

Non-Code Ordinance

By: Planning
Introduced: June 9, 2014
Public Hearing: June 23, 2014
Adopted: June 23, 2014

Vote: Buswell, Harris, O'Barr, Sullivan-Leonard, Wall, and Wilson in favor

**City of Wasilla
Ordinance Serial No. 14-26**

An ordinance of the Wasilla City Council amending the Official Zoning Map of the City of Wasilla, Alaska to change the zoning district from Rural Residential (RR) to Commercial (C), for Lot 4, ARR-DOT Subdivision.

WHEREAS, the City of Wasilla has initiated this rezoning to update the official zoning map to designate a zoning district that is consistent with the zoning in the surrounding area; and

WHEREAS, WMC 16.16.070 states that the Wasilla Planning Commission is required to make a recommendation with written findings to the Wasilla City Council for all rezoning requests; and

WHEREAS, on May 13, 2014, the Wasilla Planning Commission developed findings of fact on this request taking into account the information submitted by the applicant, the evaluation and recommendations of staff contained in the staff report and presentation, written and verbal public testimony, the applicable provisions of the Wasilla Comprehensive Plan and the Wasilla Municipal Code; and

WHEREAS, the Wasilla Planning Commission hereby determines that this application meets all applicable provisions of the Wasilla Comprehensive Plan and the Wasilla Municipal Code and adopted Wasilla Planning Commission Resolution Number 14-07 with findings of fact, which are incorporated by reference, recommending approval to the Wasilla City Council; and

WHEREAS, the Wasilla City Council has considered the request for this rezoning and concurs with the Wasilla Planning Commission recommendation and findings in Wasilla Planning Commission Resolution Serial Number 14-07, which is incorporated herein by reference.

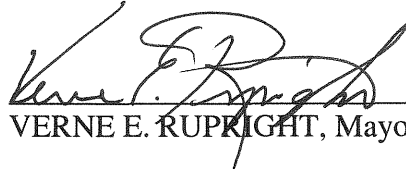
NOW, THEREFORE, THE WASILLA CITY COUNCIL ORDAINS:

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

Section 2. Amendment of Zoning Map. The Zoning Map of the City of Wasilla, Alaska is hereby amended to change the zoning district from Rural Residential (RR) to Commercial (C) for approximately 11.97 acres, consisting of Lot 4 of the ARR-DOT Subdivision. The City Planner shall change the zoning map accordingly.

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

ADOPTED by the Wasilla City Council on June 23, 2014.


VERNE E. RUPRIGHT, Mayor

ATTEST:



KRISTIE SMITHERS, MMC, City Clerk

[SEAL]

CITY COUNCIL LEGISLATION STAFF REPORT

Ordinance Serial No. 14-26: Amending the Official Zoning Map of the City of Wasilla, Alaska to change the zoning district from Rural Residential (RR) to Commercial (C), for Lot 4, ARR-DOT Subdivision.

Originator: Tina Crawford, City Planner *JC*

Date: 5/27/2014

Agenda of: 6/9/2014

Route to:	Department Head	Signature	Date
X	Public Works Director	<i>[Signature]</i>	5/28/14
X	Finance Director	<i>[Signature]</i>	5/28/14
X	Deputy Administrator	<i>[Signature]</i>	5/28/14
X	City Clerk	<i>[Signature]</i>	5/28/14

Reviewed by Mayor Verne E. Rupright: *[Signature]*

Fiscal Impact: yes or no

Attachments: Ordinance Serial No. 14-26 (2 pages)

Planning Commission Resolution Serial No. 14-07 (5 pages)

May 13, 2014 Planning Commission Minutes (9 pages)

Official Record for Rezone #14-01(16 pages)

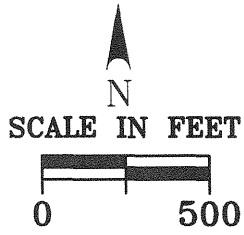
Summary Statement:

This rezoning request is being initiated by the City of Wasilla. The rezoning will update the official zoning map to designate a zoning district that is consistent with the zoning in the surrounding area now that the property has been transferred from the AKDOT&PF to the Alaska Railroad Corporation. The lot is currently zoned Rural Residential (RR) and staff proposes a change to Commercial (C). 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.

As required by the Wasilla Municipal Code, the Planning Commission held a public hearing for Rezone No. R14-01 on May 13, 2014. After hearing the staff's report and recommendation of approval, a presentation from the owners, and public input, a motion was made to adopt Resolution Serial No. 14-07, which approved the rezone request. The motion was approved by a 4 to 1 vote, with Commissioner Means opposed.

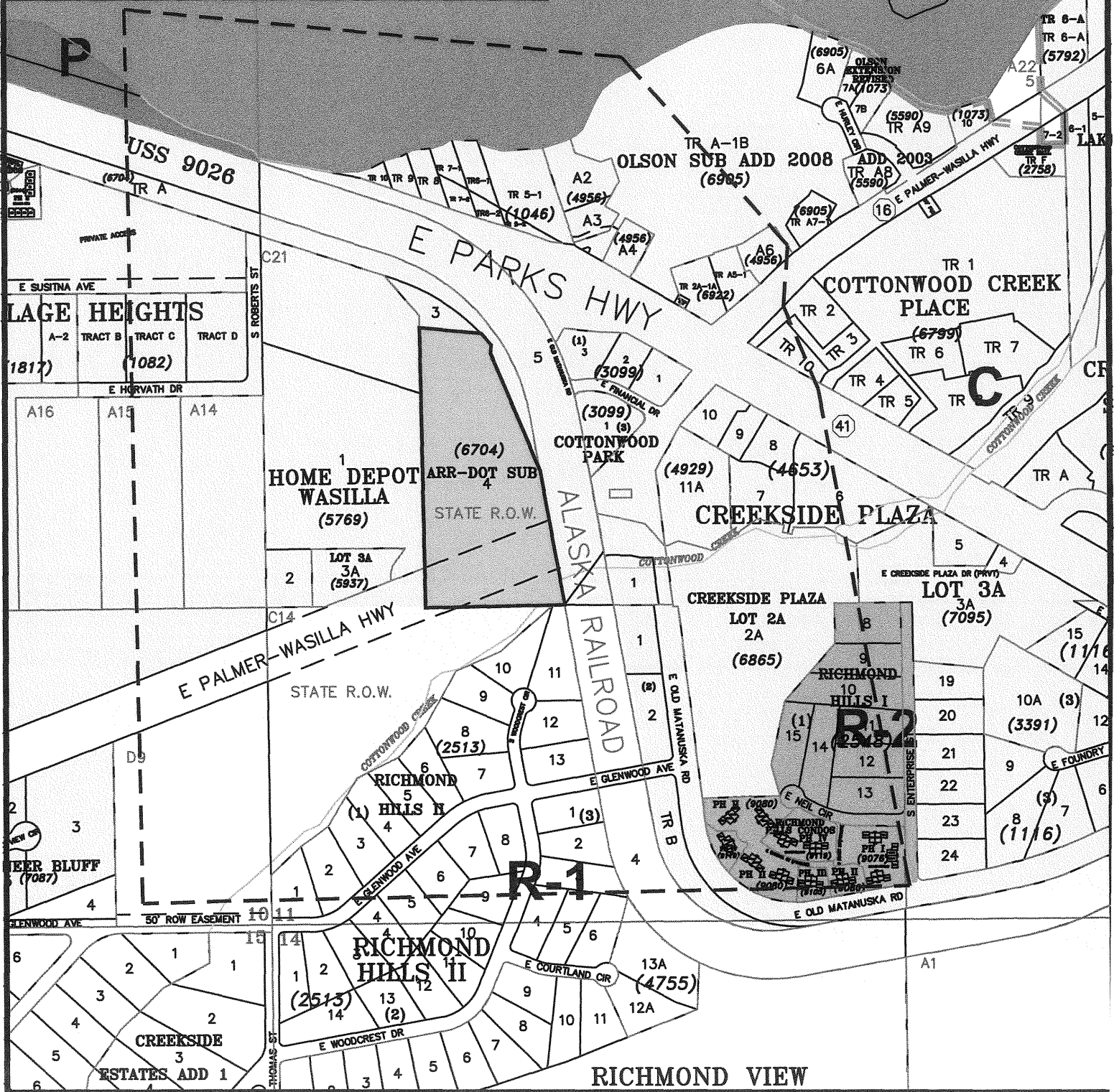
Staff Recommendation: Introduce and set for public hearing Ordinance Serial No. 14-26.

R #14-01
MSB Map #WA 11
T17N, R01W, Sec. 11



- SUBJECT PROPERTY
- PUBLIC
- COMMERCIAL
- RESIDENTIAL
- SINGLE-FAMILY RESIDENTIAL

City of Wasilla/Planning - 05-28-14



**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.

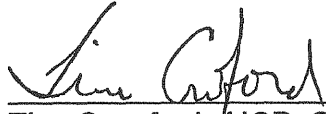
NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission after due consideration of the application, testimony by the applicant, staff, and public, and the Findings of Fact attached as Exhibit A and incorporated herein, recommends that the Wasilla City Council approve the requested rezone.

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

APPROVED:


Glenda Ledford, Chairman Date 5/20/14

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.

REGULAR MEETING

I. CALL TO ORDER

The regular meeting of the Wasilla Planning Commission was called to order at 6:00 PM on Tuesday, May 13, 2014, in Council Chambers of City Hall, Wasilla, Alaska by Glenda Ledford, Chairman.

II. ROLL CALL

Commissioners present and establishing a quorum were:

- Claudia Pinard, Seat A
- Daniel Kelly Jr., Seat B
- Jessica Dean, Seat C (initially via teleconference; arrived at 6:13 PM)
- Loren Means, Seat D
- Glenda Ledford, Seat E

Staff in attendance were:

- Mr. Archie Giddings, Public Works Director
- Mr. Richard Payne, City Attorney
- Ms. Tina Crawford, City Planner
- Ms. Tahirih Revet, Planning Clerk

III. PLEDGE OF ALLEGIANCE

- A. Mr. Giddings led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

GENERAL CONSENT: The agenda was approved as presented.

V. REPORTS

- A. City Deputy Administrator
No report given.

- B. City Public Works Director
No report given.

- C. City Attorney
No report given.

- D. City Planner
No report given.

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

No one stepped forward to make a comment.

VII. CONSENT AGENDA

- A. Minutes of April 8, 2014, regular meeting

GENERAL CONSENT: Minutes were approved as presented.

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

A. PUBLIC HEARINGS

1. Item: **Conditional Use Permit #14-01** (Reso. #14-05)
Request: Approval to build a 1,764 square foot storage addition (two-story) to an existing 30,892± square foot office building.

Applicant: Dennis Smith
Owner: Wasilla Station, LLC
Total Area: 1.62 acres±
Location: 600 E. Railroad Avenue
Block 5, Floyd 2010 Subdivision

Zoning: Commercial

2. Item: **Variance #14-01** (Reso. #14-06)
Request: Approval of a 14 foot variance to the minimum 25 foot rear yard setback to allow an 11 foot rear yard setback along Susitna Avenue.

Applicant: Dennis Smith
Owner: Wasilla Station, LLC
Total Area: 1.62 acres±
Location: 600 E. Railroad Avenue
Block 5, Floyd 2010 Subdivision

Zoning: Commercial

a. City Staff

Ms. Crawford provided a brief summary of the applicant's request for a conditional use permit to construct an addition and variance to the rear yard setback for Agenda Items 1 and 2.

b. Applicant

Mr. Dennis Smith, owner, provided a statement on the request for the addition and variance to the rear yard setback.

Discussion moved to the Commission.

- c. Private person supporting or opposing the proposal
Chair Ledford opened the public hearing for Items 1 and 2.

With no comments, Chair Ledford closed the public hearing.

d. Applicant

No comments.

MOTION: Commissioner Means moved to approve Resolution Serial No. 14-06, as presented.

VOTE: The motion to approve Resolution Serial No. 14-06, passed unanimously.

MOTION: Commissioner Means moved to approve Resolution Serial No. 14-05, as presented.

Discussion moved to the Commission.

VOTE: The motion to approve Resolution Serial No. 14-05, passed unanimously.

3. Item: **Rezone #14-01** (Reso. No. 14-07)
Request: Rezone from Rural Residential (RR) to Commercial (C) zoning district.
Applicant: City of Wasilla
Owner: Alaska Railroad Corporation (ARRC)
Total Area: 11.97 acres±
Location: 630 E. Old Matanuska Road
Lot 4, ARR-DOT Subdivision
Generally located at the intersection of E. Old Matanuska Road and Financial Drive (parcel with the old Kenai Supply building.)

a. City Staff
Ms. Crawford provided a brief summary of the request for the rezone.

Discussion moved to the Commission.

b. Applicant
Mr. Paul Farnsworth, representative from Alaska Railroad, provided a brief statement on the proposed use of the existing building.

Discussion ensued.

c. Private person supporting or opposing the proposal
Chair Ledford opened the public hearing.

Mr. Steve Smith asked about the access to his property and if the rezone is approved would the railroad be required to provide access.

Mr. Giddings stated that question is not relevant to the request for the rezone. With no other comments, Chair Ledford closed the public hearing.

d. Applicant
No further comments by the applicant.

MOTION: Commissioner Kelly moved to approve Resolution Serial No. 14-07, as presented.

Discussion moved to the Commission.

VOTE: The motion to approve Resolution Serial No. 14-07 as presented, passed with Commissioner Dean, Kelly, Pinard and Chair Ledford in favor and Commissioner Means opposed.

4. Item: **Conditional Use Permit #14-02 (Reso. #14-08)**
Request: Approval to construct an 11,600 square foot commercial car wash facility including an indoor commercial car cleaning area and pet washing facility.
Applicant: K & S Enterprises, Ltd.
Owner: Peter Zamarello Living Trust
Total Area: 0.99 acres±
Location: 1900 W. Rupee Circle
Lot 2, Block 2, Carol Subdivision
Zoning: Commercial

a. City Staff

Ms. Crawford provided a brief summary of the applicant's request for a conditional use permit to construct a commercial car wash.

Commissioner Kelly stated that he is a neighbor to Mr. Zamarello but didn't recuse himself since he would not receive any financial gain from the project.

No one was opposed to Commissioner Kelly participating in the decision of approving or denying the request.

b. Applicant

Mr. Steve Mahoy, owner, provided a brief summary on the request for the commercial car wash.

Discussion moved to the Commission.

c. Private person supporting or opposing the proposal

Chair Ledford opened the public hearing.

With no one commenting, Chair Ledford closed the public hearing.

d. Applicant

No further comments by the applicant.

MOTION: Commissioner Kelly moved to approve Resolution Serial No. 14-08, as presented.

Discussion moved to the Commission.

VOTE: The motion to approve Resolution Serial No. 14-08 as presented, passed unanimously.

5. Item: **Conditional Use Permit #14-03 (Reso. #14-09)**
Request: Approval to construct a 6,000 square foot commercial building on a lot with 9,268 existing commercial square footage (Pizza Hut & Midas).
Owner: Kurban Kurani
Total Area: 2.03 acres±
Location: 101 N. Crusey
Lot A19, Township 17N, Range 1W, Section 10
Zoning: Commercial
6. Item: **Variance #14-02 (Reso. #14-10)**
Request: A variance of 25 feet to the minimum 25 foot rear yard setback in order to construct a 6,000 square foot commercial building.
Owner: Kurban Kurani
Total Area: 2.03 acres±
Location: 101 N. Crusey
Lot A19, Township 17N, Range 1W, Section 10
Zoning: Commercial
7. Item: **Conditional Use Permit #14-04 (Reso. #14-11)**
Request: Approval to build an 8,280 square foot commercial building in the Residential Multifamily zoning district.
Owner: Kurban Kurani
Total Area: 0.86 acres±
Location: 918 E. Westpoint Drive
Lot 16A, Block 1, Lakeshore Resubdivision
Zoning: Residential Multifamily
8. Item: **Variance #14-03 (Reso. #14-12)**
Request: A variance of five feet to the minimum five foot side yard setback to allow a zero side yard setback on the western side of the lot AND a variance of 15 feet to the minimum 25 foot front yard setback to allow a 10 foot front yard setback along Westpoint Drive in order to construct an 8,280 square foot commercial building.
Owner: Kurban Kurani
Total Area: 0.86 acres±
Location: 918 E. Westpoint Drive
Lot 16A, Block 1, Lakeshore Resubdivision
Zoning: Residential Multifamily

a. City Staff

Ms. Crawford provided a brief summary of the applicants request for a conditional use permit to construct a commercial building and variance to the rear yard setback for Agenda Item's 5, 6, 7 and 8.

b. Applicant

Mr. Michael James, representative for owner, provided an overview of the proposed development.

Discussion moved to the Commission.

c. Private person supporting or opposing the proposal

Chair Ledford opened the public hearing for Items 5, 6, 7 and 8.

Mr. Jason Harris asked if there could be access between the park and building A.

Mr. Giddings stated he didn't think that would be an option.

Ms. Sun Oh stated she is a property owner off of Westpoint Drive and expressed concerns regarding egress and ingress off of the property with the proposed development.

Mr. Fred DeRue stated he is a property owner on Westpoint Drive and stated his concerns regarding egress and ingress off of the property with the proposed development.

With no other comments, Chair Ledford closed the public hearing.

d. Applicant

Mr. James stated there will not be any new power poles added to the site.

Discussion ensued with the Commission.

MOTION: Commissioner Pinard moved to approve Resolution Serial No. 14-10, as presented.

Discussion moved to the Commission.

VOTE: The motion to approve Resolution Serial No. 14-10, passed unanimously.

MOTION: Commissioner Dean moved to approve Resolution Serial No. 14-09, as presented.

Discussion moved to the Commission.

MOTION: Commissioner Kelly moved to amend Resolution Serial No. 14-09 to add a condition to the Conditional Use Permit to require a transportation impact analysis be prepared and provided to the City Public Works Director and City Planner.

VOTE: The motion to amend Resolution Serial No. 14-09 to add to the Conditional Use Permit to require preparation of a transportation impact analysis, passed unanimously.

MOTION: Commissioner Dean moved to amend Resolution Serial No. 14-09 to require the applicant to obtain a Matanuska-Susitna Borough Flood Hazard Development Permit prior to any construction on the site.

VOTE: The motion to amend Resolution Serial No. 14-09 to add a condition to obtain a Matanuska-Susitna Borough Flood Hazard Development Permit prior to any construction on the site, passed unanimously.

MOTION: Commissioner Kelly moved to amend Resolution Serial No. 14-09 to add a condition to the Conditional Use Permit to require that any new electric service lines on the lot must be installed underground.

VOTE: The motion to amend Resolution Serial No. 14-09 to add a condition to the Conditional Use Permit to require that any new electric service lines on the lot must be installed underground, passed unanimously.

VOTE: The motion to approve Resolution Serial No. 14-09 as amended, passed unanimously.

Recessed at 7:59 PM for five minutes.

Resumed at 8:04 PM

MOTION: Commissioner Kelly moved to adopt Resolution Serial No. 14-12, as presented.

VOTE: The motion to adopt Resolution Serial No. 14-12, passed unanimously.

MOTION: Commissioner Pinard moved to adopt Resolution Serial No. 14-11, as presented.

MOTION: Commissioner Dean moved to amend Resolution Serial No. 14-11 to add conditions to the Conditional Use Permit that requires a transportation impact analysis be prepared and provided to the City Public Works Director and City Planner and that any new electric service lines on the lot must be installed underground.

VOTE: The motion to amend Resolution Serial No. 14-11 to add conditions to the Conditional Use Permit that requires preparations of a transportation impact analysis and that any new electric service lines on the lot must be installed underground, passed unanimously.

VOTE: The motion to adopt Resolution Serial No. 14-11 as amended, passed with Commissioners Dean, Pinard, Kelly, and Chair Ledford in favor and Commissioner Means in opposition.

9. **Resolution Serial No. 14-13:** Recommending approval of 30-year lease of Lots 7, 8, & 9, New Wasilla Airport, to construct a building 14,000 square feet to operate a helicopter contract and charter service; generally located south of the Parks Highway off of Aviation Avenue.

Mr. Giddings proved a brief overview on the requested lease and the history of the airport lease lots.

Discussion moved to the Commission.

Chair Ledford opened the public hearing.

With no one stepping forward, Chair Ledford closed the public hearing.

MOTION: Commissioner Dean moved to adopt Resolution Serial No. 14-13, as presented.

VOTE: The motion to adopt Resolution Serial No. 14-13, passed unanimously.

IX. UNFINISHED BUSINESS

No unfinished business.

X. COMMUNICATIONS

No statements made regarding the following items.

- A. Permit Information
- B. Enforcement Log

XI. AUDIENCE COMMENTS

No comments.

XII. STAFF COMMENTS

Mr. Payne stated he appreciated how the meeting was run.

Mr. Giddings stated he is happy about the approval for the new lease and that the new KGB upgrades will be brought in front of the Commission for discussion at future Planning Commission meetings.

Ms. Crawford stated she appreciates all the comments and questions that were raised and there will be a couple items on next months' agenda.

XIII. COMMISSION COMMENTS

Commissioner Kelly he thought the meeting went well tonight.

Commissioner Pinard stated she appreciated the public comments.

Commissioner Dean thanked staff for their help and apologized for her tardiness.

Chair Ledford thanked everyone for showing up.

XIV. ADJOURNMENT

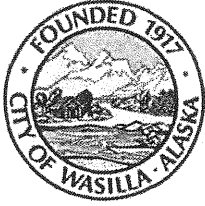
The regular meeting adjourned at 8:24 PM.

ATTEST:

GLENDAL LEDFORD, Chairman Date

TAHIRIH REVET, Planning Clerk

Adopted by the Wasilla Planning Commission -, 2014.



Staff Report: Case # R14-01
Prepared by: Planning Staff
Meeting date: May 13, 2014

I. SUMMARY FACTS:

Applicant: City of Wasilla
Owner: Alaska Railroad Corporation
Proposal: Rezone from Rural Residential (RR) to Commercial (C) District.
Location: Lot 4, ARR-DOT Subdivision
Parcel size: 11.97± acres
Existing Zoning: Rural Residential (RR)
Future Land Use: Generally Commercial/Business
Surrounding Zoning: North: Commercial
South: Rural Residential
East: Commercial
West: Commercial

II. STAFF RECOMMENDATION:

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

III. SUMMARY OF REQUEST

This rezoning request is being initiated by the City of Wasilla. The rezoning will update the official zoning map to designate a zoning district that is consistent with the zoning in the surrounding area now that the property has been transferred from the AKDOT&PF to the Alaska Railroad Corporation. The lot is currently zoned Rural Residential (RR) and staff proposes a change to Commercial (C).

Public hearing notices were mailed to 63 property owners within a 1,200 foot radius and 25 review agencies on April 21, 2014, allowing an appropriate number of days to respond prior to the public hearing notice and request for comments in accordance with 16.16.040(A)(2).

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

IV. APPLICABLE PROVISIONS

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

V. FINDINGS

16.16.070 Rezoning

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

STAFF FINDING: 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.

STAFF 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.

STAFF 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;

STAFF 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;

STAFF 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;

STAFF 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;

STAFF 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;

STAFF 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

STAFF 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.

STAFF 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.

VIII. RECOMMENDATION

Based on the findings above, staff recommends that the Planning Commission forward a recommendation of approval to the Wasilla City Council for this rezone request.



RECEIVED

APR 01 2014

Planning Office
City of Wasilla

Tina Crawford AICP
City of Wasilla
290 Hering Ave
Wasilla, Alaska 99654

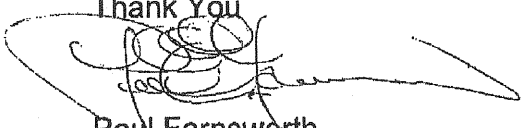
4/1/14

RE: Rezone of Lot 4, ARR-DOT Subdivision, as recorded on Plat 2007-86 and filed in the Palmer Recording District, Third Judicial District

Dear Tina

Alaska Railroad supports the rezone of Lot 4 from Rural Residential-RR to Commercial-C. Please contact me at 907-265-2540 if you need any additional information.

Thank You



Paul Farnsworth
Director, Facilities
Alaska Railroad

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NOTIFICATION OF PUBLIC HEARING

DATE: April 21, 2014

CASE: R 14-01

APPLICANT (S): City of Wasilla
OWNER (S): Alaska Railroad Corporation
REQUEST:

The City of Wasilla is initiating a rezone of Lot 4, ARR-DOT Subdivision, consisting of approximately 11.97 acres, from RR-Rural Residential to C-Commercial. This property is generally located at the intersection of E. Old Matanuska Road and Financial Drive (parcel with old Kenai Supply building).

You are being notified of this action as you are a property owner within 1,200' of the subject property, (WMC 16.16.040). A Planning Commission public hearing on this request is scheduled for **May 13, 2014 at 6:00 PM** in the City Council Chambers. Comments may be submitted in writing by filling in the spaces provided below and mailing to: City of Wasilla, Planning Office, 290 E. Herning Ave, Wasilla, AK 99654. If there is not enough room below please attach a separate piece of paper. Comments may also be faxed to (907) 373-9021 or emailed to planning@ci.wasilla.ak.us. Written comments on this request must reach the Planning Office on or before **May 6, 2014** in order to be included in the packet. Comments received after that date will be available at the public hearing.

Anyone wishing to review the application for this case is encouraged to contact the Planning Office for additional information.

Name _____
Address _____
Lot _____ Block _____ Subdivision _____

RECEIVED
APR 22 2014
PLATTING

Comments: *Platting, no comment as there appears to be no platting action*
[Signature]



CITY OF WASILLA
PLANNING OFFICE
290 E HERNING AVE
WASILLA, AK 99654
PHONE 373-9020 FAX 373-9021

MSB Platting Division Officer
350 E. Dahlia Ave
Palmer, AK 99645

neopost
04/21/2014
US POSTAGE \$00.48⁰
ZIP 99654
041L11222587

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APR 24 2014
Planning Office
City of Wasilla

FIRST CLASS
Matanuska-Susitna Borough
APR 22 2014
RECEIVED

NOTICE OF PUBLIC HEARING

NOTIFICATION OF PUBLIC HEARING

DATE: April 21, 2014

CASE: R 14-01

APPLICANT (S): City of Wasilla
OWNER (S): Alaska Railroad Corporation
REQUEST:

The City of Wasilla is initiating a rezone of Lot 4, ARR-DOT Subdivision, consisting of approximately 11.97 acres, from RR-Rural Residential to C-Commercial. This property is generally located at the intersection of E. Old Matanuska Road and Financial Drive (parcel with old Kenai Supply building).

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Anyone wishing to review the application for this case is encouraged to contact the Planning Office for additional information.

Name _____

Address _____

Lot _____ Block _____ Subdivision _____

Comments: no comments Mark Whisenhunt MSB



CITY OF WASILLA
PLANNING OFFICE
290 E HERNING AVE
WASILLA, AK 99654
PHONE 373-9020 FAX 373-9021

MSB Planning Director
350 E. Dahlia Ave
Palmer, AK 99645

neopost
04/21/2014
US POSTAGE \$00.48
ZIP 99654
041L11222587

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APR 24 2014

Planning Office
City of Wasilla

FIRST CLASS

Matanuska-Susitna Borough

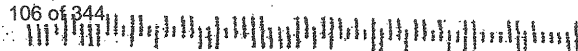
APR 22 2014

RECEIVED

NOTICE OF PUBLIC HEARING

99645*6488 0001

106 of 344



CERTIFICATE OF SERVICE

- I am the Planning Clerk for the City of Wasilla.
- I certify on this 21 day of April, 2014, I mailed 94 notices of: _____ via first class U.S. Mail and by hand delivery regarding the following:
Rezone
 Land Use Permit # B14-01.

Residents within 1,200' 63
 Review Agencies 25
 Planning Commissioners & City Council Members 12
 Total 100

DATED at Wasilla, Alaska, April 21, 2014.

CITY OF WASILLA

Tahirih Revet
 TAHIRIH REVET
 Planning Clerk

Attest:

 TINA CRAWFORD
 City Planner

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NOTIFICATION OF PUBLIC HEARING

DATE: April 21, 2014

CASE: R 14-01

APPLICANT (S): City of Wasilla
OWNER (S): Alaska Railroad Corporation
REQUEST:

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Anyone wishing to review the application for this case is encouraged to contact the Planning Office for additional information.

Name _____

Address _____

Lot _____ Block _____ Subdivision _____

Comments:

Multiple horizontal lines for writing comments.



CITY OF WASILLA
PLANNING OFFICE
290 E HERNING AVE
WASILLA, AK 99654
PHONE 373-9020 FAX 373-9021

FIRST CLASS

NOTICE OF PUBLIC HEARING

R #14-01
MSB Map #WA 11
T17N, R01W, Sec. 11



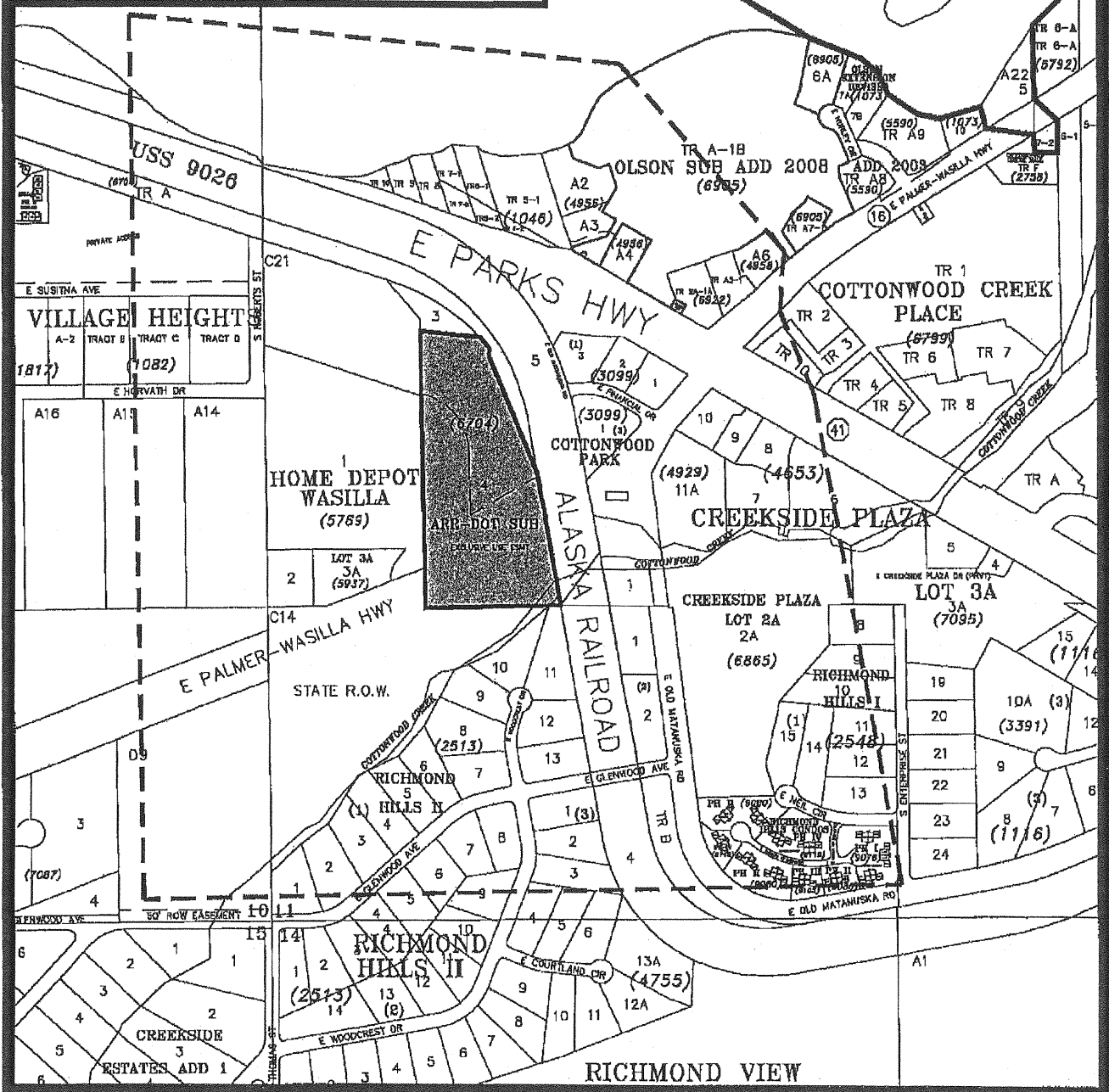
SUBJECT
PROPERTY

SCALE IN FEET



City of Wasilla/Planning - 04-21-14

WASILLA LAKE



6865000L002A
ALASKA CLUB PARTNERS LLC
5201 E TUDOR RD
ANCHORAGE, AK 99507

6704000T00A
ALASKA RAILROAD CORP
PO BOX 107500
ANCHORAGE, AK 99501-7500

17N01W11C014
ALASKA STATE OF
DEPT OF TRANS & PUB FAC
PO BOX 196900
ANCHORAGE, AK 99519-6900

1046000T009
ALASKA STATE OF
3601 C ST STE 960
DIV OF LANDS
ANCHORAGE, AK 99503-5937

9997000U0179
AT&T MOBILITY
909 CHESTNUT ST
C/O AT&T PROPERTY TAX DEPT RM 36-M-1
ST LOUIS, MO 63101-3004

2513B01L012
BAKER DAVID L SR & TINA A
2301 W SILVER HILLS CR
WASILLA, AK 99654-5335

17N01W10A015
BAKER ESTHER N
BAKER LARNCE C EST
2900 N NANCY WAY
WASILLA, AK 99654

6799000T003
BDC WASILLA L P
1556 PARKSIDE DR
WALNUT CREEK, CA 94596

2548B01L008
BERNTSEN KEITH C
4125 E RUTH DR
WASILLA, AK 99654

2513B01L004
BEST HELEN M
PO BOX 671282
CHUGIAK, AK 99567-1282

4956000T00A3
BLUE ROCK ASSETS LLC
PO BOX 110938
% CARLE
ANCHORAGE, AK 99511-0938

3099B01L002
BURGER KING CORPORATION
5505 BLUE LAGOON DR
MIAMI, FL 33126

9119000U1786-2
CAN/AM INVESTMENT GROUP LLC
PO BOX 112544
ANCHORAGE, AK 99511-2544

2513B01L013
CAPELLINI KARLA
1001 S WOODCREST CIR
WASILLA, AK 99654-8213

2513B03L003
CHAVEZ DENNIS E & MARIA A
1360 E WOODCREST DR
WASILLA, AK 99654

2513B02L008
CLEVELAND RANDY J
PO BOX 870434
WASILLA, AK 99687-0434

2513B02L009
COLLINS JASON ROBERT
281 SKWENTNA DR
ANCHORAGE, AK 99504-4887

9080000U1782-1
CORNELIUS BARRY J
PO BOX 1124
WILLOW, AK 99688-1124

2548B02L002
DEMENKO SERGEY
PO BOX 874896
WASILLA, AK 99687-4896

5769000L002
DEMERS LEO J TESTIMARY TR
MCCOLL GLORIA D TRE
6775 N BANK RD
ROSEBURG, OR 97470

4653000L010
DENALI FOODS INC
3301 DENALI ST
STE 200
ANCHORAGE, AK 99503

2513B01L008
DIDRICKSON DEANNA
960 S WOODCREST CIR
WASILLA, AK 99654

9080000U1784-4
DONALDSON ROBERT B
1784 E NEIL CIR
APT 4
WASILLA, AK 99654-8239

4653000L007
FALCONER & LENTFER PRTRN
8400 SKYHILLS DR
ANCHORAGE, AK 99502-3982

9080000U1784-2
FOLGER GARY & PATRICIA L
1784 E NEIL CIR
2
WASILLA, AK 99654

9080000U1782-2
FORRESTER CHRISTOPHER
1782 E NEIL CIR
APT 2
WASILLA, AK 99654-8224

6905000T00A-1B
FRED MEYER STORES INC
WEST VALLEY PROP LLC
PROPERTY TAX - 7TH FLOOR
% THE KROGER COMPANY
CINCINNATI, OH 45202-1100
2513B01L007
HAYES HEATHER MAY R
PO BOX 4014
% HEATHER SWEETSER
PALMER, AK 99645-4014

2513B01L003
GRAU LEONARD J JR & M E
1231 E GLENWOOD AVE
WASILLA, AK 99654-8207

2513B01L006
HANCOCK HOWARD W III & DAWN R S
PO BOX 242143
ANCHORAGE, AK 99524-2143

5769000L001
HD DEV OF MARYLAND INC
PO BOX 105842
% PROPERTY TAX DEPT # 1304
ATLANTA, GA 30348-5842

2513B01L009
JACKSON MOLLY P
930 S WOODCREST CIR
WASILLA, AK 99654

4956000T00A6
KINN FOLK LLC
9900 HILLHAVEN
ANCHORAGE, AK 99507

2513B01L011
LOWE NOLA G
PO BOX 874973
WASILLA, AK 99687-4973

1046000T007-1
MPM LLC
405 W 27TH AVE
% PACIFIC RIM PROP
ANCHORAGE, AK 99503

3099B01L001
PEDERSEN FAM LTD PRTNRSH
PO BOX 871
% FLOYD PEDERSEN
MARYSVILLE, CA 95901-0871

1046000T006-2
POOLE ROBERT L & MARY SUSAN
1377 E PARKS HWY
WASILLA, AK 99654-8284

17N01W11C021
SMITH DAVID F
PO BOX 870110
WASILLA, AK 99687-0110

4956000T00A2
SONNENTAG TIMOTHY J
10201 E PALMER-WASILLA
PALMER, AK 99645

2513B03L005
VANNI EUGENE L
1421 COURTLAND CIR
WASILLA, AK 99654

2513B02L005
HERMON JESSE R & KRISTEN M
1300 E GLENWOOD AVE
WASILLA, AK 99654

4929000L011A
JMJ PROPERTIES WASILLA LLC
200 W 34TH AVE
PMB 1172
ANCHORAGE, AK 99503

1046000T005-1
LAKESIDE INVESTMENTS LLC
DONOFRIO DAVID J
1451 E PARKS HWY
STE 207
WASILLA, AK 99654

2513B01L005
MARCINIAK GARY S & EVELYN E
PO BOX 111261
ANCHORAGE, AK 99511-1261

4653000L009
PALMER TOWER LLC
PO BOX 2444
PALMER, AK 99645-2444

2513B03L004
PETER5 CHAS R II & LE5LIE
PO BOX 870651
WASILLA, AK 99687-0651

4956000T00A4
QUAKE REAL ESTATE LLC
2706 W COLFAX AVE
DENVER, CO 80204-2346

17N01W10A006
SMITH-HAGEN FAMILY TR
SMITH MD & SL TRES SMITH DF SMITH SF
PO BOX 877563
WASILLA, AK 99687-7563

2548B01L014
SUH SUNG H
3811 MINNESOTA DR
ANCHORAGE, AK 99503-5645

2548B01L015
WADDELL WILLIAM & DIXIE LVG TR
WADDELL WILLIAM & DIXIE TRES
18915 OLD GLENN HWY
CHUGIAK, AK 99567

2513B03L001
HUDSON MICHAEL A&SANDRA J
2900 S SAINDON ST
WASILLA, AK 99654

3099B01L003
K & S ENT LTD
110 E HERNING AVE
WASILLA, AK 99654-7029

1082000T00C
LOCAL SPIRITUAL ASSEMBLY
BAHA'IS OF ANCHORAGE
PO BOX 100004
ANCHORAGE, AK 99510-0004

2548B02L001
MCGRATH FAMILY TR
MCGRATH NICHOLAS J & JANET E TRES
3191 S SKY RANCH LOOP
PALMER, AK 99645-9006

3099B03L001
PARAMOUNT INV LLC
774 FISCHER AVE
ANCHORAGE, AK 99518

2548B01L010
PIONEER PEAK ASPHALT SERVICES LLC
PO BOX 876584
WASILLA, AK 99687-6584

9080000U1784-1
ROGERS WILLIAM R & ROSEMARY G
308 N TIFFANY DR
PALMER, AK 99645-7739

2513B03L002
SNYDER CHLOE M
1370 E WOODCREST DR
WASILLA, AK 99654-8215

6922000T002A-1A
SUSITNA INVESTMENTS LLC
13340 RIDGEWOOD CIR
ANCHORAGE, AK 99516

2513B02L007
WALLING REX R
PO BOX 3084
PALMER, AK 99645-3084

5937000L003A
WASILLA PLACE LLC
11833 268TH DR SE
DUVALL, WA 98019

6799000T010
WELLS FARGO BANK N A
333 MARKET ST
11TH FLR
SAN FRANCISCO, CA 94105

4653000L008
ZAN INC
PO BOX 2009
KENAI, AK 99611-2009

Tom Brooks
Alaska Railroad Corp
PO Box 107500
Anchorage, AK 99501

Corps of Engineers
Regulatory Branch
PO Box 6898
Elmendorf AFB, AK 99506-0898

Richard Boothby
EMS/Central Mat-Su Fire Dept
Fire Code Official Captain
101 W. Swanson Ave
Wasilla, AK 99654

ENSTAR
PO Box 190288
Anchorage, AK 99519-0288

FAA
Airport Division
222 W. 7th Ave
#14
Anchorage, AK 99513

Kathy Wells
Friends of Mat-Su
PO Box 116
Palmer, AK 99645

Troy Scheuner
GCI
501 N. Main St
Suite 130
Wasilla, AK 99654

MEA
PO Box 2929
Palmer, AK 99645

MSB Chief of Code Compliance
350 E. Dahlia Ave
Palmer, AK 99645

MSB Cultural Resources Specialist
350 E. Dahlia Ave
Palmer, AK 99645

MSB Fire Chief
101 S. Swanson Ave
Wasilla, AK 99654

MSB Planning Director
350 E. Dahlia Ave
Palmer, AK 99645

MSB Platting Division Officer
350 E. Dahlia Ave
Palmer, AK 99645

MSB Public Works Director
350 E. Dahlia Ave
Palmer, AK 99645

MTA
Real Estate Department
PO Box 3550
Palmer, AK 99645

NRCS
Soil & Water Conservation
1700 E. Bogard Rd
#203
Wasilla, AK 99654

Oran Wooley
SOA/DEC Waste Water RVW
1700 E. Bogard Rd
Bldg B, #103
Wasilla, AK 99654

Roy Robertson
SOA/DEC Waste Water RVW
1700 E. Bogard Rd
Bldg B, #103
Wasilla, AK 99654

SOA/DNR
Commissioner's Office
550 W. 7th Ave
Suite 1400
Anchorage, AK 99501

SOA/DNR
WATER Resources
550 W. 7th Ave
Suite 1020
Anchorage, AK 99501

SOA/DFG/Habitat
1800 Glenn Hwy
Suite 6
Palmer, AK 99645

SOA/DNR
Technical Services
550 W. 7th Ave
Suite 650
Anchorage, AK 99510-3577

SOA/DOTPF
Mat-Su Area Planner
PO Box 196900
Anchorage, AK 99519-6900

Superintendent
SOA/DOTPF
289 Inner Springer Loop
Palmer, AK 99645

Daniel Kelly, Jr
581 Briar Dr
Wasilla, AK 99654

Glenda Ledford
960 S. Century Drive
Wasilla, AK 99654

Jessica Dean
209 S. Vix Way
Wasilla, AK 99654

Loren Means III
1668 Pittman Road
Wasilla, AK 99687

Claudia Pinard
646 Peck Street
Wasilla, AK 99654

COW Public Works Director
Archie Giddings

City Council
Leone Harris

City Council
Gretchen O'Barr

City Council
Collen Sullivan-Leonard

City Council
Clark Buswell

City Council
Brandon Wall

City Council
David Wilson