

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 14-07**

**A RESOLUTION OF THE WASILLA PLANNING COMMISSION RECOMMENDING
THAT THE WASILLA CITY COUNCIL APPROVE A REZONE FROM RURAL
RESIDENTIAL TO COMMERCIAL FOR LOT 4, ARR-DOT SUBDIVISION.**

WHEREAS, the City of Wasilla is initiating a request to rezone Lot 4, ARR-DOT Subdivision and is requesting a recommendation of approval from the Wasilla Planning Commission to the Wasilla City Council to change the zoning from Rural Residential (RR) to Commercial (C); and

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

WHEREAS, the Wasilla Planning staff mailed notices for this request to property owners within 1,200 radial feet of the proposed development; and

WHEREAS, the public hearing date and time was publicly advertised; and

WHEREAS, the Wasilla Planning Commission deliberated on this request taking into account the information submitted by the City, evaluation and recommendations of staff contained in the staff report, public testimony - both written and verbal comments, the applicable provisions of the Wasilla Comprehensive Plan, and other pertinent information brought before them; and

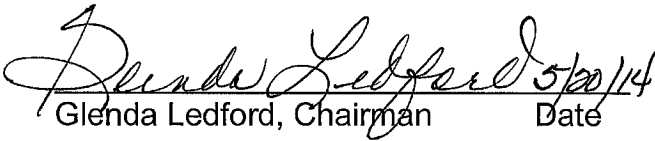
WHEREAS, the Wasilla Planning Commission adopted Findings of Fact, attached as Exhibit A, summarizing basic facts and reasoning of the Commission; and

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

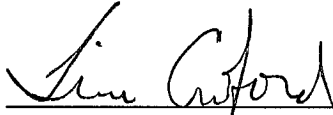
NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission after due consideration of the application, testimony by the applicant, staff, and public, and the Findings of Fact attached as Exhibit A and incorporated herein, recommends that the Wasilla City Council approve the requested rezone.

ADOPTED by the Wasilla Planning Commission on May 13, 2014.

APPROVED:


Glenda Ledford, Chairman Date

ATTEST:


Tina Crawford, AICP, City Planner

VOTE: YES: Dean, Kelly, Ledford, and Pinard
 NO: Means

EXHIBIT A
Wasilla Planning Commission Resolution 14-07
FINDINGS OF FACT – Section 16.16.070, Rezoning

16.16.070 Rezoning

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

FINDING: The subject rezoning was initiated by the City of Wasilla to update the official zoning map. A letter of support from the Alaska Railroad Corporation is also included in this packet.

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

FINDING: The lot is 11.97 acres and is also an expansion of an existing commercial zoning district.

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

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

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

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

FINDING: There are not any approved neighborhood plans in the area. However, the proposed Commercial zoning is consistent with the existing development and zoning in the surrounding area.

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

FINDING: The rezoning substantially complies with the applicable provisions of Section 16.16.050 General Approval Criteria. In-depth review for consistency with Title 16 will be done by planning staff when any development is proposed on the lot.

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

FINDING: The properties have appropriate access to the services referenced above or will provide them at time of development.

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

FINDING: To date, two responses were received from reviewing parties – both indicated that they had no comments. Any additional review comments will be addressed at time of development.

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

FINDING: Although vacant commercially-zoned land is available in the immediate area, this is an area that is a logical expansion of the commercial zoning at the intersection of the Parks Highway and Palmer-Wasilla Highway.

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

FINDING: Rezoning these properties to Commercial will logically fill-in the gap between the commercially zoned properties to the east and west along the north side of the Palmer-Wasilla Highway Extension, which will allow land uses to be developed on the lot in the future that are compatible with the surrounding commercially zoned/developed parcels.

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

FINDING: The proposed Commercial zoning is consistent with the Generally Commercial/Business Future Land Use designation in the City's Comprehensive Plan. The implementation policies of the Comprehensive Plan states that the appropriate zoning for a FLUM should be the most appropriate for the area and should take into consideration the purpose of the zoning district, the proposed rezoning site, and the zoning and/or development pattern of the surrounding area.

The rezoning is also consistent with goals, objectives, and actions in the Economic Vitality chapter of the City's Comprehensive Plan. Specifically, Action 1.2.4 states the following:

1.2.4. Identify key commercial and industrial areas of the City for development; promote the advantages for businesses to build or expand in these locations such as availability of City services, access to utilities, and the value of being adjacent to other businesses.

The Land Use Chapter of the Comprehensive Plan indicates that the Generally Commercial/Business future land use designation provides for, "...a wide range of local and regional shopping, retail sales, personal services, and employment."

The intersection of the Parks Highway and the Palmer-Wasilla Highway is the major commercial node in the City and it is logical that this lot be zoned Commercial to allow this type of development. Additionally, this lot has direct access to the Parks Highway via E. Old Matanuska Road, which is designated as a "Major Collector" roadway in the City's Official Streets and Highways Plan and access to the Palmer-Wasilla Highway via Financial Drive, which is designated as a "Commercial" roadway.