

Vote: Cox, Ewing, Holler, Koskela, Menard, and Metiva in favor

**CITY OF WASILLA
ORDINANCE SERIAL NO. 07-25**

AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING THE ZONING MAP TO CHANGE THE ZONING DISTRICT FROM RR-RURAL RESIDENTIAL AND RM-MULTI-FAMILY RESIDENTIAL, TO C-COMMERCIAL, FOR APPROXIMATELY 69.89 ACRES, CONSISTING OF MATANUSKA-SUSITNA TAX PARCELS A-5, D-5, D-6, & D-15, WITHIN SECTION 16, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, AND A 24.15-ACRE PORTION OF TRACT A, CENTER POINT SUBDIVISION, PHASE II; GENERALLY LOCATED SOUTH OF THE ALASKA RAILROAD RIGHT-OF-WAY AND NORTHWEST OF KNIK-GOOSE BAY ROAD.

WHEREAS, the Wasilla Planning Commission reviewed an application to amend the zoning map of the City of Wasilla to change the zoning district from RR-Rural Residential and RM-Multifamily Residential, to C-Commercial for approximately 69.89 acres, consisting of Matanuska-Susitna Tax Parcels A-5, D-5, D-6, & D-15, within Section 16, Township 17 North, Range 1 West, Seward Meridian, and a 24.15-acre portion of Tract A, Center Point Subdivision, Phase II; and

WHEREAS, the Wasilla Planning Commission made findings of fact concerning the zoning map amendment, and adopted Resolution Serial Number 07-04 recommending that the Council approve the zoning map amendment; and

WHEREAS, the Council has considered the application to amend the zoning map, and concurs with the Commission's recommendation and findings of fact, which are incorporated herein by reference.

NOW, THEREFORE, THE WASILLA CITY COUNCIL ORDAINS:

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

* **Section 2. Amendment of zoning map.** The zoning map of the City of Wasilla is hereby amended to change the zoning district from RR-Rural Residential and RM-Multifamily Residential, to C-Commercial for approximately 69.89 acres, consisting of Matanuska-Susitna Tax Parcels A-5, D-5, D-6, & D-15, within Section 16, Township 17 North, Range 1 West, Seward Meridian, and a 24.15-acre portion of Tract A, Center Point Subdivision, Phase II, as shown on Exhibit A, which is incorporated herein by reference. The Planner shall change the zoning map accordingly.

* **Section 3. Effective date.** This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on April 23, 2007.



DIANNE M. KELLER, Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk

[SEAL]



**CITY OF WASILLA
LEGISLATION STAFF REPORT**

RE: ORDINANCE 07-25 - REQUEST TO REZONE APPROXIMATELY 69.89 ACRES INCLUDING A PORTION OF TRACT A OF CENTER POINT SUBDIVISION, PHASE II, AND MATANUSKA-SUSITNA BOROUGH TAX PARCELS A-5, D-5, D-6, AND D-15; SECTION 16, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA FROM (RR) RURAL RESIDENTIAL AND (RM) TO (C) COMMERCIAL.

Agenda of: APRIL 10, 2006
Originator: Planning

Date: March 29, 2007

Route to:	Department	Signature/Date
	Police Chief Youth Court, Dispatch, Code Compliance	
	Culture and Recreation Services Director Library, Museum, Sports Complex	
X	Public Works & Recreation Facility Maintenance Director	 3/30/07
X	Finance, Risk Management & MIS Director Purchasing	 3-30-07
X	Deputy Administrator Planning, Economic Development, Human Resources	 3/29/07
X	City Clerk	

REVIEWED BY MAYOR DIANNE M. KELLER:  3/30/07

FISCAL IMPACT: yes or no Funds Available yes no

Account name/number:

- Attachments: Proposed Ordinance Serial Number 07-25;
 WPC Resolution No. 07-04;
 Vicinity Map
 Staff Report
 Public and Agency Comments

SUMMARY STATEMENT:

A rezone request for approximately 88.56 contiguous acres of land was sought by property owners Randy Harman, Larry W. and Alice E. Blythe, Kevin C. Peterson, and Harry H. and Dorothy J. Rosencrans. The subject properties 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 an arterial road Wasilla Official Streets and Highways Plan. 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. City water and sewer and nearby and available to the property. The City does not provide sidewalks 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 subject property is bordered on its southeast by Commercial zoning. Commercial land uses already exist on several smaller parcels included in this request along this section of Knik-Goose Bay Road. 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 concern that a buffer is needed between existing Multi-family (RM) zoned property in the Center Pointe Subdivision and the proposed commercially zoned property resulting from this request. The applicant has addressed the neighboring property owners concerns, by creating a 35' wide buffer which, when included with the existing 80' wide power line easement will create a 115' wide buffer to minimize negative impacts to nearby residentially zoned properties currently developed and sharing a common boundary with the subject property.

Concerns from neighboring property owners included adding traffic to Knik-Goose Bay Road, and the desire not to have commercial development on these 69.89 acres.

Recommendation

After deliberation and consideration of both written and verbal testimony, agency comments, and the official staff report, the Planning Commission voted 6 to 1 to recommend that the requested rezone be approved only for 69.89 acres of the 88.56 acres.

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 07- 04**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING A REQUEST FROM RANDY HARMAN ACTING WITH AND ON BEHALF OF LARRY W. & ALICE E. BLYTHE; KEVIN C. PETERSON; HARRY H. & DOROTHY J. ROSENCRANS, TO REZONE APPROXIMATELY 69.89 ACRES IN THE (RR)-RURAL RESIDENTIAL AND (RM)-MULTI-FAMILY ZONING DISTRICTS TO (C)-COMMERCIAL ON PROPERTY DESCRIBED AS MATANUSKA-SUSITNA BOROUGH TAX PARCELS A-5, D-5, D-6, & D-15; AND A PORTION OF TRACT A, CENTER POINT SUBDIVISION, PHASE II, ALL WITHIN SECTION 16, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA.

WHEREAS, Randy Harman acting on the behalf of all property owners submitted an application for a zone change for Planning Commission Approval and recommendation to City Council of the proposed zone change on February 26, 2007 to change the zoning from (RR)-Rural Residential and (RM)-Multi-family to (C)-Commercial approximately 69.89 acres of property described as a portion of Tract A, Center Point Subdivision, Phase II; and MSB Tax Parcels A-5, D-5, D-6, & D-15; all within Section 16, T17N, R01W, SM, Alaska; and

WHEREAS, a zone change is reviewed and approved under the same process as conditional use permits by the Planning Commission and City Council; and

WHEREAS, Randy Harman submitted an application, narrative, and maps dated February 26, 2007, addressing criteria listed in WMC 16.16.040; 16.16.050; and 16.16.070; and

WHEREAS, the Wasilla Planning Office mailed notices for the initial request to property owners within 1,200 radial feet of the proposed development; 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 developed Findings of Fact to summarize the basic facts and reasoning of the commission.

WHEREAS, after due consideration, the Planning Commission hereby determines that this application meets the approval criteria for a rezone.

NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission approves this application as amended, Case No. R07-01 for Randy Harman as applicant and on behalf of property owners including Larry W. and Alice E. Blythe; Kevin C. Peterson; Harry H. & Dorothy J. Rosencrans to rezone approximately 69.89 acres on property described as a portion of Tract A, Center Point Subdivision, Phase II, and MSB Tax Parcels A-5, D-5, D-6, & D-15, within Section 16, T17N, R1W, SM, AK, and this application is hereby approved with the following conditions:

1. The rezone shall include Matanuska-Susitna Tax Parcels A-5, D-5, D-6, & D-15, within Section 16, T17N, R01W, Seward Meridian, Alaska, consisting of an area totaling approximately 45.74 acres and a 24.15-acre portion of Tract A, Center Point Subdivision, Phase II, for a total rezone area of 69.89 acres.
2. The subject property shall be re-platted by the Mat-Su Borough Platting Authority to reflect property boundaries after the zone change.


BE IT FURTHER RESOLVED that the Wasilla City Planning Commission approves this resolution, 07-04 after due consideration and with the Findings of Fact incorporated herein as Exhibit A; and forwards this recommendation of approval to the Wasilla City Council.

ADOPTED by the Wasilla Planning Commission on March 27, 2007.

APPROVED:


Stan Tucker, Chairman

ATTEST:


Jim Holycross, City Planner

[seal]

**Wasilla Planning Commission Resolution 07-04
Findings of Fact**

1. The applicants, Randy L. Harman, Larry W. & Alice E. Blythe, Kevin C. Peterson, Harry H. & Dorothy J. Rosencrans are requesting to rezone five parcels, three of which are currently zoned RR-Rural Residential and two of which are zoned RM-Multi-Family Residential to C—Commercial. The lots are known as MSB tax parcels A-5, D-5, D-6, D-15 and a portion of Tract A, Center Point Subdivision, Phase II all within Section 16, Township 17 North, Range 1 East, Seward Meridian, AK.
2. Public hearing notices were mailed out to all property owners within a 1200' radius on March 1, 2007 allowing an appropriate number of days to respond prior to the public hearing notice and request for comments in accordance with 16.16.040(A)(5).
3. Staff has reviewed the request to rezone five parcels within Section 16, Township 17 North, Range 1 West from RR-Rural Residential & RM-Multi-Family Residential to C—Commercial under the provisions of WMC 16.16.040, 16.16.050, and 16.16.070.
4. The staff report includes staff findings and recommendations based on the requirements of city code.
5. The subject area, approximately 69.89 acres in all, is contiguous with existing commercially zoned properties located north and east of the proposed rezone area. The area exceeds the two-acre required minimum and involves a contiguous expansion of an existing zone.
6. All components of the complete application were received in a timely manner in accordance with the requirements of 16.16.040.
7. Staff finds that there is no approved neighborhood plan for the area subject to this rezone request, however, due deference was given through notice to property owners within 1200' of the property subject to this request. This criterion is met.
8. The applicant has addressed all of the 21 general approval criteria of section 16.16.050 adequately as applicable to this request. The purpose of this staff report is to determine if the proposed rezone substantially complies with the approval criteria as applicable at the time of this request. Staff finds that this application substantially complies with items 1 – 21.
9. Staff finds that adequate services are in the immediate area to the property line of this proposal. At the time of this zone change request the applicant has stated that he is willing to extend sewer and water as development warrants to serve the area of the rezone. Good accessibility will exist from Knik-Goose Bay Road when development occurs. Interior circulation, parking, sidewalks, and drainage will all be reviewed at the time a specific development application is received for future development on the property subject to this zone change request.

10. Notice was sent to property owners within 1200' of the subject property and about 20 various federal, state, and local agencies and interest groups as appropriate for this proposal. Staff finds that all comments will be adequately considered and addressed as appropriate to the criteria as applicable therefore this criterion is met.

11. Staff finds that the Department of Community and Economic Development has received various and increasing inquiries regarding the availability of commercially zoned property in the City of Wasilla therefore staff finds that there is a demonstrated need to facilitate the availability of properly zoned land to encourage the development of businesses who wish to locate in the City of Wasilla.

12. Staff finds that the resulting commercially zoned property of this zone change request is a logical extension of other commercially zoned property along Knik-Goose Bay Road. There are existing businesses on property now zoned Rural Residential (RR) which are part of this proposal and which should logically be zoned as Commercial (C) since they are and have been commercial for many years. Staff finds that this proposal to expand the commercial zone along Knik-Goose Bay Road, a main road, will provide a logical integrated area therefore this criterion is met.

13. Staff finds that this proposal, if approved, will make additional commercially zoned land available for those businesses wishing to relocate to Wasilla. This proposal to make additional land available for commercial use will promote the economy. Specific development review by appropriate notified agencies, Planning Staff, the Planning Commission, and City Council will consider and implement appropriate protection of the environment and the considerations for improvement to the quality of life in Wasilla.

14. Staff finds that this proposal to rezone property to commercial south of the Alaskan Railroad will add to the geographic balance of the commercial interests in Wasilla north and south of the Alaska Railroad.

15. Staff finds that this proposal is substantially consistent with the City Comprehensive Plan – 1996 Current Land Use Map, which designates the subject property as “Vacant/Open Space/Undeveloped”. There are existing businesses on the triangular shaped multiple lots which were allowed in the residential zone as “Commercial less than 10,000 square feet”. The remainder of the subject property is primarily Vacant/Open Space/Undeveloped.

16. Staff finds that this proposal is substantially consistent with the City Comprehensive Plan – 1996 Expected Future Land Use Map, which designates the subject property as “Generally Residential” for the smaller multiple lot small triangular portion of this request; and the remainder as “Mixed Use Area”. The existing zoning for all lots involved in this rezone request fits within the Comprehensive Plan map designations for *Expected Future Land Use* of the area. Therefore, this proposal is substantially consistent with the Comprehensive Plan Maps.

17. Staff finds that the General Approval Criteria of WMC, Section 16.16.050 have been specifically addressed as applicable and generally do not apply to this zone

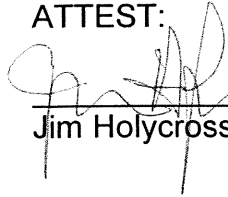
change request, however they will be adequately addressed at the time of a specific application for development on the subject property is received in the office of Community and Economic Development.

ADOPTED: March 27, 2007



Stan Tucker, Chairman

ATTEST:



Jim Holycross, City Planner



STAFF REPORT
Prepared by:
For the meeting of:

Case # **R07-01**
Planning Staff
March 27, 2007

I. SUMMARY FACTS:

Applicant: Randy L. Harman for Harman Excavating, Inc., et al
Land Owners: Harman Excavating, Inc; Larry W. & Alice E. Blythe; Kevin C. Peterson; Harry H. & Dorothy J. Rosencrans
Proposal: To rezone five parcels from RM-Multi-Family Residential & RR—*Rural Residential* to C-- *Commercial*.
Location: Area requested to be rezoned is located on the NW side of Knik-Goose Bay Road extending northerly to the southern boundary of Center Point Subdivision, Phase II. Parcels are described as MSB tax parcels A-5, D-5, D-6, & D-15, and Tract A of Center Point Subdivision, Ph II, all within Section 16, T17N, R01W, SM, AK.
Parcel size: Approximately 88.56
Existing Zoning 3-parcels = RR-Rural Residential; 2 parcels = RM-Multi-Family Residential
Comprehensive Plan: The *1996 Expected Future Land Use Map* shows this area to be a *Mixed Use Area* with a portion of the area to the west designated as *Parks*.
Surrounding Zoning: North: Single Family Residential/Condo and City land (vacant)
South: KGB Frontage, Texaco, and Subway
East: Senior Center Campus – multi-family & vacant land
West: City and State, vacant land

II. STAFF RECOMMENDATION:

Based on the criteria established in Sections 16.16.040, 16.16.050, and 16.20.020 of the Wasilla Municipal Code, staff recommends approval of the request.

III. SUMMARY OF REQUEST

The applicants, Randy L. Harman, Larry W. & Alice E. Blythe, Kevin C. Peterson, Harry H. & Dorothy J. Rosencrans are requesting to rezone five parcels, three of which are currently zoned *RR-Rural Residential* and two of which are zoned *RM-Multi-Family Residential* to C—*Commercial*. The lots are known as MSB tax parcels A-5, D-5, D-6, D-15 and Tract A of Center Point Subdivision, Phase II all within Section 16, Township 17 North, Range 1 East, Seward Meridian, AK.

Public hearing notices were mailed out to all property owners within a 1200' radius on March 3, 2007 allowing an appropriate number of days to respond prior to the public hearing notice and request for comments in accordance with 16.16.040(A)(5).

IV. ISSUES REGARDING CODE

Staff has reviewed the request to rezone five parcels within Section 16, Township 17 North, Range 1 West from *RR-Rural Residential & RM-Multi-Family Residential* to *C—Commercial* under the provisions of WMC 16.16.040, 16.16.050, and 16.16.070.

This staff report includes staff findings and recommendations based on the requirements of city code.

V. APPLICABLE PROCEDURES

The following addresses the applicable sections of City of Wasilla Land Development Code necessary for a rezone of property within the City of Wasilla:

VI. FINDINGS

16.16.070 *Rezoning*

Rezoning are changes to zoning district boundaries as shown on the official zoning map.

A. *Initiation. A rezoning may be initiated by the developer, the planner, any member of the commission, a city council member; the mayor or by a petition bearing the signatures of the owners of at least fifty-one (51) percent of the owners of property within the area proposed to be rezoned.*

Staff Finding:

The application for rezone was initiated Randy L. Harman, Larry W. & Alice E. Blythe, Harry H. & D.J. Rosencrans, & Kevin C. Peterson encompassing five contiguous parcels all located north and west of the Knik Goose-Bay Road.

B. *Restrictions. Rezoning of an area less than two acres shall not be considered unless the rezoning involves the contiguous expansion of an existing zone. Streets or other right-of-way shall not be included in calculating the minimum area for a rezoning. The area to be rezoned shall be a logical, integrated area.*

Staff Finding:

The subject area, approximately 88.56-acres in all, is contiguous with existing commercially zoned properties located north and east of the proposed rezone area. The area exceeds the two acre required minimum and involves a contiguous expansion of an existing zone.

C. *Procedure. The application, acceptance notice, reviews and decision procedures for a rezoning shall follow the procedures set forth for a conditional use in Section 16.16.040. If the commission fails to act within twenty (20) days of the close of the hearing the rezoning request shall be considered approved and shall be forwarded to the council.*

Staff Finding:

All components of the complete application were received in a timely manner in accordance with the requirements of 16.16.040. Notice was given to property owners within 1200' as required.

D. *Criteria. The commission shall make a recommendation to the council based on written findings that the appropriate following criteria have been addressed:*

1. *Due deference has been given to the neighborhood plan; or comments and recommendations from a neighborhood with an approved neighborhood plan;*

Applicant Response: There is no neighborhood plan at this time. However, along the eastern boundary is the Wasilla Senior Center, which is zoned RM and Commercial. In addition, the neighbors to the north have been considered by keeping in compliance with the existing CC&R's of Center Point Subdivision (CPS). There are no neighbors to the west at this time and the only neighbors to the south are piggy-backing on this rezone request.

Staff Finding: Staff finds that there is no approved neighborhood plan for the area subject to this rezone request, however, due deference was given through notice to property owners within 1200' of the property subject to this request. This criteria is met.

2. *The proposed rezoning substantially complies with Section 16.16.050, General approval criteria;*

Applicant Response: We believe we are in compliance with Section 16.16.050 by the attached sheets addressing all 21 items listed in that section.

Staff Finding: The applicant has addressed all of the 21 general approval criteria of section 16.16.050 adequate as applicable to this request. The purpose of this staff report is to determine if the proposed rezone substantially complies with the approval criteria as applicable at the time of this request. Staff finds that some of the 21 General approval criteria cannot be applied until a specific development application is received.

3. *The proposed rezoning is in an area with adequate services, including as appropriate; roads, parking, sidewalks, water, sewer, gas, electricity, drainage, police and fire protection, or the developer has agreed to provide all the necessary improvements or services for the area;*

Applicant Response: All police and fire services are already being provided because we are within the City of Wasilla limits. Water and Sewer utilities would be extended to facilitate development just as it has been done since the creation of Center Point Subdivision.

Staff Finding: Staff finds that adequate services are in the immediate area to the property line of this proposal. At the time of this zone change request the applicant has stated that he is willing to extend sewer and water as development warrants to serve the area of the rezone. Good accessibility will exist from Knik-Goose Bay Road when development occurs. Interior circulation, parking, sidewalks, and drainage will all be reviewed at the time a specific development application is received for future development on the property subject to this zone change request. Staff finds that adequate services exist for this zone change request to be considered, therefore this criteria is met.

4. *The comments from reviewing parties (Section 16.08.040) on the proposed rezoning have been adequately addressed;*

Applicant Response: The review process begins with this application; therefore, there are no comments

from the reviewing parties in at this point.

Staff Finding:

Notice was sent to property owners within 1200' of the subject property and about 20 various federal, state, and local agencies and interest groups as appropriate for this proposal. The Following notified parties commented:

1. Roger Riddell commented on 3/06/07, see attached comments.
2. Jay and Carolyn Weimer commented on 3/07/07, see attached comments.
3. Frank Smith commented on 3/09/07, see attached comments.
4. Patricia Shier commented on 3/12/07, see attached comments.
5. Celia Tenhaar commented on 3/13/07, see attached comments.
6. Jean Miller commented on 3/13/07, see attached comments.
7. Robert and Gloria Coulter commented on 3/15/07, see attached comments.
8. Roy and Mary Heidel commented on 3/15/07, see attached comments.
9. Laura Greenwood commented on 3/16/07, see attached comments.
10. Wasilla Soil & Water Conservation District commented on 3/05/07, see attached letter.
11. The Mat-Su Borough commented on 3/05/07, "FIRM #9679C Zone #C, NC", see attached comment.

Staff finds that all comments will be adequately considered and addressed as appropriate to the criteria as applicable therefore this criterion is met.

5. *There is a demonstrated need for additional land in the zoning district to accommodate uses allowed.*

Applicant Response:

Our company has been receiving more and more requests for property for commercial use along Knik Goose Bay Road than we have for residential. This rezone would allow us to expand our product base while staying within accepted practices.

Staff Finding:

Staff finds that the Department of Community and Economic Development has received various and increasing inquiries regarding the availability of commercially zoned property in the City of Wasilla therefore staff finds that there is a demonstrated need to facilitate the availability of properly zoned land to encourage the development of businesses who wish to locate in the City of Wasilla.

6. *The resulting district or expanded district will be a logical, integrated area.*

Applicant Response:

The City zoning map demonstrates the logical use of commercial zoning along main roads and the City encourages economic development.

Staff Finding:

Staff finds that the resulting commercially zoned property of this zone change request is a logical extension of other commercially zoned property along Knik-Goose Bay Road. There are existing businesses on property now zoned Rural Residential (RR) which are part of this proposal and which should logically be zoned as Commercial (C) since they are and have been commercial for many years. Staff finds that this proposal to expand the commercial zone along Knik-

Goose Bay Road, a main road, will provide a logical integrated area therefore this criterion is met.

7. *The rezoning is in conformance with the city comprehensive plan.*

Applicant Response: We intend to attempt to comply with the City's comprehensive plan.

Staff Finding:

Staff finds that this proposal will meet the intent of Goals and Policies of the Comprehensive Plan, Specifically the following:

Goal: Encourage growth and development that promotes the economy, protects the environment and improves the quality of life. The city should do everything it can to encourage economic development, while protecting and enhancing the small town atmosphere and semi rural way of life.

Staff finds that this proposal if approved will make additional commercially zoned land available for those businesses wishing to relocate to Wasilla. This proposal to make additional land available for commercial use will promote the economy. Specific development review by appropriate notified agencies, Planning Staff, the Planning Commission, and City Council will consider and implement appropriate protection of the environment and the considerations for improvement to the quality of life in Wasilla.

Goal: Encourage growth and development in appropriate areas south of the Alaska Railroad to create geographic balance in the downtown area.

Staff finds that this proposal to rezone property to commercial south of the Alaskan Railroad will add to the geographic balance of the commercial interests in Wasilla north and south of the Alaskan Railroad.

Staff finds that this proposal is substantially consistent with the City Comprehensive Plan – 1996 Current Land Use Map, which designates the subject property as “Vacant/Open Space/Undeveloped”. There are existing businesses on the triangular shaped multiple lots which were allowed in the residential zone as “Commercial less than 10,000 square feet”. The remainder of the subject property is primarily Vacant/Open Space/Undeveloped.

Staff find that this proposal is substantially consistent with the City Comprehensive Plan – 1996 Expected Future Land Use Map. Which designates the subject property as “Generally Residential” for the smaller multiple lot small triangular portion of this request; and the remainder as “Mixed Use Area”. The existing zoning for all lots involved in this rezone request fits within the Comprehensive Plan map designations for Expected Future land Use of the area therefore this proposal is substantially consistent with the Comprehensive Plan Maps.

8. *Council. The council shall review and act on a rezoning by ordinance. The council shall consider the application and commission recommendation at its next available meeting after receipt of the commission recommendation.*

Applicant Response: None.

Staff Finding: The Planning Commission shall initiate a recommendation and forward that recommendation on to the City Council for consideration at their next regularly scheduled meeting.

VI. COMPLIANCE WITH WMC 16.16.050 – GENERAL APPROVAL CRITERIA

The approval criteria have been addressed adequately in the applicant's attached narrative dated February 26, 2007, consisting of three (3) pages.

Staff Finding: Staff find that the General Approval Criteria of WMC, Section 16.16.050 do not apply to this zone change request but will be adequately addressed at the time that development of the subject property warrants or a specific application for development for the subject property is received in the office of Community and Economic Development.

16.16.050(1)&(5) *Neighbors. Due deference has been given to the neighborhood plan or comments and recommendations from a neighborhood with an approved neighborhood plan.*

Applicant Response: There is no neighborhood plan at this time. Please reference number one above.

Staff Finding: Staff finds there are no neighborhood plans for the subject property, however, due deference has been given by notification of this proposal to property owners within 1200' of the subject property therefore this criteria is met.

16.16.050(2) *Plans. The proposal is substantially consistent with the city comprehensive plan and other city adopted plans.*

Applicant Response: We believe this proposal is substantially consistent with the City comprehensive plan because it shows this area as a primarily mixed-use area with the southeast corner generally commercial or business.

Staff Finding: Staff finds that this proposal will meet the intent of Goals and Policies of the Comprehensive Plan, Specifically the following:

Goal: Encourage growth and development that promotes the economy, protects the environment and improves the quality of life. The city should do everything it can to encourage economic development, while protecting and enhancing the small town atmosphere and semi rural way of life.

Staff finds that this proposal if approved will make additional commercially zoned land available for those businesses wishing to relocate to Wasilla. This proposal to make additional land available for commercial use will promote the economy. Specific development review by appropriate notified agencies, Planning Staff, the

Planning Commission, and City Council will consider and implement appropriate protection of the environment and the considerations for improvement to the quality of life in Wasilla.

Goal: Encourage growth and development in appropriate areas south of the Alaska Railroad to create geographic balance in the downtown area.

Staff finds that this proposal to rezone property to commercial and south of the Alaskan Railroad will add to the geographic balance of the commercial interests in Wasilla both north and south of the Alaskan Railroad.

Staff finds that this proposal is substantially consistent with the City Comprehensive Plan – 1996 Current Land Use Map, which designates the subject property as “Vacant/Open Space/Undeveloped”. There are existing businesses on the triangular shaped multiple lots which were allowed in the residential zone as “Commercial less than 10,000 square feet”. The remainder of the subject property is primarily Vacant/Open Space/Undeveloped.

Staff find that this proposal is substantially consistent with the City Comprehensive Plan – 1996 Expected Future Land Use Map. Which designates the subject property as “Generally Residential” for the smaller triangular portion of this request; and the remainder as “Mixed Use Area”. The existing zoning for all lots involved in this rezone request fits within the Comprehensive Plan map designations for Expected Future land Use of the area therefore this proposal is substantially consistent with the Comprehensive Plan Maps.

16.16.050(3) *Special Uses. The proposal is substantially consistent with the specific approval criteria of Section 16.16.060.*

Applicant Response: We believe this proposal is substantially consistent with the specific approval criteria of section 16.16.060 in that we are not requesting any specific approval of the subjects listed under that section.

Staff Finding: A zone change application is not required to address the Specific Approval Criteria of section 16.16.060. This criteria is not applicable to this request.

16.16.050(4) *Reviewing Parties. Due deference has been given to the comments and recommendations of reviewing parties.*

Applicant Response: The rezone process at the City of Wasilla begins with this application; therefore, at this date no comments of reviewing parties have been returned. We intend to give due deference to any comments or recommendations of reviewing parties.

Staff Finding: Staff has given due deference to the comments and recommendations of the reviewing parties as they apply to the approval criteria of this request therefore this criteria is met.

16.16.050(6) *Fire Safety and Emergency Access. The proposal shall not pose a fire danger as determined by the State Fire Marshal or the fire chief of the*

district in which the proposed use is located. Adequate access for emergency and police vehicles must be provided.

Applicant Response: This rezone will not impact fire safety or emergency access. This proposal shall not pose a fire danger as we will continue to provide extensions of city water and city sewer with utilities as the property is developed. Access for emergency and police vehicles will be provided through adequate streets designed per local codes.

Staff Finding: The State Fire Marshall's office was notified and an opportunity for comment on this proposal was provided. The issue of adequate access for emergency and police vehicles will be considered when specific development applications are received for the subject property subsequent to an approval of this zone change request.

16.16.050(7) *Traffic. The proposed use shall not overload the street system with traffic or result in unsafe streets or dangers to pedestrians.*

Applicant Response: We already have State of Alaska approval for two driveways off of Knik Goose Bay Road that connect to Tract A and they are installed and paved (one of which is directly across from Fern Street). Any commercial traffic would be off of Knik Goose May Road and not through Center Point Subdivision.

Staff Finding: The subject property of this request has excellent potential access from Knik-Goose Bay Road which has a level of service providing capacity for additional traffic. A Traffic Impact Analysis may be required by ADOT&PF when development warrants.

16.16.050(8) *Dimensional Standards. The dimensional requirements of Section 16.24.010 are met.*

Applicant Response: The dimensional requirements of section 16.24.010 are not yet known but will be met.

Staff Finding: Dimensional Standards are not part of this consideration for a zone change therefore this criteria is not applicable.

16.16.050(9) *Parking. The parking, loading areas and snow storage sites for the proposal shall be adequate, safe and properly designed. The developer may be required to install acceptable lighting at pedestrian or vehicular access points.*

Applicant Response: Parking requirements have not yet been determined but we will comply with all requirements as the need arises.

Staff Finding: Parking requirements are not applicable to review of an application for a zone change request but will be reviewed at the appropriate time when a specific application for development is received at a later date.

16.16.050(10) ***Utilities. The proposed use shall be adequately served by water, sewer, electricity, on-site water or sewer systems and other utilities.***

Applicant Response: Utilities will be extended into these parcels as the need arises from extensions of existing services located within Center Point Subdivision.

Staff Finding: Utilities are in the immediate area and to the property of this zone change request. The subject property can be served by City water and sewer, and electricity when development warrants because these utilities are at the property line or on the property at it exists at the Centerpoint Subdivision.

16.16.050(11) ***Drainage. The proposed use shall provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate runoff into public streets, adjoining lots and protect rivers lakes and streams from pollution. Uses may be required to provide for the conservation of natural features such as drainage basins and watersheds, land stability.***

Applicant Response: We are in compliance with the Environmental Protection Agency's SWPPP (Storm Water Pollution Protection Plan).

Staff Finding: Drainage will be specifically reviewed in the future when future development n the subject property warrants and a specific use and development proposal is made through application to the City Office of Planning and Community Development.

16.16.050(12) ***Large Developments. Residential development of more than four units or non-residential development of more than ten thousand (10,000) square feet gross floor area may be required to provide a site plan showing measures to be taken for the preservation of open space, sensitive areas and other natural features; provision of common signage provision for landscaping and provisions for safe and effective circulation of vehicles, developments must be located with frontage on one of the following class of streets; interstate, minor arterial, major collector or commercial.***

Applicant Response: Yes, it is planned by your definition within this section. Our access will be from Knik Goose Bay Road by one or both of the State of Alaska approved driveways already existing on Tract A.

Staff Finding: This provision will be addressed at the appropriate time when an application is received for a specific development.

16.16.050(13) ***Peak Use. The proposed use shall not result in significantly different peak use characteristics than surrounding uses or other uses allowed in the district.***

Applicant Response: We believe the proposed use will not result in significantly different peak use characteristics than surrounding uses allowed in this district.

Staff Finding: A traffic impact study may be required at the time that a specific application is made for development of this property.

16.16.050(14) *Off-Site Impacts. The proposal shall not significantly impact surrounding properties with excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises. Radio transmitters and any electronic communications equipment regulation by the Federal Communications Commission is specifically excluded from regulation by this section. Welding, operation of electrical appliances or power tools, or similar activities that cause off site impacts as described above are specifically regulated by this subsection. Buffering may be required to ameliorate impacts between residential and nonresidential uses. The owner of the property upon which the buffer is constructed is responsible for the maintenance of the buffer in a condition that will meet the intent of these criteria.*

Applicant Response: Offsite impacts requirements have not yet been determined but we will comply with all requirements as the need arises.

Staff Finding: There is no development proposal at this time therefore this criterion is not applicable, but will be addressed at the time when development warrants.

16.16.050(15) *Landscaping. A reclamation or landscaping plan may be required by the planner or commission as a condition of approval of any multifamily, commercial or industrial use. The purpose of the reclamation or landscaping plan includes the control of dust, soil erosion, storm water runoff and siltation which otherwise would be generated on the lot and affect the surrounding area. The commission may adopt city landscaping standards that establishes the type of vegetation and acceptable methods to be used for compliance. The owner(s) of the property shall be responsible for maintenance of the landscaping to allow the establishment of the planted materials and stability of other physical improvements such as earthen berms. The planner or commission may require a bond and/or a maintenance guarantee pursuant to Sections 16.28.040 and 16.28.050. The planner or commission shall not impose requirements inconsistent with the requirements of any other governmental entity, but may impose more stringent requirements and may work with the applicant to reach a satisfactory compromise with any other governmental entity. If a suitable plan is already in existence, the planner may find that plan fulfills the requirements of this section. The plan shall contain elements as may be required by the landscaping standards adopted by the commission and may in any even include any or all of the following:*

- a. A grading and site plan, indicating the areas excavated or filled, the proposed finished grades and contours, drainage directions and any control structures to be installed;*
- b. The methods to be employed for reclamation of the site during and after the activity along with a time table for completion;*

- c. A description of all roads, parking areas and buildings and a site map showing the locations of all improvements which will be built;*
- d. A description of any known reclamation requirements of any other governmental entity, and a copy of any reclamation plan under development or an existence for the activity;*
- e. All maps shall be submitted at an accurate scale determined by the planner and extend beyond the site area. The scale requirements and any contour intervals may be adjusted by the planner to fit the circumstances;*
- f. The design and contents of the landscaping and a description and site plan of the number, type and variety of plants, shrubs or trees to be use;*
- g. Storage. A fenced storage area for common use, adequate to store boats, trailers, snowmobiles, recreational vehicles or other items may be required.*
- h. Trash receptacles. Adequately sized, located and screened trash receptacles and areas may be required.*

Applicant Response: Landscaping requirements have not yet been determined but we will comply with all requirements as the need arises.

Staff Finding: There is no development proposal at this time therefore this criterion is not applicable, but will be addressed at the time when development warrants.

16.16.050(16) **Walkways, Sidewalks and Bike Paths. Pedestrian walkways or bicycle paths may be required where necessary to provide reasonable circulation or access to schools, playgrounds, shopping areas, transportation or other community facilities. Improvements must be constructed to standards adopted by the engineer.**

Applicant Response: Walkways, sidewalks and bike paths requirements have not yet been determined but we will comply with all requirements as the need arises.

Staff Finding: There is no development proposal at this time therefore this criterion is not applicable, but will be addressed at the time when development warrants.

16.16.050(17) ***Water, Sewage and Drainage Systems. If a proposed use is within five hundred feet of an existing, adequate public water system, the developer may be required to construct a distribution system and the connection to the public system. A developer may be required to increase the size of existing public water, sewer or drainage lines or to install a distribution system within the development. The commission may require any or all parts of such installation to be oversized. The developer must submit to the engineer an acceptable plan that shows that if within ten (10) years an increase in capacity will be required to serve other areas how these needs will be met by oversized facilities. When installation of oversized facilities is required, the developer shall install such facilities at their own expense. The developer shall be reimbursed the amount determined by the engineer to be the difference in cost between the installed cost of the oversized utility lines and***

the installed cost of the utility lines adequate to serve both the development concerned and all other land to be served by the lines which is owned or under the control of the developer; provided, the developer may not be required to install facilities unless funds for such over-sizing have been appropriated for the purpose by the city and there is a sufficient unencumbered balance in the balance in the appropriation. No reimbursement may be made unless the developer has entered into such agreement with the city, including conveyances of personal property including lines, lift stations and valves and conveyances of land or rights in land, as the city determines may be necessary to ensure complete control by the city of its sewer, drainage and water lines when they are extended to serve the property of the developer. Notwithstanding the requirement that the developer construct improvements to existing systems, the commission may elect to accomplish the design or construction, or both, of improvements to be made to existing public systems. In such a case, the commission may require advance payment to the city of the estimated cost of work to be accomplished by the city. The developer shall reimburse the city for all expenses of such design or construction not paid in advance. A public system is adequate if, in the judgment of the engineer, it is feasible for the developer to make improvements to the public system which will provide the increased capacity necessary to serve the existing users and the new development at the same level as is being provided to the existing users. Prior to approval of a use for which a community water system is required, the developer must submit evidence showing that there is available a satisfactory source of water. A source of water is satisfactory only if it can be shown that the proposed source will produce water sufficient in quality and quantity to supply the development. The water system and the connection between such distribution systems and the source must be sized and constructed to meet fire flow and hydrant requirements for fire protection and that the developer has obtained or can obtain a water appropriation permit or certificate for the water from the state. The system must be built to city specifications available from the engineer.

Applicant Response: A registered Engineer licenses with the State of Alaska will design all water, sewer and drainage plans as the need arises.

Staff Finding: There is no development proposal at this time therefore this criterion is not applicable, but will be addressed at the time when development warrants.

16.16.050(18) ***Historic Resources. The proposed use shall not adversely impact any historic resource prior to the assessment of that resource by the city.***

Applicant Response: We are not aware of any historic resources on this property where this issue applies.

Staff Finding: There is no development proposal at this time therefore this criterion is not applicable, but will be addressed at the time when development warrants.

16.16.050(19) ***Appearance. The proposed use may be required to blend in with the general neighborhood appearance and architecture. Building spacing, setbacks, lot coverage, and height must be designed to provide adequate provisions for natural light and air.***

Applicant Response: Appearance issues have not yet been determined but we will comply with all requirements as the need arises.

Staff Finding: There is no development proposal at this time therefore this criterion is not applicable, but will be addressed at the time when development warrants.

16.16.050(20) ***Open Space and Facilities. The applicant may be required to dedicate land for open space drainage, utilities, access, parks or playgrounds. Any dedication required by the city must be based on a written finding that the area is necessary for public use or safety and the dedication is in compliance with adopted municipal plans and policy. The city finding shall conclude that a direct connection exists between the development and the need for the provision of the dedication. No land may be accepted by the city unless:***

- a. The location, shape, size and character of the area is suitable for the planned use;***
- b. The uses authorized for an area are appropriate to the scale and character of the uses considering its size, density, expected population, topography, and the number and type of dwellings and uses to be conducted;***
- c. The area must be suitably improved for its intended use, but common open space containing natural features worthy of preservation may be left unimproved;***
- d. If the final development plan provides for buildings, landscaping or other improvements in the dedicated area, the developer must provide a bond or other adequate assurance that such improvements will be completed. The city shall release the bond or other assurance when the buildings, structures or improvements have been completed according to the development plan;***
- e. All land must be conveyed under one of the following options:***
 - i. It may be conveyed to an agency that will agree to maintain in perpetuity the area and any buildings, structures, or improvements which have been placed on it.***
 - ii. When no maintenance of the area is required, it maybe conveyed to all new owners in undivided joint ownership.***
 - iii. When the land is not dedicated to a public agency and maintenance of the common space is required, an association for maintenance of the area must be established. Covenants establishing the association must be approved as to form by the city attorney, and by the commission as to whether the covenants provide for maintenance of the area in a manner which assures its continuing use for its intended purpose.***

**iv. Conveyance of an area must be consistent with AS 34.07
the Horizontal Property Regime Act.**

Applicant Response: Open Space and Facilities have not yet been determined.

Staff Finding: There is no development proposal at this time therefore this criterion is not applicable, but will be addressed at the time when development warrants.

16.16.050(21) *Winter Hassles. The proposed use shall not significantly increase the impact on the surrounding area from glaciation or drifting snow.*

Applicant Response: We believe there are no insurmountable drifting snow areas and there is no evidence of glaciation anywhere on this property.

Staff Finding: There is no development proposal at this time therefore this criterion is not applicable, but will be addressed at the time when development warrants.

VII. RECOMMENDATION

Planning Staff recommends that the Planning Commission approve this request for a zone change and forward a recommendation of approval for this proposal to the City Council to approve the requested change from Rural Residential and RM-Multi-Family Residential to C - Commercial .

3/10/07

I have no objection to the requested rezoning stated in Case # R07-07 if the property owners/residents of Center Point subdivision do not lose the integrity of our investment. There should be a large enough space between residential buildings and the commercial zoned property line to insure visual privacy and noise abatement to continue a peaceful environment.

Patricia L Shier

03-12-07 15:03 RCVD

REZONE

CASE: R07-01

erry H. & D.J. Rosencrans, & Kevin C. Peterson

a of approximately 88.56 acres from RR—Rural-Commercial. The subject properties are known Tract A of Center Point Subdivision, Phase II, all West, Seward Meridian, AK, located north and

.00' of the subject property, (WMC 16.16.040).

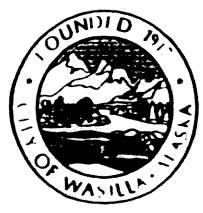
0 PM in the City Council Chambers. Comments mailing to: City of Wasilla, Planning Office, 290 E ase attach a separate piece of paper. You may illa.ak.us. Your written comments on this rezone order to be included in the packet. Comments

e Planning Office for additional information.

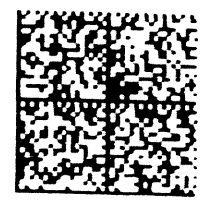
99654

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Series of horizontal lines for additional information or comments.



CITY OF WASILLA
PLANNING OFFICE
290 E HERNING AVE
WASILLA, AK 99654
PHONE 373-9020 FAX 373-9021



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SHIER PATRICIA L
1307 S CENTER POINT DR
WASILLA, AK 99654

FIRST CLASS

NOTICE OF PUBLIC HEARING

Jill Carricaburu

From: Gregory Wood [gwoodak@gmail.com]
Sent: Monday, March 19, 2007 4:16 PM
To: Jill Carricaburu
Subject: Public Hearing - Rezone Case #R07-01

Gregory S. Wood
245 Goldenwood Street
Lot 4 Block 3 Centerpoint Subdivision
Mailing: 1150 Helen Lane Wasilla, Alaska 99654

I have spoke with Randy Harman concerning this rezoning. I just moved into Centerpoint Subdivision and I have no objections to the rezoning of the subject parcels, so far as there is no access to the proposed Commercial Property via Center Point Subdivision's residential areas and the residential area remains fenced off from the commercial property, as was described by Mr. Harman.

Regards,

Gregory S. Wood

NOTICE OF PUBLIC HEARING - REZONE

DATE: 3-01-07

CASE: R07-01

APPLICANT (S): Randy L. Harman, Larry W. & Alice E. Blythe, Harry H. & D.J. Rosencrans, & Kevin C. Peterson

REQUEST: To rezone 5 parcels, with a combined total area of approximately 88.56 acres from RR--Rural Residential & RM-Multi-Family Residential to C--Commercial. The subject properties are known as: MSB tax parcels A-5, D-5, D-6, & D-15, and Tract A of Center Point Subdivision, Phase II, all within Section 16, Township 17 North, Range 1 West, Seward Meridian, AK, located north and west of S. Knik-Goose Bay Road.

You are being notified of this action as you are a property owner within 1200' of the subject property, (WMC 16.16.040).

A public hearing on this request is scheduled for **March 27, 2007 at 7:00 PM** in the City Council Chambers. Comments may be submitted in 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) 373-9021 or email your comments to: lcarricaburu@ci.wasilla.ak.us. Your written comments on this rezone request must reach the Planning Office on or before **March 16, 2007** 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 Laura Greenwood

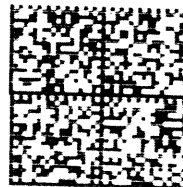
Address 1475 S. Center Point Dr., Wasilla, AK

Lot _____ Block _____ Subdivision Center Point Condominiums, Phase 7, Unit 1475

Comments: Wasilla is a zoning laughingstock. I know the current board is trying to address that. I also believe that the Harman's are responsible developers. When I looked at their zoning request options, I was shocked to see Wasilla does not have an "RO (Residential Office) zoning to allow daytime businesses in the buffer zone between residential and commercial zoning. This "blank check" commercial zoning is very unsettling.



CITY OF WASILLA
PLANNING OFFICE
290 E HERRING AVE
WASILLA, AK 99654
PHONE 373-9020 FAX 373-9021



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GREENWOOD LAURA J
1475 S CENTER POINT DR
WASILLA AK 99654

FIRST CLASS

NOTICE OF PUBLIC HEARING



03-16-07 15:43 IN

NOTICE OF PUBLIC HEARING - REZONE

DATE: 3-01-07

CASE: R07-01

APPLICANT (S): Randy L. Harman, Larry W. & Alice E. Blythe, Harry H. & D.J. Rosencrans, & Kevin C. Peterson

REQUEST: To rezone 5 parcels, with a combined total area of approximately 88.56 acres from RR—Rural Residential & RM—Multi-Family Residential to C—Commercial. The subject properties are known as: MSB tax parcels A-5, D-5, D-6, & D-15, and Tract A of Center Point Subdivision, Phase II, all within Section 16, Township 17 North, Range 1 West, Seward Meridian, AK, located north and west of S. Knik-Goose Bay Road.

You are being notified of this action as you are a property owner within 1200' of the subject property, (WMC 16.16.040).

A public hearing on this request is scheduled for **March 27, 2007 at 7:00 PM** in the City Council Chambers. Comments may be submitted in writing by filling in the spaces provided below and mailing to: City of Wasilla, Planning Office, 290 E Hering Ave, Wasilla, AK 99654. If there is not enough room below please attach a separate piece of paper. You may also fax (907) 373-9021 or email your comments to: icarricaburu@ci.wasilla.ak.us. Your written comments on this rezone request must reach the Planning Office on or before **March 16, 2007** 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 Roy and Mary L. Heidel

Address 230 W. Fallen Leaf Cir.

Lot 11B Block 1 Subdivision Center Point Replat

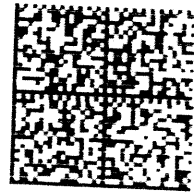
Comments:

No objection - Mr. Harman has done a consistently fine job for our development, community & city.

03-15-07 14:42 IN



CITY OF WASILLA
PLANNING OFFICE
290 E HERNING AVE
WASILLA, AK 99654
PHONE 373-9020 FAX 373-9021



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US POSTAGE

Correct Mailing Address
5101B01L011B
HEIDEL ROY & MARY L
655 CYPRESS AVE
PANAMA CITY, FL 32401

FIRST CLASS

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING - REZONE

DATE: 3-01-07

CASE: R07-01

APPLICANT (S): Randy L. Harman, Larry W. & Alice E. Blythe, Harry H. & D.J. Rosencrans, & Kevin C. Peterson

REQUEST: To rezone 5 parcels, with a combined total area of approximately 88.56 acres from RR--Rural Residential & RM-Multi-Family Residential to C--Commercial. The subject properties are known as: MSB tax parcels A-5, D-5, D-6, & D-15, and Tract A of Center Point Subdivision, Phase II, all within Section 16, Township 17 North, Range 1 West, Seward Meridian, AK, located north and west of S. Knik-Goose Bay Road.

You are being notified of this action as you are a property owner within 1200' of the subject property, (WMC 16.16.040).

A public hearing on this request is scheduled for **March 27, 2007 at 7:00 PM** in the City Council Chambers. Comments may be submitted in writing by filling in the spaces provided below and mailing to: City of Wasilla, Planning Office, 290 E Herning Ave, Wasilla, AK 99654. If there is not enough room below please attach a separate piece of paper. You may also fax (907) 373-9021 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 **March 16, 2007** 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 ROBT & GLORIA COULTER

Address 575 W. FALLEN LEAF CIR. WASILLA, AK 99654

Lot 6A Block 1 Subdivision CENTER PT REPLAT

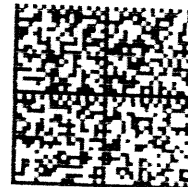
Comments: Maintain culdesac, no thru traffic.

Add a minimum 25 foot buffer between commercial and residential area with original vegetation + trees. Continue fencing around residential area. Add street access to Knik in case of emergency.

03-15-07 14:42 IN



CITY OF WASILLA
PLANNING OFFICE
290 E HERNING AVE
WASILLA, AK 99654
PHONE 373-9020 FAX 373-9021



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COULTER ROBT & GLORIA L
575 W FALLEN LEAF CIR
WASILLA, AK 99654

FIRST CLASS

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING - REZONE

DATE: 3-01-07

CASE: R07-01

APPLICANT (S): Randy L. Harman, Larry W. & Alice E. Blythe, Harry H. & D.J. Rosencrans, & Kevin C. Peterson

REQUEST: To rezone 5 parcels, with a combined total area of approximately 88.56 acres from RR--Rural Residential & RM-Multi-Family Residential to C--Commercial. The subject properties are known as: MSB tax parcels A-5, D-5, D-6, & D-15, and Tract A of Center Point Subdivision, Phase II, all within Section 16, Township 17 North, Range 1 West, Seward Meridian, AK, located north and west of S. Knik-Goose Bay Road.

You are being notified of this action as you are a property owner within 1200' of the subject property, (WMC 16.16.040).

A public hearing on this request is scheduled for **March 27, 2007 at 7:00 PM** in the City Council Chambers. Comments may be submitted in 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) 373-9021 or email your comments to: caricaburu@ci.wasilla.ak.us. Your written comments on this rezone request must reach the Planning Office on or before **March 16, 2007** 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 _____
03-13-07 15:12 RCVD
10 20 10-26-239CEDL

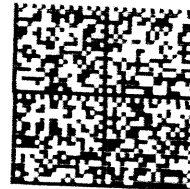
Comments:

I HAVE NO OBJECTIONS TO THE REZONING PROVIDED THE IS INTEGRITY OF THE GATED CENTER POINT AREA THIS SHOULD AT LEAST EXTEND TO AND IF POSSIBLE INCLUDE THE POWER LINE LEASMENT. MAINTAIN

JEAN C. MILLER



CITY OF WASILLA
PLANNING OFFICE
290 E HERNING AVE
WASILLA, AK 99654
PHONE 373-9020 FAX 373-9021



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MILLER JEAN C
1427 S CENTER POINT DR
WASILLA, AK 99654

FIRST CLASS

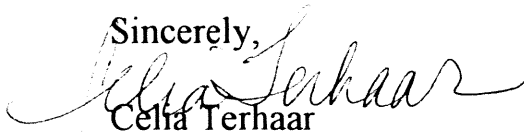
NOTICE OF PUBLIC HEARING

03/12/07

Name: Celia Terhaar
Address: 1459 S. Center Point Drive
Lot: 7 Block: 2 Subdivision: Center Point

I am against the rezoning of this land to commercial use I moved into this subdivision in December of 2005 and read the Public Offering Statement of Center Point Subdivision stating that the Declarant, Randy Harman anticipated building up to 500 units in the subdivision over a 10 year period starting in 2001. He also stated this was a wooded peaceful quite neighborhood, one mile away from 24 hour stores. This is why I bought a condo unit. I also called the city and Assembly of God church prior to buying to make sure there were no significant plans in the area that would interrupt the neighborhood. The city told me only of the MASCOT building further down Riley. I would never have purchased this condo had I known a commercial business could be within a few hundred feet of my property. I am very concerned about the value of my condo decreasing along with the increased traffic and noise especially in the evenings and on weekends. I believe that Randy Harman should honor his commitment to the people that have purchased units up to this date. I realize that circumstances change with the housing market and so my suggestion would be to keep residential (RR and RM) zoning down to the impending road entrance at Fern Street and then create another entrance to Center Point leaving 20- 30 feet of woods for noise abatement of the commercial land. (See my drawing on the map.) That way a road would further divide us from the commercial land and anyone who then chooses to purchase a unit on the remaining residential property would be fully informed prior to purchase.

Sincerely,


Celia Terhaar

03-13-07 09:23 RCVD
08:23

NOTICE OF PUBLIC HEARING - REZONE

DATE: 3-01-07

CASE: R07-01

APPLICANT (S): Randy L. Harman, Larry W. & Alice E. Blythe, Harry H. & D.J. Rosencrans, & Kevin C. Peterson

REQUEST: To rezone 5 parcels, with a combined total area of approximately 88.56 acres from RR—Rural Residential & RM—Multi-Family Residential to C—Commercial. The subject properties are known as: MSB tax parcels A-5, D-5, D-6, & D-15, and Tract A of Center Point Subdivision, Phase II, all within Section 16, Township 17 North, Range 1 West, Seward Meridian, AK, located north and west of S. Knik-Goose Bay Road.

You are being notified of this action as you are a property owner within 1200' of the subject property, (WMC 16.16.040).

A public hearing on this request is scheduled for **March 27, 2007 at 7:00 PM** in the City Council Chambers. Comments may be submitted in writing by filling in the spaces provided below and mailing to: City of Wasilla, Planning Office, 290 E HERNING AVE, WASILLA, AK 99654. If there is not enough room below please attach a separate piece of paper. You may also fax (907) 373-9021 or email your comments to: rcarricaburu@ci.wasilla.ak.us. Your written comments on this rezone request must reach the Planning Office on or before **March 16, 2007** 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 ROGER T. RIDDELL

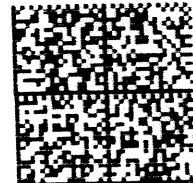
Address 275 W GOLDENWOOD DR, WASILLA AK 99654

Lot 3 Block 5 Subdivision CENTERPOINT SUBD.

Comments: I DO NOT OBJECT TO THIS REZONING IF THERE IS A SUFFICIENT BUFFER MAINTAINED BETWEEN THE RR/RM AND C. PROPERTIES. THIS BUFFER SHOULD BE A VISUAL BARRIER AS WELL AS A SOUND BARRIER.



CITY OF WASILLA
PLANNING OFFICE
290 E HERNING AVE
WASILLA, AK 99654
PHONE 373-9020 FAX 373-9021



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03/01/2007
Mailed From: 99654
US POSTAGE

5627B03L005
RIDDELL ROGER T
12503 S FARMERS RD
WASILLA, AK 99654

FIRST CLASS

NOTICE OF PUBLIC HEARING

03-06-07 15:58 RCVD

3-7-07

Re: Case R07-01

Dear City Planners:

First, and foremost, the traffic congestion issues need to be dealt with. What is the plan? Do you plan to widen Knik-Goose Bay Road (KGB), add turning lanes, install a traffic signal? Traffic in this area is already a serious issue, and will only become more serious with the addition of businesses in the area. Every other day, there are new skid marks on this section of road where people have tried to avoid rear-end collisions with vehicles that are turning off of KGB. Turning onto KGB is an equally dangerous task.

Secondly, what are the water and sewage plans for these parcels? We recommend that they be required to tap into the City of Wasilla systems to prevent negative impact on the current groundwater supply and Cottonwood Creek.

Thirdly, please do not go in and clearcut all the vegetation in its entirety on all of these lots. There are lots closer to town along KGB where this has been allowed, and they have been sitting empty, making them susceptible to wind and water erosion, air pollution, and loss of aesthetic value. Please put some forethought and planning into this issue before removing the vegetation. It would be nice if you could wait until time to actually build the commercial structure, and then only take out the needed vegetation for construction, leaving as much vegetation as possible around the structure.

We hope that we have given you some ideas to consider as you act upon this rezoning request and thank you for the opportunity to comment.

Sincerely,

Jay and Carolyn Weimer
100 E. Snowbird Lane
Lot 1, Block 2 Independence Estates

03-07-07 10:47 RCVD

NOTICE OF PUBLIC HEARING - REZONE

DATE: 3-01-07

CASE: R07-01

APPLICANT (S): Randy L. Harman, Larry W. & Alice E. Blythe, Harry H. & D.J. Rosencrans, & Kevin C. Peterson

REQUEST: To rezone 5 parcels, with a combined total area of approximately 88.56 acres from RR--Rural Residential & RM-Multi-Family Residential to C--Commercial. The subject properties are known as: MSB tax parcels A-5, D-5, D-6, & D-15, and Tract A of Center Point Subdivision, Phase II, all within Section 16, Township 17 North, Range 1 West, Seward Meridian, AK, located north and west of S. Knik-Goose Bay Road.

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

Name FRANK M. SMITH

Address _____

Lot 1 Block _____ Subdivision Deone Subdivision

Comments: I believe the subdivider has an excellent plan, one that will blend with existing commercial activities and provide space for others.

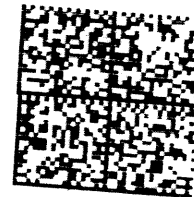
Great potential for our tax base.

Frank M Smith

03-09-07 09:32 RCVD



CITY OF WASILLA
PLANNING OFFICE
290 E HERNING AVE
WASILLA, AK 99654
PHONE 373-9020 FAX 373-9021



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\$00.390
03/01/2007
Mailed From 99654
US POSTAGE

5364000L001
SMITH FRANK M 2002 TR TRE
PO BOX 871173
WASILLA, AK 99687

FIRST CLASS

NOTICE OF PUBLIC HEARING

Jill Carricaburu

From: Harman Homes [hei@alaska.com]
Sent: Friday, March 02, 2007 11:04 AM
To: Jill Carricaburu
Subject: Comments on Commercial Rezone Case:R07-01

ll,
obviously, I am 100% for this rezone. This is my official response to the Notice of Public Hearing
notice I received in the mail today.
Thank you,
Andy L. Harman
50 W. Fallen Leaf Circle
Wasilla, AK 99654
Lot 7A, Block 1, Center Point Replat

Jill Carricaburu

From: Harman Homes [hei@alaska.com]
Sent: Monday, March 05, 2007 3:38 PM
To: Jill Carricaburu
Subject: Comments on Rezone Case: R07-01

i Jill,

We approve of this rezone. By Nancy Henrionnet, Office Manager on behalf of Randy Harman, Owner and President. (Tax Parcels 5627B03L009, 5627B03L010 and 5627000T00A)

Public Hearing notice addressed to:

Harman Excavating, Inc.

50 Fallen Leaf Circle

Wasilla, AK 99654



Wasilla Soil & Water Conservation District

1700 E. Bogard Rd Ste 203 - Wasilla, AK 99654
(907) 357-4563 (ext. 7) – Fax (907) 357-4564

March 5, 2007

City of Wasilla Planning Office
290 E Herning Ave.
Wasilla, AK 99654

Attention: Jill Carricaburu

Planning Dept.

This letter is in response to the rezone application by Harman, Blythe, Rosencrans, and Peterson on MSB tax parcels A-5, D-5, D-6, & D-15, and Tract A of Center Point Subdivision, Phase II .

The location of this property along the increasingly busy Knik/Goose Bay Road makes it very desirable for development. Rezoning of this land raises concerns for us that we would like to see addressed by the owners, future developers, and agencies involved with infrastructure issues such as traffic mitigation, and water/sewer.

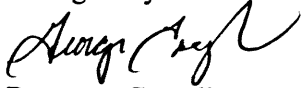
In order for this permit application to be approved by the City of Wasilla we would encourage the following considerations:

1. First, we would encourage the owners and future developers to refrain from removing natural vegetation from these sites as a precursor to sales. Vegetation removal significantly reduces the ability of the land to filter rainwater and run-off before it enters area streams or percolates back into our ground water supplies. Water and wind erosion are also increased by this practice.
2. We would encourage all facilities to be developed be tied to city water and sewer systems to reduce direct groundwater related concerns so close to residential developments and Cottonwood Creek.
3. The future replacement of natural vegetation with retail and/or parking facilities will significantly reduce this area's "groundwater recharge zone" where rain, snowmelt, etc. percolates back into the sub-surface and eventually into groundwater supplies. Planning for development of these properties should consider means for water percolation, run-off control that protects our water supplies, and erosion prevention concerns. Models for so called "Green Parking" and maximizing rain water percolation on site are available.

4. As this land is being considered for future development there will be traffic flow considerations. Where possible, road widening and the establishment of alternative traffic routes should be considered and facilitated ahead of time. Additional traffic lights will likely be necessary.

Thanks for the opportunity to comment.

George Taylor



Program Coordinator
Wasilla Soil and Water Conservation District
1700 E. Bogard Rd Ste 203
Wasilla, AK. 99654
(907) 357-4563
george@wasillaswcd.org

NOTICE OF PUBLIC HEARING - REZONE

DATE: 3-01-07

CASE: R07-01

APPLICANT (S): Randy L. Harman, Larry W. & Alice E. Blythe, Harry H. & D.J. Rosencrans, & Kevin C. Peterson

REQUEST: To rezone 5 parcels, with a combined total area of approximately 88.56 acres from RR—Rural Residential & RM-Multi-Family Residential to C—Commercial. The subject properties are known as: MSB tax parcels A-5, D-5, D-6, & D-15, and Tract A of Center Point Subdivision, Phase II, all within Section 16, Township 17 North, Range 1 West, Seward Meridian, AK, located north and west of S. Knik-Goose Bay Road.

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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:

FIRM # 9675C ZONE # C N/C 50TH & FINE

[Handwritten signature] 3/5/07

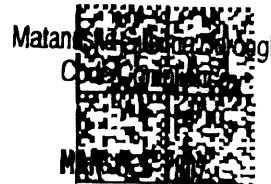


CITY OF WASILLA
PLANNING OFFICE
290 E HERNING AVE
WASILLA, AK 99654
PHONE 373-9020 FAX 373-9021

MSB Planning Division

MAR 02 2007

RECEIVED



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03/01/2007

Mailed From 99654
US POSTAGE

MSB CODE COMPLIANCE
KEN HUDSON
350 E. DAHLIA AVE.
PALMER, ALASKA 99645

Received FIRST CLASS

MATANUSKA-SUSITNA BOROUGH

MAR 02 2007

RECEIVED

PRJRV 2007-0140

NOTICE OF PUBLIC HEARING