



MAYOR
Verne E. Rupright

CITY PLANNER
Tina Crawford

WASILLA PLANNING COMMISSION

Dan King, Seat A
Daniel Kelly Jr., Seat B
Steven DeHart, Seat C
Doug Miller, Seat D
Glenda Ledford, Seat E
Clark Buswell, Seat F
Robert Webb, Seat G

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

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

REGULAR MEETING

7 P.M.

MAY 24, 2011

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE OF ALLEGIANCE
- IV. APPROVAL OF AGENDA
- V. REPORTS
 - A. City Attorney
 - B. City Council
 - C. City Planner
 - D. City Public Works Director
- VI. PUBLIC PARTICIPATION *(five minutes per person, for items not scheduled for public hearing)*
- VII. CONSENT AGENDA
 - A. Minutes of April 12, 2011, meeting.
- VIII. NEW BUSINESS *(five minutes per person)*
 - A. Public Hearing
 1. **Resolution No. 11-09:** Recommending that the Wasilla City Council approve a rezone from Rural Residential to Commercial for Lot A9, Section 19; Lot B4, Section 20, and Lot 2, Roger's Rooste Subdivision; Township 17 North, Range 1 West, Seward Meridian,

Alaska. Generally located at mile 3.5 on the north side of Knik-Goose Bay Road.

- a. City Staff
- b. Applicant
- c. Private person supporting or opposing the proposal
- d. Applicant

2. **Resolution No. 11-10:** Recommending that the Wasilla City Council approve a rezone from Rural Residential to Commercial for Lots A14, A15, A16, A17 and D10, Township 17 North, Range 1 West, Section 10, Seward Meridian, Alaska. Generally located on the north side of Palmer-Wasilla Highway and south of the Parks Highway.

- a. City Staff
- b. Applicant
- c. Private person supporting or opposing the proposal
- d. Applicant

IX. UNFINISHED BUSINESS

X. COMMUNICATIONS

- A. Permit Information
- B. Enforcement Log

XI. AUDIENCE COMMENTS

XII. STAFF COMMENTS

XIII. COMMISSION COMMENTS

XIV. ADJOURNMENT

I. CALL TO ORDER

The regular meeting of the Wasilla Planning Commission was called to order at 7:00 PM on Tuesday, April 12, 2011, in Council Chambers of City Hall, Wasilla, Alaska by A.C. Buswell, III, Chairman.

II. ROLL CALL

Commissioners present and establishing a quorum were:

Mr. Daniel Kelly, Jr., Seat B
Mr. Steven DeHart, Seat C
Mr. Doug Miller, Seat D
Ms. Glenda Ledford, Seat E
Mr. Clark Buswell, Seat F
Mr. Robert Webb, Seat G

Commissioners absent and excused:

Mr. J. Dan King, Seat A

Staff in attendance were:

Mr. Archie Giddings, Public Works Director
Ms. Tahirih Klein, Planning Clerk

III. PLEDGE OF ALLEGIANCE

A. Commissioner Miller led the pledge of allegiance.

IV. APPROVAL OF AGENDA

GENERAL CONSENT: The agenda was approved as presented.

V. REPORTS

A. City Attorney
No report given.

B. City Council
Mr. Giddings provided a brief summary of the City Council regular meeting.

C. City Planner
No report given.

D. City Public Works Director

Mr. Giddings stated the legislators are almost done with their project discussions and there were two projects that are high priorities that were passed in regards to updates to major right-of-ways.

VI. PUBLIC PARTICIPATION *(five minutes per person, for items not scheduled for public hearing)*

There were no public comments.

VII. CONSENT AGENDA

A. Minutes of March 22, 2011, meeting.

GENERAL CONSENT: Minutes were approved as presented.

VIII. NEW BUSINESS *(five minutes per person)*

A. Public Hearings

1. **AM No. 11-07:** City Council authorizing the exchange of City land with the Wasilla Lake Church of the Nazarene, under WMC 5.32, sale or lease of public lands; authorizing the mayor to execute and deliver a contract for the land exchange; and providing for related matters.

a. City Staff

Mr. Giddings provided a brief summary of the steps for the exchange and the background behind the request.

b. Applicant

c. Private person supporting or opposing the proposal

Chair Buswell opened the public hearing for AM No. 11-01 for public input.

With no one present to speak, Chair Buswell closed the public hearing on AM No. 11-01.

d. Applicant

MOTION: Commissioner Kelly moved to adopt AM No. 11-01 as presented.

Commissioner Ledford stated she may have a conflict and stated it had to do with family and asked the Commissioner if they had a problem with her providing input and voting.

Commission as a whole stated they did not have a problem with Commissioner Ledford providing input and voting on the item.

Discussion moved to the Commission.

VOTE: The motion to approve AM No. 11-01 as presented passed unanimously.

X. UNFINISHED BUSINESS

There was no unfinished business.

IX. COMMUNICATIONS

No statements made regarding the following items.

- A. Permit Information
- B. Enforcement Log

X. AUDIENCE COMMENTS

No one present.

XI. STAFF COMMENTS

- A. Staff Comments

Mr. Giddings stated he appreciates the Commission approving the land transfer and stated the trash and junk ordinance will be brought forward to the City Council again for their approval.

XII. COMMISSION COMMENTS

Commissioner Kelly asked about land use permit activity.

Ms. Klein provided a brief summary of the Planning activities.

Commissioner Kelly stated he would like to try and see the process for the Main Street Cuplet move forward.

Commissioner Webb stated it was a good meeting tonight.

Chair Buswell stated that he appreciates all the members on the Commission and their views.

XIII. ADJOURNMENT

The regular meeting adjourned at 7:20 PM.

ATTEST:

A.C. BUSWELL, III, Chairman

TAHIRIH KLEIN, Planning Clerk

Adopted by the Wasilla Planning Commission -, 2011.

DRAFT



Staff Report: Case # R11-03
Prepared by: Planning Staff
Meeting date: May 24, 2011

I. SUMMARY FACTS:

Applicant/Owner: Olympic Investments, LLC
Jeffrey W. & Allison Holler

Proposal: Rezone from Rural Residential to Commercial District.

Location: Lot A9, Section 19; B4, Section 20; and Lot 2, Roger's Rooste Subdivision
Township 17 North, Range 01 West, Seward Meridian, AK
(Generally located approximately at Mile 3.5 on the north side of Knik-Goose Bay)

Parcel size: Approximately 18.70 acres

Existing Zoning: Rural Residential

Future Land Use: Mixed Use/Generally Residential

Surrounding Zoning: North: Rural Residential
South: Outside City Limits
East: Rural Residential
West: Rural Residential

II. STAFF RECOMMENDATION:

Based on findings of compliance with applicable criteria established in Section 16.16.070 and 16.16.050 of the Wasilla Municipal Code, staff recommends approval of the rezone request.

III. BACKGROUND INFORMATION

In 2005, a rezone request was submitted to rezone Lots A9 and B4 from Rural Residential to Commercial. The Planning Commission recommended denial of the request and the applicant withdrew the request prior to the City Council public hearing. In 2006, another application for Lots A9 and B4 was re-submitted requesting a rezone from Rural Residential to Commercial. The Planning Commission recommended denial and the City Council also denied the request (Ord. Ser. No. 06-19). This petition is for the same two lots along with an additional lot – Lot 2, Roger's Rooste Subdivision.

IV. SUMMARY OF REQUEST

The purpose of this request is to rezone three properties from Rural Residential to Commercial.

Public hearing notices were mailed to 88 property owners within a 1,200 foot radius and 25 review agencies on May 4, 2011 allowing an appropriate number of days to respond prior to the public hearing notice and request for comments in accordance with 16.16.040(A)(2).

This staff report includes staff findings and recommendations based on the applicable requirements of City code.

V. APPLICABLE PROVISIONS

The following WMC Section 16.16.070, Rezoning, is applicable to this request for rezoning property within the City of Wasilla.

VI. FINDINGS

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.

STAFF FINDING: This criterion is met since the subject rezoning was initiated by the owners of the properties.

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.

STAFF FINDING: This criterion is met since the properties total approximately 18.70 acres.

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.

STAFF FINDING: This criterion is met since 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;*

STAFF FINDING: There are not any approved neighborhood plans in the area. However, the proposed Commercial zoning will allow uses that may negatively impact the surrounding neighborhoods and properties zoned Rural Residential since the Commercial zoning district allows commercial development greater than 10,000 square feet with approval of a conditional use, which is not currently allowed in Rural Residential zoning.

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;*

STAFF FINDING: This criterion is somewhat met since the rezoning substantially complies with most of the applicable provisions of Section 16.16.050 General Approval Criteria and an in-depth review for consistency with Title 16 will be done by planning staff upon receipt of permit application. However, General Approval Criteria #13, Peak Use, states that "The proposed use shall not significantly different peak use characteristics than surrounding uses or other uses allowed in the district." Since the Commercial zoning allows more intense commercial and light industrial uses than the Rural Residential zoning district, trip generation could be higher than the surrounding uses. This won't be known until a land use permit is submitted for development of the property.

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;*

STAFF FINDING: This criterion is met since the 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;*

STAFF FINDING: Notices were mailed to 25 reviewing agencies with no objections received as of the preparation of the staff report. Two comments were received from members of the public in opposition to the rezoning (copies are included in this packet).

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

STAFF FINDING: This criterion is not met. Although there are no properties in the immediate area of the subject properties zoned Commercial, there is a significant amount of undeveloped commercially zoned property along Knik-Goose Bay Road, south of the Parks Highway. A review of the land area and zoning designations within the City limits indicates that approximately 17.8% (1,383± acres) of the total land area within the City limits (7,778± acres) is currently zoned Commercial. In the area along Knik-Goose Bay Road, south of the Parks Highway and east to Home Depot, approximately 326.5± acres are zoned Commercial with 192.6± (59%)

acres undeveloped. Based on this information, it appears that there is sufficient commercially-zoned land in the area.

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

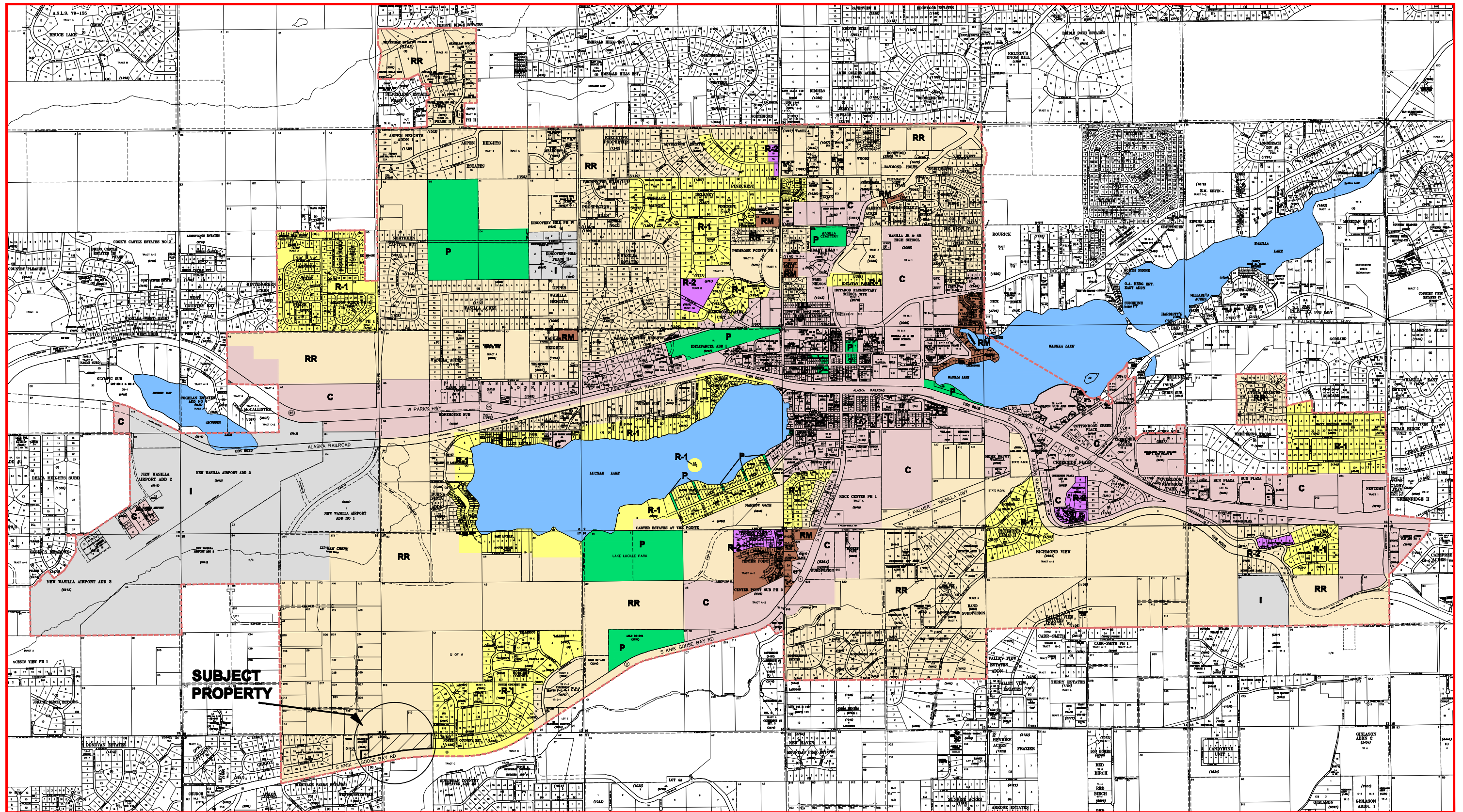
STAFF FINDING: This criterion is not met. Rezoning these properties to Commercial will result in a "spot-zoning" since all of the properties in the area are currently zoned Rural Residential. Although there are a few commercial uses in the area, they are either permitted uses in the Rural Residential zoning or lawful nonconforming uses.

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

STAFF FINDING: This criterion is somewhat met since the subject properties currently have Mixed Use and Generally Residential future land use designations. Although approving Commercial zoning in the Generally Residential future land use is not the principal intent, the proposed revision to the 1996 Comprehensive Plan proposes to change the future land use to Mixed Use for all of the subject properties. That revision is scheduled to be adopted by the City Council in June and will then be forwarded to the Borough Planning Commission and Assembly for approval prior to implementation.

VII. STAFF RECOMMENDATION

Based on the information above, staff recommends that the Planning Commission recommend denial of the rezoning request.



COMMERCIAL



SUBJECT PROPERTY TO BE REZONED



SCALE IN FEET
0 1000



THIS DRAWING WAS COMPILED BY THE CITY OF WASILLA, PLANNING DEPARTMENT.

SOURCE:
BASE MAP PROVIDED BY Matanuska-Susitna Borough "MSB", G.I.S. Services, FOR-SALE TAX MAPS. ALL FEATURES ASSOCIATED WITH THE "BASE MAP" ARE SUBJECT TO THE MSB DISCLAIMER FOR ACCURACY AND USE WITH THE "MSB" FOR-SALE TAX MAPS. BASE MAP DATA IS CURRENT AS OF DECEMBER 2009.

CITY OF WASILLA ZONING DISTRICTS AREA BOUNDARY LIMITS WERE UPDATED BY CITY OF WASILLA, JANUARY 2011.

By: Planning
Public Hearing: 05/24/11
Adopted:

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 11-09**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION RECOMMENDING THAT THE WASILLA CITY COUNCIL APPROVE A REQUEST TO REZONE PROPERTY FROM RURAL RESIDENTIAL TO COMMERCIAL FOR LOT A9, SECTION 19; LOT B4, SECTION 20, AND LOT 2, ROGER'S ROOSTE SUBDIVISION; TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA.

WHEREAS, Olympic Investments, LLC and Jeffrey W. and Allison Holler, hereinafter called "the applicants", submitted an application for a rezone, R11-03, 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 April 29, 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, 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.

ADOPTED by the Wasilla Planning Commission on -, 2011.

APPROVED:

ATTEST:

A.C. Buswell, III, Chairman

Tina Crawford, City Planner

EXHIBIT A

Wasilla Planning Commission Resolution 11-09

FINDINGS OF FACT - Section 16.16.070(D)

1. Finding: There are not any approved neighborhood plans in the area. However, the proposed Commercial zoning will allow uses that may negatively impact the surrounding neighborhoods and properties zoned Rural Residential since the Commercial zoning district allows commercial development greater than 10,000 square feet with approval of a conditional use, which is not currently allowed in Rural Residential zoning.

2. Finding: This criterion is somewhat met since the rezoning substantially complies with most of the applicable provisions of Section 16.16.050 General Approval Criteria and an in-depth review for consistency with Title 16 will be done by planning staff upon receipt of permit application. However, General Approval Criteria #13, Peak Use, states that "The proposed use shall not significantly different peak use characteristics than surrounding uses or other uses allowed in the district." Since the Commercial zoning allows more intense commercial and light industrial uses than the Rural Residential zoning district, trip generation could be higher than the surrounding uses. This won't be known until a land use permit is submitted for development of the property.

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

4. Finding: Notices were mailed to 25 reviewing agencies with no objections received as of the preparation of the staff report. Two comments were received from members of the public in opposition to the rezoning (copies are included in this packet).

5. Finding: This criterion is not met. Although there are no properties in the immediate area of the subject properties zoned Commercial, there is a significant amount of undeveloped commercially zoned property along Knik-Goose Bay Road, south of the Parks Highway. A review of the land area and zoning designations within the City limits indicates that approximately 17.8% (1,383± acres) of the total land area within the City limits (7,778± acres) is currently zoned Commercial. In the area along Knik-Goose Bay Road, south of the Parks Highway and east to Home Depot, approximately 326.5± acres are zoned Commercial with 192.6± (59%) acres undeveloped. Based on this information, it appears that there is sufficient commercially-zoned land in the area.

6. Finding: This criterion is not met. Rezoning these properties to Commercial will result in a "spot-zoning" since all of the properties in the area are currently zoned Rural Residential. Although there are a few commercial uses in the area, they are either permitted uses in the Rural Residential zoning or lawful nonconforming uses.

7. Finding: This criterion is somewhat met since the subject properties currently have Mixed Use and Generally Residential future land use designations. Although approving Commercial zoning in the Generally Residential future land use is not the principal intent, the proposed revision to the 1996 Comprehensive Plan proposes to change the future land use to Mixed Use for all of the subject properties. That revision is scheduled to be adopted by the City Council in June and will then be forwarded to the Borough Planning Commission and Assembly for approval prior to implementation.

ADOPTED: -,2011

ATTEST:

A. C. Buswell, III, Chairman

Tina Crawford, City Planner



Staff Report: Case # R11-04
Prepared by: Planning Staff
Meeting date: May 24, 2011

I. SUMMARY FACTS:

Applicant/Owner: Esther N. Baker
Leonard J. Grau, Jr.

Proposal: Rezone from Rural Residential (RR) to Commercial (C) District.

Location: Lots A14, A15, A16, A17, and D10
Section 10, Township 17 North, Range 01 West, Seward Meridian, AK
(Generally located on the north side of Palmer-Wasilla Highway just south of the Parks Highway)

Parcel size: Approximately 38 acres

Existing Zoning: Rural Residential (RR)

Future Land Use: Generally Commercial/Business

Surrounding Zoning: North: Commercial
South: Rural Residential
East: Commercial
West: Commercial

II. STAFF RECOMMENDATION:

Based on findings of compliance with applicable criteria established in Section 16.16.070 and 16.16.050 of the Wasilla Municipal Code, staff recommends approval of the rezone request.

III. SUMMARY OF REQUEST

The purpose of this request is to rezone the five parcels from Rural Residential (RR) to Commercial (C).

Public hearing notices were mailed to 96 property owners within a 1,200 foot radius and 25 review agencies on May 4, 2011, allowing an appropriate number of days to respond prior to the public hearing notice and request for comments in accordance with 16.16.040(A)(2).

This staff report includes staff findings and recommendations based on the applicable requirements of City code.

IV. APPLICABLE PROVISIONS

The following WMC Section 16.16.070, Rezoning, is applicable to this request for rezoning property within the City of Wasilla.

V. FINDINGS

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.

STAFF FINDING: This criterion is met since the subject rezoning was initiated by the owners of the properties.

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.

STAFF FINDING: This criterion is met since the properties total approximately 38 acres.

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.

STAFF FINDING: This criterion is met since 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;

STAFF FINDING: This criterion is not applicable since there are not any approved neighborhood plans in the area. However, the proposed Commercial zoning is consistent with the existing development and zoning in the surrounding area. The properties are located on the north side of the Palmer-Wasilla Highway, are surrounded on three sides by Commercial zoning, and Home Depot is immediately to the east.

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;

STAFF 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;

STAFF FINDING: This criterion is met since the 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;

STAFF FINDING: This criterion is not applicable since no comments were received from the reviewing parties. Any review comments will be addressed at time of development.

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

STAFF FINDING: This criterion is met. A review of the land area and zoning designations within the City limits indicates that approximately 17.8% (1,383± acres) of the total land area within the City limits (7,778± acres) is currently zoned Commercial. There are approximately 677± acres zoned commercial with approximately 317.5± acres (47%) undeveloped within the City limits that are located south of the Parks Highway and including property on the north side of the Parks Highway beginning at the Palmer-Wasilla Highway extending east to the City boundary. Although there is undeveloped land available in the area, rezoning these properties to Commercial will provide a continuous area of commercial zoning that will allow large and small-scale commercial development in the area without potential negative impacts to Rural Residential uses.

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

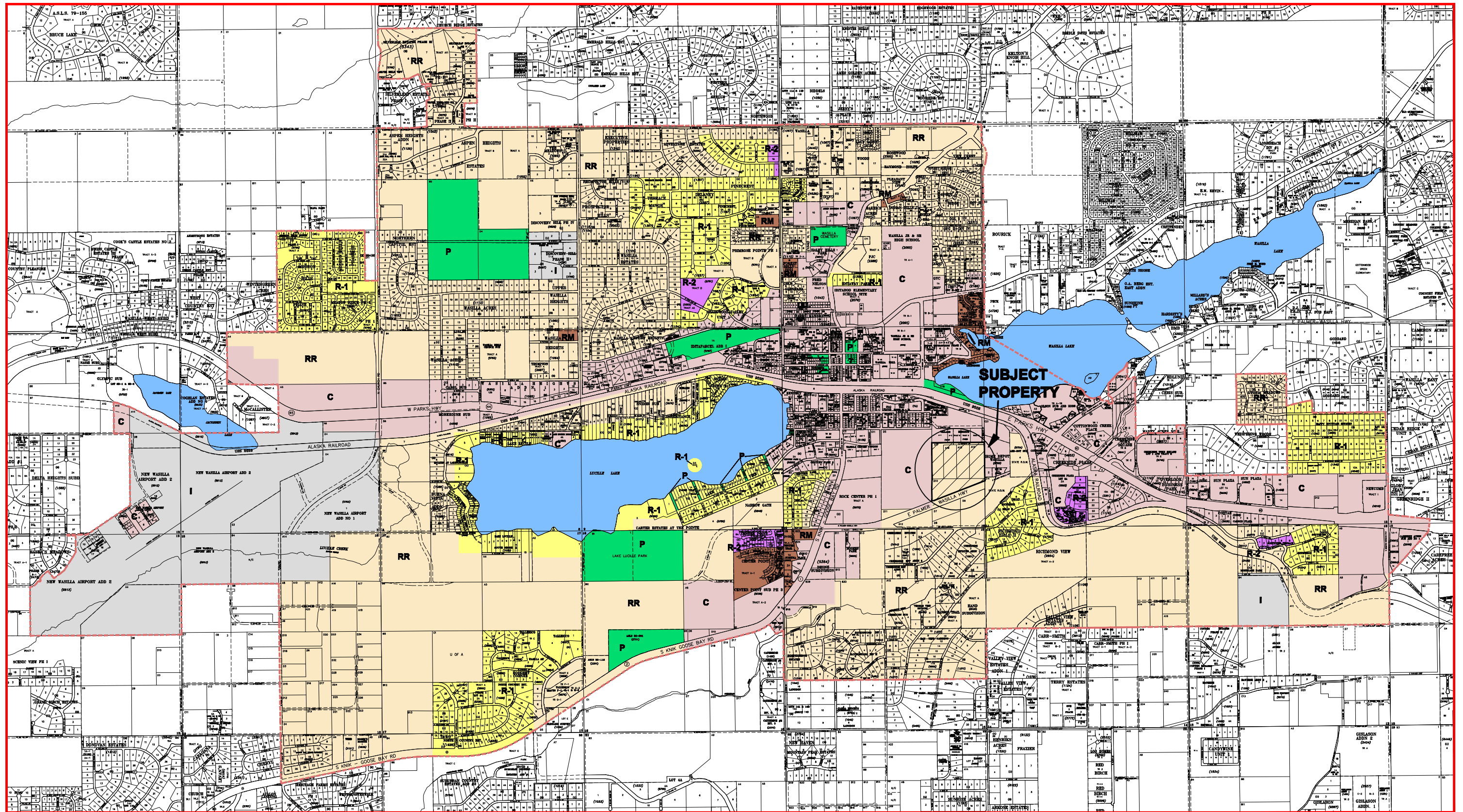
STAFF FINDING: This criterion is met. Rezoning these properties to Commercial will logically expand the existing commercial zoning to the north, east, and west of the subject properties on the north side of the Palmer-Wasilla Highway.

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

STAFF FINDING: This criterion is met since the proposed rezone to Commercial is consistent with the goals and policies in the Comprehensive Plan. Additionally, the Expected Future Land Use Map designates this property as Generally Commercial/Business.

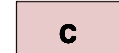
VIII. RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation of approval for this rezone request.



COMMERCIAL

SUBJECT PROPERTY TO BE REZONED



SCALE IN FEET
0 1000



THIS DRAWING WAS COMPILED BY THE CITY OF WASILLA, PLANNING DEPARTMENT.

SOURCE:

BASE MAP PROVIDED BY Matanuska-Susitna Borough "MSB", G.I.S. Services, FOR-SALE TAX MAPS. ALL FEATURES ASSOCIATED WITH THE "BASE MAP" ARE SUBJECT TO THE MSB DISCLAIMER FOR ACCURACY AND USE WITH THE "MSB" FOR-SALE TAX MAPS. BASE MAP DATA IS CURRENT AS OF DECEMBER 2009.

CITY OF WASILLA ZONING DISTRICTS AREA BOUNDARY LIMITS WERE UPDATED BY CITY OF WASILLA, JANUARY 2011.

By: Planning
Public Hearing: 05/24/11
Adopted:

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 11-10**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION RECOMMENDING THAT THE WASILLA CITY COUNCIL APPROVE A REZONE FROM RURAL RESIDENTIAL TO COMMERCIAL FOR LOTS A14, A15, A16, A17 AND D10, TOWNSHIP 17 NORTH, RANGE 1 WEST, SECTION 10, SEWARD MERIDIAN, ALASKA.

WHEREAS, Esther Baker and Leonard J. Grau, Jr., hereinafter called “the applicants”, submitted an application for a rezone, R11-04, 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 May 3, 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, 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.

ADOPTED by the Wasilla Planning Commission on -, 2011.

APPROVED:

ATTEST:

A.C. Buswell, III, Chairman

Tina Crawford, City Planner

EXHIBIT A

Wasilla Planning Commission Resolution 11-10

FINDINGS OF FACT - Section 16.16.070(D)

- 1. Finding:** This criterion is not applicable since there are not any approved neighborhood plans in the area. However, the proposed Commercial zoning is consistent with the existing development and zoning in the surrounding area. The properties are located on the north side of the Palmer-Wasilla Highway, are surrounded on three sides by Commercial zoning, and Home Depot is immediately to the east.
- 2. 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. Finding:** This criterion is met since the properties have appropriate access to the services referenced above or will provide them at time of development.
- 4. Finding:** This criterion is not applicable since no comments were received from the reviewing parties. Any review comments will be addressed at time of development.
- 5. Finding:** This criterion is met. A review of the land area and zoning designations within the City limits indicates that approximately 17.8% (1,383± acres) of the total land area within the City limits (7,778± acres) is currently zoned Commercial. There are approximately 677± acres zoned commercial with approximately 317.5± acres (47%) undeveloped within the City limits that are located south of the Parks Highway and including property on the north side of the Parks Highway beginning at the Palmer-Wasilla Highway extending east to the City boundary. Although there is undeveloped land available in the area, rezoning these properties to Commercial will provide a continuous area of commercial zoning that will allow large and small-scale commercial development in the area without potential negative impacts to Rural Residential uses.
- 6. Finding:** This criterion is met. Rezoning these properties to Commercial will logically expand the existing commercial zoning to the north, east, and west of the subject properties on the north side of the Palmer-Wasilla Highway.

7. Finding: This criterion is met since the proposed rezone to Commercial is consistent with the goals and policies in the Comprehensive Plan. Additionally, the Expected Future Land Use Map designates this property as Generally Commercial/Business.

ADOPTED: February 8, 2010

ATTEST:

A. C. Buswell, III, Chairman

Tina Crawford, City Planner

PERMIT INFORMATION 2011										STATUS/ ZONE
DATE	PERMIT #	TYPE	SQ FTG	LEGAL	SUBD	NAME	STREET			
ADMINISTRATIVE APPROVAL										
02/04/11	A11-01	DUPLEX	2,398	2253B02L005B	LAKESHORE RSB	MORAN, ANDREW	445 N WESTCOVE DR			RM
01/20/11	A11-02	TENANT SPACE	900	1901 B01L005C	SNIDER #3 RSB	MCKENZIE, JERRY	181 W PARKS HWY			C
02/04/11	A11-03	SIGN		4229B01L001A	WASILLA TWN	MARTIN, RANDALL	212 N BOUNDARY ST			C
02/10/11	A11-04	COMM < 10,000 SQ FT	1,500	5797000L002A	IDITAPARCEL ADD I	WOOD, JIM	483 W PARKS HWY			C
02/22/11	A11-05	GREENHOUSE	1,133	1524000L003	RAVENSWOOD DIV I	PETERSON, WES	503 RAVENSWOOD			RR
02/25/11	A11-06	SFD	2,300	6791B01L066	PRIMOSE POINTE	FENDER, ANOTOLY	241 W RIVERDANCE CIR			RR
PENDING	A11-07	COMM < 10,000 SQ FT		1066B01L07	WASILLA TWNST	ANDERSON, BRENDA	276 N BOUNDARY ST			C
03/18/11	A11-08	COMM < 10,000 SQ FT	1,400	2186B02L005	GVCII DIV I	WILLIAMS, TINA	1501 E BOGARD RD			C
03/30/11	A11-09	SHORT TERM RENTAL		4143000L006	SOUTHVIEW TERRACE	FICEK, LARRY & JACKIE	3001 E SOUTHWIEW			R2
03/29/11	A11-10	SFD	1,164	1089B01L006	BUENA VISTA #2	TROY DAVIS HOMES	2041 W BAILEY AVE			RR
03/29/11	A11-11	SFD	1,135	1089B01L007	BUENA VISTA #2	TROY DAVIS HOMES	2021 W BAILEY AVE			RR
03/22/11	A11-12	TUP - STAGING AREA	14,552	6698B02L002B	YENLO SQUARE RSB	UNIT COMPANY STAGING	545 E SWANSON			C
03/30/11	A11-13	TENANT SPACE	1,800	3224B03L001B	MTN VILLAGE	MYERS, CHUNG	991 S HERMAN RD			C
03/29/11	A11-14	SFD	1,950	6791B01L065	PRIMROSE POINTE PH 1	PAULUS, IGOR	231 W RIVERDANCE CIR			RR
04/01/11	A11-15	RETAIL/ COMM STORE	20,000	5797000L002A	IDITAPARCEL ADDN 1	AVANTI CORP	527 W PARKS HWY			C
04/01/11	A11-16	IN HOME OCCUPATION		2377B03L003	SOUTHVIEW EXT	EKLE, JADE	3130 E DANNYS AVE			R-1
04/08/11	A11-17	TOBACCO SHOP	1,400	2186B02L005	GVC II DIV I	STUBER, STEVE	1051 E BOGARD RD			C
04/05/11	A11-18	SFD	2,150	1102B02L012	NORTHERN CAPITOL EST	VLADIMIR, BALETISKIY	851 N CHURCH RD			RR
04/06/11	A11-19	COMM < 10,000 SQ FT	800	1010B01L006	CARTER SUB	DOLECHEK, BRITTANY	220 E PARK AVE			C
04/06/11	A11-20	SFD	1,979	6791B01L067	PRIMROSE PTE PH 1	FENDIEN, VICTOR	251 W RIVERDANCE CIR			RR

04/08/11	A11-21	SIGN		2959000T00A1	WASILLA MALL RSB	GLACIER SIGN	585 E PARKS HWY	C
PENDING	A11-22	HOME OCC TUP - STAGING AREA		9044000U019	LAKE VW EST CONDOS	GIEBEL, MICHAEL	401 S WASILLA ST	C
04/14/11	A11-23		20,000	2959000T00A2	WASILLA MALL RSB	CARRS	595 E PARKS HWY	C
04/27/11	A11-24	SFD	2,250	1037T02P003A	LAKESHORE 1963	HARRIS FAMILY LLC	1240 E WESTPOINT DR	RM
04/19/11	A11-25	SFD	2,050	5945B02L012	MEADOW RIDGE 2	HALL QUALITY HOMES	380 N PINE RIDGE LP	R-1
PENDING	A11-26	ADDITION	1,682	3250000L002	CENTRAL WASILLA	ANDERSON, TED	251 PARKS HWY	C
04/22/11	A11-27	SFD	2,100	6790B02L006	MISSION HLS N	SPINELL HOMES INC	1211 N JACK NICKLAUS	R-1
04/28/11	A11-28	SFD	2,108	5521000L001	HANSON TRAIL	MEYER, TIM & ANITA	1650 S BAY VIEW DR	RR
04/29/11	A11-29	HORSE COMM <		1190B04L011	ADVENTURE EST	ERDMANN, LINDA & ROG	865 W WILDER AVE	RR
05/02/11	A11-30	10,000 SQ FT		5482B05L001A	WASILLA TWNST RSB	CARR, KATHLEEN	300 N WILLOW ST	C
05/02/11	A11-31	SIGN						C
05/02/11	A11-32	OUTDOOR RETAIL		17N01W12D007		FISHER, MARK	2800 E PARKS HWY	C
05/03/11	A11-33	SFD	2,000	6791B01L062	PRIMROSE PTE	PAULUS, IGOR	181 W RIVERDANCE CIR	RR
05/04/11	A11-34	GARAGE TENANT SPACE	576	1277B05L003	BAY VIEW GARDENS	FONOV, NIKOLAY	700 EDEN CT	RR
05/11/11	A11-35			4936000L002	ROGERS ROOSTE	TOTTEN, STEVEN	2530 S KGB RD	RR
05/05/11	A11-36	TUP - MOBLIE GREEN HOUSE		2964B03L001A	WASILLA HTS	RITCHER, LOI	1201 W PARKS HWY	C
PENDING	A11-37			1116B03L014	OVERLOOK BUS PK	MAGNUM MOTORS	1960 E INDUSTRIAL DR	C
05/10/11	A11-38	CAR SALES		1901B01L005D	SNIDER #3 RSB	CRAIG, BRIDGETTE	201 W PARKS HWY	C
05/12/11	A11-39	SFD	2,512	2876B01L005	INHERITANCE	ROGNESS, JOSH & JODI	600 W SELINA LN	R-1
05/12/11	A11-40	SFD	2,350	6791B01L069	PRIMROSE PT	PAVLUS, DMITRIY	271 RIVERDANCE CIR	RR
05/09/11	A11-41	SFD	1,613	5868B03L010	SILVERLEAF EST	TURNER, MARK	2301 ASHFORD	RR
05/11/11	A11-42	CLEARING		6830B01L008A	MEADOWS ADD 1	MESICK, GARY	1350 W SPRUCE AVE	RR
05/12/11	A11-43	TUP		5318000L001A	LAKEWOOD BUS PK	CARQUEST AUTO PARTS	790 E SWANSON AVE	C
05/16/11	A11-44	SHED	192	1104B04L034	WASILLA EST	JONES, LEAH	654 W HOLIDAY DR	RR
05/16/11	A11-45	SFD	2,002	6790B02L003	MISSION HLS N	SPINELL HOMES INC	1205 JACK NICKLAUS	R-1
05/16/11	A11-46	DUPLEX	2,650	1125000L029	ASPEN HTS ADDN 1	FONOV, DMITRI	1801 N CHURCH	RR
USE PERMITS								
05/12/11	U11-01	ADULT DAY CARE COMM<		1190B01L015	ADVENTURE EST	ADAMS, WARREN	1632 N LUCILLE ST	R-2
04/25/11	U11-02	10,000 SQ ST		9108000U002	WASILLA CENTER	FULLER, BRENDA	609 S KGB RD	C

04/25/11	U11-03	DAY CARE	2284B04L014B	TERRACE MANOR	THOMPSON, KIRA	1200 N CLINTON CIR	R-1
CONDITIONAL USE PERMITS							
03/22/11	CU11-01	10,000 SQ FT COMM> 85,301	5970000T004 & 5970B01L001	ROCK CNETER PH I	SOUTHCENTRAL FOUNDATION	1001 KNIK-GOOSE BAY	C
PLANNED UNIT DEVELOPMENT (PUD)							
REZONE							
02/08/11	R11-01	REZONE	2542000L003 17N01W07A004 PTN		SUMMERS, AARON & ANGELA	1470 N WASILLA- FISHHOOK RD	RR
PENDING	R11-02	REZONE	17N01W08B004 PTN		LUNDGREN, GARY	401 N CHURCH RD	RR
PENDING	R11-03	REZONE	4936000L002 17N01W19A009 17N01W20B004		OLYMPIC INVESTEMENT	2450 S KGB	RR
PENDING	R11-04	REZONE	17N01W10A014, A015, A016, A017, 17N01W10D010		ELLIS, TERRY	900 950 1050 1150 E HORVATH DR & 1191 E PW HWY	RR
LEGAL NON-CONFORMING USE							
SHORELINE SETBACK							
VARIANCE							
PENDING	V11-01	SETBACK & PERIMETER LANDSCAPING	4956000T00A3	OLSON SUB 199 ADD	BLUE ROCK ASSETS LLC	1491 E PARKS HWY	C
AMNESTY							



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3/1/2011	D	Wal Mart	Y	N	RAL dog in custody	11-11822 return to owner
3/1/2011	C	Fred Meyer	N	N	Report of abandoned dog	11-11837 unfounded
3/2/2011	S	Lake Lucille Park	N	N	Facility & security check	11-12001
3/2/2011	FUP	1200 Clinton	Y	N	Business license follow up	11-12027
3/2/2011	S	WPD	Y	N	Public assist	11-12043
3/3/2011	S	Mt. Village Cir.	Y	N	Suspicious vehicle	11-12174
3/3/2011	D	Parks & Church	N	N	MVA traffic control	11-12210
3/4/2011	CRT	Palmer Court	Y	N	Traffic court	
3/4/2011	S	Lake Lucille Park	N	N	Facility & security check	11-12283
3/7/2011	D	KGB area	N	N	Wanted person locate	11-13048
3/7/2011	ADM	Grape Tap	N	N	Liquor license review	11-13073
3/7/2011	FUP	2251 Mystery	Y	N	RAL dogs	11-12821
3/7/2011	FUP	850 Gambit	Y	N	Barking dog	11-13108 verbal warning
3/7/2011	D	201 Vincent #4	Y	N	Dog bite- dog vs dog	11-13111
3/8/2011	C	Parks @ SBS	N	N	RAL dogs x2	11-13256 unable to catch
3/8/2011	S	Wasilla Middle School	N	N	HCP parking violation	11-13315 Citation W 043911
3/8/2011	D	945 Dellwood	Y	N	Animal welfare questions	11-13302
3/9/2011	S	Lake Lucille Park	N	N	Facility & security check	11-13497
3/9/2011	S	Fred Meyer	Y	N	HCP parking violation	11-13436 Citation W 043912
3/9/2011	S	Target	Y	N	HCP parking violation	11-13475 Citation W 043913
3/10/2011	S	Fred Meyer	Y	N	HCP parking violation	11-13637 Citation W 043914
3/10/2011	S	Fred Meyer	Y	N	HCP parking violation	11-13675 Citation W 043915
3/10/2011	S	Target	Y	N	HCP parking violation	11-13664 Citation W 043916
3/10/2011	D	1001 Northstar	Y	N	RAL dogs x2	11-13590 return to owner
3/10/2011	C	3231 Dannys Ave	Y	N	Trash/garbage complaint	11-13599 verbal warning
3/11/2011	FUP	1401 Mystery	Y	N	RAL dog citations W 043905, W 043906	11-12821
3/11/2011	S	Bumpus	Y	N	Suspicious vehicle	11-13876
3/11/2011	D	940 Goldendale	Y	N	Deceased dog, possible dog vs dog	11-13891 no firm leads
3/11/2011	PAT	961 Snohomish	N	N	Suspicious activity	11-13940
3/15/2011	S	Lake Lucille Park	N	N	Facility & security check	11-14720
3/15/2011	C	Last Frontier Brewpub	Y	N	Trash complaint	11-14743 verbal warning
3/15/2011	D	Shoprite	N	N	Aggressive ducks	11-14785



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3/15/2011	S	Tailgaters	N	N	Assist patrol with warrant arrest	11-14790
3/15/2011	D	Target	Y	N	Reckless ATV complaint	11-14791 verbal warning
3/16/2011	C	Tokyo Restaurant	Y	N	HCP parking violation	11-14971
3/16/2011	D	Parks & Seward Meridian	N	N	MVA traffic control	11-14994
3/16/2011	S	Lake Lucille Park	N	N	Facility & security check	11-14997
3/18/2011	D	Wal Mart	N	N	RAL dogs x2	11-15293 unable to locate
3/18/2011	S	Lake Lucille Park	N	N	Facility & security check	11-15335
3/18/2011	D	1748 Lake Lucille	Y	N	RAL dog	11-15349 return to owner
3/21/2011	S	901 Hermon, keep it New Auto	Y	N	Sign, business license violation	11-15997 verbal warnings
3/21/2011	D	Parks & Yenlo	Y	N	MVA traffic control	11-15999
3/21/2011	D	Parks & Church	N	N	RAL dog	11-15998, 16002 impound
3/21/2011	S	Fred Meyer	Y	N	HCP parking violation	11-16019 Citation W 043917
3/21/2011	PAT	Fred Meyer	Y	N	Assist patrol with shoplifters	11-16028
3/21/2011	D	131 Century	Y	N	RAL dog	11-16029 verbal warning
3/21/2011	D	Parks & Palmer Wasilla	N	N	Traffic hazard	11-16043 unfounded
3/21/2011	D	1030 Recluse	Y	N	Assist patrol with DV in progress	11-16049
3/21/2011	D	Crestwood & Ponderosa	N	N	Report of VID	11-16056
3/22/2011	D	Pandemonium	Y	N	RAL dog	11-16185 return to owner
3/22/2011	D	951 Turk	N	N	Fireworks	11-16204
3/22/2011	D	Carrs	N	N	Report of HCP parking violation	11-16208 unfounded
3/22/2011	FUP	101 Vincent	Y	N	Animal quarantine release	11-15869
3/22/2011	S	Brett Ice Arena	N	N	Facility & security check	11-16273
3/22/2011	S	Lake Lucille Park	N	N	Facility & security check	11-16278
3/23/2011	PAT	Endeavor & Minnetonka	N	N	Assist patrol with injured moose	11-16421
3/23/2011	S	Lake Lucille Park	N	N	Facility & security check	11-16427
3/23/2011	FUP	Endeavor & Minnetonka	N	N	Assist patrol with injured moose	11-16421
3/23/2011	FUP	Wasilla Middle School	Y	N	Follow up citation W 043922	13315
3/23/2011	D	Wasilla Middle School	N	N	Report of HCP parking violation	11-16475 unfounded
3/23/2011	FUP	1400 Melanie	N	N	Follow up	09-023581
3/23/2011	FUP	2751 Donovan	Y	N	Citation service for patrol	11-16028
3/23/2011	PAT	Dairy Queen	N	N	Assist patrol with trespasser	11-16562
3/23/2011	S	Holiday store	Y	N	HCP parking violation/DWLR advise	11-16567 Citation W 043923



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3/24/2011	TRN	City Hall	N	N	OSHA training	
3/25/2011	TRN	City Hall	N	N	OSHA training	
3/25/2011	S	Tesoro Parks & Main	Y	N	HCP parking violation	11-16930 Citation W 043924
3/25/2011	FUP	Gambit & Winter	Y	N	RAL dog	11-16893 verbal warning
3/29/2011	D	Wasilla Airport	N	N	Injured moose	11-17892
3/29/2011	D	Wonderland	N	N	Disturbance	11-17893
3/29/2011	C	1275 Wampum	Y	N	RAL dog	11-17940
3/29/2011	S	Fred Meyer	Y	N	HCP parking violation	11-17953 Citation W 043925
3/29/2011	S	Bumpus	N	N	Facility & security check	11-17969
3/30/2011	D	Smith Ballfields	N	N	Report of dead moose (dumped)	11-18091
3/31/2011	D	VPA	N	N	Parade traffic control	11-18233
3/31/2011	D	Kimberly St	N	N	Horse welfare check	11-18237
3/31/2011	D	530 Selina	Y	N	RAL dog	11-18239 verbal warning
3/31/2011	D	Old Matanuska	N	N	Illegal dumping	11-18242 no leads or clues
3/31/2011	D	Fireweed & Seward Meridian	Y	N	MVA traffic control	11-18255
3/31/2011	D	101 Vincent	N	N	Impound abandoned cats x3	11-18253
3/31/2011	D	930 woodcrest	Y	N	Impound owner release dogs x2	11-18279