



## CITY OF WASILLA

290 E. HERNING AVE.  
WASILLA, ALASKA 99654-7091  
PHONE: (907) 373-9050  
FAX: (907) 373-9085

### COUNCIL MEMORANDUM NO. 93-41

From: Mayor Stein

Date: May 5, 1993

Subject: Re-Zone WC to CA - 17N01W10A019

Ordinance Serial No. 93-26 re-zoning the Kurani (Pizza Hut) property from WC to CA is recommended for introduction and set for public hearing and adoption at the May 24 Council meeting.

Borough staff memo dated April 28 relates the request and impact of the proposed change.

Wasilla Planning Commission heard public testimony on the proposed re-zone on April 13 and continued again to April 27. Concern was expressed by the City Administration and at least one member of the public about lake buffering and the potential for high density development. Counter arguments related to the ability to locate proposed buildings farther from the lake, the new investment and jobs for the community and the requirement for the new building to have land-use permit approval. The developer's present thinking is for a single 7,000 square foot sit-down full-service restaurant.

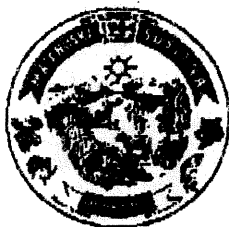
By Resolution No. 93-12 (enclosed) the Planning Commission recommends approval of the re-zone.

Administration recommends that Ordinance Serial No. 93-26 be introduced and set for public hearing on May 24. At the owner's request, we ask that action be taken at that meeting to facilitate construction of this or alternative development this season.

John C. Stein, Mayor

# MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645-6488  
Planning and Land Use Department  
Code Compliance Division (907) 745-9861  
FAX (907) 745-9876



## MEMORANDUM

DATE: April 28, 1993  
TO: Wasilla City Council

Post-It™ brand fax transmittal memo 7671		# of pages = 3
To: John Stein	From: Dawn Webster	
Co: City of Wasilla	Co: MSB	
Dept: Mayor	Phone #: 745-9861	
Fax #: 373-9885	Fax #: 745-9876	

THROUGH: John Stein, Mayor, City of Wasilla *Jesse*  
FROM: Dawn U. Webster, Code Compliance Officer  
SUBJECT: REZONE REQUEST - 17N01W10A019  
FILE: R9302

On February 12, 1993, Vincent Voss of Kurani Fried Chicken, Inc., submitted an application for a rezone of parcel A019 (current location of Pizza Hut) from waterfront core (WC) to core area (CA) and minor development permit for a new restaurant. Our review of the application indicated there were a few items which had not been addressed as required by code. On February 16, 1993, we wrote to Mr. Voss and requested the additional information. We were later advised that we were to proceed with the request for a rezone but not process the request for a permit request for the proposed restaurant.

The Wasilla Development Code states the WC district is intended for the eastern and northeastern shore of Lake Lucille and other waterfront areas served by city water and sewer. The intent of the district is to permit low-density residential development, and when compatible with the neighborhood and the recreational and environmental qualities of the water body, to permit multifamily, recreational, and garden-style office development. The code defines "Garden-style building" as a building under 5,000 square feet used only for the purposes stated in an application or permit, with a pitched roof, landscaped lawn, screened parking, muted, indirectly illuminated signage of no greater than 32-square feet per building, and other residential-style features. The intent of the ordinance is to protect the shoreline minimizing visual and environmental impacts to the lake.

The WC district requires a front lot line setback of 25', a side lot line setback of 10' and a rear lot line setback of 10' except as required by MSB 17.43.842A. The west side of parcel A019

has a 25' front lot line setback along Crusey Street and the north side of the parcel has a 25' front lot line setback along Westpoint Drive.

Should the rezone be granted, the following changes would occur:

1. Elimination of requirement for a pitched roof, landscaped lawn, screened parking, muted indirectly illuminated signage of no greater than 32-square feet per building, and other residential style features.
2. Elimination of requirement for limiting a building size to under 5,000-square feet which may only be used for the purpose stated in the application or permit.
3. Reduction of structural setback from the front lot lines to 10' for the front, none or 10' for the side, and none or 10' for the rear.
4. Reduction of minimum lot area 20,000 s.f. instead of 40,000 s.f. as required in the CA district. The floor area ratio (FAR) would remain at 4:1.

The recently adopted Wasilla Comprehensive Plan recommends future use of land around the lake as medium density residential use.

Attached to our report is a copy of the letter from the City of Wasilla objecting to the requested rezone. The Mayor's letter explains the city's desire to protect the aesthetics of Wasilla Lake and its shoreline and the fact that the lake and shoreline deserve the greatest level of protection and care.

Comments from the Borough's Planning Division state, in part, "The recommended future designation and the current Waterfront Core designation are relatively compatible. We believe the Waterfront Core designation is more consistent with the new plan and the intent of the current land use regulation. Based on the existing and proposed land use of this parcel, and the requested rezone, it is recommended that the recently adopted comprehensive plan be reviewed and amended if necessary to reflect the community's desires."

The Borough's Coastal Consistency Review indicates that the requested rezone is consistent with the plan as long as the waterbody is protected from development which create environmental concerns. Of note is the following paragraph extracted from the consistency review:

"Within the 75 foot shoreline setback, all areas not occupied by allowed development must minimize disturbance of natural vegetation. The intent of this stipulation is to provide natural filtering of surface water runoff flowing into a waterbody, minimize erosion and potential flood damage, and provide separation between the waterbody and potential sources of pollution such as fertilizer, fuel spills, and other items which would have a significant adverse impact to water

quality and fish and wildlife habitat. This stipulation is necessary to ensure consistency with Amendment #2 - Coastal Habitats."

The applicant has stated that every effort will be made to ensure that the lake remains protected from environmental impacts created by the use of this land. He further stated that by approving the rezone, the building could be moved closer to Crusey Street thereby providing a greater separation distance between the building and the lake.

The applicant states that the other businesses along Crusey (i.e., MacDonalds, NAPA, Radon Building) do not have a 25' structure setback because they are located in the Core Area.

The applicant has assured the Commissioners that they plan to maintain a residential-type scale of development on the site, however, staff must also consider the possibility that the property may change hands at some time in the future. If the rezone were to pass, and the property was sold, there would be no guaranty that the new owners would wish to maintain the "residential-type" scale of development.

The requested rezone would permit development at a greater scale. However, they stated it is their intent to construct a restaurant of approximately 7,000 s.f. rather than two 3,000 s.f. restaurants as originally proposed. This concept appears to minimize the impact of site development by reducing the mass of buildings that could be placed on the site.

On April 27, 1993, at a duly advertised and held public hearing, the Wasilla Planning and Utilities Commission concluded the public hearing begun on April 13, 1993, and voted to recommend approval of the requested rezone to the Wasilla City Council. As part of the recommendation for approval of the rezone, the Commissioners requested that a walkway, landscaping and a catch basin be provided by the applicant as conditions on the rezone. Provision of these items was acceptable to the applicant. All other applicable provisions of the Wasilla Development Code will be reviewed when a development permit application is received.

Based on the information submitted, the Wasilla Planning and Utilities Commission and the Mayor respectfully recommend your consideration of the approval of the rezone request.

cc/duw\Wasilla\RezonePH1



## CITY OF WASILLA

290 E. HERNING AVE.  
WASILLA, ALASKA 99654-7091  
PHONE: (907) 373-9050  
FAX: (907) 373-0788

### WASILLA PLANNING AND UTILITIES COMMISSION RESOLUTION NO. 93- 12

**A RESOLUTION OF THE WASILLA PLANNING AND UTILITIES COMMISSION OF THE CITY OF WASILLA, ALASKA RECOMMENDING APPROVAL OF A REQUEST TO REZONE PARCEL 17N01W10A019 FROM WC (WATERFRONT CORE) TO CA (CORE AREA)**

**WHEREAS, Kurani Inc., submitted an application requesting that parcel A019, located in Sec. 10, T17N, R10W, S.M. be rezoned from WC (Waterfront Core) to CA (Core Area); and**

**WHEREAS, the application was reviewed and found to be complete and the application fee paid; and**

**WHEREAS, a review of the Wasilla Development Code revealed that the application request met all the requirements of the Code; and**

**WHEREAS, a duly advertised public hearing commenced on April 13, 1993 and continued to April 27, 1993; and**

**WHEREAS, the Wasilla Planning and Utilities Commission received testimony from the public, applicant, and staff; and**

**WHEREAS, the Wasilla Planning and Utilities Commission voted, five in favor and two opposed, that the rezone would be acceptable if certain conditions, added as a friendly amendment to the motion for approval, were added to the recommendation to the Wasilla City Council;**

**NOW, THEREFORE, BE IT RESOLVED that the Wasilla Planning and Utilities Commission respectfully recommends that the Wasilla City Council approve the request for a rezone of Parcel A019 located in Sec. 10, T17N, R10W, S.M. with the following conditions:**

- 1. Provide landscaping to screen parking lot from adjacent properties.**
- 2. Provide a sidewalk for pedestrians along the east side of Crusey Street.**
- 3. Provide a catch basin to control runoff on the site.**

I certify that a resolution in substantially the above form was passed by a majority of those voting at a duly called and conducted meeting of the Wasilla Planning and Utilities Commission of the city of Wasilla on this 27th day of April 1993 .

ATTEST:

APPROVED:

Marilyn Stewart  
Marilyn Stewart  
Planning Clerk

James A. Tapscott  
James A. Tapscott, Chairman  
Wasilla Planning and Utilities Commission



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James A. Tapscott  
James A. Tapscott, Chairman  
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