
17. Water, Sewer and Drainage Systems- The nearest public (COW) systems are across Lucille Creek at the Curtis C. Menard Memorial Sports Complex. Connection to the parcel is not necessary for this permit approval. Potable water will not be generated on the site. No permanent structures will be built on the parcel.
18. Historic Resources- No impact to the historic resource of the property or city is expected.
19. Appearance- no building structure is planned to be built on the property.
20. Open Space and Facility- it is not anticipated that land will need to be dedicated for open space uses. However, if utilities (gas, electrical, telephone) are constructed along the Clapp Road right-of-way, easements may be granted to install such facilities. The final development plan will take approximately 10 years to develop. This development includes gravel extraction to a level pit floor elevation. The final plan is anticipated to be for heavy industrial use like an electrical sub-station or a large commodity storage area for public or private use.
21. Winter Hassles- the development will not impact area glaciation or snow drifting.

K & H Civil Constructors, LLC

P.O. Box 877037

Wasilla, AK 99687

(907)373-4133; fax (907)373-4136

Mining Plan

MTN Village, LLC Parcel 17N02W13A4

Location:

The proposed site was mined in 2015 for the construction of the S. Clapp Road construction. Approximately 8 acres were cleared and mined in 2015. The parcel is located at 1614 S. Clapp Road. The parcel is 63.48 acres. It is zoned Industrial by the City of Wasilla.

The proposed extraction limits will mine approximately 44 acres (including the 8 acres mined in 2015) of the parcel. This will create a 19.5 acre vegetative buffer around the perimeter of the parcel. The final limits of the extraction area are shown on the attached Site Plan.

The parcel is located in the N1/2 SE1/4 Sec 13, Township 17N Range 2W, Seward Meridian.

Site Description:

The proposed extraction area is located near the bottom of a large glacial moraine slope on a plain adjacent Lucille Creek. Vegetation consists of Spruce, Birch and Aspen dense forest.

Material extraction will not occur within 200' of Lucille Creek or 75' of any identified wetlands.

The extraction limits will remain a minimum of 4' above water table. Total excavation depth will range from 9' to 15'.

No buildings or structures are currently on the site. The closest structure is approximately 1,500' to the south. Properties immediately adjacent to the parcel are generally undeveloped private parcels and a City of Wasilla parcel.

A minimum vegetative buffer of 100' will be maintained on the East side of the parcel on the frontage of S. Clapp Rd. There are 2 commercial approaches accessing the parcel. Only one will be used for material extraction access. See Site Plan.

The overburden (top soil) is 6" to 1.5' deep. The gravel below the over-burden is Well Graded Gravel with Sand, GW. The gravel is coarse and clean with less than 2% retained on the 200 sieve (see DOWL test report). K & H Civil estimates an additional 500,000 CY can be extracted from the remaining 36 AC. Gravel will be sold in the local market for public works and private projects.

K & H Civil Constructors, LLC

P.O. Box 877037

Wasilla, AK 99687

(907)373-4133; fax (907)373-4136

Access:

The parcel has 2 commercial size, paved approaches off S. Clapp Rd. on the East side of the parcel. Only one of the approaches will be used for access. This provides excellent access into and out of the parcel. There is a gate approximately 100' from the shoulder of S. Clapp Rd. K & H Civil will affix a sign on the gate for security and other information purposes. Traffic signs (Trucks Crossing) will be used on higher truck volume days.

Term:

The proposed duration of the material extraction will be 10 years, beginning in May 2016. The majority of extraction will be limited to the construction season, May through October. Work in the parcel will be limited to Monday through Friday from 7 AM to 8 PM. Work on the weekends will be by appointment.

A certified, commercial truck scale will be installed on the parcel. A single front end, wheeled loader will typically load highway legal trucks. Approximately 200 to 300 CY per hour can be extracted/loaded. However, a typical day will consist of 1,000 CY extracted. All truck loads will be weighed before exiting the parcel to ensure DOT weight limit compliance.

Mining Plan:

The parcel will be mined in 4 phases over the 10 year term (see Site Plan.) Each phase will separately be cleared of timber and stumps removed or ground. Top Soil will be salvaged for processing and final reclamation needs. The salvaged top soil will be bermed/stockpiled around the perimeter of the extraction area. All storm water, if any, will be collected in the excavation area. It will infiltrate the ground or evaporate. No storm water will flow off the parcel. A multi-sector SWPPP will be designed and submitted to ADEC for the duration of the extraction activities.

K & H Civil will allow non-organic material to be imported into the pit and embanked (compacted) over the material extract floor area. HMA will not be allowed. Imported material will be placed in 1' to 2' lifts and compacted. No organic debris or refuse will be disposed on the parcel.

K & H Civil Constructors, LLC

P.O. Box 877037

Wasilla, AK 99687

(907)373-4133; fax (907)373-4136

During extraction, dust control measures will be taken to reduce potential fugitive dust. Dust mitigation will be addressed in the SWPPP. Permanent dust mitigation will be seeding reclaimed areas. If necessary, dust tracking off site will be mitigated by street sweeping.

At the completion of each phase of extraction, the adjacent gravel slopes will be graded to a 2:1 slope with topsoil spread on the slope. These slopes will be seeded to create a permanent vegetative slope. At the completion of the 10-year term, the entire floor area will have top soil spread, tracked and seeded.

Equipment:

During tree clearing and grubbing operations, larger excavators, dozers and stump grinders will be used. This activity will only last approximately 2 weeks per year. A dozer (60,000 lb.) will be used to strip the top soil off the gravel. Material extraction will mostly occur using a wheeled front-end loader (70,000 lb.) Material processing may occur from time to time in the limits of the extraction area. Material stockpiles will be adjacent the processing plants and in the extraction area. A temporary commercial truck scale will be installed on the parcel in the staging area (see Site Plan.)

Fueling:

Equipment will be fueled by a professional, private fuel vender with a mobile truck accessing each piece of equipment. No fuel will be stored on the parcel. A petroleum spill kit will be located at the parcel for emergencies. During fueling activities each piece of equipment will be inspected for leaks and maintenance needs. A portable generator will be used to power the scale operation.

Waste:

No refuse or organic waste will be disposed of on the parcel. No petroleum waste will be stored or staged on the parcel. Portable toilets and trash receptacles will be available in a staging area for employees use.

Fire Suppression:

A 10 pond fire extinguisher will be mounted on each piece of construction equipment. Employees will have access to mobile phones for emergency personnel needs.

K & H Civil Constructors, LLC

P.O. Box 877037

Wasilla, AK 99687

(907)373-4133; fax (907)373-4136

Lighting Plan:

It is not anticipated that any artificial lighting will be needed during the term of the extraction. If lighting is needed, portable light plants will be utilized.

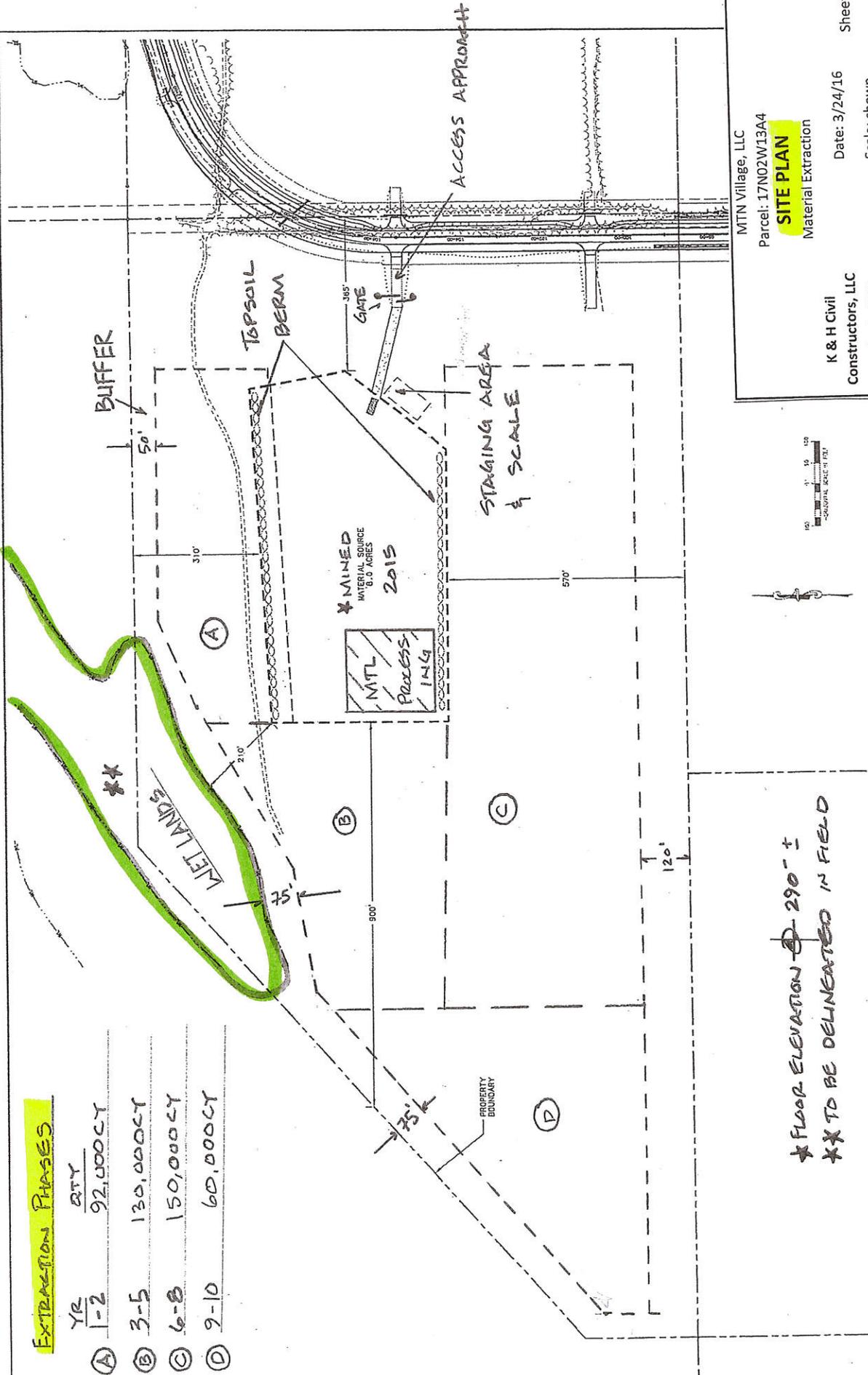
Reclamation:

During each planned phase of material extraction, reclamation will take place. After tree clearing, the top soil and over-burden will be bermed on the perimeter of the extraction area. The top-soil will be spread, track-walked and seeded on the slopes after extraction is completed on each phase. A minimum of 2" of growth media will be spread and track-walked on the slopes. Seed (typical State DOT mix) will be applied at 1 lb./1,000 SF. The floor of the extraction area (bottom of excavation) will remain gravel until all phases are completed. The extraction area floor will be top-soiled & seeded during final reclamation.

K & H Civil will complete and apply for a multi-sector SWPPP for the duration of the extraction term. Included in the SWPPP will be pollution control guidelines, inspections forms & logs, responsible personnel and proper permit signage and display.

EXTRACTION PHASES

YR	RTY
A 1-2	92,000CY
B 3-5	130,000CY
C 6-8	150,000CY
D 9-10	60,000CY



★ FLOOR ELEVATION @ 290' ±
 ** TO BE DELINEATED IN FIELD

MTN Village, LLC
 Parcel: 17N02W13A4
SITE PLAN
 Material Extraction

K & H Civil
 Constructors, LLC
 (907)373-4133
 Wasilla, AK

Date: 3/24/16
 Scale: shown
 Draw: mpk

Sheet:
 1 of 1

TEST REPORT



DOWL HKM

Client: [REDACTED]
 Project: Mack Road / Clapp St.
 Work Order: A34234

Particle Size Distribution

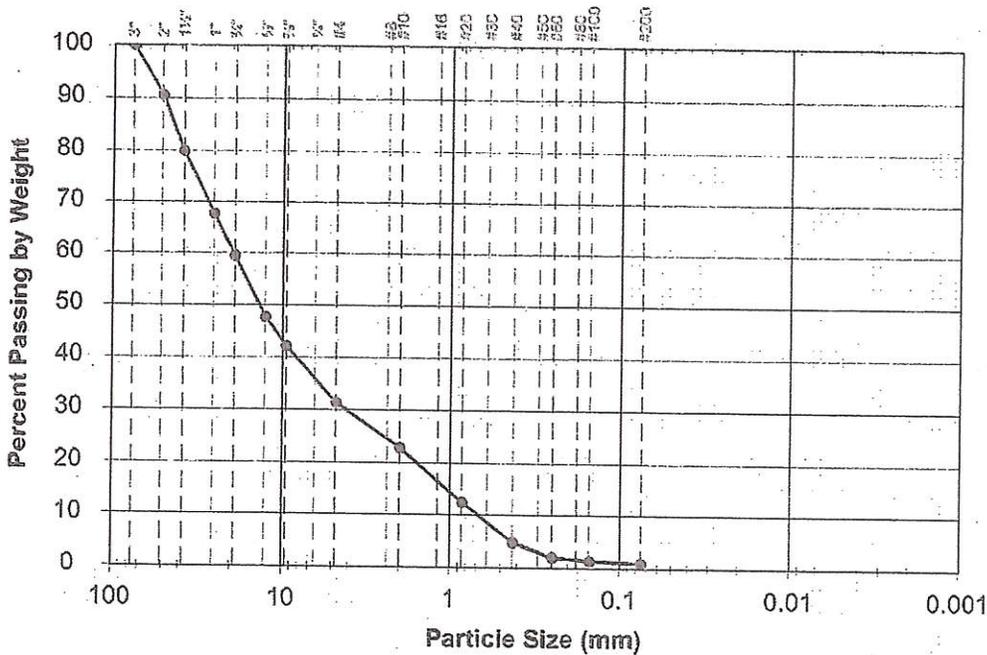
ASTM D422

Location: Test Pit #10 14'

Lab Number	2014-1593
Received	11/17/2014
Reported	11/20/2014

Engineering Classification: **Well Graded Gravel with Sand, GW**

Frost Classification: NFS



Size	Passing	Specification
3"	100%	
2"	91%	
1½"	80%	
1"	68%	
¾"	60%	
½"	48%	
¾"	42%	
#4	31%	
Total Weight of Sample 24430g		
#10	23%	
#20	13%	
#40	5%	
#60	2%	
#100	1%	
#200	1.1%	
Total Weight of Fine Fraction 322.3g		

Maria E. Kampsen, P.E. • 4041 B Street • Anchorage • Alaska • 99503 • 907/562-2000 • Fax 907/563-3953

Results - Case File Abstract

Summary

File: LAS 30932

Customer: 000059249 K & H CIVIL CONSTRUCTORS LLC
 PO BOX 877037
 WASILLA AK 99687

Case Type: 940 NONSTATE LAND RECLAMATION DNR Unit: 200 LAND MANAGEMENT
 File Location: SCDO LD SCDO LAND SECTION
 Case Status: 50 ACTIVE Status Date: 04/08/2016
 Total Acres: 5.700 Date Initiated: 04/08/2016
 Office of Primary Responsibility: LSC LAND-SOUTHCNTRL REG
 Last Transaction Date: 04/08/2016 Case Subtype: 9401 RECLAMATION PLAN
 Last Transaction: RPACPTD RECLAMATION PLAN ACCEPTED

Land Records

Meridian: S Township: 017N Range: 002W Section: 13 Section Acres: 6

Case Actions

04-08-2016 RECLAMATION PLAN ACCEPTED	
REC PLAN RECD DATE:	04-08-2016
ACREAGE TO BE MINED:	6
ESTIMATED TOTAL	92000
VOLUME:	
TYPE OF MATERIAL:	GRAVEL GRAVEL
6 ACRES/92000CY IS PHASE I, YEAR 2016-2017 OF FULL 2016-2025 RECLAMATION PLAN	

Legal Description

No legal description found

Tina Crawford

From: Porter, Chandler J (DNR) <chandler.porter@alaska.gov>
Sent: Friday, April 08, 2016 2:07 PM
To: Tina Crawford; matt@kxcivil.com
Subject: LAS 30932
Attachments: LAS30932_KXCIVIL_ReclamationPlan2016.pdf

Good Afternoon,

Please see the attached abstract for accepted Non-State Reclamation Plan LAS 30932.

Thank You,

Chandler Porter

Natural Resource Specialist II
(907) 269-8560

Department of Natural Resources
Division of Mining, Land & Water-Land Office
550 West 7th Avenue Suite 900c
Anchorage, AK 99501

K & H Civil Constructors, LLC

P.O. Box 877037

Wasilla, AK 99687

(907)373-4133; fax (907)373-4136

March 29, 2016

Land Use Permit

Site Plan Drawing- additional submittal to permit.



Matt Ketchum

K&H Civil Constructors, LLC

(907)229-8558

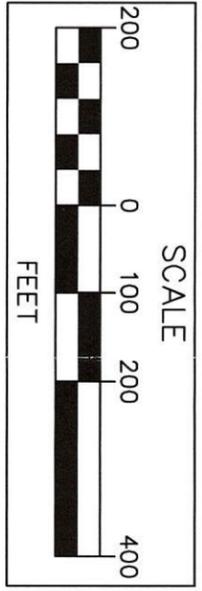
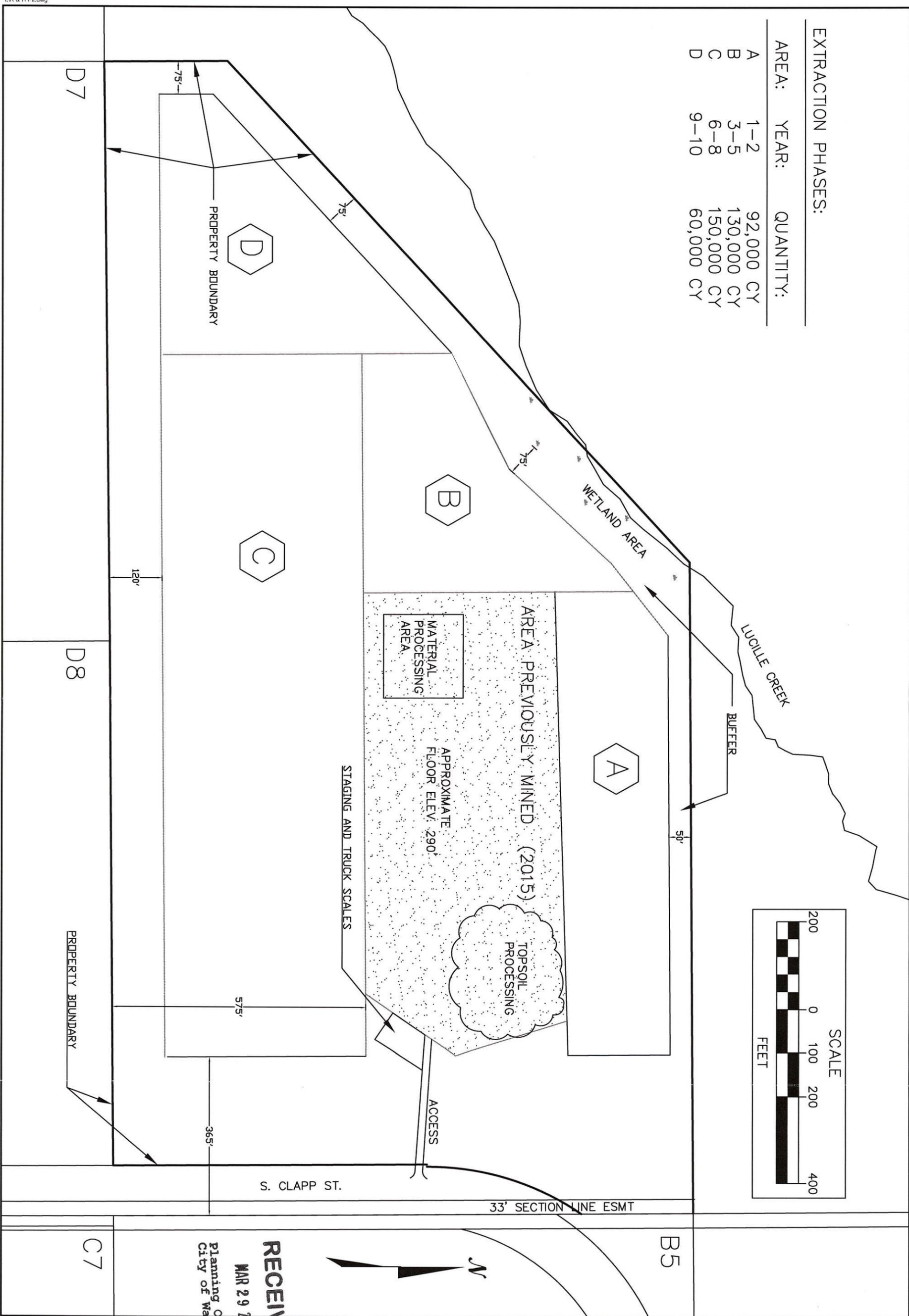
RECEIVED

MAR 29 2016

**Planning Office
City of Wasilla**

EXTRACTION PHASES:

AREA:	YEAR:	QUANTITY:
A	1-2	92,000 CY
B	3-5	130,000 CY
C	6-8	150,000 CY
D	9-10	60,000 CY



RECEIVED
 MAR 29 2016
 Planning Office
 City of Wasilla

K & H Civil Constructors, LLC
 Parcel: 17N02W13A4
 WASILLA, AK

REV	DATE	DESCRIPTION	BY

STATE OF ALASKA
 19th JUDICIAL CIRCUIT
 ROBERT E. WALDEN
 JUDGE
 3/29/16

SCALE
 HORZ: NA
 VERT: NA

SHEET
 01 of 01

PROJECT
 17N02W13A4

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Tina Crawford

From: Porter, Chandler J (DNR) <chandler.porter@alaska.gov>
Sent: Monday, May 02, 2016 11:03 AM
To: Tina Crawford
Subject: LAS 30932
Attachments: Scanned from a Xerox Multifunction Device.pdf

Here you go

-----Original Message-----

From: dnrscro@alaska.gov [<mailto:dnrscro@alaska.gov>]
Sent: Monday, May 02, 2016 11:01 AM
To: Porter, Chandler J (DNR) <chandler.porter@alaska.gov>
Subject: Scanned from a Xerox Multifunction Device

Please open the attached document. It was scanned and sent to you using a Xerox Multifunction Device.

Attachment File Type: pdf, Multi-Page

Multifunction Device Location:
Device Name: XRX9C934E4BE5A4

For more information on Xerox products and solutions, please visit <http://www.xerox.com>

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**STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER**

Northern Region
3700 Airport Way
Fairbanks, AK 99709
(907) 451-2740

Southcentral Region
550 W 7th Ave., Suite 900C
Anchorage, AK 99501-3577
(907) 269-8552

Southeast Region
400 Willoughby, #400
P.O. Box 111020
Juneau, AK 99801
(907) 465-3400

**MATERIAL SITE RECLAMATION PLAN OR
LETTER OF INTENT/ANNUAL RECLAMATION STATEMENT
AS 27.19.030 – 27.19.050**

Non-refundable filing fee for reclamation plan: \$100

In accordance with Alaska Statute 27.19, reclamation is required of all mining operations, including sand and gravel extraction. Completion of this form will meet the law's requirements for a **reclamation plan** (see below for filing requirements; due date: at least 45 days before mining is proposed to begin; requires approval by the Division of Mining, Land and Water). Completion of this form will also serve as a **letter of intent** for operations exempt from the plan requirement (due date: before mining begins). No approval is required for a letter of intent, but a miner who files a letter of intent must, before December 31, file an **annual reclamation statement** (Section 8 of this form).

LAS 30932

Check applicable box:

A. RECLAMATION PLAN (REQUIRED if the operation will disturb five or more acres this year, OR 50,000 cubic yards, OR if the operation has a cumulative disturbed area of five or more acres)

C. LETTER OF INTENT (less than five acres to be disturbed AND less than 50,000 cubic yards AND less than five acres unreclaimed area)
NOTE: A miner who files a letter of intent is also required to file an annual reclamation statement at the end of the year.

B. RECLAMATION PLAN—VOLUNTARY (for an operation below limits shown in Box A but wanting to qualify for the statewide bonding pool)

THIS RECLAMATION PLAN/LETTER OF INTENT IS FOR CALENDAR YEAR 2016-2025
(IF YOU CHECKED EITHER BOX A OR B ABOVE AND PROPOSE A MULTI-YEAR PLAN, STATE ALL YEARS COVERED.)

1. **MINER INFORMATION** (IF THERE IS MORE THAN ONE MINER, ATTACH A LIST OF THE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF ALL OTHER OWNERS, OPERATORS, OR LEASEHOLDERS OF THE MINING OPERATION)

K&H Civil Constructors, LLC - MATTHEW P KETCHUM

NAME OF MINER WHO WILL SERVE AS AGENT FOR NOTICE PURPOSES

P.O. Box 877037

ADDRESS (NOTIFY THE DEPARTMENT OF ANY LATER CHANGE OF ADDRESS)

Wasilla

AK

99687

(907) 373-4133

CITY

STATE

ZIP CODE

TELEPHONE

MTN VILLAGE, LLC

DAN F. KENNEDY, MGR MEMBER

NAME OF LANDOWNER (IF OTHER THAN MINER) OR PUBLIC LAND MANAGEMENT AGENCY

FEDERAL OR STATE CASEFILE NUMBER (IF ANY) ASSIGNED TO THE SITE

2. LEGAL DESCRIPTION OF PROPOSED MINING SITE

PHASE 1 (2016 - 2017)

SECTION 13 Lot A004 17N 2W SEWARD
LEGAL SUBDIVISION/ SECTION/ QUARTER-SECTION TOWNSHIP RANGE MERIDIAN

3. DESCRIPTION OF THE MINING OPERATION (IF YOU CHECKED BOX A OR B ON P. 1 OF THIS FORM AND ARE PROPOSING A MULTI-YEAR RECLAMATION PLAN, ATTACH SEPARATE SHEETS AS NEEDED SHOWING ACREAGE TO BE MINED, VOLUME TO BE MINED, AND EXISTING ACREAGE OF MINED AREA FOR EACH YEAR COVERED BY THE PLAN)

- a. 5.7 acres Total acreage to be mined or disturbed during the year.
b. 92,000 cu. yds. Estimated total volume to be mined or disturbed, including overburden.
c. Gravel Type of material (sand, gravel, peat, etc.).
d. 0 acres Existing acreage of mined area (disturbed area that has not yet been reclaimed, but counting only acreage disturbed after October 15, 1991)

4. DESCRIPTION OF THE RECLAMATION OPERATION

- a. The total acreage that will be reclaimed during the year (or each year, if for a multi-year reclamation plan) is: 5.7 (2016 - 2017)
b. Provide a list of equipment (type and quantity) to be used during the reclamation operation.
c. A time schedule of reclamation measures shall be included as part of the plan.

The following measures must be considered in preparing and implementing the reclamation plan. Please mark those measures appropriate to your reclamation activity:

- Topsoil that is not promptly redistributed to an area being reclaimed will be separated and stockpiled for future use. This material will be protected from erosion and contamination by acidic or toxic materials and preserved in a condition suitable for later use.
The area will be backfilled, graded and recontoured using strippings, overburden, and topsoil to a condition that allows for the reestablishment of renewable resources on the site within a reasonable period of time. It will be stabilized to a condition that will allow sufficient moisture to be retained for natural revegetation.
Stockpiled topsoil will be spread over the reclaimed area to promote natural plant growth that can reasonably be expected to revegetate the area within five years.
Stream channel diversions will be relocated to a stable location in the flood plain.
Exploration trenches or pits will be backfilled. Brush piles, vegetation, topsoil, and other organics will be spread on the backfilled surface to inhibit erosion and promote natural revegetation.
All buildings and structures constructed, used, or improved on land owned by the State of Alaska will be removed, dismantled, or otherwise properly disposed of at the completion of the mining operation.
Any roads, airstrips or other facilities constructed to provide access to the mining operation shall be reclaimed (unless otherwise authorized) and included in the reclamation plan.
Peat and topsoil mine operations shall ensure a minimum of two inches of suitable growing medium is left or replaced on the site upon completion of the reclamation activity.

- If extraction occurs within a flood plain, the reclamation activity shall reestablish a stable bed and bank profile such that river currents will not be altered and erosion and deposition patterns will not change.

NOTE: If you propose to use reclamation measures other than those shown above, or if the private landowner or public land manager of the site requires you to use stricter reclamation measures than those shown above, attach a list of those measures to this plan.

5. ALTERNATE POST-MINING LAND USE

- The mining site is public land. The land management agency's land use plan (if any) for post-mining land use is _____.
- The mining site is public land. As allowed by AS 27.19.030(b), I propose to reclaim it to the following post-mining land use: _____.
- The mining site is private property. The private landowner plans to use it for the following post-mining land use: Commercial Heavy Industrial

6. ATTACHMENTS

- If the mining operation has additional owners, operators, or leaseholders not shown on p. 1 of this form, attach a list of their names, addresses, and telephone numbers.
- Attach a USGS map at a scale no smaller than 1:63,360 (inch to the mile) showing the general vicinity of the mining operation and the specific property to be mined. Option: If you checked Box C on the first page of this form and the mining site is adjacent to an airport or public highway, state the name of the airport or the name and milepost of the public highway.
- Attach a diagram of the mined area (this term includes the extraction site, stockpile sites, overburden disposal sites, stream diversions, settling ponds, etc.) and the mining operation as a whole (this term includes the roads you plan to build, your power lines, support facilities, etc.). Show and state the number of acres to be mined during the year. (If you checked Box A or B on the first page of this form and your plan covers more than one year, show each year's work.) Show the location corners or property boundaries of the site in relation to the reclamation work and any other areas affected by the operation.
- Attach a list of the equipment (type and quantity) to be used during the reclamation activity.
- A time schedule of events must be attached that includes dates and activities related to this reclamation plan.
- If the site is private land not owned by the miner, attach a signed, notarized statement from the landowner indicating the landowner's consent to the operation. The landowner may also use the consent statement to notify the department that the landowner plans a post-mining land use incompatible with natural revegetation and therefore believes that reclamation to the standard of AS 27.19.020 is not feasible.
- For those miners that are required to file an annual reclamation statement, attach photographs and/or videotapes dated and described as to location of the reclamation activity that was completed.
- If you propose to use reclamation measures other than those listed on this form, or if the private landowner or public land manager of the site requires you to use stricter reclamation measures, attach a list of those measures.

7. RECLAMATION BONDING (REQUIRED ONLY IF YOU CHECKED BOX A or B ON THE FIRST PAGE OF THIS FORM)

The total acreage of my mining operation that is subject to the bonding requirement for the current year is

5.7 acres (add acreages stated in Section 3(a) and 3(d) of this form).

The per-acre bond amount is \$750/acre or a total bond amount of \$ 4,275.00.

Please check the appropriate bonding method that you will apply toward this reclamation plan:

- Participation in the statewide bonding pool.
- Posting a corporate surety bond.
- Posting a personal bond accompanied by a letter of credit, certificate of deposit, or a deposit of cash or gold.
- Posting a bond or financial guarantee with another government agency that has jurisdiction over the mining operation, as allowed by a cooperative management agreement between that agency and the Division of Mining, Land and Water.
- Posting a general performance bond with a state agency that meets the requirements of 11 AAC 97.400(4).

The above reclamation plan/letter of intent and all attachments are correct and complete to the best of my knowledge.

Matthew Keth
Signature of Miner

3/28/16
Date

AS 27.19.030 and AS 27.19.050 require a miner either to file a reclamation plan for approval or to file a letter of intent followed by an annual reclamation statement. AS 38.05.035(a) authorizes the director to decide what information is needed to process an application for the sale or use of state land and resources. This information is made a part of the state public land records and becomes public information under AS 40.25.110 and 40.25.120 (unless the information qualifies for confidentiality under AS 38.05.035(a)(9) and confidentiality is requested). Public information is open to inspection by you or any member of the public. A person who is the subject of the information may challenge its accuracy or completeness under AS 44.99.310, by giving a written description of the challenged information, the changes needed to correct it, and a name and address where the person can be reached. False statements made in an application for a benefit are punishable under AS 11.56.210.

K & H Civil Constructors, LLC

P.O. Box 877037

Wasilla, AK 99687

(907)373-4133; fax (907)373-4136

Reclamation Plan

MTN Village, LLC Parcel 17N02W13A4

Location:

The proposed site was mined in 2015 for the construction of the S. Clapp Road construction. Approximately 8 acres were cleared and mined in 2015. The parcel is located at 1614 S. Clapp Road. The parcel is 63.48 acres. It is zoned *Industrial* by the City of Wasilla.

The proposed extraction limits will mine approximately 44 acres (including the 8 acres mined in 2015) of the parcel. This will create a 19.5 acre vegetative buffer around the perimeter of the parcel. The final limits of the extraction area are shown on the attached Site Plan.

The parcel is located in the N1/2 SE1/4 Sec 13, Township 17N Range 2W, Seward Meridian.

Site Description:

The proposed extraction area is located near the bottom of a large glacial moraine slope on a plain adjacent Lucille Creek. Vegetation consists of Spruce, Birch and Aspen dense forest.

Material extraction will not occur within 200' of Lucille Creek or 75' of any identified wetlands. US Army CORP of Engineers does not regulate extraction near wet lands. Therefore, they do not have a minimum "set back" for extraction. 75' is specifically used as a precaution. The CORP does regulate "fill" and discharge into wet lands. This plan does neither.

The extraction limits will remain a minimum of 4' above water table. Total excavation depth will range from 9' to 15'.

No buildings or structures are currently on the site. The closest structure is approximately 1,500' to the south. Properties immediately adjacent to the parcel are generally undeveloped private parcels and a City of Wasilla parcel.

A minimum vegetative buffer of 100' will be maintained on the East side of the parcel on the frontage of S. Clapp Rd. There are 2 commercial approaches accessing the parcel. Only one will be used for material extraction access. See Site Plan.

The overburden (top soil) is 6" to 1.5' deep. The gravel below the over-burden is Well Graded Gravel with Sand, GW. The gravel is coarse and clean with less than 2% retained on the 200 sieve (see DOWL test report). K & H Civil estimates an additional 500,000 CY can be extracted

(907)373-4133

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from the remaining 36 AC. Gravel will be sold in the local market for public works and private projects.

Access:

The parcel has 2 commercial size, paved approaches off S. Clapp Rd. on the East side of the parcel. Only one of the approaches will be used for access. This provides excellent access into and out of the parcel. There is a gate approximately 100' from the shoulder of S. Clapp Rd. K & H Civil will affix a sign on the gate for security and other information purposes. Traffic signs (Trucks Crossing) will be used on higher truck volume days.

Term:

The proposed duration of the material extraction will be 10 years, beginning in May 2016. The majority of extraction will be limited to the construction season, May through October. Work in the parcel will be limited to Monday through Friday from 7 AM to 8 PM. Work on the weekends will be by appointment.

A certified, commercial truck scale will be installed on the parcel. A single front end, wheeled loader will typically load highway legal trucks. Approximately 200 to 300 CY per hour can be extracted/loaded. However, a typical day will consist of 1,000 CY extracted. All truck loads will be weighed before exiting the parcel to ensure DOT weight limit compliance.

Mining Plan:

The parcel will be mined in 4 phases over the 10 year term (see Site Plan.) Each phase will separately be cleared of timber and stumps removed or ground. Top Soil will be salvaged for processing and final reclamation needs. The salvaged top soil will be bermed/stockpiled around the perimeter of the extraction area. All storm water, if any, will be collected in the excavation area. It will infiltrate the ground or evaporate. No storm water will flow off the parcel. A multi-sector SWPPP will be designed and submitted to ADEC for the duration of the extraction activities.

During extraction and reclamation, dust control measures will be taken to reduce potential fugitive dust. Dust mitigation will be addressed in the SWPPP. Permanent dust mitigation will be seeding reclaimed areas. If necessary, dust tracking off site will be mitigated by street sweeping.

(907)373-4133

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At the completion of each phase of extraction, the adjacent gravel slopes will be graded to a 2:1 slope with topsoil spread on the slope. These slopes will be seeded to create a permanent vegetative slope. At the completion of the 10-year term, the entire floor area will have top soil spread, tracked and seeded.

Equipment:

During tree clearing and grubbing operations, larger excavators, dozers and stump grinders will be used. This activity will only last approximately 2 weeks per year. A dozer (60,000 lb.) will be used to strip the top soil off the gravel. Material extraction will mostly occur using a wheeled front-end loader (70,000 lb.) Material processing may occur from time to time in the limits of the extraction area. Material stockpiles will be adjacent the processing plants and in the extraction area. A temporary commercial truck scale will be installed on the parcel in the staging area (see Site Plan.)

Reclamation Equipment List:

Large Dozer	75,000 lb.	1 EA
Med./Small Dozers	25 - 50,000 lb.	2 EA
Wheeled Loader	40 - 50,000 lb.	1 EA
Hydro Seeder	½ AC capacity	1 EA

Reclamation:

During each planned phase of material extraction, reclamation will take place. After tree clearing, the top soil and over-burden will be bermed on the perimeter of the extraction area. The top-soil will be spread, track-walked and seeded on the slopes after extraction is completed on each phase. A minimum of 2" of growth media will be spread and track-walked on the slopes. Seed (typical State DOT mix) will be applied at 1 lb./1,000 SF. The floor of the extraction area (bottom of excavation) will remain gravel until all phases are completed. The extraction area floor will be top-soiled & seeded during final reclamation. Each of the four phases will be reclaimed when the extraction is complete. Therefore, four specific reclamation activities will occur over the 10 year plan.

Mtn. Village, LLC

Dan F. Kennedy, Member

4701 E. Shoreline Cir. Wasilla, Alaska 99654

907.982-6430 kennedy@kennedycpas.com

TO: ALASKA DEPT. OF NATURAL RESOURCES

Whereas, the site is private land owned by Mtn. Village LLC, and HEREBY consents to the operation by K&H Civil, LLC.

Further, Mtn. Village LLC wishes to notify the department that we plan for a post-mining commercial land use, which will be incompatible with natural re-vegetation requirement, and therefore, we believe that reclamation to the standard of AS 27.19.020 is not necessary. After the gravel operation, the site will be used for commercial development, and therefore, are not reclaiming the pit floor or east and west slopes.

IN WITNESS WHEREOF,

DATED this 28th day of March, 2016.

D. Kennedy
DAN F. KENNEDY – Managing Member

On this 28 day of March, 2016, before me, the undersigned, a Notary Public for the State of Alaska, personally appeared DAN F. KENNEDY, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.



(SEAL)

Suzanna R. Winn

Notary Public for the State of Alaska

Full Printed Name: Suzanna R. Winn
Residing at - Wasilla, AK

My commission expires 9/11/16

STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER

Northern Region
3700 Airport Way
Fairbanks, AK 99709
(907) 451-2705

Southcentral Region
550 W 7th Avenue, Ste 900
Anchorage, AK 99501-3577
(907) 269-8552

Southeast Region
P.O. Box 111020
400 Willoughby, #400
Juneau, AK 99801
(907) 465-3400

LAND USE PERFORMANCE GUARANTY
(CORPORATE SURETY)

Contract, Permit, or Lease – State File # _____
Surety Bond No. 757504P

Know all people by these presents, that the undersigned
K & H Civil Constructors, LLC

, a (corporation / partnership / sole proprietor / LLC /
Joint Venture – *circle one*), organized and existing under the laws of the State of Alaska, as Principal, and
Developers Surety and Indemnity Company organized and existing under the laws of the State of
Iowa and licensed to do business in the State of Alaska, as Surety, are held and firmly bound unto the
State of Alaska, Department of Natural Resources, in the sum of Forty Two Hundred Seventy Five DOLLARS,
(\$ 4,275.00) for the payment of which sum we hereby jointly and severally bind ourselves, our successors, and assigns.

THE OBLIGATIONS of this bond are as follows:

1. The Principal is by written agreement entering into a contract, permit, or lease with the State of Alaska ("the State") involving State land, which agreement is identified as _____ (State file # and agreement type), hereinafter "the agreement," and is, by reference, incorporated fully herein in all its terms and made a part of this bond.
2. In accordance with State regulations at 11 AAC 96.060, the Alaska Department of Natural Resources ("the department") has determined that the Principal is required to furnish the State of Alaska a corporate surety bond, acceptable to the department and conditioned upon compliance with all terms of the agreement.
3. The Principal has chosen to post this corporate surety bond with the department as a guarantee that the obligations, terms, and conditions of the agreement will be completed as required by the Alaska Land Act, AS 38.05, and attendant regulations at 11 AAC 96.
4. The coverage of this bond extends to the Principal's obligations under the agreement and under applicable laws and regulations, to assure that all of the activities on and uses of the land subject to the agreement are conducted by the Principal in compliance with the obligations, terms, and conditions of the agreement.
5. Upon a determination by the State that the Principal has satisfactorily complied with the obligations, terms and conditions of the agreement pertaining to activities on and uses of the land, and the applicable laws and regulations, then the obligations of this bond shall be released; otherwise, this bond shall remain in full force and effect until released in writing by the State.
6. The Principal and Surety agree that:
 - (a) unless the Principal has replaced this bond with other guaranty acceptable to the department conditioned upon compliance with all terms of the agreement, coverage under this bond shall extend to and include any extension(s) in time of the agreement, such coverage to continue irrespective of the expiration of the obligations, terms, and conditions originally set forth in the agreement; the Surety shall not cancel this bond unless released in writing by the State;
 - (b) notwithstanding any modifications of the agreement approved by the department, this bond remains in full force and the Surety waives, as a defense against the State, any right to notice of any such modifications;
 - (c) The department shall review this bond from time to time and may require an adjustment in the amount of the bond. No increase in bond amount shall bind the surety without the surety's written consent;
 - (d) the neglect or forbearance of the State in enforcing against the Principal performance by the Principal of any obligation, term, or condition of the agreement shall not in any way release the Principal or Surety from liability under this bond;
 - (e) whenever the Principal shall be, and is declared by the State to be, in default under the obligations, terms, and conditions of the agreement, the State shall notify the Principal and Surety. Upon receipt of a notice of the Principal's default from the State and demand by the State for performance or payment, the Surety shall promptly pay the face value of this bond to the State, or in lieu of paying the face amount, the director may approve the Surety's remedy of the default by the Surety fully completing the performance of the Principal's obligations under the agreement. The Surety's completion of the performance of the Principal's obligations under the agreement does not relieve the Principal of its obligations under the agreement;

- (f) the Principal or the Surety must promptly notify the department and the principal of any action filed alleging the insolvency or bankruptcy of the Surety or the Principal or alleging any violations which could result in suspension or revocation of the surety's right to do business in the State of Alaska; and
- (g) upon the incapacity of the Surety by reason of bankruptcy, insolvency, or suspension or revocation of its license, the Principal shall be deemed to be without bond coverage in violation of 11 AAC 96.060 and AS 38.05 and subject to enforcement actions described therein.

[Copy, fill-out, and attach the below if more signatures are necessary]

PRINCIPAL

Signed and executed this 7th day of APRIL, 20 16
 BY: Matthew P. Ketchum Member/manager
(Print name) (Title)
PO Box 877037 Wasilla, AK 99687
(Address of Principal)
 By: *Matthew P. Ketchum*
(Signature of Officer/owner/partners/members/managing member) ---- (Seal) ----

ACKNOWLEDGEMENT OF PRINCIPAL

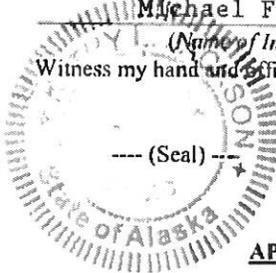
The foregoing instrument was acknowledged before me by Matthew P. Ketchum this 7th day of APRIL, 2016
(Name of Individual)
 Witness my hand and official seal
Michael F. Combs, JR
(Signature of Notary Public) My Commission Expires: 01-27-2019
 ---- (Seal) ----

SURETY

Signed and executed this 1st day of April, 20 16
 BY: Michael F. Combs Attorney-in-fact
(Print name) (Title)
PO Box 19725 Irvine, CA 92623
(Address of Surety)
 By: *Michael F. Combs*
(Signature of Officer) ---- (Seal) ----

ACKNOWLEDGEMENT OF SURETY

The foregoing instrument was acknowledged before me by Michael F. Combs this 1st day of April, 20 16
(Name of Individual)
 Witness my hand and official seal
Yancy Jackson
(Signature of Notary Public) My Commission Expires: 09-18-19
 ---- (Seal) ----



APPROVAL AND ACCEPTANCE BY THE STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES

By: _____
Signature of Authorized State Representative Title Date

State File # _____
 Bond No. _____

POWER OF ATTORNEY FOR
 DEVELOPERS SURETY AND INDEMNITY COMPANY
 INDEMNITY COMPANY OF CALIFORNIA
 PO Box 19725, IRVINE, CA 92623 (949) 263-3300

KNOW ALL BY THESE PRESENTS that except as expressly limited DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint

Michael F. Combs, Aaron E. Combs, jointly or severally

as their true and lawful Attorney(s) in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s) in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s) in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice President, Senior Vice President or any Vice President of the corporations be, and that each of them hereby is authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship and that the Secretary or any Assistant Secretary of either of the corporations be and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this May 23, 2013.

By *Daniel Young*
 Daniel Young, Senior Vice President

By *Gregg N. Okura*
 Gregg N. Okura, Vice President



State of California
 County of Orange

On May 23, 2013 before me
 Date

Gina L. Garner, Notary Public
 Here Insert Name and Title of the Officer

personally appeared

Daniel Young and Gregg N. Okura
 Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

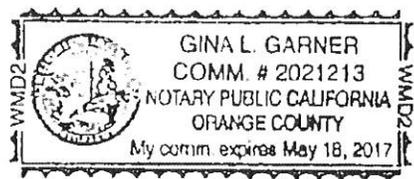
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Gina L. Garner

Signature

Gina L. Garner, Notary Public



Place Notary Seal Above

CERTIFICATE:

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and furthermore that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 1st day of April, 2016

By *Mark J. Lansdon*
 Mark J. Lansdon, Assistant Secretary

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Tina Crawford

From: Porter, Chandler J (DNR) <chandler.porter@alaska.gov>
Sent: Monday, May 02, 2016 11:03 AM
To: Tina Crawford
Subject: LAS 30932
Attachments: SCRO Land001.pdf

And the map

-----Original Message-----

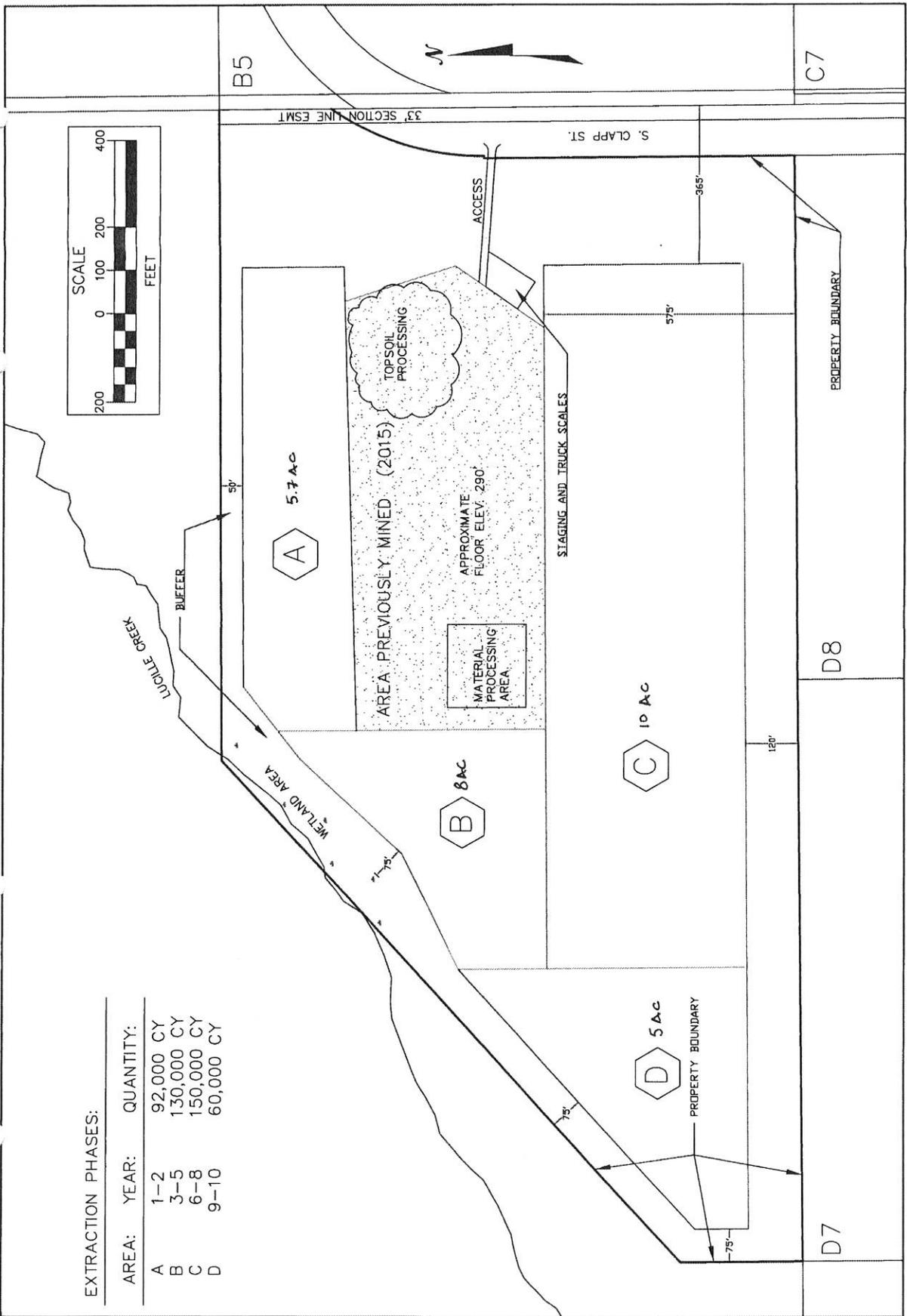
From: dnrscro@alaska.gov [<mailto:dnrscro@alaska.gov>]
Sent: Monday, May 02, 2016 11:59 AM
To: Porter, Chandler J (DNR) <chandler.porter@alaska.gov>
Subject: SCRO Land

Please open the attached document. It was scanned and sent to you using a Xerox multifunction device.

Attachment File Type: pdf

multifunction device Location: machine location not set
Device Name: XRX_0000AAFA128B

SCRO Land



EXTRACTION PHASES:

AREA:	YEAR:	QUANTITY:
A	1-2	92,000 CY
B	3-5	130,000 CY
C	6-8	150,000 CY
D	9-10	60,000 CY

CERTIFICATE OF SERVICE

1. I am the Planning Clerk for the City of Wasilla.
2. I certify on this 29 day of March, 2016, I mailed 92 notices of: _____ via first class U.S. Mail and by hand delivery regarding the following:

Land Use Permit # UP 16-02.

Residents within 1,200'	<u>62</u>
Review Agencies	<u>25</u>
Planning Commissioners & City Council Members	<u>11</u>
Total	<u>98</u>

DATED at Wasilla, Alaska, March 29, 2016.

CITY OF WASILLA

Tahirih Revet
TAHIRIH REVET
Planning Clerk

Attest:

TINA CRAWFORD
City Planner

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CITY OF WASILLA

290 E HERNING AVENUE
WASILLA AK 99654-9050
PHONE: (907) 373-9050
FAX: (907) 373-9092

NOTICE OF APPLICATION FOR USE PERMIT

APPLICANT: K&H CIVIL CONSTRUCTORS, LLC
OWNER: MOUNTAIN VILLAGE LLC

LOCATION: T17N, R2W, SEC. 13, LOCATED AT 1614 S. CLAPP STREET

FILE NO: UP 16-02

PROJECT: Approval of a gravel extraction site, which is located at 1614 S. Clapp Street, Lot A4, Township 17 North, Range 2 West, Section 13. The subject property is zoned Industrial, which requires approval of a Use Permit for a gravel extraction in accordance with WMC 16.12.020(A)(3) and WMC 16.20.020.

Comments may be submitted in writing. Please, submit comments or requests for more information by April 13, 2016 to:

CITY OF WASILLA
PLANNING OFFICE
290 EAST HERNING AVE
WASILLA, AK 99654

TELEPHONE: 373-9020, 373-9022
OR FAX: 373-9021

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- NOTICE OF APPLICATION FOR USE PERMIT -

DATE: March 30, 2016
APPLICANT (S): K&H Civil Constructors, LLC
OWNER: Mountain Village LLC

CASE: U16-02

REQUEST: Approval of a gravel extraction site, which is located at 1614 S. Clapp Street, Lot A4, Township 17 North, Range 2 West, Section 13. The subject property is zoned Industrial, which requires approval of a Use Permit for a gravel extraction in accordance with WMC 16.12.020(A)(3) and WMC 16.20.020.

You are being notified of this proposed action in accordance with Chapter 16.12 of the Wasilla Municipal Code, as you own property within 1,200 feet of the subject parcel.

Comments may be submitted in writing by filling in the spaces below and mailing to: City of Wasilla, Planning Office, 290 E. Herning Ave, Wasilla, AK 99654. If there is not enough room below please attach a separate piece of paper. You may also fax to (907) 373-9021 or email comments to planning@ci.wasilla.ak.us. Comments on the land use permit must be received by **April 13, 2016**.

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

Name _____

Address _____

Lot _____ Block _____ Subdivision _____

Comments:



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

FIRST CLASS

PUBLIC NOTICE

17N01W18A006
PRATER NEAL C
PO BOX 211972
ANCHORAGE, AK 99521-1972

17N01W18A007
HALL ROLAND H & NEION
2920 W MILL SITE RD
WASILLA, AK 99654-0746

17N01W18A010
MOBLEY MARK & KATHERINE
2901 W MILL SITE RD
WASILLA, AK 99654-0746

17N01W18A011
DUFF MICHAEL T
2801 W MILL SITE CIR
WASILLA, AK 99654

17N01W18A012
EICHELE PAULETTE K
2701 W MILL SITE CIR
WASILLA, AK 99654

17N01W18A015
KATKUS JOHN S & TAFFINA S
2652 W BAILEY AVE
WASILLA, AK 99654

17N01W18A017
MENEHIN CHRIS & TINA S
1101 E DELLWOOD ST
WASILLA, AK 99654

17N01W18A018
HOULIHAN MICHAEL J
PO BOX 872663
WASILLA, AK 99687-2663

17N01W18A019
MCGUIGGAN NANCY M
PO BOX 872663
WASILLA, AK 99687-2663

17N01W18A020
GATES NANCY K
2852 W MILL SITE CIR
WASILLA, AK 99654-0775

17N01W18A021
BLANNING WM J
PO BOX 870124
WASILLA, AK 99687-0124

17N01W18A023
MTN VILLAGE LLC
4701 E SHORELINE CIR
WASILLA, AK 99654

17N01W18B005
ALDEMAN CHAS O
7362 W PARKS HWY
#513
WASILLA, AK 99623-9300

17N01W18C007
LAURIE VIVIAN C EST
LAURIE ROBT B TR B
PO BOX 33543
% ROBERT LAURIE
JUNEAU, AK 99803-3543

17N01W18C008
ALLEN BETH MARIE
ALLEN DEBORAH L & RABE C K
ALLEN ROBT D &
2905 NE 5TH PL
RENTON, WA 98056

17N01W18D003
FIFE JAS M & JILL A
PO BOX 876938
WASILLA, AK 99687-6938

17N01W18D004
MCCOURT BRADLEY L & JANE C
PO BOX 877286
WASILLA, AK 99687-7286

17N01W18D006
SHAW KIN Y & SON C
PO BOX 110637
ANCHORAGE, AK 99511-0637

17N01W18D011
RINEHART HAZEL
PO BOX 871146
WASILLA, AK 99687-1146

17N01W18D012
OINES DAVID A & DEENA L
PO BOX 871126
WASILLA, AK 99687

17N01W18D013
FARMER KENNETH A
2826 W JAMES T CIR
WASILLA, AK 99654

17N01W18D015
EVANS DARBY T
PO BOX 242062
ANCHORAGE, AK 99524-2062

17N01W18D016
SCHOOLFIELD JOSEPH M & KE
2829 W JAMES T CIR
WASILLA, AK 99654

17N01W18D017
BLOKER DALE D
2500 HASTINGS LN
ANCHORAGE, AK 99504

17N01W18D018
THOMAS ROBERT D
NORMANDIN CINDY
1901 S MACK DR
WASILLA, AK 99654-0764

17N01W18D020
WAY KENNETH D & AMBER R
1801 S MACK DR
WASILLA, AK 99654-1064

17N01W18D021
KLOTUNOWITCH JOHN M
PO BOX 877625
WASILLA, AK 99687-7625

17N01W18D022
CARNEY CHRISTOPHER S & K A
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Claudia Pinard
646 Peck Street
Wasilla, AK 99654

COW Public Works Director
Archie Giddings

City Council

City Council

City Council

City Council

City Council

City Council

CERTIFICATE OF SERVICE

- 1. I am the Planning Clerk for the City of Wasilla.
- 2. I certify on this 20 day of April, 2016, I mailed 92 notices of: _____ via first class U.S. Mail and by hand delivery regarding the following:

Land Use Permit # UP 16-02 . Elevated

Residents within 1,200' 62

Review Agencies 25

Planning Commissioners & City Council Members 11

Total 98

DATED at Wasilla, Alaska, April 20, 2016

CITY OF WASILLA

Tahirih Revet

TAHIRIH REVET
Planning Clerk

Attest:

TINA CRAWFORD
City Planner

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CITY OF WASILLA

290 E HERNING AVENUE
WASILLA AK 99654-9050
PHONE: (907) 373-9050
FAX: (907) 373-9092

NOTICE OF APPLICATION FOR ELEVATED USE PERMIT

APPLICANT: K&H CIVIL CONSTRUCTORS, LLC
OWNER: MOUNTAIN VILLAGE LLC

LOCATION: T17N, R2W, SEC. 13, LOCATED AT 1614 S. CLAPP STREET

FILE NO: UP 16-02

PROJECT: Approval of a gravel extraction site, which is located at 1614 S. Clapp Street, Lot A4, Township 17 North, Range 2 West, Section 13. The subject property is zoned Industrial, which requires approval of a Use Permit for a gravel extraction in accordance with WMC 16.12.020(A)(3) and WMC 16.20.020.

Comments may be submitted in writing. Please, submit comments or requests for more information by **May 3, 2016** to:

CITY OF WASILLA
PLANNING OFFICE
290 EAST HERNING AVE
WASILLA, AK 99654

TELEPHONE: 373-9020, 373-9022
OR FAX: 373-9021

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- NOTICE OF APPLICATION FOR ELEVATED USE PERMIT -

DATE: April 19, 2016
APPLICANT (S): K&H Civil Constructors, LLC
OWNER: Mountain Village LLC

CASE: U16-02

REQUEST: Approval of a gravel extraction site, which is located at 1614 S. Clapp Street, Lot A4, Township 17 North, Range 2 West, Section 13. The subject property is zoned Industrial, which requires approval of a Use Permit for a gravel extraction in accordance with WMC 16.12.020(A)(3) and WMC 16.20.020.

You are being notified of this action as you are a property owner either within 1,200' of the subject property or nearby property, (WMC 16.16.040). A Planning Commission public hearing on this request is scheduled for **May 10, 2016 at 6:00 PM** in the City Council Chambers. Comments may be submitted in writing by filling in the spaces provided below and mailing to: City of Wasilla, Planning Office, 290 E. Herning Ave, Wasilla, AK 99654. If there is not enough room below please attach a separate piece of paper. Comments may also be faxed to (907) 373-9021 or emailed to planning@ci.wasilla.ak.us. Written comments on this request must reach the Planning Office on or before **May 3, 2016** in order to be included in the packet. Comments received after that date will be available at the public hearing.

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

Name _____

Address _____

Lot _____ Block _____ Subdivision _____

Comments: _____



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

«ACCOUNT»
«OWNER_1»
«NAME_2»
«ADD_LINE_A»
«ADD_LINE_B»
«OWN_CITY», «OWN_STATE»
«OWN_ZIP»

FIRST CLASS

PUBLIC NOTICE

USE PERMIT 16-02

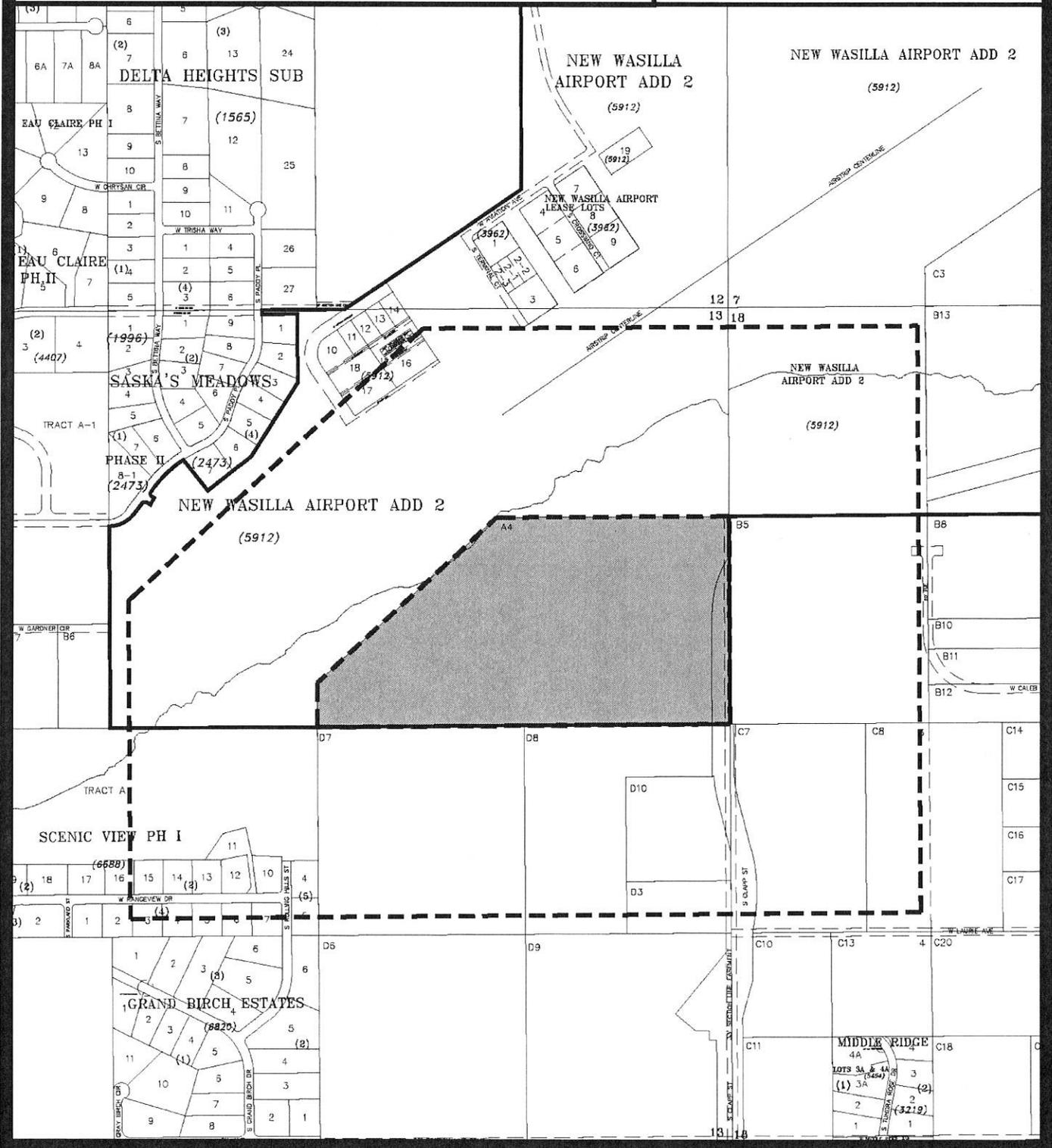
Use Permit application for an approval of
a gravel extraction site
LOCATED WITHIN
Lot A4, Sec. 13, T17N, R02W, S.M., AK.



SCALE IN FEET



HD 09 MSB Tax Map



17N01W18A006
PRATER NEAL C
PO BOX 211972
ANCHORAGE, AK 99521-1972

17N01W18A007
HALL ROLAND H & NEION
2920 W MILL SITE RD
WASILLA, AK 99654-0746

17N01W18A010
MOBLEY MARK & KATHERINE
2901 W MILL SITE RD
WASILLA, AK 99654-0746

17N01W18A011
DUFF MICHAEL T
2801 W MILL SITE CIR
WASILLA, AK 99654

17N01W18A012
EICHELE PAULETTE K
2701 W MILL SITE CIR
WASILLA, AK 99654

17N01W18A015
KATKUS JOHN S & TAFFINA S
2652 W BAILEY AVE
WASILLA, AK 99654

17N01W18A017
MENEHIN CHRIS & TINA S
1101 E DELLWOOD ST
WASILLA, AK 99654

17N01W18A018
HOULIHAN MICHAEL J
PO BOX 872663
WASILLA, AK 99687-2663

17N01W18A019
MCGUIGGAN NANCY M
PO BOX 872663
WASILLA, AK 99687-2663

17N01W18A020
GATES NANCY K
2852 W MILL SITE CIR
WASILLA, AK 99654-0775

17N01W18A021
BLANNING WM J
PO BOX 870124
WASILLA, AK 99687-0124

17N01W18A023
MTN VILLAGE LLC
4701 E SHORELINE CIR
WASILLA, AK 99654

17N01W18B005
ALDEMAN CHAS O
7362 W PARKS HWY
#513
WASILLA, AK 99623-9300

17N01W18C007
LAURIE VIVIAN C EST
LAURIE ROBT B TR B
PO BOX 33543
% ROBERT LAURIE
JUNEAU, AK 99803-3543

17N01W18C008
ALLEN BETH MARIE
ALLEN DEBORAH L&
RABE C K ALLEN ROBT D&
2905 NE 5TH PL
RENTON, WA 98056

17N01W18D003
FIFE JAS M & JILL A
PO BOX 876938
WASILLA, AK 99687-6938

17N01W18D004
MCCOURT BRADLEY L & JANE C
PO BOX 877286
WASILLA, AK 99687-7286

17N01W18D006
SHAW KIN Y & SON C
PO BOX 110637
ANCHORAGE, AK 99511-0637

17N01W18D011
RINEHART HAZEL
PO BOX 871146
WASILLA, AK 99687-1146

17N01W18D012
OINES DAVID A & DEENA L
PO BOX 871126
WASILLA, AK 99687

17N01W18D013
FARMER KENNETH A
2826 W JAMES T CIR
WASILLA, AK 99654

17N01W18D015
EVANS DARBY T
PO BOX 242062
ANCHORAGE, AK 99524-2062

17N01W18D016
SCHOOLFIELD JOSEPH M & KE
2829 W JAMES T CIR
WASILLA, AK 99654

17N01W18D017
BLOKER DALE D
2500 HASTINGS LN
ANCHORAGE, AK 99504

17N01W18D018
THOMAS ROBERT D
NORMANDIN CINDY
1901 S MACK DR
WASILLA, AK 99654-0764

17N01W18D020
WAY KENNETH D & AMBER R
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Archie Giddings

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City Council

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 16-05**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING USE PERMIT NUMBER U16-02 FOR A GRAVEL EXTRACTION OPERATION ON LOT A4, TOWNSHIP 17 NORTH, RANGE 2 WEST, SECTION 13.

WHEREAS, K & H Civil Constructors, LLC, submitted Use Permit Number 16-02 requesting approval of a gravel extraction operation located at 1614 S. Clapp Street, Lot A4, Township 17 North, Range 2 West, Section 13; and

WHEREAS, the application included the required site plan and narrative that addresses the general approval criteria in §16.16.050 of the Wasilla Municipal Code; and

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

WHEREAS, a notice of the public hearing was published in the Frontiersman on May 3, 2016; and

WHEREAS, the Planning Commission held a public hearing on this request on May 10, 2016; and

WHEREAS, the Wasilla Planning Commission deliberated on this request taking into account the information submitted by the applicants, evaluation and recommendations of staff contained in the staff report, public testimony - both written and verbal comments, the applicable provisions of the Wasilla Land Development Code and Comprehensive Plan, and other pertinent information brought before them; and

WHEREAS, the Wasilla Planning Commission adopted Findings of Fact, attached as Exhibit A, summarizing basic facts and reasoning of the Commission; and

NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission hereby approves this application with the Findings of Fact, attached as Exhibit A and incorporated herein, with the following conditions:

1. Gravel extraction is approved for a ten year period beginning the date of approval by the Wasilla Planning Commission. Additional review/approval by the Wasilla Planning Commission is required to extend the extraction period.
2. The gravel extraction operation must be consistent with the approved site plan date stamped March 29, 2016, included as Exhibit B to Resolution Serial No. 16-05.) Any substantial modifications to the plans must be submitted to the Wasilla Planning Commission for review and approval.
3. Excavation may not exceed the existing elevation in the deepest section of the previously excavated area of the site or eight feet from the water table, whichever is a higher elevation. The elevation of the deepest section must be determined by a licensed surveyor and provided to the Planning Department before any additional excavation occurs on site.
4. Any type of rock crushing is prohibited on the site.
5. Gravel extraction may only occur between May and October.
6. Hours of operation are limited to Monday through Friday from 7 AM to 8 PM.
7. The slopes of the excavation areas must be less than or equal to a 2:1 slope.
8. A minimum of 30% of the parcel must remain in natural vegetation.

9. Per WMC 16.33.030(D), native vegetation shall be preserved and no clearcutting is allowed within 75 feet of the mean high water mark of any body of water, including a lake, stream, or river. Additionally, no extraction may occur within 200' of Lucille Creek or 75' of any identified wetlands.
10. Reclamation of the site must be consistent with the State of Alaska Material Site Reclamation Plan attached to this permit. However, instead of leaving the pit floor as gravel, the floor must be covered with topsoil and seeded with grass during final reclamation after all phases are completed.
11. The applicant must consult with DEC and follow the appropriate stormwater procedures and regulations.
12. Obtain all other necessary federal, state, borough, and/or local review and/or permits.

ADOPTED by the Wasilla Planning Commission on --, 2016.

APPROVED:

Jessica Dean, Chairman

Date

ATTEST:

Tina Crawford, AICP, City Planner

EXHIBIT A
Wasilla Planning Commission Resolution 15-01
FINDINGS OF FACT – 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 is not an adopted neighborhood plan for this area.

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

Finding: The Comprehensive Plan's *Expected Future Land Use Map* has this property designated as "Generally Industrial" and the following Comprehensive Plan Goals/Objectives/Actions apply to the proposed gravel pit:

- Chapter 3, Transportation, Goal 3, Objective 3.4 – Ensure that land uses adjoining the multi-modal node support and utilize the strategic transportation linkages.
 - Action 3.4.2 – Develop a conceptual site master plan for the transportation node and surrounding lands, which considers compatibility, connectivity, and buffering between non-compatible uses.
- Chapter 4, Land Use, Industrial, Intent – The Industrial designation provides for a variety of employment and economic development opportunities and seeks to preserve key industrial lands for existing and future industrial economic development.
 - Description – This designation allows a variety of industrial uses, including office industrial parks...Development is compatible with adjacent residential areas in terms of physical scale, intensity of activities, and through buffering and transitions...Uses may include manufacturing, major transportation operations, research and development,

industrial/business parks, warehousing and distribution, equipment and materials storage, vehicle and equipment repair, waste management and similar uses. Certain areas may allow for processing and distribution of natural resources and hazardous materials.

- Chapter 4, Land Use, Goal 2, Objective 2.2 – Ensure adequate land area preserved for industrial and manufacturing-type uses.

As proposed, the extraction plan/design for the gravel pit is not consistent with the goals and objectives above or the intent of the Generally Industrial future land use designation.

However, with the following conditions proposed by staff, the project will be substantially consistent with the Comprehensive Plan since it ensures that the site can be redeveloped in the future with economically viable land uses that support the multi-modal transportation node (City airport) and are compatible with the Menard Sports Center and existing and future residential and commercial uses along the new Clapp Road extension.

- Condition 1: Excavation may not exceed the existing elevation in the deepest section of the previously excavated area of the site or eight feet from the water table, whichever is a higher elevation. Elevation of the deepest section must be determined by a licensed surveyor and provided to the Planning Department before any additional excavation.
- Condition 2: Any type of rock crushing is prohibited on the site.
- Condition 3: The slopes of the excavation areas must be less than or equal to a 2:1 slope.
- Condition 4: Gravel extraction may only occur between May and October.
- Condition 5: Hours of operation are limited to Monday through Friday from 7 AM to 8 PM.

16.16.050(3)

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

Finding: The following specific approval criteria under 16.16.060.F for Resource Extraction are applicable to this request:

F. Resource Extraction. A permit for the commercial extraction of a natural resource may be issued with such reasonable conditions as necessary. The use must meet all other pertinent requirements of this title and include an acceptable operation and reclamation plan that addresses the following concerns and assures that the adverse impact of the operation is minimized and the site will be left in a safe, stable and environmentally and aesthetically acceptable condition:

1. Methods and process of reclamation including stockpiling of topsoil for reuse;
2. Initial site conditions including existing land use, vegetation, soils, geology and hydrology;
3. Limits of operational areas;
4. Days and hours of operation;
5. Traffic patterns;
6. Fencing and screening;
7. Control of dust and noise;
8. Phasing of operations and reclamation steps;
9. Final condition of site including:
 - a. Relation to adjoining land forms and drainage features,
 - b. Relation of reclaimed site to planned or established uses of the surrounding area,
 - c. Demonstration that the final land form will have a viable land use compatible with land use trends in the surrounding area;
10. Methods to minimize potential conflict with existing uses that are significantly impacted by the development.

These criteria are adequately addressed provided that the Planning Commission approves the conditions proposed by staff and requires the applicant to comply with the information and reclamation plans included in the application materials submitted by the applicant.

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

Finding: The City mailed 62 notices to neighboring property owners within 1200'+ and the 25 review agencies that are typically provided with the opportunity to comment (Note: Notices were mailed twice – first upon receipt of the Use Permit application and the second when the permit was elevated to the Planning Commission.) Twelve comments were received regarding the proposed use. Three were

from agencies indicating that they have no comment, two were from agencies advising the applicant of permitting requirements, one was from a resident in favor of the request, and six were from residents in opposition to the request. Copies of the comments received by staff are included in this packet. Any comments received after the compilation of the packet will be provided at the public hearing.

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: There is an existing access onto Clapp Road that should be adequate for access to the gravel pit.

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: The proposed gravel pit should not overload the street system with traffic or result in unsafe streets or dangers to pedestrians since Clapp Road is designated as a major collector roadway to the north of the site and a minor collector roadway to the south.

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

Finding: The attached site plan submitted by the applicant complies with the minimum setbacks requirements of §16.24.010.

16.24.050(9) ***Parking. The parking, loading areas, and snow storage sites for the proposed development shall be adequate, safe and properly designed. The developer may be required to install acceptable lighting at pedestrian or vehicular access points.***

Finding: There is sufficient area on the site for parking.

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 water and/or sewer is not required for the proposed gravel extraction operation.

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 site has adequate areas for drainage.

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: The site plan indicates buffers along the creek and other property boundaries.

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: The proposed gravel extraction operation will not result in significantly different peak use characteristics than the surrounding uses or area.

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: The proposed gravel extraction operation will not generate excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference with radio/television receivers in the area. As shown on the proposed site plan, a significant buffer of natural vegetation will be retained along the creek and property lines to minimize and impacts to adjoining wetlands or properties. However, the proposed rock crushing will generate excessive noise and possibly dust. Therefore, staff is proposing a condition to prohibit material processing or crushing on site.

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: The attached site plan shows the proposed perimeter buffering that will preserve 30 percent of the existing natural vegetation (19.5 acres.) After the ten year mining period, the site will be reclaimed consistent with the reclamation plan included in the record.

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: Adequate pedestrian and bicycle pathways are located along Clapp Road.

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: Water and sewer is not required for the proposed gravel extraction operation.

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 Matanuska-Susitna Borough Cultural Resources Office was notified of this application and indicated that they did not have any objections.

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 & air.*

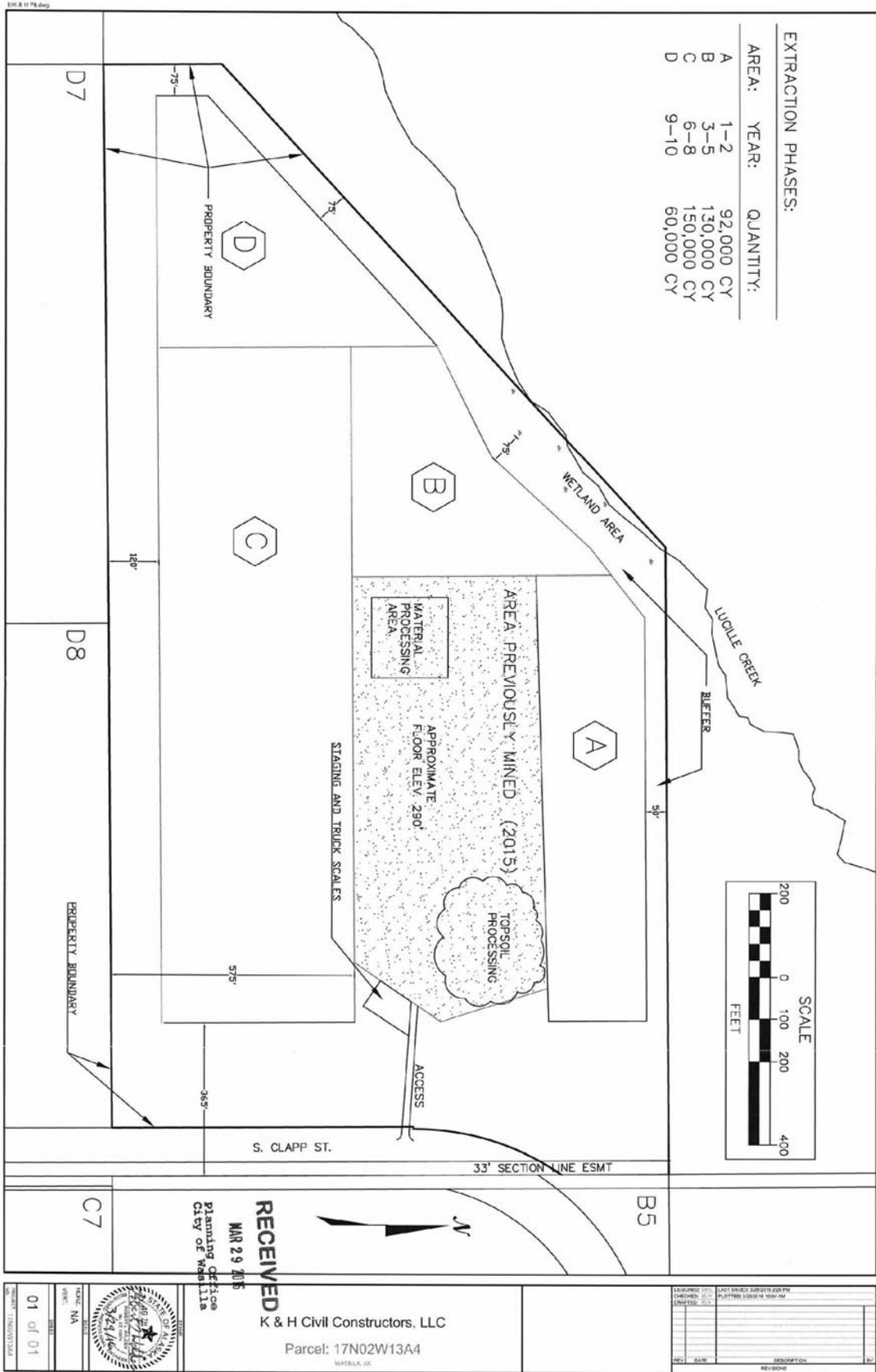
Finding: With the proposed buffers and setback from Clapp Road, the proposed gravel extraction operation will be significantly screened from view.

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: No additional land is necessary for open space and facilities.

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: There are no foreseeable problems anticipated from winter conditions.



RECEIVED
 MAR 29 2015
 Planning Office
 City of Merrill

K & H Civil Constructors, LLC
 Parcel: 17N02W13A4
 WATOLA, WI

01 of 01

CHECKED: []
 PLOTTED: 1:00:14 PM
 DATE: []

REV: [] DATE: [] DESCRIPTION: []

PERMIT INFORMATION 2016

PERMIT #	APPLICANT	SUBDIVISION	SITE ADDRESS	APPLICATION RCVD	APPROVAL DATE	TYPE	PROJECT TYPE	SQ FTG	ZONE	TAX ID
ADMINISTRATIVE APPROVAL										
AA16-01	BOWERS, BEN	WASILLA TOWNSITE	285 E PARKS HWY	01/12/16	PENDING	COMM<10,000 SQ FT	ATV, SNOWMACHINE REPAIR	900	C	1066803L002
AA16-02	COLLIER, JEREMY	LAKEVIEW PROF CONDOS	851 E WESTPOINT DR	01/12/16	01/13/16	TENANT SPACE	LAWYERS OFFICE	750	C	9010000U212
AA16-03	LITHIA	SUN PLAZA	2561 S SUN MOUNTAIN AVE	01/15/16	01/18/16	TUP	TEMP VEHICLE STORAGE ON LOWES SITE		C	5626000L001A
AA16-04	WUITSCHICK, KATHRYN	IDITAPARCEL ADDN 1	431 W PARKS HWY	01/19/16	01/20/16	TENANT SPACE	RESTAURANT	2,000	C	5797000L002A
AA16-05	MATCH, YOUNG	NEILSON DOUG	591 E RAILROAD AVE	01/20/16	01/20/16	COMM<10,000 SQ FT	RETAIL SHOP	2,800	C	3498000U008
AA16-06	AT&T MOBILITY	OVERLOOK BUS PK RSB	2251 E PARKS HWY	02/05/16	02/09/16	COMM UPGRADE	COMMUNICATIONS UPGRADE		C	4805B01L003A
AA16-07	ADDICTIVE HAIR CREATIONS	PRIMROSE POINTE PH 1	260 W RIVERDALE CIR	02/09/16	02/09/16	HOME OCCUPATION	HAIR SALON	809	RR	6791B01L071
AA16-08	WATSON, ROBERT	WASILLA HEIGHTS	1201 W NICOLA AVE	02/16/16	02/17/16	TENANT SPACE	TATTOO STUDIO	440	RR	7491B02L010D
AA16-09	HALLMARK LOCATING	WASILLA HEIGHTS	1201 W NICOLA AVE	02/16/16	02/17/16	TENANT SPACE		340	RR	7491B02L010D
AA16-10	BILLIES TREASURES	MILE 44 PKS HWY CONDOS	1657 W PARKS HWY	02/17/16	02/22/16	TENANT SPACE	RETAIL SHOP	5,400	C	9006000U000B
AA16-11	BRINSON, HEATHER	PROSPECTOR HILLS	1450 N GRUBSTAKE DR	02/24/16	02/29/16	COMM<10,000 SQ FT	ASSISTED LIVING	2,376	RR	1118B01L006
AA16-12	MAT-SU BOROUGH	NEW IDITAROD SCH SITE	455 E CARPENTER CIR	02/29/16	02/19/16	SIGN	SIGN	66	RR/RRM	7390000L001
AA16-13	CHAYKA, VLADIMIR	SERENITY EST ADD1	1501 W PATRICIA AVE	03/08/16	03/31/16	SFD	SFD	1,856	RR	7443000L001
AA16-14	KEMP, TIFFANY	GVC	940 E SNOW HILL AVE	03/09/16	03/09/16	ADD TO SFD	ADD TO SFD	1,536	RR	2323B03L003
AA16-15	GELTING, BRIAN	THOMAS VIEW	1675 S LINDA CIR	03/09/16	03/18/16	SFD	SFD	1,620	RR	6814000L001
AA16-16	BETSILL, ALEX	ADVENTURE EST	1636 N FANCIFUL AVE	03/09/16	03/18/16	FARM ANIMAL	20 CHICKENS		RR	1190B05L005
AA16-17	BUZZBEE STUDIOS	THOMAS ADDR#2 PH 1	201 E SWANSON AVE	03/10/16	03/13/16	TENANT SPACE	COMM<10,000 SQ FT	440	C	4932B01L005A
AA16-18	SMITH, TYLER	WASILLA HTS #1	1401 W PARKS HWY	03/11/16	03/13/16	FOOD TRUCK	RICKS BBQ	240	C	1065B03L017
AA16-19	SCAVETTE, SETH	FOLLETT INDUSTRIAL TR	101 E SWANSON AVE	03/11/16	03/18/16	COMM<10,000 SQ FT	AUTOMOTIVE SHOP	2,218	C	1191000T00B
AA16-20	HOFFMAN, STACEY	WASILLA HTS RSB	1201 W NICOLA AVE	03/15/16	03/16/16	TENANT SPACE	COMM<10,000 SQ FT	320	RR	7491B02L010D
AA16-21	ZASTROW, DUSTIN	CENTURY PK	1190 S CENTURY DR	03/18/16	03/21/16	SFD	SFD	1,900	R-1	1261B03L001
AA16-22	ROBERT YUNDT HOMES	PRIMROSE POINTE PH 2	195 W CELTIC CIR	03/23/16	PENDING	TENANT SPACE	COMM<10,000 SQ FT	2,301	RR	7442B01L056
AA16-23	ALLEY, JEREMY	SNIDER #3	201 W HERNING AVE	03/30/16	03/31/16	TENANT SPACE	COMM<10,000 SQ FT	325	C	1056B02L009
AA16-24	ARC LAND DEV LLC		1250 N LUCILLE ST	04/01/16	04/13/16	MULTI-FAMILY	42 SENIOR APARTMENT	40,968	RM	17N01W04A005
AA16-25	AK YOUTH & FAMI NETWORK	GVC II DIV I	1051 E BOGARD RD	04/11/16	PENDING	TENANT SPACE	COMM<10,000 SQ FT	2,800	C	2186B02L005
AA16-26	THE PERFECT START LLC	PARKS MANOR	700 N WASILLA-FISHHOOK RD	04/11/16	04/27/16	TENANT SPACE	COFFEE STAND	120	C	5568B02L018A
AA16-27	MOCHA MOOSE	IDITAPARCEL ADDN 1	469 W PARKS HWY	04/11/16	04/12/16	TENANT SPACE	COFFEE SHOP	516	C	5797000L002A
AA16-28	LAROCNE, JOE	WASILLA AC	601 N KIMBERLY ST	04/13/16	04/13/16	HOME OCCUPATION	AUTO SERVICES	470	RR	1113B02L011
AA16-29	AK USA FED CREDIT UNION	CAROL	1850 W RUPPEE CIR	04/13/16	04/18/16	SIGN	SIGN	145	C	5816B02L001
AA16-30	NARDINI, TIMOTHY	SILVERLEAF EST	1862 N ASHFORD BLVD	04/14/16	PENDING	SUBDIVISION	SUBDIVISION		RR	5076000T004A
AA16-31	MONICA'S CONNECTION CON	WASILLA AIRPARK IND	301 W PARKS HWY	04/18/16	04/18/16	TENANT SPACE	COMM<10,000 SQ FT	1,250	C	1115B01L004
AA16-32	LIGHTED PATH THER SVC	CAREFREE AC	1261 S SEWARD MERIDIAN PKY	04/18/16	04/18/16	TENANT SPACE	COMM<10,000 SQ FT	150	C	4061B01L001A-1
AA16-33	HARVEY, JAMES	CREEKSIDE EST	800 E CREEKSIDE DR	04/19/16	PENDING	FARM ANIMAL	CHICKENS		RR	1092B02L012
AA16-34	JOHNSTON, JENNIFER	BAYVIEW GARDENS	1000 E TYEE	04/20/16	PENDING	ADD TO SFD	ADD TO SFD	3,200	RR	1277B02L007
AA16-35	LITHIA CHRYSLER		1350 S SEWARD MERIDIAN PKY	04/15/16	04/26/16	TUP	OFF SITE CAR SALES		C	17N01W13A006
AA16-36	HUTCHINS, GREG	CARTER	200 E PARK AVE	04/25/16	04/26/16	TENANT SPACE	COMM<10,000 SQ FT	2,700	C	1010B01L004
AA16-37	BLUE GLACIER LLC	BLUE GLACIER	1321, 1340, 1341 W SHALYNN CIR	04/26/16	PENDING	TUP	STOCKPILE GRAVEL		RR	7383000L002.3.5
AA16-38	EATON, SARAH	SNIDER #4	711 W PARKS HWY	04/26/16	04/26/16	TENANT SPACE	E-CIG SHOP	1,300	C	2705000L014A-1
AA16-39	PAVLUS, IGOR	SOUTHVIEW EXT	3000 SOUTHVIEW DR	04/27/16	04/27/16	SFD	SFD	1,130	R-1	2377B02L001
AA16-40	NANEZ, LUCIA	SNIDER #4	731 W PARKS HWY	04/28/16	04/28/16	TUP	EVENT		C	2705000L014A-1
AA16-41	TROY DAVIS HOMES LLC	HOME DEPOT	1301 E PALMER WASILLA HWY	04/29/16	PENDING	COMM<10,000 SQ FT	OFFICE BUILDING	8,400	C	5769000L002
USE PERMITS										
UP16-01	SCAVETTE, SETH	FOLLETT INDUSTRIAL TR	101 E SWANSON AVE	03/11/16	03/29/16	MULTI-FAMILY	4-PLEX	2,098	C	1191000T00B
UP16-02	K&H CIVIL CONTRACTORS	LAND TRUST 331	1614 S CLAPP ST	03/25/16	PENDING	GRAVEL EXT	GRAVEL EXTRACTION		I	17N02W13A004
UP16-03	LAND TRUST 331	ASPEN BUSINESS PARK	331 E ASPEN AVE	04/19/16	PENDING	CAMPGROUND	RV PARK		C	5432000L003
CONDITIONAL USE PERMITS										
PLANNED UNIT DEVELOPMENT (PUD)										
REZONE										
LEGAL NON-CONFORMING USE										
SHORELINE SETBACK										
AMNESTY										
VARIANCE										

**WPD Code Compliance Weekly Incidentals
For period 4/11/16 through 4/15/16**

Date	Call Originated	Name / Address	Reason	CAD Log #	Informational Contact?	Letter Issued?	Action Taken
4/11/2016	S	Spruce & Lucus	Loose dog	23375	Y	N	Verbal warning
4/11/2016	FUP	2381 Silver Hills	Loose dog	22336	Y	N	Verbal warning
4/11/2016	D	250 Ponderosa	Loose dog	23400	Y	N	Verbal warning
4/11/2016	FUP	840 Dellwood	Dog vs dog attack	22613	Y	N	No action taken
4/12/2016	PAT	Parks & PWH	MVA	23630	N	N	Provide traffic control
4/12/2016	D	Lucille & Nelson	Loose dog	23649	N	N	Unable to catch
4/12/2016	S	Spruce & Lucille	Sign in ROW	23657	Y	N	Verbal warning
4/12/2016	S	Bumpus	Facility/security check	23677	N	N	
4/12/2016	D	Bogard & Peck	Traffic hazard	23686	N	N	Unable to locate
4/12/2016	S	Meta Rose	Facility/security check	23699	N	N	
4/13/2016	S	Meta Rose	Facility/security check	23874	N	N	
4/13/2016	S	Lake Lucille Park	Facility/security check	23897	N	N	
4/13/2016	S	Seward Meridian & Fireweed	Sign in ROW	23921	N	N	Sign removed
4/13/2016	FUP	Bogard & Crusey	Loose dog	18946	Y	N	Release dog from protective custody
4/14/2016	S	Meta Rose	Facility/security check	24125	N	N	
4/14/2016	S	Lake Lucille Park	Facility/security check	24141	N	N	
4/14/2016	D	WalMart	Wastewater dumping	24156	N	N	Unfounded
4/14/2016	C	1001 Snowhill	Loose cats	24173	Y	N	Provide live trap
4/15/2016	S	Lake Lucille Park	Facility/security check	24353	N	N	
4/15/2016	S	KGB & Parks	Signs in ROW	24436	N	N	Signs removed
4/15/2016	D	Wonderland	Loose ferret	24447	N	N	Unable to locate, possible ermine

**WPD Code Compliance Weekly Incidentals
For period 4/18/2016 through 4/22/2016**

Date	Call Origin	Name / Address	Reason	CAD Log #	Informal Contact?	Letter Issued?	Action Taken
4/18/2016	PAT	400 Willow	Officer bit by dog	25056	Y	N	Impound for quarantine
4/18/2016	D	Wonderland Park	Dog in playground area	25089	Y	N	Verbal warning
4/18/2016	S	Parks & Lucille	Sign in ROW	25100	N	N	Sign removed
4/18/2016	FUP	181 Hygrade	Loose dog	3814	Y	N	Citation issued
4/18/2016	D	3363 Whispering Woods	Barking dog complaint	25112	Y	N	Verbal warning
4/18/2016	S	Parks & Hermon	Signs in ROW	25151	Y	N	Signs removed, verbal warning
4/19/2016	D	Walgreens	Panhandling complaint	25348	N	N	No violation observed
4/19/2016	S	KGB & Parks	Sign in ROW	25377	N	N	Sign removed
4/19/2016	C	800 Creekside	Loose dog	25395	Y	N	Verbal warning
4/20/2016	D	Walgreens	Panhandling complaint	25564	Y	N	Verbal warning
4/20/2016	ADM	Play it Again	Business license violation	25575	Y	N	Violation abated
4/20/2016	ADM	Distictive Ride	Business license violation	25588	Y	N	Violation abated
4/20/2016	ADM	First Impressions	Business license violation	25610	N	N	Unable to contact- left voice mail
4/20/2016	ADM	49 State Coffee co.	Business license violation	25616	Y	N	Citation issued
4/20/2016	ADM	AK Boquet & Event Designs	Business license violation	25618	Y	N	Citation issued
4/20/2016	ADM	Residential Plumbing	Business license violation	25627	Y	N	Citation issued
4/20/2016	ADM	Mat Su Support Services	Business license violation	25647	Y	N	No longer in business
4/20/2016	ADM	180 Riverdance	Business license violation	25653	N	N	Unable to contact- left voice mail
4/20/2016	S	180 Riverdance	Animal trapping	25656	N	N	Investigate for follow up
4/21/2016	S	Meta Rose	Facility/security check	25836	N	N	
4/21/2016	ADM	Home Child Care	Business license violation	25848	Y	N	No longer in business
4/21/2016	PAT	453 E Swanson	Trespassing complaint	25853	Y	N	Verbal warning
4/21/2016	ADM	181 W Parks	Business license violation	25873	N	N	No longer in business
4/21/2016	ADM	Latouche LLC	Business license violation	25877	N	N	Unable to contact- left voice mail
4/21/2016	ADM	Sustainable Design Group	Business license violation	25897	Y	N	No longer in business
4/21/2016	ADM	Erinwood Properties	Business license violation	25906	Y	N	No longer in business
4/22/2016	FUP	1100 Snowhill	Dog vs dog fight	26007	Y	N	investigation
4/22/2016	D	Wonderland	Public assist	26121	Y	N	Open access gate for event setup
4/22/2016	D	WPD	Public assist	26137	Y	N	Provide ATV regulations
4/22/2016	D	1601 Centurian	Loose dog complaint	26176	Y	N	Verbal warning

**WPD Code Compliance Weekly Incidentals
For period 4/25/2016 through 4/29/2016**

Date	Call Origin	Name / Address	Reason	CAD Log #	Informal Contact?	Letter Issued?	Action Taken
4/25/2016	S	Fred Meyer	HCP parking violation	26861	N	N	Unfounded- no violation
4/25/2016	C	2231 Ridgewood	Land use violation	26868	Y	N	Refer to city planner
4/26/2016	D	243 Kalli Cir.	Dog welfare check	27132	Y	N	Counsel owner on end of life issues
4/26/2016	S	Meta Rose	Facility/security check	27157	N	N	
4/26/2016	D	1135 Holiday	Loose dog tangled with complainant's dog	27164	Y	N	Free dog, return to owner, verbal warning
4/26/2016	C	529 KGB	Sign in ROW	27217	Y	N	Verbal warning
4/26/2016	C	Old Mat & Southview	Land use complaint	27222	N	N	Unfounded
4/26/2016	S	2791 Jude	Business license violation	27232	Y	N	Verbal warning, refer to finance
4/26/2016	ADM	1401 Seward Meridian	Business license violation	27237	N	N	Unfounded, business closed
4/27/2016	S	Meta Rose	Sign violation	27443	N	N	Sign removed
4/27/2016	S	Parks & Church	Sign in ROW	27461	N	N	Sign removed
4/27/2016	S	Snyder Crossing & Hjellen	Sign in ROW	27461	N	N	Sign removed
4/27/2016	S	Seward Meridian & Old Mat	Sign in ROW	27473	N	N	Sign removed
4/27/2016	S	WalMart	HCP parking violation	27509	N	N	Unfounded- no violation
4/28/2016	S	Meta Rose	Facility/security check	27696	Y	N	Open dumpster verbal warning
4/28/2016	S	Whispering Woods & Seward Meridian	Sign in ROW	27727	Y	N	Verbal warning
4/28/2016	S	WalMart	Sign in ROW	27746	N	N	Sign removed
4/29/2016	S	Meta Rose	Facility/security check	27949	N	N	
4/29/2016	S	City wide	Signs in ROW	27977	N	N	Signs removed
4/29/2016	FUP	529 KGB	Sign in ROW	27217	Y	N	Violation abated

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION AGENDA

Vern Halter, Mayor

PLANNING COMMISSION

Mary Anderson, District 1
Thomas Healy, District 2
John Klapperich, Chair, District 3
Colleen Vague, District 4
William Kendig, District 5
Tomas Adams, District 6
Vern Rauchenstein, District 7



John Moosey, Borough Manager

PLANNING & LAND USE
DEPARTMENT

Eileen Probasco, Director of Planning &
Land Use
Lauren Driscoll, Planning Services Chief
Alex Strawn, Development Services
Manager
Fred Wagner, Platting Officer
Mary Brodigan, Planning Clerk

*Assembly Chambers of the
Dorothy Swanda Jones Building
350 E. Dahlia Avenue, Palmer*

May 2, 2016
REGULAR MEETING
6:00 p.m.

- I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. PLEDGE OF ALLEGIANCE
- IV. CONSENT AGENDA

Items on the consent agenda are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

A. MINUTES

- 1. August 17, 2015, regular meeting minutes
- 2. April 18, 2016, regular meeting minutes

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

- 1. **Resolution 16-21**, recommending Assembly approval of an Interim Materials District (IMD) at the MSB Central Landfill in accordance with MSB 17.28 – Interim Materials District, for the extraction of 3,120,000 cubic yards of earth material from 45 acres within a 120-acre area, located within Township 17 North, Range 1 East, Section 1, Tax Parcel D5 (17N01E01D005). Public Hearing: May 16, 2016. (*Applicant: MSB Land Management, Staff: Mark Whisenhunt*)

2. **Resolution 16-19**, recommending Assembly adoption of an Ordinance establishing Riparian Buffer Standards on High Priority Salmon Streams. Referred by the Assembly to the PC on April 20, 2016, for 90 days. Public Hearing: May 16, 2016. (Staff: Frankie Barker)
3. **Resolution 16-22**, recommending amendments to Assembly Ordinance 16-003, an Ordinance Amending MSB 17.60 to Include Permit Requirements and Standards for Marijuana Related Facilities. Referred by the Assembly to the PC on April 5, 2016, for 90 days. Public Hearing: May 16, 2016. (Staff: Alex Strawn)

V. COMMITTEE REPORTS

VI. AGENCY/STAFF REPORTS

- A. A Presentation on the Regulation of Marijuana Related Facilities within the Borough. (Staff: Alex Strawn)

VII. LAND USE CLASSIFICATIONS

VIII. AUDIENCE PARTICIPATION *(three minutes per person, for items not scheduled for public hearing)*

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS *(Public Hearings shall not begin before 6:15 p.m.)*

Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

The Planning Commission members may submit questions to the Planning Commission Clerk concerning the following matters or request for more information from the applicant at the time of the introduction. All questions and requests submitted by the Commission shall be in writing and copies will be provided to the applicant and made available to all interested parties and the public upon request. Answers to questions and additional material requests will be addressed in the staff report for the public hearing.

X. PUBLIC HEARING: LEGISLATIVE MATTERS

XI. CORRESPONDENCE & INFORMATION

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. COMMISSION BUSINESS

- A. Upcoming Planning Commission Agenda Items (Staff: Alex Strawn)

XV. DIRECTOR AND COMMISSIONER COMMENTS

XVI. ADJOURNMENT (Mandatory Midnight)

In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an interested party. See MSB 15.39.010 for definition of "Interested Party." The procedures governing appeals to the Board of Adjustment & Appeals are contained in MSB 15.39.010-250, which is available on the Borough Internet home page, <http://www.matsugov.us>, in the Borough Clerk's office, or at various libraries within the Borough.