

**CITY OF WASILLA
ORDINANCE SERIAL NO. 00-63**

AN ORDINANCE OF THE CITY OF WASILLA, ALASKA, AMENDING THE OFFICIAL ZONING MAP OF WASILLA IN ACCORDANCE WITH WMC 16.43.512 (REZONING) OF THE WASILLA DEVELOPMENT CODE, TO REZONE TRACT 3C, FRED NELSON SUBDIVISION FROM RR—RURAL RESIDENTIAL TO RM—RESIDENTIAL MULTIFAMILY.

WHEREAS, a petition request to rezone land from RR - Rural Residential to RM – Residential Multifamily was investigated by the City Planner and reviewed by the Wasilla Planning Commission (WPC) at public meeting on November 14, 2000; and

WHEREAS, a duly advertised public hearing was held on November 14, 2000, with public hearing notices mailed to surrounding land owners (51) within 1200 feet 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, this decision on WPC Resolution No. 00-30 , recommendation to the Wasilla City Council, a rezone of Tract 3C, Fred Nelson Subdivision from RR—Rural Residential to RM Residential Multifamily was favored by three Wasilla Planning Commissioners and opposed by one Wasilla Planning Commissioner; and

WHEREAS, the Wasilla City Council acknowledges the following finding of facts:

1. The combination of lots 1 and 2 are in excess of the two-acre minimum area requirement for a rezone.
2. The uses permitted in the RM—Residential Multifamily zoning district, are compatible with the historical and present day use of many neighboring parcels. The former I—Intermediate development district allowed a wide range of multifamily uses prior to the general community wide rezone that occurred on August 12, 1996.
3. No nonconforming uses or structures will be created by the proposed change in zoning districts.
4. The zoning proposed for the subdivision is consistent with the designation of the area for generally residential development in the area, as set forth in the provisional 1996 Wasilla Comprehensive Plan.
5. An increase in traffic potential is not anticipated from the approval of this rezone request, however, this is consistent with the historical zoning of this property prior to August 12, 1996, when it was located in the former I—Intermediate development district.
6. A majority of all RM--Residential Multifamily zoning districts are already developed and a need exists for more RM—Residential Multifamily zoning districts.
7. Tract 3C of Fred Nelson is suited for multifamily residential development because it adjoins commercial, located in a moderate noise level area because it is over

3000 feet from the railroad and not adjacent to a road with a average daily traffic count of 20,000 plus vehicles.

8. In accordance with Wasilla Municipal Code 16.43.512(4) adequate services are available and the developer has indicated in their October 16, 2000 letter that they will pay to bring city water and sewer lines to the property.

BE IT ENACTED BY THE CITY OF WASILLA, ALASKA:

Section 1. Classification. This is a non-code ordinance.

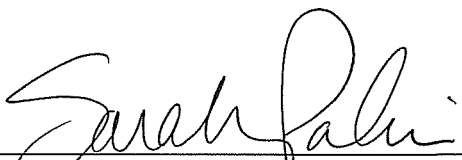
Section 2. Purpose. To amend the Official Zoning Map of Wasilla by rezoning Tract 3C, Fred Nelson Subdivision from RR—Rural Residential to RM—Residential Multifamily.

Section 3. Enactment. The Official Zoning Map, adopted August 12, 1996, is hereby amended to rezone Tract 3C, Fred Nelson Subdivision from RR—Rural Residential to RM—Residential Multifamily.

Section 4. Effective date. This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on December 11, 2000.

ATTEST:



SARAH PALIN, Mayor



KRISTIE L. VANGORDER, CMC
City Clerk

[SEAL]

SUBJECT: REQUEST TO REZONE TRACT 3C, FRED NELSON SUBDIVISION FROM RR—RURAL RESIDENTIAL TO RM—RESIDENTIAL MULTIFAMILY.

REQUESTED BY: Wasilla Planning Office

PREPARED BY: Tim Krug, City Planner

DATE: November 17, 2000

FOR AGENDA OF: November 27, 2000

SUMMARY:

The Wasilla Planning Commission (WPC) moved to approve WPC Resolution No. 00-30, a resolution supporting the rezoning petition. The motion on the resolution was favored with 3 votes to 1 vote opposed.

Pursuant to Wasilla Municipal Code §16.43.512(A)(5) 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. The status of the commission's recommendation is that it is deadlocked with a recommendation, because the four seats voting on the resolution did not unanimously concur with the rezone.

At the meeting five people from Pinecrest Subdivision were present and expressed their opposition to the rezone request. It appears their primary concern was if Tract 3-C was rezoned it could be used as a finding for the support of a future rezone for Tract B1 Shadowood Valley Unit 2 (the large parcel south of Pinecrest Subdivision, directly across Lucille Street from the proposed site). Should Shadowood Valley Unit 2 be rezoned completely as multi-family they could end up with high density housing in their backyards.


As of November 17, 2000 no adjacent properties to Tract 3-C have indicated any opposition.

FISCAL IMPACT: No Yes, amount requested: . Fund:

RECOMMENDED ACTION:

Schedule proposed Ordinance Serial No. 00-63 for public hearing on December 11, 2000.

MAYOR REVIEW/COMMENT:


Reviewed by: Sarah Palin, Mayor

Attachments: Tract 3C, Fred Nelson Subdivision Information from Land Use File
Ordinance Serial No. 00-63

Presented with: Ord 00-63
Date: 12/11/2000 Verified by: JK