

NON-CODE ORDINANCE

Requested by: Planning

Introduced: February 14, 2005

Public Hearing: February 28, 2005

Adopted: February 28, 2005

Vote: Cox, Ewing, O'Neil, Sande in favor; Straub opposed; Lowe absent

**CITY OF WASILLA  
ORDINANCE SERIAL NO. 05-13**

AN ORDINANCE OF THE WASILLA CITY COUNCIL APPROVING A REZONE REQUEST FROM RR—RURAL RESIDENTIAL TO RM-MULTI-FAMILY RESIDENTIAL FOR AN APPROXIMATELY 4.78 ACRE PARCEL KNOWN AS MATANUSKA-SUSITNA BOROUGH TAX PARCEL A-5 WITHIN SECTION 4, T17N, R1W, SEWARD MERIDIAN, ALASKA

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WHEREAS, Sheirwin L. Caldwell for Tundra Rose Construction, submitted an application on November 1, 2004 requesting to rezone 4.78 acres from RR—Rural Residential to RM—Multi-Family Residential; and

WHEREAS, Wasilla Planning Office has posted public notices for the requested rezone from RR--Rural Residential to RM—Multi-Family Residential in accordance with Wasilla Municipal Code; and

WHEREAS, the public hearing date and time was publicly advertised; and

WHEREAS, the Wasilla Planning Commission deliberated on this request taking into account the information submitted by the applicant, the evaluation and recommendations of staff contained in the staff report, public testimony - both written and verbal comments, the applicable provisions of the Wasilla Comprehensive Plan, and other pertinent information brought before them; and

WHEREAS, the Wasilla Planning Commission has adopted Resolution 04-27 and the following Findings of Fact to summarize the basic facts and reasoning of the Commission in their decision to recommend that the rezone request for

approximately 4.78 acres known as parcel A-5 in Section 4, Township 17 North, Range 1 West, Seward Meridian Alaska be approved.

### **Findings of Fact**

1. An Application for Rezone was received on November 1, 2004 from the owner/developer, Sheirwin L. Caldwell, Tundra Rose Construction, on a form provided by the City Planning Office.

2. When the application, along with the appropriate application fee and accompanying documentation for rezone was received on November 1, 2004, it was found to be complete.

3. The rezone request is for one parcel approximately 4.78-acres in size, located west of N. Lucille Street and north of Nelson Avenue.

4. The request has been reviewed and agencies and adjacent property owners noticed in accordance with *Procedures for Commission Approvals* set forth in Section 16.16.040.

5. Copies of the *Notice of Application for Rezone* were mailed to 90 property owners within 1,200' of the subject property on November 15, 2004 as well as 23 agencies.

6. Mat-Su Tax Parcel A-5 is not part of an existing neighborhood plan. However, in response to the 90 notices mailed out to property owners within 1200', five property owners have submitted written comments in opposition to the requested rezone.

7. Comments in opposition to the requested rezone cite general concerns with increased traffic on Lucille Street and the addition of multi-family housing in the area.

8. The City of Wasilla's Comprehensive Plan Expected Future Land Use Map identifies the subject property as a *Mixed Use Area*.

9. The proposed site contains no known historical resources.

10. Access to the parcel in question is from Lucille Street which has an Average Daily Traffic (ADT) count of 6,416 vehicles per day (AK DOT 2003). This traffic volume is consistent with Lucille Street's classification as a major collector by the MSB Long Range Transportation Plan. An upgrade of Lucille Street to a higher capacity collector is identified in the Alaska Department of Transportation and Public Facilities' Transportation Needs and Priorities in Alaska part of the Statewide Transportation Improvement Program 2004-2006.

11. City water service is adjacent to this parcel running north and south along Lucille Street. City sewer service is not available. The parcel is within two miles of the Mat-Su Central fire station, shopping and public facilities, and medical facilities.

12. Multi-family development is best placed along major road corridors as these corridors are the major transportation links to goods and services in the community and are most likely to be served by present and future mass transportation routes.

13. Four review agency comments were received as a result of the request for comments: MSB Platting Division had no comment. The MSB Code Compliance Division noted that this parcel is shown as a "Zone "C" on FIRM map #9675C. The Alaska Department of Transportation & Public Facilities, ADOT&PF had no comment, and the City Public Works Department had no objection to the request.

14. Property to the north of this parcel is zoned RR—Rural Residential and four of the lots have been developed as four-plex units. Property to the west is zoned R1—Single Family Residential. To the south and west is a 54-acre undeveloped parcel zoned RR that is in preliminary review stages of the MSB subdivision process. The RR lot across Lucille Street, directly to the east of the parcel in question, is undeveloped however to the northeast are three RR lots containing one four-plex each.

15. Currently, only about 55 of the 8,458 acres of land within the City are zoned RM. A majority of the RM acreage is built out. Vacant parcels of RM zoning appear to be concentrated in developments such as the Lake Side Terrace PUD or the senior housing being built off Century Circle and Center Point Drive.

16. A rezone of this parcel would allow for higher density housing offering opportunity for additional housing needs within the City limits which is consistent with the 1996 Comprehensive Plan.

17. The additional traffic generated by developing this 4.78 acres as multi family will not significantly impact the current ADT count of 6,416 vehicles per day on Lucille Street as Lucille Street has the capacity to serve higher density housing in this area.

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

**Section 2. Purpose.** To approve requested rezone, therefore the official zoning map for the City of Wasilla shall be changed.

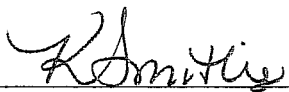
**Section 3. Enactment.** The official zoning map shall be amended to reflect the approval of this request for rezone.

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

ADOPTED by the Wasilla City Council on February 28, 2005.

  
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DIANNE M. KELLER, Mayor

ATTEST:

  
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KRISTIE SMITHERS, MMC  
City Clerk

[SEAL]



**CITY OF WASILLA  
LEGISLATION STAFF REPORT**

**RE: 05-13** REZONE REQUEST FOR APPROXIMATELY 4.78 ACRES KNOWN AS TAX PARCEL A-5 WITHIN SECTION 4, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN ALASKA RR—RURAL RESIDENTIAL TO RM-MULTI FAMILY RESIDENTIAL.

Agenda of: FEBRUARY 14, 2005  
Originator: City Planner

Date: January 26, 2005

Route to:	Department	Signature/Date
	Police	
	Recreational and Cultural Services Library, Museum	
X	Public Works Planning	<i>[Signature]</i> 1/31/05
X	Finance *signature required	<i>[Signature]</i>
X	Clerk	<i>[Signature]</i>

**REVIEWED BY MAYOR DIANNE M. KELLER:** *[Signature: Dianne M. Keller]*

**FISCAL IMPACT:**  yes or  no      Funds Available  yes  no  
Account name/number:

- Attachments:      Proposed Ordinance Serial Number 05-13;  
                             WPC Resolution No. 04-27;  
                             Vicinity Map  
                             Staff Report  
                             Public and Agency Comments

**SUMMARY STATEMENT:**

The rezone request was sought by the property owner, Sheirwin L. Caldwell. This 4.78 acre parcel is located on the west side of N. Lucille Street just north of Shadowood Valley Unit 2 as shown on the attached vicinity map.

Access to this 4.78 acres is off of Lucille Street which is classified as a major collector in the MSB Long Range Transportation Plan. The latest information on the Average Daily Traffic (ADT) for Lucille Street, published by the AK DOT in 2003, is 6,416 vehicles per day.

The Future Land Use Plan section of the City's 1996 Comprehensive Plan anticipates the increased demand for multi-family housing in the community and supports the

creation of a variety of housing options for residents. Currently, there are about 55 acres of land within the City that are zoned RM-Multi Family Residential. A majority of the 55 acres is concentrated in developments such as Lake Side Terrace and the senior complex on Knik-Goose Bay Road.

Recommendation

After deliberation and consideration of both written and verbal testimony, agency comments, and the official staff report, the Planning Commission voted to recommend that the requested rezone be approved.