



MAYOR
Verne E. Rupright

CITY PLANNER
Jim Holycross

WASILLA PLANNING COMMISSION

Gary Hall, Seat A
Daniel Kelly Jr., Seat B
Brandon Wall, Seat C
Jessie Laub-Elkins, Seat D
Stan Tucker, Chairman, Seat E
Clark Buswell, Seat F
Robert Webb, Seat G

**CITY OF WASILLA
PLANNING COMMISSION MEETING AGENDA
WASILLA CITY COUNCIL CHAMBERS**

Wasilla City Hall, 290 E. Herning Avenue, Wasilla, AK 99654 / 907-373-9020 phone

SPECIAL MEETING

6 P.M.

APRIL 14, 2009

PLANNING COMMISSIONERS TRAINING: PARLIAMENTARY PROCEDURE

REGULAR MEETING

7 P.M.

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE OF ALLEGIANCE
- IV. APPROVAL OF AGENDA
- V. REPORTS
 - A. City Attorney
 - B. City Council
 - C. City Planner
 - D. City Public Works Director
- VI. PUBLIC PARTICIPATION
- VII. CONSENT AGENDA
 - A. Minutes of March 24, 2009 meeting
- VIII. NEW BUSINESS
 - A. Public Hearings
 1. Use Permit 09-02, Donna Hickle request for second horse on site.

IX. UNFINISHED BUSINESS

A. Election of officers

- 1. Chair**
- 2. Vice Chair**

B. Capital Improvement Program (CIP) Project Prioritization Discussion

C. Commissioner Requests

X. COMMUNICATIONS

A. Calendar Review May/June 2009

B. Permit Information

C. Enforcement Log

XI. AUDIENCE COMMENTS

XII. STAFF COMMENTS

XIII. COMMISSION COMMENTS

XIV. ADJOURN

REGULAR MEETING

I. CALL TO ORDER

The regular meeting of the Wasilla Planning Commission was called to order at 7:00 PM on Tuesday, April 14, 2009, in Council Chambers of City Hall, Wasilla, Alaska by Stan Tucker, Chairman.

II. ROLL CALL

Commissioners present and establishing a quorum were:

- Mr. Gary Hall, Seat A
- Mr. Daniel Kelly, Jr., Seat B
- Mr. Brandon Wall, Seat C
- Ms. Jessie Laub-Elkins, Seat D
- Mr. Stan Tucker, Seat E
- Mr. Clark Buswell, Seat F

Commissioner absent and excused.

- Mr. Robert Webb, Seat G

Staff in attendance were:

- Mr. Jim Holycross, City Planner
- Ms. Tahirih Klein, Planning Clerk
- Mr. Marvin Yoder, Deputy Administrator
- Mr. Archie Giddings, Public Works Director
- Mr. Thomas Klinkner, City Attorney

III. PLEDGE OF ALLEGIANCE

- A. Mr. Hall led the pledge of allegiance.

IV. APPROVAL OF AGENDA

GENERAL CONSENT: The agenda was approved as presented.

VI. REPORTS

- A. City Attorney

Mr. Klinkner, City Attorney:

- Stated the oral arguments for the Debra Luper case has been scheduled for June 21, 2009.

B. City Council

Mr. Yoder:

- Stated all the items brought forward to the City Council were approved last night.

C. City Planner

Mr. Holycross, City Planner:

- Stated the Comprehensive Plan update is being worked on and there will be a joint session with the City Council on June 9, 2009, at 6:00 PM located at the Sports Center. The consultant Pat Coleman, USKH, will be running the meeting.

Mr. Yoder, Deputy Administrator:

- Stated the Airport Advisory Committee and Parks and Recreation Advisory Committee have been invited to attend.

D. City Public Works Director

Mr. Giddings, Public Works Director:

- None.

VI. PUBLIC PARTICIPATION

None.

VIII. CONSENT AGENDA

A. Minutes of March 24, 2009 meeting

GENERAL CONSENT: Minutes were approved as amended.

IX. NEW BUSINESS

A. Public Hearings

1. Use Permit 09-02, Donna Hickle request for second horse on site.

Resolution Serial No. 09-11: A Resolution of the Wasilla Planning Commission approving a request from Donna M. Hickle to allow a second horse on approximately .92 acre in the single-family residential (R-1) zoning district; Lot 03, Block 02, Tallerico Subdivision.

Mr. Holycross stated Ms. Hickle requested to have a second horse on her property and provided a brief background on the first application, and stated that because of the comments from the first horse application he wanted the Use Permit elevated to the Planning Commission for their decision. Mr. Holycross then read in Resolution Serial No. 09-11.

Mr. Holycross handed out an inspection report from the City of Houston, Chief of Animal Safety and Protection, Dennis Lords; a letter from Natural Resources Conservation Services in response to Land Use Permit; and e-mails from Daniel Feltz and Dennis and Arline Hill, which were all entered into the record.

Discussion moved to the Commission.

Mr. Tucker asked if there was a representative present.

1. Ms. Donna Hickle

Ms. Hickle:

- Passed around pictures, inoculation record, covenants for Tallerico Subdivision.
- Stated that the information provided shows that the existing horse is well taken care of and when her horse was off at training she got pregnant and now her and her son want a second horse.
- Stated she is trying to get a public arena put together for others that need a place to work their horses.
- Stated she hasn't had any complaints from either the City of Wasilla or by neighbors.

Mr. Tucker opened the public hearing on Resolution No. 09-11.

1. Ms. Arlene Hill

Ms. Hill:

- Stated she has met Ms. Hickle regarding her application for this permit because she was concerned and has no doubt that Ms. Hickle loves her horse and she does take good care of her.
- Stated she has done some research regarding the area needed to keep a horse and she doesn't believe there is enough room for two full grown horses on Ms. Hickle's lot. According to her research she would need 10,000 square feet per horse with an exercise lot.
- Stated that she researched online and asked a general question of a veterinarian of how much area a horse would need and the response she received was an acre per horse.
- Stated she researched areas with standing codes and covenants in place and she found an area in Texas. There information states a half acre of land is sufficient without structures and a 200 foot corral for exercising and the housing should not be more than 40 feet from the neighbor and 50 feet from the street right-of-way. She doesn't think there is enough room for two horses on an acre of property.

2. Ms. Lisa Feltz

Ms. Feltz:

- Stated she agreed with Ms. Hill and from an esthetic point of view in comparison to other homes in the neighborhood and Ms. Hickle's horse area is in the middle of her property and Ms. Hickle's property is located in

the middle of the subdivision where other property owners who drive by have to look at.

- Stated the other horse owners with horses had another lot just for the horse and trees that would help with the smell and drainage.
- Stated the property values aren't going to be that great because of the view of the horses. When the waste is being removed if it spilled on the street then other owners in the neighborhood would track it around.
- Stated she doesn't agree with allowing another horse on Ms. Hickle's property.

3. Mr. Dennis Lords, Chief Animal Control Officer

Mr. Lords:

- Stated he did an inspection on the property and has pictures for the Commissions review.
- Stated the property has good drainage, good gravel base and has no problems with how the horse is being taken care of.
- Stated he has no objection to her having another horse. Her yard is clean, barn is sufficient for two horses, her new plan for the horse is a good one, and has received a few complaints since she filed a use permit but that was because they didn't think there was enough acreage for the horses.
- Stated that according to covenants for the subdivision she can have the horses and he is following the rules for large animals but there aren't many for large animals.
- Stated that over the years he has not received any complaints. He tried to contact Ms. Hickle's veterinarian but hasn't received a phone call back.

Discussion followed to the Commission.

4. Ms. Christina Mattson

Ms. Mattson:

- Stated she lives at 1415 Pipestone Drive and also owns the lot east of Ms. Hickle's property.
- Stated she has had horses and had them boarded and they are in a 12' x 12' pen and to have them exercised you would have to pay someone to exercise the horses for you and a lot of people don't do this. Ms. Hickle is always exercising her horse so this isn't an issue as far as she is concerned.
- Stated as far as the run off that may be on Kanabec, she noticed last year there was more on the left side of the road from a run off that was from up the hill.

5. Ms. Denise Bowlan

Ms. Bowlan:

- Stated she just recently moved to the area because of the horses and states they have a window that over looks Ms. Hickle's property and looks forward to the foal being born.

- Stated that depending on what you like you won't mind the smell of horses and doesn't have any problems with Ms. Hickle as a neighbor and doesn't object to Ms. Hickle having another horse.

6. Ms. Brandy Garrison

Ms. Garrison:

- Stated she delivers the mail in the neighborhood and drives around to look at the horses.
- Stated she has had horses for 15 years and was manager of a horse corral and worked as a Ferrier.
- Stated that horses do cause damage to property but as an owner you learn how to alleviate it.
- Stated if the owner does not buy food then the horse will need about an acre to graze, other wise a half acre would be sufficient. Normally in some barns the area where the horse is either 10' x 10' or 12' x '12'. Ms. Hickle has a very large paddock for her horse compared to other owners.
- Stated she has a family and animals that all get along as the animals understand who is at the top of the pecking order. She has met Ms. Hickle's horse and the horse is very nice.
- Stated that horses trample the property and if the roots are exposed then the tree will die. This isn't some thing that as an owner you can do anything about. There will be a certain amount of odor with animals but if you keep on top of it then it won't be a problem.
- Believes the rules regarding the road right-of-way are not an issue in Alaska.
- Stated she is in support of Ms. Hickle having a second horse.

7. Mr. Steve Stoll

Mr. Stoll:

- Stated he believes two horses on an acre lot is too many and the City Planner's conditions are good but would like to see a year given so she can constructs a fence on her neighbor's yard.

With no other audience comments, Mr. Tucker closed the public hearing and asked Ms. Hickle if he had any closing comments.

Ms. Hickle stated she is working with NRCS regarding a composting facility and getting funding to help build it. She has been doing little things like putting a tarp over the manure and has received a few requests for her manure recently.

Mr. Holycross stated that Ms. Hickle is an honest person that applied for a permit where others who keep horses in the City Limits have not applied for a permit.

MOTION: Commissioner Buswell moved to adopt Resolution Serial No. 09-11 as amended.

Discussion moved to the Commission.

MOTION: Commissioner Kelly moved to add a condition that periodically the well will get tested once a year for the welfare of the community.

Motion dies for a lack of a second.

Discussion moved to the Commission.

VOTE: Voting on the main motion, it passed Mr. Hall, Mr. Kelly, Ms. Laub-Elkins, Mr. Tucker, and Mr. Webb in favor and Mr. Buswell opposed.

X. UNFINISHED BUSINESS

A. Election of officers

1. Chair
2. Vice Chair

B. Capital Improvement Program (CIP) Project Prioritization Discussion

Mr. Giddings stated that they have gone through the CIP process in a variety of different ways and last year they decided on a five year plan so it wasn't so convoluted. Mr. Giddings wrote a two page memorandum, handed it out, and then he discussed what was written.

Discussion moved to the Commission.

C. Commissioner Requests

MOTION: Commissioner Kelly moved to change the Planning Commission agenda to add Commissioner Requests after Public Participation, item VII.

Mr. Kelly read in his request for adding Commissioner Requests to the Planning Commission agenda and provided a brief statement as to why he is asking for the change.

MOTION: Commissioner Hall moved to have Commissioner Requests after New Business, Item IX.

Motion dies for a lack of a second.

Discussion moved to the Commission.

MOTION: Commissioner Wall moved the previous question. (Clerk note: The effect of this motion is to immediately end debate.)

GENERAL CONSENT: The motion failed, tie vote with Mr. Wall, Mr. Tucker, and Mr. Buswell in favor, and Mr. Hall, Mr. Kelly, Ms. Laub-Elkins opposed.

Discussion moved to the Commission.

VOTE: Voting on the main motion, it failed, tie vote with Mr. Hall, Mr. Kelly, and Ms. Laub-Elkins in favor Mr. Wall, Mr. Tucker, and Mr. Buswell opposed.

XI. COMMUNICATIONS

A. Calendar Review April/May 2009

Mr. Tucker stated he volunteered to attend a meeting in May and Mr. Webb volunteered to attend a meeting in June.

No comments were made regarding the following items.

- B. Permit Information
- C. Enforcement Log

XII. AUDIENCE COMMENTS

1. Mr. Steve Stoll

Mr. Stoll:

- Stated the Planning Commission spends a lot of time discussing things and need to keep things short and concise.

XIII. STAFF COMMENTS

A. Staff Comments

Mr. Klinkner

- None

Mr. Yoder

- Stated the CIP will be brought forward in a Resolution format and at the Planning Commission level all they are looking for is feedback.
- Stated he appreciates Mr. Kelly's comments and desire but according to Ms. Smithers report on open meetings it would require a lot of self discipline and can get outside of the open meetings act. Under Commissioner Comments is a good time to bring issues forward and ask to have on our next agenda.

Mr. Holycross

- Thanked the Commission for considering the Use Permit for a second horse that was elevated it to the Commission because of the comments received.

Mr. Giddings

- None

XIV. COMMISSION COMMENTS

A. Commissioner Comments

Commissioner Kelly

- Stated Mr. Yoder brought up some good points but no matter what suggestions you bring up, you will still have the same problem because it's not the timing but the content that is an issue.
- Stated he believes that the Commission should try and get more people into the meetings.
- Stated when you talk to the public a common comment is, "Well it doesn't do a lot of good because they don't listen to you anyway." Believes we would have a lot more public participation if we had the image of listening to the people and doing something that they asked. They don't come here to request anything. They come here to settle their issues. He would like to see the public show up when the Comprehensive Plan is being updated.
- Stated if we showed that we were a little friendlier the public would want to be here and he is open for suggestions.

Commissioner Buswell

- Stated "of all the people showing up, half like you and the other half don't, you won't please everyone all the time." He doesn't know how to get everyone here.
- Stated that if issues come up when there is a public hearing you will want to make a statement about it.
- Stated he appreciates everyone on the Commission.

Commissioner Wall

- Stated when he was on the Parks and Recreation Commission they would send the agenda out to the individuals on the Commission before the meeting and ask if there was anything they would like to add to the agenda and maybe this is something that can be done to make sure the Commissioners items are noticed on the agenda.

Commissioner Hall

- Asked if the zoning map was on the internet because he hasn't seen it?

Commissioner Laub-Elkins

- None.

Commissioner Tucker

- Asked Mr. Klinkner if there is any reason, since we are doing a closed ballot, concerning who is going to be our officers that when we pick up our packets we can give our ballots to Ms. Klein until all seven Commissioners have filed and then Ms. Klein can give the results at the next meeting.

Mr. Klinkner

- Stated he would have to look into Mr. Tucker's question and get back with the Commission.

Commissioner Tucker

- Stated if it's not legal to turn in ballots to Ms. Klein and to have her report the results at the next meeting then that's fine.
- Stated he would not mind having the ballots turned in to Ms. Klein and if he loses he will personally vote to have Mr. Kelly as Chair and vice versa and then have the voting finalized at the next meeting.
- Thanked everyone for their patience and time and thanked Ms. Klein for her patience as well.

XV. ADJOURNMENT

The regular meeting adjourned at 9:26 PM.

ATTEST:



TAHIRIH KLEIN, Planning Clerk


STAN TUCKER, Chairman

Adopted by the Wasilla Planning Commission April 28, 2009.