

**CITY OF WASILLA
ORDINANCE SERIAL NO. 08- 02**

AN ORDINANCE OF THE WASILLA CITY COUNCIL APPROVING A PLANNED UNIT DEVELOPMENT (PUD) FOR PRIMROSE RETIREMENT COMMUNITY ON AN APPROXIMATELY 9.9 ACRE TRACT IN THE RURAL RESIDENTIAL (RR) ZONING DISTRICT, ON PROPERTY KNOWN AS PROPOSED TRACT B-1B OF EMERALD ESTATES, PHASE 1, SUBDIVISION, ALL WITHIN SECTION 04, TOWNSHIP 17 NORTH, RANGE 01 WEST, SEWARD MERIDIAN, ALASKA.

WHEREAS, Howard Nugent on behalf of Howdie Inc. submitted an application for a Planned Unit development (PUD) consisting of 32 assisted living units, 36 independent living units, and 8 villas in four duplex living units on the subject property; and

WHEREAS, the property included in this request totals approximately 9.9 acres of land; and

WHEREAS, the zoning of the property is Rural Residential (RR) on proposed Tract B-1B of Emerald Acres, Phase 1, Subdivision; and

WHEREAS; a Planned Unit Development (PUD) is reviewed under the provisions of WMC 16.16.060(K) Planned Unit Development 1 – 9; and

WHEREAS; per WMC 16.04.060 Rules of Construction, and as indicated in the use matrix found in WMC 16.20.020, a Planned Unit Development application is reviewed under the same procedures as a conditional use permit application; and

WHEREAS, on November 27, 2007 the Wasilla Planning Commission made findings 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, the applicable provisions of the Wasilla Comprehensive Plan, and other pertinent information brought before them; and adopted Wasilla Planning Commission Resolution 07-20(AM) with Conditions of Approval and including Exhibit 'A', Findings of Fact, which are incorporated by reference, recommending approval to City Council; and

WHEREAS, the Wasilla City Council has considered the request for this PUD on approximately 9.9 acres of property in the Rural Residential (RR) zoning district and concurs with the Wasilla Planning Commission recommendation and findings which are incorporated herein by reference.

NOW, THEREFORE, THE WASILLA CITY COUNCIL ORDAINS:

Section 1. Classification. This is a non-code ordinance.

Section 2. Purpose. To approve this PUD proposal to site the Primrose Retirement Community consisting of 32 assisted living units, 36 independent living units, and four duplex units known as villas totaling 8 living units; on approximately 9.9 acres in the Rural Residential (RR) zoning district located on proposed Tract B-1B of Emerald Estates, Phase 1, Subdivision, all within Section 04, Township 17 North, Range 1 West, Seward Meridian, Alaska.

Section 3. Enactment. The proposed PUD is hereby approved with conditions of approval recommended by the Planning Commission in Wasilla Planning Commission Resolution Serial No. 07-20(AM).

Section 4. Effective date. This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on January 28, 2008.

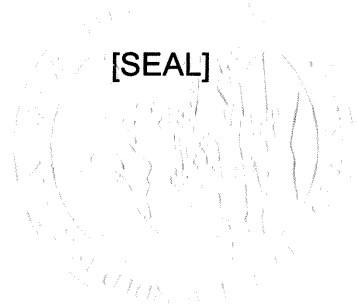


DIANNE M. KELLER, Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk





**CITY OF WASILLA
LEGISLATION STAFF REPORT**

RE: To approve a Planned Unit Development (PUD) for the Primrose Retirement Community on an approximately 9.9 acre proposed tract in the Rural Residential (RR) Zoning District. The property is known as Tract B1-B of the Emerald Estates, Phase 1, Subdivision; within Section 4, Township 17 North, Range 1 West, Seward Meridian, Alaska.

Agenda of: January 28, 2007

Date: January 2, 2008

Originator: Community and Economic Development

Route to:	Department	Signature/Date
	Police Dispatch, Code Compliance & Youth Court	
	Culture and Recreational Services Library, Museum, Sports Complex	
	Public Works & Recreation Facility Maintenance	
X	Finance, Risk Management & Purchasing	<i>K. Welch 1/2/08</i>
X	Deputy Administrator Planning, Economic Development, Human Resources	<i>J. Staley 01-02-08</i>
X	City Clerk	<i>P. Smith</i>

REVIEWED BY MAYOR DIANNE M. KELLER:

Dianne M. Keller 1/3/08

FISCAL IMPACT: yes or no

Funds Available yes no

Account name/number:

Attachments: Proposed Ordinance Serial Number 08-02;
WPC Resolution No. 07-20(AM), with Exhibit A;
PC Staff Report Case PUD # 07-02;

SUMMARY STATEMENT:

The applicant, Mr. Howard Nugent proposes to develop the 76 unit Primrose Retirement Community consisting of 32 assisted living units, 36 independent living units, and 4 duplex structures with 8 living units on a proposed 9.9 acre property west of Lucille Street, north of Elkhorn Drive, South of Aspen Lane; Wasilla, Alaska.

The applicant applied for a PUD to allow flexibility in design by allowing the clustering of buildings while preserving open space.

The subject property is currently owned by KND Investments LLC and is pending subdivision final platting action with the Matanuska-Susitna Borough to create the subject 9.9 acre Tract B-1B property.

The purpose of this action by City Council is to review and make a decision on this Planned Unit Development application as specified in WMC 16.16.060(K)(5), "A PUD will require council approval after review and recommendation by the planning commission."

The Wasilla Planning Commission recently held a public hearing on November 27, 2007 for the purpose of reviewing and approving this PUD application. The request was unanimously approved by the Planning Commission with their recommendation forwarded to the Wasilla City Council in Resolution Serial No. 07-20(AM), with 'Conditions of Approval', along with Exhibit A, 'Findings of Fact', attached.

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 07- 20AM**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING A PLANNED UNIT DEVELOPMENT (PUD) REQUEST FROM HOWARD NUGENT FOR PRIMROSE RETIREMENT COMMUNITY TO SITE A 76 UNIT SENIOR HOUSING FACILITY IN THE RR--RURAL RESIDENTIAL ZONE ON PROPERTY KNOWN AS TRACT B1-B OF EMERALD ESTATES, PHASE 1 SUBDIVISION, PROPOSED, WITHIN SECTION 04, TOWNSHIP 17 NORTH, RANGE 01 WEST, SEWARD MERIDIAN, ALASKA .

WHEREAS, Howard Nugent, acting on behalf of Primrose Retirement Community submitted an application on October 26, 2007 for a PUD to be processed as a Conditional Use Permit to develop an approximately 10 acre parcel into the Primrose Retirement Community consisting of 32 assisted living units, 36 independent living units, and four townhouse villas (duplexes); and

WHEREAS, The subject property is located approximately ½ mile north of the Parks Highway, west of Lucille Street; north of Elkhorn Drive; and south of Aspen Lane; and

WHEREAS, The property is described as located on proposed Tract B1-B of the Emerald Estates Subdivision, Phase 1, in Section 4, T17N, R01W, Seward Meridian, Alaska; and

WHEREAS, the Wasilla Planning Office mailed notices of the request to 209 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 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; and

WHEREAS, after due consideration, the Planning Commission hereby determines that this application meets all applicable provisions of Wasilla Municipal Code.

NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission approves this application for a Planned Unit Development in the RR-Zone referred to as Primrose Retirement Community and consisting of 32 assisted living units, 36 independent living units, and four townhouse villas, (duplexes), Case No. PUD07-02, for Howard Nugent acting on behalf of the Primrose Retirement Community in Wasilla, Alaska on property described as Tract B1-B of the Emerald Estates Subdivision, Phase 1, proposed, with the following conditions:

1. 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.
2. 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.
3. The applicant shall obtain a utility permit from the Public Works Department for the work to be performed to connect to the City's water and sewer systems.
4. 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.
5. 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 adjoining properties.
6. The drainage plan shall be approved by the City Public Works Director before any construction may begin.
7. All trash receptacles and recycling shall be screened from public streets and all trash shall be confined to the screened area.
8. Developer shall provide a Guarantee of Required Landscaping in conformance with City of Wasilla Landscaping Standards, 16.33.040 (A) 1 & 2.

9. The applicant shall submit a revised landscape plan addressing all provisions of WMC 16.16.050(15) and including (a.) site plan with provisions for grading, areas excavated or filled, proposed finished grades and contours, drainage directions and any control structures to be installed; and (b.) The methods to be employed for reclamation of the site during and after the activity along with a time table for completion.

10. Construction must adhere to project design plans/elevations submitted to the Planning Commission.

11. The applicant shall either place money into an a bank account in the City's Name for the benefit of the City with the money or bond returned after road improvements have been satisfactorily made. The amount of the account or bond shall be the amount of the cost to construct Elkhorn Drive; or provide a surety bond to the City in the amount necessary to construct Elkhorn Drive before any construction on the Primrose Retirement Community can begin.

12. 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 City Council approval.

13. 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.

14. The applicant shall final plat and record the plat with the Mat-Su Borough on which this development's 9.9-acre parcel (Tract B1-B) is located before any construction can begin.

15. The access to Lucille Street and internal circulation plan for the project needs to be reviewed and approved by the borough and City of Wasilla prior to final issuance of the permit.

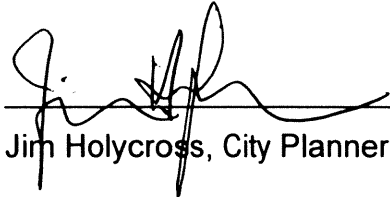
16. The developer shall make provision for adequate setback and buffering considerations as approved by the City of Wasilla Pubic Works Director for the future widening of Lucille Street before the final site plan is submitted.

BE IT FURTHER RESOLVED that the Wasilla City Planning Commission hereby approves this resolution, 07-20 after due consideration and with the findings of fact incorporated herein as *Exhibit A*.


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

APPROVED:

ATTEST:



Jim Holycross, City Planner



Stan Tucker, Chairman
[seal]

**Wasilla Planning Commission Resolution 07-20AM
Findings of Fact**

1. To develop Primrose Retirement Community consisting of 32 assisted living units, 36 independent living units, and four townhouse villas, (duplexes), as a Planned Unit Development, (PUD) on Tract B-1, Section 4, Township 17N, Range 1W of the Emerald Estates Subdivision, Phase I, proposed.
2. Staff finds that the subject property is not part of a Neighborhood Plan. Notices of this proposal were sent to 209 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.
3. The 1996 Comprehensive Plan 'Expected Future Land Use' Map designates the subject property as 'Mixed Use Area'. Staff finds that this proposal meets the intent of the above Comprehensive Plan policies to encourage economic development and support active senior housing.
4. 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)].
5. The City Planning Department has mailed notice to 209 property owners within 1200' of the subject property as well as 25 review agencies. The City Planning Department has received comments from the following agencies:
 - The Wasilla Public Works Director commented that. The proposed development will use City water and sewer service. The water and sewer mains in this area are adequate for this development. The development includes a permanent onsite retention pond for storm water runoff at the corner of Elkhorn Drive and Lucille Street. This adequately addresses drainage concerns. As we discussed, the Lucille Street right-of-way is 80 feet wide along this development. Public Works recommends the building setback of 25 feet be maintained along Lucille Street to accommodate future slope easements when Lucille Street is widened. The current plan meets this requirement.
 - Matanuska Susitna Borough Planning Division comments that, "The portion of Lucille Street between the Parks Highway and Seldon Road is scheduled for upgrade to 4 lanes by a joint borough/City of Wasilla project. The access to Lucille Street and internal circulation plan for the project needs to be reviewed and approved by the borough and City of Wasilla prior to final issuance of the permit."
 - Matanuska Susitna Borough Platting Division comments that, "Master plan and Phase Plat has not had a final review done by platting. Until the phase plat is recorded the shaded area shown is not of record."
 - Matanuska Susitna Borough Cultural Resources Department comments that, "We ...find that there are no recorded sites in the immediate vicinity on the

property. However since the original town site is nearby, there may be cultural remains extant on said property. Please contact us if any are found.”

- Department of Environmental Conservation (DEC) commented, “The property owner/developer must go through the proper DEC channels to obtain approval by our Wastewater, Drinking Water and Food Service & Sanitation programs prior to construction. That does include hiring a Professional Engineer for submittals for plan review with our office on septic and well (or main extensions for water & sewer); in addition to making sure they follow all appropriate food service regulations. If there are any questions, please have them contact our office.”
- Curtis Menard and Family commented, “Howard Nugent in our opinion will build Primrose Retirement Community in a way all Valley residents will be proud of. His reputation is A++ and we stand behind this project 100%.”
- Dixie Banner commented, “The buildings should be taxed for each lot to cover cost for roads etc. We don’t need more homes for the traffic on Lucille is too congested. The city needs to PLAN. Quit giving favors to contractors. Force the city police accountability for their action. They are waste of time...”

6. The applicant shall provide a copy of the Fire Marshal’s plan review and approval certificate to the planning office prior to beginning construction.

7. The proposed retirement community should have minimal marginal impact on traffic on the roadway network because there will be less trips made due to the older age of those living in the facility and the fact that older folk do not generally drive the same amount of vehicle miles on the roadway network or they do not drive at all. Typically a traffic impact analysis is not required for developments that generate less than 100 trips during peak hour usage.

8. The City of Wasilla *Official Streets and Highway Plan (OSHP) 2005 – 2025* indicates Lucille Street as a ‘Major Collector’. The City’s OSHP Short Range Recommendations (2005 – 2025) are, “Lucille Street Improvements – Major Collector – Improvements include widening existing road to a four lane facility with turn pockets, shoulders, landscaping, and separated pathway.” The Mat-Su Borough Long Range Transportation Plan 2025 “Needed Improvements In addition to Base level improvements based on 2025 No Knik Bridge Scenario” indicates that the ‘Identified Improvement’ for Lucille Street is ‘Major Arterial/4 –lane/35 mph’. Based upon these plan designations a condition of approval shall be that, “The developer shall make provision for adequate setback and buffering considerations as approved by the City Public Works Director for the future widening of Lucille Street.”

9. The applicant’s drawings included with this application indicate that the proposed buildings on the subject property meet the setback requirements of §16.24.010 with setbacks at 70’ or greater which easily meet the 25’ and 10’ required setbacks. The applicant has stated that building height is 36’ which is one foot greater than the maximum height standard allowed under the height standards of the WMC. The applicant has specifically applied for a PUD to allow for flexibility in the design and project features such as setbacks which buffer the development from the roads by retaining native vegetation. Upon consideration of the flexibility allowed with a PUD, and drawings submitted, and due to the topography and location next to Lucille Street,

and the fact that the PUD code does allow for flexibility in design, staff finds that all building dimensional requirements including height and setbacks are in compliance with both the Wasilla Comprehensive Plan Policies and Municipal Code intent as provided for in the flexibility provision, therefore this criterion is met.

10. Staff has counted the parking stalls indicated on the site plan and find there are 74 parking stalls indicated with 21 parking spaces in the 'garage' for a grand total of 95 spaces plus an unknown amount of space for RV parking. The parking requirement for 'Adult Retirement Housing' per WMC 16.24.040 is "1.5 spaces per dwelling unit"; and for 'Hospitals, group homes, and other health care facilities'. "1 per 3 beds based on maximum capacity". This application indicates 32 assisted living units, 36 independent living units and 8 townhouse villas living units for a total of 76 living units.

Staff finds that the 32 assisted living units require 11 parking spaces (32 Divided by 3 equals 10.6 \approx 11); the 36 independent living units need 54 spaces (36 X 1.5 equals 54); and the 8 townhouse villas require 12 parking spaces (8 X 1.5 equals 12) for a grand total of 77 parking spaces required.

The applicant indicates on sheet C-1, "Site & Drainage Plan" the following parking spaces are provided for this development:

- 66 spaces for independent living (including villas)
 - 11 spaces for assisted living
 - 6 spaces for employees
 - 6 spaces for guests
 - 6 spaces extra
- Total 95 Parking Spaces

Staff finds that this proposal, when considered with the flexibility allowed with a PUD, and the reduced number of resident seniors on the property who will be driving, that the proposed 95 spaces will be adequate to meet the parking requirements given the situation therefore this criterion is met.

11. Proposed development can be adequately served by city sewer and water. Other utility services are provided by private utility companies. This criterion is met.

12. The applicant has submitted a drainage plan with the application that needs to be approved by the City Public Works Director before any construction may begin. The drainage plan indicates flow to a 'Natural Retention Pond' at the south end of the project. 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.

13. This proposal is for a residential senior development with building footprints totaling 68,074 sq. ft. Building footprint sizes are: Main Building 45,974 sq. ft., Garage, 7,700 sq. ft.; Villas, 3,600 each X 4 = 14,400 sq. ft. Total building footprints on the 9.99 acre site are 68,074 sq. ft. or 15.6% of the total lot area of 431,244 sq. ft. The applicant has indicated on the site plan the area preserved for open space. The applicant proposes large buffer areas of greater than 70 feet to provide open space for this project. The applicant is also required to meet the provisions of the landscape code

which require 6 new trees and 12 new shrubs per acre for a total of 60 new trees and 120 new shrubs planted on the 9.99 acre subject property. The applicant has stated that Landscape Code provisions will be met. The applicant indicates that a natural depression on the property will be preserved and utilized for a 'Natural Retention Pond'. The application mentions common signage and indicates provision for safe and effective circulation of vehicles to and from the property and parking lots. The development has frontage on Lucille Street but will have direct access to and from the two parking lots via Elkhorn Drive.

Staffs find that the Floor Area Ratio (FAR) of building footprints to total lot area for this project is 1: 15.6 which staff finds to be excellent since the FAR in the RR Zone could have resulted in 1:10 assuming 20,000 sq. ft. lot with a 2,000 sq. ft. single-family dwelling located on it. Staff find that the FAR for this development is excellent and unusually generous for residential development. This criterion is met.

14. After consideration of the ITE Trip Generation Manual, 7th Edition; and upon consideration of the use types of 'Congregate Care Facility' (253); 'Senior Adult Housing, Attached' (252); Senior Adult Housing, Detached (251); 'Nursing Home' (620); 'Assisted Living' (254); and 'Continuing Care Retirement Community' (255); and their Average Vehicle Trip Ends v. Occupied Units for the PM Peak Period, staff finds that the proposed Primrose Senior Retirement Community will actually generate less trips than if the property were developed into dwelling unit densities allowed for single-family dwelling units in the RR- zone in which the property is located. Staff finds that this proposal will fit well with surrounding residential areas and their peak use characteristics and will not result in significantly different peak use characteristics and impacts and adding trips to peak hour traffic than nearby residential uses in the vicinity of this development. Staff finds that this criterion is met.

15. The proposed land use will not generate or impact surrounding properties with negative impacts because the proposed Primrose Retirement Community will provide housing for seniors who typically do not generate negative impacts due the quiet and tranquil lifestyle of old age. The proposed development offers much larger setbacks with vegetative buffer than are typically required and which will lend themselves well to having a dampening effect on lights and noise in the area. Staff finds that if proposed mitigation measures such as the large vegetative buffers are followed then any potential significant negative impacts will not affect nearby properties and this criteria will be met.

16. The applicant has submitted a landscaping plan and describes project landscaping in the written description of the application as well as Sheet C-1. The application drawings indicate that the areas on the perimeter of the property surrounding the buildings will be dedicated for open space buffers which will be 70' or greater with the exception of the duplex units where the setback is indicated to be 25' in the front along Elkhorn Drive and no less than 59' in the rear of the duplex units towards Lucille Street.

17. Based on the City Landscape Code, Section 16.33.30 (B) the applicant is required to plant 6 new trees and 12 new shrubs per acre for a total of 60 new trees and 120 new shrubs on the property. The applicant has indicated on the landscape plan 72 trees and 150 shrubs which are more than the required amount therefore the criterion for the number of trees and shrubs is met.

18. The developer has stated that construction of the project will begin in April of 2008 with completion in the spring of 2009. A condition of approval shall be that the developer shall provide a landscape guarantee per WMC 16.33.040 in conformance with City of Wasilla Landscaping Standards WMC Chapter 16.33.

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

20. 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.

21. Staff finds that all provisions of WMC 16.16.050(15) have been met with the exception of a and b therefore a condition of approval shall be that a revised landscape plan shall be submitted which details how a and b are met before construction can begin.

22. Staff discussed the idea of a walking path along Elkhorn Drive in the buffer area of the property during the pre-application conference with the applicant. Staff finds that a walking path usable in summer months may provide an attractive nuisance that could be inviting to snow machines in the winter months which make increased noise around senior housing. The Planning Commission shall determine whether a path is a desirable amenity necessary for the City and this neighborhood.

23. The proposed development can 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."

24. The proposed project design includes huge vegetative setback buffers and building architecture as noted in the drawings and photographs submitted with the application. Staff finds that this proposal fits well with neighborhood appearance and architecture that provides adequate natural light and air. This criterion is met.

25. The Public Works Director shall decide if dedication of open space or easement for drainage facilities is necessary.

26. The area required for snow removal is based upon 25 sq. ft. for each parking space. The required parking spaces for this facility are 77 spaces. The required snow removal area for this project is 1,925 sq. ft. The drawings submitted with this application indicate a snow storage area to the south of the southern parking lot and to the east of the northern parking lot. The parking lot plan does not indicate the square footage of these snow storage areas, however, given the open space indicated it appears that adequate area exists for snow removal. The applicant will be required to amend the

Parking Lot Plan to indicate adequate square footage of snow storage area on the plan. Staff find that it is too early to tell if resulting structures will change wind patterns that affect glaciation and drifting snow in the area of this property, however, staff find that based upon snow storage areas and the fact that snow will be removed as necessary, this proposal will not increase the impact on the surrounding area from glaciation or drifting snow.

27. The applicant has submitted a PUD application to allow flexibility in regulation, design, placement of buildings and use of open spaces that will result in a more aesthetic appearance for the built environment of the property. This proposal will cluster buildings and leave open space in the form of large vegetative buffers greater than 70 feet. The applicant would also like to apply flexibility in building height by allowing a building of 36' in height instead of the required 35' height. Staff finds that the intent of the PUD code has been met with this application.

28. The subject property abuts Lucille Street on the eastern boundary, which will be widened to 4 lanes in the future; and the yet to be fully constructed Elkhorn Drive which borders the subject property in a crescent arc on its southern, western and northern boundaries. The Parks Highway can be accessed from the property via Elkhorn Drive to Lucille Street to the Parks Highway. The internal access driveways both access the proposed Elkhorn Drive. Elkhorn Drive will be dedicated to the public and will be a maintained road. The applicant will be required as a condition of approval to either place money in an escrow account in the name of the city in the amount of the cost of improvements to Elkhorn Drive; or provide a surety bond in the amount necessary to constructed Elkhorn Drive before construction can begin.

29. The proposed 435,164 sq. ft. lot easily meets the minimum lot size for a PUD of 20,000 sq. ft. therefore this criteria is met.

30. 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..."
- POLICY: "The City should continue its strong support of active senior housing programs and organizations."

31. Staff finds that this proposal supports these Goals for economic development and the related policies. The development of the Primrose Retirement Community will help to provide housing to the demographic bulge of senior citizens now moving into retirement age. Instead of leaving Alaska more seniors might stay and infuse a portion of their retirement income into the local economy and community. The new senior housing has been designed in response to the economics and human nature of consumer demand for senior housing and will provide growth and development that supports the economy.

32. Staff finds that the building design with strong consideration for landscaping, vegetative buffers and open space will improve the appearance of Wasilla for the benefit of residents and visitors.
33. Staff finds that the *Wasilla Comprehensive Plan 1996, 'Current Land Use Map'* designates the subject property as "Vacant / Open Space / Undeveloped". Staff finds that the subject property is currently zoned residential and the proposed Primrose Senior Community is a residential enterprise meeting this land use designation therefore this comprehensive plan provision is met.
34. Staff finds that the Wasilla Comprehensive Plan 1996, "Expected Future Land Use Map" designates the subject property as a "Mixed-Use" area. Staff finds that this proposal is a *residential use* that meets this Comprehensive Plan Provision that would allow both commercial and residential uses therefore this criteria is met.
35. 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 October 22, 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 October 26, 2007.
36. 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 November 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.
37. The applicant has submitted sufficient information to address the above provisions required for application submittal and review. The proposed development is designed to provide a quality living environment for local seniors. The development is in line with the City's Comprehensive plan and will provide economic growth and jobs to our community while supporting the growing need for senior housing in the area. The development will incorporate open space which leaves a vegetative buffer around the property and buildings.
38. Construction of the proposed development is to commence April, 2008, with completion and occupancy by spring, 2009. All portions of the development will be constructed simultaneously to provide for an integrated development upon completion.
39. The project site is zoned Rural Residential. This site plan when considered with the flexibility provision of the PUD code complies will all design standards required in the Rural Residential 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.

40. The applicant has provided all necessary information as required in the code and has been willing to supply information as requested by Planning Staff. This criterion is met.

41. The applicant must comply with the requirements of this section and submit the final PUD plan to City Planner. The final plan shall incorporate any changes made by the City Council for final approval within one year from the date of City Council approval.

42. No activity can be started on this project until all construction guarantees for landscaping, roadwork and utilities are in place with the city in the form of either a surety bond for the cost of work and materials to be performed or money in a bank account for the benefit of the city equaling the cost of improvements to be made.

43. 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.

ADOPTED: November 27, 2007


Stan Tucker, Chairman

ATTEST:


Jim Holycross, City Planner



STAFF REPORT
Prepared by:
For the meeting of:

Case # PUD 07-02
Jim Holycross
November 27, 2007

I. SUMMARY FACTS:

Applicant: Howard Nugent
4237 E. Meridian Loop
Wasilla, Alaska 99654

Land Owner: KND Investments LLC
20441 Ptmarigan Drive
Eagle River, Alaska 99577

Proposal: To develop Primrose Retirement Community consisting of 32 assisted living units, 36 independent living units, and 8 townhouse villas as a Planned Unit Development, (PUD) on Tract B-1, Section 4, Township 17N, Range 1W of the Emerald Estates Subdivision, Phase I.

Location: About ½ mile north of the Parks Highway, 9.99 acres extending Northward from Elkhorn Drive up to just south of Aspen and West of Lucille Street.

Parcel size: 9.99 acres

Existing Zoning RR – Rural Residential

Comprehensive Plan: The 1996 Comprehensive Plan “Expected Future Land Use” Map designates the subject property as “Mixed Use”

Surrounding Land Use : North: Vacant, R-1 Single Family and RM Multi-Family Zoning
South: Vacant, C - Commercial and R-1 Single-Family Zoning
East: Built, RM Multi-Family, C – Commercial and RR Rural Residential Zoning
West: Vacant, R-1 Single-Family Zoning

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 07-02 as described in Wasilla Planning Commission Resolution Serial No. 07-20 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 proposed project is located within a future residential subdivision with no current housing directly adjacent to the project. Significant building setbacks with undisturbed native vegetation have been provided to allow for a buffer for future residential development in the area. Discussions with the developer who intends to develop the adjacent property have allowed for complimentary uses of the surrounding property.

Staff Finding: Staff finds that the subject property is not part of a Neighborhood Plan. Notices of this proposal were sent to 209 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 proposed project is consistent with the City's comprehensive plan. Relevant excerpts follow:

“Goal: Encourage growth and development that promotes the economy, protects the environment and improves the quality of life. The City should do everything it can to encourage economic development, while protecting and enhancing the small town atmosphere and semi rural way of life...”

“The City should continue its strong support of active senior housing programs and organizations.”

The proposed project will provide jobs and stimulate the local economy both during development and construction as well as operationally.

Staff Finding: The 1996 Comprehensive Plan 'Expected Future Land Use' Map designates the subject property as 'Mixed Use Area'. Staff finds that this proposal meets the intent of the above Comprehensive Plan policies to encourage economic development and support active senior housing.

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

Applicants Response: The project meets all requirements set forth in 16.16.060 section K for a Planned Unit Development. Please see the attachment 16.16.060(K) for further description.

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: Due Deference will be given to all reviewing parties such as the City of Wasilla planning and public works departments, State of Alaska Department of Environmental Conservation and the Central Mat-Su Fire Marshall's office.

Staff Finding: The City Planning Department has mailed notice to 209 property owners within 1200' of the subject property as well as 25 review agencies. The City Planning Department has received comments from the following agencies:

- The Wasilla Public Works Director commented that. The proposed development will use City water and sewer service. The water and sewer mains in this area are adequate for this development. The development includes a permanent onsite retention pond for stormwater runoff at the corner of Elkhorn Drive and Lucille Street. This adequately addresses drainage concerns. As we discussed, the Lucille Street right-of-way is 80 feet wide along this development. Public Works recommends the building setback of 25 feet be maintained along Lucille Street to accommodate future slope easements when Lucille Street is widened. The current plan meets this requirement.
- Matanuska Susitna Borough Planning Division comments that, "The portion of Lucille Street between the Parks Highway and Seldon Road is scheduled for upgrade to 4 lanes by a joint borough/City of Wasilla project. The access to Lucille Street and internal circulation plan for the project needs to be reviewed and approved by the borough and City of Wasilla prior to final issuance of the permit."
- Matanuska Susitna Borough Platting Division comments that, "Master plan and Phase Plat has not had a final review done by platting. Until the phase plat is recorded the shaded area shown is not of record."
- Matanuska Susitna Borough Cultural Resources Department comments that, "We ...find that there are no recorded sites in the immediate vicinity on the property. However since the original townsite is nearby, there may be cultural remains extant on said property. Please contact us if any are found."
- Department of Environmental Conservation (DEC) commented, "The property owner/developer must go through the proper DEC channels to obtain approval by our Wastewater, Drinking Water and Food Service & Sanitation programs prior to construction. That does include hiring a Professional Engineer for submittals for plan review with our office on septic and well (or main extensions for water & sewer); in addition to making sure they follow all appropriate food service regulations. If there are any questions, please have them contact our office."
- Curtis Menard and Family commented, "Howard Nugent in our opinion, will build Primrose Retirement Community in a way all Valley residents will be proud of. His reputation is A++ and we stand behind this project 100%."
- Dixie Banner commented, "The buildings should be taxed for each lot to cover cost for roads etc. We don't need more homes for the traffic on Lucille is too

congested. The city needs to PLAN. Quite giving favors to contractors. Force the city police accountability for their action. They are waste of time...”

Staff Recommended Condition: The project setbacks shall allow for widening of Lucille Street from 2 lanes to 4 lanes as approved by the City Public Works Director.

Staff Recommended Condition: The access to Lucille Street and internal circulation plan for the project shall be reviewed and approved by the borough and City of Wasilla prior to final issuance of the permit

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 structures shall be protected against Fire in accordance with International Building Code and NFPA. The project will be reviewed by the local authority, Central Mat-Su Fire Marshall Rich Boothby.

Adequate access for fire safety and emergency access is provided. The parking and traffic areas allow for emergency access throughout the facility.

Staff Finding: The applicant shall provide a copy of the Fire Marshall's plan review and approval certificate to the planning office prior to beginning construction.

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 proposed facility occupants typically drive less than normal apartment or multi-family type uses. A traffic impact study performed for a similar facility built in Illinois is attached. The study illustrates the low volume of traffic generated by these types of facilities. The facility will have access to North Lucille Street at two points which will disperse traffic from the facility. Traffic will be similar to residential uses in the immediate area and will not have an adverse impact on the surrounding streets.

Staff Finding: The City of Wasilla Official Streets and Highway Plan (OHSP) 2005 – 2025 indicates Lucille Street as a 'Major Collector'. The City's OSHP Short Range Recommendations (2005 – 2025) are, " Lucille Street Improvements – Major Collector – Improvements include widening existing road to a four lane facility with turn pockets, shoulders, landscaping, and separated pathway." The Mat-Su Borough Long Range Transportation Plan 2025 "Needed Improvements In addition to Base level improvements based on 2025 No Knik Bridge Scenario" indicates that the 'Identified Improvement' for Lucille Street is 'Major Arterial/4 – lane/35 mph'. Based upon these plan designations a condition of approval shall be that, "The developer shall make provision for adequate setback and buffering

considerations as approved by the City Public Works Director for the future widening of Lucille Street.”

The proposed retirement community should have minimal marginal impact on traffic on the roadway network because there will be less trips made due to the older age of those living in the facility and the fact that older folk do not generally drive the same amount of vehicle miles on the roadway network or they do not drive at all. Typically a traffic impact analysis is not required for developments that generate less than 100 trips during peak hour usage.

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

Applicant's Response: The proposed development meets or exceeds all dimensional requirements set forth in section 16.24.010.

Staff Finding: The applicant's drawings included with this application indicate that the proposed buildings on the subject property meet the setback requirements of §16.24.010 with setbacks at 70' or greater which easily meet the 25' and 10' required setbacks. The applicant has stated that building height is 36' which is one foot greater than the maximum height standard allowed under the height standards of the WMC. The applicant has specifically applied for a PUD to allow for flexibility in the design and project features such as setbacks which buffer the development from the roads by retaining native vegetation. Upon consideration of the flexibility allowed with a PUD, and drawings submitted, and due to the topography and location next to Lucille Street, and the fact that the PUD code does allow for flexibility in design, staff find that all building dimensional requirements including height and setbacks are in compliance with both the Wasilla Comprehensive Plan Policies and Municipal Code intent as provided for in the flexibility provision, therefore this criterion 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: Parking meets and exceeds the requirements set forth in 16.24.040. One space for each 3 beds is provided for the assisted living component. 1.5 spaces are provided for each independent living unit classified as adult retirement housing. An additional 18 spaces are provided for employees, guests, and overflow parking. Due to the elderly population a total of 6 handicapped accessible spaces are provided rather than the minimum. Additional parking is designated for recreational vehicles. Due to the low site coverage ratio, additional parking is an option; however, it is the intent of the developer to maintain as much natural and landscaped areas as possible.

Staff Finding: Staff has counted the parking stalls indicated on the site plan and find there are 74 parking stalls indicated with 21 parking spaces in the 'garage' for a grand total of

95 spaces plus an unknown amount of space for RV parking. The parking requirement for 'Adult Retirement Housing' per WMC 16.24.040 is "1.5 spaces per dwelling unit"; and for 'Hospitals, group homes, and other health care facilities'. "1 per 3 beds based on maximum capacity". This application indicates 32 assisted living units, 36 independent living units and 8 townhouse villas living units for a total of 76 living units.

Staff finds that the 32 assisted living units require 11 parking spaces (32 Divided by 3 equals 10.6 \approx 11); the 36 independent living units need 54 spaces (36 X 1.5 equals 54); and the 8 townhouse villas require 12 parking spaces (8 X 1.5 equals 12) for a grand total of 77 parking spaces required.

The applicant indicates on sheet C-1, 'Site & Drainage Plan" the following parking spaces are provided for this development:

- 66 spaces for independent living (including villas)
- 11 spaces for assisted living
- 6 spaces for employees
- 6 spaces for guests
- 6 spaces extra

Total 95 Parking Spaces

Staff finds that this proposal, when considered with the flexibility allowed with a PUD, and the reduced number of resident seniors on the property who will be driving, that the proposed 95 spaces will be adequate to meet the parking requirements given the situation therefore this criterion 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: All utilities are available to the site and will adequately serve the proposed facility. These include: City of Wasilla Sewer, City of Wasilla Water, Matanuska Electric Association Power, Enstar natural Gas, GCI Television, Matanuska Telephone Association Phone and Broadband.

Staff Finding: Proposed development can be adequately served by city sewer and water. Other utility services are provided by private utility companies. This criterion is met.

Staff Recommended Condition: The applicant shall obtain a utility permit from the Public Works Department for the work to be performed to connect to the City's water and sewer systems.

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: During construction a Storm Water Pollution Prevention Program will be implemented in compliance with EPA requirements. This plan will be prepared by a licensed civil engineer and reviewed with Federal EPA and State Department of Environmental Conservation.

Permanent site drainage is designed so runoff will be collected in a natural depression to the southern portion of the site. The area allows for retention of surface water during spring melt and excessive rain. This will alleviate runoff onto adjacent properties and watersheds.

Staff Finding: The applicant has submitted a drainage plan with the application that needs to be approved by the City Public Works Director before any construction may begin. The drainage plan indicates flow to a 'Natural Retention Pond' at the south end of the project. 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.

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 adjoining properties.

Staff Recommended Condition: The drainage plan shall be approved by the City Public Works Director before any construction may begin.

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: The site plan preserves as much natural space as possible to provide a visual buffer from Lucille Street as well as neighboring properties. The site plan includes isolated open spaces in the campus.

Staff Finding: This proposal is for a residential senior development with building footprints totaling 68,074 sq. ft.. Building footprint sizes are: Main Building 45,974 sq. ft.; Garage, 7,700 sq. ft.; Villas, 3,600 each X 4 = 14,400 sq. ft. Total building footprints on the 9.99 acre site are 68,074 sq. ft. or 15.6% of the total area of

431,244 sq. ft.. The applicant has indicated on the site plan the area preserved for open space. The applicant proposes large buffer areas of greater than 70 feet to provide open space for this project. The applicant is also required to meet the provisions of the landscape code which require 6 new trees and 12 new shrubs per acre for a total of 60 new trees and 120 new shrubs planted on the 9.99 acre subject property. The applicant has stated that Landscape Code provisions will be met. The applicant indicates that a natural depression on the property will be preserved and utilized for a 'Natural Retention Pond'. The application mentions common signage and indicates provision for safe and effective circulation of vehicles to and from the property and parking lots. The development has frontage on Lucille Street but will have direct access to and from the two parking lots via Elkhorn Avenue.

Staff find that the Floor Area Ratio (FAR) of building footprints to total lot area for this project is 1: 15.6 which staff finds to be excellent since the FAR in the RR Zone could have resulted in 1:10 assuming 20,000 sq. ft. lot with a 2,000 sq. ft. single-family dwelling located on it. Staff find that the FAR for this development is excellent and unusually generous for residential development. This criterion is met.

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 proposed development will not result in significantly different peak use characteristics than other surrounding uses. The campus will have an inherent residential pace no different than the surrounding community.

Staff Finding: After consideration of the ITE Trip Generation Manual, 7th Edition; and upon consideration of the use types of 'Congregate Care Facility' (253); 'Senior Adult Housing, Attached' (252); Senior Adult Housing, Detached (251); 'Nursing Home' (620); 'Assisted Living' (254); and 'Continuing Care Retirement Community' (255); and their Average Vehicle Trip Ends v. Occupied Units for the PM Peak Period, staff finds that the proposed Primrose Senior Retirement Community will actually generate less trips than if the property were developed into dwelling unit densities allowed for single-family dwelling units in the RR- zone in which the property is located. Staff find that this proposal will fit well with surrounding residential areas and their peak use characteristics and will not result in significantly different peak use characteristics and impacts and adding trips to peak hour traffic than nearby residential uses in the vicinity of this development. Staff find that this criterion is met.

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 proposed development will not impact surrounding properties with regards to excessive noise, light, litter, or other issues that could have an adverse impact on others.

Staff Finding: The proposed land use will not generate or impact surrounding properties with negative impacts because the proposed Primrose Retirement Community will provide housing for seniors who typically do not generate negative impacts due to the quiet and tranquil lifestyle of old age. The proposed development offers much larger setbacks with vegetative buffer than are typically required and which will lend themselves well to having a dampening effect on lights and noise in the area. Staff finds that if proposed mitigation measures such as the large vegetative buffers are followed then any potential significant negative impacts will not affect nearby properties and this criteria will be 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: Clearing will be kept at or near the minimum required to construct the improvements to allow for the retention of natural trees and vegetation. Significant landscaping will be installed including trees, shrubs and lawn areas in and around the buildings and parking areas.

We have carefully picked the location of the project's common use storage area for recreation vehicles and trailers to be screened natural by and from the buildings.

We plan to provide an enclosure to screen trash receptacles.

Staff Finding: The applicant has submitted a landscaping plan and describes project landscaping in the written description of the application as well as Sheet C-1. The application drawings indicate that the areas on the perimeter of the property surrounding the buildings will be dedicated for open space buffers which will be 70' or greater with the exception of the duplex units where the setback is indicated to be 30' in the front along Elkhorn Drive and no less than 59' in the rear of the duplex units towards Lucille Street.

Based on the City Landscape Code, Section 16.33.30 (B) the applicant is required to plant 6 new trees and 12 new shrubs per acre for a total of 60 new trees and 120 new shrubs on the property. The applicant has indicated on the landscape plan 72 trees and 150 shrubs which are more than the required amount therefore the criterion for the number of trees and shrubs is met.

The developer has stated that construction of the project will begin in April of 2008 with completion in the spring of 2009. A condition of approval shall be that the developer shall provide a landscape guarantee per WMC 16.33.040 in conformance with City of Wasilla Landscaping Standards WMC Chapter 16.33.

The Landscaping Plan 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 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 find that all provisions of WMC 16.16.050(15) have been met with the exception of a and b therefore a condition of approval shall be that a revised landscape plan shall be submitted which details how a and b are met before construction can begin.

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.

Staff Recommended Condition: The applicant shall submit a revised landscape plan addressing all provisions of WMC 16.16.050(15) and including (a.) site plan with provisions for grading, areas excavated or filled, proposed finished grades and contours, drainage directions and any control structures to be installed; and (b.) The methods to be employed for reclamation of the site during and after the activity along with a time table for completion.;

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: Walkways, Sidewalks and Bike Paths are limited to onsite. Sidewalks and walkways are not currently developed in the area. A bike path runs along Lucille Street and the developer will explore the options for connecting a walking and bike trail to this system if appropriate.

Staff Finding: Staff discussed the idea of a walking path along Elkhorn Drive in the buffer area of the property during the pre-application conference with the applicant. Staff find that a walking path usable in summer months may provide an attractive nuisance that could be inviting to snow machines in the winter months which make increased noise around senior housing. The Planning Commission shall determine whether a path is a desirable amenity necessary for the City and this neighborhood.

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: The proposed development can 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: The developer is unaware of any historic resources on the site. Any historic resources if encountered will not be impacted by the development without proper assessment and approval.

Staff Finding: The Matanuska-Susitna Cultural Resources department was notified of this request and commented that, "We...find there are no recorded sites in the immediate vicinity on the property. However since the original townsite is nearby, there may be cultural remains extant on said property. Please contact us if any are found." Staff find that this criterion 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: Design of the buildings will be consistent with modern architecture and the surrounding areas. Uses of cultured stone and brick accents will provide a custom finish to the buildings.

Staff Finding: The proposed project design includes huge vegetative setback buffers and building architecture as noted in the drawings and photographs submitted with the application. Staff finds that this proposal fits well with neighborhood appearance and architecture that provides adequate natural light and air. This criterion is met.

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

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: If required by the commission, land for open space, drainage, utilities, access, parks, or playgrounds will be dedicated.

Staff Finding: The Public Works Director shall decide if dedication of open space or easement for drainage facilities is necessary.

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 development will not significantly impact the surrounding area from glaciation or drifting snow. Adequate on site snow storage is indicated on the site plan and orientation of the parking and traffic areas allows for convenient winter maintenance of the site.

Staff Finding: The area required for snow removal is based upon 25 sq. ft. for each parking space. The required parking spaces for this facility are 77 spaces. The required snow removal area for this project is 1,925 sq. ft.. The drawings submitted with this application indicates a snow storage area to the south of the southern parking lot and to the east of the northern parking lot. The parking lot plan does not indicate the square footage of these snow storage areas, however, given the open space indicated it appears that adequate area exists for snow removal. The applicant will be required to amend the Parking Lot Plan to indicate adequate square footage of snow storage area on the plan. Staff find that it is too early to tell if resulting structures will change wind patterns that affect glaciation and drifting snow in the area of this property, however, staff find that based upon snow storage areas and the fact that snow will be removed as necessary, this proposal will not increase the impact on the surrounding area from glaciation or drifting snow.

16.16.060(K) **Planned Unit Development.** The intent of the planned unit development (PUD) is to allow flexibility in regulation, design, placement of buildings and use of open spaces. The modifications may include requirements for lot frontage, building setbacks, and design of circulation facilities to best use site potentials afforded by special features of location, topography, size or shape. 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. Any mobilehome park must receive approval as a PUD.

Staff Finding: The applicant has submitted a PUD application to allow flexibility in regulation, design, placement of buildings and use of open spaces that will result in a more aesthetic appearance for the built environment of the property. This proposal will cluster buildings and leave open space in the form of large vegetative buffers greater than 70 feet. The applicant would also like to apply flexibility in building height by allowing a building of 36' in height instead of the required 35' height. Staff find that the intent of the PUD code has been met with this application.

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: The main street serving the development is Elkhorn Drive. The street currently ends near the south end of the parcel and is expected to be completed and paved by the fall of 2008. Elkhorn Drive connects to Lucille Street and will connect with Aspen Drive upon completion of the Emerald estates Subdivision adjacent to the west of the proposed development. All streets will be maintained and provide adequate access for the proposed use.

Staff Finding: The subject property abuts Lucille Street on the eastern boundary, which will be widened to 4 lanes in the future; and the yet to be fully constructed Elkhorn Drive which borders the subject property in a crescent arc on its southern, western and northern boundaries. The Parks Highway can be accessed from the property via Elkhorn to Lucille Street to the Parks Highway. The internal access driveways both access the proposed Elkhorn Drive. Elkhorn Drive will be dedicated to the public and will be a maintained road. The applicant will be required as a condition of approval to either place money in an escrow account in the name of the city in the amount of the cost of improvements to Elkhorn Drive; or provide a surety bond in the amount necessary to constructed Elkhorn Drive before construction can begin.

Staff Recommended Condition: The applicant shall either place money in an escrow bank account in the City's Name in the amount of the cost to construct Elkhorn Drive; or provide a surety bond to the City in the amount necessary to construct Elkhorn Drive before any construction on the Primrose Retirement Community can begin.

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 a property size of 9.99 acres or 435,164 sq. ft. on the preliminary PUD plat submitted to the City.

Staff Finding: The proposed 435,164 sq. ft. lot easily meets the minimum lot size for a PUD of 20,000 sq. ft. 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.

“Policy: The City should continue its strong support of active senior housing programs and organizations.”

Staff Finding: Staff finds that this proposal supports these Goals and policy for economic development and the related policies. The development of the Primrose Retirement Community will help to provide housing to the demographic bulge of senior citizens now moving into retirement age. Instead of leaving Alaska more senior might stay and infuse a significant portion of heir retirement income in the local community. The new senior housing has been designed in response to the economics and human nature of consumer demand for senior housing and will provide growth and development that supports the economy.

Staff find that the building design with strong consideration for landscaping, vegetative buffers and open space will improve the appearance of Wasilla for the benefit of residents and visitors.

Land Use Plan

Staff find that the Wasilla Comprehensive Plan 1996, 'Current Land Use Map' designates the subject property as "Vacant / Open Space / Undeveloped". Staff find that the subject property is currently zoned residential and the proposed Primrose Senior Community is a residential 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 a "Mixed-Use" area. Staff find that this proposal the Primrose Retirement Community s a residential use that meets this Comprehensive Plan Provision therefore this criteria is met.

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 October 22, 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 October 26, 2007.

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

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 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 November 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;

Staff Finding:

The applicant has submitted sufficient information to address the above provisions required for application submittal and review. The proposed development is designed to provide a quality living environment for local seniors. The development is in line with the City's Comprehensive plan and will provide economic growth and jobs to our community while supporting the growing need for senior housing in the area. The development will incorporate open space which leaves a vegetative buffer around the property and buildings.

- 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;

Staff Finding:

Construction of the proposed development is to commence April, 2008, with completion and occupancy by spring, 2009. All portions of the development will be constructed simultaneously to provide for an integrated development upon completion.

- 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.**

Staff Finding:

The project site is zoned Rural Residential. This site plan when considered with the flexibility provision of the PUD code complies with all design standards required in the Rural Residential 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.

The applicant has provided all necessary information as required in the code and has been willing to supply information as requested by Planning Staff. This criteria is met.

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.

Staff Finding:

No activity can be started on this project until all construction guarantees for landscaping, roadwork and utilities are in place with the city in the form of either a surety bond for the cost of work and materials to be performed or money in a bank account for the benefit of the city equaling the cost of improvements to be made.

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.

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.

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).

PLANNED UNIT DEVELOPMENT, (PUD), P07-02

Request to develop Primrose Retirement Community on Tract B1-B of Emerald Estates, Phase I Subdivision, located off of Elkhorn Drive, zoned RR--Rural Residential.

Applicant: Howard Nugent for Nugent Properties, LLC



NTS

KEY



SUBJECT PARCEL

