

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 23-14**

**A RESOLUTION OF THE WASILLA PLANNING COMMISSION RECOMMENDING
THAT THE WASILLA CITY COUNCIL APPROVE A REZONE FROM COMMERCIAL
TO INDUSTRIAL FOR LOT 3, OLYMPIC ADDITION 1 SUBDIVISION.**

WHEREAS, Gerald Neeser, Gerald Neeser Rev Trust, initiated the request to rezone Lot 3, Olympic Addition 1 Subdivision from Commercial to Industrial zoning; 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 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 City, 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.

ADOPTED by the Wasilla Planning Commission on August 8, 2023.

APPROVED:

 8/8/2023
David Seals, Chairman Date

ATTEST:


Crystal Nygard, Acting City Planner

VOTE: Passed Unanimously

EXHIBIT A
Wasilla Planning Commission Resolution 23-13
FINDINGS OF FACT – Section 16.16.070, Rezoning

16.16.070 Rezoning

- A. *Initiation. A rezoning may be initiated by the developer, the planner, any member of the commission, a city council member, the mayor, or by a petition bearing the signatures of the owners of at least fifty-one (51) percent of the owners of property within the area proposed to be rezoned.***

FINDING: The subject rezoning was initiated by the property owner.

- B. *Restrictions. Rezoning of an area less than two acres shall not be considered unless the rezoning involves the contiguous expansion of an existing zone, or a planned unit development overlay district. Streets or other rights-of-way shall not be included in calculating the minimum area for a rezoning. The area to be rezoned shall be a logical, integrated area.***

FINDING: The subject lots total 8.91± acres and will be a logical, integrated industrial area.

- C. *Procedure. The application, acceptance notice, review and decision procedures for a rezoning shall follow the procedures set forth for a conditional use in Section 16.16.040. If the commission fails to act within twenty (20) days of the close of the hearing the rezoning request shall be considered approved and shall be forwarded to the council.***

FINDING: All applicable application, notice, review, and decision procedures were followed consistent with Section 16.16.040.

- D. *Criteria. The commission shall make a recommendation to the council based on written findings that the appropriate following criteria have been addressed:***

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

FINDING: Although no approved neighborhood plans are in this area the proposed rezone to Industrial is consistent with existing development and zoning 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: The rezoning substantially complies with the applicable provisions of Section 16.16.050, and Section 16.20.030 is not applicable. The proposed rezone is consistent with the character of surrounding properties, has frontage on a commercial class street, and is not anticipated to result in off-site impacts or necessitate changes to existing City infrastructure. An in-depth review for consistency with Title 16 will be done by planning staff when any new development/ redevelopment is proposed on the lots.

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: The lot has appropriate access to the services referenced above.

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

FINDING: Staff received one agency response with no comment.

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

FINDING: With the exception of a few lots in the area near the intersection of Mystery Avenue and Lucus Road that are zoned Industrial (approximately 43.6 acres), all other Industrial zoned land is part of the Wasilla Airport or the City water treatment facility. Based on the limited number of privately owned industrially zoned lots within the City and the increased demand for uses that are only allowed in the Industrial zoning district, there is a demonstrated need for additional land.

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

FINDING: Rezoning the 8.91± acres to Industrial will create a logical, integrated area that will support continued industrial uses. The lots have access along existing roads and close proximity to the Parks Highway, and will be used in a manner consistent with adjacent lots.

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

FINDING: The proposed Industrial zoning is consistent with the City's Comprehensive Plan, which presently does not designate a Future Land Use classification for this property.