

Requested by: Planning
Prepared by: Attorney
Introduced: April 9, 2006
Public Hearing: April 23, 2006
Adopted: April 23, 2007

Vote: Cox, Ewing, Holler, Koskela, Menard, and Metiva in favor

**CITY OF WASILLA
ORDINANCE SERIAL NO. 07-26**

AN ORDINANCE OF THE WASILLA CITY COUNCIL APPROVING A PLANNED UNIT DEVELOPMENT (PUD) ON APPROXIMATELY 23.33 ACRES IN THE C-COMMERCIAL ZONING DISTRICT, CONSISTING OF TRACTS A-1, B, C, D, AND E OF THE COTTONWOOD CREEK MALL SUBDIVISION, FOR THE COTTONWOOD CREEK MALL REDEVELOPMENT.

WHEREAS, the Wasilla Planning Commission reviewed an application for approval of a conditional use for a planned unit development (PUD) on approximately 23.33 acres in the C-Commercial zoning district, consisting of Tracts A-1, B, C, D, and E of the Cottonwood Creek Mall Subdivision, for the Cottonwood Creek Mall redevelopment; and

WHEREAS, the Wasilla Planning Commission made findings of fact concerning the PUD conditional use, and adopted Resolution Serial Number 07-05 recommending that the Council approve the PUD conditional use; and

WHEREAS, the Council has considered the application for PUD conditional use, and concurs with the Commission's recommendation and findings of fact, which are incorporated herein by reference.

NOW, THEREFORE, THE WASILLA CITY COUNCIL ORDAINS:

- * **Section 1. Classification.** This is a non-code ordinance.
- * **Section 2. Approval of PUD conditional use.** The conditional use for a planned unit development (PUD) on approximately 23.33 acres in the C-Commercial zoning district, consisting of Tracts A-1, B, C, D, and E of the Cottonwood Creek Mall

Subdivision (the "Property"), for the Cottonwood Creek Mall redevelopment, approved by Wasilla Planning Commission Resolution Serial No. 07-05, is hereby approved pursuant to WMC 16.16.060.K.5, subject to the following conditions:

1. The Property owner shall enter into agreement with the City for modification of the water/sewer utility services to the Property by means of a utility service agreement. This agreement will spell out the Property owner's responsibilities and City cost associated with service modification.

2. The Property owner shall provide a copy of an Alaska Department of Environmental Conservation approved construction/operation permit for any modification or addition of water/sewer main lines.

3. The Property owner shall provide documentation of approval for Storm Water Plans by the Alaska Department of Environmental Conservation for temporary containment/treatment areas during construction, and for permanent collection and treatment areas designed to protect Cottonwood Creek. In addition, the Property owner shall submit plans for drainage directed to the Parks Highway ditch to the Alaska Department of Transportation and Public Facilities ("ADOT").

4. The Property owner shall prepare and submit to ADOT a Traffic Impact Analysis ("TIA") showing the effect the project will have on the adjacent highways, or provide documentation that ADOT does not require a TIA for this project.

5. The Property owner shall obtain a Flood Hazard Permit from the Mat-Su Borough if required.

6. The Property owner shall submit a copy of the State Fire Marshall's plan review and approval of the proposed structures to the Planning Office prior to beginning construction of new structures.

7. All exterior building and parking lot lights shall be arranged and shielded to direct light away from, and to prevent glare and interference with, traffic on adjacent streets.

8. All trash receptacles and recycling shall be screened from public streets and all trash shall be confined to the screened area.

9. The Property owner shall provide a Guarantee of Required Landscaping in conformance with City of Wasilla Landscaping Standards, 16.33.040 (A) 1 & 2.


10. Construction shall be in substantial conformance with project design plans/elevations submitted to the Planning Commission.

11. The Property owner shall submit a final PUD plan to the City Planner, which incorporates all changes made by the City Council within one year from the date of commission and City Council approval.

12. No construction of new structures may commence on the site in furtherance of the approved PUD or PUD phase until all construction guarantees have been posted with and approved by the City.

* **Section 3. Effective date.** This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on April 23, 2007.



DIANNE M. KELLER, Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk

[SEAL]



**CITY OF WASILLA
LEGISLATION STAFF REPORT**

RE: 07-26 AN ORDINANCE OF THE WASILLA CITY COUNCIL APPROVING THE COTTONWOOD CREEK MALL PLANNED UNIT DEVELOPMENT AND AMENDING THE OFFICIAL ZONING MAP.

Agenda of: April 9, 2007
Originator: City Planner

Date: March 29, 2007

Route to:	Department	Signature/Date
	Police Chief Youth Court, Dispatch, Code Compliance	
	Culture and Recreational Services, Manager Library, Museum, Sports Complex	
X	Public Works & Recreation Facility Maintenance, Director	<i>[Signature]</i> 3/30/07
X	Finance, Risk Management & MIS Director	<i>[Signature]</i> 3-30-07
X	City Clerk	
X	Deputy Administrator Planning, Economic Development, Human Resources	<i>[Signature]</i> 3/29/07

REVIEWED BY MAYOR DIANNE M. KELLER: *[Signature]* 3/30/07

FISCAL IMPACT: yes or no Funds Available yes no

Account name/number:

- Attachments:
- Proposed Ordinance Serial Number 07-26;
 - WPC Resolution No. 07-05;
 - Vicinity Map;
 - Cottonwood Creek Mall Statement of Objectives;
 - Staff Report;
 - Public and Agency Comments

SUMMARY STATEMENT:

The Cottonwood Creek Mall Redevelopment Planned Unit Development (PUD) application was submitted by DOWL Engineers on behalf of the property owner, Browman Development on February 26, 2007. The proposed PUD is a redevelopment of the existing Cottonwood Creek Mall property described as Tracts A-1, B, C, D-1, and E of the Cottonwood Creek Mall Subdivision consisting of approximately 23.33 acres. The redevelopment includes approximately 235,877 square feet of retail space which includes the existing Wells Fargo Bank and Taco Bell Restaurant. The subject property is zoned C-Commercial and is located immediately northeast of the Parks Highway and Palmer Wasilla Highway intersection.

The intent of the Planned Unit Development (PUD) designation in the Wasilla Land Development Code, Title 16, is to allow flexibility in regulation, design, and placement of buildings and use of open space. Modifications may include requirements for lot frontage, building setbacks, and design of circulation facilities to best use site potentials. A PUD must demonstrate creative approaches that will result in a more efficient, aesthetic and harmonious development with uses in the surrounding area, while at the same time providing higher population density, or increased intensity, or mix of uses than is permitted in the zone(s) in which the project is located.

The Future Land Use Plan section of the City's 1996 Comprehensive Plan anticipates the increased demand for Generally Commercial/Business on the subject property. This proposal is consistent with the goals and policies of the Comprehensive Plan that encourage growth and development that promotes the economy of Wasilla.

Primary access to this 23.33 acre development is from existing driveways that currently serve the existing mall, bank and restaurant from both the Parks and Palmer-Wasilla Highways.

Recommendation

After deliberation and consideration of both written and verbal testimony, agency comments, and the official staff report, the Planning Commission voted unanimously to recommend that the Cottonwood Creek Mall Redevelopment Planned Unit Development be approved with the following conditions:

1. The applicant shall enter into agreement with the City for modification of the water/sewer utility services by means of a utility service agreement. This agreement will spell out the developer's responsibilities and City cost associated with service modification.
2. The applicant shall provide a copy of an Alaska Department of Environmental Conservation approved construction/operation permit for any modification or addition of water/sewer main lines.
3. The applicant shall provide documentation of approval for Storm Water Plans by the Alaska Department of Environmental Conservation for temporary containment/treatment areas during construction and for permanent collection and treatment areas designed to protect Cottonwood Creek. In addition, drainage plans should be submitted to Alaska Department of Transportation for drainage directed to the Parks Highway ditch.
4. The developer will need to prepare and submit to the Alaska Department of Transportation a Traffic Impact Analysis (TIA) showing the affect the project will have on the adjacent highways; or provide documentation that ADOT does not require a TIA for this project.
5. The applicant shall obtain a Flood Hazard Permit from the Mat-Su Borough; if necessary.
6. A copy of the State Fire Marshall's plan review and approval of the proposed structures must be submitted to the Planning Office prior to beginning construction of new structures.
7. All exterior building and parking lot lights are required to be arranged and shielded to reflect the light away from and to prevent glare/interference with traffic.

8. All trash receptacles and recycling shall be screened from public streets and all trash shall be confined to the screened area.

9. Developer shall provide a Guarantee of Required Landscaping in conformance with City of Wasilla Landscaping Standards, 16.33.040 (A) 1 & 2.

10. New Structure Construction shall be in substantial conformance with project design plans/elevations submitted to the Planning Commission.

11. The applicant shall submit a final PUD plan to the City Planner which incorporates all changes made by the City Council within one year from the date of commission and City Council approval.

12. No construction of new structures may commence on the site in furtherance of the approved PUD, or PUD phase, until all construction guarantees have been posted with and approved by the city.

CASE NO. PUD 07-01

Request is to develop a 23.33-acre site into a Planned Unit Development (PUD) consisting of approx. 232,460 sq. ft. of retail & restaurant space on a combination of five tracts, located at the NE corner of E. Palmer-Wasilla Hwy & Parks Hwy intersection and known as Cottonwood Creek Mall. The subject parcel is zoned C-Commercial.

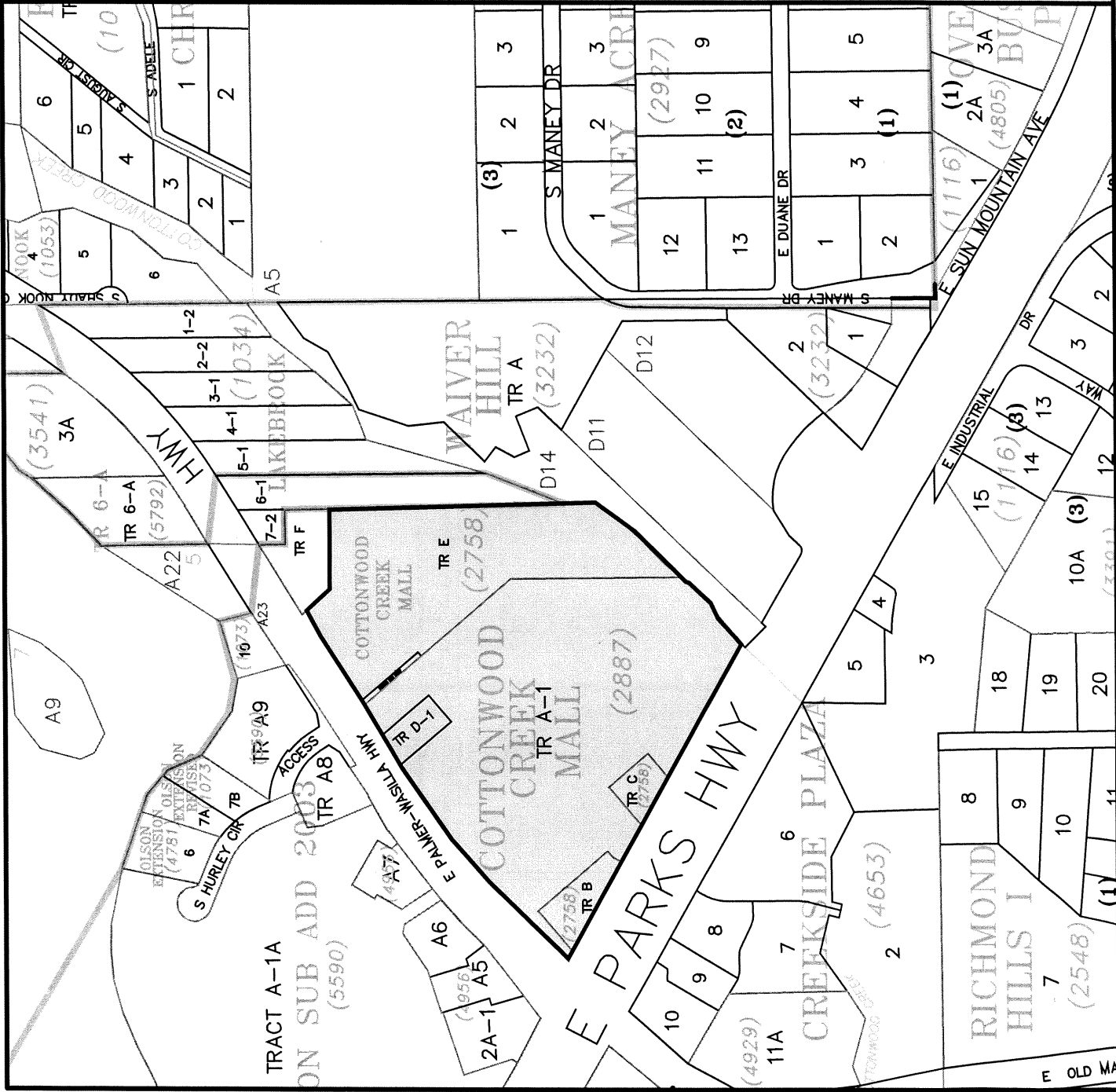
Applicant: Dowl Engineers for Browman Development Co. (owner)



KEY



SUBJECT PARCEL



**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 07- 05**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING A REQUEST FROM DOWL ENGINEERS ACTING ON BEHALF OF BROWMAN DEVELOPMENT FOR A PLANNED UNIT DEVELOPMENT (PUD) OF THE COTTONWOOD CREEK MALL REDEVELOPMENT ON APPROXIMATELY 23.33 ACRES IN THE COMMERCIAL (C) ZONING DISTRICT; TRACTS A-1,B,C,D, AND E OF THE COTTONWOOD CREEK MALL SUBDIVISION.

WHEREAS, DOWL Engineers acting on the behalf of Browman Development submitted a Planned Unit Development (PUD) application for Planning Commission Approval and recommendation to City Council of the proposed redevelopment of the Cottonwood Creek Mall on February 26, 2007 to site approximately 235,877 square feet of retail space on approximately 23.33 acres on property described as tracts A-1, B, C, D-1, and E of the Cottonwood Creek Mall Subdivision.

WHEREAS; a Planned Unit Development is reviewed and approved under the same process as conditional use permits by the Planning Commission and City Council; and

WHEREAS, DOWL Engineers acting on behalf of Browman Development submitted an application, narrative, and project drawings dated February 26, 2007, addressing criteria listed in WMC 16.16.050 (A) 1 – 21 General Approval Criteria, and WMC 16.16.060 (K) 1 – 9, Specific Approval Criteria, Planned Unit Development; and

WHEREAS, the Wasilla Planning Office mailed notices for the initial request to property owners within 1,200 radial feet of the proposed development; and

WHEREAS, the public hearing date and time was publicly advertised; and

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

WHEREAS, the Wasilla Planning Commission has developed Findings of Fact to summarize the basic facts and reasoning of the commission.

WHEREAS, after due consideration, the Planning Commission determines that this application meets the intent of the Commercial Zone (C) for the Cottonwood Creek Mall redevelopment; and this application meets the approval criteria of WMC 16.16.050 (A) 1 – 21; and WMC 16.16.060 (K) 1 – 9, Specific Approval Criteria, Planned Unit Development;

NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission approves this application, Case No. PUD 07-01 for DOWL Engineers acting on the behalf of Browman Development to redevelop the Cottonwood Creek Mall by demolishing the existing structure, re-platting the existing tracts through a PUD application with the Mat-Su Borough, and building approximately 235,877 square feet of new retail space which includes the existing Wells Fargo Bank and Taco Bell restaurant on the site of the former Cottonwood Creek Mall on property described as Tracts A-1, B, C, D-1, and E of the Cottonwood Creek Mall Subdivision; and this application is hereby approved with the following conditions:

1. The applicant shall enter into agreement with the City for modification of the water/sewer utility services by means of a utility service agreement. This agreement will spell out the developer's responsibilities and City cost associated with service modification.

2. The applicant shall provide a copy of an Alaska Department of Environmental Conservation approved construction/operation permit for any modification or addition of water/sewer main lines.

3. The applicant shall provide documentation of approval for Storm Water Plans by the Alaska Department of Environmental Conservation for temporary containment/treatment areas during construction, and for permanent collection and treatment areas designed to protect Cottonwood Creek. In addition, drainage plans should be submitted to Alaska Department of Transportation for drainage directed to the Parks Highway ditch.

4. The developer will need to prepare and submit to the Alaska Department of Transportation a Traffic Impact Analysis (TIA) showing the affect the project will have

on the adjacent highways; or provide documentation that ADOT does not require a TIA for this project.

5. The applicant shall obtain a Flood Hazard Permit from the Mat-Su Borough; if necessary.

6. A copy of the State Fire Marshall's plan review and approval of the proposed structures must be submitted to the Planning Office prior to beginning construction of new structures.

7. All exterior building and parking lot lights are required to be arranged and shielded to reflect the light away from and to prevent glare/interference with traffic.

8. All trash receptacles and recycling shall be screened from public streets and all trash shall be confined to the screened area.

9. Developer shall provide a Guarantee of Required Landscaping in conformance with City of Wasilla Landscaping Standards, 16.33.040 (A) 1 & 2.

10. Construction shall be in substantial conformance with project design plans/elevations submitted to the Planning Commission.

11. The applicant shall submit a final PUD plan to the City Planner which incorporates all changes made by the City Council within one year from the date of commission and City Council approval.

12. No construction of new structures may commence on the site in furtherance of the approved PUD or PUD phase until all construction guarantees have been posted with and approved by the city.

BE IT FURTHER RESOLVED that the Wasilla City Planning Commission approves this resolution, 07-05 after due consideration and with the Findings of Fact incorporated herein as Exhibit A; and forwards this recommendation of approval to the Wasilla City Council.

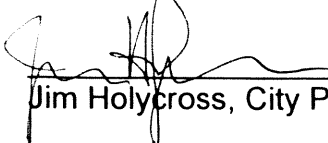
ADOPTED by the Wasilla Planning Commission on March 27, 2007.

APPROVED:



Stan Tucker, Chairman

ATTEST:



Jim Holycross, City Planner

[seal]

**Wasilla Planning Commission Resolution 07-05
Findings of Fact**

1. An application for a Planned Unit Development (PUD) was received on February 26, 2007 from DOWL Engineers, Palmer Alaska acting on behalf of Browman Development, of Oakland, California to redevelop the existing Cottonwood Creek Mall site consisting of tracts in the Cottonwood Creek Mall Subdivision: A-1,D-1, B, C, and adjoining property to the north consisting of Tract E all totaling approximately 23.33 acres in the Commercial (C) Zoning district.
2. The Wasilla Comprehensive Plan 1996, 'Current Land Use Map' designates the subject property as "Commercial". The subject property is currently zoned commercial and the proposed redevelopment of the Cottonwood Creek Mall is a commercial enterprise meeting this land use designation therefore this comprehensive plan provision is met.

The Wasilla Comprehensive Plan 1996, "Expected Future Land Use Map" designates the subject property as "Generally Commercial/Business". Staff find that this proposal is a commercial business use that meets this Comprehensive Plan Provision.

3. The proposed redevelopment of the Cottonwood Creek Mall will encourage growth and development that promotes the economy. The application has clearly indicated how the environment would be protected by providing a green belt buffer on that portion of the property fronting Cottonwood Creek.
4. Staff finds that the subject property is not part of a Neighborhood Plan. Notices of this proposal were sent to property owners within 1200' of the subject property. Staff also finds that due deference has been given and that comments were received from various neighborhood property owners and government agencies and community institutions that were notified of the opportunity to comment.
5. The applicant will be required as a condition of approval, if this application is approved by the Planning Commission, to submit a copy of an approval by the State Fire Marshall indicating that Fire, Life, Safety issues have been properly addressed for this facility.
6. The 1996 Comprehensive Plan Current Land Use Map designates the subject property and property surrounding the subject property as commercial. The City Zoning Map also designates the subject property as a commercial zone. The proposed redevelopment of the Cottonwood Creek Mall will result in retail uses which are commercial in nature therefore the proposed development is substantially consistent with the City Comprehensive Plan and other adopted Plans.
7. The specific approval criteria under 16.16.060 do apply as a Planned Unit Development is one of the special uses listed [16.16.060(K)].
8. Staff finds that the developer will need to prepare and submit to the Alaska Department of Transportation a Traffic Impact Analysis (TIA) showing the affect the project will have on the adjacent highways; or provide documentation that ADOT does not require a TIA for this project.

9. The applicant's drawings included with this application indicate that the proposed buildings on the subject property meet the setback and height requirements of §16.24.010 with setbacks greater than 25' and building height less than 35'. The applicant has specifically applied for a PUD to allow for flexibility in the design and project features such as setbacks. The applicant is also in the process of replatting the subject property with the Mat-Su Borough to allow each proposed building, as well as the existing Taco Bell and Wells Fargo Bank, to be located on their own lots. Upon consideration of the flexibility allowed with a PUD, and drawings showing compliance with setback and height requirements, staff finds that all building dimensional requirements including height and setbacks are in compliance with Wasilla Municipal Code and this criterion is met.
10. Staff has counted the parking stalls indicated on the site plan to be 1066. Assuming that the proposed 235,877 sq. ft. retail use is reviewed under the "Commercial uses (other than Shopping centers) provision of the Table of Parking Requirements clause of the WMC then the site plan submitted with this application showing 1059 Parking Stalls is adequate. $235,877 / 1000 = 236$; $236 \times 4 = 944$ Required Parking Stalls. Handicapped parking required are 13 spaces assuming 944 total parking spaces required. The applicant indicates that 24 handicapped spaces will be provided which exceeds the required number of spaces. Staff finds that this proposal, when considered with the flexibility allowed with a PUD, has provided a sufficient number of Parking Stalls to meet the Table of Parking Requirements section of WMC therefore this criteria is met.
11. Staff finds that City water and sewer utility service will be used for the new development. The developer will need to enter into agreement with the City for modification of the water/sewer utility services by means of a utility service agreement. This agreement will spell out the developer's responsibilities and City cost associated with the service modification. In addition, any modification or addition of water/sewer main lines will need to be approved by the Alaska Department of Environmental Conservation by means of a construction/operation permit.
12. Staff find that existing drainage patterns are proposed to be maintained for the new development. There are no adjacent properties or City roads that are affected by the existing drainage patterns. Drainage will continue to be southwest to Parks Highway ditch for storage, infiltration, and overflow into Cottonwood Creek. Storm water plans will need to be approved by the Alaska Department of Environmental Conservation for temporary containment/treatment areas during construction, and for permanent collection and treatment areas designed to protect Cottonwood Creek. In addition, drainage plans should be submitted to Alaska Department of Transportation for drainage directed to the Parks highway ditch.
13. Staff find that the proposed redevelopment of the Cottonwood Creek Mall project is 235,877 square feet which is greater than 10,000 square feet. The applicant has indicated in the written portion of the application 'visual buffers' section that "...This area in the southeast corner of the site that has the existing creek running through it will be dedicated as green space, not to be developed." Staff finds that the proposed development will preserve areas of open space and natural vegetation including large snow storage areas around the exterior boundaries of the project especially along the creek therefore this

criteria is met. Staff also finds that adequate interior site circulation is indicated on the parking lot plan. Staff also finds that the subject property fronts on both the Parks Hwy. and Palmer Wasilla Hwy. which are described in the Wasilla Official Streets and Highway Plan as Interstate and arterial in nature.

14. Staff find that the AM and PM peak use will have generally the same commercial peak use characteristics as the surrounding commercial land uses and historic use of the mall. Staff finds that the proposed redevelopment of the mall should not result in a significantly different peak use characteristics than surrounding uses or past use of the mall.
15. Staff finds that the proposed land use when constructed will not generate or impact surrounding properties with negative impacts because the proposed redevelopment is similar to previous retail and commercial uses of the property. There should be no excessive noise, fumes, odors, smoke vibration, dust, litter, or interference with radio receivers as a result of this redevelopment because this proposal is similar to the existing retail commercial mall use where excessive negative impacts were not evident. All parking lot and on-building exterior lights are required to be shielded and directed so as to not shine or glare on pass by traffic on the Parks or Palmer Wasilla Highways or other surrounding transportation facilities. There are no residential uses or zoning which adjoin the subject property.
16. Staff finds that the demolition of the existing mall may generate negative impacts that will need to be mitigated. An application for demolition has not been received in the City Planning Office as of the date of this staff report. Upon acceptance of a demolition permit application, staff will review the proposal to determine if the contractor will provide adequate mitigation measures to alleviate potential negative impacts generated as a result of the demolition of the existing building and site preparation. Staff finds that if mitigation measures are followed then any potential significant negative impacts will not affect nearby properties and this criteria is met.
17. The applicant has submitted a landscaping plan and describes project landscaping in the written description of the application as well as Sheets L 1.0 through L 2.0. This written description under 'visual buffers' states that the area of the total project site to be landscaped is 50,823 square feet . The application states that the area of the subject property in the southeast corner of the site will be dedicated as green space, along that portion of the property fronting Cottonwood Creek, to serve as a creek maintenance easement and greenbelt, not to be developed. This green space will be included in our calculation for interior parking lot landscaping.
18. The application includes a grading and site plan. It does not appear that grading will change because the existing mall's grading will be utilized again by the redevelopment.
19. The application includes a 'Development Schedule with Phases and Dates' which states that Phase 1 would commence with the demolition of the existing mall in the spring of 2007. The construction of the main anchor tenant and Pad 1 would begin once the demolition has been completed. Pad 1 would anticipate a 2008/2009 opening, and main anchor tenant would anticipate a fall 2008 opening. This timeline does not mention landscaping but it is assumed that landscaping will occur when weather permits before

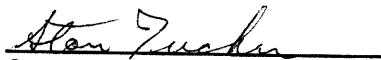
store opening. A condition of approval shall be that the developer shall provide a landscape guarantee in conformance with City of Wasilla Landscaping Standards.

20. The Landscaping Plan submitted with this application indicates the details of all roads, parking areas and buildings and a site map showing the locations of all improvements which will be built.
21. The applicant has submitted a landscape plan including a schedule of plantings which denote the types of trees and shrubs to be planted that appears to be adequate however, as of the date of this staff report, the City Certified Arborist is currently reviewing the proposed planting schedule to determine if the types and numbers of plantings are adequate and sufficient for this proposal.
22. The application states that trash handling and recycling shall be screened from public streets and that screening shall be designed to abate noise and to confine loose trash, and that materials, colors, and the design of screening walls and/or fences and their covers shall be complementary to those used as predominant materials and colors on the building.
23. Staff finds that the internal circulation plan is a nice fit with the landscape plan and provides for pedestrian walkways and sidewalks that connect parking aisles and landscaping features with the proposed stores locations. Bicycles were not mentioned as a consideration, however, staff suggests the applicant place bike racks near the entryways of stores for those wishing to access the site via bicycle in warmer months.
24. There are no known historic resources on the proposed redevelopment site that have not already been addressed for the existing mall site. This criterion is met.
25. The proposed design and project appearance is in keeping with the general neighborhood appearance and architecture. The site layout provides adequate natural light and air.
26. The green space proposed for dedication on that portion of the subject property in the southeast corner along the creek will fulfill the need for open space and complete a large portion of the green belt creek corridor along Cottonwood Creek. The City finds that there is a direct connection between the proposed dedication from the subject property by the applicant and a dedication immediately across the creek made by Meritage Development Corp. as part of the Sportsman's Warehouse property development. These dedications when considered together will be parts of a green belt corridor running on each side of Cottonwood Creek that will provide an area for a creekside trail where the public may walk.
27. All lots proposed within this PUD about the Parks Hwy or the Palmer Wasilla Hwy. The Parks Hwy. and Palmer Wasilla Hwy are State maintained highways.
28. The proposed lots resulting from this PUD are all greater than 20,000 S.F., therefore this criteria is met.
29. Staff finds that this proposal supports these Goals for economic development and their related policies. The redevelopment of the Cottonwood Creek mall will provide a new


modern shopping opportunity for the community of Wasilla and surrounding areas. The former mall was not fully utilized to its full capacity which was a loss to the community. The new redevelopment has been designed in response to the economics and human nature of consumer demand for retail in 2008 and will provide growth and development that supports the economy.

30. Staff find that the modern building design with strong consideration for landscaping, and with a dedication of a land to complete half of a green belt corridor along Cottonwood Creek will improve the appearance of Wasilla for the benefit of residents and visitors.
31. A proposed plan was submitted to the City Planner and reviewed per the provisions for informal review and found to have addressed these provisions sufficiently. Plans reviewed included the information required by proposed PUD including the location, general layout of streets, parking areas, ingress and egress, building design and type of uses proposed. A letter from the City Planner dated February 8, 2007 was sent to the applicant stating that the informal review was made and that the Planning Office would accept a formal application. A formal application was made on February 26, 2007.
32. The Planning Department received the application and immediately scheduled it for review before the Planning Commission at the earliest possible date. The City planning staff is coordinating with the City Clerk's office to schedule this proposal before the City Council at the earliest possible date immediately after the Planning Commission Public hearing on March 27, 2007 assuming an affirmative recommendation of approval from the Planning Commission with no major changes to the findings or requests by the PC for additional information.
33. Applicant must comply with the requirements of this section and submit final PUD plan to City Planner that incorporates any changes made by the City Council for final approval within one year from the date of City Council approval.
34. Any changes in the site plan will be evaluated as necessary and brought before the commission as a conditional use if deemed necessary. Minor alterations to the PUD will be approved by the City Planner.
35. The applicant is required to meet the provisions of sign code and staff finds that this proposal as noted in the application materials meets the provisions of the sign code.

ADOPTED: March 27, 2007


Stan Tucker, Chairman

ATTEST:


Jim Holycross, City Planner

Planned Unit Development Narrative

Cottonwood Creek Development

A. Statement of Planning Objectives/Description of Operation

The project site includes the current location of the Cottonwood Creek Mall and the vacant tract to the north at the northeast corner of the intersection of the Palmer-Wasilla Highway and Parks Highway. The site also includes an existing Wells Fargo Bank and Taco Bell Restaurant. The site is bounded by Cottonwood Creek to the east, Parks Highway to the south, Palmer-Wasilla Highway to the west, and a car wash to the north.

The site is currently configured as four tracts, totaling approximately 23.33 acres; Tract A-1, D-1, B, C, and E. Tract E is undeveloped vacant land. Tracts A-1, D-1, B, and, C are presently the site of the Cottonwood Creek Mall, Taco Bell Restaurant, and Wells Fargo Bank. As part of this development, the four tracts will be re-subdivided into four new parcels. The proposed use of this site is retail, including large-scale and small-scale stores, and restaurant. Browman Development Company, Inc. (BDC), and a large retail store not currently in Alaska. BDC is the developer of the project. BDC is an experienced development company from Oakland, California, who builds and maintains long-term ownership of its shopping center projects. In this project, BDC shall serve as the co-owner with DBC, LLC, property manager, as well as the developer. BDC's long-term ownership philosophy and commitment to developing long-term successful projects protects our community from the merchant-built strip mall scenario, where the developer merely wants to turnover a quick profit without the long-term perspective for developing viable high-end projects that will last decades. This long-term ownership perspective ensures high-quality architecture and construction. Patience and attention to detail in development are key to obtaining the best possible tenant mix for today and the future and the sustainability of the project. BDC anticipates that the main anchor tenant will renew interest in the shopping center by including several retailers who are not in Alaska today. The intent of this development is to offer what is referred to as a community oriented shopping center and/or "life style" center that allows the consumer to get a significant amount of their retail and

entertainment needs met in one place. The proposed development will include approximately 232,460 square feet of retail space.

Because of the size of the proposed project, the fluctuating nature of leasing retail space, and BDC long-term development philosophy, this project will be constructed in a number of phases. This requires flexibility in timing of construction, building layout and size, and elevations. The conceptual design for this development consists of the “bones” of the site and will include building pads reserved for future tenants, drive aisles, pedestrian access, and parking.

The project site is zoned Commercial. This site plan complies with all design standards required in the Commercial zoning district, such as minimum lot requirements, minimum building setbacks, maximum lot coverage, and maximum height of structures. Landscaping, parking, loading facilities, and signs are all addressed and consistent with City of Wasilla Title 16 requirements.

If required by the State of Alaska Department of Transportation and Public Facilities (DOT&PF), a traffic impact analysis will be performed and submitted to DOT&PF. This will allow for an assessment of traffic impacts.

Utilities will be located underground. Storm water will be directed to ditches located in the Parks Highway right-of-way (ROW) or to a detention basin located on-site via a biofiltration swale.

Snow will be plowed and removed from the site or stored in overflow parking areas in order to maximize pedestrian and vehicular movement and safety.

- **Development Schedule with Phases and Dates**

Phase 1 would commence with the demolition of the existing mall in the spring of 2007. The construction of the main anchor tenant and Pad 1 would begin once the demolition has been completed. Pad 1 would anticipate a fall 2007 opening, and the main anchor tenant would anticipate a fall 2008 opening.

- **Intent of Final Ownership**

Final ownership of the Cottonwood Creek Mall development will be comprised of 75 percent ownership by DBC, LLC and 25 percent by BDC.

- **Vehicular Access**

Vehicular access shall be from the two existing driveways located on the north side of the Parks Highway and the three existing driveways located on the east side of the Palmer-Wasilla Highway.

The Parks Highway is designated as a principal arterial-interstate in the DOT&PF Annual Traffic Volume Report, Central Region, 2003-2005. The Palmer-Wasilla Highway is designated as a minor arterial per the DOT&PF Annual Traffic Volume Report, Central Region, 2003-2005. The attached site plan shows the proposed access and circulation.

- **Traffic Impacts**

The applicant will be meeting with DOT&PF to discuss the need for a Traffic Impact Analysis (TIA). If DOT&PF requires a TIA, DOWL Engineers will execute a TIA for the proposed development.

- **Drainage**

A site drainage and grading plan is attached.

The proposed development site will be designed to provide positive drainage away from the buildings. The site consists of 23.33 acres with an elevation difference of five feet generally sloping south. Storm water along the south side of the site will be directed to a ditch located in the Parks Highway ROW via existing curb cuts along the curb and gutter. Storm water along the north side of the site will be directed to an on-site detention basin via a biofiltration swale.

Water and sewer will be provided to the site from the existing water and sewer mains located in the Parks Highway and Palmer-Wasilla Highway. Gas and electrical service will be provided by Enstar and Matanuska Electric Association from their facilities

adjacent to the site. Services for these utilities will be routed below the surface to serve the individual site buildings.

- **Visual Buffers**

The Cottonwood Creek Mall Development is currently zoned as commercial with commercial development abutting the entire property. The site consists of an existing development and a creek corridor with existing vegetation in the southeast corner of the property. Based on the recently adopted Landscaping Standards for the City of Wasilla (adopted on December 11, 2006), an area of no less than five percent of the total area shall be devoted to landscaping. The land area for this property is 1,016,454 square feet (sf), which would require an area of 50,823 sf devoted to landscaping (WMC16.33.030 A). Also outlined in the landscaping standards is the fact that native vegetation shall be preserved in any area that is within 75 feet of the mean high-water mark of any lake, stream, or river (WMC16.33.030 D). This area in the southeast corner of the site that has the existing creek running through it will be dedicated as a green space, not to be developed. This dedicated green space will be included in our calculation for interior parking lot landscaping. As per WMC 16.24.040.D4 Parking, under the Landscaping sections b. and c., a perimeter planting bed will be incorporated to have a minimum width of ten (10) feet and an interior parking lot landscaping calculation that will be at least fifteen (15) percent of the total area of the parking lot. This perimeter bed will meet the intention of the code to screen the parking lot by including a variety of trees, shrubs, and perennials that do well in this project location. The variety of deciduous and evergreen tree and shrubs plantings mixed with a variety of perennial plantings will give this development seasonal interest throughout the year. As per the code (WMC 16.24.040 D.4. Landscaping b.), fences, boulders, and mulched planting beds will be incorporated into the design. This fencing will enhance the overall look and feel of the project and be placed at least three (3) feet off the property line. The planting strategy along the perimeter of the parking lot will be to group or “cluster” plantings together to provide an opportunity to reveal views and potentially frame views to interesting architectural features of the future retail development. As well, the planting bed islands in the interior

of the project site will contain trees, shrubs, perennials, mulch and will be slightly mounded with protection by the use of curb and gutter.

- **Outdoor Storage or Display Areas**

Materials, colors, and the design of screening walls and/or fences and their covers shall be complementary to those used as predominant materials and colors on the building. Commercial trailers, shipping containers, and similar equipment used for transporting merchandise shall remain on the premises only as long as required for loading and unloading operations and shall not be maintained on the premises for storage purposes.

- **Trash Collection and Recycling**

Trash handling and recycling shall be screened from public streets, pedestrian ways, and internal pedestrian sidewalks by landscaping or architectural features in conformity with the external design and material used by the establishment. Screening shall be designed to abate noise and to confine loose trash.

Trash collection areas for shops and retail areas are strategically located throughout the site and are enclosed. These enclosures are likely to be made of wood fencing and have three sides. Major anchor buildings will use trash compactors that will be located in the loading area and shielded from view if visible from the Parks Highway.

- **Snow Storage or Removal**

Snow will be temporarily stored on-site in specified overflow parking areas in order to maximize pedestrian and vehicular movement and safety and then hauled off-site.

- **Parking**

In review of City of Wasilla Title 16 off-street parking requirements for the current site plan, the individually combined uses will require a total of 813 spaces, of which 12 accessible parking spaces are required. The attached site plan provides 1,171 parking spaces, of which 18 are accessible parking spaces.

The project will provide adequate lighting to ensure a safe and enjoyable shopping experience.

- **Pedestrian Access**

Pedestrian access within this site is a design priority. Main intersections are highlighted by crosswalk connections for safe pedestrian passage. The buildings are interconnected via a pedestrian pathway system that utilizes sidewalks, pathways, and striped cross-walks. Although consumers arrive by car, the developer is committed to creating a safe and enjoyable pedestrian experience.

- **Exterior Signs**

A signage program will be submitted separately. This program will describe all proposed signage, including the following types:

Pylon Signs: All signs will be designed to compliment the architectural theme of the center in design material, sizes, and colors. Highway-oriented architectural sign features shall contain the name of the center and major tenant logos. Additionally, internal monument signage and directional signage will in incorporated.

Monument: Ground-mounted signs that contain signage or logos for the major tenants located at site entries with landscaping to create a strong gateway into the center.

Wall Signs: Type 1 - Individual internally illuminated letters.

Type 2 - Three-dimensional letters with gooseneck-style lighting.

- **Outdoor Lighting**

The outdoor illumination concept will be developed to provide lighting for site and building entries, uniform general illumination for parking, drives, and pedestrian walkways. Illumination levels will be designed to enhance the safety of motorist and pedestrians on-site.

The proposed lighting types shall generally be as follows:

Vehicular Entries: Pole mounted full cutoff metal halide lighting. Signage will consist of internally illuminated pole mounted pylon sign and optional internally illuminated monument signs.

Parking Lots, Drives: Pole mounted full cutoff metal halide site lights.

Exterior canopies: Recessed metal halide downlights or wall mounted sconces.

Building Entries: Wall mounted metal halide cutoff fixtures above doors.

Building or Site Features: Building or at grade direct or indirect floodlighting to highlight features or landscaping (optional).

- **Aesthetic Characteristics**

1. *Facades and exterior walls, including side and back walls.* The building shall be designed in order to reduce the appearance of massive scale or a uniform and impersonal appearance and to provide visual interest. Long building walls shall be broken up with projections or recessions. Along any public street frontage, the building design should include windows, arcades, or overhangs along at least 60 percent of the building length. When appropriate, architectural treatment similar to that provided to the front face shall be provided on the sides and rear of the building to mitigate any negative view from abutting properties and/or streets. The site plan shall ensure buildings have complexity at street level with human scale by providing features such as changes in building form at entrances and providing windows, enhanced trim, and architectural detail.

The goal of the design team is to create an exciting, vibrant, fresh design theme that will attract quality retailers and encourage customer loyalty. The proposed architectural style is contemporary with a variety of massing and material changes. Each building has a primary entry feature or other unique architectural elements that create interest.

The development is designed to offer an exciting shopping experience tailored to the needs and desires of the regional market. It will be comfortable for the casual shopper as well as the sophisticated diner. The ultimate goal will be to get the products, the architecture, and the environment working together synergistically to create an exciting vibrant community shopping center.

2. *Detail features.* The goal of the design team is to create a fresh design theme that will attract quality retailers and encourage customer loyalty.
3. *Materials and colors.* The architectural style will include wall finishes of metal and cement plaster. Rich building colors will be selected to highlight building features to create individual identity for shops and major stores.
4. *Screening of mechanical equipment.* Roof-mounted mechanical equipment is inherent to retail structures. Screening will be provided by architectural features (i.e., raised parapets) building features, or by screens that are designed to be visually quiet and unnoticeable.



STAFF REPORT
Prepared by:
For the meeting of:

Case # PUD 07-01
Jim Holycross
March 27, 2007

I. SUMMARY FACTS:

Applicant: DOWL Engineers, LaQuita Chmielowski
8095 Chugach, Unit 4
Palmer, Alaska 99645

Land Owner: Browman Development, Vic DeMelo
100 Swan Way, Suite 106
Oakland, California 94621

Proposal: To redevelop the Cottonwood Creek mall as a Planned Unit Development, (PUD) on Tracts A-1, B, C, D-1, and E of the Cottonwood Creek Mall Subdivision.

Location: 1701 E. Parks Highway; on the northeast corner at the intersection of the Parks Hwy. and the Palmer Wasilla Hwy.

Parcel size: 23.33 acres

Existing Zoning C-Commercial

Comprehensive Plan: The 1996 Comprehensive Plan Map designates the subject property as "Generally Commercial/Business"

Surrounding Land Use : North: Tract F; Cottonwood Creek mall; Commercial Zoning; Car Wash
South: E. Parks Hwy.; Commercial Zoning; Creekside Plaza - Commercial
East: Cottonwood Creek; Commercial Zoning; Sportsman's Warehouse
West: Palmer-Wasilla Hwy.; Commercial Zoning; Fred Meyer

II. STAFF RECOMMENDATION:

Based on the criteria established in Sections 16.16.040, 16.16.050, 16.16.060((K)), and 16.20.020 of the Wasilla Municipal Code, staff recommends approval of conditional use permit application, PUD 07-01 as described in Wasilla Planning Commission Resolution Serial No. 07-05 which also contains necessary findings of fact supporting approval.

III. COMPLIANCE WITH WMC 16.16.050 – GENERAL APPROVAL CRITERIA

The approval criteria have been addressed in the applicant's attached narrative dated February 26, 2007, consisting of eight (8) pages.

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

Applicants Response: The parcels that surround the project site are Commercial. The proposed project is planned to be commercial development which is consistent with the surrounding development.

Staff Finding: Staff finds that the subject property is not part of a Neighborhood Plan. Notices of this proposal were sent to property owners within 1200' of the subject property. Staff also finds that due deference has been given and that comments were received from various neighborhood property owners, government agencies and community institutions that were notified and provided the opportunity to comment.

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

Applicants Response: The parcels that surround the project site are Commercial. The proposed project it is planned to be commercial development which is consistent with the surrounding development.

Staff Finding: The 1996 Comprehensive Plan Map designates the subject property and property surrounding the subject property as commercial. The City Zoning Map also designates the subject property as a commercial zone. The proposed redevelopment of the Cottonwood Creek Mall will result in retail uses which are commercial in nature therefore the proposed development is substantially consistent with the City Comprehensive Plan and other adopted Plans.

16.16.050(3) *Special Uses. The proposal is substantially consistent with the specific approval criteria of Section 16.16.060.*

Applicants Response: The proposed project is substantially consistent with the Planned Unit Development Guidelines (see PUD Narrative).

Staff Finding: The specific approval criteria under 16.16.060 apply to this request because a Planned Unit Development is one of the special uses listed [16.16.060(K)].

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

Applicant's Response: The Applicant met with the City of Wasilla prior to submitting the PUD submittal. Comments and recommendations made by the City of Wasilla as part of the previous meeting have been considered and incorporated as appropriate.

Staff Finding: The City Planning Department has mailed notices to reviewing agencies. The City Planning Department has received comments from the following agencies:

- *The Wasilla Public Works Director* commented by letter dated March 8, 2007 which addressed Utility Service, Drainage, and Roads. The letter stated:

UTILITY SERVICES

City water and sewer service will be used for the new development. The developer will need to enter into agreement with the City for modification of the water/sewer utility services by means of a utility service agreement. This agreement will spell out the developer's responsibilities and City cost associated with service modification. In addition, any modification or addition of water/sewer main lines will need to be approved by the Alaska Department of Environmental Conservation by means of a construction/operation permit.

Staff Recommended Condition: The applicant shall enter into agreement with the City for modification of the water/sewer utility services by means of a utility service agreement. This agreement will spell out the developer's responsibilities and City cost associated with service modification.

Staff Recommended Condition: The applicant shall provide a copy of an Alaska Department of Environmental Conservation approved construction/operation permit for any modification or addition of water/sewer main lines.

DRAINAGE

Existing drainage patterns are proposed to be maintained for the new development. There are no adjacent properties or City roads that are affected by the existing drainage patterns. Drainage will continue to be southwest to Parks highway ditch for storage, infiltration, and overflow into Cottonwood Creek. Storm water plans will need to be approved by the Alaska Department of Environmental Conservation for temporary containment/treatment areas during construction, and for permanent collection and treatment areas designed to protect Cottonwood Creek. In addition, drainage plans should be submitted to Alaska Department of Transportation for drainage directed to the Parks highway ditch.

Staff Recommended Condition: The applicant shall provide documentation of approval for Storm Water Plans by the Alaska Department of Environmental Conservation for temporary containment/treatment areas during construction, and for permanent collection and treatment areas designed to protect Cottonwood Creek. In addition, drainage plans should be submitted to Alaska Department of Transportation for drainage directed to the Parks highway ditch.

ROADS

No City roads are affected by this project. The new development will maintain the existing driveways and traffic pattern along the Palmer-Wasilla highway and the Parks Highway. The developer will need to prepare and submit to the Alaska Department of Transportation a Traffic Impact Analysis showing the affect the project will have on the adjacent highways.

There may be other federal, state, or local requirements for the project not listed above. (see attached comments)

Staff Recommended Condition: The developer will need to prepare and submit to the Alaska Department of Transportation a Traffic Impact Analysis (TIA) showing the affect the project will have on the adjacent highways; or provide documentation that ADOT does not require a TIA for this project.

- *Matanuska Susitna Borough Platting Division* commented: "Firm Map #9790 C Zones A/C Flood Hazard Permit will be needed to build on most areas of property. ... " (see attached comments)

Staff Recommended Condition: The applicant shall obtain a Flood Hazard Permit from the Mat-Su Borough.

- *Department of Environmental Conservation (DEC)* commented on 3/16/07 and stated, "Under to AAC 72.600, engineering plans for storm water disposal systems must be submitted to DEC for review and approval prior to construction. ... If the project disturbs more than one acre or is part of the planned disturbance of a larger common plan of development or sale, a permit for stormwater discharges from construction activity is required....The site appears to naturally drain to Cottonwood Creek and/or Wasilla Lake. Cottonwood Creek is listed as an impaired water body in Alaska's Integrated Report. Stormwater treatment and assurances of treatment system maintenance will be required for systems that discharge to either waterbody. " (see attached comments)

Staff Recommended Condition: The applicant shall provide documentation of approval for Storm Water Plans by the Alaska Department of Environmental Conservation for temporary containment/treatment areas during construction, and for permanent collection and treatment areas designed to protect Cottonwood Creek. In addition, drainage plans should be submitted to Alaska Department of Transportation for drainage directed to the Parks highway ditch.

Friends of Mat-Su commented by letter dated 3/19/07 and stated in part:

- All buildings and facilities should be connected to the city water and sewer system.
- Any land not directly needed for buildings, parking or access should retain the natural vegetation on site.
- Buffer area on land adjacent or along the creek should be at least 100' wide and placed into a conservation easement. The buffer will assist in erosion control, stabilize water temperatures for fish habitat and the natural vegetation provides stormwater runoff control and filtration.
- Landscaping of the property should consider the use of shrubs and trees along the creek. This type of landscaping is attractive and requires less maintenance and no use of chemicals. If plants and grass are considered then the use of fertilizers, herbicides and pesticides should not be allowed.
- Parking areas could be designed in a manner that does not use asphalt or impervious surfaces near the creek or creek buffer. (see attached comments)
- *City of Wasilla Certified Arborist* has reviewed the landscape plan and submitted his comments on 3/20/07. (see attached comments)

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.

Applicants Response: The project site is designed to provide fire and police access in and around the site. Hydrants will be installed to meet fire coverage for each of the buildings located on the project site. Prior to construction, the project will be submitted to the Fire Marshall for fire approval.

Staff Finding: The applicant is required to meet all Fire Life Safety considerations as required by the State Fire Marshall's office. Staff finds that adequate access for emergency and police vehicles will be provided as indicated on the drawings for this request.

Staff Recommended Condition: A copy of the State Fire Marshall's plan review and approval of the proposed structures must be submitted to the Planning Office prior to beginning of construction.

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.*

Applicant's Response: The applicant will be meeting with ADOT&PF to discuss the need for TIA. If ADOT&PF requires a TIA, DOWL Engineers will execute a Traffic Impact Analysis (TIA) for the proposed development.

Staff Finding: The City Public Works Director has stated in a memo dated 3/8/07 that, "The developer will need to prepare and submit to the Alaska Department of Transportation a Traffic Impact Analysis (TIA) showing the affect the project will have on the adjacent highways." Planning Staff also finds that the applicant may also provide documentation that ADOT does not require a TIA for this project.

Staff Recommended Condition: The developer will need to prepare and submit to the Alaska Department of Transportation a Traffic Impact Analysis (TIA) showing the affect the project will have on the adjacent highways; or provide documentation that ADOT does not require a TIA for this project.

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

Applicant's Response: The proposed buildings are located at least 25 feet from all lot lines. The building heights will not exceed 35 feet.

Staff Finding: The applicant's drawings included with this application indicate that the proposed buildings on the subject property meet the setback and height requirements of §16.24.010 with setbacks greater than 25' and building height less than 35'. The applicant has specifically applied for a PUD to allow for flexibility in the design and project features such as setbacks. The applicant is also in the process of replatting the subject property with the Mat-Su Borough to allow each proposed building, as well as the existing Taco Bell and Wells Fargo Bank, to be located on their own lots. Upon consideration of the flexibility allowed with a PUD, and drawings showing compliance with setback and height requirements, staff finds that all building dimensional requirements including height and setbacks are in compliance with Wasilla Municipal Code and this criteria is met.

16.16.050(9) Parking. The parking, loading areas and snow storage sites for the proposal shall be adequate, safe and properly designed. The developer may be required to install acceptable lighting at pedestrian or vehicular access points.

Applicants Response: The applicant indicates on sheet L1.0 of plans submitted with the application the following Parking Requirements:

Retail Square Footage:	235,877 SF
Parking Required:	813 Stalls
Accessible Required:	12 Stalls
Parking Provided:	1059 Stalls
Accessible Provided:	27 Stalls

The applicant's written portion of the application states, "The parking area, loading area, and temporary snow storage area are designated by City of Wasilla Code. The proposed development site will be designed to provide positive drainage away from the buildings. The site consists of 23.3 acres with an elevation difference of 5 feet generally sloping south. Storm water along the south side of the site will be directed to a ditch located in the Parks Highway ROW via existing curb cuts along the curb and gutter. Storm water along the north side of the site will be directed to an on-site detention basin via a biofiltration swale. Water and sewer will be provided to the site from the existing water and sewer mains located in the Parks Highway and Palmer-Wasilla Highway. Gas and electrical service will be provided by Enstar and MEA from their facilities adjacent to the site. Services for these utilities will be routed below the surface to serve the individual site buildings."

Staff Finding: Staff has counted the parking stalls indicated on the site plan to be 1066. Assuming that the proposed 235,877 sq. ft. retail use is reviewed under the "Commercial uses (other than Shopping centers) provision of the Table of Parking Requirements clause of the WMC then the site plan submitted with this application showing 1059 Parking Stalls is adequate. $235,877 / 1000 = 236$; $236 \times 4 = 944$ Required Parking Stalls. Handicapped parking required are 13 spaces assuming 944 total parking spaces required. The applicant indicates that 24 handicapped spaces will be provided which exceeds the required number of spaces. Staff finds that this proposal, when considered with the flexibility allowed with a PUD, has provided a sufficient number of Parking Stalls to meet the Table of Parking Requirements section of WMC therefore this criteria is met.

Staff Recommended Condition: All exterior building and parking lot lights are required to be arranged and shielded to reflect the light away from and to prevent glare/interference with traffic.

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.

Applicant's Response: There is existing water and sewer mainlines adjacent to the site to provide service to the proposed development. Existing electrical lines extend along the Parks Highway and Palmer-Wasilla Highway adjacent to the project site.

Staff Finding: Proposed development can be adequately served by city sewer and water. Other

utility services are provided by private utility companies.

The Public Works Director has stated regarding utilities that;

“City water and sewer utility service will be used for the new development. The developer will need to enter into agreement with the City for modification of the water/sewer utility services by means of a utility service agreement. This agreement will spell out the developer’s responsibilities and City cost associated with the service modification. In addition, any modification or addition of water/sewer main lines will need to be approved by the Alaska Department of Environmental Conservation by means of a construction/operation permit.”

Staff Recommended Condition: The applicant shall enter into agreement with the City for modification of the water/sewer utility services by means of a utility service agreement. This agreement will spell out the developer’s responsibilities and City cost associated with service modification.

Staff Recommended Condition: The applicant shall provide a copy of an Alaska Department of Environmental Conservation approved construction/operation permit for any modification or addition of water/sewer main lines.

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, land stability.***

Applicant’s Response: The parking area, loading area, and temporary snow storage area are designed by City of Wasilla Code. The proposed development site will be designed to provide positive drainage away from the buildings. The site consists of 23.3 acres with an elevation difference of 5 feet generally sloping south. Storm water along the south side of the site will be directed to a ditch located in the Parks Highway ROW via existing curb cuts along the curb and gutter. Storm water along the north side of the site will be directed to an on-site detention basin via a biofiltration swale.

Staff Finding: Existing drainage patterns are proposed to be maintained for the new development. There are no adjacent properties or City roads that are affected by the existing drainage patterns. Drainage will continue to be southwest to Parks Highway ditch for storage, infiltration, and overflow into Cottonwood Creek. Storm water plans will need to be approved by the Alaska Department of Environmental Conservation for temporary containment/treatment areas during construction, and for permanent collection and treatment areas designed to protect Cottonwood Creek. In addition, drainage plans should be submitted to Alaska Department of Transportation for drainage directed to the Parks highway ditch.

Staff Recommended Condition: The applicant shall provide documentation of approval for Storm Water

Plans by the Alaska Department of Environmental Conservation for temporary containment/treatment areas during construction, and for permanent collection and treatment areas designed to protect Cottonwood Creek. In addition, drainage plans should be submitted to Alaska Department of Transportation for drainage directed to the Parks highway ditch.

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, developments must be located with frontage on one of the following class of streets; interstate, minor arterial, major collector or commercial.***

Applicants Response: See attached site plan and landscaping plan.

Staff Finding: The proposed redevelopment of the Cottonwood Creek Mall project is 235,877 square feet which is greater than 10,000 square feet. The applicant has indicated in the written portion of the application 'visual buffers' section that "...This area in the southeast corner of the site that has the existing creek running through it will be dedicated as green space, not to be developed." Staff finds that the proposed development will preserve areas of open space and natural vegetation including large snow storage areas around the exterior boundaries of the project especially along the creek therefore this criteria is met. Staff also finds that adequate interior site circulation is indicated on the parking lot plan. Staff also finds that the subject property fronts on both the Parks Hwy. and Palmer Wasilla Hwy. which are described in the Wasilla Official Streets and Highway Plan as interstate and arterial in nature.

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.***

Applicant's Response: The property consists of medium and small retail and restaurant. The proposed mall redevelopment proposes generally the same type uses in a different configuration on the property. This is consistent with the proposed development.

Staff Finding: The AM and PM peak use will have generally the same commercial peak use characteristics as the surrounding commercial land uses and historic use of the mall. Staff finds that the proposed redevelopment of the mall should not result in a significantly different peak use characteristics than surrounding uses or past use of the mall and that a Traffic Impact Analysis may be required for this project which should bear this out.

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 regulation 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.

Applicant's Response: The development in the area is commercial consisting of various size retail stores and restaurant. The proposed development is consistent with the surrounding development.

Staff Finding: The proposed land use when constructed will not generate or impact surrounding properties with negative impacts because the proposed redevelopment is similar to previous retail and commercial uses of the property. There should be no excessive noise, fumes, odors, smoke vibration, dust, litter, or interference with radio receivers as a result of this redevelopment because this proposal is similar to the existing retail commercial mall use where excessive negative impacts were not evident. All parking lot and on-building exterior lights are required to be shielded and directed so as to not shine or glare on pass by traffic on the Parks or Palmer Wasilla Highways or other surrounding transportation facilities. There are no residential uses or zoning which adjoin the subject property.

Staff finds that the demolition of the existing mall may generate negative impacts that will need to be mitigated. An application for demolition has not been received in the City Planning Office as of the date of this staff report. Upon acceptance of a demolition permit application, staff will review the proposal to determine if the contractor will provide adequate mitigation measures to alleviate potential negative impacts generated as a result of the demolition of the existing building and site preparation. Staff finds that if mitigation measures are followed then any potential significant negative impacts will not affect nearby properties and this criteria is met.

16.16.050(15)

Landscaping. A reclamation or landscaping plan may be required by the planner or commission as a condition of approval of any multifamily, commercial or industrial use. The purpose of the reclamation or landscaping plan includes the control of dust, soil erosion, storm water runoff and siltation which otherwise would be generated on the lot and affect the surrounding area. The commission may adopt city landscaping standards that establishes the type of vegetation and acceptable methods to be used for compliance. The owner(s) of the property shall be responsible for maintenance of the landscaping to allow the establishment of the planted materials and stability of other physical improvements such as earthen berms. The planner or commission may require a bond and/or a maintenance guarantee pursuant to Sections 16.28.040 and 16.28.050. The planner or commission shall not impose requirements inconsistent with the requirements of any other governmental entity, but may impose more stringent requirements and may work with the applicant to reach a satisfactory compromise with any other governmental entity. If a suitable plan is already in existence, the planner may find that plan fulfills the

requirements of this section. The plan shall contain elements as may be required by the landscaping standards adopted by the commission and may in any even include any or all of the following:

- a. A grading and site plan, indicating the areas excavated or filled, the proposed finished grades and contours, drainage directions and any control structures to be installed;**
- b. The methods to be employed for reclamation of the site during and after the activity along with a time table for completion;**
- c. A description of all roads, parking areas and buildings and a site map showing the locations of all improvements which will be built;**
- d. A description of any known reclamation requirements of any other governmental entity, and a copy of any reclamation plan under development or an existence for the activity;**
- e. All maps shall be submitted at an accurate scale determined by the planner and extend beyond the site area. The scale requirements and any contour intervals may be adjusted by the planner to fit the circumstances;**
- f. The design and contents of the landscaping and a description and site plan of the number, type and variety of plants, shrubs or trees to be use;**
- g. Storage. A fenced storage area for common use, adequate to store boats, trailers, snowmobiles, recreational vehicles or other items may be required.**
- h. Trash receptacles. Adequately sized, located and screened trash receptacles and areas may be required.**

Applicant's Response: See the attached landscape plan. The landscape plan is consistent with the requirements set forth in the City of Wasilla Landscaping requirement.

Staff Finding: The applicant has submitted a landscaping plan and describes project landscaping in the written description of the application as well as Sheets L 1.0 through L 2.0. This written description under 'visual buffers' states that the area of the total project site to be landscaped is 50,823 square feet. The application states that the area of the subject property in the southeast corner of the site will be dedicated as green space, along that portion of the property fronting Cottonwood Creek, to serve as a creek maintenance easement and greenbelt, not to be developed. This green space will be included in our calculation for interior parking lot landscaping.

The application includes a grading and site plan. It does not appear that grading will change because the existing mall's grading will be utilized again by the redevelopment.

The application includes a 'Development Schedule with Phases and Dates' which states that Phase 1 would commence with the demolition of the existing mall in the spring of 2007. The construction of the main anchor tenant and Pad 1 would begin once the demolition has been completed. Pad 1 would anticipate a fall 2007 opening, and main anchor tenant would anticipate a fall 2008 opening. This timeline does not mention landscaping but it is assumed that landscaping will occur when weather permits before store opening. A condition of approval shall

be that the developer shall provide a landscape guarantee in conformance with City of Wasilla Landscaping Standards.

The Landscaping Plan submitted with this application indicates the details of all roads, parking areas and buildings and a site map showing the locations of all improvements which will be built.

The applicant has submitted a landscape plan including a schedule of plantings which denote the types of trees and shrubs to be planted that appears to be adequate however, as of the date of this staff report, the City Certified Arborist is currently reviewing the proposed planting schedule to determine if the types and numbers of plantings are adequate and sufficient for this proposal.

The application states that trash handling and recycling shall be screened from public streets and that screening shall be designed to abate noise and to confine loose trash, and that materials, colors, and the design of screening walls and/or fences and their covers shall be complementary to those used as predominant materials and colors on the building.

Staff Recommended Condition: All trash receptacles and recycling shall be screened from public streets and all trash shall be confined to the screened area.

Staff Recommended Condition: Developer shall provide a Guarantee of Required Landscaping in conformance with City of Wasilla Landscaping Standards, 16.33.040 (A) 1 & 2.

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.

Applicant's Response: Pedestrian access within this site is a design priority. Main intersections are highlighted by crosswalk connections for safe pedestrian passage. All the buildings are interconnected via a pedestrian pathway system that meanders through landscaped medians. Although consumers arrive by car, the developer is committed to creating a safe and enjoyable pedestrian experience.

Staff Finding: Staff finds that the internal circulation plan is a nice fit with the landscape plan and provides for pedestrian walkways and sidewalks that connect parking aisles and landscaping features with the proposed stores locations. Bicycles were not mentioned as a consideration, however, staff suggests the applicant place bike racks near the entryways of stores for those wishing to access the site via bicycle in warmer months.

16.16.050(17) Water, Sewage and Drainage Systems. If a proposed use is within five hundred 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 over-sizing 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.

Applicant's Response: Water and sewer service for the proposed site will be constructed in accordance with Alaska Department of Environmental Conservation (ADEC) and City of Wasilla requirements. The applicant will obtain required permitting from the ADEC and City of Wasilla.

Staff Finding: Proposed development will be adequately served by city sewer and water. The Public Works Director has stated that, "The developer will need to enter into agreement with the City for modification of the water/sewer utility services by means of a utility service agreement. This agreement will spell out the developer's

responsibilities and City cost associated with service modification. In addition, any modification or addition of water/sewer main lines will need to be approved by the Alaska Department of Environmental Conservation by means of a construction/operation permit.”

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.*

Applicant's Response: A portion of the proposed project is developed and a small portion is undeveloped. It is not anticipated that historic resources will be impacted.

Staff Finding: There are no known historic resources on the proposed redevelopment site that have not already been addressed for the existing mall site. This criteria is met.

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.*

Applicants Response: The building shall be designed in order to reduce the appearance of massive scale or a uniform and impersonal appearance and to provide visual interest. Long building walls shall be broken up with projections or recessions. Along any public street frontage, the building design should include windows, arcades, or overhangs along at least sixty (60) percent of the building length. When appropriate, architectural treatment, similar to that provided to the front face, shall be provided on the sides and rear of the building to mitigate any negative view from abutting properties and/or streets. The site plan shall ensure buildings have complexity at street level with human scale by providing features such as changes in building form at entrances, and providing windows, enhanced trim and architectural detail.

Staff Finding: The proposed design and project appearance is in keeping with the general neighborhood appearance and architecture. The site layout provides adequate natural light and air.

<p><i>Staff Recommended Condition:</i> Construction must adhere to project design plans/elevations submitted to the Planning Commission.</p>
--

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. No land may be accepted by the city unless:*

a. The location, shape, size and character of the area is suitable for the planned use;

b. The uses authorized for an area are appropriate to the scale and character of the uses considering its size, density, expected population, topography, and the number and type of dwellings and uses to be conducted;

c. The area must be suitably improved for its intended use, but common open space containing natural features worthy of preservation may be left unimproved;

d. If the final development plan provides for buildings, landscaping or other improvements in the dedicated area, the developer must provide a bond or other adequate assurance that such improvements will be completed. The city shall release the bond or other assurance when the buildings, structures or improvements have been completed according to the development plan;

e. All land must be conveyed under one of the following options:

i. It may be conveyed to an agency that will agree to maintain in perpetuity the area and any buildings, structures, or improvements which have been placed on it.

ii. When no maintenance of the area is required, it may be conveyed to all new owners in undivided joint ownership.

iii. When the land is not dedicated to a public agency and maintenance of the common space is required, an association for maintenance of the area must be established. Covenants establishing the association must be approved as to form by the city attorney, and by the commission as to whether the covenants provide for maintenance of the area in a manner which assures its continuing use for its intended purpose.

iv. Conveyance of an area must be consistent with AS 34.07 the Horizontal Property Regime Act.

Applicant's Response: The Creek Maintenance Easement area on the proposed project site will be replatted as a separate parcel. The parcel may be dedicated as a green belt.

Staff Finding: The green space proposed for dedication on that portion of the subject property in the southeast corner along the creek will fulfill the need for open space and complete a large portion of the green belt creek corridor along Cottonwood Creek. The City finds that there is a direct connection between the proposed dedication from the subject property by the applicant and a dedication immediately across the creek made by Meritage Development Corp. as part of the Sportsman's Warehouse property development. These dedications when considered together will be parts of a green belt corridor running on each side of Cottonwood Creek that will provide an area for a creekside trail where the public may walk.

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

Applicant's Response: The proposed building entrances and loading area will be taken into consideration to reduce the amount of glaciations and snow drifting in

pedestrian areas. The application goes on to state that, "Snow will be temporarily stored on-site in specified overflow parking areas in order to maximize pedestrian and vehicular movement and safety and then hauled off-site."

Staff Finding: No foreseeable problems associated with winter conditions are anticipated.

16.16.060(K) PLANNED UNIT DEVELOPMENT

16.16.060(K)(1) Planned unit development site must abut, and the major internal street serving the planned unit development must be directly connected to, a public road which is maintained by the city, borough or state.

Applicant Response: Vehicular access shall be from the two existing driveways located on the north side of the Parks Highway and the three existing driveways located on the east side of the Palmer-Wasilla Highway.

The Parks Highway is designated as a principal arterial-interstate in the DOT&PF Annual Traffic Report, Central region, 2003-2005. The Palmer Wasilla highway is designated as a minor arterial per the DOT&PF Annual Traffic Volume report, Central region, 2003-2005.

Staff Finding: All lots proposed within this PUD abut the Parks Hwy. or the Palmer Wasilla Hwy. The Parks Hwy. and Palmer Wasilla Hwy are State maintained highways.

The internal access serving this proposal is directly connected to both the Parks Highway and Palmer Wasilla Highways, which are both state maintained roads.

16.16.060(K)(2) The minimum size for a PUD is twenty thousand (20,000) square feet. The minimum size area may be waived when planned unit development is used to facilitate redevelopment in the downtown area as described in the comprehensive plan.

Applicant Response: The applicant indicates on the preliminary PUD plat submitted to the Borough the following lot sizes:

- Tract 1: 599,567 S.F.
- Tract 2: 53,994 S.F.
- Tract 3: 44,367 S.F.
- Tract 4: 55,990 S.F.
- Tract 5: 219,604 S.F.

Staff Finding: The proposed lots resulting from this PUD are all greater than 20,000 S.F., therefore this criteria is met.

16.16.060(K)(3) Any land uses may be permitted, subject to the general and specific criteria of this section, if such uses are deemed by the commission to be appropriate in furtherance of the goals of the comprehensive plan and designed to complement each other. All mobile home parks must be reviewed and approved as a PUD. The commission may establish conditions

of approval and may modify the dimensional and parking requirements of the underlying district or districts in which the project is located. However, all streets, paving, curbs, sidewalks, utilities, lights, and similar facilities must be developed according to the city standards unless specifically waived by the commission upon recommendation of the engineer.

Applicant Response: The proposed use is appropriate and in line with the goals of the comprehensive plan.

Staff Finding: The proposed PUD fits the context and meets the Goals and Policies of the various chapters of the 1996 Comprehensive Plan as follows:

Economic Development and Population

GOAL: Encourage Growth and development that promotes the economy, protects the environment and improves the quality of life.

GOAL: Improve the appearance of Wasilla for the benefit of residents and visitors.

Staff finds that this proposal supports these Goals for economic development and their related policies. The redevelopment of the Cottonwood Creek mall will provide a new modern shopping opportunity for the community of Wasilla and surrounding areas. The former mall was not fully utilized to its full capacity which was a loss to the community. The new redevelopment has been designed in response to the economics and human nature of consumer demand for retail in 2008 and will provide growth and development that supports the economy.

Staff find that the modern building design with strong consideration for landscaping, and with a dedication of a land to complete half of a green belt corridor along Cottonwood Creek will improve the appearance of Wasilla for the benefit of residents and visitors.

Parks and Recreation Plan

GOAL: Acquire, develop and maintain suitable parkland for current and future needs.

Staff find that this Cottonwood Creek Mall redevelopment proposal supports the goal to acquire, develop and maintain suitable parkland for current and future needs. The developer has stated in the application the dedication of "...area in the southeast corner of the site that has the existing creek running through it will be dedicated as green space, not to be developed."

Land Use Plan

Staff find that the Wasilla Comprehensive Plan 1996, 'Current Land Use Map' designates the subject property as "Commercial". Staff find that the subject property is currently zoned commercial and the proposed redevelopment of the Cottonwood Creek Mall is a commercial enterprise meeting this land use designation therefore this comprehensive plan provision is met.

Staff find that the Wasilla Comprehensive Plan 1996, "Expected Future Land Use Map" designates the subject property as "Generally Commercial/Business". Staff find that this proposal is a commercial business use that meets this Comprehensive Plan Provision.

16.16.060(K)(4) **A proposed plan shall first be submitted for informal review to the planner. The plan must include the location, general layout of streets, parking areas, ingress and egress, building design and type of uses proposed. A report on the proposed plan will be provided to the developer, the borough and the commission which summarizes the concerns and recommendations of the planner. The report shall be available within five days following the informal review. At any time within six months of the date of the planners' report on the informal review, the applicant may file to initiate formal review of the PUD request.**

Applicant Response: This document is being delivered as part of the Informal Review mentioned in this item.

Staff Finding: A proposed plan was submitted to the City Planner and reviewed per the provisions for informal review and found to have addressed these provisions sufficiently. Plans reviewed included the information required by proposed PUD including the location, general layout of streets, parking areas, ingress and egress, building design and type of uses proposed. A letter from the City Planner dated February 8, 2007 was sent to the applicant stating that the informal review was made and that the Planning Office would accept a formal application. A formal application was made on February 26, 2007.

16.16.060(K)(5) **A PUD will require council approval after review and recommendation by the planning commission.**

Applicant Response: We request an expedited review and positive recommendation to the council at the earliest possible time.

Staff Finding: The Planning Department received the application and immediately scheduled it for review before the Planning Commission at the earliest possible date. The City planning staff are coordinating with the City Clerk's office to schedule this proposal before the City Council at the earliest possible date immediately after the Planning Commission Public hearing on March 27, 2007 assuming an affirmative recommendation of approval from the Planning Commission with no major changes to the findings or requests by the PC for additional information.

16.16.060(K)(6) **An application for a PUD must include ten (10 copies of accurate site plans drawn to an appropriate scale and topographic maps showing present and proposed contours at intervals of not more than two feet unless the planner request plans at a different scale or maps with different contour intervals. The maps and plans must be of standard size format as required under the Matanuska-Susitna Borough platting code and show or contain:**

- a. **Boundaries of the site;**
- b. **The name and dimensions of all streets bounding or touching the site;**

- c. **Proposed location and horizontal and vertical dimensions of all buildings proposed to be located on the site;**
- d. **Proposed location and dimensions of any private open space or trails within the site;**
- e. **Proposed public dedications within the site;**
- f. **Location, dimensions and design of off-street parking facilities showing points of ingress and egress;**
- g. **The location, direction and bearing of any major features such as controlled intersections, public buildings and railroad tracks;**
- h. **Proposed grading, drainage and landscaping plans;**
- i. **Existing and proposed utility systems including sewers, storm drains, water, electric, gas and communication lines;**
- j. **A preliminary plat if a re-subdivision of the site required or proposed;**
- k. **Surrounding and underlying zoning and existing land uses and buildings;**
- l. **A statement of objectives to be achieved by the PUD through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant. The developer shall demonstrate how the PUD conforms to the purposes of the comprehensive plan, and the approval criteria;**
- m. **A proposed development schedule indicating the approximate dates when the development of the PUD or stages of the PUD can be expected to begin and be completed. The PUD may include two or more phases of development provided that each phase must be developed successively and each succeeding phase is subject to the then current development standards of the city;**
- n. **Quantitative data for the following: total number and type of dwelling units, proposed coverage of buildings, approximate residential densities, total amount of nonresidential construction, the location and floor area of all existing and proposed buildings and other improvements, and any architectural renderings of typical buildings and improvements; and**
- o. **Any other material requested by the commission or the planner.**

Applicant Response: The project site is zoned commercial. This site plan complies will all design standards required in the Commercial zoning district, such as minimum lot requirements, minimum building setbacks, maximum lot coverage, and maximum height of structures. Landscaping, parking, loading facilities, and signs are all addresses and consistent with City of Wasilla Title 16 requirements.

Staff Finding: The applicant has provided all necessary information as required in the code and has been willing to supply information as requested by Planning Staff.

16.16.060(K)(7) The applicant shall, within one year of the date of commission approval of the preliminary PUD plan, submit a final PUD plan to the planner, which shall

incorporate all the changes and conditions required by the commission. The final PUD plan must include a mylar or electronic media copy of all necessary maps and drawings. The planner shall approve of the final PUD plan if the plan is substantially the same as the plan approved by the commission and all changes and conditions of the approval have been satisfactorily met. The commission may grant one six-month extension of the deadline for final PUD plan submittal.

Staff Finding: Applicant must comply with the requirements of this section and submit final PUD plan to City Planner that incorporates any changes made by the City Council for final approval within one year from the date of City Council approval.

Staff Recommended Condition: The applicant shall submit a final PUD plan to the City Planner which incorporates all changes made by the City Council within one year from the date of commission and City Council approval.

16.16.060(K)(8) No activity may commence on the site in furtherance of the approved PUD or PUD phase until all construction guarantees have been posted with and approved by the city.

Applicant Response: No activity will be started before required conditions have been met.

Staff Finding: Applicant must comply with the requirements of this section.

Staff Recommended Condition: No activity may commence on the site in furtherance of the approved PUD or PUD phase until all construction guarantees have been posted with and approved by the city.

16.16.060(K)(9) Minor alterations to the PUD, as determined by the planner, may be approved by the planner. Major revisions to a PUD shall be brought before the commission as a conditional use. All development approved by the commission on the PUD plan will be administratively approved at the actual time of development.

Applicant Response: No major alterations are anticipated.

Staff Finding: Any changes in the site plan will be evaluated as necessary and brought before the commission as a conditional use if deemed necessary. Minor alterations to the PUD will be approved by the City Planner.

16.32.130 Signs in the commercial and industrial zone.

B. One freestanding sign per premises, not to exceed one square foot in sign area for each linear foot of main street frontage up to a maximum of one hundred fifty (150) square feet. Such signs may not exceed a height of twenty-five (25) feet;

E. Where an occupancy is on a corner or has more than one street frontage, one additional freestanding sign will be allowed on the additional frontage, not to exceed the size of the other freestanding sign;

H. Where a lot has in excess of four hundred (400) feet of street frontage, one additional freestanding sign will be allowed for each additional 100 (100) feet of street frontage. Such signs shall be subject to the size and height limitations of the first allowed freestanding sign and may be placed no closer than two hundred fifty (250) feet to any other freestanding sign on the same premises;

J. Two ground signs may be used instead of nay one free standing sign not to exceed fifty (50) square feet each;

Applicant Response: The applicant stated in an e-mail of 2/27/07 the intention to have the following signs:

1. One (1) 25' high sign along the GP Hwy (150 sf of sign area) this will be a multi-tenant sign.
2. One (1) 25' high sign along the Palmer Wasilla Hwy (150 sf of sign area) this will be a multi tenant sign.
3. Given our frontage is well in excess of 400' feet on both highways, one (1) additional 25' high sign is allowed (150 sf of sign area) or in lieu of one 25' high sign two ground signs are allowed (50 sf of sign area).

Staff Finding: The applicant is required to meet the provisions of sign code and staff finds that this proposal as noted in the application materials meets the provisions of the sign code

Process Findings:

Application: Planning staff has determined that the application along with supporting data is complete and submission requirements were met in a timely manner.

Public Notice: All public noticing requirements of WMC 16.16.040(B) have been met.

Comment Period: The written comment period was appropriately given and agency and public comments have been received by mail.

Public Hearing: The public hearing is scheduled in compliance with the requirements of WMC 16.16.040(D) no later than two regular meetings after the acceptance of the application by the planner.

Hearing Format: The hearing format as established in WMC 16.16.040(E) follows the criteria listed in items 1 through 5 regarding time limits of testimony.

Decision: Findings of Fact will be set forth as an Exhibit A accompanying Planning Commission Resolution Serial No. 07-03 supporting the Commission's decision in compliance with WMC 16.16.040(F).



March 19, 2007

City of Wasilla Planning Office
290 E Herning Ave.
Wasilla, AK 99654

RE: Dowl Engineers by LaQuita Chmielowski, for Browman Development Company
CASE #: PUD-07-01

Friends of Mat-Su (FoMS) would like to provide the following comments regarding this Planned Unit Development.

FoMS has targeted Cottonwood Creek for an education project enlisting students to canvass the area in the Spring of 2007 for the purpose of educating residents and property owners regarding best management practices for living or conducting a commercial business along Cottonwood Creek. We chose this creek due to the fact that it is listed as an impaired anadromous water body. Therefore, our attention was drawn to this PUD as the location is in close proximity to Cottonwood Creek. We feel that given the fact it is already listed as an impaired water body, special attention should be paid to any development occurring along the creek.

- All buildings and facilities should be connected to the city water and sewer system.
- Any land not directly needed for buildings, parking or access should retain the natural vegetation on site. Example: Native Trees, shrubs, grasses etc. Trees and shrubs can be pruned and shaped for a more attractive appearance.
- Buffer area on land adjacent or along the creek should be at least 100' wide and placed into a conservation easement. The buffer will assist with erosion control, stabilize water temperatures for fish habitat and the natural vegetation provides storm water runoff control and filtration.
- Landscaping of the property should consider the use of shrubs and trees along the creek. This type of landscaping is attractive and requires less maintenance and no use of chemicals. If plants and grass are considered then the use of fertilizers, herbicides and pesticides should not be allowed.
- Parking areas could be designed in a manner that does not use asphalt or impervious surfaces near the creek or creek buffer. Example: Parking areas could be 50% impervious closer to buildings and the remainder of parking areas could be pervious to allow for better drainage and filtration. This would mitigate runoff into the creek.

We encourage the developer and the city of Wasilla to seriously consider these comments and options. Thank you for the opportunity to comment.

Sincerely,
Mimi Peabody

Mimi Peabody
Projects Coordinator

03-19-07 15:25 IN



CITY OF WASILLA

• Public Works Department •

290 East Herning Avenue • Wasilla • Alaska • 99654-7091

• Telephone 907-373-9010 • Fax 907-373-9011 •

March 20, 2007

Jim Holycross, City Planner
Community & Economic Development
290 E. Herning Ave.
Wasilla, AK 99654

RE: Proposed Cottonwood Creek Mall P.U.D.

Dear Mr. Holycross:

After reviewing the proposed landscape plan submitted for the above mentioned project I have the following comments for your consideration:

Considering the conditions in the subject area of the City (winter winds, lack of natural wind breaks), the survival of creeping juniper and weeping birch would be low and a substitution should be made.

Although there was caliper & height specification, to ensure quality trees are planted, I would suggest the following:

Root Quality (balled & burlapped)

- Trunk shall be in center of root ball
- No kinked or "J" roots
- No circling or girdling roots
- Root collar (trunk flare, root flare) shall be at the surface of the root ball
- Root ball size shall meet ANSI Z60.1-2004
- Container material should not be root bound

Trunk, Crown and Branch

- Trunk diameter and taper shall be sufficient so that tree remains vertical without support
- Trunk shall be free of open wounds, (except properly made pruning cuts), diseases, infections, insect damage, cracks, shipping damage or any other wounding
- Trees should have one central dominant leader according to species

- There shall be no gaps or voids greater than 12" in the canopy or branches missing on one side of the canopy
- One-half or more of the foliage should be on branches originating on the lower two thirds of the trunk and one-half or less should originate on the upper one-third
- Branches should be evenly spaced vertically and radially and have no included bark
- Stakes, if used, must be removed as soon as possible but within one year.

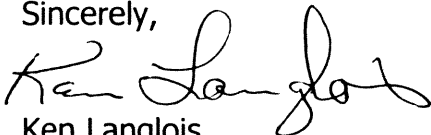
If at all possible it would advantageous to attempt to relocate many of the existing, mature trees within the boundaries of this project. I realize that this could be an expensive and perhaps fruitless endeavor. Perhaps another area could be identified for additional landscaping to mitigate the loss of these trees if relocation fails or is not possible.

Outside the scope of this project along the Parks Highway are many existing, mature trees. Every effort should be made to not disturb these trees, such as fencing off the area and not stockpiling any materials under or near these trees or running or parking equipment near them.

I would like you to consider the use of 'structural soils' under the pavement around the planting islands to give more area for root growth.

I would like to see the contract landscaper use this above criteria for selection and would appreciate communication regarding the selections prior to and when the plant materials are delivered to the site. You may contact me at (907) 355-3167, klanglois@ci.wasilla.ak.us.

Sincerely,



Ken Langlois
Certified Arborist
City of Wasilla

Jim Holycross

From: Langdon, Mel [Mel_Langdon@dec.state.ak.us]
Sent: Friday, March 16, 2007 9:29 AM
To: Jim Holycross
Cc: Ichmielowski@dowl.com; Eldred, Laura
Subject: RE: Cottonwood Creek Redevelopment PUD application with City of Wasilla

Hi Jim,

Since the design is only at the 35% level and still subject to change before the Wasilla Planning Commission meeting, we have these review comments with respect to stormwater.

1. Under to 18 AAC 72.600, engineering plans for storm water disposal systems must be submitted to DEC for review and approval prior to construction. Submittal requirements and design criteria are shown at http://www.dec.state.ak.us/water/wnpssc/stormwater/sw_regulations.htm
2. If the project disturbs one or more acre or is part of the planned disturbance of a larger common plan of development or sale, a permit for stormwater discharges from construction activity is required. Permit coverage is available under the EPA's Construction General Permit (http://www.epa.gov/npdes/pubs/cgp2003_entirepermit.pdf). Among other permit conditions, compliance with this permit requires the operator to develop and follow a Storm Water Pollution Prevention Plan (SWPPP) to manage materials, equipment, and runoff from the construction site. The Notice of Intent to obtain coverage must be submitted to EPA and a copy to DEC. In addition, if site disturbance is greater than 5 acres, the operator must submit a copy of the SWPPP and a fee to DEC.
3. The site appears to naturally drain to Cottonwood Creek and/or Wasilla Lake. Cottonwood Creek is listed as an impaired waterbody in Alaska's Integrated Report (http://www.dec.state.ak.us/water/wqsar/waterbody/2004_ir_final.pdf). Stormwater treatment and assurances of treatment system maintenance will be required for systems that discharge to either waterbody

Thanks for the opportunity to review and comment.

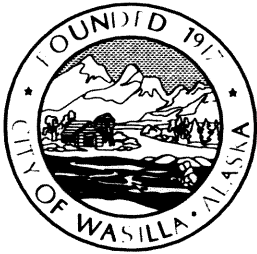
Mel Langdon

Stormwater and Wetlands, Nonpoint Source Program
Division of Water, Alaska Department of Environmental Conservation
555 Cordova St.
Anchorage, AK 99501
907-269-6283 voice
907-334-2415 fax

From: Jim Holycross [mailto:jholycross@ci.wasilla.ak.us]
Sent: Tuesday, March 13, 2007 4:19 PM
To: Langdon, Mel
Subject: Cottonwood Creek Redevelopment PUD application with City of Wasilla

My name is Jim Holycross. I am the City Planner for Wasilla. We have received an application for the Cottonwood Creek Mall Redevelopment Project; PUD 07-01.

I am trying to make sure that all the review agencies, including the DEC Stormwater Section, have enough



CITY OF WASILLA
Public Works Department
290 East Herning Avenue, Wasilla, Alaska 99654-7091
Telephone (907) 373-9010 Fax (907) 373-9011

March 8, 2007

MEMORANDUM

To: City Planner

From: Public Works Director 

RE: Proposed Redevelopment of Cottonwood Creek Mall

UTILITY SERVICE

City water and sewer utility service will be used for the new development. The developer will need to enter into agreement with the City for modification of the water/sewer utility services by means of a utility service agreement. This agreement will spell out the developer's responsibilities and City cost associated with the service modification. In addition, any modification or addition of water/sewer main lines will need to be approved by the Alaska Department of Environmental Conservation by means of a construction/operation permit.

DRAINAGE

Existing drainage patterns are proposed to be maintained for the new development. There are no adjacent private properties or City roads that are affected by the existing drainage patterns. Drainage will continue to be southwest to Parks Highway ditch for storage, infiltration and overflow into Cottonwood Creek, and southeast to collection area for storage, infiltration, and overflow into Cottonwood Creek. Storm water plans will need to be approved by the Alaska Department of Environmental Conservation for temporary containment/treatment areas during construction, and for permanent collection and treatment areas designed to protect Cottonwood Creek. In addition, drainage plans should be submitted to Alaska Department of Transportation for drainage directed to the Parks Highway ditch.

ROADS

No City roads are affected by this project. The new development will maintain the existing driveways and traffic pattern along the Palmer-Wasilla Highway and Parks Highway. The developer will need to prepare and submit to the Alaska Department of Transportation a Traffic Impact Analysis showing the affect the project will have on the adjacent highways.

There may be other federal, state, or local requirements for this project not listed above.

NOTIFICATION OF PUBLIC HEARING
-PLANNED UNIT DEVELOPMENT (PUD)-

DATE: 03-02-07

CASE #: PUD-07-01

The City of Wasilla Planning Commission will consider the following:

PETITIONER (S): Dowl Engineers by LaQuita Chmielowski, for Browman Development Company (Owner)

REQUEST: To develop a 23.33-acre Planned Unit Development, PUD, to include large-scale and small-scale stores and restaurant for a total of approximately 232,460 square feet. Subject parcels include Tracts A-1 & D-1 of Cottonwood Creek Mall Resub. of Tracts A&D, and Tracts B, C, & E of Cottonwood Creek Mall, all zoned C-Commercial which allows a *planned unit development* under the conditional use permit process. A public hearing notice is being sent to all property owners within a 1200' radius as required in WMC 16.16.060(K).

A public hearing will be held on March 27, 2007 at 7:00 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. You may also fax (907) 373-9021 or email your comments to: jcarriaburu@ci.wasilla.ak.us. Your written comments on this project must reach the Planning Office on or before March 19, 2007 in order to be included in the packet. Comments received after that date will be made 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 _____

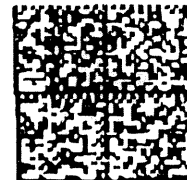
Lot _____ Block _____ Subdivision _____

Comments:

From MAP # 9750 C ZONES A/E FLOOD HAZARD PERMIT WILL
BE NEEDED TO BUILD ON MOST AREAS OF PROPERTY.
JOHN FINEY 3/6/07 77



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



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MATANUSKA SUSITNA BOROUGH
Code Compliance
FIRST CLASS

MAR 05 2007

MAR 06 2007

RECEIVED

PRJRV 2007-0150
Receiver

NOTICE OF PUBLIC HEARING