

**CITY OF WASILLA
ORDINANCE SERIAL NO. 06-11**

AN ORDINANCE OF THE WASILLA CITY COUNCIL APPROVING A PLANNED UNIT DEVELOPMENT FOR APPROXIMATELY 6.12 ACRES IN THE RICHMOND HILLS NUMBER 1 SUBDIVISION, LOTS 1-6, BLOCK 1, ZONED R2--RESIDENTIAL.

WHEREAS, Tim Sandstrom of Sandstrom and Associates, representing Dennis Byler of Byler Contracting, property owner, submitted an application for the Richmond Hills Planned Unit Development, (PUD), a high density residential project consisting of twelve, 4-plex units on approximately 6.12 acres of land, on February 15, 2006; and

WHEREAS; a Planned Unit Development must be reviewed by the Wasilla Planning Commission prior to submittal to the City Council for final action; and

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

WHEREAS, the Wasilla Planning Commission recommends approval of the proposed Richmond Hills Planned Unit Development to the City Council with the following requirements:

1. Provide to the Planning Department a copy of the State Fire Marshall's plan review and approval of the proposed structures prior to the beginning of construction;

2. Developer must contact the Borough Platting Office in the event the 6.12 acre parcel is to be resubdivided;
3. Drainage plan and any grading to be done as part of this project must be approved by the Wasilla Public Works Director prior to beginning of construction;
4. All exterior lighting is required to be arranged and shielded to reflect light away from adjoining residential uses and to prevent glare/interference with traffic;
5. Applicant must connect to City of Wasilla water and sewer services;
6. Developer shall provide landscape guarantee in conformance with City of Wasilla Landscaping Standards;
7. Developer shall pave internal access road and driveways as shown on site plan;
8. Construction must adhere to project design plans/elevations submitted to the Planning Commission;
9. Applicant to complete pending platting process through the Matanuska-Susitna Borough Platting Office;
10. Pave Access Road "A" to 30' in width for ingress and egress; and

WHEREAS, the Wasilla Planning Commission has adopted Resolution Serial Number 06-04 and the following Findings of Fact to summarize the basic facts and reasoning of the Commission in their decision to recommend approval:

Findings of Fact

1. An application along with appropriate application fee and accompanying documentation for a Planned Unit Development (PUD) was received on February 15, 2006 from Sandstrom & Associates for Byler Contracting, Owner. The submittal was found to be complete.

2. The application is for approximately 6.2 acres which meets or exceeds the minimum parcel size of 20,000 square feet for a Planned Unit development required by WMC 16.16.060
3. Under §16.16.060(K) The intent of a PUD is to allow flexibility in regulation, design, placement of buildings and use of open space. A PUD must demonstrate that creative approaches that result in a more efficient; aesthetic and harmonious development with uses in the surrounding area while providing higher population density or increased intensity or mix of uses than is permitted in the zone in which the project is located.
4. The applicant has submitted a statement of objectives for the Richmond Hills PUD that asserts approval of a PUD for this property will allow the investment in higher density residential units that will act as a buffer to the permissible commercial uses of Rural Residential zoning located to the south of Old Matanuska Road.
5. The City of Wasilla's Comprehensive Plan Expected Future Land Use Map identifies the subject property as a *mixed use Area*. The proposed Planned Unit Development is consistent with the Multifamily recommendations of the Comprehensive Plan Land Use Section.
6. The proposed PUD will access off of E. Neil Circle, a City maintained road classified as a *local street*, and is therefore consistent with the requirement of 16.16.060 that the proposed PUD directly connects to a publicly maintained road.
7. The property in the proposed PUD is not part of an existing neighborhood plan.

8. The request has been reviewed by agencies and adjacent property owners noticed in accordance with *Procedures for Commission Approvals* set forth in Section 16.16.040.
9. Copies of the *Notice of Application for a Planned Unit Development* were mailed to 46 property owners within 1,200' of the subject property on February 22nd, 2006.
10. No public comments have been received in response to notices mailed at the time of this staff report, March 9, 2006. One of the mailed notices has been returned marked, "undeliverable."
11. Requests for comments were mailed to 23 agencies on February 22, 2006 and were distributed to each of the seven Planning Commissioners. Three agency comments have been received as a result of the request for comments.
 - a. The MSB Platting Division commented "no objection to construction of 12, 4-plexes on single new lot. If owner wants to resubdivide new lot in any fashion must contact borough platting department."
 - b. The Alaska Railroad Corporation submitted the following: "the ARRC has reviewed the proposed PUD, Case No. PUD 06-01. We are concerned that the rezoning request will increase housing density in this area. The proposed rezone is immediately adjacent to the approach to Glenwood crossing. By Federal regulation, ARRC trains must sound their horns in this area. The proposed zoning change will cause more people to be exposed to locomotive horn noise."
 - c. The MSB Code Compliance office had no comment.

12. Emergency access to all the proposed condominium units has been reviewed by Fire Chief, Jack Krill, and were found to be in compliance with emergency vehicle access requirements. Fire Department appointed fire hydrants will be installed as part of the extension of the city water supply.
13. Based on ITE trip generation rates Residential Condominiums, the projected generation vehicle trip ends per average weekday will not overload the E. Neil Circle which is a local road designed to carry 200 – 500 vehicles per day.
14. The location of the proposed residential condominiums on the site exceeds the minimum required setbacks and meets the height regulations of WMC.
15. The proposed development of the proposed PUD exceeds the parking requirement for 2 parking spaces per dwelling unit. Parking of RV's, trailers, etc. will be prohibited by covenant.
16. The condominiums are a residential land use with the same peak use characteristics as the surrounding residential land uses.
17. The land use in the proposed PUD is residential and will not significantly impact surrounding properties with excessive noise, fumes or odors, glare, smoke, light, vibration, litter, or interference in any radio or television receivers.
18. Paving of the interior access road and driveways will reduce vehicle generated dust in the immediate vicinity.
19. Surrounding properties are zoned R2-residential north, RR- Rural residential to the south, C—Commercial to the west and east. Two properties on the north side of Neil Circle have existing 4-plexes on them.
20. Water and sewer services will be provided by City services.

21. Each of the structures has eight off-street parking stalls. Four within attached garage (2) and four on paved area in front of garage.

22. Lots 1-6, Block 1, Richmond Hills 1 are currently being combined into a single contiguous lot which will be 266,766 SF in size, (6.12 acres).

23. Density is proposed at a rate of 8 dwelling units per acre.

There are no known historical or cultural resources associated with this parcel.

24. Landscaping plan including two screening islands in front of each unit planted with grass, a tree and two shrubs each, a grass yard between each unit, and backyard areas with additional trees and shrubs in addition to natural vegetation along the project boundaries will exceed the minimum requirement of 37 trees and 74 shrubs.

25. The Planning Commission shall initiate a recommendation and forward that recommendation on to the City Council.

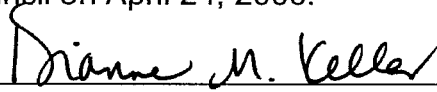
Section 1. Classification. This is a non-code ordinance.

Section 2. Purpose. To approve requested Richmond Hills Planned Unit Development, 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 a planned unit development.

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

ADOPTED by the Wasilla City Council on April 24, 2006.



DIANNE M. KELLER, Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk

[SEAL]



**CITY OF WASILLA
LEGISLATION STAFF REPORT**

RE: 06-11 AN ORDINANCE OF THE WASILLA CITY COUNCIL APPROVING A PLANNED UNIT DEVELOPMENT FOR APPROXIMATELY 6.12 ACRES IN THE RICHMOND HILLS NUMBER 1 SUBDIVISION, LOTS 1-6, BLOCK 1, ZONED R2—RESIDENTIAL.

Agenda of: April 10, 2006
Originator: City Planner

Date: March 30, 2006

Route to:	Department	Signature/Date
	Police	
	Recreational and Cultural Services Library, Museum	
X	Public Works Planning	<i>S. Hardy</i> 3/30/06
X	Finance *signature required	<i>[Signature]</i>
X	Clerk	<i>[Signature]</i>

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

FISCAL IMPACT: yes or no Funds Available yes no

Account name/number:

- Attachments:
- Proposed Ordinance Serial Number 06-11;
 - WPC Resolution No. 06-04;
 - Vicinity Map;
 - Petitioner's Statement of Objectives
 - Staff Report;
 - Public and Agency Comments

SUMMARY STATEMENT:

The Richmond Hills Planned Unit Development, (PUD), has been submitted on behalf of the property owner, Byler Contracting. The proposed PUD is for a higher density housing project consisting of twelve, 4-plex housing units with landscaped yard and picnic areas on 6.12 acres located off of E. Neil Circle in the R2- Residential district north of E. Old Matanuska Road and west of S. Enterprise Drive.

The intent of the planned unit development designation in the Wasilla Land Development Code, Title 16, is to allow flexibility in regulation, design, placement of buildings and use of open space. Modifications may include requirements for lot frontage, building setbacks, and design of circulation facilities to best use site potentials.

A PUD must demonstrate creative approaches that will result in a more efficient, aesthetic and harmonious development with uses in the surrounding area, while at the same time providing higher population density, or increased intensity, or mix of uses than is permitted in the zone(s) in which the project is located.

One of the goals stated in Chapter 1 of the City's 1996 Comprehensive Plan is to help the expanding service sector work-force, and first time homeowners, to find a fuller range of housing options.

Notices of the proposed planned unit development and the public hearing scheduled before the Planning Commission were mailed to 46 property owners within 1200' on February 22, 2006. The City received one written comment from a property owner in the 1200' area in opposition to the proposed project in response to this notice. These comments dealt with the additional traffic. During the public hearing, one City resident outside the 1200' area asked that as much natural vegetation be preserved as possible to provide shelter for birds and as a buffer. The development plan does provide for retention of wide areas of natural vegetation along the south and west side of the project.

Agency comments from the Central Mat-Su Fire Chief, Wasilla Soil & Water Conservation District and the Borough were incorporated into the conditions of approval. The Alaska Railroad comments in opposition to the proposed PUD because the new homes would expose more people to the sound of the trains horns at the Glenwood crossing were noted.

Primary access to this 6.12 acre development will be off of E. Neil Circle, a local gravel road maintained by the City designed to carry 200 – 500 vehicles per day. The developer has committed to pave E. Neil Circle as well as the internal access road and driveways as shown on his site plan. Lots 1-6, Block 1, Richmond Hills I Subdivision are currently being combined into one parcel through an MSB Platting process.

Recommendation

After deliberation and consideration of both written and verbal testimony, agency comments, and the official staff report, the Planning Commission voted unanimously to recommend that the Richmond Hills Planned Unit Development be approved with the following conditions:

1. Provide to the Planning Department a copy of the State Fire Marshall's plan review and approval of the proposed structures prior to the beginning of construction;
2. Developer must contact the Borough Platting Office in the event the 6.12 acre parcel is to be resubdivided;
3. Drainage plan and any grading to be done as part of this project must be approved by the Wasilla Public Works Director prior to beginning of construction;
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