



## CITY OF WASILLA

290 E. HERNING AVE.  
WASILLA, ALASKA 99654-7091  
PHONE: (907) 373-9050  
FAX: (907) 373-9085

### INFORMATIONAL MEMORANDUM 95-42

From: John T. Felton, Public Works Director/City Engineer

Date: November 18, 1995

Subject: Don Tanner's Letter dated November 10, 1995

The Mayor has requested that I review and respond to Mr. Tanner's concerns over the handling of his property at Lot 13, Block 2 Southview Subdivision. At the outset, I want to assure the Council that there is nothing analogous between this situation and Mr. Zimin's situation. Mr. Tanner did not have a developed driveway on his property, he did not have a driveway permit and has no improvements on the lot. There was a "cat track" at the top of the rise that was so small and over grown that it would only service four wheelers or snowmachines. I believe that this whole situation has been adequately addressed by Administrative Policy 95-06; therefore there should be no further occurrences of this type of problem.

It has been the policy of City to replace existing driveways during either CIP or LID work. The driveways that CIP/LID projects install are in compliance with Title 14.12 of the City Code. The philosophy was that if the property owner had paid for the construction of their driveway prior to the project, they should not have to pay for a second time for the new approach. Also, by paving these approaches, the City is protecting the traveled way and lengthening the useful life of the paving. This was and is a very reasonable and equitable approach to this situation. Therefore, all existing driveway approaches in the Southview project were located and replacements were designed. I am aware of at least two cases where property owners either objected or changed their driveway approaches on this project. There was nothing buried in bureaucracy nor done in a surreptitious manner as alleged by Mr. Tanner.


The exact placement of a driveway is a very important step in the planned development of a lot. Placement is generally governed by the design of the home that is going to be constructed on the lot. It would be to the detriment of the LID for the City to

force the owner of undeveloped property to choose the exact location of a driveway. This is especially true even if the owner has no development plans at the time of the formation of the LID. There are a large number of undeveloped lots which were purchased as an investment. These owners do not want to limit sale opportunities by having a poorly placed driveway.

Mr. Tanner argues that no notice was given to him to identify a site for his approach. The public meeting for the Century Park LID was held during the same period that the Southview public meeting was held. Notice for these meetings was given by placing announcements on every house in the district. Therefore, it is reasonable to assume that Mr. Tanner did not receive formal notice about Lakeview. However, he did attend the Century Park meeting and was very vocal on entrances to his building. Both Mr. and Mrs. Tanner are very knowledgeable in the financing and development of property, they voted in the Southview LID and were aware of the basic schedule, why did they wait until after the contractor had left the site to raise this issue?

Mr. Tanner further states that "he who pays has the say". If this is the case, then reversing the City's policy is not fair to the majority of people who are paying. That is, why should the people who have paid to develop their property also have to pay a portion of Mr. Tanner's developmental costs. He is requesting that the LID support his approach, i.e. that his neighbors pay a portion of the cost of an approach so that he does not have to pay.

I feel that this LID was handled in a reasonable manner and that every home owner was treated as every other home owner, in the City, has been treated on other LIDs. After review, I do not feel that Mr. Tanner's request for a driveway approach warrants any special Council action and should be denied.



John T. Felton  
Public Works Director/City Engineer

WELCOME TO YUKON DON'S  
HC 31 5086  
Matanuska, Alaska 99687

RECEIVED

NOV 14 1995

City of Wasilla, Alaska

Nov. 10, 1995



Dear Mayor and Council,

I AM WRITING to express my dismay over the planning and disparity over culvert installation in Southview Sub.

YUKON  
**DON**  
TRADER

**KRISTIN**  
AT HER BEST

As owner of lot 13 Block 2 Southview I AM requesting a culvert and apron be installed just as it was for all occupied lot sites.

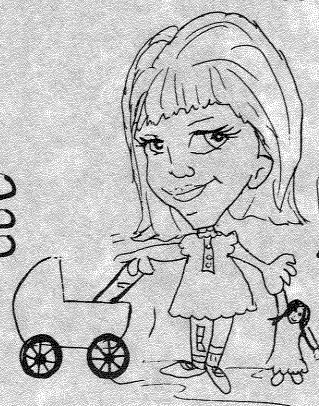
My assessment according to officials will be the same as occupied lot owners. If I AM going to be assessed the same I expect the same service. To deny this service is not only unfair but wrong! Often the government buries right and wrong in the bureaucracy; as in no culvert existed, no drive way permit issued! How about no notice was given, no opportunity to request or identify culvert site! Not only was notice not given but a four foot ditch now exists where the



DRIBBLIN'  
**JAKE**



SWING IN'  
**JESSE**



**KRISTIN**  
IS INTO EVERYTHING!



**ZACH**  
THE CUBBY BEAR

WELCOME TO YUKON DON'S

HC 31 5086

Matanuska, Alaska 99687



preliminary access once was. To say the "undeveloped access does not qualify" John Steins Oct 11 letter, does not pass the test of "who is paying". It seems to me that he who pays has the say!

YUKON DON  
TRADER

If I am asking the City to correct this oversight and do what is logical and right. Ask the lot owners without access if they want it, it so install it, same as occupied lot owners.

KRISTIN  
AT HER BEST

It certainly doesn't appear to me that this kind of disparity could pass court house scrutiny.

I encourage you to fix this and do what is right.



DRIIBBLIN'  
JAKE

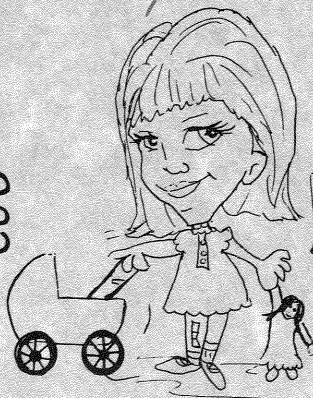
Best regards

Don Tanner

CC. Mayor  
And all city council members.



SWINGIN'  
JESSE



KRISTIN  
IS INTO EVERYTHING!



ZACH  
THE CUBBY BEAR



## CITY OF WASILLA

290 E. HERNING AVE.  
WASILLA, ALASKA 99654-7091

October 11, 1995

Don and Kristan Tanner  
#386  
1830 E. Parks Highway  
Wasilla, Alaska 99654

RE: Request for driveway apron and culvert  
Lot 13, Block 2, Southview Subd.

Dear Kristan and Don:

Following your call Monday, October 10, I spoke with Lee Wyatt, Larry Bridge, and Engineer Dick Loman about your request that the city construct a driveway apron and culvert for Lot 13, as part of the Southview Paving L. I. D. As you described and I observed, a narrow "cat track" access does exist at the western side of the lot. It is not, however, a developed driveway in the same category as others in the subdivision which had been earlier improved and actively utilized before the project was designed. No city driveway permit is on record for the lot. The engineer did not find an existing culvert at that location.

This undeveloped access does not qualify for culvert and apron construction as part of the Southview Paving L.I.D. as designed. No other vacant lots were provided culverts and driveways. This determination is consistent with a decision to reject a request for a second driveway at Lot 9.

Most problematic is the fact that as of Monday, October 9, the contractor has demobilized except for his paving equipment and the \$700 unit cost is no longer available.

You are one of some ten vacant lot owners in Southview who did not get driveway aprons. I will bring the issue to council for consideration before final assessment roll is approved.

a Code (907)

Administration

Ph: 373-9055

Fx: 373-9085

Clerks Office

Ph: 373-9065

Fx: 373-9085

Finance

Ph: 373-9070

Fx: 373-9085

Library

Ph: 376-5913

Fx: 376-2347

Museum

Ph: 373-9071

Fx: 373-9072

Planning

Ph: 373-9074

Fx: 373-9085

Police

Ph: 373-9077

Fx: 373-9051

Public Works

Ph: 373-9095

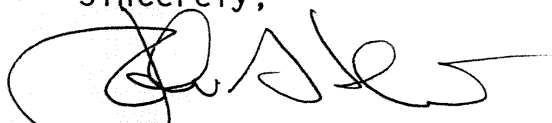
Fx: 373-9085

Ph: \_\_\_\_\_

Fx: \_\_\_\_\_

When the permanent driveway location is determined for lot 13, a driveway permit should be applied for and the driveway constructed to approved specifications.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Stein', written over a circular stamp.

John Stein, Mayor

Enclosed: Driveway permit application