

**CITY OF WASILLA
ORDINANCE SERIAL NO. 02-48**

AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WASILLA TO REFLECT A CHANGE IN ZONE FOR CENTER POINT SUBDIVISION FROM RR—RURAL RESIDENTIAL DISTRICT TO R2 – RESIDENTIAL DISTRICT PURSUANT TO WMC 16.16.070, REZONING.

WHEREAS, a petition to rezone the entire Center Point Subdivision from RR – Rural Residential to R2 – Residential was investigated by the City Planner and reviewed by the Wasilla Planning Commission (WPC) at a public meeting held July 9, 2002; and

WHEREAS, a duly advertised public hearing was held, with public hearing notices mailed to surrounding property owners within 1200 feet as well as review agencies and Planning Commissioners prior to the public hearing in accordance with WMC 16.16.040; and

WHEREAS, the WPC deliberated on the request, taking into account the recommendations of staff, written testimony, the applicable provisions of the 1996 Wasilla Comprehensive Plan, and other pertinent codes and information; and

WHEREAS, no public or agency objections were received; and

WHEREAS, WPC Resolution No. 02-22, a rezone of Center Point Subdivision from RR—Rural Residential to R2—Residential, was passed unanimously.


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

Section 2. Purpose. To amend the Official Zoning Map of Wasilla by rezoning Center Point Subdivision Replat from a RR-Rural Residential District to R2—Residential District.

Section 3. Enactment. The Official Zoning Map, adopted August 12, 1996, last revised April 22, 2002 is hereby further amended to rezone Center Point Subdivision in its entirety from RR—Rural Residential to R2--Residential.

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

ADOPTED by the Wasilla City Council on August 12, 2002.



SARAH PALIN, Mayor

ATTEST:




KRISTIE L. SMITHERS, CMC
City Clerk

[SEAL]



CITY OF WASILLA

**290 E. HERNING AVE.
WASILLA, AK 99654-7091
PHONE: (907) 373-9090
FAX: (907) 373-9092**

TO: Wasilla City Council
THRU: Mayor Sarah Palin
FROM: Tim Krug, City Planner 
DATE: July 12, 2002
SUBJECT: Ordinance Serial No. 02-48

SUMMARY:

This ordinance is being brought to the City Council with full approval from the Planning Commission in compliance with WMC 16.16.040. The rezoning of Center Point Subdivision from RR—*Rural Residential District* to R2—*Residential District* will facilitate greater use of the lots allowing for single family dwellings as well as twin homes. The lot owners support this rezone and no objections were received as a result of the mail out to adjacent property owners within a 1200' radius. No agency objections were received.

FISCAL IMPACT: None
Account No.:

RECOMMENDED ACTION:

Council is requested to adopt Ordinance Serial No. 02-48, amending the official zoning map of the City of Wasilla to reflect a change in zone for Center Point Subdivision from RR – Rural Residential to R2 – Residential pursuant to WMC 16.16.070.

ATTACHMENTS:

- Wasilla Planning Commission Resolution No. 02-22
- Application packet
- Vicinity Map
- Comments From Agencies
- Public Comments

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 02-22**

**A RESOLUTION OF THE WASILLA PLANNING COMMISSION 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 DISTRICT FOR CENTER POINT
SUBDIVISION.**

WHEREAS, a petition request to rezone land from RR - Rural Residential to R2—Residential was investigated by the City Planner and reviewed by the Wasilla Planning Commission (WPC) at public meetings on July 9, 2002; and,

WHEREAS, a duly advertised public hearing was held on July 9, 2002, with public hearing notices mailed to surrounding land owners within 1200' 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 R02-054 (Rezone), a petition request to rezone the entire Center Point Subdivision, from RR—Rural Residential to R2—Residential; and

BE IT FURTHER RESOLVED, that the Wasilla Planning Commission recommends to the Wasilla City Council that the Planned Unit Development may continue in the subdivision as allowed by Conditional Use Permit C98-40; and

BE IT FURTHER RESOLVED, that new development will be allowed accordingly with the Wasilla Municipal Code Section 16.20.020, District Use Chart, and

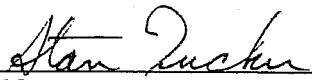
BE IT FURTHER RESOLVED, the Wasilla Planning Commission recommends approval of this request and supports its recommendation with the following findings of fact:

1. Center Point Subdivision is in excess of the 2-acre minimum area required for a rezone.
2. The uses permitted is in the R2—Residential zoning district, are compatible with the historical and present day use of the subdivision.
3. No nonconforming uses or structures will be created by the proposed change in zoning district. The proposed rezone is consistent with the future land use map designating the area as a Mixed Use Area, adjacent to a Generally Residential Area as set forth in the provisional 1996 Wasilla Comprehensive Plan.
4. An increase in traffic potential is not anticipated from the approval of this rezone.
5. Several of the lots have been developed and meet the density criteria of one dwelling unit/10,000 square feet of lot area for R2-Residential.
6. This rezone request will also allow duplexes on lots over 20,000 square feet.

7. All uses will be required to obtain a land use permit from the Wasilla Planning Office.

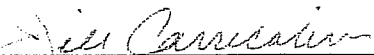
8. Currently a shortage of R-2—Residential districts exist within the City.

ADOPTED by the Wasilla Planning Commission on July 9, 2002.



STAN TUCKER, Chairman

ATTEST:



JILL CARRICABURU
Planning Clerk

[SEAL]



CITY OF WASILLA PLANNING OFFICE
290 E HERNING AVE
WASILLA AK 99654
TEL. (907) 373-9094 FAX (907) 373-9089

CASE NO. R 02 - 054

LAND USE PERMIT

Property Owner () Designee () Center Point Subdivision Homeowners Association

Mailing Address P.O. Box 870231 Wasilla AK 99687 Tel. # Daytime: 376-2034 Evening: _____

Legal Description: Lots _____ Blk _____ Sub _____ Development District: _____

Request to re-zone all lots in Center Point Subdivision Replat 01-37 from RR to R2

***** FOR PLANNING OFFICE USE *****

Minimum setback requirements: Front _____ Rear _____ Side _____

Number of parking spaces required: _____ Paving required? Yes () No () Waiver attached ()

Snow/Trash area _____ Maximum building height: _____ Lighting _____ (1 per 25 parking spaces)

Conditions of approval? No [] Yes [] (Listed on the backside of this page.)

***** SPECIAL NOTES FOR APPLICANT *****

- 1) Permit approvals are valid only during developers compliance with Title 16.04 of the Wasilla Development Code and the terms and conditions of approval.
- 2) This permit will expire automatically twelve months after issuance if no significant construction, activity, or occupancy has commenced.
- 3) A land use permit does not relieve the applicant from the responsibility for compliance with any other required local, state or federal review of permits for the proposed project. The developer should be aware of the following advisory information provided by the Mat-Su Borough (MSB) Code Compliance division:
 - a. The project or action must comply with all rules applicable to special land use districts or geographic areas affected, including but not limited to, MSB Titles 15, 16 and 17.
 - b. The project or action must comply with rules applicable to the affected uses, activities, habitats and resources, including but not limited to, the requirements of the Alaska Department of Natural Resources, Department of Environmental Conservation, Department of Fish and Game, US Army Corps of Engineers and the US Environmental Protection Agency.
- 4) The applicant is advised to check with the MSB Code Compliance Division (907) 745-9853, to determine if the development site is within a federally designated Flood Hazard Area. A separate permit is required in all areas designated as Zone A.

Any aggrieved person, including the developer, may file an appeal of the Planner's decision on any permit with the Planning Office. The appeal must be filed within five (5) working days of the decision in writing with a clear description of the appealed decision(s) and a \$100 filing fee.

Applicant Certification:

I hereby certify that I will comply with the provisions of the City of Wasilla Land Use Code and that I have the authority to certify this as the property owner or designee of the property owner.

Owner (X) Designee (X): Randy L. Hamann, Pres HEI CPS HOA & Lot owner Date: 6-13-05

Planning Office by/title: _____ Date: _____

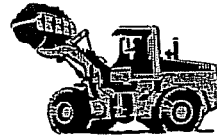


Harman Excavating, Inc.

Randy L. Harman, *President*

550 W. Fallen Leaf Circle

Wasilla, AK 99654



June 17, 2002

RECEIVED

JUN 17 2002

**PLANNING OFFICE
CITY OF WASILLA**

City of Wasilla Planning Commission
Attention: Tim Krug
290 E. Hering Avenue
Wasilla, AK 99654

RE: Rezone of Center Point Subdivision Replat #01-37 from RR to R2

Dear Tim:

This letter is an attempt to supply additional information you requested to comply with Title 16, Land Development Code.

16.16.070 Rezoning

1. Letter C, Procedures:
This project has been through the conditional use procedure several times already so we believe we are in compliance with Section 16.16.040. If specific additional information is needed please let us know so we can provide it to you.
2. Letter D, Criteria:
 - 1) Neighborhood plan: I have met with or spoken with every property owner in our subdivision and none are opposed to the re-zone to R2 to allow single family detached on the re-plated lots.
 - 2) The proposed re-zoning substantially complies with Section 16.16.050 because we've already been through this approval process and we are not changing the number of units, only the fact that they "may" be detached as well as attached if the buyer prefers.

Page 1 of 2



Harman Excavating, Inc.

Randy L. Harman, *President*

550 W. Fallen Leaf Circle

Wasilla, AK 99654



-
-
- 3) The area has adequate services because we've been approved for this many units already under our previous Replat #01-37. The fact that the units are attached or not does not change the service requirements.
 - 4) The re-plat process took care of those parties issues at that time. If there are other concerns please let us know and we will address them.
 - 5) Currently there is only about three R2 zoned parcels per the City of Wasilla zoning map and most are already developed.
 - 6) The re-zoned area is a logical, integrated area because it is all of this subdivision and not just sporadic lots owned by the developer or builder.
 - 7) The re-zone is in conformance with the city's comprehensive plan because it is in a mixed use area by city map in the 1996 comprehensive plan.

Thank you for your time and consideration on these issues.

Sincerely,

Randy L. Harman

President, Harman Excavating, Inc. and Center Point Subdivision Homeowner's Association



Harman Excavating, Inc.

Randy L. Harman, *President*

550 W. Fallen Leaf Circle

Wasilla, AK 99654



June 14, 2002

City of Wasilla Planning Commission
Attention: Tim Krug
290 E. Herning Avenue
Wasilla, AK 99654

RE: Rezone of Center Point Subdivision Replat #2001-37

Dear Tim:

Per our meeting on May 31, 2002 and our request to also allow single detached houses on the re-plated lots in Center Point Subdivision Replat and your suggestion to re-zone, we submit the following.

Enclosed you will find the necessary paperwork to apply for a re-zone of Center Point Subdivision Replat. All the owners are unanimous in signing the re-zone petition with the exception of Roy and Mary Heidel on Lot 11B, Block 1. The fax to them is attached without signature. They are not opposed or for it at this point because they are not aware of it. As soon as I get ahold of them I will submit their signatures to make it unanimous or at least make sure you are aware of the outcome. They are our retired residents and we are in the process of chasing them down as they travel.

We will change a few items in our CC&R's as the process continues. Specific resident concerns that will be addressed in the CC&R's are:

1. Retain the minimum of 1,200 SF with two car attached garage on this street.
2. No duplexes will be allowed on smaller individual lots, only the zero lot line style already existing and approved with individual lot owner capabilities.
3. Re-stress no mobile homes allowed.

Page 1 of 2

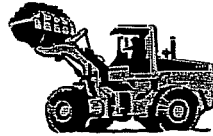


Harman Excavating, Inc.

Randy L. Harman, *President*

550 W. Fallen Leaf Circle

Wasilla, AK 99654



If you have need for further information, please do not hesitate to contact us at the numbers listed below.

P.S.

Roy and Mary Heidel returned my call while I was writing this letter. They are not opposed at this point but want a package of this and all future happenings as the process continues to enable them to make an informed decision.

Thank you,

Randy L. Harman

President, Harman Excavating, Inc. and Center Point Subdivision Homeowner's Association

Enclosures: Signed Petitions of Lot Owners
Area photos of existing multi-use developments

CITY OF WASILLA
APPLICATION TO REZONE

R-_____

CHAPTER 16.43.451-455

APPLICANT:

Name: Center Point Subdivision Homeowner's Association

Mailing Address P.O. Box 870231
Wasilla AK 99687

Phone 376-2034 (Business) 357-6477 (Residence)

Current owner(s) of all land to be rezoned

Name	Address
<u>SEE ATTACHED</u>	_____
_____	_____
_____	_____

PRE-APPLICATION

THE REQUIRED PRE-APPLICATION MEETING WITH STAFF WAS HELD ON 5-31-02

LAND TO BE REZONED

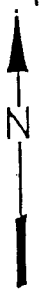
1. LEGAL DESCRIPTION
Center Point Subdivision Replat # 01-37
2. Please include a current zoning map or portion thereof indicating the area to be rezoned and its relationship to adjacent zone districts.
3. Total area (must be at least two acres unless this application constitutes an expansion of an existing zone district or is for an industrial district which must be at least twenty (20) acres in size.)
4. Attach a site plan drawn to scale (as-built surveys are preferable) showing all existing buildings, structures or improvements on the property to be rezoned, including streets, parking areas, sidewalks, signs and utilities - both above and below ground. Also indicate the current use of all buildings. Include principal, natural drainage features such as streams and lakes.
5. Provide 30 copies of all information requested above for use in the required review (the petition of affected owners need accompany only the original application).

CITY OF WASILLA
APPLICATION TO REZONE

Current owner(s) of all land to be rezoned:

Name	Address
<u>Randy L. Harman</u>	<u>550 W. Fallen Leaf Circle, Wasilla, AK</u>
<u>Thomas P. Rolston</u>	<u>PO Box 3434, Palmer, AK</u>
<u>Betty Cook</u>	<u>480 W. Fallen Leaf Circle, Wasilla, AK</u>
<u>Ruth J. Meyer</u>	<u>175 W. Fallen Leaf Circle, Wasilla, AK</u>
<u>Roy & Mary Heidel</u>	<u>230 W. Fallen Leaf Circle, Wasilla, AK</u>
<u>(currently at: 655 Cypress Ave, Panama City, FL 32401)</u>	

LUCILLE LAKE



1" = 750

SUBJECT PARCEL - Phase I

Center Point Sub.
Re-plat # 01-37

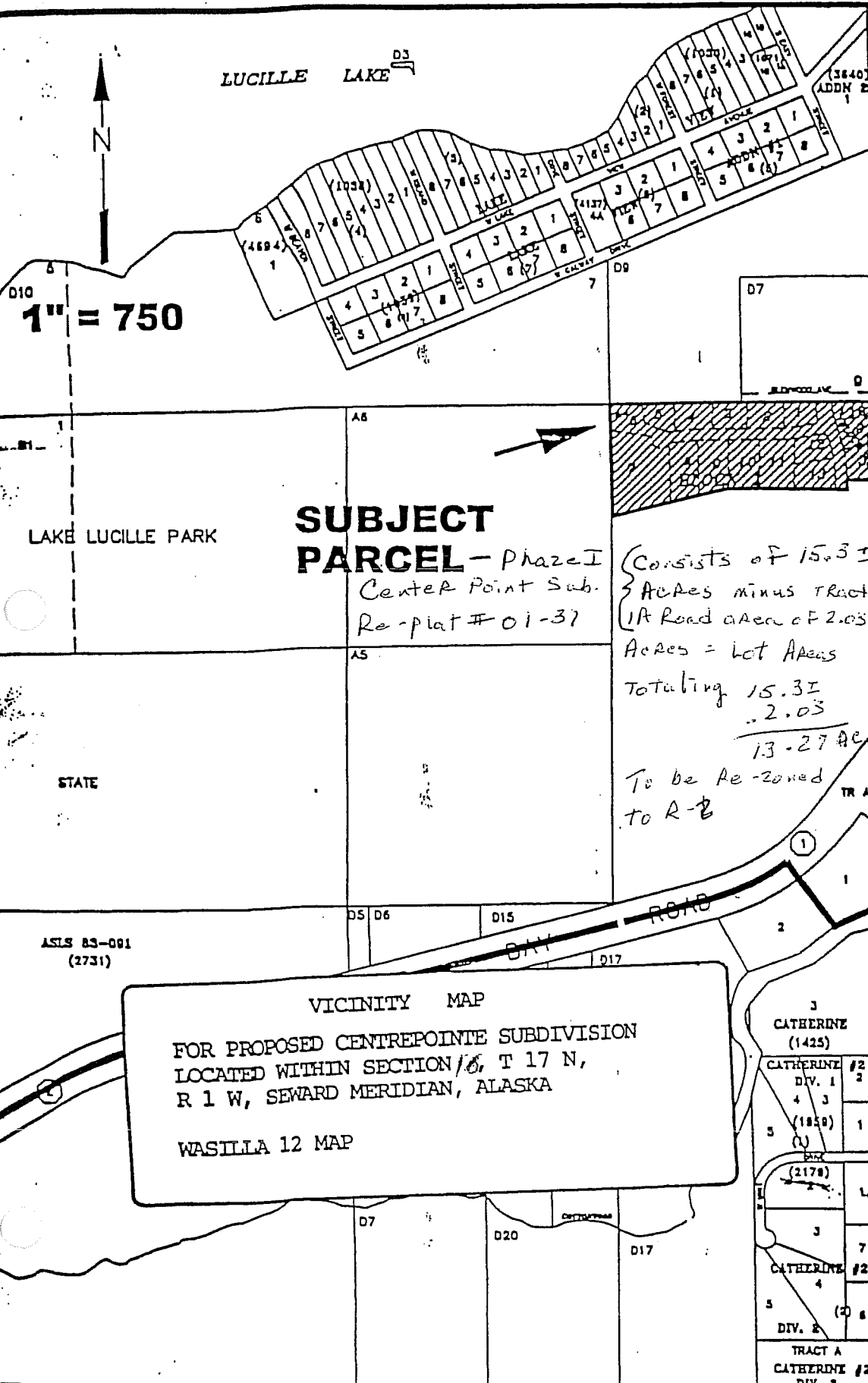
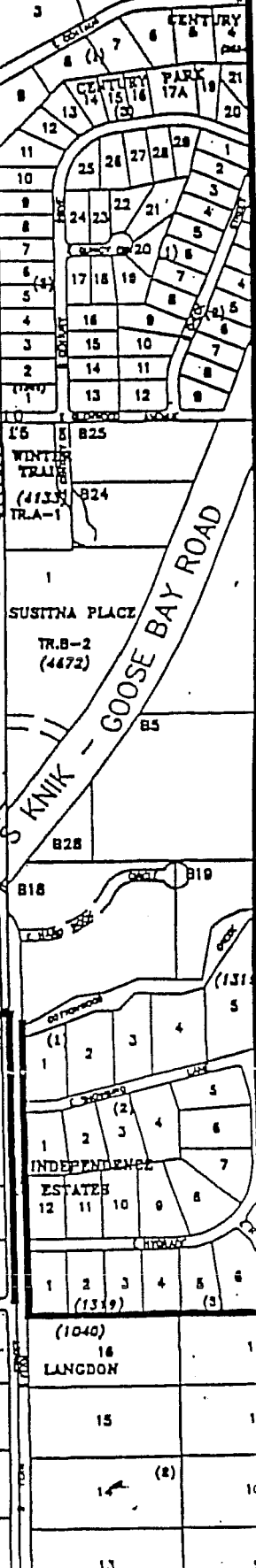
{ Consists of 15.3 ±
Acres minus tract
IA Road area of 2.05
Acres = Lot Areas
Totaling 15.3 ±
- 2.05
13.27 Ac.
To be re-zoned
to R-2

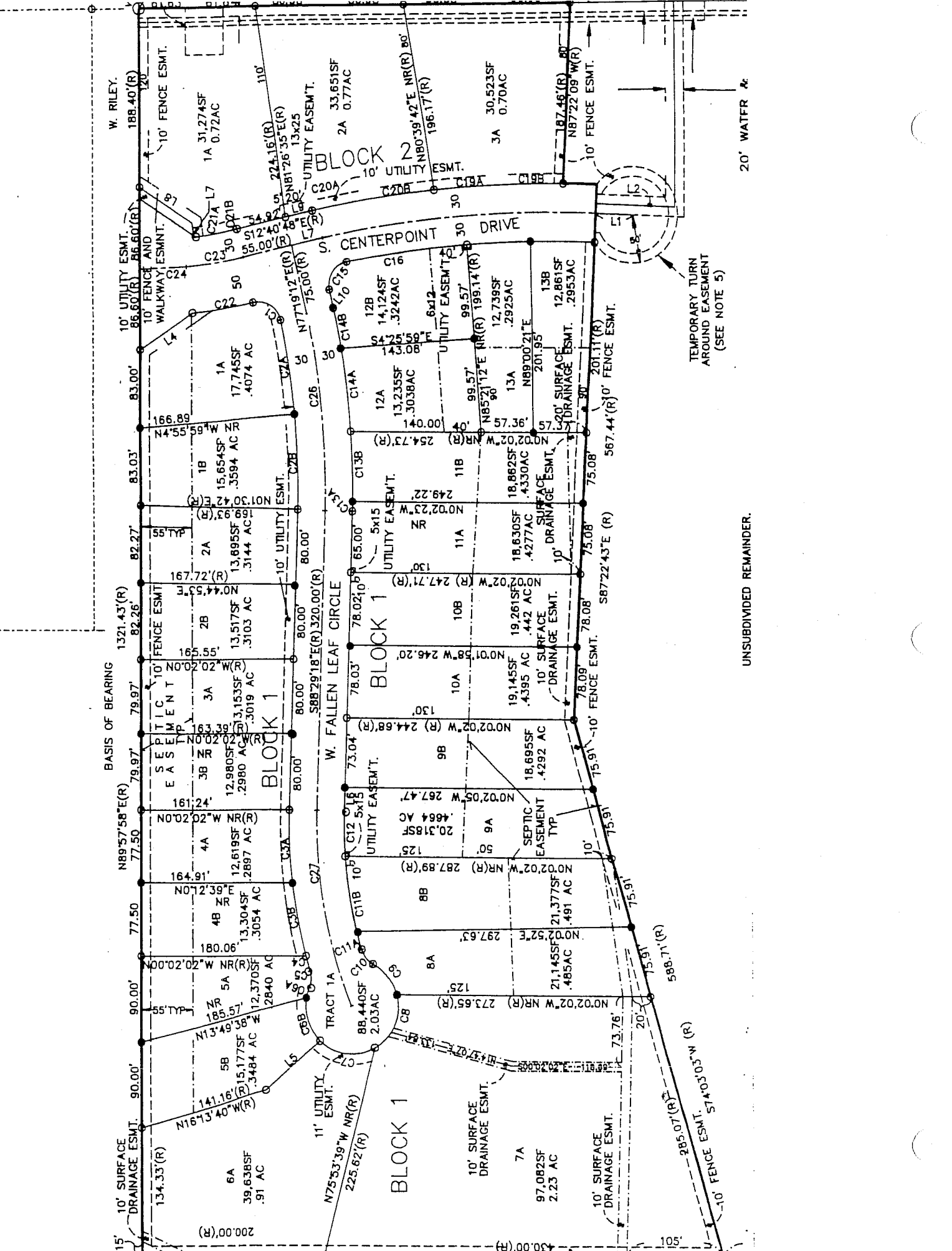
LAKE LUCILLE PARK

STATE

ASLS 83-001
(2731)

VICINITY MAP
FOR PROPOSED CENTREPOINTE SUBDIVISION
LOCATED WITHIN SECTION 16, T 17 N,
R 1 W, SEWARD MERIDIAN, ALASKA
WASILLA 12 MAP





W. RILEY

W. RILEY

W. RILEY

W. RILEY

W. RILEY

W. RILEY

W. RILEY

W. RILEY

W. RILEY

W. RILEY

W. RILEY

W. RILEY

R- _____

PETITION

WE THE UNDERSIGNED ARE THE CURRENT OWNERS OF RECORD OF THE PROPERTY LISTED BELOW AND WHICH IS INCLUDED WITHIN THE AREA DESCRIBED IN THIS APPLICATION FOR REZONING CONSIDERATION. WE HAVE REVIEWED THE CONTENTS OF THIS APPLICATION, AGREE THEREWITH AND PETITION THE APPROPRIATE AUTHORITIES TO CONSIDER AND APPROVE THIS APPLICATION.

Legal Description of Property	Printed Names and Signatures	Date
<u>Center Point Sub.</u>	<u>Randy L. Harman</u>	<u>6-04-02</u>
<u>L2A, 2B, 3A, 3B, 4A, 4B,</u>	<u>Randy L. Harman</u>	<u>6-04-02</u>
<u>5A, 5B, 6A, 7A, 8B, 9A</u>	<u>Randy L. Harman</u>	<u>6-04-02</u>
<u>9B, 10A, 10B, 11A, 12A,</u>	<u>Randy L. Harman</u>	<u>6-04-02</u>
<u>12B, 13A, 13B - Block 1</u>	<u>Randy L. Harman</u>	<u>6-04-02</u>
<u>LOT 1A, 2A, 3A - Block 2</u>	<u>Randy L. Harman</u>	<u>6-04-02</u>
_____	_____	_____
_____	_____	_____
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_____	_____	_____
_____	_____	_____
_____	_____	_____

Please reproduce this page as necessary to supply space for signatures sufficient to represent ownership of over 50 percent of the total area in square feet included in this application.

550 W. Fallen Leaf Circle, Wasilla, Alaska 99654
Office (907)376-2034 Fax (907)376-2033
Randy Cell (907)232-2996 Nancy Cell (907)232-0531



Fax

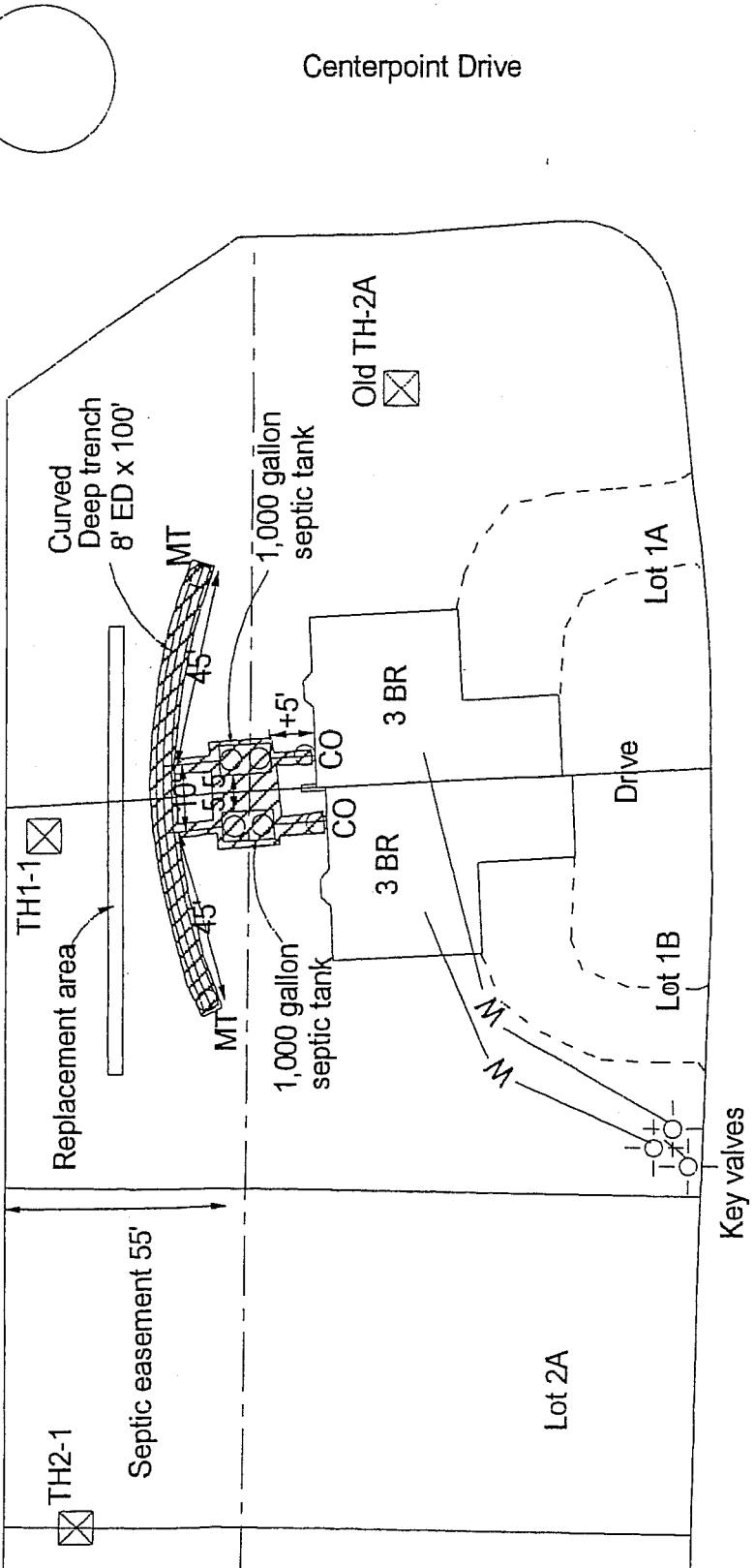
To: Roy & Mary Heidel **From:** Randy Harman
Fax: 1-850-785-2017 **Pages:** 2 includes cover
Atten: Roy or Mary **Date:** 06/13/2002 2:58 PM
Re: Rezoning of CPS **CC:**

Urgent **XX For Review** **Please Comment** **Please Reply** **Please Recycle**

Hi Roy & Mary:

Please call me at your earliest convenience regarding the attached sheet . I can be reached at home at (907)357-6477 or the above numbers. Thank you.

Randy Harman



Site Plan

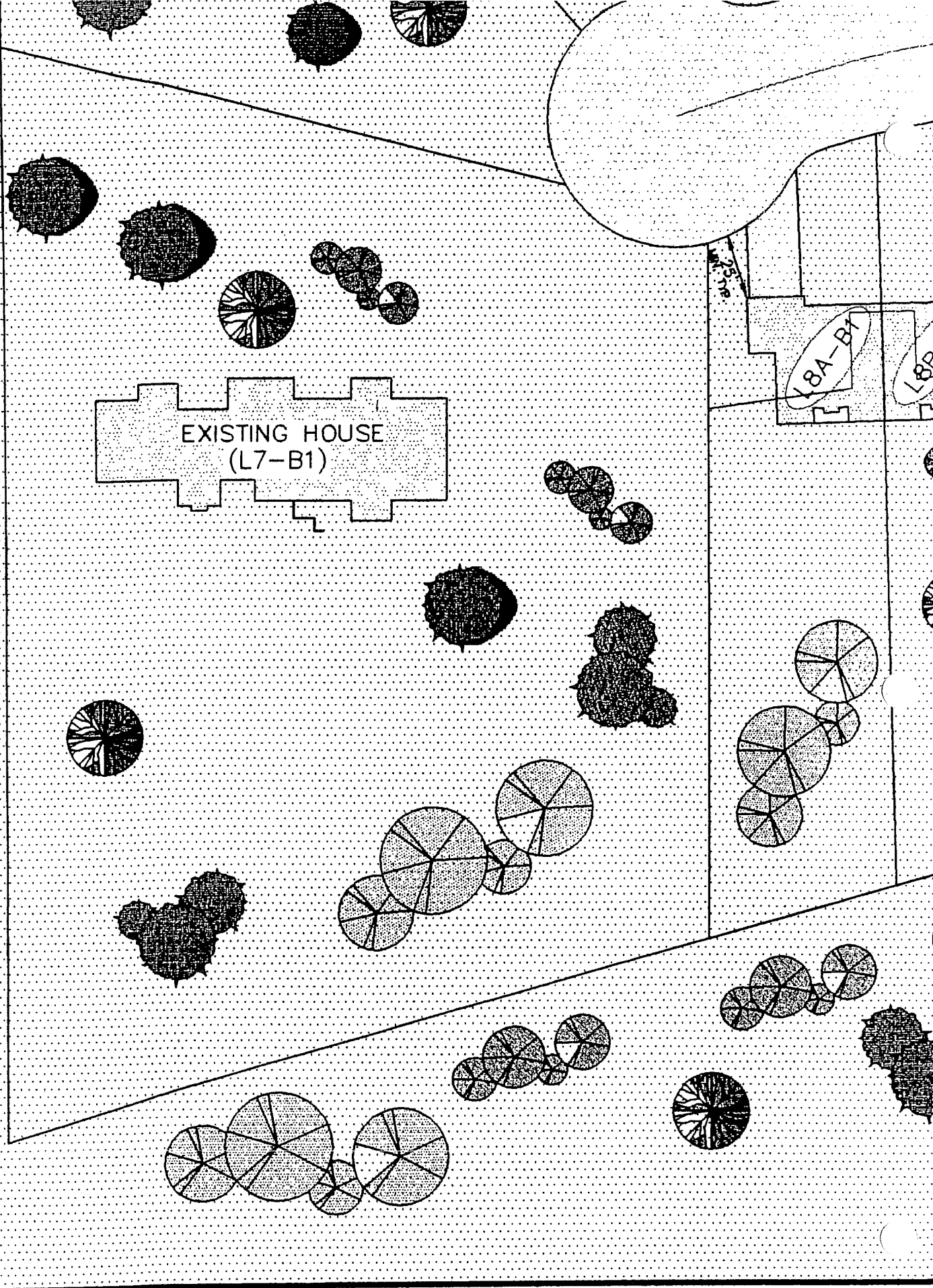
Lot 1A & 1B Block 1 Center Point Ph. 1 Wastewater System Asbuilt		
HOLLER ENGINEERING HC32 Box 3380 Wasilla, Alaska 99654		
Job # 01013A	5-17-01	no scale

Notes

1. This septic system does not lie within the protective radius of any known well.
2. No specific survey provided - lotlines are owner's responsibility.

Fallen Leaf Circle

Centerpoint Drive

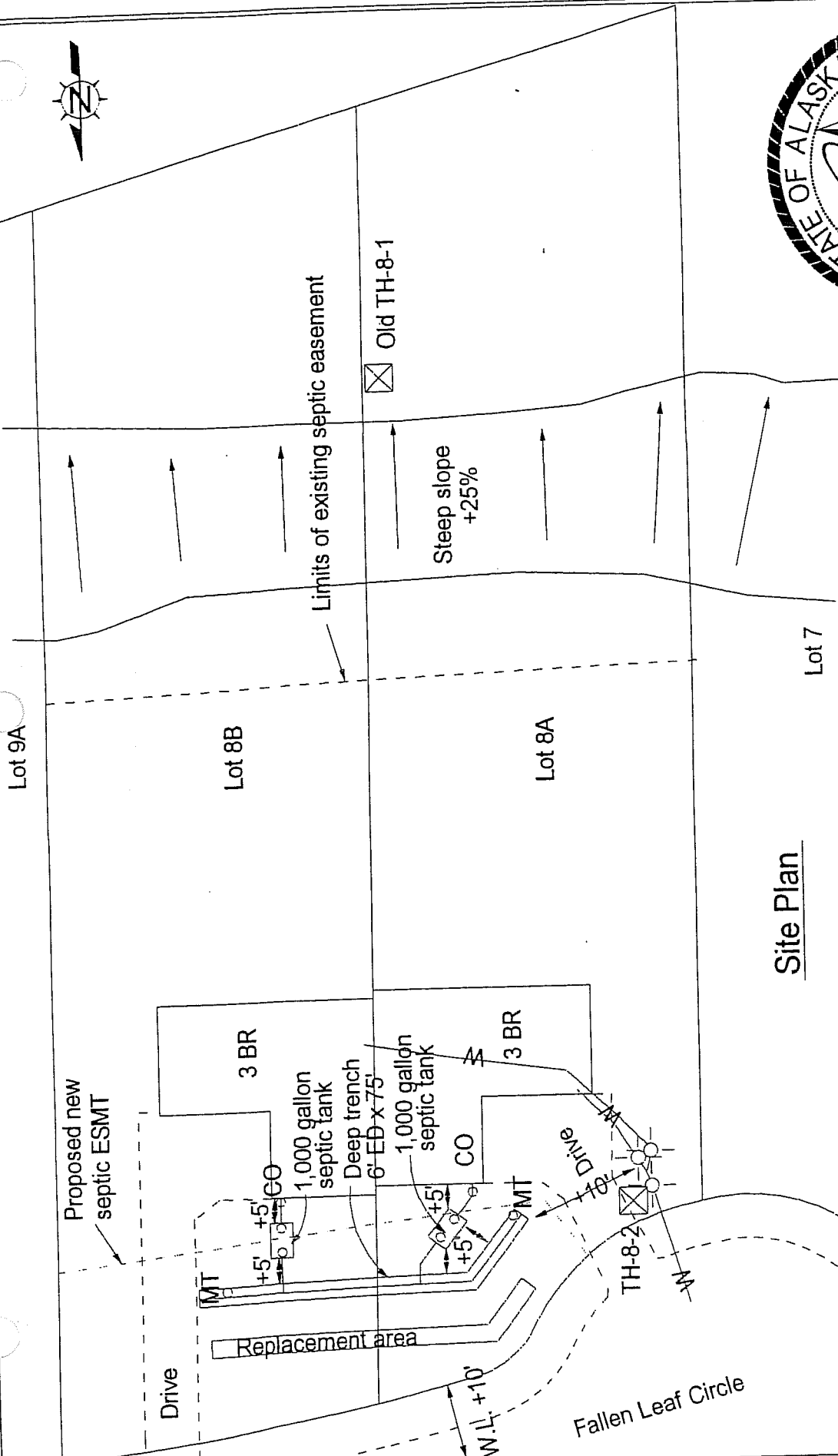


EXISTING HOUSE
(L7-B1)

L8A-B1

L8B

25' 10"



Site Plan

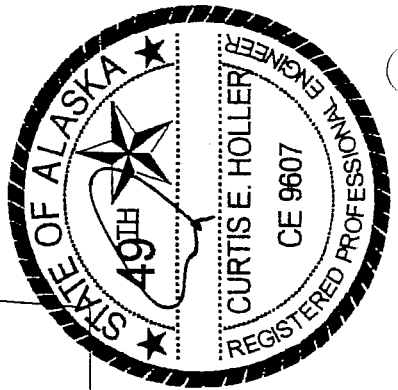
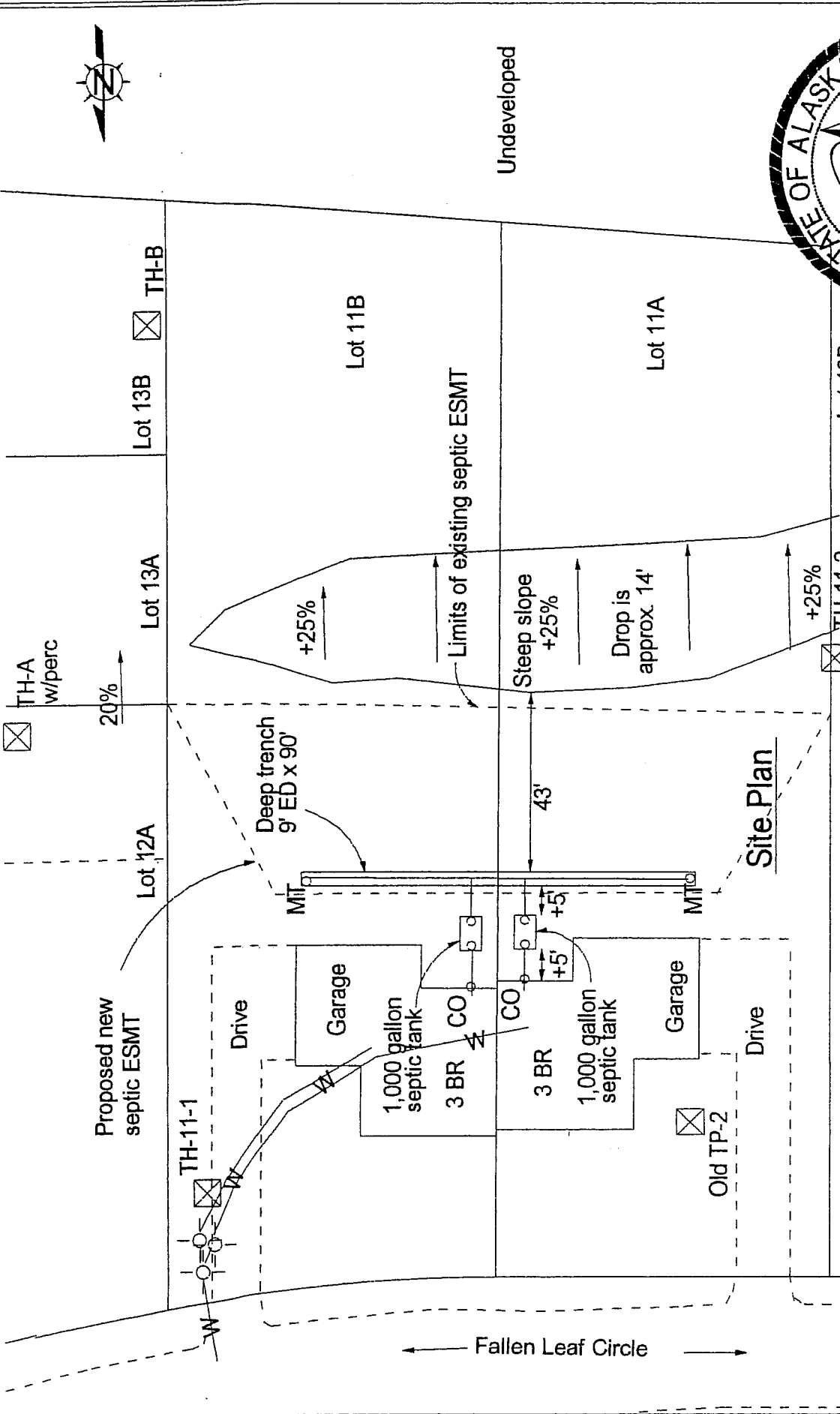
Notes

1. This septic system does not lie within the protective radius of any known well.
2. No specific survey provided - lotline setbacks are owner's responsibility.
3. 2" Dow HI insul placed over entire system. Insulation not shown for clarity.

Lot 8A & 8B Block 1 Center Point Ph. 1
 Wastewater System Record Drawing

HOLLER ENGINEERING
 HC32 Box 3380 Wasilla, Alaska 99654

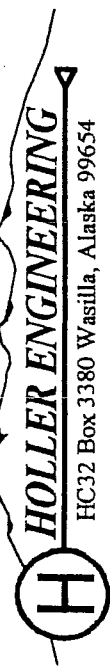
Job # 01096A 9-04-01 no scale



Notes

1. This septic system shall not lie within the protective radius of any known well.
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3. 2" Dow HI insul over entire system. Insulation not shown for clarity.

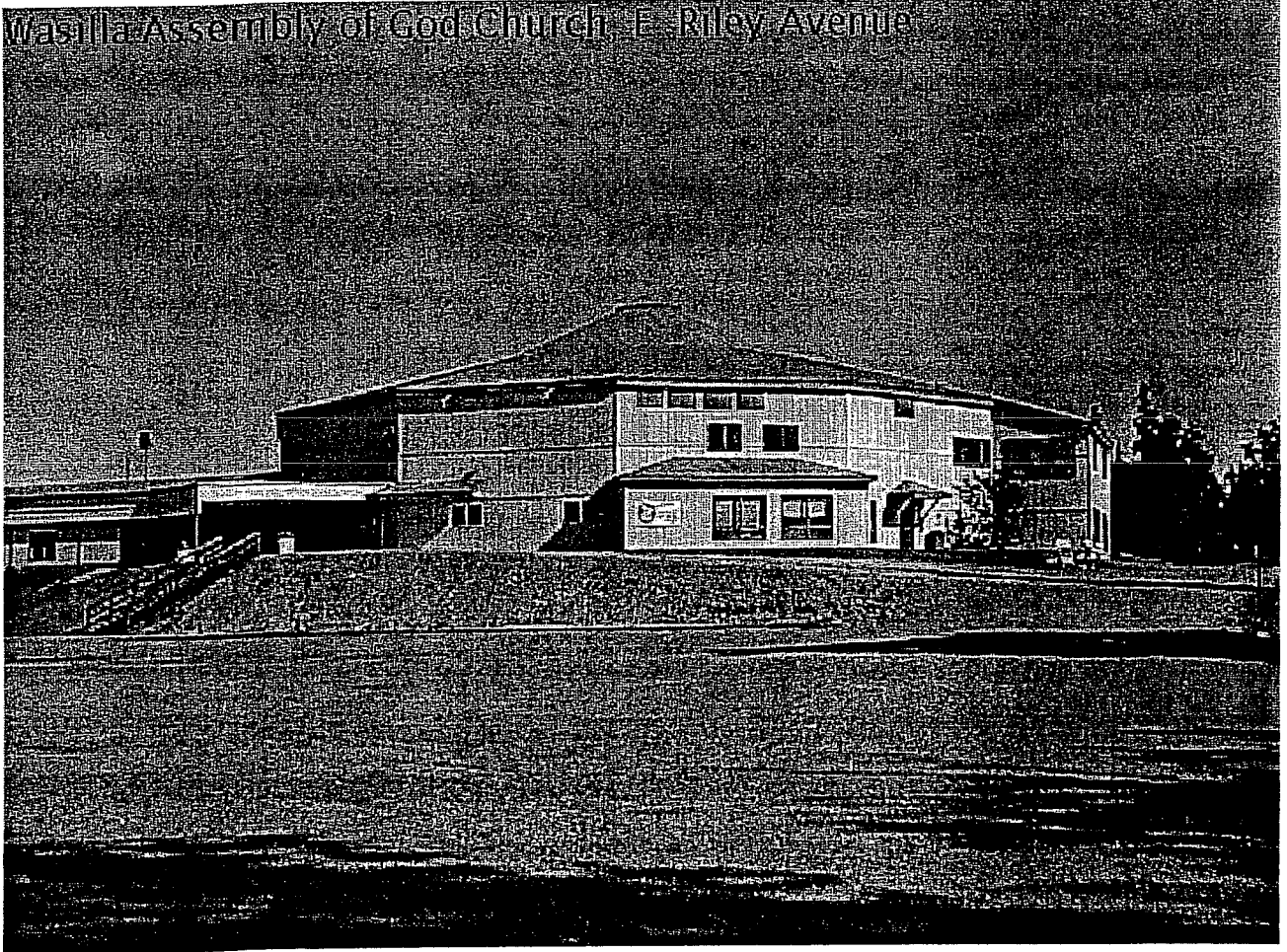
Lot 11A & 11B Block I Center Point Ph. I
Wastewater System Plan



HOLLER ENGINEERING
HC32 Box 3380 Wasilla, Alaska 99654

Job # 01116A 8-17-01 no scale

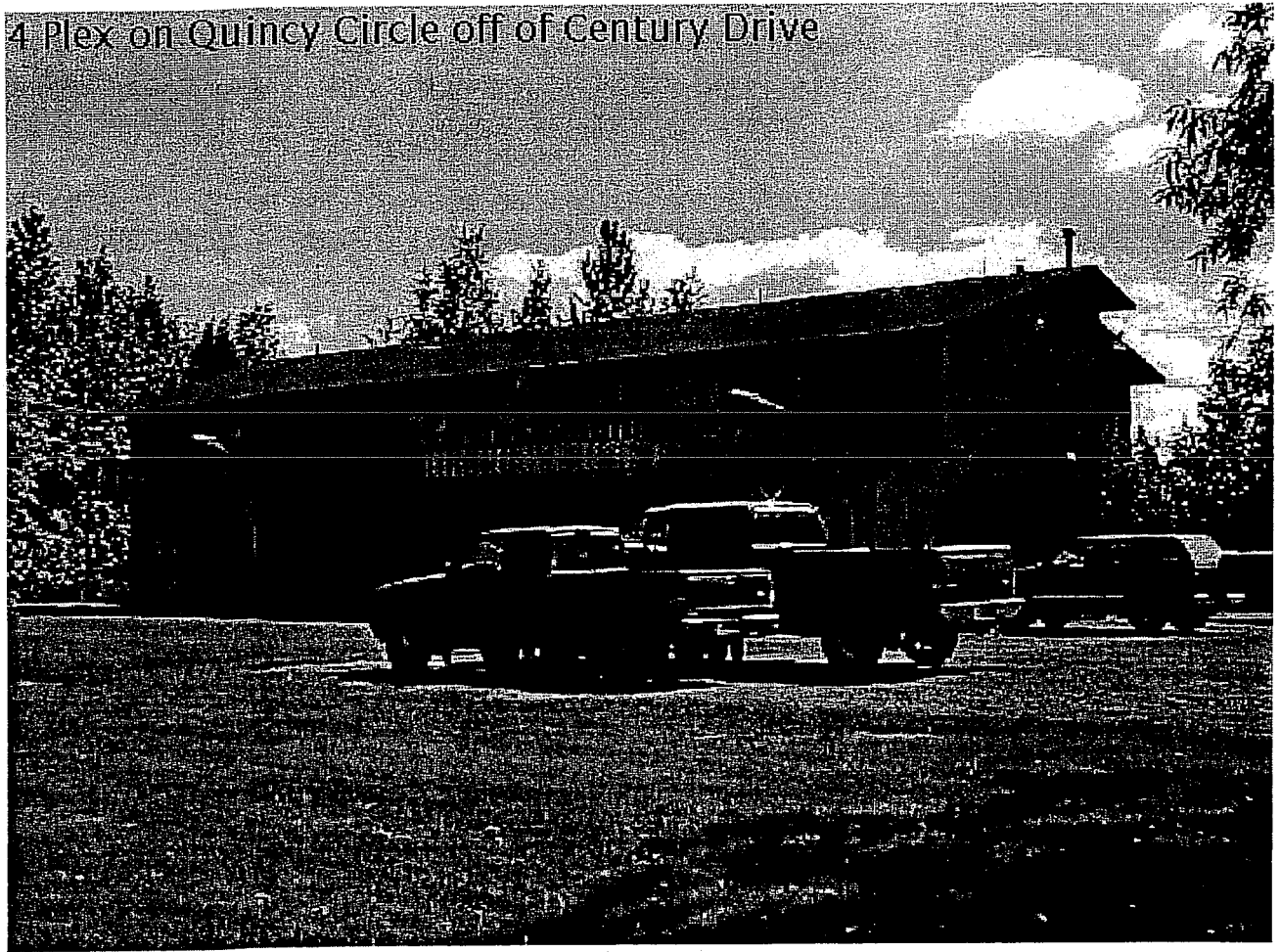
Wabilla Assembly of God Church E. Riley Avenue



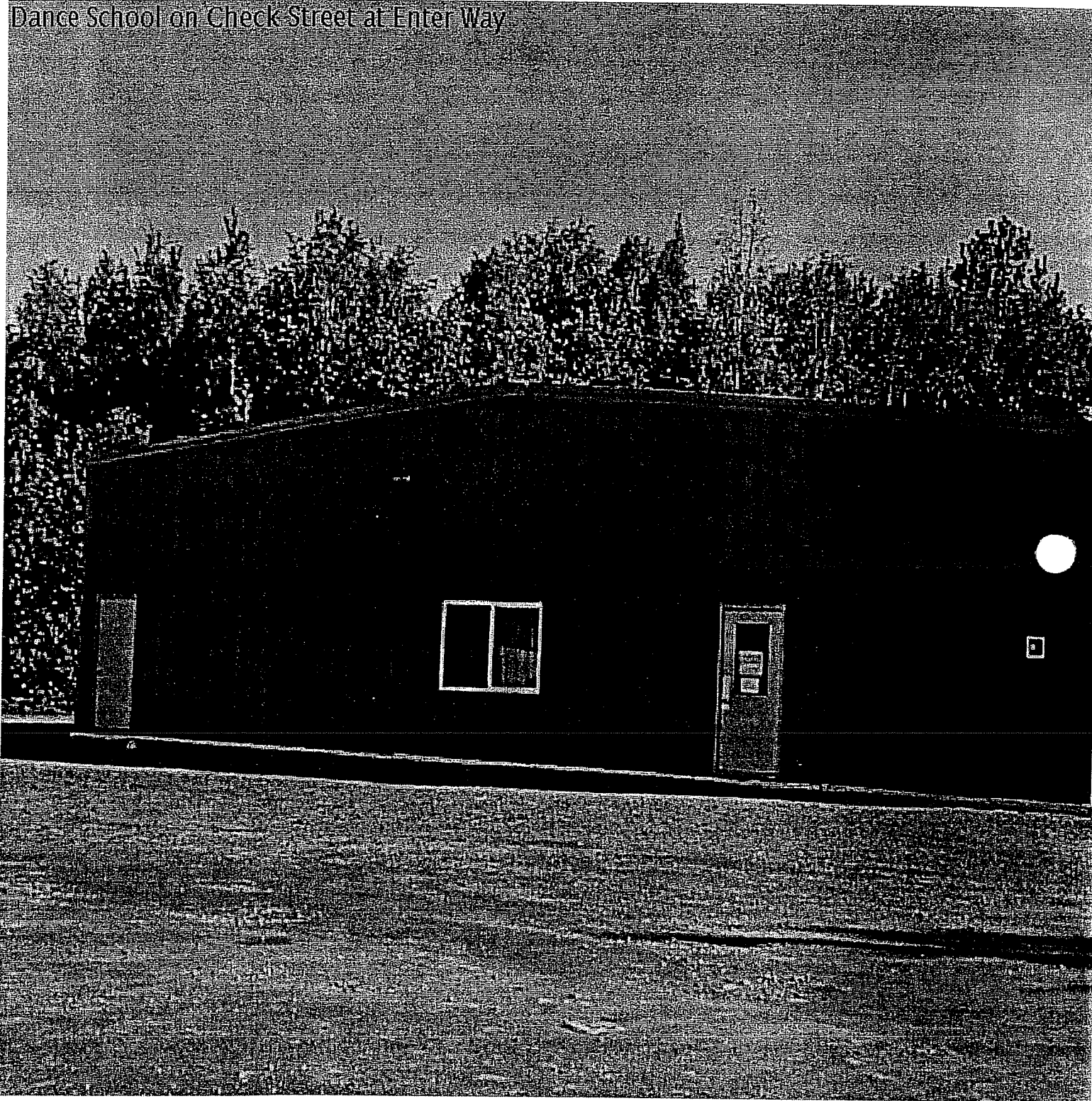
New Addition Wasilla Senior Center



4 Plex on Quincy Circle off of Century Drive



Dance School on Check Street at Enter Way



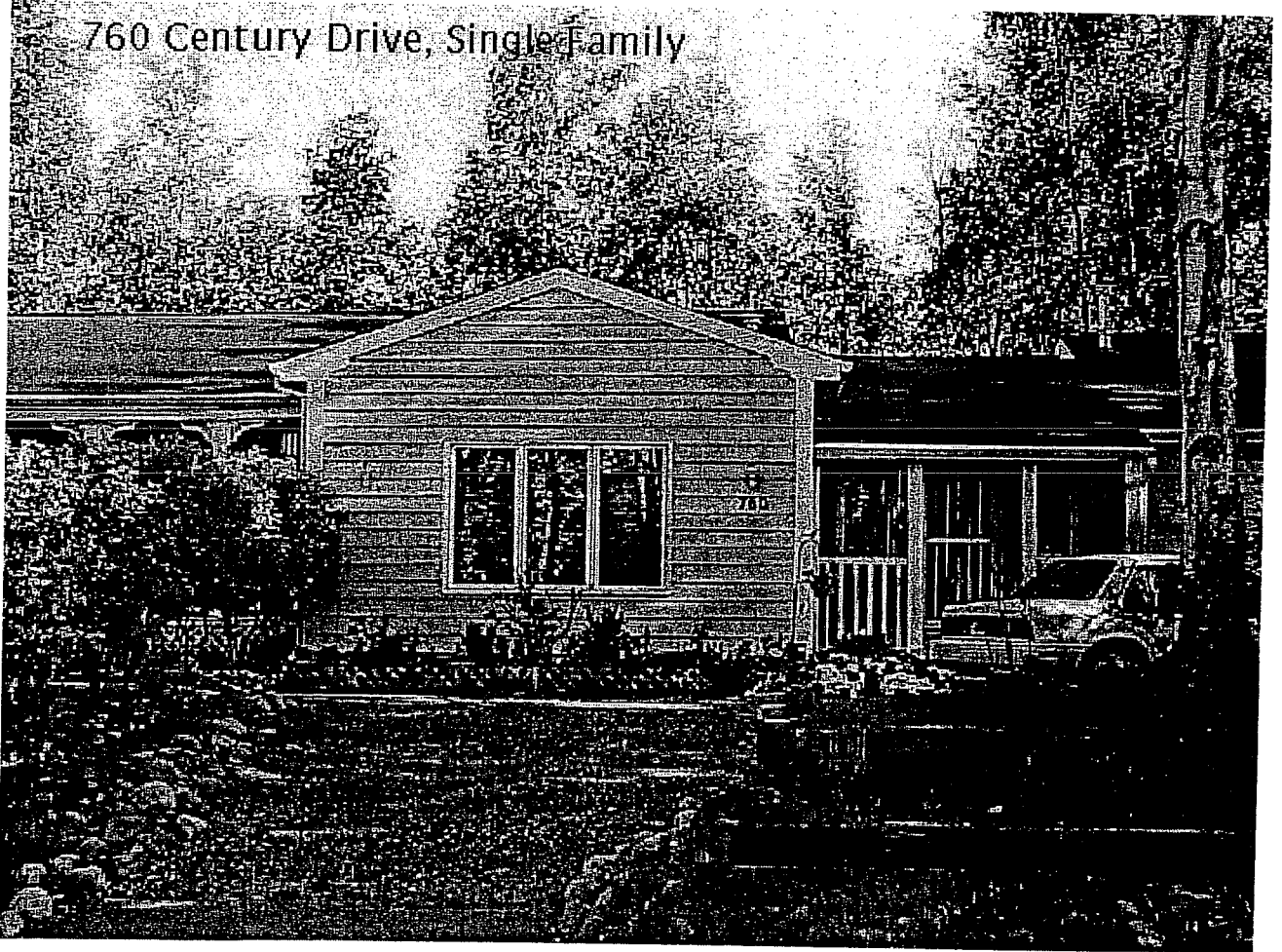
731 Century Drive, Single Family



Single Family on Century Drive



760 Century Drive, Single Family





Harman Excavating, Inc.

Randy L. Harman, *President*

550 W. Fallen Leaf Circle

Wasilla, AK 99654



If you have need for further information, please do not hesitate to contact us at the numbers listed below.

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President, Harman Excavating, Inc. and Center Point Subdivision Homeowner's Association

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Area photos of existing multi-use developments

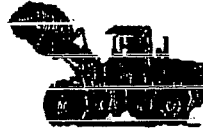
Lot 11B, BK1 CPS

RAH *MLH*



Harman Excavating, Inc.

Kandy L. Harman, *President*
550 W. Fallen Leaf Circle
Wasilla, AK 99654



June 14, 2002

City of Wasilla Planning Commission
Attention: Tim Krug
290 E. Herning Avenue
Wasilla, AK 99654

RE: Rezone of Center Point Subdivision Replat #2001-37

Dear Tim:

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1. Retain the minimum of 1,200 SF with two car attached garage on this street.
2. No duplexes will be allowed on smaller individual lots, only the zero lot line style already existing and approved with individual lot owner capabilities.
3. Re-stress no mobile homes allowed.

Retain size of 1,588 sq. ft. as a min. excluding garage

Page 1 of 2

Roy Heidel

Mary L. Heidel

Phone: 376-2034

Fax: (907) 376-2033

Email: hei@alaska.com

Roy Heidel

Mary L. Heidel

RECEIVED

JUL - 9 2002

PLANNING OFFICE
CITY OF WASILLA

To:

City of Wasilla Planning Commission
Attn: Tim Krug
290 Herring Ave.
Wasilla, AK 99654

From:

Roy & Mary Heidel
655 Cypress Ave.
Panama City, FL 32401
FAX 850-785-2017

RE: Rezone of Center Point Subdivision
Replat # 2001-37



CITY OF WASILLA
PLANNING OFFICE
290 E HERNING AVE
WASILLA, AK 99654
PHONE 373-9094 FAX 373-9089



17N01W15B022
SMITH FRANK M
PO BOX 871173
WASILLA, AK 99687

**FIRST CLASS
RECEIVED**

JUL - 1 2002

PLANNING OFFICE
CITY OF WASILLA

NOTICE OF PUBLIC HEARING



NOTICE OF APPLICATION FOR REZONE

DATE: 06-19-02 **CASE:** R02-054
APPLICANT (S): CENTER POINT SUBDIVISION HOMEOWNER'S ASSOCIATION, by RANDY L. HARMAN, PRES.
REQUEST: To rezone all lots within Center Point Subdivision Replat from RR—Rural Residential to R2—Residential.

A public hearing will be held on July 9, 2002 at 7:00 PM in the City Council Chambers. Comments may be submitted by writing by filling in the spaces provided below and mailing to: City of Wasilla, Planning Office, 290 E Herring Ave, Wasilla, AK 99654. If there is not enough room below please attach a separate piece of paper. You may also fax (907) 373-9089 or email your comments to: jcarricaburu@ci.wasilla.ak.us. Your written comments on this rezone request must reach the Planning Office on or before July 1, 2002 in order to be included in the packet. Comments received after that date will be available at the public hearing.

Anyone wishing to review the application for this case is encouraged to contact the Planning Office for additional information.

Name _____

Address _____

Lot _____ Block _____ Subdivision _____

Comments: 6/26/02

I concur with Mr. Harman's request.

Frank M Smith



CITY OF WASILLA
PLANNING OFFICE
290 E HERNING AVE
WASILLA, AK 99654
PHONE 373-9094 FAX 373-9089

RECEIVED

JUN 24 2002

PLANNING OFFICE
CITY OF WASILLA

17N01W16A006
17N01W15B024
17N01W09D009
WASILLA CITY OF
290 E HERNING AVE
WASILLA, AK 99654

FIRST CLASS

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NOTICE OF PUBLIC HEARING

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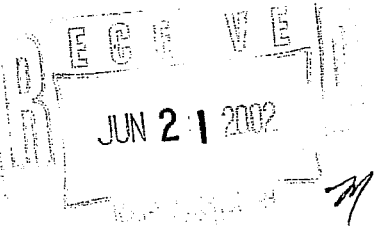
Comments:

No objection

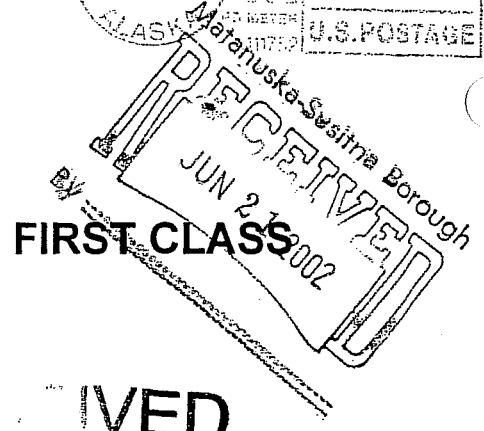
[Signature]



CITY OF WASILLA
PLANNING OFFICE
290 E HERNING AVE
WASILLA, AK 99654
PHONE 373-9094 FAX 373-9089



MSB PLATTING DIVISION
PAUL HULBERT
350 E. DAHLIA AVE.
PALMER, AK 99645



IVED

JUN 27 2002

OFFICE
CITY OF WASILLA

NOTICE OF PUBLIC HEARING

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Comments: no objections TP

