

SUBJECT: Adventure Estates Subdivision - Rezone Time Line.

REQUESTED BY: Wasilla City Council

PREPARED BY: Clerk/Planning *G*

DATE: September 9, 1998

FOR AGENDA OF: September 14, 1998

SUMMARY:

The clerk's office and the planning department have worked together to research the Adventure Estates Subdivision rezone issue. The following time line is presented for your information:

- In 1983 the City of Wasilla adopted WMC 16.43, Wasilla Development Code, Land Use. The land use designation for Lots 14, 15 and 16, Block 1 and Lots 1, 2 and 3, Block 2, Adventure Estates Subdivision was I—Intermediate, which allowed multi family structures to be constructed.
- In 1985, permit no. 264 was issued allowing the construction of a multifamily residential dwelling on **Lot 2, Block 2**, Adventure Estates Subdivision. That same year, permit no. 297 was issued allowing the construction of a multifamily residential dwelling on **Lot 3, Block 2**, Adventure Estates Subdivision. At that time both lots were zoned I—Intermediate, which allowed for the multifamily use.
- September 1985, the residents of Adventure Estates petitioned the city to rezone Lots 2 and 3, Block 2, from I—Intermediate to R1-Single Family, several other lots were included in this rezone request. *Lots 14, 15, and 16, Block 1 and Lot 1, Block 2, were not included in this request, and remained I—Intermediate.
- November 25, 1985, the council adopted Ordinance Serial No. 85-54, which rezoned Lots 2 and 3, Block 2, from I—Intermediate to R-1 Single Family, several other lots were also included in this rezone. Because multi family dwellings units existed on Lots 2 and 3, Block 2, the adoption of Ordinance Serial No. 85-54 created a **"legally non-conforming use."**
- August 1996 the revised development code was adopted and the designation of **Lots 14, 15, and 16, Block 1, Lot 1, Block 2**, Adventure Estates Subdivision were changed from I—Intermediate to RR—Rural Residential.
- April 4, 1997, the structure on Lot 16, Block 1, Adventure Estates Subdivision burned. As a result of the fire, the property owner contacted the city to inquire about the reconstruction of the damaged property.

- April 7, 1997, a request was made to investigate rezoning Lots 14, 15 and 16, Block 1 and Lot 1 Block 2, Adventure Estates from RR—Rural Residential to R-2—Residential and Lots 2 and 3, Block 2, Adventure Estates from R—1 Single Family Residential to R2—Residential. R-2 Residential allows for the development of multifamily dwelling units. After reviewing the case, the Planning Commission adopted Resolution Serial No. 97-21, which only supported the rezone of Lots 14, 15 and 16, Block 1 and Lot 1, Block 2. *Lots 2 and 3, Block 2 were not included.
- May 20, 1997, the Wasilla Planning Commission adopted Resolution Serial No. 97-21, rezoning **Lots 14, 15 and 16, Block 1 and Lot 1, Block 2**, Adventure Estates Subdivision from **RR-Rural Residential to R-2-Residential**.
- May 28, 1997, Ordinance Serial No. 97-35 was introduced and set for public hearing on June 9, 1997. The ordinance was originally introduced requesting that the council rezone **Lots 14, 15 and 16, Block 1 and Lot 1, Block 2**, Adventure Estates Subdivision from **R-R Rural Residential to R-2 Residential**.
- June 9, 1997, a public hearing was held on Ordinance Serial No. 97-35. The ordinance requested that the council rezone **Lots 14, 15 and 16, Block 1 and Lot 1, Block 2**, Adventure Estates Subdivision from **R-R Rural Residential to R-2 Residential**, no one testified to the issue.
- June 23, 1997, the council adopted Ordinance Serial No. 97-35, however an amendment was made and adopted which added Lots 2 and 3, Block 2 to the rezone request. As a result of the amendment, Ordinance Serial No. 97-35 was adopted rezoning **Lots 14, 15 and 16, Block 1 and Lot 1, Block 2 from R-R Rural Residential to R-2 Residential and Lots 2 and 3, Block 2 Adventure Estates Subdivision from R-1 Single Family to R-2 Residential**. The residents of Adventure Estates Subdivision did not have an opportunity to testify to the amendment.

FISCAL IMPACT: No Yes, amount requested: \$

Fund:

RECOMMENDED ACTION: Consideration of Ordinance Serial No. 98-48.

MAYOR REVIEW/COMMENT:



Reviewed by: SARAH PALIN, Mayor

Attachments: None