

NON-CODE ORDINANCE

Requested & Prepared by: Planning

Introduced: May 8, 2006

Public Hearing: May 22, 2006

Failed: May 22, 2006

Vote: Metiva and O'Neil in favor; Cox, Ewing, Straub opposed; Menard absent

**CITY OF WASILLA  
ORDINANCE SERIAL NO. 06-19**

**AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING THE OFFICIAL ZONING MAP OF THE CITY TO REFLECT A CHANGE IN ZONING DISTRICTS FROM RR—RURAL RESIDENTIAL TO C--COMMERCIAL FOR MATANUSKA-SUSITNA BOROUGH TAX PARCELS A9, SECTION 19 (2450 S. KNIK-GOOSE BAY RD) AND PARCEL B4, SECTION 20, BOTH WITHIN TOWNSHIP 17 NORTH, RANGE 1 WEST, SM, ALASKA.**

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WHEREAS, Paul E. Gardner for Olympic Investments, LLC and Peter Zamarello, Owner, submitted an Application for Rezone on March 2, 2005, for approximately 17.78 total acres located north of S. Knik-Goose Bay Road and known as MSB Tax Parcel A9, Section 19, and Tax Parcel B4, Section 20, both within Township 17 North, Range 1 West, Seward Meridian, Alaska; and

WHEREAS, the subject area is currently zoned as RR—Rural Residential and requested to be rezoned to C--Commercial; and

WHEREAS, notice of public hearing was posted on the subject property regarding the requested rezone in accordance with Wasilla Municipal Code; and

WHEREAS, a duly advertised public hearing of the Planning Commission was held on April 11, 2006 with public hearing notices mailed to surrounding owners of land within a 1200' radius in accordance with the provisions of WMC 16.16.040.B.5; 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 comments, the applicable provisions of the Wasilla Comprehensive Plan, and other pertinent information brought before them; and

WHEREAS, the Wasilla Planning Commission after due consideration of the application voted 4 to 3 to recommend that the Wasilla City Council deny the requested rezoning from RR-Rural Residential to C—Commercial of these approximately 17.78-acres, consisting of MSB Tax Parcel A9, Section 19, and B4, Section 20 both within Township 17 North, Range 1 West, Seward Meridian, Alaska summarized the basic facts and reasoning of the commission in their Findings of Fact.

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

**Section 2. Purpose.** To amend the Official Zoning Map of Wasilla by rezoning MSB Tax Parcel A9, Section 19, and Tax Parcel B4, Section 20, both within Township 17 North, Range 1 West, Seward Meridian, Alaska from RR-Rural Residential to C-Commercial.

**Section 3. Enactment.** The Official Zoning Map, adopted August 12, 1996, last revised April 11, 2005, is hereby amended to reflect a rezone of approximately 17.78 acres for MSB Tax Parcel A9, Section 19, and Tax Parcel B4, Section 20, both within Township 17 North, Range 1 West, Seward Meridian, Alaska located north of Knik-Goose Bay Road from RR-Rural Residential to C-Commercial.

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

DEFEATED by the Wasilla City Council on May 22, 2006.





**CITY OF WASILLA  
LEGISLATION STAFF REPORT**

**RE:** ORDINANCE 06-19 - REQUEST TO REZONE MSB TAX PARCEL A9, SECTION 19 (2450 S. KNIK-GOOSE BAY RD) AND MSB TAX PARCEL B4, SECTION 20, BOTH WITHIN TOWNSHIP 17 NORTH, RANGE 1 WEST, SM, ALASKA FROM RR—RURAL RESIDENTIAL TO C-COMMERCIAL.

Agenda of: May 8, 2006  
Originator: City Planner

Date: April 28, 2006

Route to:	Department	Signature/Date
	Police Chief Youth Court, Dispatch, Code Compliance	
	Culture and Recreation Services Director Library, Museum, Sports Complex	
	Public Works & Recreation Facility Maintenance Director	
X	Finance, Risk Management & MIS Director Purchasing	
X	Deputy Administrator Planning, Economic Development, Human Resources	
X	City Clerk	

**REVIEWED BY MAYOR DIANNE M. KELLER:** 

**FISCAL IMPACT:**  yes or  no      Funds Available  yes  no

Account name/number:

- Attachments:      Proposed Ordinance Serial Number 06-19;  
                           WPC Resolution No. 06-08(SUB);  
                           Vicinity Map  
                           Staff Report  
                           Public and Agency Comments

**SUMMARY STATEMENT:**

The rezone request was sought by Paul E. Gardner for Olympic Investments and Peter Zamarello, the property owner. The two parcels total approximately 17.78 acres in size and are located on the north side of the Knik-Goose Bay Road as shown on the attached vicinity map.

Access to property is from Knik-Goose Bay Road which is classified as a minor arterial in the MSB Long Range Transportation Plan of 1996 and the 2004 publication of traffic

counts for this section of Knik-Goose Bay Road (from Alaska Dept. of Transportation & Public Facilities) show an ADT of 10,763.

Compliance with landscaping, and dimensional standards such as building height, parking, and setbacks would be determined at the time an application for a specific land use is submitted. City Police and MSB Central Fire Station serve the area; however, the City does not provide sidewalks, water, sewer, or storm drainage for this part of the City.

The AK Department of Labor population growth information indicates that the Knik-Fairview Community Council area, located on the south side of Knik-Goose Bay Road is one of the fastest growing areas in the Borough (Average annual growth was 7.5% between 2000 and 2005 compared to average Borough rate of 4.3 %.) The rapid development of new subdivisions in this area and the development of the existing cluster of commercial uses in this vicinity may indicate a need for a commercial zone. At present, the nearest Commercial zoning is located approximately two miles east on Knik-Goose Bay Road. Commercial land uses along this section of Knik-Goose Bay Road include ABC Rentals, MJM services, an equipment storage yard, and Abby Auto Repair. The rezoning of this parcel appears to be a logical continuation of the existing uses along KGB and will create an integrated commercial area on this minor arterial road.

Information received from surrounding property owners indicates that the two parcels may contain wetlands and a very high water table. At the time of development, the owner will have to meet Alaska Department of Environmental Conservation standards for on-site water and waste-water systems as well as US Army Corps of Engineers standards dealing with wetlands.

Concerns from neighboring property owners included development of the wetlands, adding traffic to Knik-Goose Bay Road, and the desire not to have commercial development on these 17.78 acres.

#### Recommendation

After deliberation and consideration of both written and verbal testimony, agency comments, and the official staff report, the Planning Commission voted 4 to 3 to recommend that the requested rezone be denied.