

**CITY OF WASILLA  
ORDINANCE SERIAL NO. 11-24**

**AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING THE ZONING MAP TO CHANGE THE ZONING DISTRICT FROM RURAL RESIDENTIAL (RR) TO COMMERCIAL (C) FOR LOTS A14, A15, A16, A17 AND D10, TOWNSHIP 17 NORTH, RANGE 1 WEST, SECTION 10, SEWARD MERIDIAN, ALASKA; GENERALLY LOCATED AT NORTH OF THE PALMER-WASILLA HIGHWAY.**

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WHEREAS, the Wasilla Planning Commission reviewed an application to amend the zoning map of the City of Wasilla to change the zoning district from Rural Residential (RR) to Commercial (C) Lots A14, A15, A16, A17 and D10, Township 17 North, Range 1 West, Section 10, Seward Meridian, Alaska; and

WHEREAS, the Wasilla Planning Commission made findings of fact concerning the zoning map amendment, and adopted Resolution Serial No. 11-10 recommending that the City Council approve the zoning map amendment; and

WHEREAS, the City Council has considered the application to amend the zoning map, and concurs with the Wasilla Planning 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. Amendment of zoning map.** The zoning map of the City of Wasilla is hereby amended to change the zoning district from Rural Residential (RR) to Commercial (C) for Lots A14, A15, A16, A17 and D10, Township 17 North, Range 1 West, Section 10, Seward Meridian, Alaska, as shown on Exhibit A, which is

incorporated herein by reference. The City Planner shall change the zoning map accordingly.

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

ADOPTED by the Wasilla City Council on June 27, 2011.

  
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VERNE E. RUPRIGHT, Mayor

ATTEST:

  
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KRISTIE SMITHERS, MMC, City Clerk

[SEAL]

VOTE: Harris, Holler, Katkus, Menard, Sullivan-Leonard and Woodruff in favor.

EXHIBIT A

**ZONE CHANGE R11-04**

To rezone a total of 5 parcels, with a combined total area of approximately 38.0 acres from RR-Rural Residential to C-Commercial. The subject properties are known as: Lots A14, A15, A16, A17 and D10, all within Section 10, Township 17 North, Range 01 West, Seward Meridian, AK, located North of Wasilla-Fishhook.

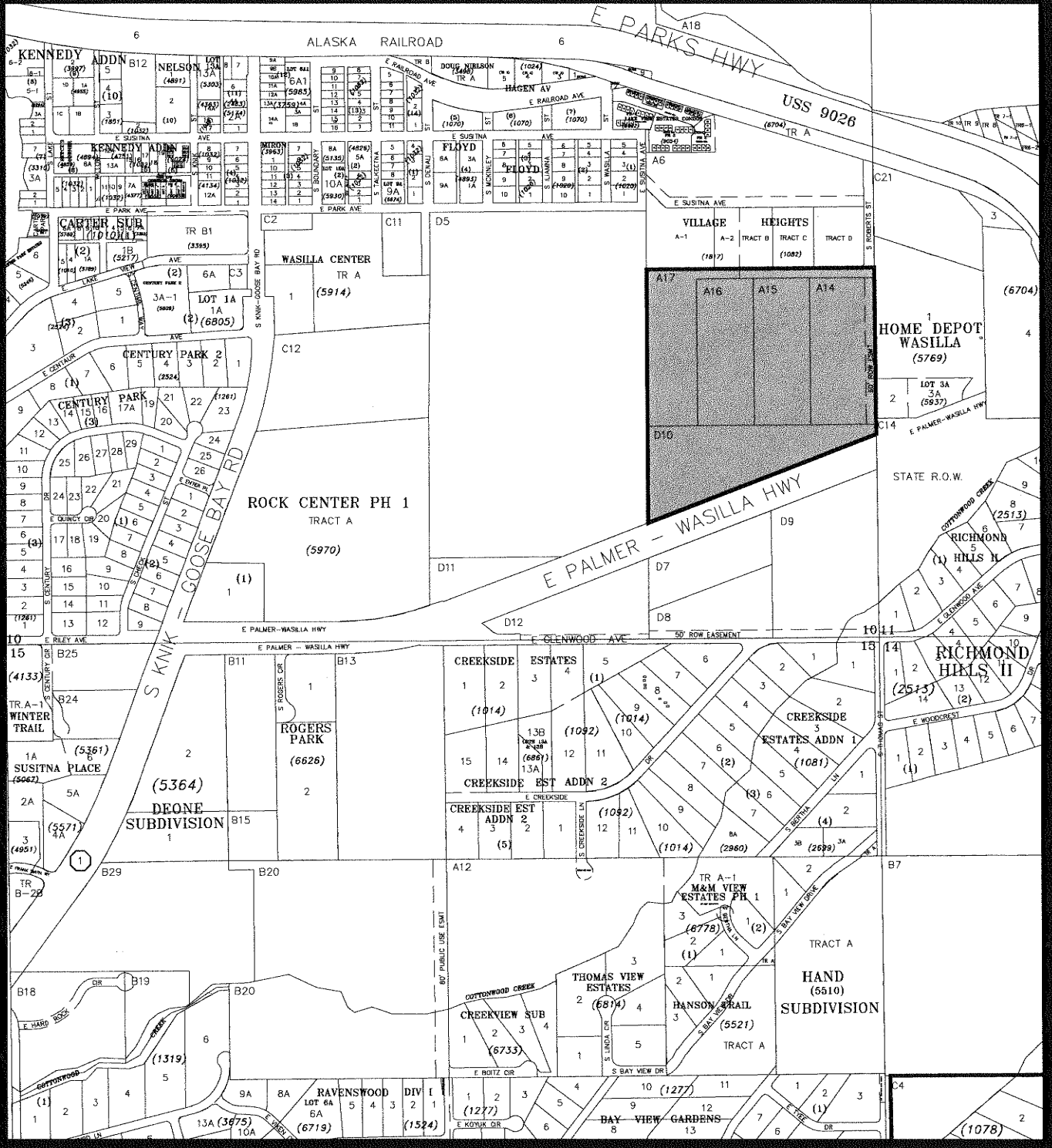
APPLICANTS: Terry Ellis for Ester N. Baker and Leonard J. Grau, Jr.

TAX MAP: WA11  
T17N, R01W, Sec. 10

 SUBJECT PARCELS

SCALE IN FEET

May 4, 2011





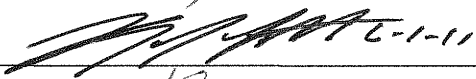



**CITY OF WASILLA  
LEGISLATION STAFF REPORT**


**ORDINANCE SERIAL NO. 11-24:** REQUEST TO AMEND THE ZONING MAP TO CHANGE THE ZONING DISTRICT FROM RURAL RESIDENTIAL (RR) TO COMMERCIAL (C), FOR APPROXIMATELY 38 ACRES, CONSISTING OF LOTS A14, A15, A16, A17, AND D10, SECTION 10, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA; GENERALLY LOCATED ON THE NORTH SIDE OF THE PALMER-WASILLA HIGHWAY JUST SOUTH OF THE PARKS HIGHWAY.

**Agenda of:** June 13, 2011  
**Originator:** Planning

**Date:** May 31, 2011

Route to:	Department	Signature/Date
	Chief of Police	
X	Public Works Director	 5/31/11
X	Finance Director	 6/1/11
X	Temporary Deputy Administrator	 6-1-11
X	City Clerk	

**REVIEWED BY MAYOR VERNE E. RUPRIGHT:**



**FISCAL IMPACT:**  yes\$ or  no

Funds Available  yes  no

**Account name/number:** None

**Attachments:** Proposed Ordinance Serial No. 11-24 (3 pp)  
WPC Resolution Serial No. 11-10 (4 pp)

**SUMMARY STATEMENT:** The Wasilla Planning Commission, at their May 24, 2011, meeting, adopted Resolution Serial No. 11-10, which recommends that the City Council approve Rezone No. R11-04, requested by Esther Baker and Leonard J. Grau, Jr.

**STAFF RECOMMENDATION:** Adopt Ordinance Serial No. 11-24.

**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.**

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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 May 24, 2011.

APPROVED:

  
A.C. Buswell, III, Chairman

ATTEST:   
*for* Tina Crawford, City Planner

VOTE: Passed Unanimously

## 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.

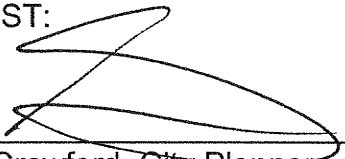
7. **Finding:** This criterion is met since the proposed rezone to Commercial is consistent with the goals and policies in the Comprehensive Plan. Additionally, the Expected Future Land Use Map designates this property as Generally Commercial/Business.

ADOPTED: May 24, 2011

ATTEST:



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A. C. Buswell, III, Chairman

*for*  \_\_\_\_\_  
Tina Crawford, City Planner