

**CITY OF WASILLA
ORDINANCE SERIAL NO. 07-48**

AN ORDINANCE OF THE WASILLA CITY COUNCIL APPROVING A ZONE CHANGE FROM RR-RURAL RESIDENTIAL TO C-COMMERCIAL FOR APPROXIMATELY 18.22 ACRES LOCATED ON MATANUSKA-SUSITNA BOROUGH TAX PARCELS B11 and B15 AND LOTS 1 AND 2 OF THE RODGERS PARK SUBDIVISION, ALL WITHIN SECTION 15, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA.

WHEREAS, Nancy Stephan, Anthony Martinez, and Frank Smith have all submitted applications for a zone change from RR-Rural Residential to C-Commercial for approximately 18.22 total acres of land described as Lots 1 and 2 of Rodger's Park Subdivision and Matanuska-Susitna Borough Tax Parcels B11 and B15 in Section 15, Township 17 North, Range 1 West, Seward Meridian, Alaska ; and

WHEREAS; a zone change 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 applicants, 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 zone change request of approximately 18.22 acres from RR - Rural Residential to C - Commercial to the City Council; and

WHEREAS, the rezone shall include Matanuska-Susitna Tax Parcels B-11 and B-15; and Lots 1 and 2 of the Rodgers Park Subdivision; all property within Section 15, Township 17 North, Range 1 West, Seward Meridian, Alaska; and

WHEREAS, the subject property will be submitted to the Matanuska-Susitna Borough Platting Authority to reflect property boundaries after the zone change; and

WHEREAS, the Wasilla Planning Commission has adopted Resolution Serial Number 07-10 with Findings of Fact attached as Exhibit A to summarize the basic facts and reasoning of the Commission in their decision to recommend approval; and

WHEREAS, the Wasilla City Council makes the following findings in concurrence with the Wasilla Planning Commission Resolution:

Findings of Fact

1. The applicants, Alaska Rim Engineering LLC for Nancy Stephans, Anthony Martinez, and Frank Smith are requesting to rezone four parcels, which are currently zoned RR-Rural Residential to C—Commercial. The lots are known as MSB tax parcels B-11 and B-15; and Lots 1 and 2 all within Section 15, Township 17 North, Range 1 East, Seward Meridian, Alaska all located south of the Palmer Wasilla Extension and east of the Knik Goose-Bay Road.
2. Public hearing notices were mailed out to all property owners within a 1200' radius on June 15, 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. The Planning Commission has reviewed the request to rezone four parcels within Section 15, Township 17 North, Range 1 West from RR-Rural Residential to C—Commercial under the provisions of WMC 16.16.040, 16.16.050, and 16.16.070.
4. The Planning Commission Findings of Fact include staff findings and recommendations based on the requirements of city code.
5. The subject area, approximately 18.22-acres in all, is contiguous with existing commercially zoned properties located north and west of the proposed rezone area, and 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. Notice was given to property owners within 1200' as required.
7. Council 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 Planning Commission finds that most of the 21 General approval criteria cannot be specifically applied until a specific development application is received, however the Commission finds that this application substantially complies with items 1-21.
9. Council 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 willingness to extend sewer and water as development warrants to serve the area of the rezone. Good accessibility will exist from the Palmer-Wasilla Extension 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 of the subject property.
10. Notice was sent to 20 various federal, state, and local agencies as appropriate for this proposal.
11. Council finds that all comments will be adequately considered and addressed as appropriate to the criteria as applicable therefore this criterion is met.
12. Council finds that based on the various and increasing inquiries regarding the availability of commercially zoned property in the City of Wasilla received by the Department of Community and Economic Development, that there is a demonstrated need to facilitate the availability of properly zoned land to encourage the development of businesses who wish to expand or locate in the City of Wasilla.
13. Council finds that the resulting commercially zoned property of this zone change request will be a logical extension of other commercially zoned property along the Palmer-Wasilla Extension as there are existing businesses in the existing commercially zoned property.
14. Council finds that this proposal, if approved, will make additional commercially zoned land available for those businesses wishing to expand into or relocate to this part of Wasilla and that 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.

15. Council finds that this proposal to rezone property to commercial south of the Alaska Railroad will add to the geographic balance of the commercial interests in Wasilla north and south of the Alaska Railroad.
16. Council finds that this proposal is not substantially consistent with the City Comprehensive Plan – 1996 Expected Future Land Use Map which designates the subject property as “Generally Residential”; and which is in dire need of being updated to reflect current community values and economic trends.
17. Council finds that the current Area Planning and Visioning project, which is a precursor to a City Comprehensive Plan update, has identified the expansion of the South Wasilla Heights area to include the subject property.
18. Council finds that the General Approval Criteria of WMC, Section 16.16.050 do not apply to this zone change request.

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

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

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


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

ADOPTED by the Wasilla City Council on August 27, 2007.

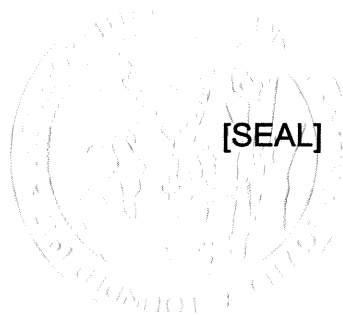


DIANNE M. KELLER, Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk





**CITY OF WASILLA
LEGISLATION STAFF REPORT**

RE: 07-48 REZONE REQUEST FOR APPROXIMATELY 18.22 ACRES PARTIALLY WITHIN AND PARTIALLY BORDERING THE RODGERS PARK SUBDIVISION FROM RR—RURAL RESIDENTIAL TO C - COMMERCIAL

Agenda of: August 27, 2007
Originator: City Planner

Date: August 1, 2007

Route to:	Department	Signature/Date
X	Police Youth Court, Dispatch, Code Compliance	
	Culture and Recreational Services Library, Museum, Sports Complex	
	Public Works & Recreation Facility Maintenance	
X	Finance, Risk Management & MIS Purchasing	<i>Dusan E. Colligan</i> 8-2-07
X	Deputy Administrator Planning, Economic Development, Human Resources	<i>J. Gault</i> 8-01-07
X	City Clerk	<i>Tom H.</i>

REVIEWED BY MAYOR DIANNE M. KELLER: *J. Harley for the Mayor*

FISCAL IMPACT: yes or no Funds Available yes no

Account name/number:

Attachments: Proposed Ordinance Serial Number 07-48;
 WPC Resolution No. 07-10;
 Vicinity Map
 Staff Report
 Public and Agency comments

SUMMARY STATEMENT:

On July 24, 2007, the Wasilla City Planning Commission conducted a public hearing on the request for a zone change from RR-Rural Residential to C-Commercial. Following the public hearing, the Commission voted unanimously to recommend that a rezone request for 4 lots within and bordering Rodgers Park Subdivision be approved.

The Planning Commission made their recommendation based on information submitted by the applicant, the evaluation and recommendations of staff contained in the staff report, public testimony, both verbal and written, agency comments and the applicable provisions of the Wasilla Comprehensive Plan.

The Commission made Findings of Fact supporting their decision.

Property within a Rural Residential district may be developed as single family residential or as a duplex, or may be developed as a commercial use of less than 10,000 s.f. of gross floor area with review and approval of an Administrative Approval (AA) permit.

Property within a C-Commercial district may be developed as commercial over 10,000 s.f. gross floor area with a CUP, or as a commercial use of less than 10,000 s.f. of gross floor area with an AA permit. Single-family, duplex and multi-family residential uses are permitted with an administratively reviewed and approved Use Permit (UP).

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 07- 10**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION APPROVING A REQUEST FROM NANCY STEPHAN, ANTHONY E. MARTINEZ, AND FRANK M. SMITH TO REZONE FOUR PARCELS TOTALING 18.22 ACRES KNOWN AS LOTS 1 AND 2 OF RODGER'S PARK SUBDIVISION AND MATANUSKA-SUSITNA BOROUGH TAX PARCELS B-11 AND B-15, ALL WITHIN SECTION 15, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA, FROM (RR)-RURAL RESIDENTIAL TO (C) – COMMERCIAL

WHEREAS, Nancy Stephan, Anthony Martinez, and Frank Smith all submitted applications for a zone change for Planning Commission Approval and recommendation to City Council to change the zoning from (RR) -Rural Residential to (C) - Commercial for approximately 18.22 acres of property described as Lots 1 and 2 of the Rodger's Park Subdivision; and Matanuska –Susitna Borough Tax Parcels B11 and B15; all within Section 15, Township 17 North, Range 1 West, Seward Meridian, 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, Nancy Stephan submitted an application, narrative, and maps dated May 23, 2007 addressing criteria listed in WMC 16.16.040; 16.16.050; and 16.16.070; with applications received from Frank Smith on May 14, 2007, and Anthony Martinez on May 29, 2007; 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, 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, attached as Exhibit A, to summarize the basic facts and reasoning of the commission; and

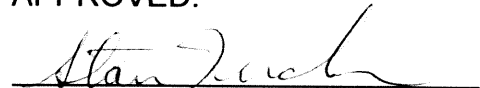
WHEREAS, after due consideration, the Planning Commission hereby determines that this application meets the approval criteria for a rezone.

NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission approves this request, Case No. R07-02 for Nancy Stephan, Anthony E. Martinez, and Frank M. Smith to rezone approximately 18.22 acres on property described as Lots 1 and 2 of the Rodger's Park Subdivision; and Matanuska –Susitna Borough Tax Parcels B11 and B15; all within Section 15, Township 17 North, Range 1 West, Seward Meridian, Alaska.

BE IT FURTHER RESOLVED that the Wasilla City Planning Commission approves this resolution, 07-10 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 July 24, 2007.

APPROVED:



Stan Tucker, Chairman

ATTEST:



Jim Holycross, City Planner

[seal]

Wasilla Planning Commission Resolution 07-10

Findings of Fact

1. The application for rezone was initiated by Alaska Rim Engineering for Nancy Stephan. Upon a pre-application submittal review of the application the City Planner determined that an invitation to join the rezone should be sent to Mr. Martinez and Mr. Smith so that the smooth zonal boundary would occur as opposed to a zigzag boundary that would have resulted from the original application by Ms. Stephan. Both Mr. Martinez and Mr. Smith agreed to participate and submitted applications so that their property is included in this zone change proposal.
2. Nancy Stephan, Anthony E. Martinez, and Frank M. Smith request a rezone of four parcels, which are currently zoned *RR-Rural Residential* to *C - Commercial*. The lots are known as Lots 1 and 2 of the Rodgers Park subdivision (Stephans); and MSB tax parcels B11 (Martinez) and B15 (Smith) all within Section 15, Township 17 North, Range 1 East, Seward Meridian, AK.
3. Public hearing notices were mailed out to all property owners within a 1200' radius on June 15, 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).
4. The subject area, approximately 18.22 acres in all, is contiguous with existing commercially zoned properties located north and west of the proposed rezone area. The area exceeds the two acre required minimum and involves a contiguous expansion of an existing zone.
5. 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.
6. 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 some of the 21 General approval criteria cannot be applied until a specific development application is received.
7. Staff finds that adequate services are in the immediate area to the property line of this proposal. Good accessibility will exist from E. Palmer-Wasilla Highway 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.
8. Notice was sent to property owners within 1200' of the subject property and 25 various federal, state, and local agencies and interest groups as appropriate for this proposal. The Following notified parties commented:

- a. Frank Smith Commented, "I am in full accord with the above described rezoning plan."
- b. The Mat-Su Borough Code Compliance stated, "N/C Firm Map 9675C Zone "C".
- c. The Mat-Su Borough Platting Officer had no comments.

9. 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/demand to facilitate the availability/supply of properly zoned land to encourage the development of businesses who wish to locate in the City of Wasilla.

10. 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. Staff finds that this proposal to expand the commercial zone along Knik-Goose Bay Road, a major arterial, will provide a logical integrated area.

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

12. 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.

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

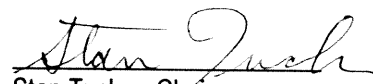
Staff finds that this proposal to rezone property to C—Commercial south of the Alaska Railroad will add to the geographic balance of commercial interests in Wasilla north and south of the Alaskan Railroad.

14. Staff finds 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.


15. A zone change application is not required to address the Specific Approval Criteria of section 16.16.060.

16. The State Fire Marshal'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.
17. The subject property of this request has excellent potential access from E. Palmer-Wasilla Highway which has a level of service providing capacity for additional traffic. A Traffic Impact Analysis, (TIS), may be required by ADOT&PF when development warrants.
18. The City Comprehensive Plan 'Current' and 'Expected' Land Use Maps are out-dated and do not reflect current community values and development trends.
19. The Area Planning and Visioning Project, which is actually the precursor to a Comprehensive Plan up-date has received public input during that project's public input process whereby those in attendance identified the S. Wasilla Heights and nearby area such as the proposed property of this rezone request as an area that is increasingly becoming more commercialized and in need of a new land use designation.
20. The current RR-Rural Residential zone is a mixed use zone that allows both residential and commercial uses of 10,000 square feet GFA, (Gross Floor Area), or less which is why the area has so many commercial uses which are changing the character of the area to a more commercial nature.

ADOPTED: July 24, 2007


Stan Tucker, Chairman

ATTEST:


Jim Holycross, City Planner

REZONE 07-02

Request to rezone four parcels from RR-Rural Residential to C-Commercial, approx. 18.22 acres, located East of S. Knik Goose Bay Road and South of E. Palmer Wasilla Hwy. Subject parcels are known as Lots 1 & 2, Rogers Park Subdivision and MSB Tax Parcels B-11 & B-15 located w/in Section 15, T17N, R01W, SM, AK.

Applicants: Nancy Stephan for Akkon, Inc; Frank M. Smith; & Anthony E. Martinez

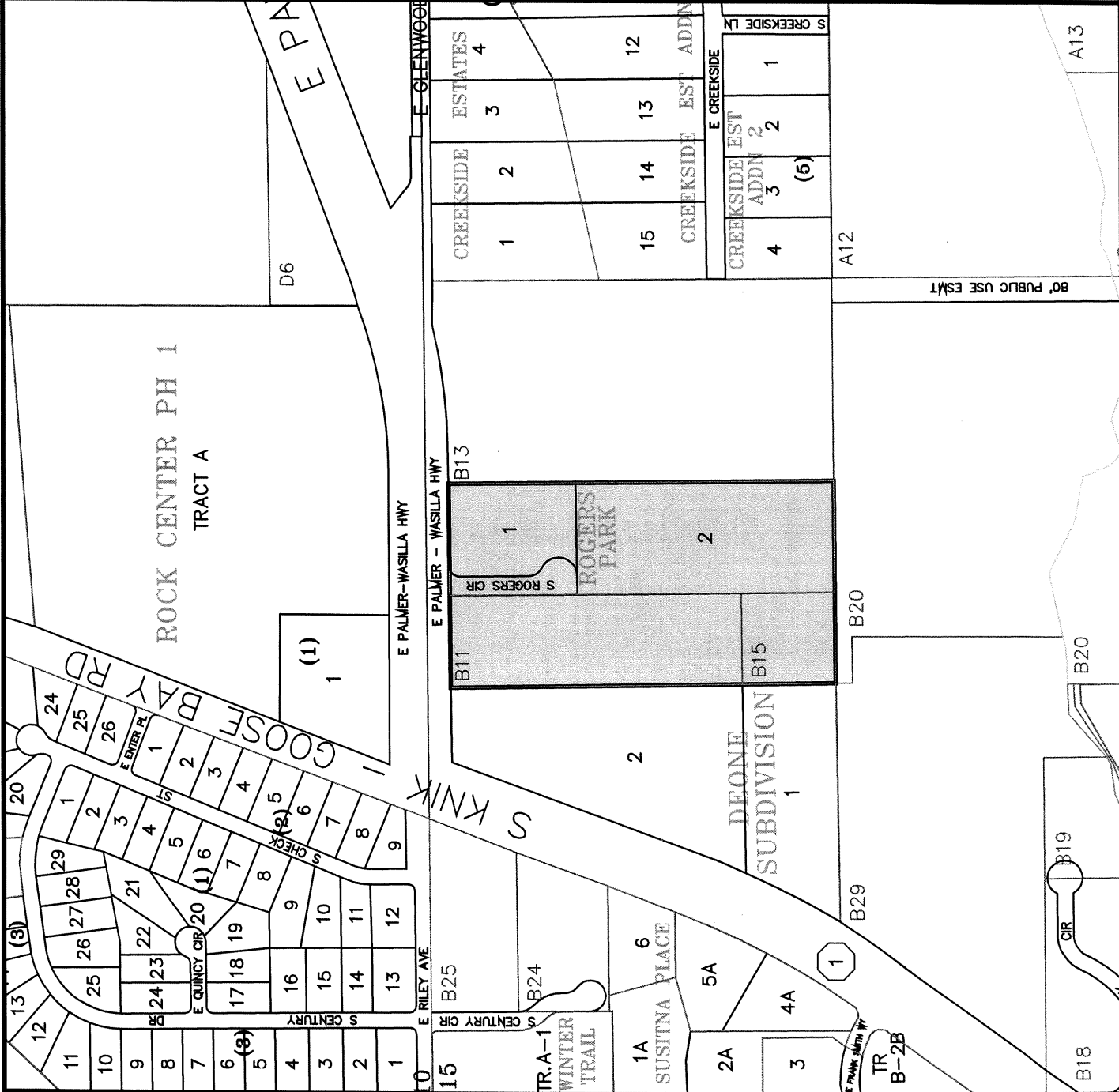


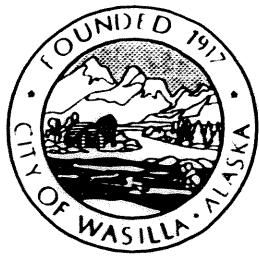
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KEY



SUBJECT PARCEL





STAFF REPORT
Prepared by:
For the meeting of:

Case # **R07-02**
Planning Staff
July 24, 2007

I. SUMMARY FACTS:

Applicant: Alaska Rim Engineering for Nancy Stephan
Land Owners: Nancy Stephan, Anthony Martinez, Frank Smith
Proposal: To rezone four parcels from RR—*Rural Residential* to C—*Commercial*.
Location: Stephan, T17N R1W Sec. 15, Rogers Park Lots 1 & 2;
Martinez, T17N R1W Sec. 15, Tax Lot B11;
Smith, T17N R1W Sec. 15, Tax Lot B15
Parcel size: Approximate: Stephan 2.72 and 6.92 Acres; Martinez 6.49 Acres; Smith 2.09 Acres, (18.22 total).
Existing Zoning RR – Rural Residential
Comprehensive Plan: The 1996 *Expected Future Land Use Map* shows this area to be a Residential Area with the area to the west designated as Commercial.
Surrounding Zoning: North: C – Commercial, (vacant)
South: RR- Rural Residential
East: RR – Rural Residential
West: C - Commercial

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, Nancy Stephan, Anthony Martinez, and Frank M. Smith request a rezone of four parcels, which are currently zoned *RR-Rural Residential* to *C - Commercial*. The lots are known as Lots 1 and 2 of the Rodgers Park subdivision (Stephans); and MSB tax parcels B11 (Martinez) and B15 (Smith) all within Section 15, Township 17 North, Range 1 East, Seward Meridian, AK.

Public hearing notices were mailed out to all property owners within a 1200' radius on June 15, 2007 allowing an appropriate number of days to respond prior to the public hearing and request for comments in accordance with 16.16.040(A)(5).

IV. ISSUES REGARDING CODE

Staff has reviewed the request to rezone four parcels within Section 15, Township 17 North, Range 1 West from *RR-Rural 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 Wasilla Municipal 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 is a change 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 by Alaska Rim Engineering for Nancy Stephan. Upon a pre-application submittal review of the application the City Planner determined that an invitation to join the rezone should be sent to Mr. Martinez and Mr. Smith so that the smooth zonal boundary would occur as opposed to a zig zag boundary that would have resulted from the original application by Ms. Stephan. Both Mr. Martinez and Mr. Smith agreed to participate and submitted applications so that their property is included in this zone change proposal.

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 rights-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 18.22 acres in all, is contiguous with existing commercially zoned properties located north and west 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 well as 25 federal, state and local agencies 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, Lot 2 and the property to the west are currently Multi-Family, RR-rural residential use. North and east properties currently are not in use. But property to North is planned for Commercial and North-east property is Home Depot Commercial use.

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 criterion 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 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 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. 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 criterion 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 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: Notice was sent to property owners within 1200' of the subject property and 25 various federal, state, and local agencies and interest groups as appropriate for this proposal. The Following notified parties commented:

1. Frank Smith Commented, "I am in full accord with the above described rezoning plan."

2. The Mat-Su Borough Code Compliance Office stated, "N/C Firm Map 9675C Zone "C"
3. The Mat-Su Borough Platting Officer had no comments, "None".

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: We believe that rezoning this property from RR-rural Residential to Commercial would provide more property zoning for this area, considering the neighboring property to the North, North-West and North-East are being commercial and business areas. Lot 1 is a frontage lot on the new Palmer-Wasilla Hwy extension which we believe is more suitable for commercial use rather than residential.

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/demand to facilitate the availability/supply 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 existing construction of the multi-family units on Lot 2 and on the property to the west occurred in or about 1978. Since then this area has been developed primarily into mixed use area and the Palmer-Wasilla Hwy has become one of the major arterial roads. The City Zoning map demonstrates the logical use of commercial zoning along main roads. The City Zoning Map shows the Commercial Zoning Area along Palmer-Wasilla Hwy to the North, North-west and North East of the proposed rezoning and along Knik Goose Bay Road as well.

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. Staff finds that this proposal to expand the commercial zone along Knik-Goose Bay Road, a major arterial, 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. We believe this rezone will encourage growth and development that promotes the economy and improve the quality of life. It will make additional commercially zoned land available for the businesses wishing to relocate to Wasilla.

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 not substantially consistent with the City Comprehensive Plan – 1996 *Current Land Use Map*, which designates the subject property as "Residential".

Staff finds that this proposal is not substantially consistent with the City Comprehensive Plan – 1996 *Expected Future Land Use Map*, which designates the subject property as "Generally Residential".

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 June 12, 2007, consisting of nine (9) pages.

Staff Finding: Staff finds 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 criterion 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. It shows that this area is a primarily mixed-use area with property to the North, North-West and North-East are commercial or business areas. The Lot 1, Rodgers Park is a frontage lot on the new Palmer-Wasilla Hwy extension which we believe is more suitable for commercial use rather than residential.

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 the 1996 City Comprehensive Plan is outdated and is in dire need of being updated to reflect changing community values and current development trends that both set the context for how land is zoned.

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 both north and south of the Alaskan Railroad.

Staff finds that this proposal is not substantially consistent with the City Comprehensive Plan – 1996 *Current Land Use Map*, which designates the subject property as "Residential". There are existing commercial businesses nearby in this designation which were allowed in the residential zone, as "Commercial less than 10,000 square feet GFA". Staff finds that the property and area in general is ripe for rezone such as is now proposed to commercial due to increasing demand for commercial along major roads within the City of Wasilla.

Staff finds that this proposal is not substantially consistent with the City Comprehensive Plan – 1996 *Expected Future Land Use Map* which designates the subject property as "Generally Residential" in 1996. Staff finds that the City's existing Comprehensive Plan has surpassed a reasonable 8 – 10 year life as a document that sets the context by which Wasilla can grow into, and as a document to provide policy direction for the city's land use decisions.

The City Comprehensive Plan 'Current' and 'Expected' Land Use Maps are out-dated and do not reflect current community values and development trends.

The Area Planning and Visioning Project, which is actually the precursor to a Comprehensive Plan update, has received public input during that project's public input process whereby those in attendance identified the S. Wasilla Heights and nearby area such as the proposed property of this rezone request as an area that is increasingly becoming more commercialized and in need of a new land use designation.

The current RR—Rural Residential zone is a mixed use zone that allows both residential and commercial uses of 10,000 s.f. GFA or less which is why the area has so many commercial uses which are changing the character of the area to a more commercial nature.

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 and 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 criterion 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. We will provide the extensions of city water and city sewer to the property as the property is developed. For city water extension see attached drawings. Access for emergency and police vehicles will be provided through adequate streets and designed per local codes, emergency access to Lot

2, Rodgers Park and to the parcel to the west will be improved by the construction of S. Rodgers Circle.

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 to construct an approach road (S. Rodgers Circle) off of Palmer-Wasilla Hwy that will provide the access to Lots 1 and 2, Rodgers Park subdivision. The approach will be built and paved to AK DOT standards. The existing S. Rodgers Circle will be re-located and built to the City of Wasilla Standards. The side walk will be built along the S. Rodgers Circle for the safety of pedestrians. See attached drawings.

Staff Finding: The subject property of this request has excellent potential access from E. Palmer-Wasilla Hwy 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 this lot have not yet been determined, but will comply with the dimensional requirements of Section 16.24.010.

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: The Parking requirements for Lot 1 have not yet been determined, but will comply with all requirements at the time of development. Parking has been provided for on Lot 2.

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: The water line will be extended into this lot from the existing water service at the same time as new S. Rodgers Circle is built. The other utilities will be extended into this lot as the need arises from the existing services located within the area.

Staff Finding: The subject property can be served by City water and sewer, and electricity when development warrants because these utilities are at the property line.

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: This provision will be addressed prior to the lot development of EPA SWPPP will be provided.

Staff Finding: Drainage will be specifically reviewed in the future when future development on 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: We will address this provision for Lot 1 when the lot is ready for specific site development. Lot 2 has existing multi-family development. Lot 1 is located with frontage on the Palmer-Wasilla Highway (Major Arterial).

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 that proposed use will not result in significantly different peak use characteristics than surrounding uses allowed in this district. The Peak-Use for this lot has not yet been determined but we will comply with all the requirements as it is determined.

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 for this lot, but will comply with all requirements as the need arises. The Sidewalk is designed along the proposed S. Rodgers Circle as part of the Road Design Project.

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 licensed with the State of Alaska will design all water, sewer and drainage plans as the need arises. At the current time, a 6" DIP 30' stubout off the existing 8" DIP water line to Lot 1 is designed by registered Engineer as a part of Road Design Project for Rodgers Park Subdivision.

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 believe that there are no historic resources 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.

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. Lot 2 is a large lot with the southern portion of the property largely undeveloped.

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 no glaciation evidence 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 RR--Rural Residential to C--Commercial.



CITY OF WASILLA
 • Planning Office •
 290 East Herning Avenue • Wasilla • Alaska • 99654-7091
 • Telephone 907 373 9020 •

APPLICATION FOR ZONE CHANGE =R 07-02

PROPERTY OWNER*	OWNER'S REPRESENTATIVE (If Any)
Name <u>Nancy Stephan</u>	Name <u>AK R.I.U. Engineering</u>
Address <u>3705 Uretric Blvd P.O. Box 1520</u>	Address <u>PO Box 2749</u>
<u>Anchorage, AK 99503</u>	<u>Palmer, AK 99645</u>
Phone <u>(907) 443-4078</u>	Phone <u>(907) 745-0222</u>
Fax <u>(907) 952-2575</u>	Fax <u>(907) 746-0212</u>
E-mail	E-mail <u>victoria@alaskar.i.u.com</u> <u>Joy@alaskar.i.u.com</u>

*Attach list of additional owners if any

PROPERTY INFORMATION T17N R14W Sec 15 Rogers Park Subd Lot 1

Size of property 1.72 acres ANGLE 92 AC.
 (A minimum of two acres is necessary before application may be accepted)

Property tax # 19ND01215B014

Street Address 7100 E. Palmetto Ave, Ula T17N4

Legal Description (Lots) 1-7 Block 1 Subdivision Rogers Park

OR
 Parcel/Block 2 Section 15 Township 17N Range 14

Attach additional page if necessary

Current Zoning
 RR Rural Residential R1 Single Family Residential R2 Residential
 RM Multi Family C Commercial Industrial P Public

Requesting Zoning
 RR Rural Residential R1 Single Family Residential R2 Residential
 RM Multi Family C Commercial Industrial P Public

I hereby certify that I am, (I am authorized to act for) the owner of the property and that I petition to rezone in accordance with Title 16 of the Wasilla Municipal Code of Ordinances. I understand that payment of the application fee is non-refundable and is to cover the costs associated with processing this application, and that it does not assure approval of the rezoning.

DATE 5-25-07 SIGNATURE Nancy Stephan

Accepted by	Representative Affidavit N/A <input type="checkbox"/> Attached <input type="checkbox"/>	Fee	WDV
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Receipt # 10477

Comprehensive Plan Information

Expected Future Land Use Map shows property as *N/A*
 Generally Residential Parks Mixed Use Area
 Generally Commercial/Business Generally Industrial Public/Institutional

Land Use:

Describe current use of property covered by this application
Multi-family, RR - Rural Residential

Surrounding property (Describe how land adjacent to the property is currently being used)

North *Commercial, currently is not in use*

South *RR - Rural Residential, Multi-Family use*

East *RR - Rural Residential, undeveloped*

West *RR - Rural Residential, Multi-Family use*

North-East Commercial, Home Depot - use

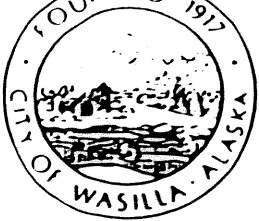
Attach a written narrative addressing the following Criteria:

16.16.070
 The Planning 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;
- 2 Show that the proposed rezoning substantially complies with Section 16.16.050;
- 3 Document that 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;
- 4 The comments from reviewing parties (Section 16.08.040) on the proposed rezoning have been adequately addressed;
- 5 Document that there is a demonstrated need for additional land in the zoning district to accommodate uses allowed;
- 6 Show how the resulting district or expanded district will be a logical, integrated area basically contiguous with the existing area, and
- 7 Show that the rezone is in conformance with the city comprehensive plan.

Application Check list:

- Applications may only be accepted if area to be rezoned is two acres or larger
- The petitioning property owner(s) must have ownership in at least 51% of property to be rezoned
- Applicant has owner's authorization to submit application
- Narrative addressing seven criteria is attached
- Application fee
- Legal description



APPLICATION FOR ZONE CHANGE

#R 07-02

PROPERTY OWNER*		OWNER'S REPRESENTATIVE (If Any)	
Name <u>ANTHONY E. MARTINEZ</u>		Name	
Mailing Address <u>P.O. BOX 6408</u>		Mailing Address	
<u>ELMENDORF NEB AK 99506</u>			
Contact Phone Day <u>(907) 552-8173</u>	Contact Phone Night <u>(907) 561-5678</u>	Contact Phone Day	Contact Phone Night
FAX <u>(907) 561-5678</u>		FAX	
E-mail <u>TONYMARTINEZ60@MSN.COM</u>		E-mail	

*Attach list of additional owners if any.

PROPERTY INFORMATION			
Size of property (A minimum of two acres is necessary before application may be accepted): <u>6.49 ACRES</u>			
Property tax # <u>17N01W15R011</u>			
Street Address <u>340, 350, 360 WASILLA - PALMER HWY</u>			
Legal Description Lot(s) <u>B-11</u> Block <u>011</u> Subdivision <u>RODGERS PARK</u>			
OR			
Parcel/Tract _____	Section <u>15</u>	Township <u>17N</u>	Range <u>1W</u>
[Attach additional page if necessary]			
Current Zoning			
RR- Rural Residential <input checked="" type="checkbox"/>	R1- Single-family Residential <input type="checkbox"/>	R2- Residential <input type="checkbox"/>	
RM- Multi-family <input type="checkbox"/>	C- Commercial <input type="checkbox"/>	I- Industrial <input type="checkbox"/>	P- Public <input type="checkbox"/>
Requested Zoning			
RR- Rural Residential <input type="checkbox"/>	R1- Single-family Residential <input type="checkbox"/>	R2- Residential <input type="checkbox"/>	
RM- Multi-family <input type="checkbox"/>	C- Commercial <input checked="" type="checkbox"/>	I- Industrial <input type="checkbox"/>	P- Public <input type="checkbox"/>

I hereby certify that (I am) (I am authorized to act for) the owner of the property and that I petition to rezone it in conformance with Title 16 of the Wasilla Municipal Code of Ordinances. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the rezoning.

DATE 29 MAY 2007

SIGNATURE

Anthony E. Martinez

Accepted by	Representative Affidavit N/A <input type="checkbox"/> Attached <input type="checkbox"/>	Fee:	WPC
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Comprehensive Plan Information

Expected Future Land Use Map shows property as

Generally Residential Parks Mixed Use Area Generally Commercial/Business Generally Industrial Public/Institutional **Land Use**

Describe current use of property covered by this application

Surrounding property (Describe how land adjacent to the property is currently being used.)

North

COMMERCIAL LAND UNIMPROVED

South

UNIMPROVED RR - RURAL RESIDENTIAL

East

RR - RURAL RESIDENTIAL

West

COMMERCIAL BUSINESS

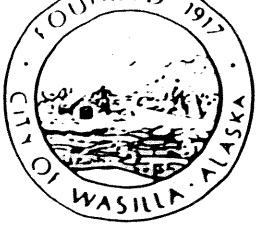
16.16.070

The Planning 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;
2. Show that the proposed rezoning substantially complies with Section 16.16.050;
3. Document that 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;
4. The comments from reviewing parties (Section 16.08.040) on the proposed rezoning have been adequately addressed;
5. Document that there is a demonstrated need for additional land in the zoning district to accommodate uses allowed.
6. Show how the resulting district or expanded district will be a logical, integrated area basically contiguous with the existing area, and
7. Show that the rezone is in conformance with the city comprehensive plan

Application Check list:

- Applications may only be accepted if area to be rezoned is two acres or larger
- The petitioning property owner(s) must have ownership in at least 51% of property to be rezoned
- Applicant has owner's authorization to submit application
- Narrative addressing seven criteria is attached
- Application fee
- Legal description



APPLICATION FOR ZONE CHANGE

#R 07-02

PROPERTY OWNER*		OWNER'S REPRESENTATIVE (If Any)	
Name <u>FRANK M. SMITH</u>		Name	
Mailing Address <u>P.O. Box 871173</u>		Mailing Address	
<u>Wasilla, AK, 99687</u>			
Contact Phone Day <u>373-3500</u> Night <u>+ Recorder</u>		Contact Phone Day Night	
FAX		FAX	
E-mail		E-mail	

*Attach list of additional owners if any.

PROPERTY INFORMATION				
Size of property (A minimum of two acres is necessary before application may be accepted): <u>2.09</u>				
Property tax # <u>B-15 (17 No/W. S. 15 @ B15)</u>				
Street Address				
Legal Description	Lot(s)	Block	Subdivision	
OR <u>Parcel # 2</u>				
Parcel/Tract	Section	Township	Range	
[Attach additional page if necessary]				
Current Zoning				
RR- Rural Residential <input type="checkbox"/>	R1- Single-family Residential <input type="checkbox"/>	R2- Residential <input type="checkbox"/>		
RM- Multi-family <input type="checkbox"/>	C- Commercial <input type="checkbox"/>	I- Industrial <input type="checkbox"/>	P- Public <input type="checkbox"/>	
Requested Zoning				
RR- Rural Residential <input type="checkbox"/>	R1- Single-family Residential <input type="checkbox"/>	R2- Residential <input type="checkbox"/>		
RM- Multi-family <input type="checkbox"/>	C- Commercial <input type="checkbox"/>	I- Industrial <input type="checkbox"/>	P- Public <input type="checkbox"/>	

I hereby certify that (I am) (I am authorized to act for) the owner of the property and that I petition to rezone it in conformance with Title 16 of the Wasilla Municipal Code of Ordinances. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the rezoning.

DATE May 14/07

SIGNATURE Frank M. Smith

Accepted by:	Representative Affidavit N/A <input type="checkbox"/> Attached <input type="checkbox"/>	Fee:	WPC:
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Comprehensive Plan Information			
Expected Future Land Use Map shows property as			
Generally Residential <input type="checkbox"/>	Parks <input type="checkbox"/>	Mixed Use Area <input type="checkbox"/>	
Generally Commercial/Business <input type="checkbox"/>	Generally Industrial <input type="checkbox"/>	Public/Institutional <input type="checkbox"/>	

Land Use
Describe current use of property covered by this application
Surrounding property (Describe how land adjacent to the property is currently being used)
North
South
East
West

16.16.070
The Planning 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;
2. Show that the proposed rezoning substantially complies with Section 16.16.050;
3. Document that 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;
4. The comments from reviewing parties (Section 16.08.040) on the proposed rezoning have been adequately addressed;
5. Document that there is a demonstrated need for additional land in the zoning district to accommodate uses allowed;
6. Show how the resulting district or expanded district will be a logical, integrated area basically contiguous with the existing area; and
7. Show that the rezone is in conformance with the city comprehensive plan.

Application Check list:

- Applications may only be accepted if area to be rezoned is two acres or larger
- The petitioning property owner(s) must have ownership in at least 51% of property to be rezoned
- Applicant has owner's authorization to submit application
- Narrative addressing seven criteria is attached
- Application fee
- Legal description

June 12, 2007

To: City of Wasilla
Planning Commission

RE: Rogers Park Subdivision, Lots 1 and 2

Subject: Zoning Change from RR to Commercial

Narrative on Criteria outlined in 16.16.070

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

There is no neighborhood plan existing at this time. However, Lot 2 and the property to the west are currently Multi-Family, RR- rural residential use. North and East properties currently are not in use. But property to North is planned for Commercial and North-East property is Home Depot Commercial use.

2. Show that the proposed rezoning substantially complies with Section 16.16.050;

We believe that proposal is substantially complies with Section 16.16.050.

Compliance with 16.16.050 – General Approval Criteria.

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.

There is no neighborhood plan at this time. Please, reference to number 1 above.

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

We believe this proposal is substantially consistent with the city comprehensive plan. It shows that this area is a primarily mixed-use area with property to the North, North-West and North-East are commercial or business areas. The Lot 1, Rogers Park is a frontage lot on the new Palmer-Wasilla Hwy extension which we believe is more suitable for commercial use rather then residential.

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

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

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

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.

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.

This rezone will not impact fire safety or emergency access. This proposal shall not pose a fire danger. We will provide the extensions of city water and city sewer to the property as the property is developed. For city water extension see attached drawings. Access for emergency and police vehicles will be provided through adequate streets and designed per local codes. Emergency access to Lot 2, Rogers Park and to the parcel to the west will be improved by the construction of S. Rogers Circle.

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

We already have State of Alaska Approval to Construct an Approach Road (S. Rogers Circle) off of Palmer - Wasilla Hwy that will provide the access to Lots 1 and 2, Rogers Park Subdivision. The Approach will be built and paved to AK DOT Standards. The existing S. Rogers Circle will be re-located and built to the City of Wasilla Standards. The side walk will be built along the S. Rogers Circle for the safety of pedestrians. See attached drawings.

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

The Dimensional requirements of this lot have not yet been determined, but will comply with the dimensional requirements of Section 16.24.010.

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

The Parking requirements for Lot 1 have not yet been determined, but will comply with all requirements at the time of development. Parking has been provided for on Lot 2.

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

The water line will be extended into this lot from the existing water service at the same time as new S. Rogers Circle is built (see attached drawings). The other utilities will be extended into this lot as the need arises from the existing services located within the area.

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.

This provision will be addressed prior to the lot development and EPA SWPPP will be provided.

16.16.050(12). Large Development. 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, pedestrians and bicycles. Nonresidential large developments must be located with frontage on one of the following class of streets; interstate, minor arterial, major collector or commercial.

We will address this provision for Lot 1 when the lot is ready for specific site development. Lot 2 has existing multi-family development. Lot 1 is located with frontage on the Palmer-Wasilla Highway (major arterial).

16.16.050(13). Peak Use. The proposed use will not result in significantly different peak use characteristics than surrounding uses allowed in this district.

We believe that proposed use will not result in significantly different peak use characteristics than surrounding uses allowed in this district. The Peak-Use for this lot has not yet been determined but we will comply with all the requirements as it is determined.

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16.16.050(14). Off-Site Impacts. The proposal shall not significantly impact surrounding properties with excessive noise, fumes of odors, glare, smoke, light, vibration, dust, litter, or interference in any radio of television receivers off the premises, or cause significant line voltage fluctuation off the premises. Radio transmitters and any electronic communications equipment regulated 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 this criteria.

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

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 establish the type of vegetation and acceptable methods to be used for compliance. The owner 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 Section 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 event 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

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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 used;

g. Storage. A fenced storage area for common use, adequate to store boats, trailers, snowmobiles, recreational vehicles or other items may be required;

b. Trash Receptacles. Adequately sized, located and screened trash receptacles and areas may be required.

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

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.

Walkways, Sidewalks and Bike paths requirements have not yet been determined for this lot, but we will comply with all requirements as the need arises. The Sidewalk is designed along the proposed S. Rogers Circle as part of the Road Design Project. (see attached drawings)

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 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

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construct improvements to existing system, the commission may elect to accomplish the design or construction, or both of improvements to be made to existing public system. 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.

A registered Engineer licensed with the State of Alaska will design water, sewer and drainage plans as the needs arises. At the current time, a 6" DIP 30' stubout off the existing 8" DIP water line to Lot 1 is designed by registered Engineer as a part of Road Design Project for Rogers Park Subdivision.(see attached drawings).

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.

We believe that there are no historic resources on this property.

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.

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

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;

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- 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 may be 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 if 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.**

Open Space and Facilities have not yet been determined. Lot 2 is a large lot with the southern portion of the property largely undeveloped.

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

We believe that there are no insurmountable drifting snow areas and no glaciation evidence on this property.

3. Document that 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;

This proposed rezoning is in an area with adequate services. These lots are within the City of Wasilla limits where the police and fire services are already being provided. There are existing city water, sewer, gas, electricity in this area. Water and sewer utilities will be extended to facilitate the development on Lot 1 when the needs arise. There is good accessibility from S. Rogers Circle when development occurs. Interior circulation, parking, sidewalks and drainage will be designed prior the development.

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

The review process begins with this application; therefore, there are no comments from the reviewing parties in at this point.

5. Document that there is a demonstrated need for additional land in the zoning district to accommodate uses allowed;

We believe that rezoning this property from RR-rural Residential to Commercial would provide more proper zoning for this area, considering the neighboring property to North, North-West and North-East are being commercial or business areas. Lot 1 is a frontage lot on the new Palmer-Wasilla Hwy extension which we believe is more suitable for commercial use rather than residential.

6. Show the resulting district or expanded district will be a logical, integrated area basically contiguous with the existing area.

The existing construction of the multi-family units on Lot 2 and on the property to the west occurred in or about 1977. Since then this area has been developed primarily into mixed-use area and the Palmer-Wasilla Hwy has become one of the major arterial roads. The City Zoning Map demonstrates the logical use of commercial zoning along main roads. The City Zoning Map shows the Commercial Zoning area along Palmer-Wasilla Hwy to the North, North-West and North East of the proposed rezoning and along Knik Goose Bay Road as well


6/12/2007

7. Show that the rezone is in conformance with the city comprehensive plan.

We intend to attempt to comply with the City's comprehensive plan. We believe this rezone will encourage growth and development that promotes the economy and improve the quality of life. It will make additional commercially zoned land available for the businesses wishing to relocate to Wasilla.

If you have any questions or wish to discuss this matter further, please contact us at (907)-745-0222 or e-mail us Victoria@alaskarim.com or Joy@alaskarim.com

Sincerely,
ALASKA RIM ENGINEERING, Inc.


Joy Oypra,
Project Manager

cc: AK Rim File # 06-00372

Hand Carried

NOTICE OF PUBLIC HEARING - REZONE

DATE: 6-15-07

CASE: R07-02

APPLICANT (S): Nancy Stephan for Akcon, Inc, Frank M. Smith, Anthony E. Martinez

REQUEST: To rezone a total of 4 parcels, with a combined total area of approximately 18.22 acres from RR—Rural Residential to C--Commercial. The subject properties are known as Lots 1 & 2 Rogers Park Subdivision, Plat #06-036731-0, and MSB tax parcels B-15 & B-11 all within Section 15, Township 17 North, Range 01 West, Seward Meridian, AK, located East of S. Knik Goose Bay Road and South of E. Palmer-Wasilla Hwy.

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 July 24, 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: cairncaburu@ci.wasilla.ak.us. Your written comments on this rezone request must reach the Planning Office on or before July 13, 2007 in order to be included in the packet. Comments received after that date will be available at the public hearing.

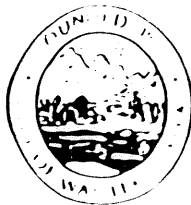
Anyone wishing to review the application for this case is encouraged to contact the Planning Office for additional information.

Name FRANK M. SMITH
Address P.O. Box 871173 Wasilla, AK. 99687
Lot _____ Block _____ Subdivision Jay Lot B15

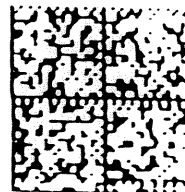
Comments

I am in full accord with the above described rezoning plan.

Frank M. Smith



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



50041
JUN 20 2007

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

FIRST CLASS

NOTICE OF PUBLIC HEARING - REZONE

JUN 19 2007

CASE: R07-02

DATE: 6-15-07

APPLICANT (S): Nancy Stephan for Akcon, Inc, Frank M. Smith, Anthony E. Martinez

Received

REQUEST: To rezone a total of 4 parcels, with a combined total area of approximately 18.22 acres from RR—Rural Residential to C—Commercial. The subject properties are known as Lots 1 & 2, Rogers Park Subdivision, Plat #06-036731-0, and MSB tax parcels B-15, & B-11, all within Section 15, Township 17 North, Range 01 West, Seward Meridian, AK, located East of S. Knik Goose Bay Road and South of E. Palmer-Wasilla Hwy.

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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 _____

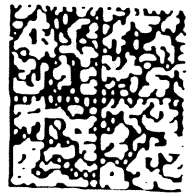
Comments:

N/C FIRM MAP 96750 ZONE "C"

*R. GUERTIN C/O MATSUKA BOROUGH
Ph. [Signature]*



CITY OF WASILLA
PLANNING OFFICE
290 E HERRING AVE
WASILLA, AK 99654
PHONE 373-9020 FAX 373-9071



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Mailed From: 99654
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MSB CODE COMPLIANCE
KEN HUDSON
350 E. DAHLIA AVE
PALMER, ALASKA 99645

FIRST CLASS
MATANUSKA SUSITNA BOROUGH

JUN 18 2007

RECEIVED

NOTICE OF PUBLIC HEARING - REZONE

DATE 6-15-07

CASE: R07-02

APPLICANT (S): Nancy Stephan for Akcon, Inc, Frank M Smith, Anthony E Martinez

REQUEST: To rezone a total of 4 parcels, with a combined total area of approximately 18.22 acres from RR--Rural Residential to C--Commercial. The subject properties are known as Lots 1 & 2 Rogers Park Subdivision, Plat #06-036731-0, and MSB tax parcels B-15, & B-11 all within Section 15, Township 17 North, Range 01 West, Seward Meridian, AK, located East of S Knik Goose Bay Road and South of E Palmer-Wasilla Hwy

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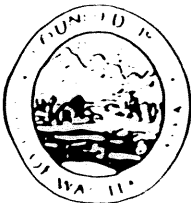
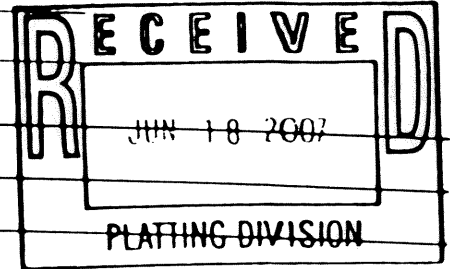
Name _____

Address _____

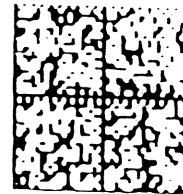
Lot _____ Block _____ Subdivision _____

Comments *None*

Paul Hulbert



CITY OF WASILLA
PLANNING OFFICE
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PHONE 373 9020 FAX 373 9021



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PAUL HULBERT
PLATTING OFFICER
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PALMER AK 99654

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JUN 18 2007

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