

NON-CODE ORDINANCE

Requested by: Planning
Introduced: March 21, 2005
Public Hearing: April 11, 2005
Adopted: April 11, 2005

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

**CITY OF WASILLA
ORDINANCE SERIAL NO. 05-26**

AN ORDINANCE OF THE WASILLA CITY COUNCIL APPROVING A REZONE REQUEST FROM RR—RURAL RESIDENTIAL TO RM-MULTI-FAMILY RESIDENTIAL FOR TRACT A, CENTER POINT PHASE II SUBDIVISION AND MSB TAX PARCEL A5, BOTH WITHIN SECTION 16, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA AND AMENDING THE OFFICIAL ZONING MAP.

WHEREAS, Randy L. Harman for Harman Excavating Inc. submitted an application on January 5, 2005 requesting to rezone approximately 82.82 acres 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 Planning Commission 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, public testimony - both written and verbal comments, the evaluation and recommendations of staff contained in the staff report, applicable provisions of the Wasilla Comprehensive Plan, and other pertinent information brought before them; and

WHEREAS, the Wasilla Planning Commission has adopted Resolution 05-04 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 82.82 acres in Tract A, Center Point Phase II Subdivision and MSB Tax Parcel A5 in Section 16, Township 17 North, Range 1 West, Seward Meridian Alaska be approved.

Findings of Fact

1. An Application for Rezone was received on January 5, 2005 from the owner/developer, Randy L. Harman for Harman Excavating Inc., on a form provided by the City Planning Office.
2. The rezone request is for two parcels consisting of approximately 82.82 acres.
3. Tract A of Center Point Phase II Subdivision and MSB Tax Parcel A5, both within Section 16, Township 17 North, Range 1 West, Seward Meridian, AK are not part of an existing neighborhood plan.
4. The application along with appropriate application fee and accompanying documentation for rezone was received on January 5, 2005 in a timely manner. The submittal was found to be complete.
5. 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.
6. No adopted neighborhood plan exists for properties within this area.
7. Copies of the *Notice of Application for Rezone* were mailed to 70 property owners within 1,200' of the subject property on January 27, 2005.

8. Requests for comments were mailed to 23 agencies and were distributed to each of the Planning Commissioners.

9. In response to 70 mailed notices, two property owners within 1200' submitted written comments in opposition to the rezone, two property owners within 1200' submitted written comments in support or of non-objection to the rezone, and one property owner submitted questions on how the road system for the area would handle the traffic.

10. In response to the published notice, 12 comments in opposition to the rezoning were received from residents of either the senior complex adjacent to the requested rezone or from the general Wasilla area. Concerns included traffic concerns, security concerns, and lack of traffic safety on Knik-Goose Bay Road. Eleven of the letters of opposition are from residents of the Sr. Campus and offer no reason for their objection.

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

12. City sewer and water are located in adjacent subdivisions, Center Point Phases I and II and the Senior Campus to the northeast of the subject parcels.

13. Two agency comments have been received as a result of the request for comments mailed January 27, 2005. The ARRC states that the subject parcel, "...is located within a general area that may be considered as a possible road/rail re-alignment corridor..." The State of Alaska Dept of Transportation comments that they have no objection.

14. Properties located to the north are in Center Point Phases I and II range in size from 2-acres to 1/4-acre lots. Single family homes as well as duplexes and tri-plexes exist in Phase I and are planned for Phase II. The Senior campus is a high density housing area with approximately 192 living units located on 19.94 acres of land.

15. Primary access to this property is from Knik-Goose Bay Road via Center Point Drive. Knik-Goose Bay Road is designated as a minor arterial by the MSB Long Range Transportation Plan.

16. AK DOT has recommended that the City and developer work with DOT to provide a future connection from this 82 acres to Knik-Goose Bay Road in the general vicinity of Fern Street.

17. Currently, only about 63 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 Lake Side Terrace PUD or the senior housing being built off Century Circle and Center Point Drive.

18. The Planning commission shall initiate a recommendation and forward that recommendation on to the City Council to be considered at their next regularly scheduled meeting.

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 April 11, 2005.



DIANNE M. KELLER, Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk

[SEAL]



**CITY OF WASILLA
LEGISLATION STAFF REPORT**

RE: 05-26 AN ORDINANCE OF THE WASILLA CITY COUNCIL APPROVING A REZONE REQUEST FROM RR—RURAL RESIDENTIAL TO RM-MULTI-FAMILY RESIDENTIAL FOR TRACT A, CENTER POINT PHASE II SUBDIVISION AND MSB TAX PARCEL A5, BOTH WITHIN SECTION 16, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA AND AMENDING THE OFFICIAL ZONING MAP.

Agenda of: March 21, 2005
Originator: City Planner

Date: March 9, 2005

| Route to: | Department | Signature/Date |
|-----------|---|--------------------------|
| | Police | |
| | Recreational and Cultural Services Library, Museum | |
| X | Public Works Planning | <i>S. Harley</i> 3/11/05 |
| X | Finance *signature required | <i>[Signature]</i> |
| X | Clerk | <i>[Signature]</i> |
| | | |

REVIEWED BY MAYOR DIANNE M. KELLER:

Dianne M. Keller

FISCAL IMPACT: yes or no

Funds Available yes no

Account name/number:

Attachments: Proposed Ordinance Serial Number 05-26;
WPC Resolution No. 05-04;
Vicinity Map
Staff Report
Public and Agency Comments

SUMMARY STATEMENT:

The rezone request was sought by the property owner, Randy L. Harman. This 82.82 acre parcel is located on the west side of Knik-Goose Bay Road as shown on the attached vicinity map.

Primary access to this 82 acres is off of Knik-Goose Bay Road via Center Point Drive with a future second access to Knik-Goose Bay Road planned in the vicinity of Fern Street. Knik-Goose Bay Road is designated as a minor arterial by the MSB Long range Transportation Plan. The latest information on the Average Daily Traffic (ADT) for this

section of Knik-Goose Bay, published by the AK DOT in 2003, is 12,591 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 63 acres of land within the City that are zoned RM-Multi Family Residential.

The proposed RM zone would be a logical integrated area as multi family development is best placed along major transportation corridors like Knik-Goose Bay Road. The areas to the north and east of this 82 acres is a multi family dwelling area that includes both apartments and single-family condominiums. The additional traffic generated by rezoning this 82 acres to multi-family would not significantly impact the current ADT count 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 5 to 1 to recommend that the requested rezone be approved.