



CITY OF WASILLA

290 E. HERNING AVE.

WASILLA, ALASKA 99654-7091

PHONE: (907) 373-9050

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COUNCIL MEMORANDUM NO. 95-62

Date: July 19, 1995

From: Duane Dvorak, City Planner 

Subject: Major Development Permit Request R-9514, proposed rezone of 39 lots in Century Park Subdivision from I--Intermediate to R2--Multi-family Residential.

BACKGROUND

The Wasilla Planning Commission adopted Resolution No. 95-11 at the regular meeting on July 18, 1995. In the resolution, the Commission recommends the rezone of 39 lots in the Century Park Subdivision from I--Intermediate to R2--Multi-family Residential. This recommendation is the result of discussions at six (6) public meetings including two (2) public hearings.

This case was originally initiated by the Commission last Fall based on the concerns of subdivision residents about a possible halfway house looking to locate in the neighborhood. A petition was submitted requesting a rezone to R1--Single-family residential. After the delegation of planning authority was transferred to the City, staff began to investigate the request and meetings were scheduled before the Commission. Many concerns were raised by owners of vacant and commercially developed lots regarding the restrictions that would be imposed by R1 zoning. The Commission considered a range of options at two subsequent meetings before deciding to reduce the scope of the original request and amend the development district to the R2-Multifamily Residential district.

The R2 district addresses the original concerns about halfway houses by prohibiting the correctional transition facilities as defined in the code. In addition, it restricts the further development of commercial and light industrial uses that could be permitted under the Intermediate district. The recommended scope of the rezone does not affect any existing businesses or create an nonconforming uses.

In accordance with Section 16.43.455 (Procedure), the Council must now consider the recommendation of the Planning Commission as set forth in Resolution 95-11 and determine whether to have an ordinance prepared for introduction at the next regular meeting of the City Council. The applicable provisions of the section are shown below:

16.43.455 Procedure.

A. A rezoning shall follow the procedure set out in Sections 16.43.501 through 16.43.521 for major development, except that the Commission's decision is only a recommendation of the Council. As soon as possible after receipt of the Commission recommendation, the Council shall determine whether it will consider a rezoning. If it determines to consider a rezoning, it shall request an ordinance implementing its decision be introduced as soon as possible and shall give notice and hold hearings as required for ordinances.

RECOMMENDATION

Staff recommends that the Council direct staff to prepare an ordinance for introduction at the next regular Council meeting, in accordance with the recommendation of the Wasilla Planning Commission.



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WASILLA PLANNING COMMISSION RESOLUTION NO. 95-11

A RESOLUTION OF THE WASILLA PLANNING COMMISSION OF THE CITY OF WASILLA, ALASKA, RECOMMENDING THE ADOPTION OF AN ORDINANCE TO AMEND THE OFFICIAL WASILLA ZONING MAP TO REFLECT A CHANGE OF ZONING FOR LOTS 13 - 29, BLOCK 1 AND, LOTS 1 - 22, BLOCK 3, CENTURY PARK SUBDIVISION, FROM I--INTERMEDIATE TO R2--MULTI-FAMILY RESIDENTIAL.

WHEREAS, a request to investigate the rezone of 51 lots in Century Park Subdivision from I--Intermediate to R1--Single-family Residential was initiated by the Wasilla Planning Commission (WPC) in the Fall of 1994; and,

WHEREAS, a duly advertised public hearing was held on May 9, 1995, to consider this request; and,

WHEREAS, the WPC reduced the scope of the request from 51 lots to 39 lots, and modified the proposed development district from R1--Single-family Residential to R2--Multi-family Residential;

WHEREAS, another public hearing was held on July 18, 1995; and,

WHEREAS, the WPC deliberated on this request, taking into account the recommendation of the staff, the public testimony - both written and verbal, the applicable provisions of the 1992 Wasilla Comprehensive Plan, and other pertinent information; and

WHEREAS, the WPC now wishes to forward this request for rezone to the Wasilla City Council along with a recommendation for approval, as follows:

NOW, THEREFORE, BE IT RESOLVED, that the Wasilla Planning Commission of the City of Wasilla, hereby forwards to the Wasilla City Council, Case R-9514 a request to rezone Lots 13 - 29, Block 1 and, Lots 1 - 22, Block 3, Century Park Subdivision, from I--Intermediate to R2--Multi-family Residential; and,

Furthermore, the Wasilla Planning Commission recommends approval of this request and bases its recommendation upon the following findings:

1. The contiguous lot area of the 39 lots identified in this request is well in excess of the 2 acre minimum area required for a rezone under the provisions of the Wasilla Development Code.

2. The R2--Multi-family Residential development district permits uses and development densities that are more consistent with the goals and intent of the 1992 City of Wasilla Comprehensive Plan than the existing I--Intermediate district.
3. The rezone will not increase the potential for traffic generation in the area.
4. The prevailing lot sizes, topography and land suitability can accommodate all development permitted within the R2--Multi-family Residential development district.
5. The rezone will not create any "conforming pre-existing uses".
6. The I--Intermediate is a transitional development district that allows a wide range of residential and commercial uses. This district is not appropriate for a strictly residential neighborhood.
7. Prohibiting commercial development from this subdivision may increase the value and desirability of vacant lots in this subdivision for residential development.

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 Commission this 18th day of July 1995.

RESPECTFULLY SUBMITTED:

APPROVED:


for Marilyn L. Stewart, Planning Clerk


John A. Cannon, Chair



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Capital Projects Worksession

PLANNING COMMISSION MEMORANDUM - 95-22

Date: July 12, 1995

To: Wasilla Planning Commission

From: Duane Dvorak, City Planner 

Re: Major Development Permit Request R-9514, Century Park Subdivision rezone from I--Intermediate to R2--Multi-family Residential.

BACKGROUND

This item was postponed from the June 13, 1995 regular meeting and set for public hearing at that time. The Commission reduced the scope of the investigation from 51 lots to 39 lots and amended the proposed R1--Single-family Residential district to the R2--Multi-family Residential district.

Staff has sent out revised public hearing notices regarding this modified rezone investigation and received no negative comments at the present time.

Staff has determined that the site specific information contained in prior memorandums presented to the Commission is adequate backup in the file to justify the proposed rezone. This information is available upon request by the Commission or any interested party. Staff, has revised Planning Commission Resolution No. 95-11 to reflect that changes authorized by the Commission and attached it to this memo for your consideration.

RECOMMENDATION

Staff recommends that the Commission adopt Resolution 95-11, attached, and forward this case to the City Council with a recommendation for approval.



CITY OF WASILLA

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WASILLA, ALASKA 99654-7091

PHONE: (907) 373-9050

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September 12, 1995

RE; PUBLIC HEARING ON PROPOSED REZONE OF LOTS 13 -29, BLOCK 1
AND LOTS 1 - 22, BLOCK 3, IN CENTURY PARK I, SUBDIVISION
FROM I-INTERMEDIATE TO R1-SINGLE FAMILY RESIDENTIAL.

At the Wasilla Council regular meeting held on September 11, 1995, the Council voted to have another public hearing regarding the proposed rezone of Lots 13-29, Block 1 and Lots 1-22, Block 3 in the Century Park Subdivision. The Council proposes to rezone to R-1-Single Family Residential rather than R-2-Multifamily as earlier proposed.

The Wasilla Planning Commission acting as an advisory panel to the Wasilla City Council, has presented the information received at the public hearing held on May 9, 1995 for the Council's review. The final decision is the responsibility of the Council.

This public hearing will be held at the Wasilla Council regular meeting of September 25, 1995 at 7:00 PM in the Wasilla Council Chambers, 290 East Herning Avenue, Wasilla, Alaska. The Council also voted to make a decision on this proposed rezone at this meeting.

You are invited to attend this meeting and testify at the public hearing. You may also submit written comments regarding this proposed rezone to Mayor John Stein, the City Clerk's Office, or any member of the Wasilla City Council. Please submit written comments before 5:00 PM, Monday, September 25, 1995 in order to be considered before the public hearing.

For further information please call the City Clerk's Office at 373-9050.

Sincerely,

John Stein, Mayor

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Enc.: Zoning District Descriptions of I, R-1 & R-2

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16.43.305 Uses-By-Right. The following uses are uses-by-right in the CE district: residential uses except mobile homes, and accessory uses and structures normally appurtenant to uses-by-right and conditional uses, including, but not limited to, signs, garages and required parking areas; except any use by right that would otherwise be a major development must obtain a major development permit. (Ord. 94-41 Attachment "A")

16.43.306 Conditional Uses. The following uses are conditional uses: subdivision; substations for electric utilities; any other development that is compatible with the predominantly residential character of the district except, all such development must be processed as a major development. (Ord. 94-41 Attachment "A")

16.43.307 Prohibited Uses And Structures. Salvage yards and all other uses and structures not specified as uses-by-right or conditional uses are prohibited. (Ord. 94-41 Attachment "A")

 R-1 Single-Family Residential District

16.43.310 Intent. The intent of the R-1 district is to maintain and enhance the single-family residential character of the neighborhood. The district is generally intended for specific neighborhoods which petition the City for designation from time to time, pursuant to Sections 16.43.451 through 16.43.455 of this chapter. (Ord. 94-41 Attachment "A")

16.43.311 Uses-By-Right. The following uses are uses-by-right in the R-1 district: single-family dwellings, home occupations, public and homeowner parks and playgrounds, and gardens and greenhouses when incidental to residential use, and accessory uses and structures normally appurtenant to uses-by-right and conditional uses, including, but not limited to signs, garages and required parking areas; except, any use-by-right that would otherwise be a major development must obtain a major development permit. (Ord. 94-41 Attachment "A")

16.43.312 Conditional Uses. The following uses are conditional uses: subdivisions; noncommercial moorage. (Ord. 94-41 Attachment "A")

16.43.313 Prohibited Uses And Structures. Salvage yards and all other uses and structures not specified as uses-by-right or conditional uses are prohibited. (Ord. 94-41 Attachment "A")

 R-2 Multifamily Residential District

16.43.320 Intent. The intent of the R-2 district is to maintain and enhance the residential character of the neighborhood. The district is generally intended for specific neighborhoods which petition the City for designation from time to time, pursuant to Sections 16.43.451 through 16.43.455 of this chapter. (Ord. 94-41 Attachment "A")

16.43.321 Uses-By-Right. The following uses are uses-by-right in the R-2 district: single-family dwellings, duplexes, home occupations, public and homeowner parks and playgrounds, and gardens and greenhouses when incidental to residential use, and accessory uses and structures normally appurtenant to uses-by-right and conditional uses, including, but not limited to signs, garages and

16.43.342 Conditional Uses. The following uses are conditional uses: any uses which are not uses-by-right or prohibited uses; subdivisions. (Ord. 94-41 Attachment "A")

16.43.343 Prohibited Uses And Structures. Heavy industrial uses and salvage yards are prohibited.

→ Intermediate District

16.43.350 Intent. The I district is intended for the areas surrounding the Core Area and Lake Lucille. It is characterized as generally single-family with some neighborhood commercial, and with public office and commercial uses along the major streets and highways. It is generally not served with major highways and water and sewer, and thus is less suitable than the Core Area for intensive development.

16.43.351 Uses-By-Right. The following uses are uses-by-right in the I district: residential uses except mobile homes, and accessory uses and structures normally appurtenant to uses-by-right and conditional uses, including, but not limited to signs, garages and required parking areas; except, any uses-by-right that would otherwise be a major development must obtain a major development permit. (Ord. 94-41 Attachment "A")

16.43.352 Conditional Uses. The following uses are conditional uses: subdivisions; mobile home parks, mobile homes on individual lots; garden-style public/institutional uses, commercial uses, and light industrial uses. (Ord. 94-41 Attachment "A")

16.43.353 Prohibited Uses And Structures. Salvage yards and all other uses and structures not specified as uses-by-right or conditional uses are prohibited. (Ord. 94-41 Attachment "A")

IND Industrial District

16.43.360 Intent. The IND district governs only areas of twenty acres or more. IND Districts must be served by major highways or collector streets and public or community water or sewer. The designation must contain specific provisions for traffic circulation and buffering of nearby non-industrial areas and uses from traffic, noise, dust, vibration, glare, pollution, and unsightly uses or activities. (Ord. 94-41 Attachment "A")

16.43.361 Uses-By-Right. The following are uses-by-right in the IND district: retail, office, public/institutional and light industrial uses, and accessory uses and structures normally appurtenant to uses-by-right and conditional uses, including, but not limited to signs, garages and required parking areas; except any use-by-right that would otherwise be a major development must obtain a major development permit. (Ord. 94-41 Attachment "A")

16.43.362 Conditional Uses. Subdivisions, salvage yards and all other uses and structures which are not uses-by-right or prohibited uses are conditional uses. (Ord. 94-41 Attachment "A")