



## CITY OF WASILLA

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

### COUNCIL MEMORANDUM NO. 97-39

From: Duane Dvorak, City Planner 

Date: May 21, 1997

Subject: Planning Commission Resolution No. 97-21, recommending the City Council rezone Lot 1, Block 1 and Lots 14, 15, and 16, Block 2, Adventure Estates Subdivision from RR—Rural Residential to R1—Single-family Residential.

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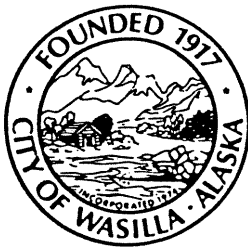
The Wasilla Planning Commission considered this issue at its May 20, 1997, regular meeting. The Commission adopted the above referenced resolution as a formal recommendation to the City Council on this issue.

This request was initiated by the Mayor in order to address the concerns of a property owner who's nonconforming 4-plex, located at the corner of Heritage Drive and Lucille Street, was recently damaged by fire. This property was previously in the I—Intermediate district when it was developed, but is now in the RR—Rural Residential district. The RR district would only allow a duplex on this lot if the cost of repairing the 4-plex exceeds 65% of the assessed value. The affected property owner was not aware of the zoning change that affected their property, hence this request.

The Planning Commission adopted staff's recommendation which reduced the scope of this request to eliminate Lots 2 and 3, Block 2, Adventure Estates. Staff investigation shows that Lots 2 and 3 have been located in the R1 district since 1985. It is clear from the record that this earlier rezone was initiated by a local petition process where all affected property owners should have been notified of the proposed change and specifically invited to comment. These two lots were not affected by the adoption of the Wasilla Revised Development Code in August, 1996. Even though Lots 2 and 3 are likewise developed with nonconforming 4-plexes, they were in the R1 before and after August, 1996, when the revised code took effect. A number of property owners along Heritage Drive specifically objected to the inclusion of Lots 2 and 3 in this rezone case.

The four lots recommended for rezone have frontage along Lucille Street. They are designated for Mixed Use Development in the 1996 Wasilla Comprehensive Plan. They are all currently developed with nonconforming 4-plexes. A rezone to R2 will place these uses into an appropriate district that allows multifamily use as a Use Permit.

If the Council has any questions about this request, please contact the Planning Office staff at 373-9094 for more information.



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### WASILLA PLANNING COMMISSION RESOLUTION NO. 97-21

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 R2--RESIDENTIAL FOR LOTS 14, 15 AND 16, BLOCK 1 AND LOT 1, BLOCK 2, ADVENTURE ESTATES SUBDIVISION.

WHEREAS, this investigation of possible rezone was initiated by the Mayor of Wasilla; and,

WHEREAS, this issue was investigated by the City Planner and reviewed by the Wasilla Planning Commission (WPC) at a duly noticed public hearing on May 20, 1997; and,

WHEREAS, the WPC deliberated on this request, taking into account the recommendation of the staff, 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 R97-048 a request to rezone Lots 14, 15, and 16, Block 1, and Lot 1, Block 2, Adventure Estates Subdivision from RR--Rural Residential to R2--Residential.

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

1. The R2--Residential district allows multifamily use as a use permit.
2. The rezone will remedy the status of four existing 4-plexes which have been nonconforming since the general community wide rezone from I--Intermediate to RR--Rural Residential that occurred in August of 1996.
3. The four lots recommended for rezone have frontage on Lucille Street and are not as desirable for single-family or duplex development.

4. The rezone is consistent with the Mixed Use designation depicted in the 1996 Wasilla Comprehensive Plan.
5. This rezone will not have a detrimental impact on the surrounding area because all four lots have already been developed with multifamily dwellings for the past 10 years or more.

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 20<sup>th</sup> day of May 1997.

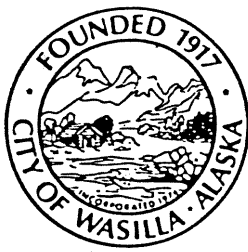
APPROVED:

\_\_\_\_\_  
Daniel Kelly, Acting Chair

ATTEST:

\_\_\_\_\_  
Helen Y. Kaye, Planning Clerk

(SEAL)



**CITY OF WASILLA**

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**MEMORANDUM**

DATE: May 16, 1997  
TO: Wasilla Planning Commission  
FROM: Duane Dvorak, City Planner *[Signature]*  
SUBJECT: Information for the May 20, 1997 Regular Meeting

CASE: R97-48

APPLICANT: City of Wasilla

OWNERS: Various

REQUEST: Investigation of the possible rezone of Lots 14, 15, and 16, Block 1, and Lot 1, Block 2, Adventure Estates, from RR—Rural Residential to R2—Residential and, Lots 2 and 3, Block 2, Adventure Estates from R1—Single-family Residential to R2—Residential. All lots are located near the intersection of Heritage Drive and Lucille Street.

ZONING: RR--Rural Residential and R1—Single-family Residential

One Hundred Twenty-two (122) public hearing notices were distributed on May 2, 1997.

Date of site visit: April 29, 1997

1. Zoning History: All lots included in this request were zoned I--Intermediate in 1982-3 when the City's initial zoning ordinance was adopted. Lots 2 and 3, Block 2 were rezoned to R1—Single-family Residential in November 1985 (Ord. No. 85-54). Lots 14, 15 and 16, Block 1 and Lot 1, Block 2, were rezoned from I—Intermediate to RR—Rural Residential in August of 1996 as part of a City wide general rezone by Ordinance No. 96-29.

2. <u>Lot Size:</u>	Lot 14	.97 acres
	Lot 15	.97 acres
	Lot 16	.96 acres
	Lot 1	.95 acres
	Lot 2	.95 acres
	Lot 3	.95 acres

3. <u>Existing Land Use:</u>	Lot 14	4-plex
	Lot 15	4-plex

Lot 16	4-plex
Lot 1	4-plex
Lot 2	4-plex
Lot 3	4-plex

4. Surrounding Land Use and Zoning:

North: Lot 13, Block 1, Adventure Estates  
 Use: Vacant  
 Zoning: RR—Rural Residential

South: Lots 1, 2, and 3, Pinecrest Subdivision  
 Use: Single-family Residential  
 Zoning: R1—Single-family Residential

East: Lucille Street

West: Lots 17, 18, and 19, Block 1, Adventure Estates  
 Lot 4, Block 2, Adventure Estates  
 Use: Vacant  
 Zoning: R1—Single-family Residential

5. Comprehensive Plan: The 1996 Wasilla Comprehensive Plan identifies this area for Generally ~~Residential~~ Development.

*mixed use -*

6. Applicable Regulations: The following sections of Chapter 16.43 (Wasilla Revised Development Code) of the Wasilla Municipal Code, are applicable to this request:

**16.43.512 Rezoning** Rezoning are changes to zoning district boundaries as shown on the official zoning map. Application must be made on a form supplied by the City to the Planner. Prior to submission of an application, the applicant is encouraged to contact the Planner for the purpose of discussing the site, the proposed use and the approval procedure.

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 percent (51%) of the owners of property within the area proposed to be rezoned.

B. Restrictions. Rezoning of an area less than two (2) acres shall not be considered unless the rezoning involves the contiguous expansion of an existing zone. 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.

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 16.43.506. 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.

E. 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.

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.

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

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

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

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

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

F. Council. The council shall review and act on a rezoning by ordinance. The council shall consider the application and Commission recommendation at its next available meeting after receipt of the Commission recommendation. Upon enactment of the ordinance, the Planner shall cause the official zoning map to be changed accordingly. The council's decision shall be final.

**16.43.600 ZONING DISTRICTS.** The City is hereby divided into the following zoning districts. These districts are depicted on the official City zoning map.

A. RR - Rural Residential District. The intent of the RR district is to provide areas for very low-density rural residential and agricultural uses. This district is intended for areas where development trends, transportation systems and physical features indicate the appropriateness of a very low intensity of residential use. This zone is intended to have a broader mix of compatible uses than other large lot residential areas.

B. R1 - Single-Family Residential District. The intent of the R1 district is to provide areas for development of individual family home sites. The primary purpose of this district is to protect and provide for low density, quiet residential areas on large lots. This district provides a zone for single-family homes on large lots that provide ample storage area for vehicles, boats and other recreational equipment. All development in this zone should maintain and enhance the single-family residential character of the neighborhood.

C. R2 - Residential District. The intent of the R2 district is to provide areas for a higher residential density than either the RR or R1 districts. This zone may have some multifamily and a higher density of different uses but is generally a residential area with neighborhood commercial, and some larger commercial uses.

## COMMENTS

The purpose of this request is to investigate the possible rezone of four parcels of land from RR—Rural Residential to R2—Residential and two parcels of land from R1—Single-family Residential to R2--Residential.

This case was initiated by the Mayor at the request of the property owner of Lot 16, Block 1, Adventure Estates. The 4-plex on this lot was recently damaged in a fire and because of the change of zoning district and standards in August 1996, the 4-plex use is now legally nonconforming. According to the development code, the use and structure can only be re-established if the cost of repairs is less than 65% of the assessed value of the structure at the time of destruction.

Staff has discussed this issue with the property owner who has not provided any cost estimates for staff review at this time. In these discussions, the property owner expressed concerns about the rezone last year that made the 4-plex nonconforming. He does not read the local newspaper for personal reasons and was therefore not aware that the zone standards had been changed for his lot. It was primarily for this reason that the Mayor initiated this investigation.

In preparing the rezone petition, staff inventoried all the lots in Block 1 and all lots in Block 2 which front on Heritage Drive. Staff recommended the six lots because they are all developed with 4-plexes that have been in existence for about 10 year, on average. The 4-plexes fronting on Lucille Street are in the RR—Rural Residential district. The former I—Intermediate district allowed 4-plexes as a use-by-right.

Lots 2 and 3, Block 2, are in the R1—Single-family Residential district and have been in this district for over 10 years. Evidence submitted by surrounding residents indicates that the area was rezoned by a local petition process. In this case, the property owners, or their predecessors in interest, would have been notified by mail of the pending change. Therefore, even though the 4-plexes on Lots 2 and 3 are also nonconforming, staff does not believe these lots should necessarily be considered in the same light as the other four lots on Lucille.

According to the recollections of residents involved with the earlier rezone, they were not concerned with the lots fronting on Lucille being multifamily. They were and are concerned about the potential for continued multifamily development in their area and this concern was the reason they originally petitioned for the R1 district.

Should the 4-plexes on Lots 2 and 3 remain in the R1 district, they will be nonconforming in perpetuity unless they are destroyed by more than 65% of their assessed value. If this occurs, the multifamily use would have to be relocated to another area and the lots could only be developed for single-family residential.

#### CONFORMANCE WITH THE REZONE CRITERIA:

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

This review does not involve new development, therefore these criteria are not applicable. Multifamily uses are a use permit in the R2 district. When or if these uses are redeveloped because of destruction or substantial structural remodeling, a mail out public notice would be required to notify surrounding property owners of the request.

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.

The lots in this review are all developed and adequately served with municipal and utility services.

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

Comments from review agencies have not raised any issues that would require special conditions of approval to address.

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

The area surrounding the proposed rezone does not have a neighborhood plan at this time. While this may be the case, the Planning Commission historically gives full consideration to all comments received as part of a rezone review process.

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

The 1996 Wasilla Comprehensive Plan designates this area for generally expected residential use. The lots included in this review have historically been developed with 4-plexes. These uses were established at a time when this use was allowed by the development code or when such uses were not specifically regulated. The primary intent of this review is to address the nonconforming status of these uses. As a result, the nonconforming status of the 4-plexes may constitute a demonstrated need for additional land in the R2 district.

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

Based on the topography of the area and the petition boundaries investigated by staff, this rezone will result in a logical and integrated district. Staff originally suggested the inclusion of Lots 2 and 3, Block 2, Adventure Estates to address this issue, because the lots are contiguous with Lot 1 and all three lots are developed with 4-plexes. Because of the historical rezone of Lots 2 and 3 to R1, which occurred more than 10 years ago, staff believes that the Lot 1 should be considered contiguous with Lots 14, 15, and 16.

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

The 1996 City of Wasilla Comprehensive Plan identifies this area for Generally Expected Residential Development. This designation is consistent with all residential districts available in the code. Staff recommends that this request be considered on the



basis of balancing the existing uses, the expectations of residents and property owners and the zoning history of the area.

### **REVIEW AGENCY COMMENTS**

Written agency comments that were received prior to the preparation of this memorandum are included with this report as an attachment.

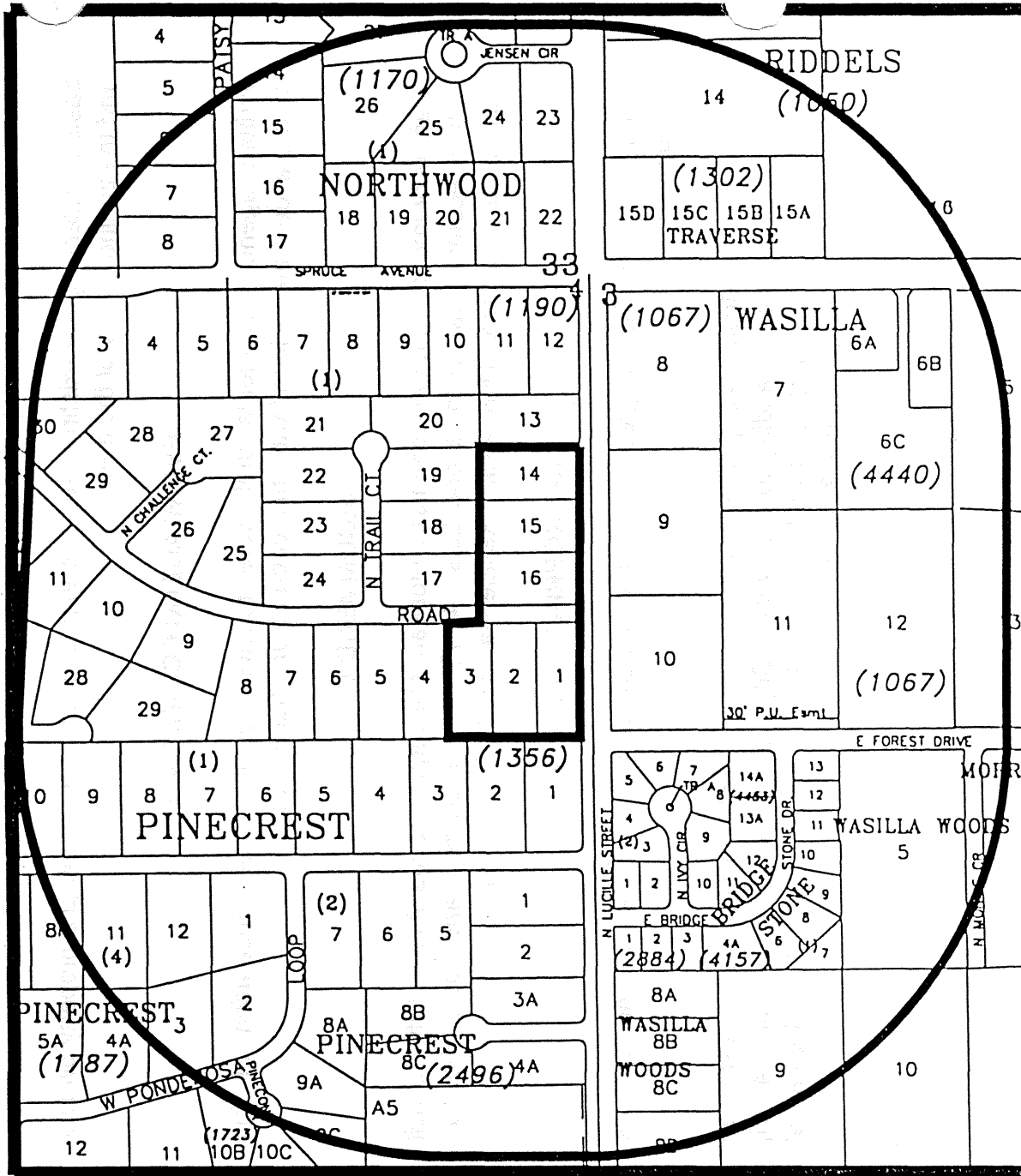
### **RECOMMENDATION**

Staff recommends that the Commission forward this request to the Wasilla City Council with a recommendation to rezone Lots 14, 15 and 16, Block 1 and Lot 1, Block 2, Adventure Estates from RR—Rural Residential to R2—Residential.

### **APPROPRIATE MOTION**

Should the Commission agree with the recommendation of staff, the following motion is appropriate.

Move to adopt Planning Commission Resolution No. 97-21, a resolution recommending to the Wasilla City Council the rezone of Lots 14, 15, and 16, Block 1 and Lot 1, Block 2, Adventure Estates from RR—Rural Residential to R2—Residential.

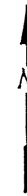


# Case No.97-48

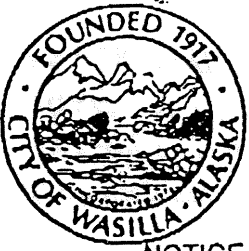
To investigate the possible rezone of Lots 14, 15, & 16, Blk. 1, & Lot 1, Blk. 3, Adventure Est., from RR--Rural Residential to R2--Residential, and Lots 2 & 3, Blk. 3, Adventure Est., from R1--Single-family Residential to R2--Residential. Generally located at the intersection of Lucille St. and Heritage Rd.

Initiated by:

The City of Wasilla



T17N, R1W, Seward Meridian



CITY OF WASILLA

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

RECEIVED

MAY 09 1997

Planning Department

NOTICE OF PUBLIC HEARING TO CONSIDER A REZONE PETITION

The Wasilla Planning Commission will consider the following petition in a Public Hearing, at a regular meeting of the Wasilla Planning Commission:

Date: May 2, 1997

Case: #R97-48

Initiated by: City of Wasilla

Request: A request to investigate the possible rezone of Lots 14,15, & 16, Block 1 and Lot 1, Block 3, Adventure Estates, from RR—Rural Residential to R2-Residential, and Lots 2 & 3, Block 3, Adventure Estates, from R1—Single-family Residential to R2—Residential. Generally located at the intersection of Lucille St. and Heritage Rd. (This request is intended to address six non-conforming multifamily residential developments. Nonconforming uses are subject to termination if the structure is destroyed by more than 65% of the assessed value at the time of destruction.)

Location: 1600,1632,1666, Lucus Road and 100, 124, 150, Heritage Road

Comments may be submitted in writing by filling in the spaces provided below and mailing this notice to the return address indicated. Your written comments on this project must reach the Wasilla Planning Office before May 14, 1997, in order to be included in the meeting packet. A Public Hearing will be held on May 20, 1997. This meeting will begin at 7:00 p.m., in the City of Wasilla Council Chambers. Public Testimony will be taken at the meeting in addition to written comments that submitted after May 14<sup>th</sup>, but before the Public Hearing takes place.

City of Wasilla  
Planning Office  
290 East Herning Avenue  
Wasilla AK 99654

907-373-9094  
907-373-9092 FAX

MAILING ADDRESS:  
P.O. Box 871842  
WASILLA, AK 99687

If there is not enough room below, please use separate sheets and include them with this form

Name KENNETH & JUDITH RIVARD  
Address 101 HERITAGE  
Lot 1 Block 16 Subdivision ADVENTURE EST.

For more information on this Rezone contact the Planning Office at (907) 373-9094, 8 - 5 Monday thru Friday.

Comments:

SEE ATTACHED  
LETTER

# Judi & Ken Riward

P. O. Box 871842  
Wasilla, AK 99687

FAX & Telephone 907-376-2140

+++++

May 8, 1997

City of Wasila  
Planning Office  
290 E. Herning Avenue  
Wasilla, AK 99654

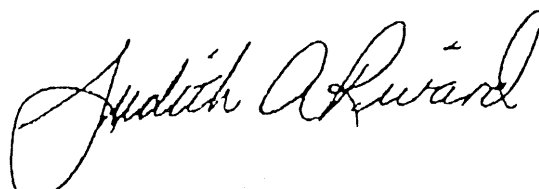
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MAY 09 1997  
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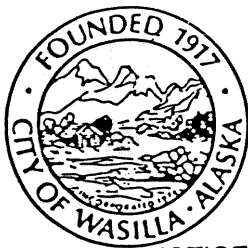
Re: Possible Rezone - Case #R97-48

Comments on the above referenced rezone:

The original rezoning of Adventure Estates and surrounding areas was done quite awhile back without the knowledge of the majority of owners of existing 4-plex, multifamily, units. The rezoning of this area to R1 and R2 would not have affected these units if the following sentence had not been incorporated into the rezone: "Nonconforming uses are subject to termination if the structure is destroyed by more that 65% of the assessed value at the time of destruction." We recently suffered a disastrous fire in our 4-plex destroying at least half of the building located on Lot 1, Block 16, Adventure Estates. With the above restriction placed on us it is possible we may not be able to rebuild our unit, being forced to make it into a duplex. Creating a duplex from what was once a 4-plex would be a financial hardship to us and we have no idea what the mortgage holder on our property would think of such an action.

We understand the City of Wasilla attempting to contain and control the growth within its bounds; however, when rezoning of this nature occurs all existing properties should be grandfathered in to protect both the owners and the mortgage holders. What will happen to the rental market if several multifamily units disappear under this 65% stipulation? We have a large influx of new citizens into our area and presently there are not enough rental properties to accomodate them.





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MAY - 8 1997

NOTICE OF PUBLIC HEARING TO CONSIDER A REZONE PETITION

CITY OF WASILLA, ALASKA

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Date: May 2, 1997

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Case: #R97-48

Initiated by: City of Wasilla

Planning Department

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Location: 1600,1632,1666, Lucus Road and 100, 124, 150, Heritage Road

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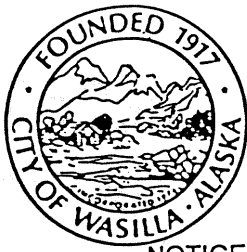
If there is not enough room below, please use separate sheets and include them with this form

Name LARRY AND ELIZABETH TODD  
Address PO Box 871395  
Lot 12 Block 2 Subdivision Wasilla Woods

For more information on this Rezone contact the Planning Office at (907) 373-9094, 8 - 5 Monday thru Friday.

Comments: I see no problem with the current structure.  
The Four plex has been there since the 1980's  
if there had been no fire there would have  
been "Rezone Petition". Let the Area stand  
as it has been developed.

Thank you  
Larry Todd  
Elizabeth Todd



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CITY OF WASILLA, ALASKA

NOTICE OF PUBLIC HEARING TO CONSIDER A REZONE PETITION

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Date: May 2, 1997

Case: #R97-48

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Initiated by: City of Wasilla

Planning Department

Request: A request to investigate the possible rezone of Lots 14, 15, & 16, Block 1 and Lot 1, Block 3, Adventure Estates, from RR—Rural Residential to R2-Residential, and Lots 2 & 3, Block 3, Adventure Estates, from R1—Single-family Residential to R2—Residential. Generally located at the intersection of Lucille St. and Heritage Rd. (This request is intended to address six non-conforming multifamily residential developments. Nonconforming uses are subject to termination if the structure is destroyed by more than 65% of the assessed value at the time of destruction.)


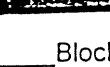
Location: 1600, 1632, 1666, Lucus Road and 100, 124, 150, Heritage Road

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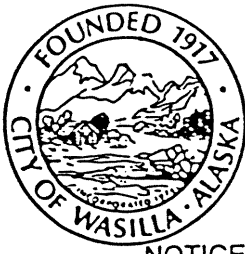
907-373-9094  
907-373-9092 FAX

If there is not enough room below, please use separate sheets and include them with this form

Name  Donald Church  
Address  P.O. Box 873027  
Wasilla, AK 99687-3027  
Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

For more information on this Rezone contact the Planning Office at (907) 373-9094, 8 - 5 Monday thru Friday.

Comments: Your map and information show the  
Wrong Legal Description. Lots 1, Block 3  
may be actually Block 2, Nearly a  
Quarter mile away.



**CITY OF WASILLA**  
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CITY OF WASILLA, ALASKA

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**RECEIVED**

Date: May 2, 1997 **MAY 0 8 1997** Case: #R97-48

Initiated by: City of Wasilla Planning Department

Request: A request to investigate the possible rezone of Lots 14, 15, & 16, Block 1 and Lot 1, Block 3, Adventure Estates, from RR—Rural Residential to R2—Residential, and Lots 2 & 3, Block 3, Adventure Estates, from R1—Single-family Residential to R2—Residential. Generally located at the intersection of Lucille St. and Heritage Rd. (This request is intended to address six non-conforming multifamily residential developments. Nonconforming uses are subject to termination if the structure is destroyed by more than 65% of the assessed value at the time of destruction.)

Location: 1600, 1632, 1666, Lucus Road and 100, 124, 150, Heritage Road

Comments may be submitted in writing by filling in the spaces provided below and mailing this notice to the return address indicated. Your written comments on this project must reach the Wasilla Planning Office before May 14, 1997, in order to be included in the meeting packet. A Public Hearing will be held on May 20, 1997. This meeting will begin at 7:00 p.m., in the City of Wasilla Council Chambers. Public Testimony will be taken at the meeting in addition to written comments that are submitted after May 14<sup>th</sup>, but before the Public Hearing takes place.

**RECEIVED**

**MAY 0 8 1997**

City of Wasilla 907-373-9094  
 Planning Office 907-373-9092 FAX  
 290 East Herning Avenue  
 Wasilla AK 99654

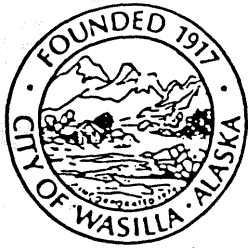
Planning Department

If there is not enough room below, please use separate sheets and include them with this form

Name F. SMITH ATT: BOB MUNFORD  
 Address PO MUNFORD REAL ESTATE, 300 N. MAIN, WASILLA 99654  
 Lot 4 Block 2 Subdivision ADVENTURE ESTATES

For more information on this Rezone contact the Planning Office at (907) 373-9094, 8 - 5 Monday thru Friday.

Comments: I WOULD LIKE TO SEE THE ERROR IN THE TEXT  
PLAT MAP BE CORRECTED. I WOULD ALSO LIKE  
TO SEE THE R-2 ZONING EXTEND TO LOTS FOUR  
& FIVE (4 & 5) OF BLOCK 2 (NOT BLOCK 3) WHICH  
IS CONSISTENT WITH EXISTING USE, WHICH BECAME  
NON-CONFORMING POST-CONSTRUCTION.



**CITY OF WASILLA**

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

**NOTICE OF APPLICATION TO REZONE**

Date: May 2, 1997

To:

*Jack*

*Heben No comment other than utility service. Any extensions contemplated?*

Case No: R97-48

Anyone wishing to review the site plan for this project should contact the Wasilla City Planning Office at 373-9094, or stop by the office located at 290 E. Herning Avenue.

Description: A request to investigate the possible rezone of Lots 14,15,16, Block 1 and Lot 1, Block 3, Adventure Estates, from RR—Rural residential to R2—Residential, and Lots 2&3, Block 3, Adventure Estates, from R1—Single-family Residential to R2-Residential. Generally located at the intersection of Lucille St., and Heritage Rd. (This request is intended to address six, non-conforming multi-family residential developments. Non-conforming uses are subject to termination if the structure is destroyed by more than 65% of the assessed value at the time of destruction.)

Contact Agent: City of Wasilla, Planning Office  
Address: 290 E. Herning Ave.  
Wasilla, AK 99654

The proposed REZONE referenced above was initiated by the City of Wasilla in accordance with Section 16.43.512.

Attached is a copy of the proposed area to be rezone. Please submit your comments in writing, specifying any requirements or data that your agency or department may have that should be incorporated in this rezone to help us more effectively ensure compliance with City development regulations.

A Public Hearing is scheduled at the Regular Meeting of the Wasilla Planning Commission on May 20, 1997, 7:00 p.m., in the Council Chambers, 290 E. Herning Ave. Contractors, developers, home buyers, home owners, banks, real estate agencies, all interested agencies, and the general public are invited to attend and be heard.

If we do not receive written comments from you by May 14, 1997, we will assume that you do not wish to submit any.

*Helen G. Kasper*  
for the Wasilla Planning Office

Return Address: City of Wasilla  
Planning Office  
290 East Herning Avenue  
Wasilla, AK 99654

907-373-9094  
907-373-9092(FAX)





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

RECEIVED

RECEIVED

DATE: May 7, 1997

MAY 09 1997

MAY - 9 1997

TO: Helen Y. Kaye, Wasilla Planning Office

Planning Department CITY OF WASILLA, ALASKA

FROM: Dawn U. Webster, Code Compliance Officer *duw*

SUBJECT: DECISION FOR LOCAL PROJECT - PROJECT IS CONSISTENT WITH MSB COASTAL MANAGEMENT PLAN. MSB CONSISTENCY ANALYSIS NOT NEEDED

PROJECT ID: R97-48

LOCATION: 17N01W04

FIRM MAP: 9675C

ZONE: C

According to the information provided by the applicant for the above referenced local project, no written consistency analysis is required for a determination of compliance with the Matanuska-Susitna Borough Coastal Management Plan (MSBCMP).

In accordance with the MSBCMP (September 1987), Chapters 4 and 6, and Amendment #2 dated March 31, 1988, this project is found to be consistent for the following reasons:

1. The project is found to be in compliance with all rules applicable to special land use districts or geographic areas significantly affected by the proposed action.
2. The project is consistent with all rules applicable to the affected uses, activities, habitats and resources.
3. The project is consistent with the management plan for any AMSA which it will significantly affect.
4. All development must comply with the requirements of MSB Title 17 Zoning.

This decision does not relieve the applicant from requirements of any other required local, state or federal review of the proposed project.

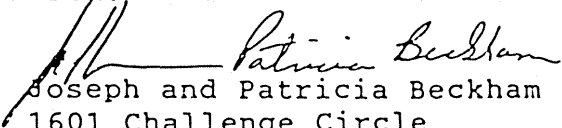
Any changes in the execution of this project from the proposal reviewed for this decision will void this decision and will constitute cause for further review and/or initiation of enforcement actions against violations of borough, state or federal ordinances.

May 12, 1997

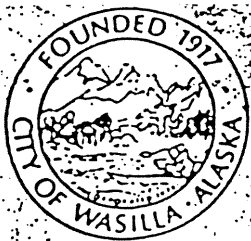
City of Wasilla  
Planning Office

We strongly oppose the change of the current zoning ordinance. The R-1 protection we presently have was awarded as a result of petitioning the property owners in our neighborhood and making a formal request to the city council in 1985. This request was dully granted. Then 5 months later this was challenged with a issuing of a permit to allow a 4-plex in the heart of our neighborhood. This happened do to a lag in the permitting authority when powers where being transferred from the borough to the city. We again requested the city council take up this matter, and after a sizable cost and personnel threats to our family, the will of the people again prevailed. We request the city hold the line and not allow any erosion of the boundaries of the zoning protection that we have so diligently fought for.

Supporting documents enclosed.

  
Joseph and Patricia Beckham  
1601 Challenge Circle  
Wasilla, Ak 99654  
Adventure Estates  
Lots 25,26,27,28,29 Bk 1

A copy of this correspondence has been forwarded to the office of the Mayor.



# CITY OF WASILLA

P.O. BOX 870430  
WASILLA, ALASKA 99687  
PHONE: 376-5227

Requested by: Planning Com  
Prepared by: John Stein

ORDINANCE SERIAL NO. 85-54

AN ORDINANCE OF THE CITY OF WASILLA, ALASKA AMENDING THE OFFICIAL LAND USE ZONE MAP ADOPTED UNDER ORDINANCE 85-32, JULY 22, 1985.

SECTION I. Classification. This ordinance is of a general and permanent nature and shall become part of the Wasilla Municipal Code.

SECTION II. Amendment. The official Land Use Zone Map of the City of Wasilla is hereby amended as follows:

The following lands are hereby designated as R-1 (single family) Land Use Zone:

Lots 17 - 30, Block 1 and Lots 2 - 16, Block 2 of the plat of Adventure Estates located in the N $\frac{1}{2}$ , NE $\frac{1}{2}$ , Section 4, T17N, R1W, S.M., Alaska

Maps showing the proposed changes are attached hereto and made a part hereof.

SECTION III. Effective Date. This Ordinance shall become effective upon passage by the Wasilla City Council.

Introduction: 10/28/85

Public Hearing 11/13/85

ADOPTED by the Council of the City of Wasilla this 25th day of November, 1985.

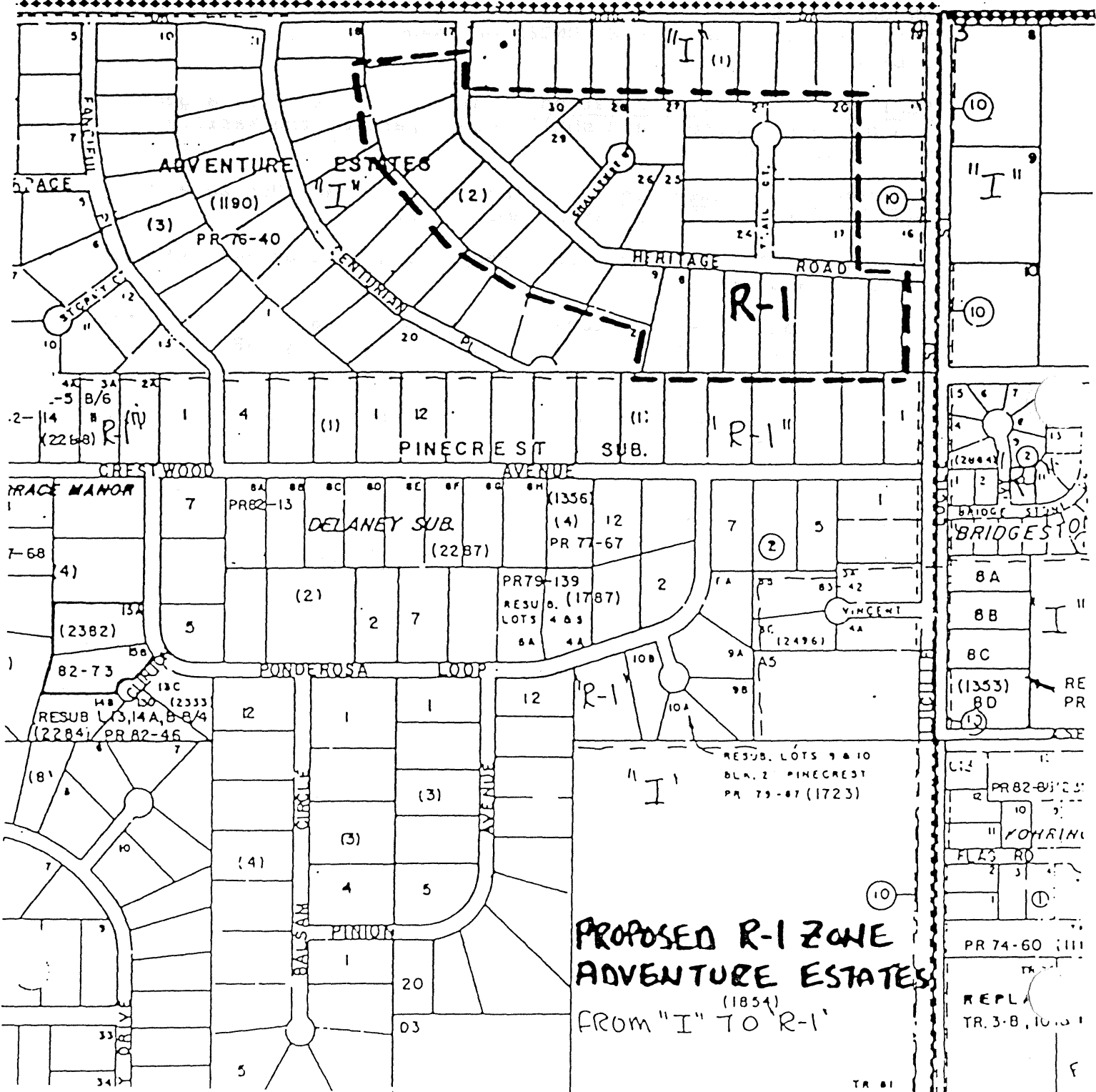
CHARLES H. BUMPUS, Mayor

ATTEST:

ERLING P. NELSON, CMC  
City Clerk

(SEAL)

This is a copy of the ordinance and petition granting our R-1 zoning.



**PROPOSED R-1 ZONE**  
**ADVENTURE ESTATES**  
(1854)  
FROM "I" TO "R-1"

BRIDGESTON  
8A  
8B  
8C  
8D  
RE PR  
PR 74-60  
REPLA  
TR. 3-B, 10, 11

~~Received~~

We, the undersigned property owners of the area to include lots on Heritage Drive and adjoining Challenge and Trail Circles and excluding lots bordering on Lucille and Spruce Streets, (Block 1, Lots 17- 30 and Block 2, Lots 2-16 Adventure Estates), would like to see the area described above, which is currently designated "I" for "Intermediate District", redesignated "R-1" for "Single-Family Residential District" as defined in the City of Wasilla Ordinance 85-32, Title 16, Development Code below:

**R-1: Single-Family Residential District**

16.30.210 Intent: The R-1 District is intended for specific subdivisions which request the designation from time to time, pursuant to Part 3 of Chapter 40. The intent of the district is to maintain and enhance the single family residential character of the neighborhood.

16.30.211 Uses By Right: The following uses are uses by right in the R-1 District: existing uses, single family dwellings, home occupations, public and homeowner parks and playgrounds, and gardens and greenhouses when incidental to residential use.

16.30.212 Conditional Uses: The following uses are conditional uses: subdivisions; noncommercial moorage; any use by right which would constitute major development; and any development seeking a variance.

16.30.213 Prohibited Uses and Structures: All uses and structures not specified as uses by right or conditional uses are prohibited.

NAME & SIGNATURE	BLK & LOT OWNED IN ADVENTURE EST	MAILING ADDRESS/ PHYSICAL ADDRESS/ PHONE NUMBER
Eve B. Coffey <i>Eve B. Coffey</i>	Blk 2, Lot 2	P.O. Box 873011 Wasilla AK 99687 Heritage Dr. Wasilla, AK 707-376-3175
Patricia Hewitt <i>Patricia Hewitt</i>	Blk 1 Lot 25	P.O. Box 672974 Wasilla, AK 99687 Heritage Rd. Wasilla, AK 907-376-7352
Joseph L. Beckham <i>Joseph L. Beckham</i>	Block 1 Lot 26	P.O. Box 672974 Wasilla AK 99687 376-7352 Challenge Cir. Wasilla AK
Mrs Ralph E. Oakley <i>Mrs Ralph E. Oakley</i>	Bl. 1, Lot 24	P.O. Box 871741 Wasilla, AK. 99687
Armilla J. Dallen <i>Armilla J. Dallen</i>	Lot 20	PO Box 943 Wasilla Alaska
<del>Virginia Stallings</del> <i>Virginia Stallings</i>	Block 1 Lot 21	P.O. Box 2025-R Wasilla AK 99687
Ralph E. Oakley <i>Ralph E. Oakley</i>	Block 1 Lot 24	P.O. Box 871741 Wasilla, AK 99687 376-6759
Linda Campbell <i>Linda Campbell</i>	Block 2 Lot 13	2370 Lake George Dr. Anchorage, Ak. 99504 333-9688

We, the undersigned property owners of the area to include lots on Heritage Drive and adjoining Challenge and Trail Circles and excluding lots bordering on Lucille and Spruce Streets, (Block 1, Lots 17- 30 and Block 2, Lots 2-16 Adventure Estates), would like to see the area described above, which is currently designated "I" for "Intermediate District", redesignated "R-1" for "Single-Family Residential District" as defined in the City of Wasilla Ordinance 85-32, Title 16, Development Code below:

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16.30.213 Prohibited Uses and Structures: All uses and structures not specified as uses by right or conditional uses are prohibited.

NAME & SIGNATURE	BLK & LOT OWNED IN ADVENTURE EST	MAILING ADDRESS/ PHYSICAL ADDRESS/ PHONE NUMBER
Greg Cottick		376-517 Heritage dr
Greg Cottick	2-8 ADVENTURE EST.	P.O. Box 873011 WASILLA
Linda Campbell	Lot 18 Block 1	2370 Lake George Rd Anchorage, Alaska 333-7688
Earl Rose	Lot #14 Block #2	715 McKey Arlington, Texas 76010
Steven P. Steh	Lot 26 Blk 1	501 E. Hancock Anch AK 99501
Steve P. Steh	Lot 26 Blk 1	501 E. Hancock Anchorage AK 99501
George B. Smith	Blk 1 Lot 22	6601 Cooled Terrace Dr Anch. Ak 99516
Adelaide K. Rush	Block 2 Lot 9	12501 Shelburne Rd Anch. Ak 99576
Adelaide K. Rush	Block 2 Lot 10	12501 Shelburne Rd Anch. Ak 99576

We, the undersigned property owners of the area to include lots on Heritage Drive and adjoining Challenge and Trail Circles and excluding lots bordering on Lucille and Spruce Streets, (Block 1, Lots 17- 30 and Block 2, Lots 2-16 Adventure Estates), would like to see the area described above, which is currently designated "I" for "Intermediate District", redesignated "R-1" for "Single-Family Residential District" as defined in the City of Wasilla Ordinance 85-32, Title 16, Development Code below:

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16.30.213 Prohibited Uses and Structures: All uses and structures not specified as uses by right or conditional uses are prohibited.

NAME & SIGNATURE	BLK & LOT OWNED IN ADVENTURE EST	MAILING ADDRESS/ PHYSICAL ADDRESS, PHONE NUMBER
<i>Donald S. McQueen</i> <i>Rayne A. McQueen</i>	Lot 27 Block 1 Adventure Estates	









This was a 1986 attempt to use a loop hole to construct a 4-Plex within our R-1 zoned neighborhood

To City Council of Wasilla Alaska

We Mr. and Mrs. Joseph L. Beckham are representing a group of property owners on Heritage Road. This group is appealing a land use permit issued on 29 April 1986 to Krister Eriksson. This permit is to authorize the construction of a Multi-Family dwelling (4-plex) on Lot 27 Block 1 Adventure Estates. The grounds for this appeal are as follows:

After public meetings and a Wasilla City Council vote on Nov. 25, 1985 Ordinance # 85-54 set aside Heritage Road Lot 17-30 Block 1 and Lots 2-16 Block 2 Adventure Estates for R1 zoning. We feel that this permit is not in the best interest of the neighborhood and does not fall in line with the future plans of this neighborhood.

Well over half of the property owners, and all of the property owners that live in this neighborhood have signed a petition for the zoning of R1. The interest of the community is to preserve the kind of neighborhood that will encourage long time neighbors and create an environment in which we would like to live and raise a family. We feel that a 4-plex on Lot 27 Block 1 will tremendously effect this atmosphere, with higher traffic and higher density.

We feel that the Borough was in error to issuing a permit in this area at this time. Therefore we appeal this permit.

RECEIVED  
Clerk / Treasurer Office

MAY 1 1986

# LAND USE PERMIT

CITY OF WASILLA

**POST IN A CONSPICUOUS PLACE**

GRID NO. \_\_\_\_\_ DATE ISSUED 4-29-86 FEE PAID 100.00

**PERMIT**  
No. **334**

1. PROPERTY OWNER KRISTER ERIKSSON PHONE 376-6419

2. MAILING ADDRESS S.R.A. 3267

3. BUILDING CONTRACTOR \_\_\_\_\_

4. LEGAL DESCRIPTION OF PROPERTY 27 LOT 1 BLOCK Adventure Estates SUBDIVISION

5. STREET ADDRESS 1701 Challenge CRT

6. DESCRIPTION OF WORK  NEW  ALTERATION  ADDITION  OTHER \_\_\_\_\_

7. USE OF NEW STRUCTURE

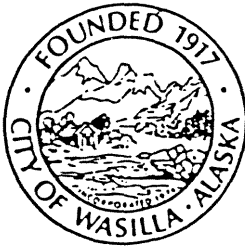
- A. Residential:  Single-Family  Two-Family  Multi-Family  
 Accessory Building
- B. Commercial:  Retail-Wholesale  Office-Professional  
 Combination  Other \_\_\_\_\_
- C. Industrial:  Manufacturing  Storage  Processing
- D. Other: \_\_\_\_\_

I hereby affirm that the above information and that submitted in application for this permit is true and correct to the best of my knowledge. I understand that this permit is issued on the basis of that information and is subject to compliance with all pertinent codes and ordinances of the City of Wasilla, and does not constitute an implied or expressed waiver of any more restrictive law, plat, note or covenant applicable to the property.

THIS PERMIT EXPIRES 905 YEAR FROM DATE OF ISSUE UNLESS CONSTRUCTION AS DEFINED IN THE LAND USE ORDINANCE HAS BEGUN.

[Signature]  
SIGNATURE OF APPLICANT

[Signature]  
SIGNATURE OF ADMINISTRATIVE OFFICIAL



# CITY OF WASILLA

290 E. HERNING AVE.  
WASILLA, ALASKA 99687  
PHONE: 378-5227

## FINDINGS, CONCLUSIONS, AND ORDER OF THE WASILLA CITY COUNCIL, SITTING AS A BOARD OF ADJUSTMENT AND APPEALS

This is an appeal by JOSEPH and PATRICIA BECKHAM of a grant of a building permit to KRISTER ERICKSON for the construction of a four-plex on Lot 27, Block 1, Adventure Estates Subdivision.

The Wasilla City Council, sitting as the Board of Adjustment heard arguments, and considered the record of the matter at a regularly scheduled hearing on July 14, 1986, and have made the following Findings and Conclusions.

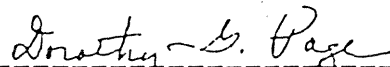
### A. FINDINGS.

1. The City Staff issued a permit on April 29, 1986, for Krister Erickson to build a four-plex on Lot 27, Block 1, Adventure Estates.
2. Lot 27, Block 1, is located in what was an Intermediate Use District, under the former MSB 17.44.
3. The Council finds that the City Staff erred in granting the permit. The staff, in issuing the permit failed to properly recognize a significant negative impact on the community, in that it did not consider the impact of the multifamily sewer and water systems, given the soil drainage characteristic of the area.
4. The Council finds that the use for which the permit was issued will have a significantly greater negative effect on the community than that which would occur from development allowed without issuance of a permit.

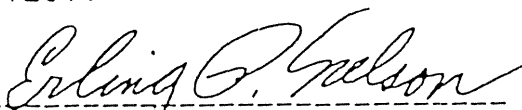
### B. CONCLUSIONS AND ORDER.

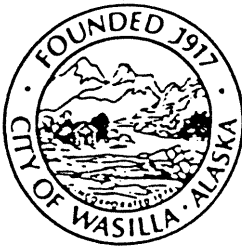
The City Council, sitting as a Board of Adjustment, concludes that the appeal of JOSEPH and PATRICIA BECKHAM is allowed, and the issuance of the permit should be revoked, and the City Council does so order.

DATED: July 30, 1986

  
-----  
DOROTHY G. PAGE, Mayor

ATTEST:

  
-----  
ERLING P. NELSON, CMC  
City Clerk



## CITY OF WASILLA

290 E. HERNING AVE.  
WASILLA, ALASKA 99687  
PHONE: 376-5227

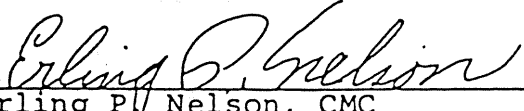
July 31, 1986

Mr. Krister Eriksson  
SRA 3267  
Wasilla, AK 99687

Dear Sir:

The final decision of the Beckham Appeal, Lot 27, Block 1, Adventure Estates was formally approved July 30, 1986. Any further action allowed under MSB 15.38 commences this date.

Sincerely,

  
\_\_\_\_\_  
Erling P. Nelson, CMC  
City Clerk

mdh

CC: Mr. & Mrs. Joseph Beckham  
Law Offices of Danny W. Burton  
Marvin H. Clark, Jr., Attorney at Law  
Cecil Blanton, Mat-Su Borough

# CITY OF WASILLA

P.O. BOX 870430  
WASILLA, ALASKA 99687-0430

Date 5-5 1986

Received of: Patricia Beckham

Item	Description	A/C No.	Amt. Paid
MISC.	Copy Income	341.1	\$
	Administration	341.3	
	Maps	341.5	
	Cemetery	347.2	
	Donations	367.1	
	Plans & Specs.	377.01	
FINES AND RENTALS	City Hall Rental	347.1	
	Library Copy Income	341.15	
	Lost Book/Fines	351.2	
STREET ASSESSMENTS DISTRICT No. _____	Prepayment	363.2	
	Principal	363.1	
	Interest	361.2	
	Penalty	361.3	
LICENSES AND PERMITS <i>Permit Appeal</i>	City Business	321.0	
	Taxicab	322.1	
	Land Use	322.2	<u>100.-</u>
	Utility	322.5	
	Animal	322.7	
	Driveway	322.8	
OTHER			

CASH \_\_\_\_\_ TOTAL \$ 100.-  
 No. 14616 CHECK # 1590 BY M. H.

*Plus over \$800.00 in attorney fees.*



CITY OF WASILLA

290 E. HERNING AVE.
WASILLA, ALASKA 99654-7091
PHONE: (907) 373-9050
FAX: (907) 373-9035

RECEIVED

MAY 13 1997

NOTICE OF PUBLIC HEARING TO CONSIDER A REZONE PETITION Planning Department

The Wasilla Planning Commission will consider the following petition in a Public Hearing, at a regular meeting of the Wasilla Planning Commission:

Date: May 2, 1997

Case: #R97-48

Initiated by: City of Wasilla

Request: A request to investigate the possible rezone of Lots 14,15, & 16, Block 1 and Lot 1, Block 3, Adventure Estates, from RR—Rural Residential to R2-Residential, and Lots 2 & 3, Block 3, Adventure Estates, from R1—Single-family Residential to R2—Residential. Generally located at the intersection of Lucille St. and Heritage Rd. (This request is intended to address six non-conforming multifamily residential developments. Nonconforming uses are subject to termination if the structure is destroyed by more than 65% of the assessed value at the time of destruction.)

Location: 1600,1632,1666, <sup>Lucille</sup> Lucas Road and 100, 124, 150, Heritage Road

Comments may be submitted in writing by filling in the spaces provided below and mailing this notice to the return address indicated. Your written comments on this project must reach the Wasilla Planning Office before May 14, 1997, in order to be included in the meeting packet. A Public Hearing will be held on May 20, 1997. This meeting will begin at 7:00 p.m., in the City of Wasilla Council Chambers. Public Testimony will be taken at the meeting in addition to written comments that are submitted after May 14th, but before the Public Hearing takes place.

City of Wasilla
Planning Office
290 East Herning Avenue
Wasilla AK 99654

907-373-9094
907-373-9092 FAX

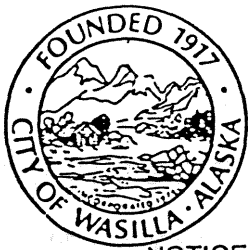
If there is not enough room below, please use separate sheets and include them with this form

Name David & Brenda Buenafé
Address 274 Heritage Drive
Lot 8 Block 2 Subdivision Adventure Estates

For more information on this Rezone contact the Planning Office at (907) 373-9094, 3 - 5 Monday thru Friday.

Comments: I have live here for several years. Upon the years here from the lots mentioned: lots 14, 15, 16 which are referenced as 1600, 1632, 1666 on Lucas which should be Lucille Rd and lots 100, 124, 150 Heritage Rd we have experienced ATV's, Dirt Bikes all hours of the day and night racing up and down Heritage Rd and partying all hours of the day + night on a vacant lot. This has kept us up making numerous calls to the police due to the disturbance in the area. Evidence has shown many of these off the road vehicles come from these referenced lots. We do not wish that zoning be changed unless it is going to be R-1 Residential throughout the subdivision. We oppose this request.





CITY OF WASILLA

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

RECEIVED

MAY 14 1997

Planning Department

NOTICE OF PUBLIC HEARING TO CONSIDER A REZONE PETITION

The Wasilla Planning Commission will consider the following petition in a Public Hearing, at a regular meeting of the Wasilla Planning Commission:

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City of Wasilla  
Planning Office  
290 East Herning Avenue  
Wasilla AK 99654

907-373-9094  
907-373-9092 FAX

If there is not enough room below, please use separate sheets and include them with this form

Name Harold & Linda Montgomery  
Address 275 Crestwood Ave  
Lot 7 Block 1 Subdivision Pinecrest

For more information on this Rezone contact the Planning Office at (907) 373-9094, 8 - 5 Monday thru Friday.

Comments: We purchased in a single family neighborhood and we feel it is wrong to change the zoning. Money paid out was for what we received. Not for changed zoning. Our land & home values will go down. This is not what we paid for!

Traffic will increase! Speeds are already NOT ENFORCED!  
The majority is single! R-1!



CITY OF WASILLA

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

RECEIVED

MAY 14 1997

NOTICE OF PUBLIC HEARING TO CONSIDER A REZONE PETITION

Planning Department

The Wasilla Planning Commission will consider the following petition in a Public Hearing, at a regular meeting of the Wasilla Planning Commission:

Date: May 2, 1997

Case: #R97-48

Initiated by: City of Wasilla

Request: A request to investigate the possible rezone of Lots 14, 15, & 16, Block 1 and Lot 1, Block 3, Adventure Estates, from RR-Rural Residential to R2-Residential, and Lots 2 & 3, Block 3, Adventure Estates, from R1-Single-family Residential to R2-Residential. Generally located at the intersection of Lucille St. and Heritage Rd. (This request is intended to address six non-conforming multifamily residential developments. Nonconforming uses are subject to termination if the structure is destroyed by more than 65% of the assessed value at the time of destruction.)

Location: 1600, 1632, 1666, Lucus Road and 100, 124, 150, Heritage Road

Comments may be submitted in writing by filling in the spaces provided below and mailing this notice to the return address indicated. Your written comments on this project must reach the Wasilla Planning Office before May 14, 1997, in order to be included in the meeting packet. A Public Hearing will be held on May 20, 1997. This meeting will begin at 7:00 p.m., in the City of Wasilla Council Chambers. Public Testimony will be taken at the meeting in addition to written comments that are submitted after May 14th, but before the Public Hearing takes place.

City of Wasilla
Planning Office
290 East Herning Avenue
Wasilla AK 99654

907-373-9094
907-373-9092 FAX

If there is not enough room below, please use separate sheets and include them with this form

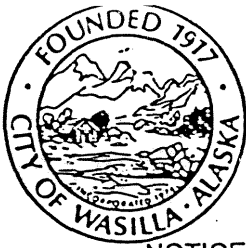
Name HARVEY W. DOROTHY J. HAMILTON
Address 251 CRESTWOOD AVE.
Lot 6 Block 1 Subdivision PINECREST

For more information on this Rezone contact the Planning Office at (907) 373-9094, 8 - 5 Monday thru Friday.

Comments: We object to the rezoning plan for lots 14, 15, & 16 Block 1 and Lot 1, Block 3, Adventure Estates, as well as for lots 2 & 3, Block 3, Adventure Estates as proposed in the Notice of Public Hearing case #R97-48 dated May 2, 1997. In the interest of consistency with the surrounding property west of Lucille Road, lots 2 & 3, Block 3 should remain R1-Single-Family Residential, and lots 14, 15 & 16, Block 1 and Lot 1, Block 3 should be rezoned from RR-Rural Residential to R1-Single-Family Residential. Again, all properties adjoining the 6 lots in question are zoned R1-Single-Family Residential according to the map displayed in the City of Wasilla Planning Office. We feel it is the duty of the City to seek & uphold consistency in the zoning of individual properties with the zoning of the majority of the properties in the vicinity.

VICINITY MAP ON REVERSE SIDE

Dorothy J. Hamilton
for Harvey W. & Dorothy J. Hamilton



**CITY OF WASILLA**

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

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Planning Department

**NOTICE OF PUBLIC HEARING TO CONSIDER A REZONE PETITION**

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Request: A request to investigate the possible rezone of Lots 14,15, & 16, Block 1 and Lot 1, Block 3, Adventure Estates, from RR—Rural Residential to R2-Residential, and Lots 2 & 3, Block 3, Adventure Estates, from R1—Single-family Residential to R2—Residential. Generally located at the intersection of Lucille St. and Heritage Rd. (This request is intended to address six non-conforming multifamily residential developments. Nonconforming uses are subject to termination if the structure is destroyed by more than 65% of the assessed value at the time of destruction.)

Location: 1600,1632,1666, Lucus Road and 100, 124, 150, Heritage Road

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City of Wasilla  
Planning Office  
290 East Herning Avenue  
Wasilla AK 99654

907-373-9094  
907-373-9092 FAX

If there is not enough room below, please use separate sheets and include them with this form

Name Michael R. Lutes and KENNA L. Lutes  
Address 225 Crestwood  
Lot 5 Block 1 Subdivision Pine crest

For more information on this Rezone contact the Planning Office at (907) 373-9094, 8 - 5 Monday thru Friday.

Comments:

See Attached

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MAY 14 1997

Planning Department

5/12/97

Sirs:

We object to the rezoning plan for Lots 14, 15, 16 - Block 1 and Lot 1, Block 3, Adventure Estates, as well as for Lot 283, Block 3, Adventure Estates as proposed in the Notice of Public Hearing case # R97-48 dated 5/2/97.

In the interest of consistency with the surrounding property west of Lucille Road, Lots 283, Block 3 should remain R1 - Single Family Residential, and Lots 14, 15 & 16, Block 1 and Lot 1, Block 3 should be rezoned from RR - Rural Residential to R1, Single Family Residential. Again, all properties adjoining the 6 lots in question are zoned R1 - Single Family Residential according to the map displayed in the City of Wasilla Planning office. - We feel it is the duty of the City to seek and uphold consistency in the zoning of individual properties with the zoning of the majority of the properties in the vicinity.

Mike Lutes

MIKE & KENNA LUTES  
225 Crestwood  
Wasilla, AK 99654



CITY OF WASILLA

290 E. HERNING AVE.

WASILLA, ALASKA 99654-7091

PHONE: (907) 373-9050

FAX: (907) 373-9085

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CITY OF WASILLA

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Date: May 2, 1997

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Case: #R97-48

Initiated by: City of Wasilla

Planning Department

Request: A request to investigate the possible rezone of Lots 14,15, & 16, Block 1 and Lot 1, Block 3, Adventure Estates, from RR—Rural Residential to R2-Residential, and Lots 2 & 3, Block 3, Adventure Estates, from R1—Single-family Residential to R2—Residential. Generally located at the intersection of Lucille St. and Heritage Rd. (This request is intended to address six non-conforming multifamily residential developments. Nonconforming uses are subject to termination if the structure is destroyed by more than 65% of the assessed value at the time of destruction.)

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Wasilla AK 99654

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907-373-9092 FAX

If there is not enough room below, please use separate sheets and include them with this form

Name Katherine J. Moor 1632 Trail Ct.
Address PO Box 871954, Wasilla
Lot 23 Block I Subdivision Adventure Estates

For more information on this Rezone contact the Planning Office at (907) 373-9094, 8 - 5 Monday thru Friday.

Comments: I have no objections to rezoning those lots along Lucille Street Lots 14, 15, and 16. Also, I believe they are in Block 2. There is no objection to 243.

However I would object to any additional lots being included in this ordinance. 2 lots are vacant and 2 lots have 4 plex's on them. I do object to multi family building being built on lots 4, 6 or 8 along Heritage Road or 17, 18, 19 or 20 along Rail Court. We already have enough at-w's & septic systems in this area. Our soil will soon be saturated with human waste.

We already have 8 4-plex's in a small area.

VICINITY MAP ON REVERSE SIDE

**Allstate Insurance Company**

Market Claim Office  
7033 E Tudor Rd  
Anchorage AK 99507  
Bus: 907-338-7750

**Allstate**  
You're in good hands.

In reply, please refer to

City of Wasilla  
280 E. Heming Ave.  
Wasilla, AK 99654

RECEIVED

MAY 14 1997

Planning Department

Re: Ken & Judy Rivard  
Case R97-48  
Lot 16, Block 1, Adventure Estates  
Request for Rezone :

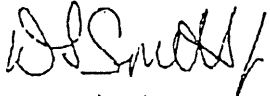
Gentlemen:

This letter is in reference to the above property wherein the owner has applied for re-zoning the above property from RR to R2-Residential.

Please be advised that we support the Rezone Petition as outlined in the request. We believe the changes as proposed would not adversely affect the surrounding properties and the current zoning would place an undue economic hardship on the property owners and would restrict the ability of the owners to repay current obligations to mortgage institutions if the properties were not brought back to their original condition and use.

Please consider the above in your next scheduled meeting of the Wasilla Planning Commission.

Regards,



D.L. Smith Jr.  
Senior Staff Claim Representative