



CITY OF WASILLA

290 E. HERNING AVE.

WASILLA, ALASKA 99654-7091

PHONE: (907) 373-9050

FAX: (907) 373-9085

COUNCIL MEMORANDUM NO. 97-25

From: Duane Dvorak, City Planner

Date: April 24, 1997

Subject: Planning Commission recommendation to introduce Ordinance No. 97-25, a request to rezone a portion of Tract D4, Section 10, T17N, R01W, Seward Meridian from RR—Rural Residential to C—Commercial.

In November 1996, the Wasilla Planning Commission considered a request to rezone Tract D4, an 80 acre parcel of land formerly in the I—Intermediate District, from RR—Rural Residential to C—Commercial. In Resolution No. 96-30, the Commission recommended to the City Council that the southerly 500 feet of Tract D4 should remain in the RR zone, but that the northerly 64 acres should be rezoned to C—Commercial. The recommendation provided a split lot zoning situation, something the petitioner had agreed to in writing, after staff had consulted with the City Attorney.

At the time of ordinance introduction, the City Council referred Case R96-102 back to the Planning Commission (December 9, 1996). The Council requested the Commission to amend its recommendation regarding the split-lot zoning that was proposed in Planning Commission Resolution 96-30.

The applicant and his local representative investigated the issue of subdivision with the Mat-Su Borough, (the platting authority) and on February 18, 1997, proposed to the Commission an amended rezone request providing a reduced rezone area and a 60 foot wide “flag-stem” access along the west boundary of the site to Glenwood Avenue. In the new proposal, these boundaries would be established by subdivision or waiver, in accordance with the City Council’s earlier request.

The Planning Commission at its regular meeting on April 15, 1997 approved a modified request, with conditions, to recommend a reduced area for rezone to C—Commercial. The primary changes in the request were to eliminate all vehicular access from Commercial areas to Glenwood Avenue, a reduction of area from 65 acres to 60 acres, and platting the new zoning boundary. A 660 foot physical separation distance is to be maintained between the proposed Commercial area and Glenwood Avenue. 660 feet is equal to 1/8 mile.

A copy of the adopted Commission resolution for this case is being forwarded to the City Clerks Office with this memorandum. If the City Council or interested public has any questions about these rezones, the complete case file is available for inspection at the Wasilla Planning Office. The Wasilla Planning Office can be reached at 373-9094.



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WASILLA PLANNING COMMISSION RESOLUTION NO. 97-11

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 FROM RR--RURAL RESIDENTIAL TO C--COMMERCIAL, WITH CONDITIONS, FOR A PORTION OF TRACT D4, SECTION 10, T17N, R01W, SEWARD MERIDIAN; A 65 ACRE PARCEL GENERALLY LOCATED NORTH OF GLENWOOD AVENUE AND SOUTH OF THE PARKS HIGHWAY.

WHEREAS, a petition request to rezone land from RR—Rural Residential to C—Commercial was investigated by the City Planner and reviewed by the Wasilla Planning Commission (WPC) at public meetings on October 3, and November 6, 1996, and March 18, and April 10, 1997; and,

WHEREAS, a duly advertised public hearing was held on October 3, and November 6, 1996, and March 18, and April 10, 1997, with public hearing notices mailed to surrounding land owners prior to the hearing; and,

WHEREAS, the WPC deliberated on this request, taking into account the recommendation of the staff, the public testimony - both written and verbal comments, the applicable provisions of the 1996 Wasilla Comprehensive Plan, and other pertinent codes and 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 R96-102 (Revised Rezone), a recommendation to rezone a 60 acre portion of Tract D4, Section 10, T17N, R01W, Seward Meridian, which is part of a contiguous 80 acre tract, generally located north of Glenwood avenue and south of the Parks Highway, from RR--Rural Residential to C—Commercial, excepting therefrom an area measuring 1,260 feet in width by 660 feet in depth as measured from the southeast corner of the tract along Glenwood Avenue; an area approximately 20 acres in area that is intended to remain in the RR—Rural Residential zone; subject to the following suggested conditions of approval:

1. The rezone will not not be effective until a subdivision is completed and recognized by the Matanuska-Susitna Borough Platting Department. The

subdivision will divide Tract D4 along the zoning boundary ^{line} approved by the Wasilla City Council. The approval for this rezone will expire on December 31, 1998, if the conditions of approval for rezone are not completed before this date.

2. The 60 foot "flag-stem" access shall neither be platted, nor included in the rezone area. The buffer distance on the south side of Tract D4 shall be increased from 500 feet to 660 feet. These actions will reduce the overall size of the rezone area from 65 acres to 60 acres, thereby maintaining a 660 foot buffer area of RR zoned land along Glenwood Avenue.

3. The lot corners for the subdivision of Tract D4 shall be clearly monumented in a manner consistent with the requirements for other subdivisions under the Mat-Su Borough platting ordinance. This requirement applies even though the applicant in this case may propose a waiver subdivision.

4. Any development on the Commercial portion of Tract D4 must be reviewed and approved by the City through the Planned Unit Development (PUD) process.

AND, FURTHER BE IT RESOLVED, the Wasilla Planning Commission recommends approval of this request and supports its recommendation with the findings below:

1. The RR—Rural Residential district allows a reasonably wide range of uses including single-family, duplex residential, neighborhood commercial and general commercial up to 10,000 square feet gross floor area.
2. The uses permitted in the C--Commercial zoning district, are compatible with present day use of the tract which is primarily vacant and undeveloped, provided that the commercial area is substantially separated from existing residential developments on the south and southeast sides of the tract.
3. No nonconforming uses or structures will be created by the proposed change in zoning districts.
4. Zoning a portion of Tract D4 is generally consistent with the designation of this area for Commercial development.
5. Although the proposed Palmer-Wasilla Highway extension is being designed at this time, there is no firm date that the project will begin the construction phase. Therefore, in order to ensure that no additional commercial traffic is


routed to Glenwood Avenue, commercial lot frontage and access drives along Glenwood Avenue are not supported by the Commission's recommendation in this case.

6. In considering this request, the City is obligated to consider the concerns raised by property owners and residents of the area who have responded to the public review process. To the extent feasible and prudent, this request is recommended only to the extent the Commission believes can be accommodated in the area without resulting in negative off-site impacts to residentially developed areas.
7. Tract D4 is designated for Commercial development in the Future Land Use Plan of the 1996 Wasilla Comprehensive Plan. The Future Land Use Plan is a 10 to 20 year plan which is only in its first year of use, however, so it should not be considered unreasonable to consider a rezone area less than what is requested by the petitioner in this case.
8. This site is contiguous with areas already designated as C—Commercial on the north and west boundaries.
9. It is reasonable to require the southerly 660 feet to remain in the RR—Rural Residential district, so that residential areas along Glenwood Avenue are not adversely impacted by the range of commercial uses that could be permitted on a portion of Tract D4. The Wasilla Development Code, also provides certain provisions to protect adjoining residential uses at such time as a development permit is reviewed for a new commercial use.
10. It has been recognized by the Commission in other cases that large commercial tracts are uncommon in the vicinity of the Wasilla Core Area, where commercial street access and adequate infrastructure is more likely to be available.
11. An increase in traffic potential could result from the approval of this rezone request, however, conditions of approval will limit the access of the commercial portion of Tract D4 so that additional traffic is not permitted direct access to Glenwood Avenue.
12. The site is served by City sewer and MEA electric along its western boundary. New development within 500 feet of City water or sewer may be required to extend and connect to the City utilities.

13. A requirement to plat the subdivision of Tract D4, as a requirement of the rezone, is a reasonable improvement to the land which will facilitate future developments and subdivisions in the area when they occur.

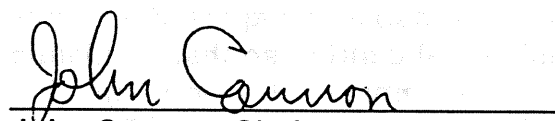
I certify that a resolution in substantially the above form was passed by a majority of those voting at a duly called and conducted meeting of the Wasilla Planning Commission this 15th day of April, 1997.

RESPECTFULLY SUBMITTED:


Helen Y. Kaye, Planning Clerk

(SEAL)

APPROVED:

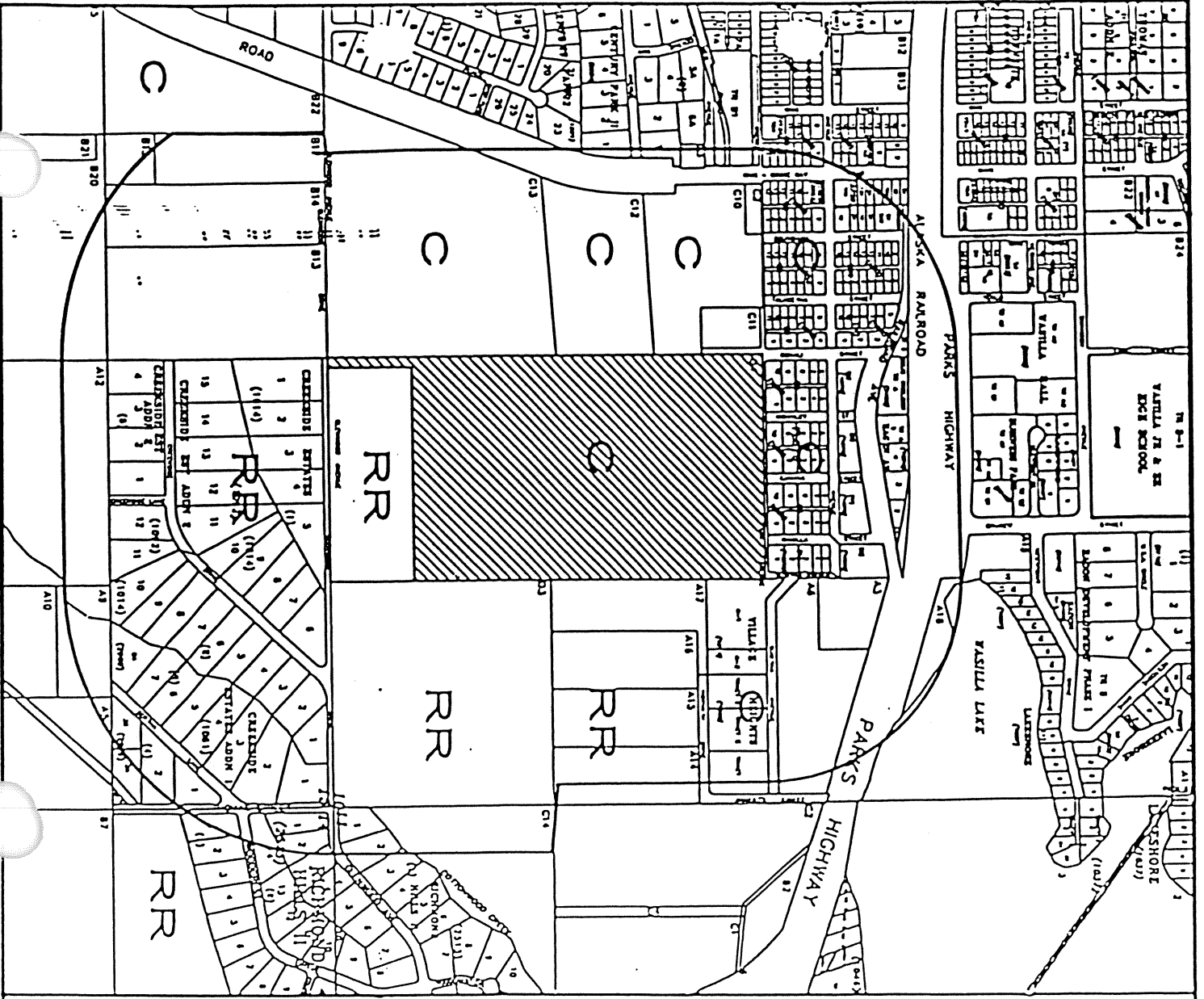

John Cannon, Chair

Case No. R96-102

A revised petition for the possible re-zone of a portion of Tract D4, Section 1 T17N, R1W, Seward Meridian, from RR--Rural Residential to C--Commercial. This case was referred back to the Planning Commission by the City Council to address split lot zoning by required Subdivision of the tract along a 500' buffer, north of Glenwood Avenue.

The petitioner has proposed a subdivision with a 60' wide "flag stem" access, to allow the proposed commercial zone portion of Tract D4 access to and from Glenwood Avenue.

This proposal reduces the original re-zone request from 80 acres to 65.74 acres, with the southern most 500' to remain in the RR--Rural Residential district.



February 4, 1996 "DRAFT" to be submitted for discussion to Commissioners 2/4/97

TO: Mr. Duane Dvorak
Wasilla Planning Department

RESOLUTION # 96-30

OWNER: Global Finance and Investment Co., Inc.

RE: Tract D4 Section 10; T17N; R1W SM

CASE # R96-102

RECEIVED

FEB 04 1997

Planning Department

Upon Wasilla City Council's conditional approval of the amended rezone request, Global Finance & Investment Co., Inc. is willing to do the following:

- 1) Subdivide Tract D4 into two parcels, designated as Tract 1 & Tract 2. This subdivision will be done per Mat-Su Borough Platting Codes & Procedures under the Waiver Subdivision process. This type of subdivision is called a "Flag Lot" and is the simplest approach. Global currently has driveway permits accessing Glenwood Avenue for both of these tracts. (See attached proposed subdivision split Exhibit "A")
- 2) Upon the state acquiring additional right-of-ways per exhibit "B" for the proposed Palmer/Wasilla Highway Extension then Global will alter the zones and lot lines to coincide with the P/W Ext. split. (see attached Exhibit "B" showing location of P/W Ext.)
- 3) Water & sewer lines will be extended & constructed per Wasilla Development Code with Public Works Department's approval upon development & servicing to any newly constructed buildings.

This subdivision will solve the "Split Lot Zoning" problem and maintain that residential buffer area between the Commercial Zone and the Residential Rural Zones. Also, note that the 60 foot frontage on Glenwood, for Tract 2, matches with the intersection of P/W Ext. & Glenwood Ave.

It is my understanding that this amended conception may require another public mailing and/or public hearing.

If I may be of further service please do not hesitate to call.

Sincerely,

Gary Lundgren

Exhibit 3"

SHOULDER

VARIABLE PATHWAY

ORIGINAL GROUND

ORIGINAL GROUND

TYPICAL SECTION

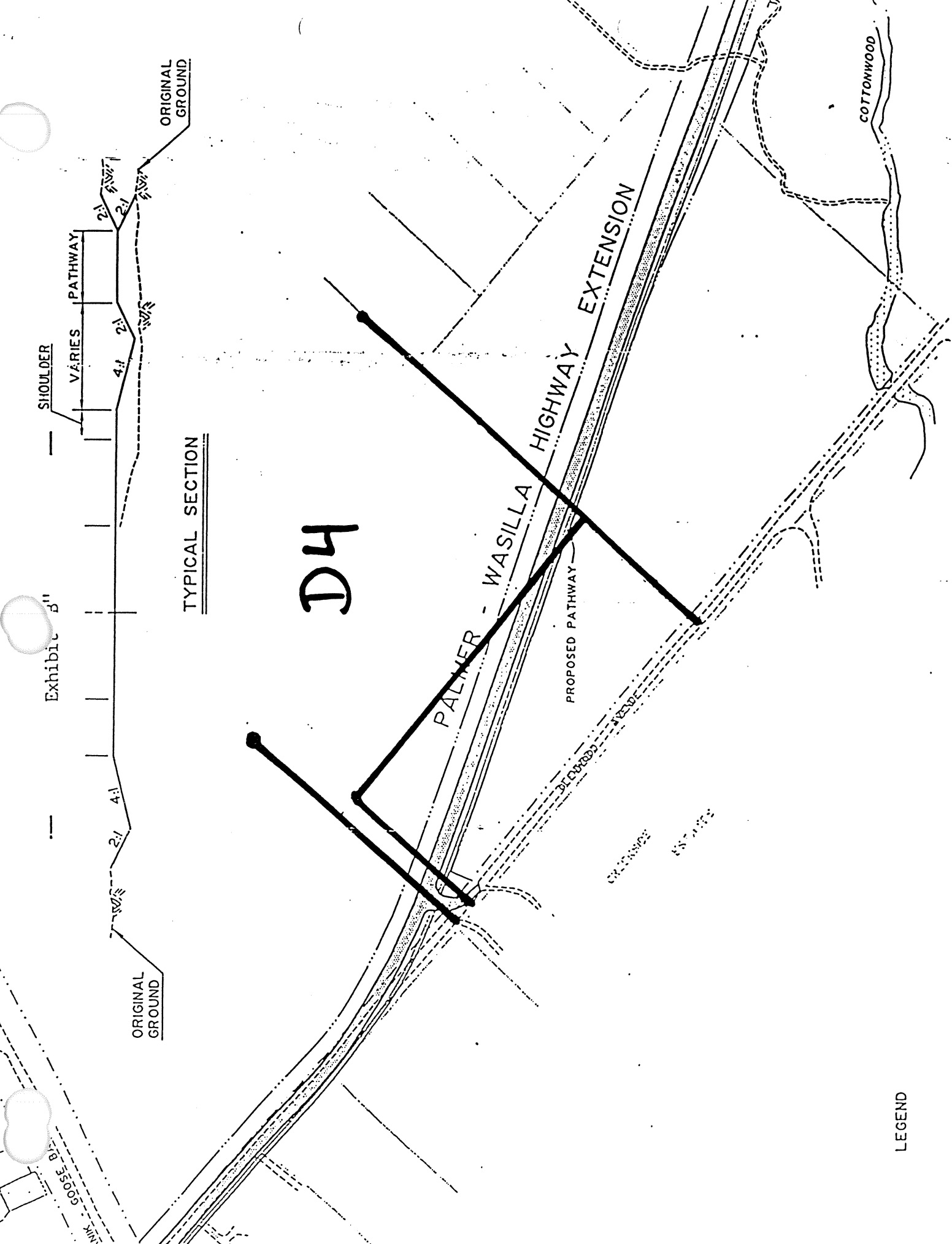
D4

PALMER - WASILLA HIGHWAY EXTENSION

PROPOSED PATHWAY

COTTONWOOD

LEGEND





CITY OF WASILLA

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Public Hearing Item 6A

MEMORANDUM - R96-102 REVISED SUPPLEMENTAL

DATE: April 10, 1997
TO: Wasilla Planning Commission
FROM: Duane Dvorak, City Planner *DD*
SUBJECT: Information for the April 15, 1997 Regular Meeting

CASE: R96-102 (Amended Request)
APPLICANT: Gary Lundgren, Global Finance
OWNERS: Global Finance

RE: Amended request to rezone Tract D4, reducing the original request to rezone 80 acres of land from RR—Rural Residential to Commercial to about 65 acres; and, providing for a subdivision of the resulting Commercial and Rural Residential areas to address the issue of split-lot zoning.

(This case was previously remanded from the City Council to the Planning Commission to consider an amendment to the recommendation in Commission Resolution 96-30, which the Commission had previously forwarded to the Council. Tract D4, Section 10, T17N, R01W, Seward Meridian.) (Postponed from the March 18, 1997 regular meeting)

Background

In November 1996, the Wasilla Planning Commission considered a request to rezone Tract D4, an 80 acre parcel of land formerly in the I—Intermediate District, from RR—Rural Residential to C—Commercial. In Resolution No. 96-30, the Commission recommended to the City Council that the southerly 500 feet of Tract D4 should remain in the RR zone, but that the northerly 64 acres should be rezoned to C—Commercial. The recommendation provided a split lot zoning situation, something the petitioner had agreed to in writing, after staff had consulted with the City Attorney.

At the time of ordinance introduction, the City Council referred Case R96-102 back to the Planning Commission (December 9, 1996). The Council requested the Commission to amend its recommendation regarding the split-lot zoning that was

proposed in Planning Commission Resolution 96-30. The applicant and his local representative investigated the issue of subdivision with the Mat-Su Borough, (the platting authority) and on February 18, 1997, proposed to the Commission an amended rezone request providing a reduced rezone area and a 60 foot wide "flag-stem" access along the west boundary of the site to Glenwood Avenue. In the new proposal, these boundaries would be established by subdivision or waiver, in accordance with the City Council's earlier request.

This case was postponed from the March 18, 1997 regular meeting in order to ensure that the public has had enough time to review and comment on this case. 106 revised public hearing notices were sent on March 20, 1997. At the time of this writing, one (1) written response has been received indicating support for the requested rezone.

A number of questions were raised at the March 18, 1997 regular meeting which staff has taken some time to research. The information gathered is shown below.

Criteria for Rezones

16.43.512 Rezoning.

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

1. The proposed rezoning substantially complies with section 16.43.508, General Approval Criteria.

As previously analyzed by staff, this request appears to meet all general approval criteria of Section 16.43.508 of the Wasilla Revised Development Code (WRDC). Suitable conditions of approval were suggested in staff's recommendations to address specific criteria issues and the concerns of surrounding property owners. Staff also notes that the general approval criteria would again come into play in a much more important role at the time actual development is proposed for Tract D4. In addition, actual development may also require Specific Approval Criteria as set forth in Section 16.43.510 of the WRDC.

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

Tract D4 is in an area with adequate services. A City sewer collector is located along the western boundary of the tract as well as an MEA transmission line and electrical substation. Other utilities and infrastructure are close enough, in the

general area, to be extended to Tract D4 without incurring unreasonable expense as part of future development.

Staff contacted Steve Horn of the Alaska Department of Transportation and Public Facilities about the timing of the proposed Palmer-Wasilla Highway extension. The project is currently in design and until the process is completed, the location of the proposed right-of-way is not certain. While there is money available for right-of-way acquisition, this process will not begin until the design process is complete. Mr. Horn indicated that the construction dates for this project have not been set. Although it is believed that construction money for the project is assured, the project cannot be scheduled for construction until the money has actually been allocated. This is not likely to occur until the design and right-of-way acquisition process is further along. Staff inquired whether the highway extension would be restricted access. Mr. Horn indicated that the proposed highway extension is not considered to be a restricted access highway, but that access driveways would be controlled in accordance with DOT's existing driveway permitting criteria.

3. The comments from reviewing parties (section 16.43.308) on the proposed rezoning have been adequately addressed.

Review agencies have been notified and offered several opportunities to comment on this request. Issues raised by the review agencies have been addressed in the suggested conditions of approval, where needed.

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

There are no neighborhood plans existing for the area surrounding Tract D4. As in other cases, the Commission gives due deference to all individuals who comment on a request either verbally or in writing. To the extent that it is feasible and prudent to do so, the Commission tries to address concerns and issues raised through the public hearing process with appropriate conditions of approval.

There have been indications outside the public hearing process that residents of the area along Glenwood Avenue may be considering a neighborhood planning process in the near future. If so, it may be prudent to scale back this request so that additional commercial land that might result from this request does not foreclose any planning options for the residents of this area.

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

Staff has calculated the relative area of the land use districts that were in existence prior to August 12, 1996, when the Wasilla Revised Development Code was adopted by the City Council. This information is summarized below:

The total area surrounded by the Wasilla municipal boundary is about 8,123 acres (rounded). Of this area, Lake Lucille accounts for 370 acres and a portion of Wasilla Lake accounts for 65 acres. This leaves a net upland area of about 7,688 acres. The following development districts are applied to the net upland area of the City in the following breakdown of acreage and percentage of total upland area.

<u>District</u>	<u>Acreage</u>	<u>Percentage City Land Area</u>
Ind--Industrial	513 acres	6.67%
R1--Singlefamily Res.	588 acres	7.65%
CA--Core Area	1,096 acres	14.26%
R2--Multifamily	16 acres	.21%
Creekside Est.	80 acres	1.04%
WC--Waterfront Core	61 acres	.79%
I--Intermediate	5,334 acres	69.30%
Public/Institutional	0 acres	0.00%
Totals	7,688 acres	99.92%*

* Total percentage of City land area does not equal 100% due to rounding.

The current breakdown of City area by zoning districts is shown below as a comparison to the above table. This information reflects the revised development districts up to the current date including all rezones that have been approved by the City of Wasilla since August 12, 1996.

<u>District</u>	<u>Acreage</u>	<u>% City Land Area</u>	<u>Change*</u>
Ind--Industrial	505 acres	6.56%	-8 acres
R1--Singlefamily Res.	788 acres	10.25%	+200 acres
C--Commercial	1,153 acres	15.00%	+53 acres
R2--Residential	36 acres	.47%	+20 acres
RM--Residential Mult.	27 acres	.35%	
RR--Rural Residential	4,889 acres	63.60%	-445 acres
P--Public	290 acres	3.80%	+290 acres
Totals	7,688 acres	100.03%**	

* The relative change noted in the right column is based on the similarity of comparable districts. Due to the elimination of certain districts under the prior

development code, or dissimilarity in specific zone criteria, this column may not reflect all changes in the past 8 months. ** The total percentage of City land area does not equal 100% due to rounding. The areas above are derived from the AutoCAD maps provided by the Mat-Su Borough. Because of limitations relating to the method of calculation and rounding of the percentages and area, these figures should be considered as estimates only.

Based on the above calculations, it appears that under the prior code, approximately 85% of the Wasilla area was zoned for commercial and mixed use development. This figure is based on the combined area represented by the CA—Core Area and I—Intermediate development districts. These districts were nearly identical in terms of the range of land uses permitted.

Under the current development code, the C—Commercial district has been expanded by $\frac{3}{4}$ of one percent and the RR—Rural Residential district which is more restrictive than I—Intermediate, has been reduced by about 5 and one-half percent. While the RR—Rural Residential district is more restrictive than the prior I—Intermediate district, it still cannot be characterized as a strictly low-density residential district. The RR district allows single-family and duplex uses and also allows neighborhood commercial and general commercial up to 10,000 square feet gross floor area.

Staff was requested to investigate the status of existing lands in the City to determine how much land in the various zones was developed, vacant, etc. Staff did not have time to do this type of analysis. This would be a substantial undertaking, similar to some of the planning and code revision projects that the staff and Commission have undertaken in the past. This type of investigation was not budgeted in this fiscal year. While looking at the zoning map, staff did note however, that the school district property in the downtown core area is zoned commercial. If the area of Wasilla High School, Middle School and Iditarod Elementary School were reclassified to Public, it would reduce the commercial zoned area in Wasilla by about 100 acres. Staff considers this to be an exceptional circumstance worthy of mention. As far as other areas of town, there is too much mixed use in the Rural Residential and Commercial areas to develop an estimate without doing a lot by lot survey.

The comprehensive plan designates Tract D4 for future commercial development. This is a guideline however, and it is part of a 10 to 20 year plan. Therefore, it is up to the Commission to determine if now is the appropriate time to add a portion of Tract D4 to the existing inventory of commercial land currently available in the community.

While considering the comprehensive plan designations, the Commission should be mindful of other development trends in the area. Richmond Hills II and

Richmond View Subdivisions along Glenwood Avenue were recently rezoned from RR—Rural Residential to R1—Single-Family Residential which was also found to be consistent with the comprehensive plan. In addition, many of the people who have testified about this request currently live in single-family dwellings in the vicinity of this request. As staff has noted previously there have been indications outside the public hearing process that residents south and southeast of Tract D4 may be considering a neighborhood planning process. The Commission may want to consider scaling back this request in order to allow these areas adequate time to consider their planning and development options.

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

Staff has consistently recommended that a division of the tract would be appropriate to provide a logical integrated commercial district on the north and maintain a substantial buffer of land in the RR—Rural Residential district along Glenwood Avenue. While the City Public Works Department and the applicant have both suggested an access to Glenwood Avenue, on the south side of Tract D4, staff has consistently recommended restricting such access until the Palmer-Wasilla Highway extension is completed.

Based on the fact that the construction date for the highway extension has not been set, staff has modified its recommendation with regard to the proposed “flag stem” access. Staff now believes that the appropriate recommendation should be the similar to the original recommendation approved by the Commission in Resolution 96-30, i.e. that the parcel be divided into two parts with no platted access to Glenwood Avenue for the Commercial portion of the tract.

As far as the buffer is concerned, staff recommended the five hundred foot buffer of RR zoned land in the original review of this case. If the Commission believes that this buffer is not adequate to protect residents on the south from unreasonable impacts of development, i.e. traffic, noise, glare, etc., then the Commission has the option of scaling back the request to provide for a smaller area of commercial zoned land. This can be done by simply relocating the line originally recommended by staff farther to the north, thereby reducing the commercial area that would result from the rezone and providing a greater physical separation from the residential areas to the south. Because the design of the highway extension is not known at this time, it may be prudent to provide a greater buffer distance until this project is farther along. The original recommendation by staff was based on drawings in the Environmental Assessment (EA) for the highway extension. Although the representations in the EA are accurate, they are also subject to change during the design process due to other engineering and design considerations.

To address the above issues, staff has modified its recommendation to provide a larger 660 foot buffer along the south portion of Tract D4. This represents a full 20 acres or $\frac{1}{4}$ of the total tract area (80 acres).

Staff also notes that land in the RR—Rural Residential district can be reasonably developed. RR allows for single-family and duplex residential, in addition to neighborhood commercial and general commercial up to 10,000 square feet gross floor area. In addition, the land owner can always request a Planned Unit Development (PUD) which could, subject to Planning Commission approval, permit nearly any use of the land as long as the plan is adequately justified in the minds of the Commission. A PUD would require a mail out notice and public hearing so that the surrounding property owners would be given a chance to comment on the specifics of the development plan and they would be provided a great deal more information than what is required for a rezone request.

In terms of lot area, for comparative purposes, staff researched the recent Walmart development at the corner of Parks Highway and Seward Meridian. Walmart has about 100,000 square gross floor area and the building and related parking and storage areas are all contained on a 13.5 acre parcel.

The petitioner has objected to the recommended requirement to plat the subdivision that is required as a condition of this rezone. Staff again notes from the Walmart example that the a much smaller site, about 13.5 acres, was subdivided from a larger parcel prior to that development. The 13.5 acres is now valued at \$199,000 by the Mat-Su Borough for real property tax purposes. The building improvements located there are assessed at 5.5 million dollars. Based on this example, staff tends to believe that surveying costs are an improvement to the land that will likely have to be undertaken at some time during the development process and that this is a reasonable cost of doing business.

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

As noted in previous staff reports, Tract D4 is designated for Commercial Development in the 1996 Wasilla Comprehensive Plan. The Future Land Use Plan is intended to guide city decision making for a 10 to 20 period. While it is advisable to give the plan "due deference", the plan also indicates that the city should be prepared to exercise a certain amount of discretion and good judgment as land use decisions are periodically required. The plan's objective is to anticipate and respond to development trends, respect natural site characteristics, and reflect the community's attitudes about future growth. The plan assigns all land areas in the City to appropriate land use categories, based upon existing and emerging patterns of development, transportation access, availability of utilities and other sound planning principles.

The plan's objective is to provide a balanced and complementary pattern of land use which can accommodate future growth and development, while protecting values important to local residents. Not every land use problem or concern can be predicted.

Although previously zoned I—Intermediate, the 1992 comprehensive plan identified this area for Low Density Residential Development. While it was the intent of the I—Intermediate district to be primarily a low density residential zone it was, in fact, nearly identical to the CA—Core Area zone in terms of the land uses allowed.

When the RR—Rural Residential district was developed by the Commission as a replacement for the I—Intermediate district, the Commission specifically directed that commercial uses up to 10,000 square feet in area would be allowed as an Administrative Approval (the lowest level of permit review). This was done in consideration of the previous commercial uses allowed in the Intermediate district. By taking this action, the Commission believed that property owners could request a rezone for their lands to a more appropriate district and that these requests would be considered on their merits at the time they are presented to the Commission. For this reason, the City waived the rezone fee (\$500.00) for a period of four and one-half months to encourage rezone petitions after the Wasilla Revised Development Code was adopted on August 12, 1996.

Staff notes that the RR—Rural Residential district is more consistent with the Low Density Residential designation of the 1992 Wasilla Comprehensive Plan. The 1992 plan was the officially recognized plan for the City of Wasilla until the Mat-Su Borough officially recognized the 1996 Wasilla Comprehensive Plan on November 19, 1996.

The current plan should be considered in light of the comments of surrounding property owners who have raised legitimate concerns about future traffic generation and noise in their area. Staff still believes that a reasonable compromise can be reached in this case, which provides some of the requested benefit of commercial zoning to the applicant, while protecting the long term interests of residential property owners in the surrounding area.

The Commission could also consider the possibility of an interim zone such as RM—Residential Multifamily as a replacement for either of the zones currently recommended in this case. This would move towards conformity with the

comprehensive plan designation and allow a higher density of residential development. A change in district would require a new public notice and hearing however.

RECOMMENDATION

Staff has modified the recommendation for this request based on the preceding analysis. The suggested findings for this case are contained in draft resolution 97-11.

Should the Commission agree with staff's recommendation the appropriate motion is as follows:

Move to adopt Planning Commission Resolution No. 97-11, recommending the rezone of a 62 acre portion of Tract D4, Section 10, T17N, R01W, Seward Meridian, from RR—Rural Residential to C—Commercial, subject to conditions of approval and supported by the findings set forth in the resolution and in the staff analysis presented at previous hearings for Case R96-102.

Conditions of Approval

1. The rezone will not be effective until a subdivision is completed and recognized by the Matanuska-Susitna Borough Platting Department. The subdivision will divide Tract D4 along the zoning boundary approved by the Wasilla City Council. The approval for this rezone will expire on December 31, 1998, if the conditions of approval for rezone are not completed before this date.
2. The 60 foot "flag-stem" access shall neither be platted, nor included in the rezone area. The buffer distance on the south side of Tract D4 shall be increased from 500 feet to 660 feet. These actions will reduce the overall size of the rezone area from 65 acres to 60 acres, thereby maintaining a 660 foot buffer of RR zoned land along Glenwood Avenue.
3. The lot corners for the subdivision of Tract D4 shall be monumented in a manner consistent with the requirements for subdivisions under the Mat-Su Borough platting ordinance. This requirement applies even though the applicant in this case may propose a waiver subdivision.