

By: Planning  
Public Hearing: 12/13/11  
Failed: 12/13/11

**WASILLA PLANNING COMMISSION  
RESOLUTION SERIAL NO. 11-04 (AM)**

**A RESOLUTION OF THE WASILLA PLANNING COMMISSION RECOMMENDING THAT THE WASILLA CITY COUNCIL APPROVE OF A REZONE FROM RURAL RESIDENTIAL TO COMMERCIAL FOR A PORTION OF LOT A4, WITHIN SECTION 7, AND A PORTION OF LOT B4, WITHIN SECTION 18, TOWNSHIP 17 NORTH, RANGE 01 WEST, SEWARD MERIDIAN, AK, TOTALING APPROXIMATELY 36 ACRES.**

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WHEREAS, Kevin Baker, agent for Gary Lundgren, owner, hereinafter called “the applicant”, submitted an application for a rezone, R11-02, requesting a recommendation of approval from the Wasilla Planning Commission to the Wasilla City Council to change the zoning from Rural Residential (RR) to Commercial (C); and

WHEREAS, a rezone is reviewed and approved under the same process as a conditional use permit by the Wasilla Planning Commission; and

WHEREAS, the application was submitted on January 13, 2011, and included the narrative and maps that address criteria listed in WMC 16.16.040, 16.16.050 and 16.16.070; and

WHEREAS, on February 1, 2011, the applicant requested a postponement of the public hearing for the rezone request; and

WHEREAS, on November 8, 2011, the applicant submitted a request to schedule the public hearing for the rezone request for the December 13, 2011, Planning Commission meeting; and

WHEREAS, the Wasilla Planning staff mailed notices for this 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 applicants, evaluation and recommendations of 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 adopted Findings of Fact, attached as Exhibit A, summarizing basic facts and reasoning of the Commission; and

WHEREAS, after due consideration, the Wasilla Planning Commission hereby determines that the application meets the approval criteria for a rezone.

NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission after due consideration of the application, testimony by the applicant, staff, and public, and the Findings of Fact attached as Exhibit A and incorporated herein, recommends that the Wasilla City Council approve the requested rezone for the portions of Lot A4 and Lot B4 shown on the map attached as Exhibit B; and

BE IT FURTHER RESOLVED, that the Wasilla Planning Commission, grants the request with the following conditions:

1. The rezone from RR – Rural Residential to C – Commercial not take effect until the right-of-way acquisitions for Machen Road are completed.

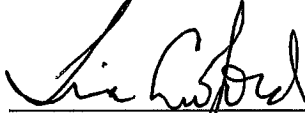
FAILED by the Wasilla Planning Commission on December 13, 2011.

APPROVED:



\_\_\_\_\_  
A.C. Buswell, III, Chairman

ATTEST:



\_\_\_\_\_  
Tina Crawford, AICP, City Planner

VOTE:        Yes: Buswell, Kelly, and Webb  
               No: Miller

## EXHIBIT A

### Wasilla Planning Commission Resolution 11-04 (AM) FINDINGS OF FACT - Section 16.16.070(D)

1. Due deference has been given to the neighborhood plan; or comments and recommendations from a neighborhood with an approved neighborhood plan;

*Finding:* This criterion is not applicable since there are not any approved neighborhood plans in the area.

2. The proposed rezoning substantially complies with Section 16.16.050, and Section 16.20.030 in the case of the establishment or modification of a PUD overlay district;

*Finding:* This criterion is met since the rezoning substantially complies with the applicable provisions of Section 16.16.050 General Approval Criteria. Additionally, in-depth review for consistency with Title 16 will be done by planning staff upon receipt of permit application.

3. The proposed rezoning is in an area with adequate services, including as appropriate; roads, parking, sidewalks, water, sewer, gas, electricity, drainage, police and fire protection, or the developer has agreed to provide all the necessary improvements or services for the area;

*Finding:* This criterion is met since the subject properties have appropriate access to the services referenced above or will provide them at time of development.

4. The comments from reviewing parties (Section 16.08.040) on the proposed rezoning have been adequately addressed;

*Finding:* This criterion is met.

5. There is a demonstrated need for additional land in the zoning district to accommodate uses allowed;

*Finding:* This criterion is met.

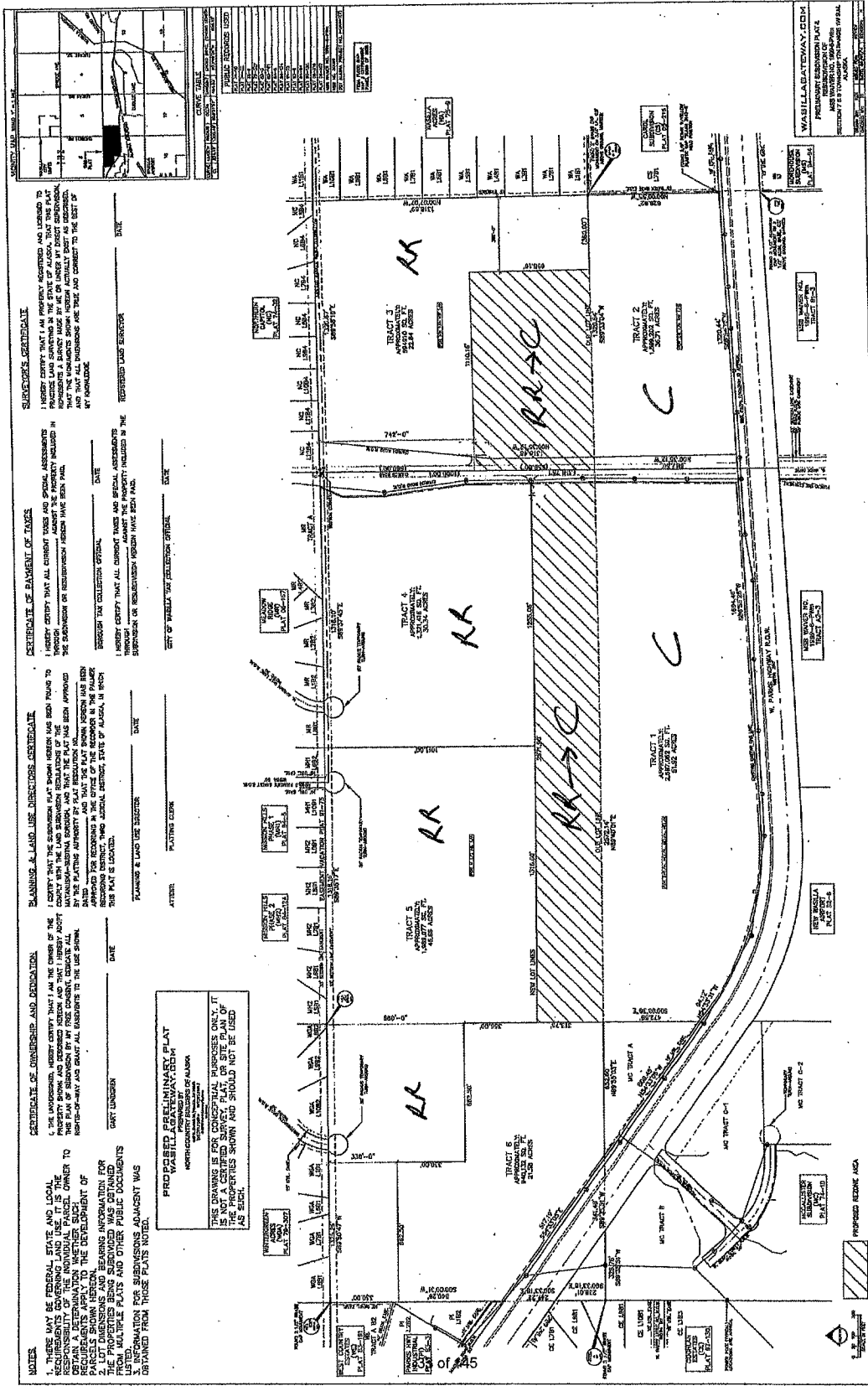
6. The resulting district or expanded district will be a logical, integrated area; and

*FINDING:* The resulting district or expanded district will be a logical, integrated area.

7. The rezoning is in conformance with the city comprehensive plan.

*FINDING:* This criterion is met since the proposed rezone to Commercial is consistent with the goals and policies in the Comprehensive Plan since the Future Land Use Map designates this property as Mixed Use.

# EXHIBIT B



*New Zoning Areas* (with circled 'RR')

11-4-2011