

CLERK'S OFFICE
AMENDED AND APPROVED

Date: 5-10-11

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Community Development
Department
For reading: April 12, 2011

**Anchorage, Alaska
AO 2011-51**

**AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE
REZONING OF APPROXIMATELY 46.6 ACRES FROM PC SL (PLANNED
COMMUNITY WITH SPECIAL LIMITATIONS) DISTRICT PER AO 84-143 TO R-1
SL (SINGLE-FAMILY RESIDENTIAL WITH SPECIAL LIMITATIONS) DISTRICT
AND PLI SL (PUBLIC LANDS AND INSTITUTIONS WITH SPECIAL LIMITATIONS)
DISTRICT FOR THE NE ¼, SECTION 23, T14N, R2W, S.M., AK, GENERALLY
LOCATED NORTH OF EAGLE RIVER LOOP AND EAST OF YOSEMITE DRIVE,
IN EAGLE RIVER.**

(South Fork Community Council) (Planning and Zoning Commission Case 2011-011)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The zoning map shall be amended by designating the following described property as R-1 SL (Single-family residential with special limitations) district:

NE ¼, Section 23, T14N, R2W, S.M., AK, containing approximately 27 acres, generally located north of Eagle River Loop and east of Yosemite Drive, in Eagle River, as shown on Exhibits "A" and "B" attached.

Section 2. The zoning map shall be amended by designating the following described property as PLI SL (Public lands and institutions with special limitations) district:

NE ¼, Section 23, T14N, R2W, S.M., AK, containing approximately 19.6 acres, generally located north of Eagle River Loop and east of Yosemite Drive, in Eagle River, as shown on Exhibits "A" and "B" attached.

Section 3. The R-1 SL district is subject to the following special limitation:

A. No more than 97 dwelling units may be constructed.

Section 4. The PLI SL district is subject to the following special limitations:

A. Permitted principal uses and structures are as follows:

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1. Parks, parkways and greenbelts, lands reserves, open space and related facilities.

2. Public recreational facilities, including playgrounds, playfields, public recreational centers and the like.

B. Permitted accessory uses and structures are as follows:

1. Uses and structures which are necessary or desirable adjuncts to permitted principal uses and structures, where such accessory uses and structures are under the management or control of the organization or agency responsible for the permitted principal use or structure.

2. Antennas without tower structures, type 1, 2, 3, community interest and local interest towers and type 4 tower structures as specified in the supplemental district regulations.

C. The following conditional uses are permitted:

1. Natural resource extraction, except for placer mining operations, on tracts of not less than five acres.

a. No fill shall be excavated or removed from the old land fill portion of this parcel.

b. Prior to any fill or excavation on any property within the district, a truck access and hauling plan shall be reviewed and approved by the Traffic Engineer to minimize impacts to peak a.m. and p.m. traffic.

2. Community interest and local interest towers that do not meet the supplemental district regulations for a permitted or accessory use.

3. Commercial recreational uses, including commercial and recreational uses associated with such commercial recreational uses, for a period of time to be determined by the planning and zoning commission.

4. Off-street parking spaces or structures.

5. Utility and transportation facilities.

6. Snow disposal sites.

1 **Section 5.** This ordinance shall become effective 10 days after the Deputy Director
2 of the Planning Division has received the written consent of the owners of the
3 property within the area described in Sections 1 and 2 above to the special limitations
4 contained herein. The rezone approval contained herein shall automatically expire,
5 and be null and void, if the written consent is not received within 120 days after the
6 date on which this ordinance is passed and approved. In the event no special
7 limitations are contained herein, this ordinance is effective immediately upon passage
8 and approval. The Deputy Director of the Planning Division shall change the zoning
9 map accordingly.

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11 PASSED AND APPROVED by the Anchorage Assembly this 10th day of
12 May, 2011.

13
14 ATTEST:

Debbie Ossander
Chair

[Signature]
Municipal Clerk

15 (Case 2011-011; Tax I.D. No. 060-081-01)

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2011-51 Title: AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 46.6 ACRES FROM PC SL (PLANNED COMMUNITY WITH SPECIAL LIMITATIONS) DISTRICT PER AO 84-143 TO R-1 SL (SINGLE-FAMILY RESIDENTIAL WITH SPECIAL LIMITATIONS) DISTRICT AND PLI SL (PUBLIC LANDS AND INSTITUTIONS WITH SPECIAL LIMITATIONS) DISTRICT FOR THE NE ¼, SECTION 23, T14N, R2W, S.M., AK, GENERALLY LOCATED NORTH OF EAGLE RIVER LOOP AND EAST OF YOSEMITE DRIVE, IN EAGLE RIVER.

Sponsor: Mayor
 Preparing Agency: Community Development Department
 Others Impacted:

| CHANGES IN EXPENDITURES AND REVENUES: | (In Thousands of Dollars) | | | | |
|--|----------------------------------|-------------|-------------|-------------|-------------|
| | <u>FY11</u> | <u>FY12</u> | <u>FY13</u> | <u>FY14</u> | <u>FY15</u> |
| Operating Expenditures | | | | | |
| 1000 Personal Services | | | | | |
| 2000 Non-Labor | | | | | |
| 3900 Contributions | | | | | |
| 4000 Debt Service | | | | | |
| TOTAL DIRECT COSTS: | \$ - | \$ - | \$ - | \$ - | \$ - |
| Add: 6000 Charges from Others | | | | | |
| Less: 7000 Charges to Others | | | | | |
| FUNCTION COST: | \$ - | \$ - | \$ - | \$ - | \$ - |
| REVENUES: | | | | | |
| CAPITAL: | | | | | |
| POSITIONS: FT/PT and Temp | | | | | |

PUBLIC SECTOR ECONOMIC EFFECTS:

Approval of this rezone should have no significant impact on the public sector. No additional public improvements are required.

PRIVATE SECTOR ECONOMIC EFFECTS:

Approval of this rezone should have no significant impacts on the private sector.

Prepared by: Francis McLaughlin Telephone: 343-8003



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 218-2011

Meeting Date: April 12, 2011

From: MAYOR

Subject: AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 46.6 ACRES FROM PC SL (PLANNED COMMUNITY WITH SPECIAL LIMITATIONS) DISTRICT PER AO 84-143 TO R-1 SL (SINGLE-FAMILY RESIDENTIAL WITH SPECIAL LIMITATIONS) DISTRICT AND PLI SL (PUBLIC LANDS AND INSTITUTIONS WITH SPECIAL LIMITATIONS) DISTRICT FOR THE NE ¼, SECTION 23, T14N, R2W, S.M., AK, GENERALLY LOCATED NORTH OF EAGLE RIVER LOOP AND EAST OF YOSEMITE DRIVE, IN EAGLE RIVER.

1 This is a request to rezone approximately 46.6 acres from PC SL (Planned
2 Community with Special Limitations) district per AO 84-143, to R-1 SL (Single-
3 Family with Special Limitations) district and PLI SL (Public Lands and Institutions
4 with Special Limitations) district. This will allow a single-family residential
5 development on the proposed R-1 SL north 27 acres of the site and park
6 development on the southern proposed PLI 19.6 acres of the site. The petitioner
7 is the Alaska Mental Health Trust Land Office. The property is generally located
8 north of Eagle River Loop and east of Yosemite Drive in Eagle River.
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10 The Planning and Zoning Commission recommended approval of the rezoning
11 subject to special limitations proposed by the petitioner. The special limitation for
12 the R-1 district is to limit the total number of permitted dwelling units to 97. The
13 special limitations for the PLI district are to limit: 1) the permitted uses to parks,
14 open space, and playfields; 2) the permitted accessory uses to type 1, 2, and 3
15 towers; and 3) the conditional uses to fill sites, other types of towers, commercial
16 recreational uses, off-street parking, utility and transportation facilities, and snow
17 disposal sites.
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19 The rezoning request is consistent with the 2006 *Chugiak - Eagle River*
20 *Comprehensive Plan Update*, and generally meets the rezoning standards in AMC
21 21.20.090.
22

23 **THE ADMINISTRATION RECOMMENDS APPROVAL OF THE ZONING MAP**
24 **AMENDMENT, PROVIDING FOR THE REZONING OF APPROXIMATELY 46.6**
25 **ACRES FROM PC SL (PLANNED COMMUNITY WITH SPECIAL LIMITATIONS)**

1 **DISTRICT PER AO 84-143 TO R-1 SL (SINGLE-FAMILY RESIDENTIAL WITH**
2 **SPECIAL LIMITATIONS) DISTRICT AND PLI SL (PUBLIC LANDS AND**
3 **INSTITUTIONS WITH SPECIAL LIMITATIONS) DISTRICT FOR THE NE ¼,**
4 **SECTION 23, T14N, R2W, S.M., AK, GENERALLY LOCATED NORTH OF**
5 **EAGLE RIVER LOOP AND EAST OF YOSEMITE DRIVE, IN EAGLE RIVER.**

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7 Prepared by: Angela C. Chambers, AICP, Current Planning Section
8 Supervisor, Planning Division

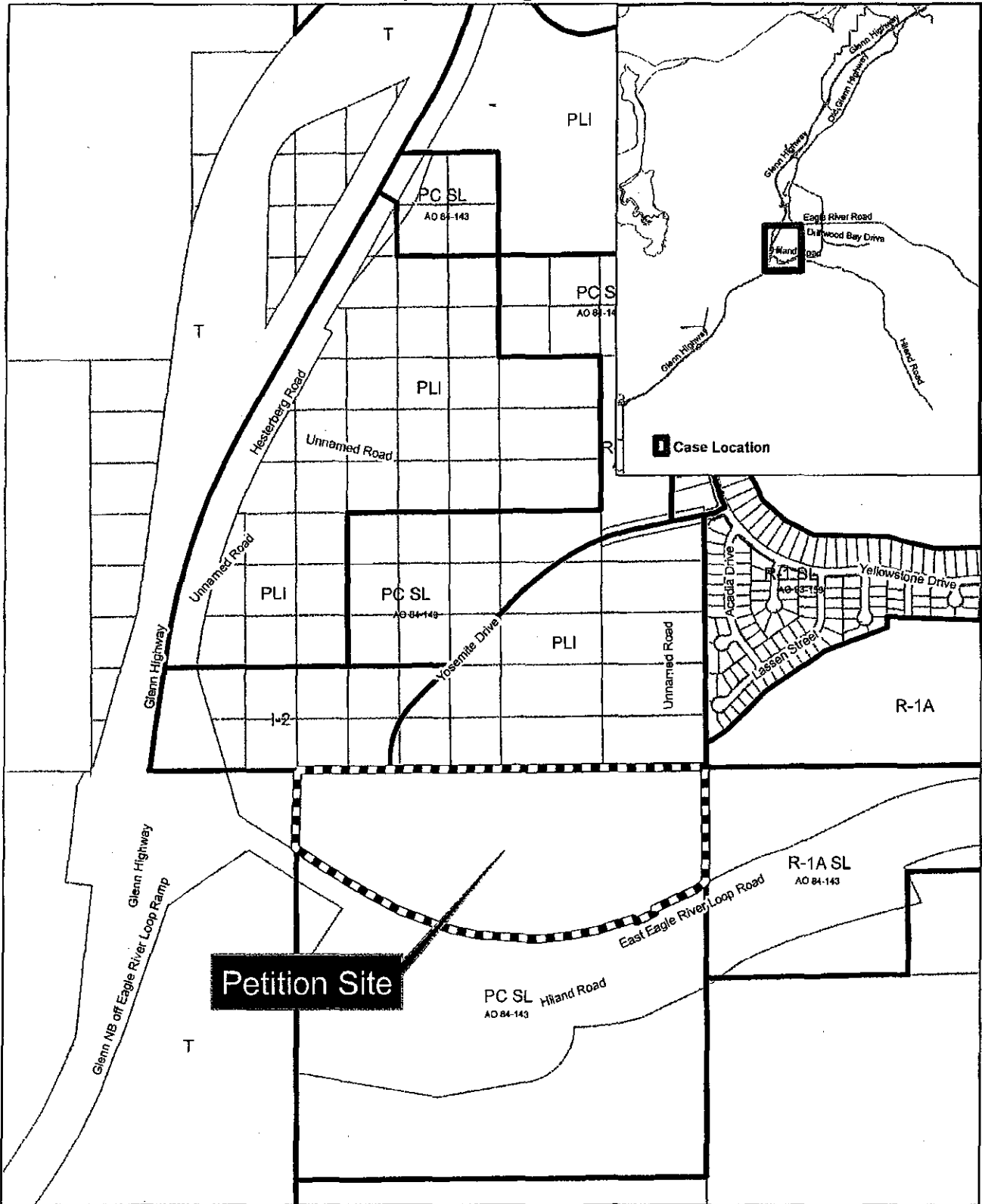
9 Approved by: Jerry T. Weaver Jr., Director,
10 Community Development Department

11 Concur: Dennis A. Wheeler, Municipal Attorney

12 Concur: George J. Vakalis, Municipal Manager

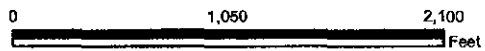
13 Respectfully submitted, Daniel A. Sullivan, Mayor
14

15 (Case 2011-011; Tax I.D. No. 060-081-01)



Municipality of Anchorage
Planning Department
December 16, 2010

Flood Limits
100 Year
500 Year
Floodway



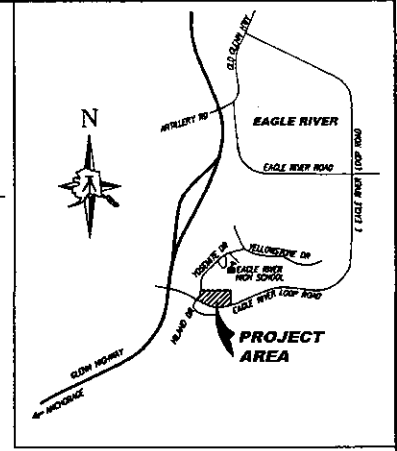
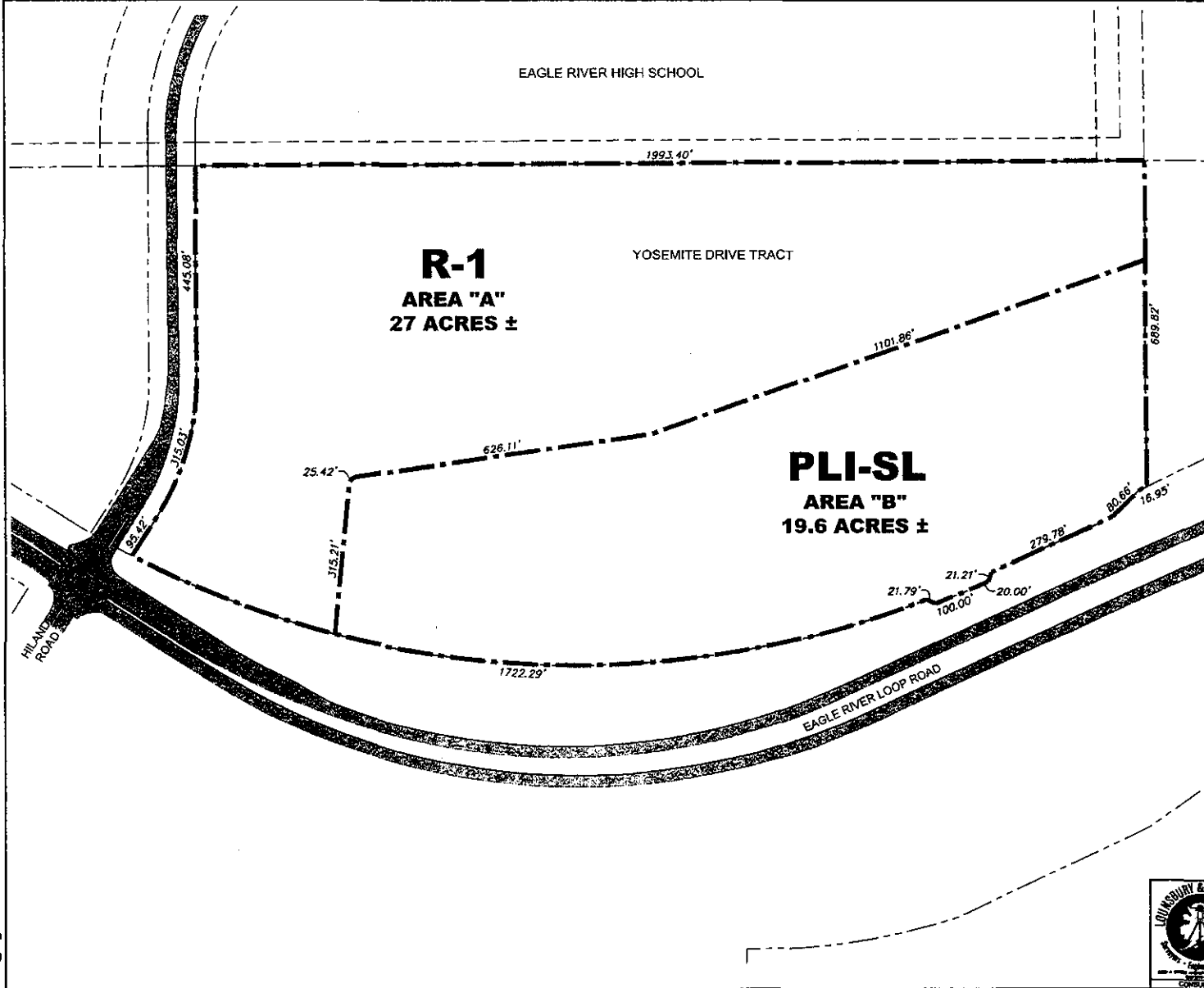
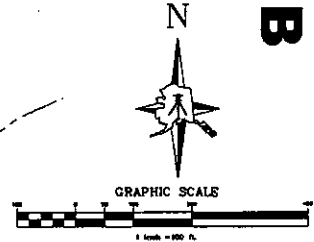


EXHIBIT B



| | | | |
|----------------------------------|------------------|--------------|----------|
| MASTER PLAN MAP | | | |
| EAGLE RIVER, YOSEMITE EAST TRACT | | | |
| SCALE: PLAN: 1"=100' | DATE: NOV. 2010 | DRAWN BY: JH | SHEET: 1 |
| DATE: 11-2010 | ACCT. NO. 10-003 | | |

1A

**MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2011-002**

A RESOLUTION APPROVING A REZONING FROM PC SL (PLANNED COMMUNITY WITH SPECIAL LIMITATIONS) DISTRICT PER AO 84-143 TO R-1 SL (SINGLE-FAMILY RESIDENTIAL) DISTRICT AND PLI SL (PUBLIC LANDS AND INSTITUTIONS) DISTRICT FOR THE NE ¼, SECTION 23, T14N, R2W, S.M., AK, CONTAINING APPROXIMATELY 46.6 ACRES, GENERALLY LOCATED NORTH OF EAST EAGLE RIVER LOOP ROAD AND EAST OF YOSEMITE DRIVE, IN EAGLE RIVER.

(Case 2011-011; Tax I.D. No. 060-081-01)

WHEREAS, a request has been received from the Alaska Mental Health Trust Land Office, represented by Lounsbury and Associates, Inc., to rezone from PC SL (Planned community with special limitations) district per AO 84-143 to R-1 SL (Single-family residential with special limitations) district and PLI SL (Public lands and institutions) district for the NE ¼, Section 23, T14N, R2W, S.M., AK, containing approximately 46.6 acres, generally located north of Eagle River Loop and east of Yosemite Drive, in Eagle River.

WHEREAS, notices were published, posted, public hearing notices were mailed, and a public hearing was held on February 7, 2011.

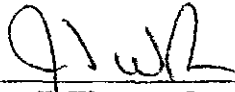
NOW, THEREFORE, BE IT RESOLVED, by the Municipal Planning and Zoning Commission that:

- A. The Commission makes the following findings of fact:
1. The proposed rezoning is in compliance with the *Chugiak – Eagle River Comprehensive Plan Update* and zoning standards of AMC 21.20.090 Zoning Standards for Approval.
 2. The number of dwelling units has been limited to 97, which is what would be allowed under the R-1A district. This cap on the number of dwelling units was based on community input and the residential densities of the surrounding area.
 3. There will be further public process regarding this site as the Platting Board will review any future subdivision.
 4. The Commission recommended approval of the request by a unanimous vote: 7-yea, 0-nea.
- B. The Commission recommends to the Anchorage Assembly that approximately 27 acres of the subject property be rezoned to R-1 SL, with the following special limitation:
1. No more than 97 dwelling units may be constructed.


- C. The Commission recommends to the Anchorage Assembly that approximately 19.6 acres of the subject property be rezoned to PLI SL, with the following special limitations:
1. Permitted principal uses and structures are as follows:
 - a. Parks, parkways and greenbelts, lands reserves, open space and related facilities.
 - b. Public recreational facilities, including playgrounds, playfields, public recreational centers and the like.
 2. Permitted accessory uses and structures are as follows:
 - a. Uses and structures which are necessary or desirable adjuncts to permitted principal uses and structures, where such accessory uses and structures are under the management or control of the organization or agency responsible for the permitted principal use or structure.
 - b. Antennas without tower structures, type 1, 2, 3, community interest and local interest towers and type 4 tower structures as specified in the supplemental district regulations.
 3. The following conditional uses are permitted:
 - a. Natural resource extraction, except for placer mining operations, on tracts of not less than five acres.
 - (i) No fill shall be excavation or removed from the old land fill portion of this parcel.
 - b. Community interest and local interest towers that do not meet the supplemental district regulations for a permitted or accessory use.
 - c. Commercial recreational uses, including commercial and recreational uses associated with such commercial recreational uses, for a period of time to be determined by the planning and zoning commission.
 - d. Off-street parking spaces or structures.
 - e. Utility and transportation facilities.
 - f. Snow disposal sites.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 7th day of February, 2011.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this ____ day of _____, 2011. This written decision/resolution of the Planning and Zoning Commission is final and any party may appeal it within twenty (20) days to the Board of Adjustment pursuant to Anchorage Municipal Code 21.30.030.



Jerry T. Weaver, Jr.
Secretary



Arthur D. Isham
Chair

(Case 2011-011; Tax I.D. No. 060-081-01)

fm

~~AYE: Wilson, Pruhs, Dean, Isham, Yoshimura, Fredrick, Pease
NAY: None~~

~~PASSED~~

- ~~2. CASE: 2011-018
PETITIONER: The Petersen Group, Inc.
REQUEST: Zoning conditional use for a planned unit development~~

~~*This agenda item was postponed to March 7, 2011.*~~

3. CASE: 2011-011
PETITIONER: Alaska Mental Health Trust Authority/Trustee
REQUEST: Rezoning to R-1 and PLI-SL

The site is located north of Eagle River Loop Road and east of Yosemite Drive. The petitioner requests to rezone the subject parcel from PC SL to R-1 SL and PLI SL on the fill site. The special limitation offered by the petitioner for the R-1 District is to limit the total number of permitted lots to 97. This is the same number of lots that could be created under the R-1A District. The R-1A District requires wider and larger lots than the R-1 District. The special limitations offered by the petitioner on the PLI District are to limit: 1) the permitted uses to parks, open space, and playfields; 2) the permitted accessory uses to type 1, 2, and 3 towers; and 3) the conditional uses to fill sites, other types of towers, commercial recreational uses, off-street parking, utility and transportation facilities, and snow disposal sites.

FRANCIS MCLAUGHLIN presented the Staff Report on behalf of the Planning Division. The Division recommended approval with special limitations.

JIM SAWHILL with LOUNSBURY & ASSOCIATES represented the petitioner, ALASKA MENTAL HEALTH TRUST LAND OFFICE (TLO). TIM SPERNAK with the TLO was also present to respond to questions. MR. SAWHILL provided a presentation on behalf of the petitioner.

CHAIR ISHAM opened the public hearing, and the following individuals testified:

JOE VICENTI, Manager of the company developing Eagle Pointe Subdivision
KARL VON LURHTE, Board member of both South Fork Community Council & Eagle Pointe Homeowners' Association
RANDY BILFUSS

ANDREW BREWER, New President, South Fork Community Council

JIM SAWHILL presented rebuttal testimony on behalf of the petitioner.

CHAIR ISHAM closed the public hearing.

COMMISSIONER DEAN in the matter of case 2011-011 rezoning from PC, Planned Community District to R-1 with Special Limitations based on the Department recommendations on Page 8 of the Staff Report moved to approve with special limitations no more than 97 dwelling units may be constructed in R-1. COMMISSIONER PEASE seconded.

COMMISSIONER DEAN noted if it were 90 dwelling units, and the lots sell for \$100,000 a piece, it costs the owner potentially \$700,000 to go from 97 to 90 assuming they can get 90 lots out of this, which would depend on their layout. She does not know that it is fair to limit with an arbitrary number because 90 or 97 is a very expensive number.

COMMISSIONER PEASE indicated the Commission's reason for considering 97 dwelling units should be that is what would be allowed under the R-1A, not that it would represent a greater profit to the developer. She noted the Commission is trying to look at the community interests here, the densities in the surrounding area and what the community has spoken for.

COMMISSIONER YOSHIMURA is going to support the motion although she is disappointed in the lack of information that was presented. She finds it disappointing that the Community Council or the Eagle Pointe Homeowners' Association could see a bubble diagram, but the Commission was not allowed that option. She would hope in the future that this project does have a thorough review. She feels, even though she is supporting it, a more appropriate zone would have been a PC (Planned Community).

CHAIR ISHAM will be supporting the motion because it will be coming before the Platting Board, and they will deal with all the nitty-gritty things. He thinks this is an appropriate use for the land, and it was, in fact, recommending in the Eagle River Comprehensive Plan. He thinks it is a good use for the land.

AYE: Wilson, Pruhs, Dean, Isham, Yoshimura, Fredrick, Pease

NAY: None

PASSED

COMMISSIONER DEAN in matter of 2011-011, rezoning Planned Community District (PC) to PLL Public Lands Institution restricted with special limitations based on the special limitations on pages 8 and 9 of the Staff Report moved to approve. COMMISSIONER PEASE seconded.

COMMISSIONER PEASE proposed a friendly amendment to Condition C(1) to add the language that "there will be no fill excavated or removed from the old landfill portion of this parcel."

COMMISSIONER DEAN was concerned because she feels the word "excavation" is a fuzzy word. She indicated if the word "removed" was used it would be one thing, but excavating could mean just moving the dirt around. She thought if they do bring in fill and move it around, now they have broken that, and they need a conditional use permit. With regard to the proposed friendly amendment, she would have to leave out the word "excavated," but she has no problem with removing fill and that be required, which they already have natural resource extraction as a conditional use permit in there, which would cover the fill removal if they chose to remove anything. She is going to leave off the excavation because it is just too fuzzy.

COMMISSIONER PEASE asked for clarification from the petitioner's representative that they were only going to work on top of the cap of the old landfill, and MR. SAWHILL confirmed. It did not seem to her that excavating into the old landfill was anything they wanted to do.

COMMISSIONER DEAN noted there are other areas of that property that are PLI that is not part of the landfill that may need to be moved around.

COMMISSIONER PEASE restated her proposed friendly amendment to read that "no fill to be excavated or removed from that portion of the PLI, which is the old landfill."

COMMISSIONER DEAN concurred. *This was accepted as a friendly amendment.*

AYE: Wilson, Pruhs, Dean, Isham, Yoshimura, Fredrick, Pease
NAY: None

PASSED

~~CASE: 2010-139
PETITIONER: Alaska Auto Mall, LLC
REQUEST: Site plan review for a large retail/commercial establishment~~

~~Alaska Auto Mall is requesting site plan approval for a new showroom, service area and to consolidate parking for Kendall Toyota. Kendall Automotive Group has operated a Toyota and Lexus car dealership in downtown Anchorage for many years. Having outgrown their existing facility, this site has been selected for expansion. The project is located on the southwest corner of the Old Seward Highway and Merlin Loop.~~

~~SHARON FERGUSON presented the Staff Report on behalf of the Municipality's Planning Division. The Division recommended approval with conditions.~~

**PLANNING DIVISION
PLANNING STAFF ANALYSIS
REZONING**

DATE February 7, 2011

CASE NO. 2011-011

APPLICANT: Alaska Mental Health Trust Land Office (TLO)

**PETITIONER'S
REPRESENTATIVE** Lounsbury and Associates, Inc.

REQUEST Rezoning from PC (Planned Community) District to:

- R-1 (Single-Family Residential) District with Special Limitations, and
- PLI (Public Lands and Institutions) District with Special Limitations

LOCATION NE ¼, Section 23, T14N, R2W, S.M. AK.

**COMMUNITY
COUNCIL
TAX NUMBER** South Fork
060-081-01

- ATTACHMENTS:**
1. Departmental and Public Comments
 2. Petitioner's Application
 3. Posting Affidavit and Historical Information

RECOMMENDATION SUMMARY: Approval with special limitations

SITE:

Acres: ±46.6 acres
Vegetation: Birch and Spruce
Zoning: PC SL District (Planned Community with Special Limitations per A.O. 84-143)
Topography: Varied slopes
Existing Use: Vacant with former fill site (±2 acres)
Soils: Well and septic system

COMPREHENSIVE PLAN:

Classification: • "Residential, 3 to 6 dwelling units per acre" on the north, and
• "Special Study Area" on the south per the Land Use Plan in the December 2006 *Chugiak-Eagle River Comprehensive Plan Update*

Density: 3 to 6 DUA

SURROUNDING AREA:

| | NORTH | EAST | SOUTH | WEST |
|-----------|--|------------------------------------|---------------------------------|---------------------------------------|
| Zoning: | I-2, PLI, R-1 SL (AO 93-159) | R-1A SL (AO 84-143) | PC SL (AO 84-143) | T |
| Land Use: | DOT storage yard, Eagle River High School; Eagle Pointe Subdivision | Vacant property owned by DOT | Vacant property owned by DOT | Vacant property owned by TLO |

APPLICABLE LAND USE REGULATIONS

This parcel is subject to AMC 21.40.250 PC (Planned Community) District with Special Limitations per A.O. 84-143. The special limitations state: "Uses shall be restricted to residential and/or public institutional." The parcel requires a rezoning prior to any potential land development to allow for future specific use areas. The petitioner's application is proposing a rezone to residential and public institutional districts.

PROPOSAL AND SITE DESCRIPTION

The site is located north of Eagle River Loop Road and east of Yosemite Drive. The petitioner requests to rezone the subject parcel from PC SL to R-1 SL and PLI SL on the fill site. The special limitation offered by the petitioner for the R-1 District is to limit the total number of permitted lots to 97. This is the same number of lots that could be created under the R-1A District. The R-1A District requires wider and larger lots than the R-1 District. The special limitations offered by the petitioner on the PLI District are to limit: 1) the permitted uses to parks, open space, and playfields; 2) the permitted accessory uses to type 1, 2, and 3 towers; and 3) the conditional uses to fill sites, other types of towers, commercial recreational uses, off-street parking, utility and transportation facilities, and snow disposal sites.

A former gravel pit and the old Eagle River landfill are located on a portion of the site. The landfill was operated from the 1960's to 1977. The exact boundaries of the landfill are not fully defined, but according to the March 5, 2004, HDR "Hiland Road Area Trust Parcel Analysis," the landfill area is estimated to be 10 acres. This may overstate the landfill area. A letter written in 2001 by the Alaska Division of Environmental Health Solid Waste Program stated that the total area of fill activity was approximately 2 acres. During the development of the gravel source, approximately 10 acres of land were cleared adjacent to the site. Nonetheless, in the mid 1990's the area disturbed from the landfill and adjacent gravel pit operations was capped with an additional cover of silty-clay

soils from the Port of Anchorage Expansion project. The site was monitored by the Alaska Department of Environmental Conservation, Division of Environmental Health for five years after it was closed and determined that no further mediation was required. In the future, the petitioner intends to fill the area disturbed by the former Eagle River landfill and develop sports fields and/or open space. The northern part of the petition site that was not disturbed by the landfill will be the future site of a single-family residential subdivision.

FINDINGS

21.20.090 Standards for Approval – Zoning map Amendments.

A. Conformance to the Comprehensive Plan

The standard is met.

- *The Residential, 3 – 6 dwellings per acre classification provides for a variety of urban/suburban single-family residential neighborhoods. The predominant land use consists of single-family housing, most commonly detached single-family subdivisions. The intended density range is 3 to 6 housing units per gross acre. Building scale, single-family character and landscaped setbacks of new development, as well as the low traffic volumes on local streets, contribute to a low-intensity living environment. Location Criteria: 1. Areas with an established single-family detached development pattern; 2. Areas served by public sewer and/or water; 3. Areas adjacent to established single-family developments; and 4. Areas outside the downtown Eagle River core.*

The proposed rezone to R-1 SL is compatible with the Land Use Plan designation of “Residential, 3 to 6 dwelling units per acre.” There is R-1 SL north of the petition site and R-1A and R-1A SL north and west of the site. The petitioner’s proposed Special Limitations are within the dwelling units per acre density range of the surrounding residential densities. The R-1 SL District to the north already is developed with the Eagle Pointe Subdivision. The Special Limitations on Eagle Pointe Subdivision cap the District to the number of lots that could be built in an R-1A District. Directly north of the site is PLI zoned property which is developed with the Eagle River High School.

- *Special Study Area: There are several Heritage Land Bank parcels for which a specific use has yet to be determined. These areas are subject to a site-specific land use study before use designation or development. The Land Use Plan map depicts these areas as Special Study Area using a diagonal line pattern over a white background. This classification also includes the former borough landfill site off Eagle River Loop Road, which is owned by the Alaska Mental Health Trust Authority.*

A majority of the area identified as "Special Study Area" is not suitable for buildings because it is the former Eagle River landfill site and there is steep topography. The TLO studied the land uses in the surrounding area and the constraints of the site and determined that playfields are the most fitting land use after existing fill is removed and replaced with appropriate fill and grading. Therefore, the proposed rezone to PLI SL is appropriate for this site. The petitioner has stated that the Municipality was offered the property for parkland but has declined to accept the property. The petitioner will use the site for future private playfields and open space.

AMC 21.05.080.C.4.a. (General Land Use Plan) Entitlements shall conform to the Generalized Land Use Plan, except where the approving authority finds one of the following:

Existing uses that do not conform to the land use classification maps are integrated compatibly into the area;

See the discussion under "Conformance to the Comprehensive Plan."

The proposed use may be made compatible with conforming uses by special limitations or conditions of approval concerning such matters as access, landscaping, screening, design standards and site planning.

The proposed rezone and concept site plan are congruent with the surrounding land uses. The property is located between the Eagle River High School and Eagle River Loop Road. The property north of the site is zoned I-2, PLI, and R-1 SL per AO 84-143. (AO 84-143 is attached.) The property to the east is zoned R-1A SL per AO 84-143. The property to the south is within the same zoning district, PC SL per AO 84-143. The property to the west is zoned T.

The proposed use does not conflict with the Anchorage Bowl Comprehensive Plan goals and policies pertaining to the surrounding neighborhood or the general area. Zoning map amendments at a boundary between land use categories shall be subject to design standards that will make the zoning map amendment compatible with land uses in the adjacent land use category.

The proposed rezone to R-1 SL and PLI SL is compatible with the surrounding land uses and the Land Use Plan in the December 2006 *Chugiak-Eagle River Comprehensive Plan Update*."

- B. A zoning map amendment may be approved only if it is in the best interest of the public, considering the following factors:**

1. The effect of development under the amendment, and the cumulative effect of similar development, on the surrounding neighborhood, the general area and the community; including but not limited to the environment, transportation, public services and facilities, and land use patterns, and the degree to which special limitations will mitigate any adverse effects.

The standard is met.

Environment

Noise: All uses are subject to AMC 15.70 Noise Ordinance.

Air: All uses are subject to AMC 15.30 south Central Clean Air Ordinance and AMC 15.35 South Central Clean Air Ordinance Regulations.

Land Use Patterns

The property is surrounded by Eagle River High School to the north, R-1A SL property to the east, Eagle River Loop Road to the south, and the DOT maintenance yard and Yosemite Drive to the west.

Transportation/Drainage

The rezone to R-1 SL and PLI SL will not create a significant new traffic burden on existing vehicular transportation infrastructure. The Traffic Department will require scoping meeting and possible traffic impact analysis prior to subdividing. The petitioner is already aware of this requirement.

The *Official Streets and Highways Plan (OS&HP)* identifies Yosemite Drive as Collector and Eagle River Loop Road as an Arterial. Private Development notes that Project Management and Engineering (PM&E) is currently managing a drainage study of the area and PM&E has also issued a request for proposals for a concept study of what would be required to bring Yosemite Drive to full collector standards, though full construction for that project is not yet funded. A court decision requires the Yosemite Drive to be upgraded to collector standards. This will be required prior to the recording of a plat.

Drainage will be addressed prior to a forthcoming fill operation and permitting on the site.

Public Services and Facilities

Roads: The *Official Streets and Highways Plan (OS&HP)* identifies Yosemite Drive as a Collector and Eagle River Loop Road as an Arterial.

Utilities: AWWU water mains and sanitary sewer can be extended to serve the petition site.

Schools: The petition site is within the Eagle River Elementary, Gruening Middle, and Eagle River High School boundaries. The projected school capacity for the 2013-2014 school year for Eagle River Elementary is 75%, Gruening Middle is 95%, and Eagle River High is 86%.

The site is currently undeveloped. The petitioner has stated that they intend to create between 81 and 108 single-family houses.

The Anchorage School District's (ASD) estimates student attendance based on location and housing type. The ASD housing stock multiplier was last updated in 1992-1993. Using the ASD housing stock multiplier, the petitioner's concept site plan would produce 46 elementary school students, 14 middle school students, and 25 high school students.

Parks: Two small neighborhood parks, Hillcrest and Palos Verdes, are the nearest Municipal parks. Also, in the vicinity, is the State of Alaska Eagle River Greenbelt.

Public Safety: The petition site is located within the Anchorage Police and Eagle River Fire service areas. The petition site is outside of the Building Safety service area. Developers must apply for land use permits in the Eagle River area.

2. The supply of land in the economically relevant area that is in the use district to be applied by the zoning request or in similar use districts, in relationship to the demand for that land.

The standard is met.

There is residentially zoned (PC SL and R-1A SL) and developed property north and east of Eagle River High School. There are large tracts of undeveloped R-10 property south of Eagle River Loop Road. The Glenn Highway is located east of the site. Between the Glenn Highway and the petition site are 8 acres of vacant TLO property, a DOT maintenance yard, the State of Alaska Division of Forestry Office Maintenance Shop, and the Hiland Correctional Facility.

3. The time when development probably would occur under the amendment, given the availability of public services and facilities, and the relationship of supply to demand found under paragraph 2 above.

The standard is met.

The petitioner has applied for a conditional use permit for a fill site operation on the proposed PLI SL property. The Planning Division is holding the application until Assembly approval of this rezone application. The TLO's future plans for the property are single-family residential development on the R-1 SL property and playfields on the PLI SL property.

4. The effect of the amendment on the distribution of land uses and residential densities specified in the Comprehensive Plan, and whether the proposed amendment furthers the allocation of uses and residential densities in accordance with the goals and policies of the Plan.

The standard is met.

The effect of the rezoning would be to define the subject parcel for single family residential development on the north side and playfields and parks on the south-side.

COMMUNITY COMMENTS

On January 14, 2011, the Department mailed 24 public hearing notices to properties in the surrounding area. As of this writing, a response has been received from the Eagle Pointe Homeowner's Association and the South Fork Community Council. Those comments are attached.

DISCUSSION

The proposed rezone from PC SL per AO 84-143 to R-1 SL and PLI SL meets the intent of the *Chugiak - Eagle River Comprehensive Plan Update*. The Land Use Plan identifies the petition site as "Residential, 3 to 6 dwelling units per acre" and "Special Study Area." The vacant land suitability map in the *Chugiak-Eagle River Comprehensive Plan Update* shows the site as "suitable" in the northern half, but "unsuitable" in the southern half, presumably due to the former landfill site.

On the proposed R-1 SL property, the petitioner has offered to construct no more than 97 dwelling units, which is the same number of dwelling units that could be built in the R-1A District. Rezoning the property to a straight R-1 District would comply with the *Chugiak - Eagle River Comprehensive Plan Update* which allows 3 to 6 dwelling units per acre. The South Fork Community Council has

passed a resolution supporting rezoning to R-1A because they want to limit the number of dwelling units that could be constructed on the site. The petitioner changed their rezone request from R-1 to R-1 SL with the number of dwelling units capped at the R-1A level in response to the South Fork Community Council's resolution. In a neighboring development, the Eagle Pointe Subdivision was rezoned from R-1A SL to R-1 SL with the number of dwelling units capped at the R-1A level. (See attached AO 93-159). This has allowed Eagle Pointe Subdivision to navigate topographical constraints and protect environmentally sensitive areas by build R-1 sized lots. The Planning Division has no objection to the proposed rezone to R-1 SL because it complies with the *Chugiak - Eagle River Comprehensive Plan Update*.

On the proposed PLI SL property, the petitioner has offered special limitations restricting the permitted uses, accessory uses, and conditional uses. The Planning Division has no objection to the proposed rezone because the property is a former land fill and dump site and is unsuitable for constructing buildings. The petitioner intends to improve the property for playfields in the future.

The South Fork Community Council asks for there to be a 100 foot wide natural vegetative buffer on the north side of the subject parcel between the Eagle River High School and the proposed rezone to R-1 SL. The Community Council cites the *HLB Parcel 1-085 Land Use Study* (AO 96-86) which recommended a 100 foot buffer on the north side of Yosemite Drive and on the west side of Eagle River High School. (See attached excerpts.) The Community Council's request conflicts with the *HLB Parcel 1-085 Land Use Study* which considered issue the need for a natural vegetative buffer and decided not to recommend it. The Planning Division supports the final recommendation of the *HLB Parcel 1-085 Land Use Study*. The need for buffer landscaping will be addressed again when the property is subdivided, which is the appropriate vehicle to determine any necessary buffers or transition areas based on actual development plans.

DEPARTMENT RECOMMENDATION

The Department recommends APPROVAL of the rezoning to R-1, subject to the following special limitation:

1. Special limitation:

- A. No more than 97 dwelling units may be constructed.

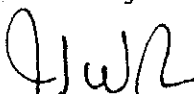
The Department recommends APPROVAL of rezoning to PLI, subject to the following special limitations:

1. Special limitations:

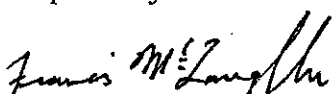
- A. Permitted principal uses and structures are as follows:

1. Parks, parkways and greenbelts, lands reserves, open space and related facilities.
 2. Public recreational facilities, including playgrounds, playfields, public recreational centers and the like.
- B. Permitted accessory uses and structures are as follows:
1. Uses and structures which are necessary or desirable adjuncts to permitted principal uses and structures, where such accessory uses and structures are under the management or control of the organization or agency responsible for the permitted principal use or structure.
 2. Antennas without tower structures, type 1, 2, 3, community interest and local interest towers and type 4 tower structures as specified in the supplemental district regulations.
- C. The following conditional uses are permitted:
1. Natural resource extraction, except for placer mining operations, on tracts of not less than five acres.
 2. Community interest and local interest towers that do not meet the supplemental district regulations for a permitted or accessory use.
 3. Commercial recreational uses, including commercial and recreational uses associated with such commercial recreational uses, for a period of time to be determined by the planning and zoning commission.
 4. Off-street parking spaces or structures.
 5. Utility and transportation facilities.
 6. Snow disposal sites.

Reviewed by:


Jerry T. Weaver, Jr.
Director

Prepared by:


Francis McLaughlin
Senior Planner

(Case 2011-011, Parcel #060-081-01)

EAGLE RIVER
HIGH SCHOOL

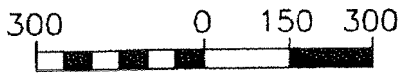
R-1
27 ACRES ±

PLI-SL
OPEN SPACE
19.6 ACRES ±

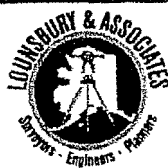
YOSEMITE DRIVE

EAGLE RIVER LOOP ROAD

HILAND
ROAD



SCALE IN FEET



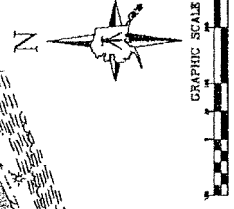
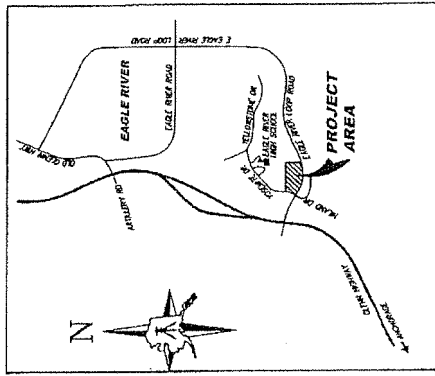
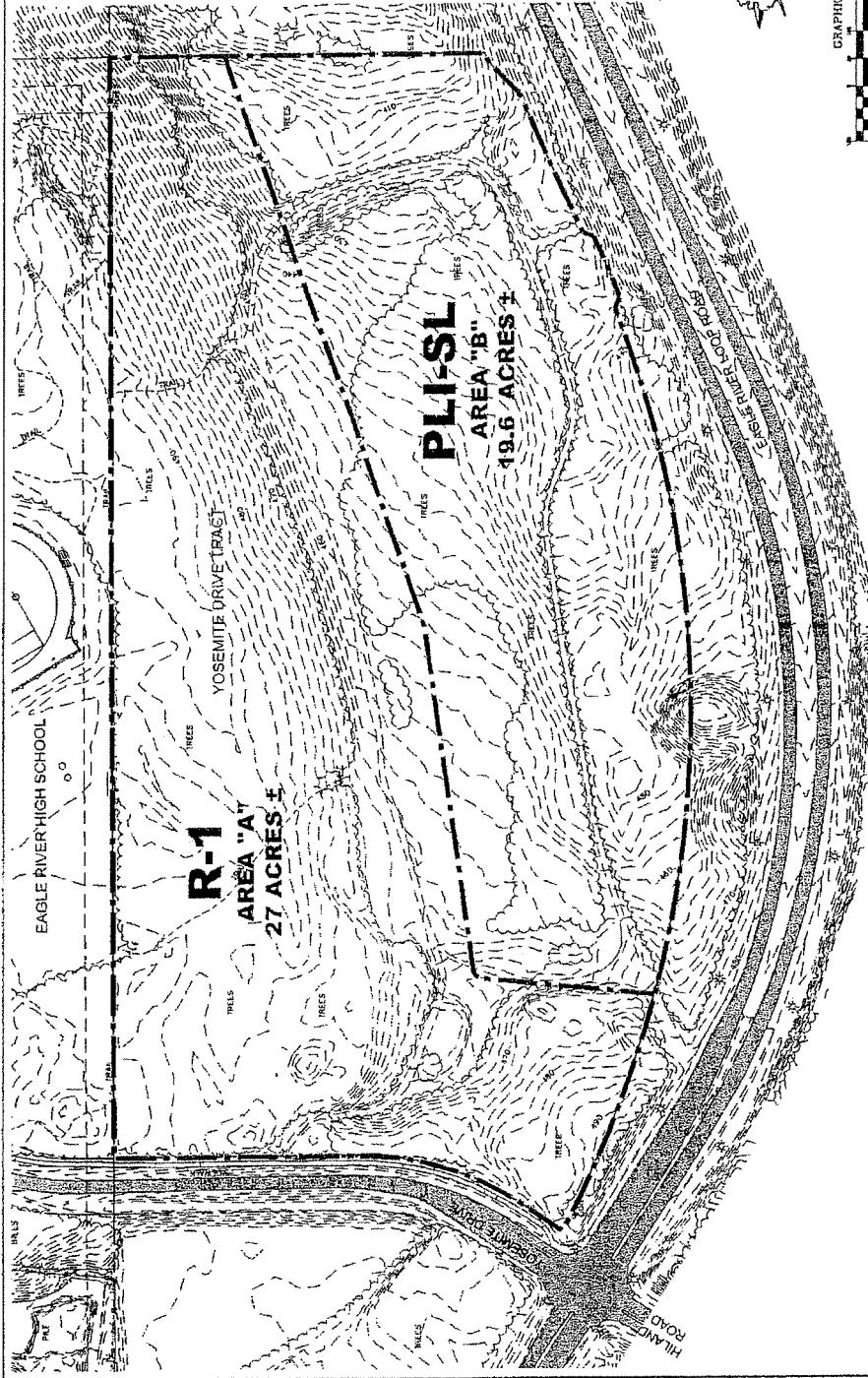
5300 A STREET ANCHORAGE, ALASKA 99518
(907)272-5451

**YOSEMITE EAST
CONCEPTUAL
ZONING DISTRICT MAP**

DATE: NOV. 2010

SCALE: 1" = 300'

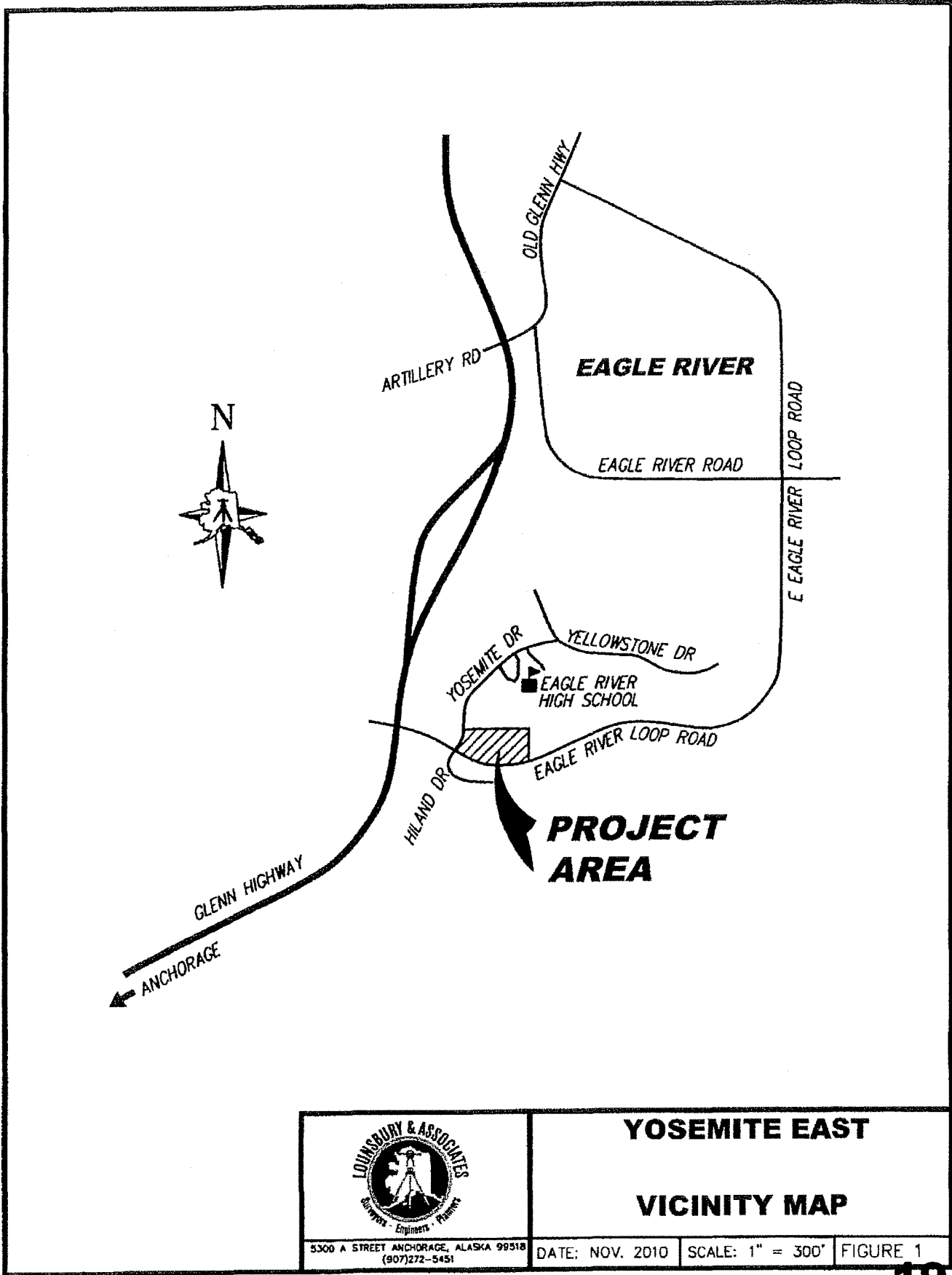
FIGURE 2



MASTER PLAN MAP
EAGLE RIVER, YOSEMITE EAST TRACT

SCALE: FULL 1"=100' DATE: NOV. 2010 | SHEET 012
SCALE: HALF 1"=200' DATE: DEC. 10, 2003 | SHEET 011

DATE: 11/10/10
PROJECT: EAGLE RIVER, YOSEMITE EAST TRACT
SHEET 012



**YOSEMITE EAST
VICINITY MAP**

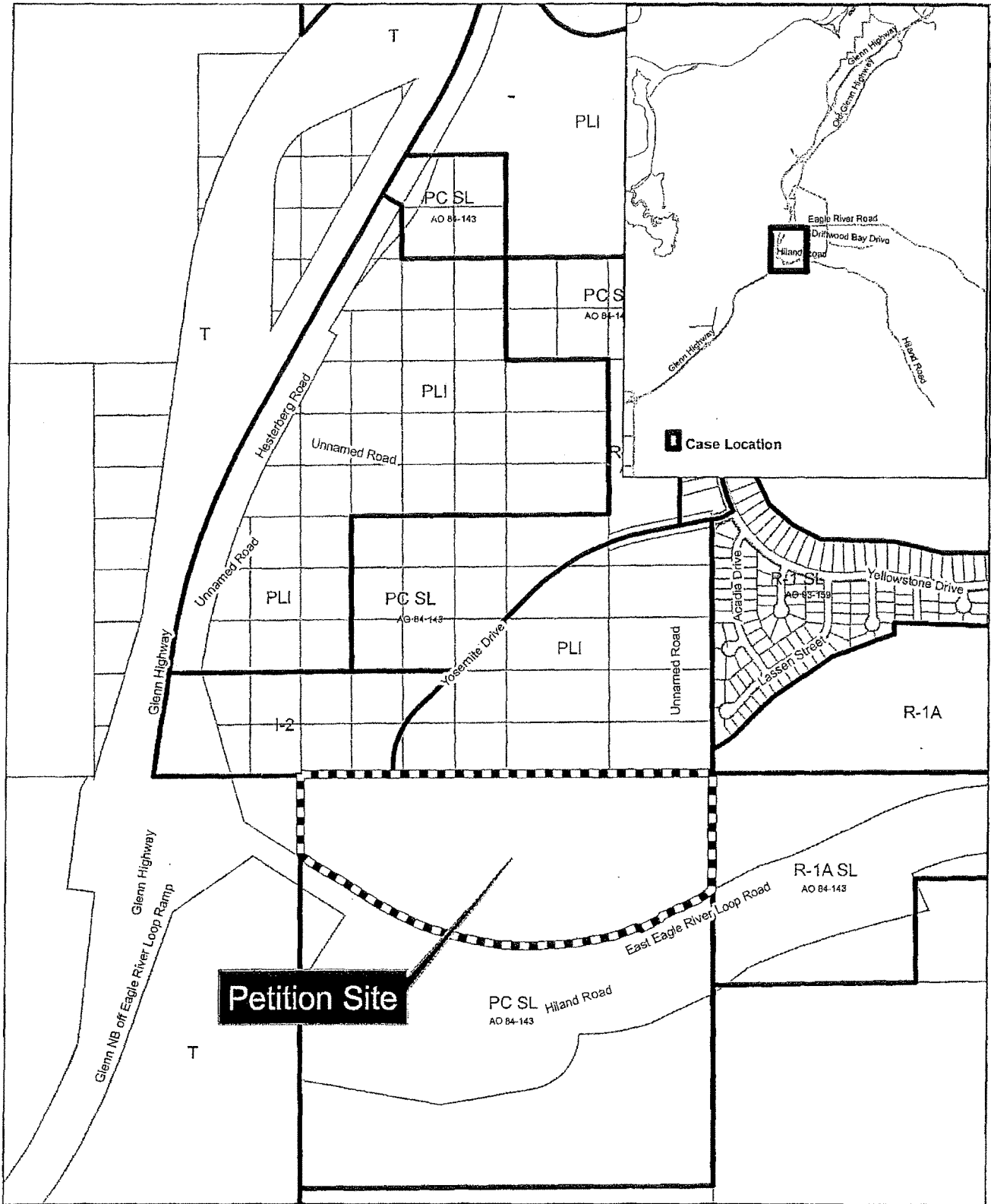
5300 A STREET ANCHORAGE, ALASKA 99518
(907)272-5451

DATE: NOV. 2010

SCALE: 1" = 300'

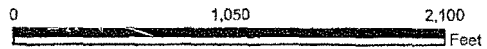
FIGURE 1

2011-011

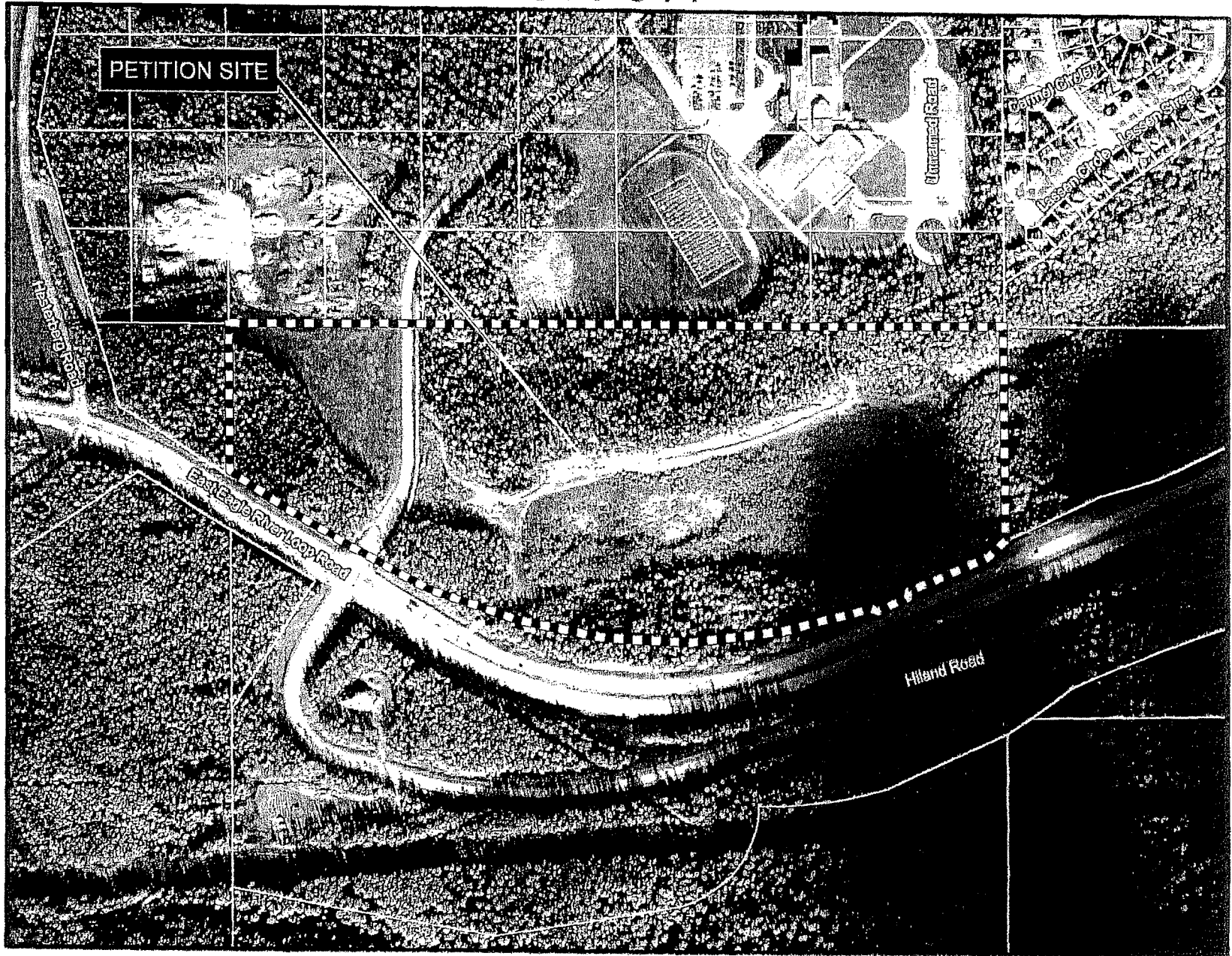


Municipality of Anchorage
 Planning Department
 December 16, 2010

Flood Limits
 [Solid Line] 100 Year
 [Dashed Line] 500 Year
 [Thick Black Line] Floodway

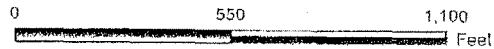


2011-011



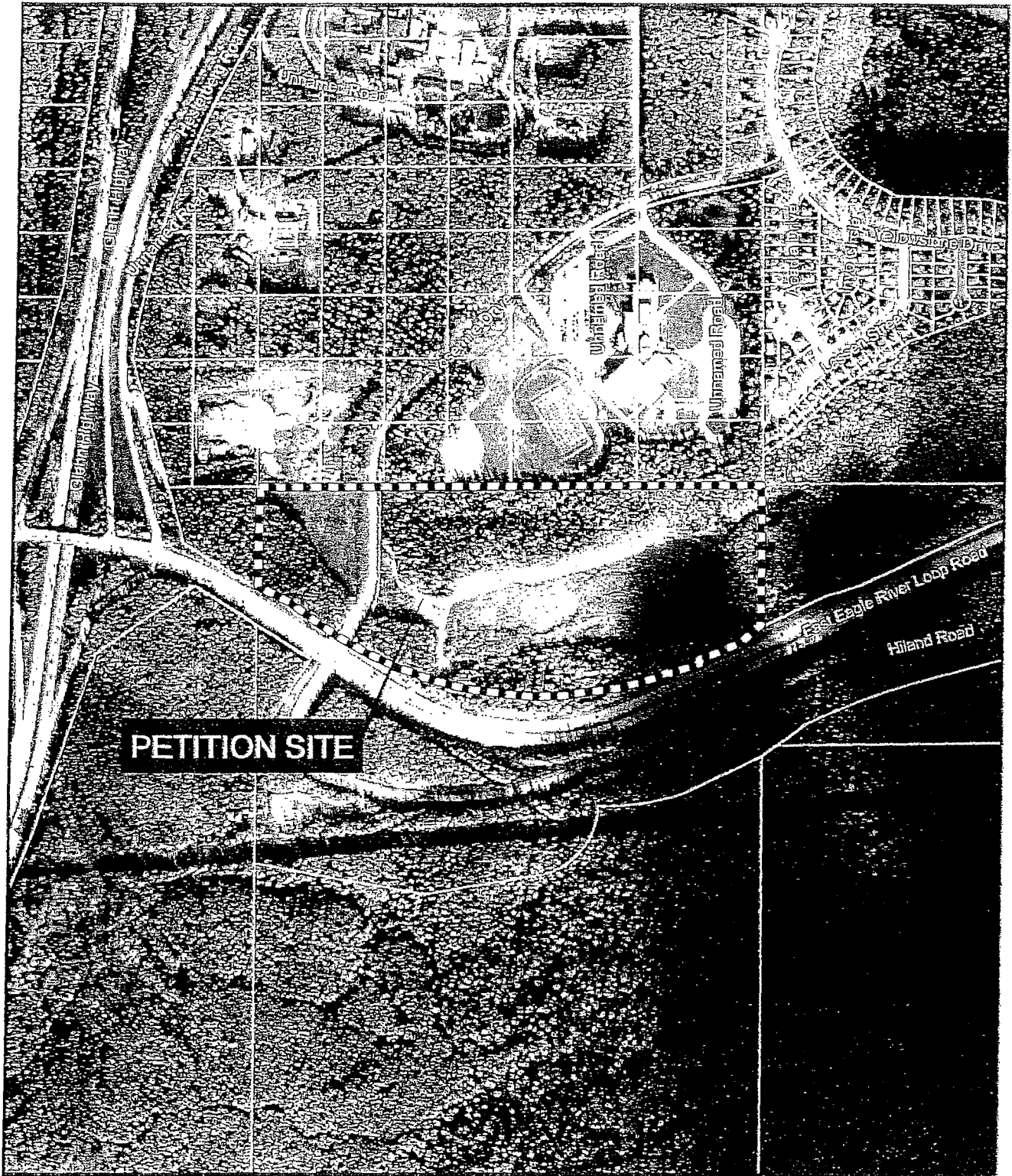
Municipality of Anchorage
Planning Department

Date: January 06, 2011

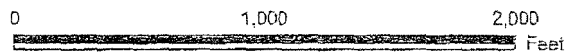


ORTHOPHOTO 2007 USGS 1FT



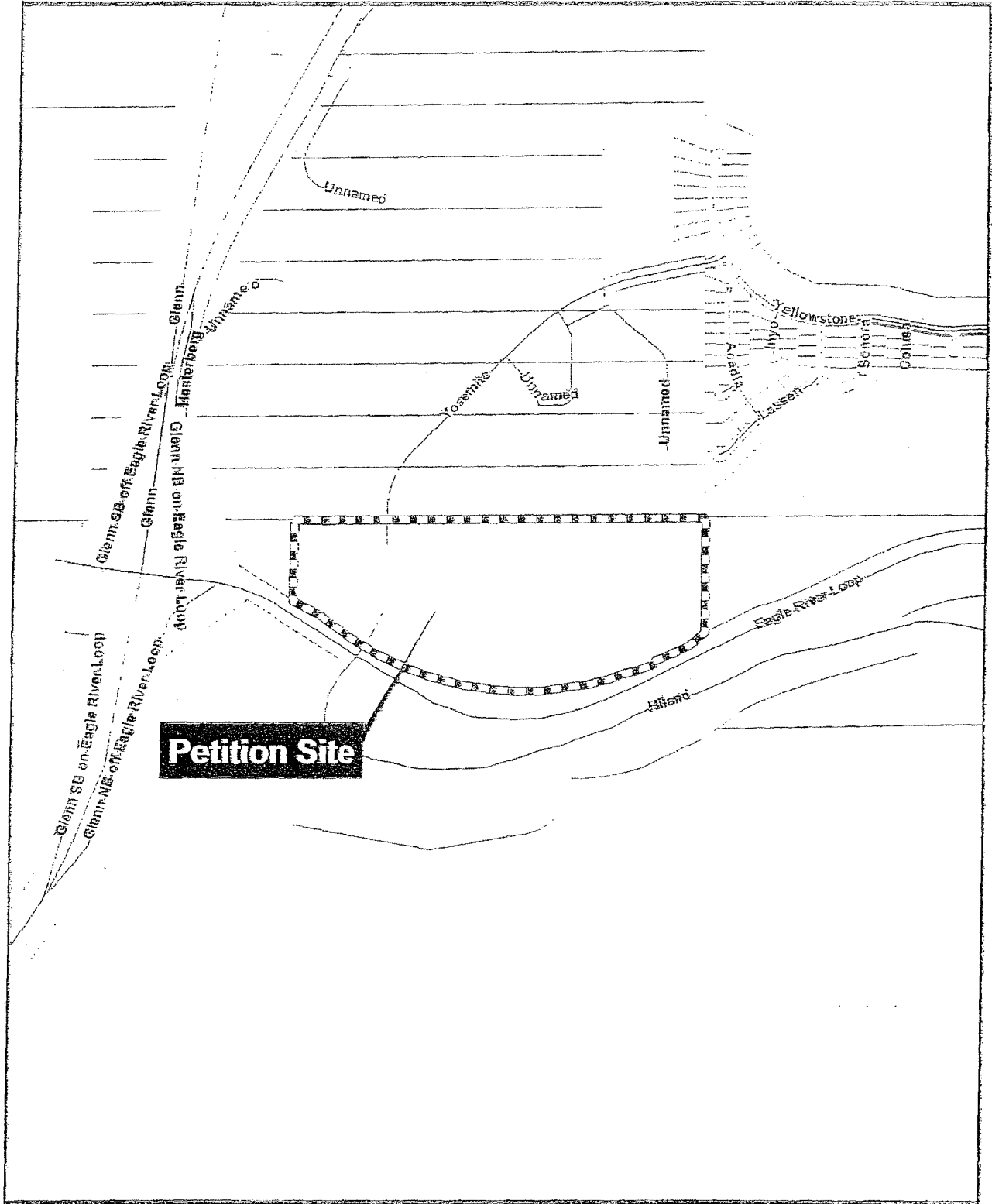


Municipality of Anchorage
Planning Department
August 9, 2010



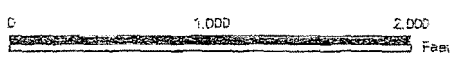
ORTHOPHOTO 2001 USGS 1FT



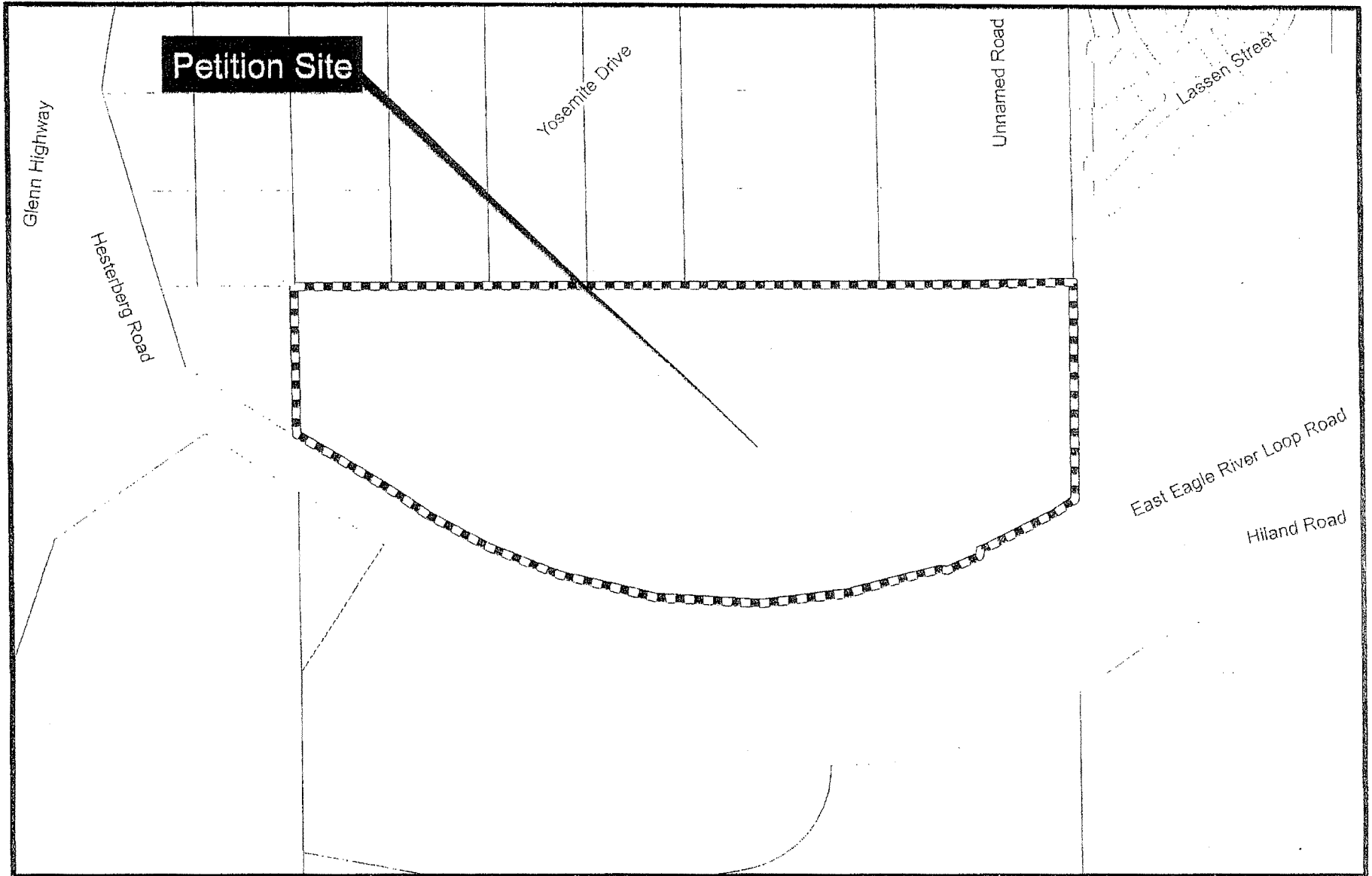





Municipality of Anchorage
 Planning Department
 Date: August 9, 2010

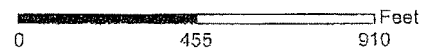
- ◻ Mobile Home Park
- ◻ Multi-Family
- ◻ Single Family



2011-011



-  Mobile Home Park
-  Multi-Family
-  Single Family



Departmental Comments

Municipality Of Anchorage
ANCHORAGE WATER & WASTEWATER UTILITY

MEMORANDUM

JAN 11 2011

ANCHORAGE WATER & WASTEWATER UTILITY

DATE: January 5, 2010
TO: Angela Chambers, Supervisor, Planning Section, Planning Division
FROM: Paul Hatcher, Engineering Tech III, AWWU *PAH*
SUBJECT: **Zoning Case Comments**
Planning & Zoning Commission Hearing February 1, 2011
Agency Comments due January 4, 2010

AWWU has reviewed the materials and has the following comments.

10-139 BRIARCLIFF TR A - PAGO TR B, Site plan review for a large retail/commercial establishment, Grid SW2131

1. AWWU water and sanitary sewer are available to this parcel.
2. AWWU has no objection for this site plan review.

11-010 LYN ARY PARK SITE, Master Plan Review of a public park, Grid SW1426, 1526

1. AWWU water and sanitary sewer are available to this parcel.
2. AWWU has no objection for this Master Plan Review.

11-011 T14N R2W SEC 23 N2NE4 PTN, Rezoning to R-1 and PLI-SL, Grid SW0251

1. AWWU water and sanitary sewer are available to this parcel.
2. AWWU has no objection for this rezoning.

11-012 WALDEC ADDITION 2 TR A-1-1 & A2-1, Zoning conditional use for a nursing home, Grid SW1337

1. AWWU water and sanitary sewer are available to this parcel.
2. AWWU has no objection for this conditional use permit.

11-013 KINCAID ESTATES TR 1, Zoning conditional use for a planned unit development, Grid SW2323

1. AWWU water and sanitary sewer are available to this parcel.
2. AWWU has no objection for this conditional use permit.



MUNICIPALITY OF ANCHORAGE

Development Services Division
Right of Way Section
Phone: (907) 343-8240 Fax: (907) 343-8250



RECEIVED

JAN 07, 2011

Municipality of Anchorage
Right of Way Section

DATE: January 7, 2011
TO: Planning, Zoning and Platting Division
THRU: Jack L. Frost, Jr., Right of Way Supervisor
FROM: Lynn McGee, Senior Plan Reviewer
SUBJ: Comments on Planning and Zoning Commission case(s) for February 7, 2011.

Right of Way Section has reviewed the following case(s) due January 10, 2011.

10-139 Briarcliff, Tract A, Pango, Tract B, grid 2131
(Site Plan Review, Large Retail/Commercial Establishment)
Right of Way Section will have comments in the building permit plan review process.
Review time 15 minutes.

11-010 Lyn Ary Park, grid 1526
(Master Plan Review for a Public Park)
Right of Way Section will comment on the design plan review process.
Review time 15 minutes.

11-011 Section 23, T14N R2W NW ¼, grid SW0251
(Rezoning Request, PC-SL to R-1 and PLI-SL)
Right of Way Section recommends the development of these lands do not have an access to other than Yosemite Drive.
Review time 30 minutes.

11-012 Waldec #2, Tracts A-1-1 & A2-1, grid 1338
(Conditional Use, Nursing Home)
Right of Way Section has no comments at this time.
Review time 15 minutes.

11-013 Kincaid Estates, Tract 1, grid 2323
(Conditional Use, Planned Unit Development)
Right of Way Section has no comments at this time.
Review time 15 minutes.

11-014 Section 24, SW ¼, & Section 25, T16N, R1W, grid NW2065
(Amendment to Natural Resource Extraction Master Plan)
Right of Way Section has no comments at this time.
Review time 15 minutes.

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION - PLANNING

SEAN PARNELL, GOVERNOR

4111 AVIATION AVENUE
P.O. BOX 196900
ANCHORAGE, ALASKA 99519-6900
(907) 269-0520 (FAX 269-0521)
(TTY 269-0473)

January 5, 2011

RE: MOA Zoning Review

Angela Chambers, AICP
Municipality of Anchorage
Community Development Department
Planning Division
P.O. Box 196650
Anchorage, Alaska 99519-6650

Dear Ms. Chambers:

The Alaska Department of Transportation and Public Facilities, ADOT&PF, reviewed the following applications and has no comments:

2011-010: Lyn Ary Park Master Plan Review

2011-011: Alaska Mental Health TLP – Rezone to R-1 PLI-L

2011-014: Eklutna Site 1 Amendment to Master Plan Natural Resources Extraction

Sincerely,



Mark Parnellee
Area Planner

/as

"Providing for the safe movement of people and goods and the delivery of state services."



**Municipality of Anchorage
Development Services Department
Building Safety Division**



MEMORANDUM

DATE: January 5, 2011
TO: Angela Chambers, Manager, Current Planning Section
FROM: Deb Wockenfass, Civil Engineer, On-Site Water and Wastewater Program
SUBJECT: Comments on Cases due January 10, 2011

The On-Site Water & Wastewater Program has reviewed the following cases and has these comments:

2011-011

Rezoning

No objection

2011-012

Zoning conditional use for a nursing home.

All proposed lots to be served by public water & sewer. No objection.

2011-013

Zoning conditional use for a planned unit development+

No objection

2011-014

Amendment to a natural resource extraction

No objection

Kimmel, Corliss A.

From: Staff, Alton R.
Sent: Monday, January 03, 2011 2:24 PM
To: McLaughlin, Francis D.; Kimmel, Corliss A.; Stewart, Gloria I.
Subject: Zoning Case Comments

JAN 03, 2011

Case No. 2011-012 People Mover has existing bus stops on Debarr Rd and Boniface as well as Boniface and 4th Avenue. Residents of the proposed facility will have to walk along Boniface to 4th Avenue or Debarr Road to access bus stops. There are no routes currently planned that will directly serve this section of Boniface.

The Public Transportation Department has no comment on the following zoning cases:

2011-010
2011-011

Thank you for the opportunity to review.

Alton R. Staff
Planning Manager
Public Transportation Department
3600 Dr. Martin Luther King Jr. Ave.
Anchorage, AK 99507
907-343-8230

MUNICIPALITY OF ANCHORAGE



Chugiak –Birchwood-Eagle River Rural
Road Service Area Board of Supervisors
Eagle River Town Center, Room 131
12001 Business Blvd., Eagle River 99577

Mayor Dan Sullivan

Phone: 907-343-1510

Fax: 907-694-1540

January 11, 2011

Planning Division
Current Planning Section
P.O. Box 196650
Anchorage, AK 99519

JAN 11 2011
10:00 AM

RE: PC-SL Planned community district with special limitations

Case No. 2011 - 011

The Eagle River Street Maintenance staff has reviewed the plans and has no comments at this time.

The CBERRRSA Board of Supervisors may have additional comments and concerns that will be forwarded to you.

Sincerely

Mark H. Littlefield
General Foreman
Eagle River Street Maintenance
Public Works, Administration, M.O.A.
Office: 343-1512
Email: littlefieldmh@ci.anchorage.ak.us

Mailing Address: Eagle River Town Center • 12001 Business Blvd., Room 131 • Eagle River, Alaska 99577

Zoning and Platting Cases On-line

View Case Comments

[Submit a Comment](#)

**** These comments were submitted by citizens and are part of the public record for the cases ****

Questions? If you have questions regarding a case, please contact Zoning at 907-343-7943 or Platting & Variances at 907-343-7942.

1. Select a Case: [View Comments](#)

2. View Comments:

Case Num: 2011-011

Rezoning to R-1 and PLI-SL

Site Address: N/A

Location: A request to rezone approximately 46.60 acres from PC-SL (planned community with special limitations) to R-1 (single-family residential) and PLI-SL (public lands and institutions with special limitations) zoning district. T14N, R2W, NE4 of Section 14, S.M., AK. Generally located east of Yosemite Drive and north of Eagle River Loop Road.

[Details](#) | [Staff Report](#) | [submit a comment](#)

Public Comments

1/17/11

Andrew Brewer
21595 Falling Water Cir
Eagle River AK 99577-9426

January 17, 2011 Comments on the Rezone of Yosemite East: Case No. 2011-011 The development of this 46.6 acre tract is a huge issue for our Community, mainly because of its location and the density of the proposed housing. The site is on the corner of Yosemite Drive and Eagle River Loop Road, and slopes from the north (the Eagle River High School boundary) to the south, exposing it to full view and all the traffic. Our Community has watched in despair as clear-cutting and dense row housing have marched their way up the other side of the valley – now all the way to the South Fork confluence. We are now told it is coming into our area. While I was on the Community Advisory Committee that worked on our C-ER Comprehensive Plan, and am familiar with what 3-6 Dwelling Units per acre means, most Hiland residents do not. What they will see when 6,000 square foot lots and 80-100 new houses are packed into that 27 acre area, will not just be an affront to their aesthetic sensibilities, but they will be deeply offended that this type of housing has been brought into our Community. Eagle Pointe, which has high end homes, developed at R1-SL is out of sight and out of mind. This new subdivision will not be. In a letter to Mr. Spernak, I proposed lots of 100 feet in width approaching 12,000 square feet, which would allow the retention of some of the native trees, especially the long living spruce, which would make this development more palatable to our neighborhood. These words fell on deaf ears. The highest and best use of this land apparently means "what is the most profit we can make!" while the Community must live with what the developer leaves behind. And we are the people who have to live with it! Eagle River Loop Road already has traffic backed up out of sight every morning. R-1 residential housing

MORE
→

32

in this area is not a solution but an exacerbation of the problem. We have major traffic on Yosemite Drive every morning from Eagle Pointe and the High School already. 40-50 new homes on 12,000 square foot lots cuts the proposed increase in half, and will not create a permanent blight on our Community, which is how the residents of Hiland view the proposed housing. All that said, the membership at our last meeting took stock of the situation. The (65) acre tract to the east along Eagle River Loop Road is already zoned R1-A. We believe that Yosemite East would also have received this designation if not for the old land fill, which has now been mapped at 19+ acres over the southern portion of the site. Normally the less dense housing is situated toward the front of a development, since it is aesthetically more pleasing, with the denser housing behind. Eagle Pointe, with its high end homes, needs to be protected from compact housing on its door step. Each subdivision should complement the other. The Council therefore passed a Resolution calling for R1-A zoning and 8400 square foot lots to be the minimum for this area. In addition we are calling for 100 foot vegetative buffers along the ERHS boundary and along Yosemite Drive, which have been required previously, to protect both the High School and the residents of the new community. We therefore ardently request that the rezone from PC-SL to R-1 be revised to R1-A, and that development proceed with the intent of retaining the natural setting as much as possible, as per the C-ER Comprehensive Plan. Please find attached our Community Council Resolution. The South Fork community council approved the following motion at its regular meeting on January 6, 2011, regarding Case 2011-011: 1. A Portion of the MHLT Property Should be Rezoned R1-A The State of Alaska Mental Health Lands Trust is requesting that a portion of its property be zoned R-1. The South Fork Community Council recommends that the area be zoned R1-A. The R1-A zoning is consistent with the zoning of the neighboring 65 acre property owned by Eklutna Inc, and the residential development intensity of Eagle Pointe Subdivision. The R1-A zoning or the equivalent development intensity were imposed on those parcels of land by the Planning and Zoning Commission during the 1990(s). The Eagle Pointe Subdivision and the Eklutna Inc land were rezoned by the P&Z Commission based on a MOA initiated rezoning action after construction of the Eagle River Loop Road. MOA Planning Department and the P&Z Commission correctly felt that the lands in question were a transition area between an area with 1 acre and larger size lots located east of the Eagle River Loop Road and a standard higher density urban development area. For purposes of rezoning arguments the MHLT parcel of land, the Eklutna Inc. tract of land, and the Eagle Pointe Subdivision are located in the same area and should be treated equally. They are all located west of the Eagle River Loop Road and across from land zoned for 1 acre and larger size lots. 2. Buffer Between the Proposed Residential Area and the High School An undisturbed 100 foot wide vegetative buffer separating the proposed residential area within the MHLT project and the Eagle River High School should be dedicated. MOA conducted a special study of its lands in the Yosemite Drive area in the 1990(s). One of the Study's recommendations was that there would be a 100 foot wide undisturbed vegetative buffer separating the High School development and the residential Eagle Pointe Subdivision. The Study also recommended a 100 foot wide undisturbed vegetative buffer along the west side of Yosemite Drive. The study became a part of the Eagle River Comprehensive Plan and is being implemented accordingly. A 100 foot wide buffer was dedicated by MOA between the High School and Eagle Pointe Subdivision, and the developer of Eagle Pointe Subdivision was required to dedicate a 100 foot wide tract of land reflecting the 100 foot wide buffer at the entrance of the subdivision on the west side of Yosemite Drive.

EAGLE POINTE HOMEOWNERS ASSOCIATION

8750 Sonora Circle
Eagle River, AK 99577

RECEIVED

JAN 19 2010

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

January 14, 2011

Francis McLaughlin
Senior Planner
MOA Planning Department
4700 Elmore Road
Anchorage, AK 99519-6650

RE: **CASE 2011-011**
 MHLT HILAND AREA PROPERTY

Dear Mr. McLaughlin,

The Eagle Pointe Homeowners Association Board of Directors approved the following motion at its regular meeting on January 13, 2011 regarding Case 2011-011:

1. A Portion of the MHLT Property Should be Rezoned R1-A

The State of Alaska Mental Health Lands Trust is requesting that a portion of its property be zoned R-1. The Eagle Pointe Homeowners Association recommends that the area be zoned R1-A.

The R1-A zoning is consistent with the zoning of the neighboring 65 acre property owned by Eklutna Inc, and the residential development intensity of Eagle Pointe Subdivision. The R1-A zoning or the equivalent development intensity were imposed on those parcels of land by the Planning and Zoning Commission during the 1990(s).

The Eagle Pointe Subdivision and the Eklutna Inc land were rezoned by the P&Z Commission based on a MOA initiated rezoning action after construction of the Eagle River Loop Road. MOA Planning Department and the P&Z Commission correctly felt that the lands in question were a transition area between an area with 1 acre and larger size lots located east of the Eagle River Loop Road and a standard higher density urban development area.

For purposes of rezoning arguments the MHLT parcel of land, the Eklutna Inc tract of land and the Eagle Pointe Subdivision are located in the same area and should be treated in an equal manner. They are all located west of the Eagle River Loop Road and across from land zoned for 1 acre and larger size lots.

2. Buffer Between the Proposed Residential Area and the High School

An undisturbed 100 foot wide vegetative buffer separating the proposed residential area within the MHLT project and the Eagle River High School should be dedicated.

MOA conducted a special study of its lands in the Yosemite Drive area in the 1990(s) entitled HLB PARCEL 1-085 LAND USE STUDY. One of the Study's recommendations was that there would be a 100 foot wide undisturbed vegetative buffer separating the High School development and the residential Eagle Pointe Subdivision. The Study also recommended a 100 foot wide undisturbed vegetative buffer along the west side of Yosemite Drive. The study became a part of the Eagle River Comprehensive Plan based on Assembly Ordinance No. 96-86, and is being implemented accordingly.

A 100 foot wide buffer was dedicated by MOA between the High School and Eagle Pointe Subdivision, and the developer of Eagle Pointe Subdivision was required to dedicate a 100 foot wide undisturbed vegetative easement on a tract of land located at the entrance of the subdivision on the west side of Yosemite Drive.

3. A Portion of the Proposed Residential Area extends over the Former Land Fill Area

A portion of the tract of land proposed to be zoned residential extends over the disturbed area where the former land fill is located. This is undesirable and should not be allowed. The proposed residential tract of land should be limited to the area that was not previously disturbed.

4. The South Five Acres of the Proposed Residential Area is Extremely Steep

The south five acres of the parcel of land proposed to be zoned residential is extremely steep and should not be devoted for residential development purposes. It would be more appropriate to incorporate that area into the proposed PLI tract of land.

Although the Mental Health Lands Trust is not submitting a plan for the development of the land proposed to be zoned residential at this time, the Eagle Pointe Homeowners Association wishes to offer a few significant comments to be taken into consideration when the a development is proposed for the land. Those comments are as follows:

A. Area Road Connectivity

Any development plan to be submitted to MOA by MHLT in the future for approval must include provisions for the second access to the area limited on the north by the Eagle River Greenbelt and on the south by the Eagle River Loop Road. This access would provide for the road connectivity the Municipality encourages on all new projects. The area is presently served solely by Yosemite Drive.

The second access would begin immediately south of the Briggs Bridge, and should extend from that point along the lower elevations of the Eklutna Inc. land and the Mental Health Land Trust parcel of land to Yosemite Drive.

The State of Alaska DOT made provisions for a major intersection immediately south of the Briggs Bridge to serve both the east and the west sides of the southern portion of the Eagle River Valley when planning and designing the Eagle River Loop Road. Those provisions are shown on the State of Alaska DOT Right-Of-Way Plans for Eagle River Loop Road.

B. Eagle River Area High School Parking Lot

The present High School parking lot does not quite meet the present standards for the 800 student population the School was constructed for. It is short by about 30 parking stalls, and the parking lot is full during its normal school days.

Provisions were not made during the original site plan preparation for the High School to accommodate the parking lot needed when the School is expanded in the future to accommodate 1,600 students within the School property.

The logical place to accommodate that parking lot is in the MHLT parcel of land proposed to be zoned residential. Any development plan proposed by MHLT should reflect that.

January 14, 2011
MOA Planning Department
Case 2011-011
MHLT Property
Page 4

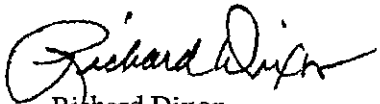
C. Parking to Accommodate the Demand Created by the Sports Fields

The parking lot MHLT has shown to accommodate the parking demand generated by the sports fields is totally inadequate. It reflects only 14 parking stalls. A much larger parking facility will be required.

Even though these fields may not be transferred to MOA in the immediately future for public use, they may be transferred in the future.

The MOA Planning Department should provide MHLT guidance on the adequate number of parking stalls needed to serve the eventual parking demand.

Sincerely,



Richard Dixon
President

Application

Lounsbury & associates, inc.

MEMORANDUM

RECEIVED

JAN 19, 2011

Municipality of Anchorage
Zoning Division

Date: January 18, 2011
To: Francis McLaughlin
Senior Planner
From: Jim Sawhill P.E.
Regarding: Yosemite East
Rezone

2011-011

The South Fork Community Council resolution for the above referenced rezoning suggests two concerns that we would like to address.

Zoning: The resolution suggests that R1-A is a more appropriate zone for this property. We still believe R-1 is the most appropriate zone.

This property is irregular shaped and has topography and slope issues. These are special physical features which are peculiar to this property. They will affect the subdivision layouts and limit the density that can be attained at this site. We expect the lot sizes to vary within the subdivisions due to the topographic and slope issues. The R-1 lots dimensions will give us the flexibility to adapt to the physical constrains and have a well planned development with a variety of lot sizes and home styles.

Another property nearby, Eagle Pointe Subdivision, faced similar issues and constraints. This property was rezoned in 1993 to R-1 SL. The special limitations were to restrict the gross density to R1-A densities. The property contained 89.6 acres and was restricted to 320 dwelling units or 3.6 DUA.

We believe a similar approach would be reasonable for this tract. Our gross area is 27 acres. At 3.6 DUA our maximum lot yield would be limited to 97. This special limitation would limit our development to R1-A densities and address the communities concern about over developing the property.

The Mental Health Trust Authority has no objection to adding a special limitation "No more than 97 dwelling units may be constructed."

Buffers – The resolution suggests that a 100 foot buffer should be provided on the boundary for our tract adjacent to Eagle River High School. We do not believe this is necessary or supported by code.



5300 A Street Anchorage, Alaska 99518 T: 907-272-5451 F: 907 272-8065
3161 E. Palmer-Wasilla Highway, Suite 2 Wasilla, Alaska 99654 T: 907-357-9129 F: 907-357-9140

WWW.LOUNSBURYINC.COM



The study referenced in the resolution is HLB parcel 1-085 land use study. It was a study of Municipal HLB land. It determined the best land use of the Municipal land and placed additional restrictions on the land. This study has no force or effect outside of the boundaries of the study area. The cities decided to place 100 foot buffers on their own land before they sold or transferred the property to other municipal uses.

Title 21 currently has no required buffers between R-1 and PLI. The appropriate time to determine if buffers should be placed at the perimeter of the site is during the platting process. At this time we have no lot or subdivision layouts to assess the need for buffers.

Lounsbury & Associates, Inc.

ESTABLISHED 1948

MEMORANDUM

Date: January 25, 2011
To: Francis McLaughlin
Senior Planner
From: Jim Sawhill P.E.
Regarding: Yosemite East Rezone
Additional Information

The purpose of this memo is to provide additional information on the Yosemite East Rezone Application. The additional information is to support the Proposed Special Limitations for the R-1 and its conformance to the code.

21.20.090 Standards

B. *Conditions of approval.* A zoning map amendment may be approved only if it is in the best interest of the public, considering the following factors:

1. The effect of development under the amendment, and the cumulative effect of similar development, on the surrounding neighborhood, the general area and the community, including but not limited to the environment, transportation, public services and facilities, and **land use patterns, and the degree to which special limitations will mitigate any adverse effects;**

The community council and Eagle Pointe Homeowners Association expressed concern about the proposed R-1 zoned property and suggested that R1-A is more appropriate. The proposed Special Limitation to limit development to 97 homes or 3.6 dwelling units per acre (DUA) will mitigate their concerns and conform to the existing land use patterns.

Land Use Pattern:

R1-A zoning is generally less dense than R-1 zoned property. We believe the community would prefer less dense development and want to ensure it is compatible with existing homes. Eagle Pointe Subdivision is zoned R1-SL. The Special Limitation is to limit development to 320 homes or 3.6 DUA. Our proposed Special Limitation makes us exactly the same as the existing land use pattern of the area.



5800 Alameda, Alameda, CA 94601 T: 907-272-9125 F: 907-272-9086
1000 E. Palm, Waipahu, HI 96781 T: 808-271-1125 F: 808-267-9110

WWW.LOUNSBURYINC.COM



Mitigate and Adverse Impact:

The proposed Special Limitation will mitigate the communities concern over density by limiting the density to R1-A densities of 3.6 DUA. The land is slope affected. The R-1 zone will allow us flexibility to vary lot width and size to conform to the unique features of this property and meet the overall density of 3-6 DUA identified in the comp plan.

4. The effect of the amendment on the distribution of land uses and residential densities specified in the comprehensive plan, and whether the proposed amendment furthers the allocation of uses and residential densities in accordance with the goals and policies of the plan.

The proposed Special Limitation will conform to the residential densities of the comprehensive plan. The plan calls for 3-6 DUA for this area. The Special Limitation is for 3.6 DUA. The proposed R-1 SL zone absolutely furthers the goals and policies of the plan.

The TRUST
LAND OFFICE

December 13, 2010

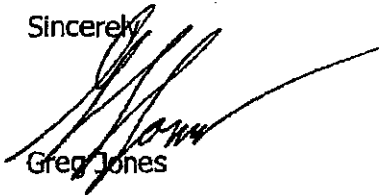
Municipality of Anchorage
Planning Department
P.O. Box 196650
Anchorage, AK 99519-6650

Regarding: NE1/4, Section 23, Township 14 North, Range 2 West, Seward Meridian,
Alaska. Yosemite Drive, Eagle River Loop Road.

To Whom it may Concern:

I hereby authorize Lounsbury & Associates, Inc. to represent the Alaska Mental Health
Trust Authority in obtaining a rezone for the above described property.

Sincerely,



Greg Jones

Executive Director
Alaska Mental Health Trust Land Office

Application for Zoning Map Amendment

City of Anchorage
Planning Department
PO Box 20200
Anchorage, AK 99510-0200



Please fill in the information asked for below.

| PETITIONER* | PETITIONER REPRESENTATIVE (IF ANY) |
|--|--|
| Name (last name first) Alaska Mental Health Trust Land Office-(TLO) | Name (last name first) Lounsbury & Associates, Inc. |
| Mailing Address Attn: Tim Spernak | Mailing Address 5300 A Street, Anchorage, AK 99518 |
| 718 L Street Ste, 202, Anchorage, AK 99501 | |
| Contact Phone: Day: 269-8688 Night: | Contact Phone: Day: 272-5451 Night: |
| FAX: | FAX: 272-9065 |
| E-mail: timothy.spernak@alaska.gov | E-mail: |

*Report additional petitioners or disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

| PROPERTY INFORMATION |
|--|
| Property Tax #000-000-00-000: 060-081-01-000 |
| Site Street Address: |
| Current legal description: (use additional sheet if necessary) NE 1/4, Section 23, Township 14 North, Range 2 West, Seward Meridian, Alaska |
| Existing Zoning: PC-SL Acreage: 46.6 Grid # SW0251 |

| PROPOSED ZONING |
|-----------------|
| R-1 and PLI-SL |

I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I petition to rezone it in conformance with Title 21 of the Anchorage 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. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff, the Planning and Zoning Commission or the Assembly for administrative reasons.

12-15-10 *Tim Spernak*

Date Signature (Agents must provide written proof of authorization)

| | | | |
|--------------|---------------------|------|--------------|
| Accepted by: | Poster & Affidavit: | Fee: | Case Number: |
|--------------|---------------------|------|--------------|

Application for Zoning Map Amendment continued

COMPREHENSIVE PLAN INFORMATION

| | |
|--|--|
| Anchorage 2020 Urban/Rural Services: <input type="checkbox"/> Urban <input type="checkbox"/> Rural | |
| Anchorage 2020 West Anchorage Planning Area: <input type="checkbox"/> Inside <input type="checkbox"/> Outside | |
| Anchorage 2020 Major Urban Elements: Site is within or abuts: | |
| <input type="checkbox"/> Major Employment Center | <input type="checkbox"/> Redevelopment/Mixed Use Area <input type="checkbox"/> Town Center |
| <input type="checkbox"/> Neighborhood Commercial Center | <input type="checkbox"/> Industrial Center |
| <input type="checkbox"/> Transit - Supportive Development Corridor | |
| Eagle River-Chugiak-Peters Creek Land Use Classification: | |
| <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Parks/opens space | <input type="checkbox"/> Public Land Institutions |
| <input type="checkbox"/> Marginal land <input type="checkbox"/> Alpine/Slope Affected | <input type="checkbox"/> Special Study |
| <input checked="" type="checkbox"/> Residential at 3 - 6 dwelling units per acre | |
| Girdwood-Turnagain Arm | |
| <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Parks/opens space | <input type="checkbox"/> Public Land Institutions |
| <input type="checkbox"/> Marginal land <input type="checkbox"/> Alpine/Slope Affected | <input type="checkbox"/> Special Study |
| <input type="checkbox"/> Residential at dwelling units per acre | |

ENVIRONMENTAL INFORMATION (All or portion of site affected)

| | | | | |
|--------------------------------|--|---|-----------------------------------|---|
| Wetland Classification: | <input checked="" type="checkbox"/> None | <input type="checkbox"/> "C" | <input type="checkbox"/> "B" | <input type="checkbox"/> "A" |
| Avalanche Zone: | <input checked="" type="checkbox"/> None | <input type="checkbox"/> Blue Zone | <input type="checkbox"/> Red Zone | |
| Floodplain: | <input checked="" type="checkbox"/> None | <input type="checkbox"/> 100 year | <input type="checkbox"/> 500 year | |
| Seismic Zone (Harding/Lawson): | <input type="checkbox"/> "1" | <input checked="" type="checkbox"/> "2" | <input type="checkbox"/> "3" | <input type="checkbox"/> "4" <input type="checkbox"/> "5" |

RECENT REGULATORY INFORMATION (Events that have occurred in last 5 years for all or portion of site)

| |
|---|
| <input type="checkbox"/> Rezoning - Case Number: |
| <input type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat - Case Number(s): Plat Number 2003-14 |
| <input type="checkbox"/> Conditional Use - Case Number(s): |
| <input type="checkbox"/> Zoning variance - Case Number(s): |
| <input type="checkbox"/> Land Use Enforcement Action for |
| <input type="checkbox"/> Building or Land Use Permit for |
| <input type="checkbox"/> Wetland permit: <input type="checkbox"/> Army Corp of Engineers <input type="checkbox"/> Municipality of Anchorage |

APPLICATION ATTACHMENTS

| | | |
|------------------------|---|--|
| Required: (35 Sets) | <input type="checkbox"/> Area to be rezoned location map | <input type="checkbox"/> Signatures of other petitioners (if any) |
| | <input type="checkbox"/> Narrative statement explaining need and justification for the rezoning; the proposed land use and development; and the probable timeframe for development. | |
| | <input type="checkbox"/> Draft Assembly ordinance to effect rezoning. <input checked="" type="checkbox"/> Original, signed application | |
| | <input type="checkbox"/> Ownership and beneficial interest form | |
| Optional: | <input type="checkbox"/> Building floor plans to scale | <input checked="" type="checkbox"/> Site plans to scale <input type="checkbox"/> Building elevations |
| | <input type="checkbox"/> Special limitations | <input type="checkbox"/> Traffic impact analysis <input type="checkbox"/> Site soils analysis |
| | <input type="checkbox"/> Photographs | |

APPLICATION CHECKLIST

1. Zoning map amendments require a minimum of 1.75 acres of land excluding right-of-way or a boundary common to the requested zone district.
2. The petitioning property owner(s) must have ownership in at least 51% of property to be rezoned.

STANDARDS FOR ZONING MAP AMENDMENTS

The petitioner must provide a written narrative which addresses the following standards. Zoning map amendment applications which do not address these items will be considered invalid and will not be accepted for public hearing by the Department of Community Planning and Development. (Use additional paper if necessary).

A. Conformance to Comprehensive Plan.

1. If the proposed zoning map amendment does not conform to the land use classification map contained in the applicable Comprehensive Plan, explain how the proposed rezoning meets one or more of the following standards:
 - a. The proposed use is compatible because of the diversity of uses within the surrounding neighborhood or general area;
 - b. The proposed use may be made compatible with conforming uses by special limitations or conditions of approval concerning such matters as access, landscaping, screening, design standards and site planning; or
 - c. The proposed use does not conflict with the applicable Comprehensive Development Plan goals and policies.

See Attached Narrative.

2. If the proposed zoning map amendment does not conform to the generalized residential intensity (density) of the applicable Comprehensive Plan map, explain how the proposed rezoning meets the following standards:
 - a. In cases where the proposed rezoning would result in a greater residential intensity (density), explain how the rezoning does not alter the plan for the surrounding neighborhood or general area, utilizing one of the following criteria:
 - i. The area is adjacent to a neighborhood shopping center, other major high density mode, or principal transit corridor.
 - ii. Development is governed by a Cluster Housing or Planned Unit Development site plan,

See Attached Narrative.

b. In cases where the proposed rezoning would result in a lesser residential intensity (density), explain how the rezoning would provide a clear and overriding benefit to the surrounding neighborhood.

See Attached Narrative.

c. Explain how the proposed residential density conforms with the applicable Comprehensive Development Plan goals and policies pertaining to the surrounding neighborhood or the general area.

See Attached Narrative.

B. A zoning map amendment may be approved only if it is in the best interest of the public, considering the following standards:

1. Describe the effect of development under the amendment and the cumulative effect of similar development on (a) the surrounding neighborhood, (b) the general area, and (c) the community with respect to the following (The discussion should include the degree to which proposed special limitations will mitigate any adverse effects.):

a. Environment:

See Attached Narrative.

b. Transportation:

See Attached Narrative.

c. Public Services and Facilities:

See Attached Narrative.

d. Land Use Patterns;

See Attached Narrative.

Note: Surrounding neighborhood = 500-1000' radius
General Area = 1 Mile radius
Community = Anchorage as a whole

2. Quantify the amount of undeveloped (vacant) land in the general area having the same zoning or similar zoning requested by this application. Explain why you feel the existing available land is not sufficient or is not adequate to meet the need for land in this zoning category?

See Attached Narrative.

3. When would development occur under the proposed zoning? Are public services (i.e., water, sewer, street, electric, gas, etc.) available to the petition site? If not, when do you expect that it will be made available and how would this affect your development plans under this rezoning?

See Attached Narrative.

4. If the proposed rezoning alters the use of the property from that which is indicated in the applicable Comprehensive Plan, explain how the loss of land from this use category (i.e., residential, commercial, industrial) might be regained elsewhere in the community?

See Attached Narrative.

Standards for Zoning Map Amendments

Introduction

The property is located at the northeast corner of Eagle River Loop Road and Yosemite Drive and includes approximately 46.6 acres. The land is currently zoned Planned Community with Special Limitations (PC SL) for residential and/or institutional uses. This zoning was established as part of an area wide zoning in 1984.

The property had a gravel pit and land fill on a portion of it in the 1960's. The land fill was closed and capped in 1977. In the 1990's a large volume, over 200,000 cubic yards, of silt and clay from the Anchorage port was placed on the property. Most of the filled areas are un-suitable for residential development. The development plans for the property are for single family development and open space. The open space will be for active recreational use and natural open space.

The attached conceptual zoning district map shows the proposed zoning district areas. The R-1 area is approximately 27 acres. The PLI SL open space area is approximately 19.6 acres.

Standards For Zoning Map Amendment

A. Conformance to Comprehensive Plan.

- 1. If the proposed zoning map amendment does not conform to the land use classification map contained in the applicable Comprehensive Plan, explain how the proposed rezoning meets one or more of the following standards:*
 - a. The proposed use is compatible because of the diversity of uses within the surrounding neighborhood or general area;*
 - b. The proposed use may be made compatible with conforming uses by special limitations or conditions of approval concerning such matters as access, landscaping, screening, design standards and site planning; or*
 - c. The proposed use does not conflict with the applicable Comprehensive Development Plan goals and policies.*

The Chugiak-Eagle River Comprehensive Plan land use map for the area is residential at 3-6 dwellings per acre. The PLI SL portion of the rezone is not suitable for residential development. It will be open space which will be an amenity and support the residential use.

2. *If the proposed zoning map amendment does not conform to the generalized residential intensity (density) of the applicable Comprehensive Plan map, explain how the proposed rezoning meets the following standards:*
 - a. *In cases where the proposed rezoning would result in a greater residential intensity (density), explain how the rezoning does not alter the plan for the surrounding neighborhood or general area, utilizing one of the following criteria:*
 - i. *The area is adjacent to a neighborhood shopping center, other major high density mode, or principal transit corridor.*
 - ii. *Development is governed by a Cluster Housing or Planned Unit Development site plan,*

The proposed zoning conforms to the densities of the Comprehensive Plan.

- b. *In cases where the proposed rezoning would result in a lesser residential intensity (density), explain how the rezoning would provide a clear and overriding benefit to the surrounding neighborhood.*

The PLI SL portion of the rezone will not meet residential densities of 3-6 dwellings per acre, but the property is not suitable for residential use. It will be active and passive open space which will benefit the neighborhood.

- c. *Explain how the proposed residential density conforms with the applicable Comprehensive development Plan goals and policies pertaining to the surrounding neighborhood or the general area.*

The proposed residential densities conform to the Chugiak-Eagle River Comprehensive Plan, so it meets all goals for residential uses in the general area.

- B. *A zoning map amendment may be approved only if it is in the best interest of the public, considering the following standards:*
 1. *Describe the effect of development under the amendment and the cumulative effect of the similar development on (a) the surrounding neighborhood, (b) the general area, and (c) the community with respect to the following (The discussion should include the degree to which proposed special limitations will mitigate any adverse effects.):*

a. Environment:

The proposed subdivision and active recreational fields will have a minimal effect on the environment. No wetlands or sensitive areas are within the property. The

property drains to the low areas where fill has been placed and then east to the adjoining property. A detailed drainage study will be completed with the plating of the property into lots. Water quality treatment systems and detention ponds will be constructed to ensure no adverse impacts on the environment or adjacent properties.

b. Transportation:

The residential zoned property is expected to develop at 3 – 4 dwelling units per acre or 81 – 108 lots. Yosemite Drive will provide access to the development. Eagle River Loop Road is a controlled access facility, no access is allowed. The school district is required to improve Yosemite Drive to collector standards to serve Eagle River High School which is north of the development. This should be completed within two to three years.

A traffic impact analysis will be prepared for the preliminary plat approval. Any off-site transportation improvements will be determined and included in subdivision agreements for the subdivision.

c. Public Services and Facilities:

Public water and sanitary sewer are available in Yosemite Drive. These utilities will be extended into the subdivision.

d. Land Use Patterns:

The land use in the area is:

North – PLI, Eagle River High School

Northeast - R-1 SL, Eagle Pointe Subdivision

East - R1-A, vacant

West - PC SL, vacant

South - PC SL, vacant

The proposed zoning is in conformance with the Chugiak Eagle River Comprehensive Plan land use map and the land use patterns in the area.

2. *Quantify the amount of undeveloped (vacant) land in the general area having the same zoning or similar zoning requested by this application. Explain why you feel the existing available land is not sufficient or is not adequate to meet the need for land in this zoning category?*

34.276 acres of vacant R-1 SL exists in the general area. This is the undeveloped or future phases of Eagle Pointe Subdivision. Tract B Denaina Estates is in the general area. It is 67 acres and is zoned R1-A. It is owned by

Eklutna Inc. It is our understanding from Eklutna that they have no plans for this property in the next 10 years.

Eagle Pointe Subdivision is a high end single family development. Yosemite East will provide medium priced single family housing.

3. *When would development occur under the proposed zoning? Are public services (i.e., water, sewer, street, electric, gas, etc.) available to the petition site? If not, when do you expect that it will be made available and how would this affect your development plans under this rezoning?*

Development of the PLI-SL property is to start in 2011 or 2012. This will involve placing waste fill to construct the active play fields. Development of the R-1 property will start after the play field initial construction in 2012 or 2013, depending on market demand. Public water and sanitary sewer is available to the site. Yosemite Drive is currently a strip paved road with a detached trail on one side. The school district is required to improve the road to collector standards in the next two to three years.

4. *If the proposed rezoning alters the use of the property from that which is indicated in the applicable Comprehensive Plan, explain how the loss of land from this use category (i.e., residential, commercial, industrial) might be regained elsewhere in the community?*

The Comprehensive Plan calls for the use of this land to be residential. A portion will be residential and a portion will be PLI-SL open space. The PLI-SL property is unsuitable for development.

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Planning Department
For reading: _____

Anchorage, Alaska
AO 2011-____

AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 46.6 ACRES FROM PC SL (PLANNED COMMUNITY WITH SPECIAL LIMITATIONS FOR RESIDENTIAL AND/OR INSTITUTIONAL USES) DISTRICT TO R-1 (SINGLE-FAMILY RESIDENTIAL) AND PLI SL (PUBLIC LANDS AND INSTITUTIONS WITH SPECIAL LIMITATIONS) DISTRICTS FOR NE ¼, SECTION 23, TOWNSHIP 14 NORTH, RANGE 2 WEST, SEWARD MERIDIAN, ALASKA; GENERALLY LOCATED NORTH OF EAGLE RIVER LOOP ROAD, EAST OF YOSEMITE DRIVE.

(South Fork Community Council)
(Planning and Zoning Commission Case 2011-____)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The zoning map shall be amended by designating the following described property as R-1 (Single Family Residential) and PLI SL (Public Lands and Institutions with Special Limitations) Districts.

NE ¼ Section 23, Township 14 North, Range 2 West, Seward Meridian, Alaska

The zoning boundaries shall be in general conformance with Figure 2 concept zoning map.

Section 2. The PLI SL district established by Section 1 shall be subject to the following special limitations regarding uses of the property:

- A. Only the following principal uses are permitted:
1. Parks, parkways and greenbelts, lands reserves, open space and related facilities.
 2. Public or private recreational facilities, including playgrounds, playfields, recreational centers and the like.
- B. Only the following accessory uses and structures are permitted:

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- 1. Uses and structures which are necessary or desirable adjuncts to permitted principal uses and structures, where such accessory uses and structures are under the management or control of the organization or agency responsible for the permitted principal use or structure.
- 2. Antennas without tower structures, type 1, 2, 3, community interest and local interest towers and type 4 tower structures as specified in the supplemental district regulations.

C. Subject to the requirements of the conditional use standards and procedures, only the following conditional uses are permitted:

- 1. Natural resource extraction, except for placer mining operations, on tracts of not less than five acres.
- 2. Community interest and local interest towers that do not meet the supplemental district regulations for a permitted or accessory use.
- 3. Commercial recreational uses, including commercial and recreational uses associated with such commercial recreational uses, for a period of time to be determined by the planning and zoning commission.
- 4. Off-street parking spaces or structures.
- 5. Utility and transportation facilities.
- 6. Snow disposal sites.

Section 3. This ordinance shall become effective 10 days after the Director of the Planning Department has received the written consent of the owners of the property within the area described in Section 1 above to the special limitations contained herein. The rezone approval contained herein shall automatically expire, and be null and void, if the written consent is not received within 120 days after the date on which this ordinance is passed and approved. In the event no special limitations are contained herein, this ordinance is effective immediately upon passage and approval. The Director of the Planning Department shall change the zoning map accordingly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____ 2011.

ATTEST:

Chair

Municipal Clerk

(Planning Case 2011-____)
(Tax I.D. No. 060-081-000)

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BE U 3606PG016

Alaska Department of Environmental Conservation

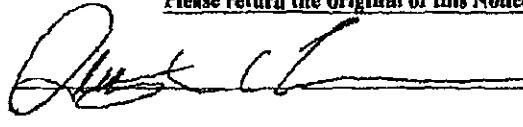
NOTICE OF CLOSURE OF A CLASS III LANDFILL

Pursuant to 18 AAC 60.396, the Alaska Mental Health Trust Land Office of the Alaska Department of Natural Resources on behalf of the Alaska Mental Health Trust Authority hereby notices all potential purchasers of this property that a portion of the property located at:

Tract B, ASLS 89-157 (unrecorded) within the NE ¼ Section 23, T14N, R2W, SM,
a portion of Alaska Mental Health Trust parcel SM-1623

and situated in the Anchorage Recording District was used as a Class III Municipal Solid Waste Landfill (MSWLF, as defined in 18 AAC 60.300 and 18 AAC 990). Thus, this property may not be suitable for some uses; maintenance and repairs to the property might become necessary to prevent pollution problems at the site and any activity that results in damage to the final cover of the property must be corrected to control potential pollution problems.

Please return the original of this Notice to the address below.

 Date: 3/08/00

Printed Name and Title: Stephen C. Planchon, Executive Director, Trust Land Office

Mailing Address: 550 West 7th Avenue, Suite 1430, Anchorage, AK 99501

See 11 AAC 05.010(a)(14) for required fee. Print or type legibly in English; if necessary, attach and refer to attachments or exhibits (not larger than 8.5" x 14"). This form is intended to comply with the recording requirements of AS 48.17.030 and 11 AAC 05.040.

Revised 5/1/99

STATE BUSINESS - NO CHARGE

011199 *Nic*
ANCHORAGE
RECORDING DISTRICT

2000 MAR 13 PM 2:33

REQUESTED BY *The Trust Land Office*

MEMORANDUM

cc: *Alison*

State of Alaska

Department of Environmental Conservation
Division of Spill Prevention and Response
Contaminated Sites Remediation Program

TO: Dick LeFebvre
Acting Director, ADL, ADNR

DATE: December 21, 1998

FROM: Jim Frechione *JF*
Environmental Specialist

TELEPHONE NO: 269-7658

SUBJECT: Peninsula Greenhouse
Old Hiland Road Landfill

The Department of Environmental Conservation, Contaminated Sites Remediation Program, (ADEC) recently forwarded you the final reports related to the decommissioning process of monitoring wells at the Peninsula Greenhouse and Old Hiland Road Landfill sites. The monitoring data from these sites confirmed that hazardous material contamination was not present in concentrations that posed a risk to human health or the environment and the decommission task was the final environmental action required to allow their closure on ADEC records.

Therefore, this memorandum is intended to document that the above referenced sites have been remediated to ADEC's satisfaction and no further corrective action is required. Please be informed that the sites have been remediated to established cleanup levels that do not require land use restrictions and/or institutional controls. However, if future information is presented in the future that identifies contamination is present at levels that pose a risk to human health or the environment, then additional assessment and/or corrective action may be necessary.

Thank you for your assistance and cooperation in remediating these sites. If you have any questions, please contact me at 269-7658.

AWHT
DEC 23 1998
RECEIVED
DEC 21 1998
DIRECTOR'S OFFICE

September 21, 2010

Lounsbury & Associates, Inc.
5300 A Street
Anchorage, Alaska 99518

Attn: Loren Becia, PE

Phone: 272-5451

RE: TRENCH EXCAVATION RESULTS, YOSEMITE DRIVE TRACT, EAGLE RIVER, ALASKA

This letter presents our observations during trench excavations conducted at the old gravel pit in Yosemite Drive Tract in Eagle River, Alaska. The work conducted for this project was conducted in general accordance with our September 7, 2010 proposal. We received authorization to perform this work from Mr. Loren Becia, P.E. in the form of a signed proposal on September 7, 2010.

SITE AND PROJECT DESCRIPTION

The project location is situated in a former gravel pit, a portion of which was used as a garbage landfill, which has reportedly been capped and officially closed. At the time of our explorations, the former gravel pit occupies roughly the center of the Yosemite Drive Tract and was generally defined by an oval area covered with small saplings, surrounded by a trail or path. The ground surface in the area was generally level with total relief of generally less than several feet from one end of the property to the other.

The purpose of this study was to gather geotechnical data and to make observations about the depth of fine grained fill soils along the north side of the presumed gravel pit area. The landowner speculates that the area at the west end of the gravel pit had not been used for garbage disposal. We understand that the property owner intends to develop a new housing subdivision on the undeveloped portions of the property. The information gathered during our trench excavations will be used in determining the suitability of the site for the residential development and siting the proposed improvements. We understand that if the site is deemed suitable for development, additional explorations will be conducted to support final design of the subdivision.

Yosemite Dr. Tract Trench Excavations
Eagle River, Alaska
September 21, 2010
Page 2

SHANNON & WILSON, INC.

EXPLORATIONS

We mobilized a geologist from our Anchorage office (Ms. Elizabeth Karcheski) to the field on September 8, 2010 and met with Mr. Becia and the owner's representative, Mr. Tim Spernak, who also acted as the excavator operator, to conduct the field work. The trench locations were selected and marked by Mr. Becia prior to conducting the excavations. The approximate location of the test pits are shown on the attached Figure 1 Site Plan. A John Deere 120 excavator was used to dig the trenches, which were approximately 3.5 feet wide and ranged in length from 12 to 100 feet. At the direction of Mr. Spernak, the trenches were dug a maximum of about 5 feet in depth (because only the near-surface conditions were of concern during this phase of work).

In each trench, grab samples were collected from the different soil horizons encountered during excavation. Soil samples were sealed in air tight containers and transported to our Anchorage laboratory for moisture content testing and temporary storage until further testing has been deemed necessary. Ms. Karcheski was present continuously during the field work to observe the excavations, collect samples, and prepare a descriptive log for each trench. The Unified Soil Classification System (USCS) was used to describe the samples that are gathered. Graphical logs of the trench conditions (including moisture content testing results) are attached with this letter.

SUBSURFACE CONDITIONS

The conditions observed during excavation are included in the attached trench logs. In general, the trenches encountered a mixture of clay, silt, sand, and gravel with occasional cobbles. There were some significant zones of intermixed organics in the form of old logs and woody debris. This material was generally associated with finer grained silt and clay soils on the southeast ends of the trench excavations. We did not encounter groundwater during our excavation activities.

CLOSURE AND LIMITATIONS

This report was prepared for the exclusive use of our client and their representatives for evaluating the site as it relates to the geotechnical aspects discussed herein. The conclusions and interpretations contained in this report are based on information provided from our explorations. It is assumed that the exploratory trenches are representative of the subsurface conditions

32-1-02128

Yosemite Dr. Tract Trench Excavations
Eagle River, Alaska
September 21, 2010
Page 3

throughout the site, i.e., the subsurface conditions everywhere are not significantly different from those disclosed by the explorations.

Copies of documents that may be relied upon by our client are limited to the printed copies (also known as hard copies) that are signed or sealed by Shannon & Wilson with a wet, blue ink signature. Files provided in electronic media format are furnished solely for the convenience of the client. Any conclusion or information obtained or derived from such electronic files shall be at the user's sole risk. If there is a discrepancy between the electronic files and the hard copies, or you question the authenticity of the report please contact the undersigned. Unanticipated soil conditions are commonly encountered and cannot fully be determined by merely taking soil samples or advancing borings. Such unexpected conditions frequently require that additional expenditures be made to attain a properly constructed project. Therefore, some contingency fund is recommended to accommodate such potential extra costs. Shannon & Wilson has prepared the attachment *Important Information About Your Geotechnical/Environmental Report*, to assist you and others in understanding the use and limitations of the reports.

If you have questions or comments regarding the information included herein, please contact the undersigned. We appreciate the opportunity to work with you on this project.

Sincerely,

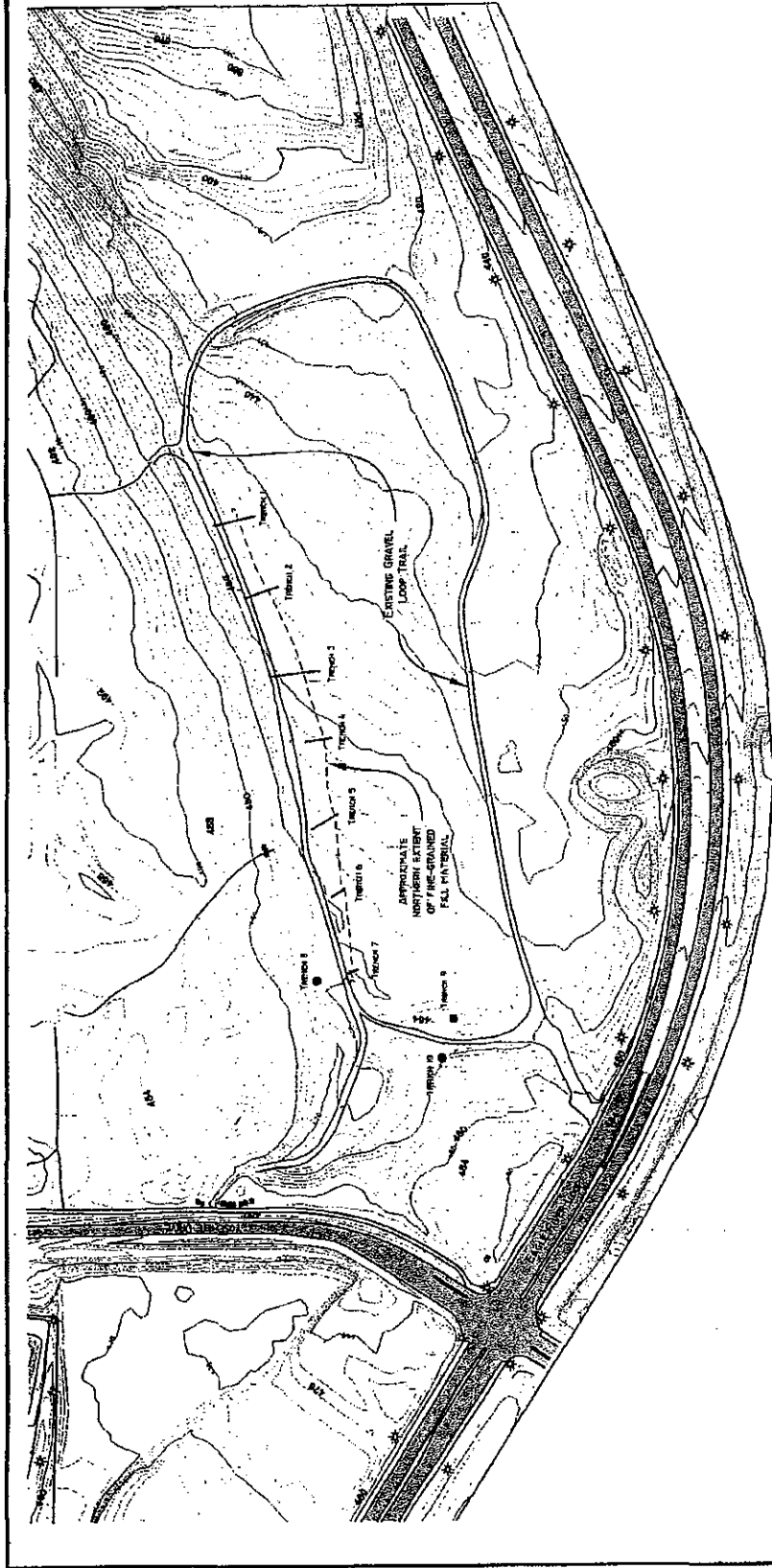
SHANNON & WILSON, INC.



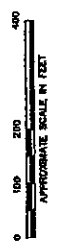
Kyle Brennan, P.E.
Associate



Attachments: Site Plan (Figure 1)
Profiles of Trench Excavations (Figures 2 through 5)
Important Information About Your Geotechnical/Environmental Report



PORCITE DRIVE TRACT
 EAGLE RIVER, ALASKA
SITE PLAN
 SHEET NO. 200
 SHANNON S. WILSON, INC.
 1000 W. 10th Street, Anchorage, Alaska
 551-8228
 FIG. 1

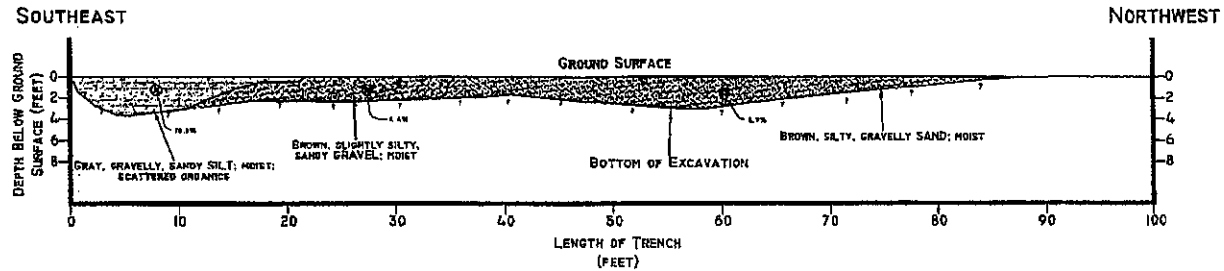


LEGEND

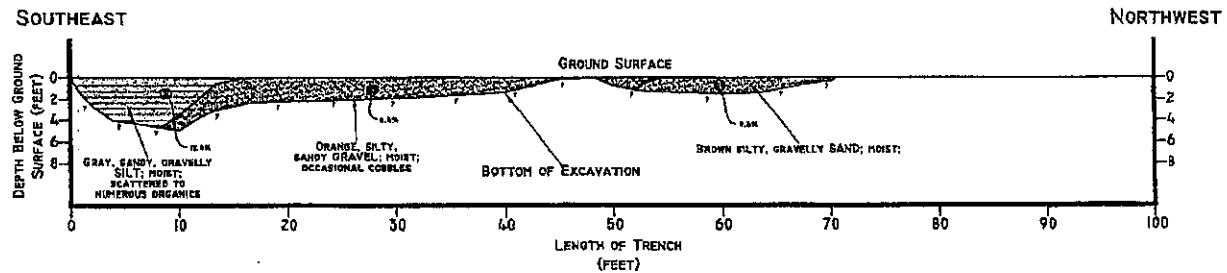
Trench 1
 Trench 2
 Trench 3
 Trench 4
 Trench 5
 Trench 6
 Trench 7
 Trench 8
 Trench 9
 Trench 10
 APPROXIMATE LOCATION OF TRENCH OBSERVED BY SHANNON S. WILSON, SEPTEMBER 2010

Map adapted from drawings prepared by Lautman and Associates, September 2010.

TRENCH 01




TRENCH 02

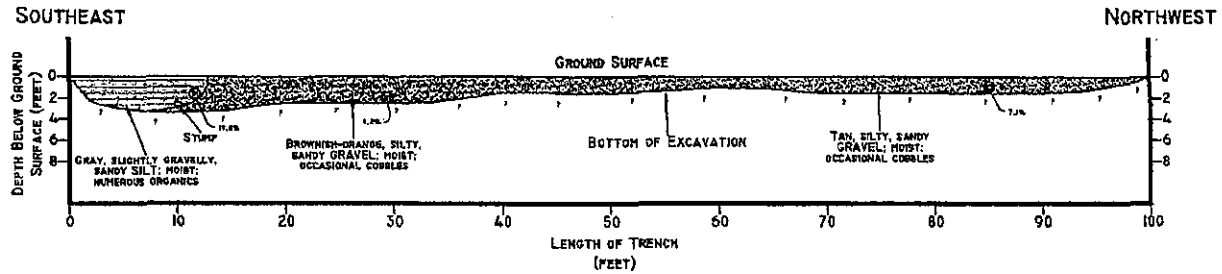


NOTES:

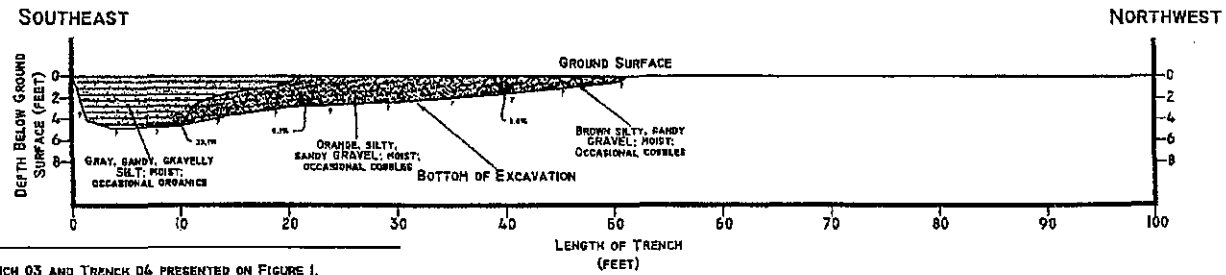
1. LOCATION OF TRENCH 01 AND TRENCH 02 PRESENTED ON FIGURE 1.
2. GROUND SURFACE DISPLAYED AS HORIZONTAL FOR DRAFTING PURPOSES. GROUND SURFACE SLOPES TO EAST AND NORTH.
3. NO VERTICAL EXAGGERATION ON TRENCH SOIL PROFILE.
4. CONTACTS BETWEEN UNITS BASED ON VISUAL FIELD OBSERVATIONS. THESE CONTACTS MAY VARY ACROSS THE PROJECT SITE.
5. MOISTURE CONTENT VALUES ARE SHOWN FOR EACH SAMPLE.

| | |
|--|------------|
| Yosemite Drive Tract Eagle River, Alaska | |
| PROFILE OF TRENCH EXCAVATIONS 01 AND 02 | |
| SEPTEMBER 2000 | 32-11-0203 |
|  SHANNON & WILSON, INC. Geotechnical & Environmental Consultants | FIG. 2 |

TRENCH 03



TRENCH 04

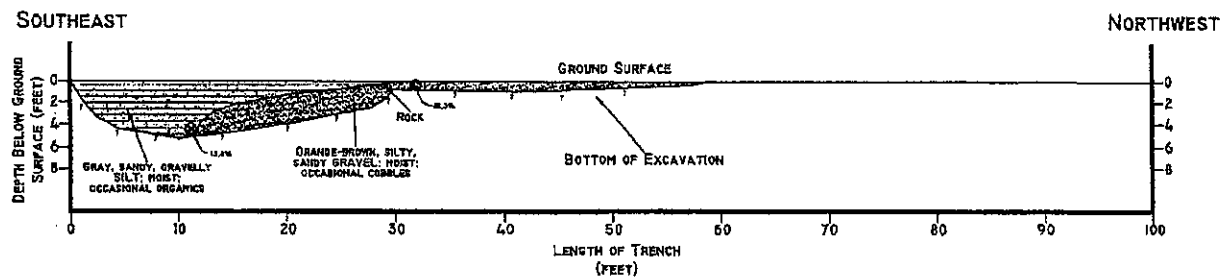


NOTES:

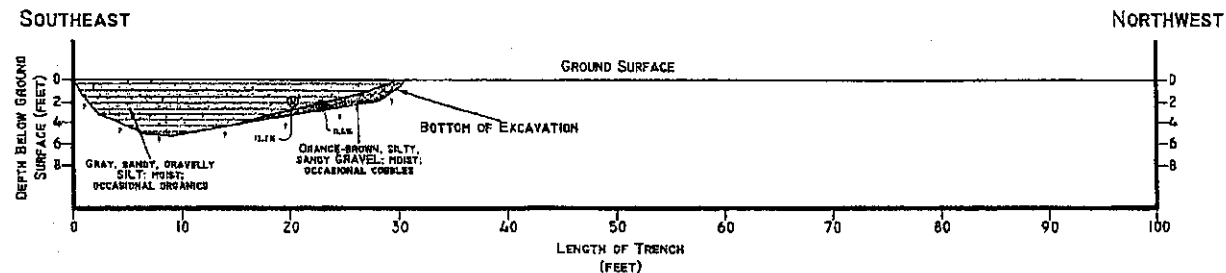
1. LOCATION OF TRENCH 03 AND TRENCH 04 PRESENTED ON FIGURE 1.
2. GROUND SURFACE DISPLAYED AS HORIZONTAL FOR DRAFTING PURPOSES. GROUND SURFACE SLOPES TO EAST AND NORTH.
3. NO VERTICAL EXAGGERATION ON TRENCH SOIL PROFILE.
4. CONTACTS BETWEEN UNITS BASED ON VISUAL FIELD OBSERVATIONS. THESE CONTACTS MAY VARY ACROSS THE PROJECT SITE.
5. MOISTURE CONTENT VALUES ARE SHOWN FOR EACH SAMPLE.

| | |
|---|------------|
| Yosemite Drive Tract EAGLE RIVER, ALASKA | |
| PROFILE OF TRENCH EXCAVATIONS 03 AND 04 | |
| September 2006 | 92-4-00223 |
| SHANNON & WILSON, INC. <small>Architectural & Environmental Consultants</small> | FIG. 3 |

TRENCH 05



TRENCH 06

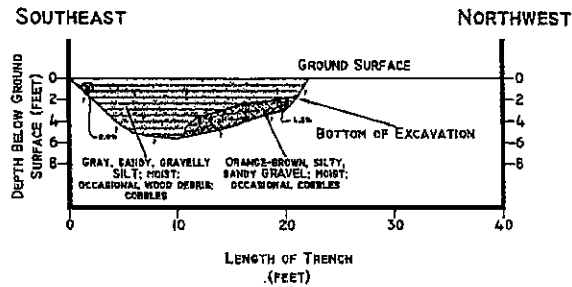


NOTES:

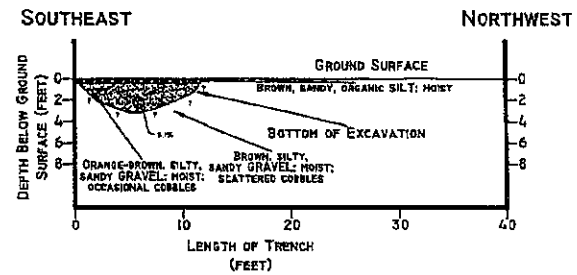
1. LOCATION OF TRENCH 05 AND TRENCH 06 PRESENTED ON FIGURE 1.
2. GROUND SURFACE DISPLAYED AS HORIZONTAL FOR DRAFTING PURPOSES. GROUND SURFACE SLOPES TO EAST AND NORTH.
3. NO VERTICAL EXAGGERATION ON TRENCH SOIL PROFILE.
4. CONTACTS BETWEEN UNITS BASED ON VISUAL FIELD OBSERVATIONS. THESE CONTACTS MAY VARY ACROSS THE PROJECT SITE.
5. MOISTURE CONTENT VALUES ARE SHOWN FOR EACH SAMPLE.

| | |
|--|-----------|
| YOSEMITE DRIVE TRACT EAGLE RIVER, ALASKA | |
| PROFILE OF TRENCH EXCAVATIONS 05 AND 06 | |
| SEPTEMBER 2000 | 20-1-0023 |
| SHANNON & WILSON, INC. Geotechnical & Environmental Consultants | FIG. 4 |

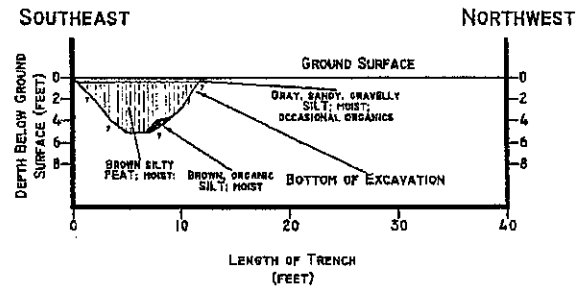
TRENCH 07



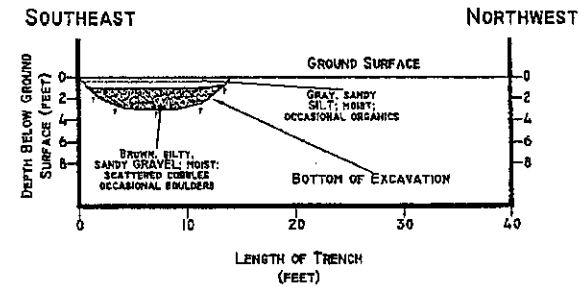
TRENCH 08



TRENCH 09




TRENCH 10



NOTES:

1. LOCATION OF TRENCH 08 PRESENTED ON FIGURE 1.
2. GROUND SURFACE DISPLAYED AS HORIZONTAL FOR DRAFTING PURPOSES. GROUND SURFACE SLOPES TO EAST AND NORTH.
3. NO VERTICAL EXAGGERATION ON TRENCH SOIL PROFILE.
4. CONTACTS BETWEEN UNITS BASED ON VISUAL FIELD OBSERVATIONS. THESE CONTACTS MAY VARY ACROSS THE PROJECT SITE.
5. MOISTURE CONTENT VALUES ARE SHOWN FOR EACH SAMPLE.

| | |
|--|-----------|
| Yosemite Drive Tract Eagle River, Alaska | |
| PROFILE OF TRENCH Excavations 07, 08, 09 and 10 | |
| SEPTEMBER 2019 | 22-1-0228 |
|  SHANNON & WILSON, INC. Geotechnical & Environmental Consultants | FIG. 5 |



SHANNON & WILSON, INC.
Geotechnical and Environmental Consultants

Attachment to 32-1-02128

Date: September 2010
To: Lounsbury & Associates
Re: Yosemite Drive Tract Trench Excavations,
Eagle River, Alaska

Important Information About Your Geotechnical/Environmental Report

CONSULTING SERVICES ARE PERFORMED FOR SPECIFIC PURPOSES AND FOR SPECIFIC CLIENTS.

Consultants prepare reports to meet the specific needs of specific individuals. A report prepared for a civil engineer may not be adequate for a construction contractor or even another civil engineer. Unless indicated otherwise, your consultant prepared your report expressly for you and expressly for the purposes you indicated. No one other than you should apply this report for its intended purpose without first conferring with the consultant. No party should apply this report for any purpose other than that originally contemplated without first conferring with the consultant.

THE CONSULTANT'S REPORT IS BASED ON PROJECT-SPECIFIC FACTORS.

A geotechnical/environmental report is based on a subsurface exploration plan designed to consider a unique set of project-specific factors. Depending on the project, these may include: the general nature of the structure and property involved; its size and configuration; its historical use and practice; the location of the structure on the site and its orientation; other improvements such as access roads, parking lots, and underground utilities; and the additional risk created by scope-of-service limitations imposed by the client. To help avoid costly problems, ask the consultant to evaluate how any factors that change subsequent to the date of the report may affect the recommendations.

Unless your consultant indicates otherwise, your report should not be used: (1) when the nature of the proposed project is changed (for example, if an office building will be erected instead of a parking garage, or if a refrigerated warehouse will be built instead of an unrefrigerated one, or chemicals are discovered on or near the site); (2) when the size, elevation, or configuration of the proposed project is altered; (3) when the location or orientation of the proposed project is modified; (4) when there is a change of ownership; or (5) for application to an adjacent site. Consultants cannot accept responsibility for problems that may occur if they are not consulted after factors, which were considered in the development of the report, have changed.

SUBSURFACE CONDITIONS CAN CHANGE.

Subsurface conditions may be affected as a result of natural processes or human activity. Because a geotechnical/environmental report is based on conditions that existed at the time of subsurface exploration, construction decisions should not be based on a report whose adequacy may have been affected by time. Ask the consultant to advise if additional tests are desirable before construction starts; for example, groundwater conditions commonly vary seasonally.

Construction operations at or adjacent to the site and natural events such as floods, earthquakes, or groundwater fluctuations may also affect subsurface conditions and, thus, the continuing adequacy of a geotechnical/environmental report. The consultant should be kept apprised of any such events, and should be consulted to determine if additional tests are necessary.

MOST RECOMMENDATIONS ARE PROFESSIONAL JUDGMENTS.

Site exploration and testing identifies actual surface and subsurface conditions only at those points where samples are taken. The data were extrapolated by your consultant, who then applied judgment to render an opinion about overall subsurface conditions. The actual interface between materials may be far more gradual or abrupt than your report indicates. Actual conditions in areas not sampled may differ from those predicted in your report. While nothing can be done to prevent such situations, you and your consultant can work together to help reduce their impacts. Retaining your consultant to observe subsurface construction operations can be particularly beneficial in this respect.

REPORT'S CONCLUSIONS ARE PRELIMINARY.

The conclusions contained in your consultant's report are preliminary because they must be based on the assumption that conditions revealed through selective exploratory sampling are indicative of actual conditions throughout a site. Actual subsurface conditions can be discerned only during earthwork; therefore, you should retain your consultant to observe actual conditions and to provide conclusions. Only the consultant who prepared the report is fully familiar with the background information needed to determine whether or not the report's recommendations based on those conclusions are valid and whether or not the contractor is abiding by applicable recommendations. The consultant who developed your report cannot assume responsibility or liability for the adequacy of the report's recommendations if another party is retained to observe construction.

THE CONSULTANT'S REPORT IS SUBJECT TO MISINTERPRETATION.

Costly problems can occur when other design professionals develop their plans based on misinterpretation of a geotechnical/environmental report. To help avoid these problems, the consultant should be retained to work with other project design professionals to explain relevant geotechnical, geological, hydrogeological, and environmental findings, and to review the adequacy of their plans and specifications relative to these issues.

BORING LOGS AND/OR MONITORING WELL DATA SHOULD NOT BE SEPARATED FROM THE REPORT.

Final boring logs developed by the consultant are based upon interpretation of field logs (assembled by site personnel), field test results, and laboratory and/or office evaluation of field samples and data. Only final boring logs and data are customarily included in geotechnical/environmental reports. These final logs should not, under any circumstances, be redrawn for inclusion in architectural or other design drawings, because drafters may commit errors or omissions in the transfer process.

To reduce the likelihood of boring log or monitoring well misinterpretation, contractors should be given ready access to the complete geotechnical engineering/environmental report prepared or authorized for their use. If access is provided only to the report prepared for you, you should advise contractors of the report's limitations, assuming that a contractor was not one of the specific persons for whom the report was prepared, and that developing construction cost estimates was not one of the specific purposes for which it was prepared. While a contractor may gain important knowledge from a report prepared for another party, the contractor should discuss the report with your consultant and perform the additional or alternative work believed necessary to obtain the data specifically appropriate for construction cost estimating purposes. Some clients hold the mistaken impression that simply disclaiming responsibility for the accuracy of subsurface information always insulates them from attendant liability. Providing the best available information to contractors helps prevent costly construction problems and the adversarial attitudes that aggravate them to a disproportionate scale.

READ RESPONSIBILITY CLAUSES CLOSELY.

Because geotechnical/environmental engineering is based extensively on judgment and opinion, it is far less exact than other design disciplines. This situation has resulted in wholly unwarranted claims being lodged against consultants. To help prevent this problem, consultants have developed a number of clauses for use in their contracts, reports and other documents. These responsibility clauses are not exculpatory clauses designed to transfer the consultant's liabilities to other parties; rather, they are definitive clauses that identify where the consultant's responsibilities begin and end. Their use helps all parties involved recognize their individual responsibilities and take appropriate action. Some of these definitive clauses are likely to appear in your report, and you are encouraged to read them closely. Your consultant will be pleased to give full and frank answers to your questions.

The preceding paragraphs are based on information provided by the
ASFE/Association of Engineering Firms Practicing in the Geosciences, Silver Spring, Maryland

Posting Affidavit and Historical Information



RECEIVED

AUG 17 2010

PLANNING DEPARTMENT

AFFIDAVIT OF POSTING

Case Number: 2010-109 & 2011-011

I, Marcie Menefee, hereby certify that I have posted a **Notice of Public Hearing** as prescribed by Anchorage Municipal Code 21.15.005 on the property that I have petitioned for CUP. The notice was posted on 8.17.2010 which is at least 21 days prior to the public hearing on this petition. I acknowledge this Notice(s) must be posted in plain sight and displayed until all public hearings have been completed.

Affirmed and signed this 17th day of AUGUST, 2010.

M. Menefee
Signature

LEGAL DESCRIPTION

Tract or Lot NE 1/4, Section 23, T14N, R 2W, SM, AK
Block _____
Subdivision _____

AMENDED AND APPROVED
DATE 8-21-84

Submitted by: Chairman of the Assembly
At the Request of
the Mayor
Prepared by: Department of
Community Planning
For Reading:

Anchorage, Alaska
AO No. 84-143 (As amended)

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING FROM U (UNRESTRICTED) TO PLI (PUBLIC LANDS AND INSTITUTIONS); W (WATERSHED); R-10 (RESIDENTIAL ALPINE/SLOPE); R-10/SL¹ (RESIDENTIAL ALPINE/SLOPE) WITH SPECIAL LIMITATIONS FOR MINIMUM LOT SIZE AND DETACHED SINGLE-FAMILY STRUCTURES; R-10/SL² (RESIDENTIAL ALPINE/SLOPE) WITH SPECIAL LIMITATIONS FOR MINIMUM LOT SIZE, DETACHED SINGLE FAMILY STRUCTURES, AND STRUCTURE SETBACKS ALONG SOUTH FORK; R-6 (RURAL RESIDENTIAL); R-6/SL¹ (RURAL RESIDENTIAL) WITH SPECIAL LIMITATIONS FOR SINGLE FAMILY DETACHED STRUCTURES, AND SITE AND/OR STRUCTURAL DESIGN REQUIREMENTS ADJACENT TO EAGLE RIVER; R-6/SL² (RURAL RESIDENTIAL) WITH SPECIAL LIMITATIONS FOR SINGLE FAMILY DETACHED STRUCTURES, SITE AND/OR STRUCTURAL DESIGN REQUIREMENTS ADJACENT TO EAGLE RIVER, AND STRUCTURE SETBACKS ON SOUTH FORK; R-1A (SINGLE-FAMILY RESIDENTIAL) WITH SPECIAL LIMITATION FOR SITE PLAN REVIEW; PCD (PLANNED COMMUNITY DISTRICT) WITH SPECIAL LIMITATION FOR RESIDENTIAL AND/OR INSTITUTIONAL USES; FOR SECTIONS 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, T13N, R1E, S.M.; AND SECTIONS 1, 2, 11, 12, 13, 14, T13N, R1W, S.M.; AND SECTION 31, T14N, R1E, S.M.; AND SECTIONS 25, 26, 31, 35, 36, T14N, R1W, S.M.; AND SECTIONS 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, T13N, R1W, S.M.; AND SECTIONS 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33, 34, T14N, R1W, S.M.; AND SECTIONS 13, 14, 23, 24, T14N, R2W, S.M. OR PORTIONS THEREOF; AS DEPICTED IN EXHIBIT A, GENERALLY LOCATED EAST OF THE GLENN HIGHWAY AND SOUTH OF THE EAGLE RIVER, COMMONLY REFERRED TO AS SOUTH EAGLE RIVER VALLEY AND SOUTH FORK OF EAGLE RIVER, CONTAINING 15,000 ACRES MORE OR LESS (SOUTH FORK COMMUNITY COUNCILS).

THE ANCHORAGE ASSEMBLY ORDAINS:

SECTION 1. That the zoning is amended by designating Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, T13N, R1E, and Sections 1, 2, 11, 12, 13, 14, T13N, R1W, and Section 31, T14N, R1E, and Sections 25, 26, 31, 35, 36, T14N, R1W, and Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, T13N, R1W, and Sections 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33, 34, T14N, R1W, and Sections 13, 14, 23, 24, T14N, R2W, S.M., or portions thereof; as depicted in Exhibit A, generally located east of the Glenn Highway and south of the Eagle River, commonly referred to as South Eagle River Valley and South Fork of Eagle River, containing 15,000 acres more or less.

SECTION 2. The R-10(SL)¹ district is subject to the following special limitations:

1. The minimum lot size requirement shall be 1.25 acres.
2. Residential structure types shall be restricted to single-family detached units.

SECTION 3. The R-10(SL)² district is subject to the following special limitations:

1. The minimum lot size requirement shall be 1.25 acres.
2. Residential structure types shall be restricted to single-family detached units.
3. Beginning 300 feet above unnamed waterfall and continuing to the north boundary of the R-10 use district in Section 21, there shall be a structure setback of 75 feet in width, measured from the mean high water of each side of the South Fork of Eagle River. Areas affected by this Special Limitation shall remain undisturbed except for necessary utility and roadway crossings, the alignments of which to be determined during the process of platting. Disturbed areas created by utility or roadway crossings shall be revegetated.

SECTION 4. The R-6(SL)¹ district is subject to the following special limitations:

1. Residential structure types shall be restricted to single-family detached units.
2. Design measures to protect the vegetative fringe of Eagle River and ensure minimal floodplain disturbance through site design and/or structural design measures shall be submitted during the process of platting.

SECTION 5. The R-6(SL)² district is subject to the following special limitations:

1. Residential structure types shall be restricted to single-family detached units.
2. Design measures to protect the vegetative fringe of Eagle River and ensure minimal floodplain distur-

bances through site design and/or structural design measures shall be submitted during the process of platting.

3. There shall be a structure setback of 75 feet in width measured from the mean high water of each side of the South Fork of Eagle River. Areas affected by this special limitation shall remain undisturbed except for necessary utility and roadway crossings, the alignments of which to be determined during the process of platting. Disturbed areas created by utility or roadway crossing shall be revegetated.

SECTION 6. The R-1A district is subject to the following special limitation:

1. A site plan shall be submitted for review to the Planning and Zoning Commission prior to platting that identifies the proposed development plan. This site plan shall include transition space between rural and urban residential densities and shall designate the protection of areas in excess of 25 percent slope and within floodplains.

SECTION 7. The PCD district is subject to the following special limitation:

1. Uses shall be restricted to residential and/or public institutional.

SECTION 8. The special limitations set forth in this ordinance prevail over any inconsistent provisions of Title 21 of the Anchorage Municipal Code, unless specifically provided otherwise. All provisions of Title 21 of the Anchorage Municipal Code not specifically affected by special limitations set forth in this ordinance shall apply in the same manner as if the district classification applied by the ordinance were not subject to special limitations.

SECTION 9. The Director of Community Planning shall change the zoning map accordingly.

SECTION 10. This ordinance becomes effective ten days after passage and approval.

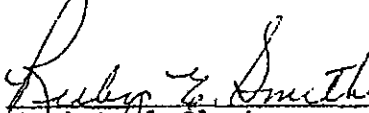
Assembly Ordinance 84-143
Page 4

PASSED AND APPROVED by the Anchorage Assembly, this
21st day of August, 1984.



Chairman

ATTEST:



Municipal Clerk

bp15/mao1

()

Submitted by: Chairman of the
Assembly at the
Request of the Mayor
Prepared by: Department of
Community Planning
and Development

For Reading: September 21, 1993

CLERK'S OFFICE

APPROVED

Date: 12-14-93

ANCHORAGE, ALASKA
AO NO. 93-159

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE
REZONING FROM R-1A SL (SINGLE-FAMILY RESIDENTIAL DISTRICT) WITH
SPECIAL LIMITATIONS TO R-1SL (SINGLE FAMILY RESIDENTIAL DISTRICT)
WITH SPECIAL LIMITATIONS AND R-1A (SINGLE-FAMILY RESIDENTIAL
DISTRICT) FOR DENA'INA ESTATES SUBDIVISION, TRACTS A and B.
(Planning and Zoning Commission Case 93-052)

THE ANCHORAGE ASSEMBLY ORDAINS THAT

Section 1. The zoning map shall be amended by
designating the following described property as a R-1SL
(Single-family Residential District) zone:

Tract A, Dena'Ina Estates Subdivision as shown on Exhibit A
attached.

Section 2. The zoning map shall be amended by
designating the following described property as a R-1A
(Single-family Residential District) zone:

Tract B, Dena'Ina Estates Subdivision as shown on Exhibit A
attached

Section 3. The zoning map amendment described in Section 1
shall be subject to the following special limitation regarding
use of the property:

A. No more than 320 dwelling units may be constructed.

Section 4. The special limitations set forth in this
ordinance prevail over any inconsistent provision of Title 21 of

AM 1035-93

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the Anchorage Municipal Code, unless specifically provided other-
wise. All provisions of Title 21 of the Anchorage Municipal Code
not specifically affected by a Special Limitation set forth in
this ordinance shall apply in the same manner as if the district
classification applied by this ordinance were not subject to
special limitations

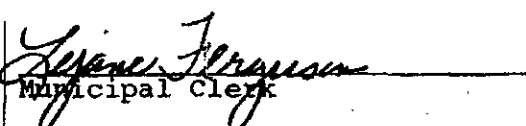
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Section 5. The Director of the Department of Community
Planning and Development shall change the zoning map accordingly.

Section 6. The ordinance referenced within Section 1 above
shall become effective within 10 days after the Director of the
Department of Community Planning and Development shall have
determined in writing, as submitted to the Municipal Clerk, that
the special limitations set forth in Section 2 above have the
written consent of the property owners of the property within the
area described in Section 1 above. The Director of the
Department of Community Planning and Development shall make such
a determination only if he receives evidence of the required
consent within 120 days after the date on which this ordinance is
passed and approved.

PASSED AND APPROVED BY THE Anchorage Assembly this

14th day of December 1993.

ATTEST:


Municipal Clerk

(93-052)
(050-912-02, 050-931-02)

93-052

REZONING

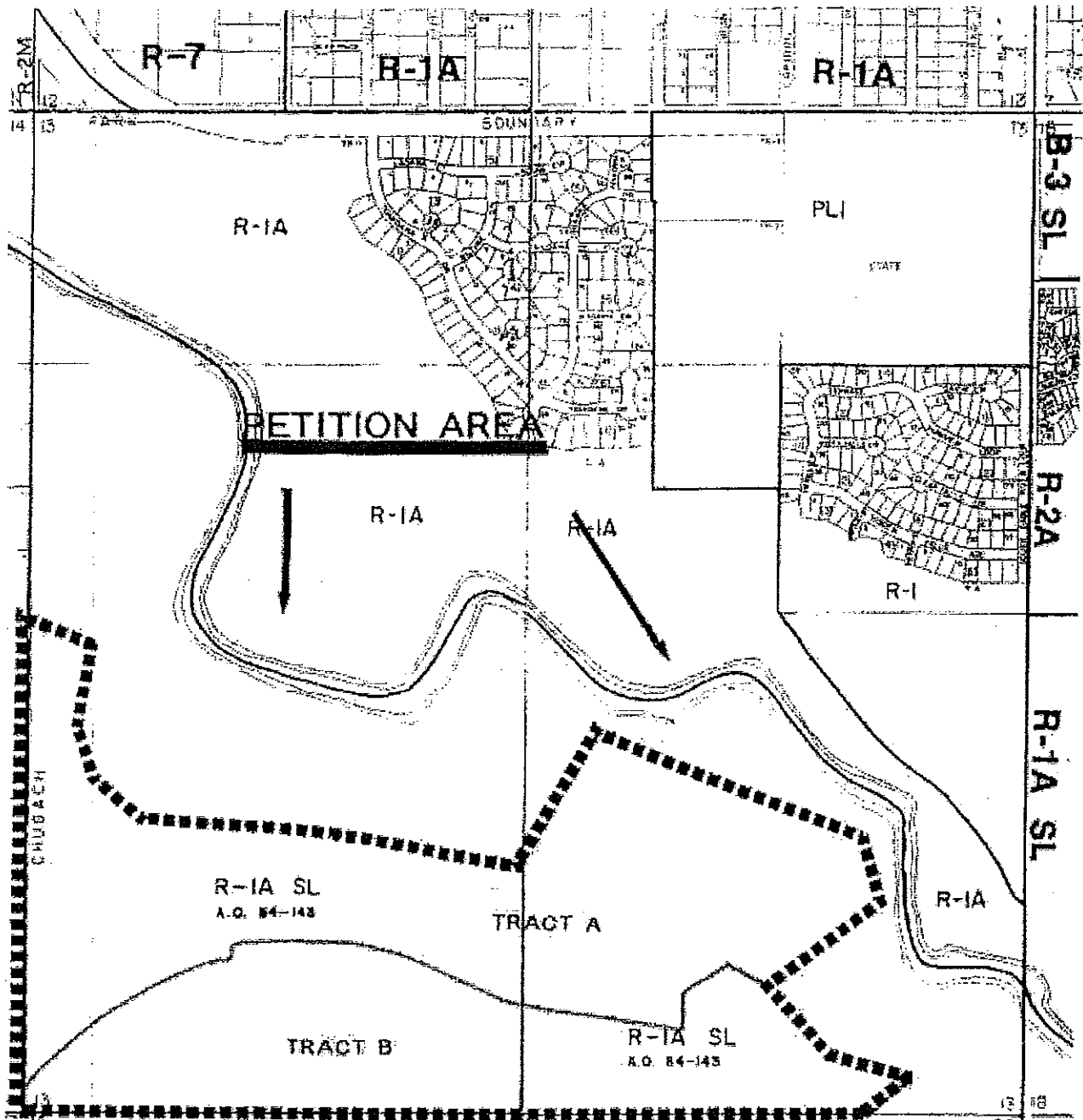


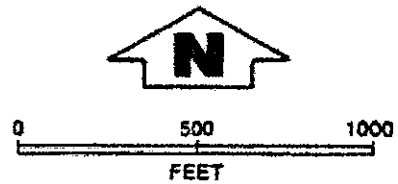


EXHIBIT A

-  100 Year Floodplain
-  500 Year Floodplain



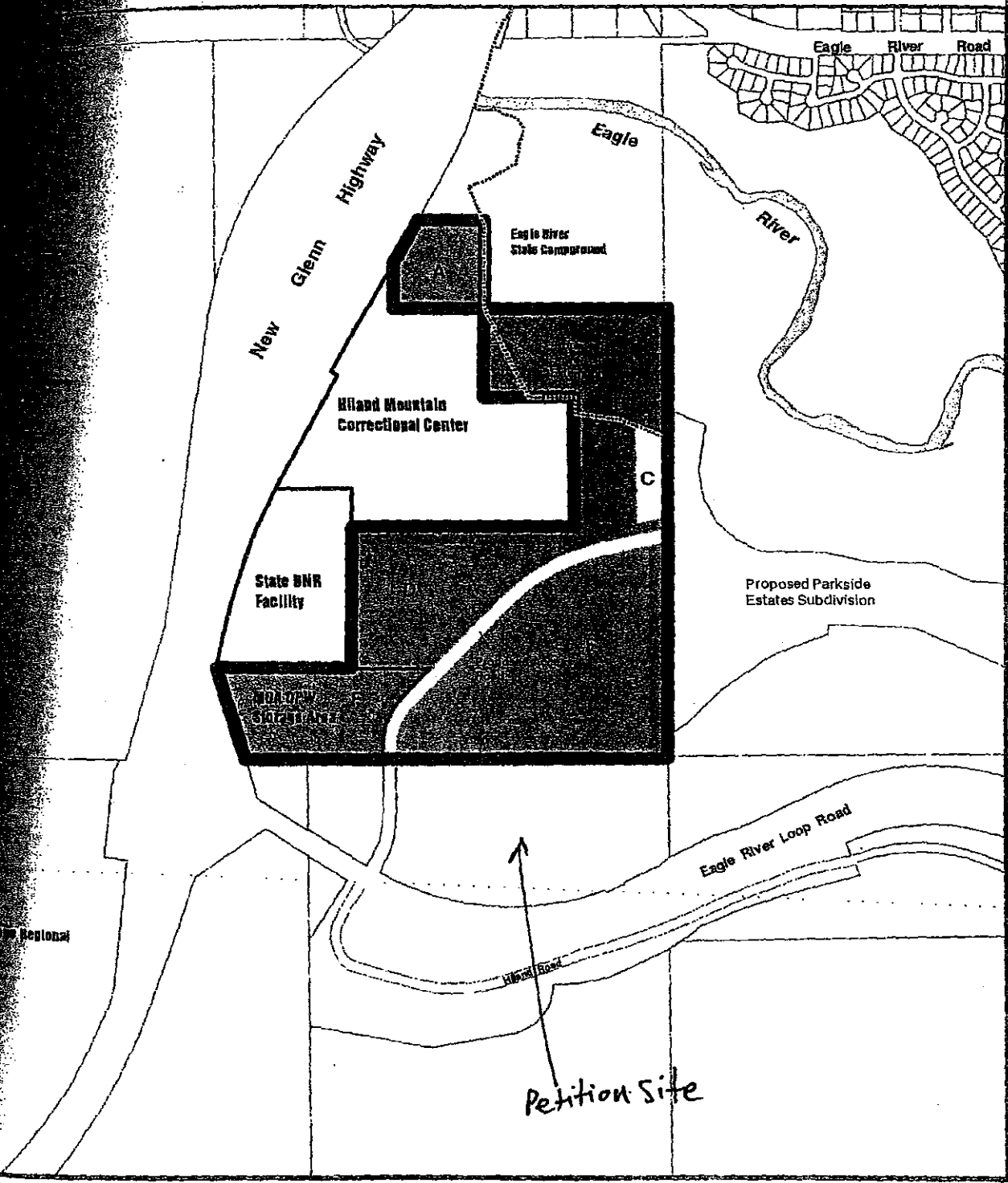
HLB Parcel 1-085 Land Use Study

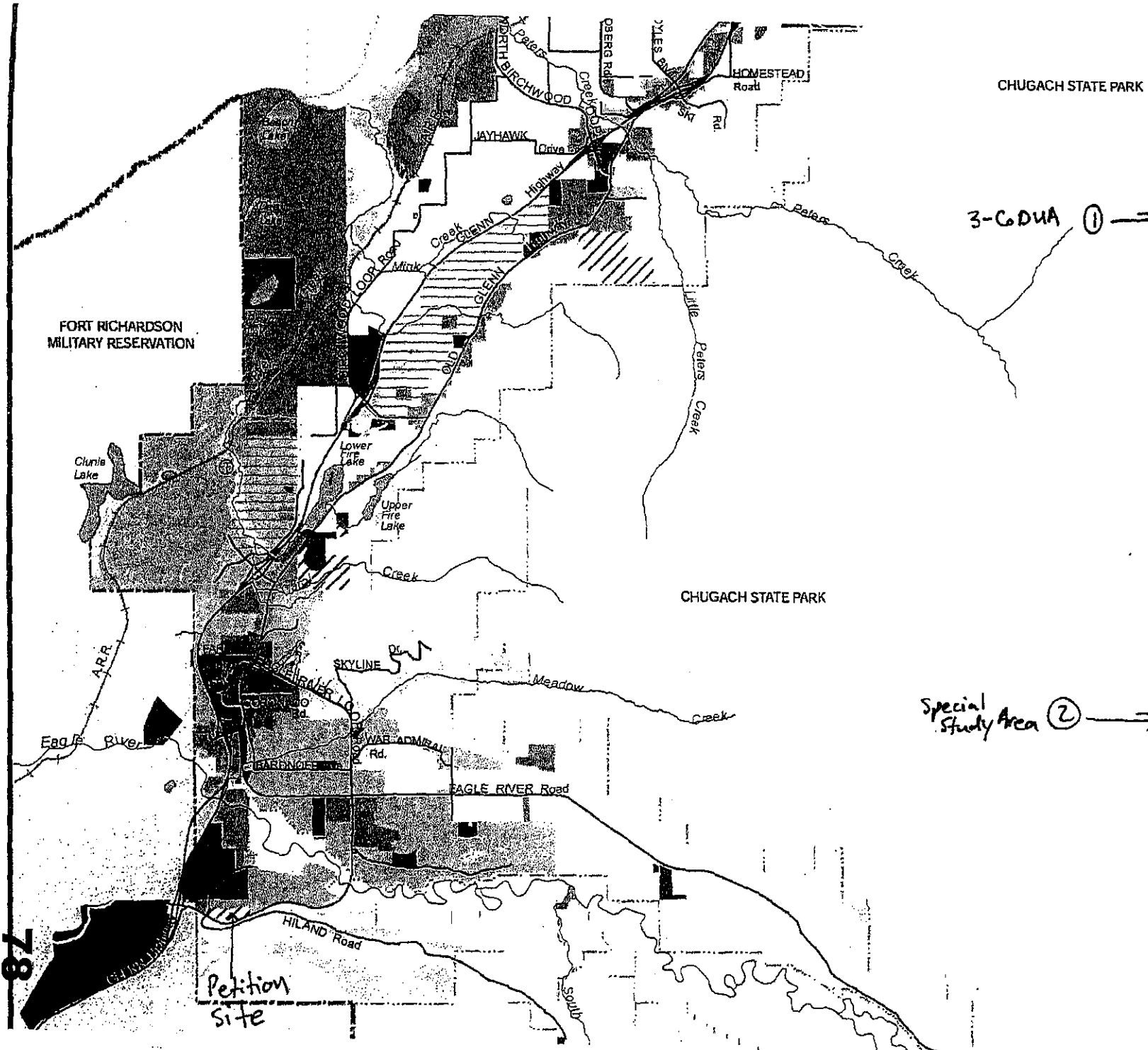
**Adopted June 25, 1996
(Assembly Ordinance 96-86)**

**Prepared by
The Municipality of Anchorage
Department of Community Planning and Development**



| | | | | |
|------------------|---|--|--|---------------------|
| Recreational use | D | Institutional (government service/maintenance centers) | | Study Area Boundary |
| Source/Buffer | E | Institutional (public high school) | | |
| Residential | F | Industrial (DPW storage) | | |





Land Use Class

- Residential, <
- Residential, 1
- Residential, 3
- Residential, 7
- Residential, 1
- Residential, 1
- Commercial
- Town Center
- Industrial
- Transportatic
- Community F
- Park and Na
- Developmen

Map Symbols

- Eklutna 770
- Environmen
- Special Stud
- Intermodal

- Notes:**
1. Refer to the Land Use Chugach - Eagle River Update for Information Use Classification.
 2. Residential density in the Land Use Plan
 3. Areas for Commercial Eklutna 770 and for C Facility in the Powder conceptual planning p elze and location of th determined through a processes.

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Petition Site

3-CODUA ① →

Special Study Area ② →

Content ID: 010039

Type: Ordinance - AO

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 46.6 ACRES FROM PC SL (PLANNED COMMUNITY WITH SPECIAL LIMITATIONS) DISTRICT PER AO 84-143 TO R-1 SL (SINGLE-FAMILY RESIDENTIAL WITH SPECIAL LIMITATIONS) DISTRICT

Title: AND PLI SL (PUBLIC LANDS AND INSTITUTIONS WITH SPECIAL LIMITATIONS) DISTRICT FOR THE NE ¼, SECTION 23, T14N, R2W, S.M., AK, GENERALLY LOCATED NORTH OF EAGLE RIVER LOOP AND EAST OF YOSEMITE DRIVE, IN EAGLE RIVER (South Fork Community Council) (Planning and Zoning Commission Case 2011-011).

Author: maglaquijp

Initiating Dept: Planning

Date Prepared: 3/23/11 12:07 PM

Director Name: Jerry T. Weaver, Jr.

Assembly Meeting Date: 4/12/11

Public Hearing Date: 5/10/11

| Workflow Name | Action Date | Action | User | Security Group | Content ID |
|-------------------------|--------------------|---------------|------------------|-----------------------|-------------------|
| Clerk_Admin_SubWorkflow | 4/1/11 10:33 AM | Exit | Joy Maglaqui | Public | 010039 |
| MuniManager_SubWorkflow | 4/1/11 10:33 AM | Approve | Joy Maglaqui | Public | 010039 |
| MuniManager_SubWorkflow | 4/1/11 10:32 AM | Checkin | Joy Maglaqui | Public | 010039 |
| Legal_SubWorkflow | 3/31/11 4:08 PM | Approve | Rhonda Westover | Public | 010039 |
| Finance_SubWorkflow | 3/30/11 6:31 PM | Approve | Lucinda Mahoney | Public | 010039 |
| OMB_SubWorkflow | 3/24/11 9:08 AM | Approve | Cheryl Frasca | Public | 010039 |
| Commun_Dev_SubWorkflow | 3/23/11 12:46 PM | Approve | Jerry Weaver Jr. | Public | 010039 |
| Planning_SubWorkflow | 3/23/11 12:46 PM | Approve | Jerry Weaver Jr. | Public | 010039 |
| AllOrdinanceWorkflow | 3/23/11 12:29 PM | Checkin | Angela Chambers | Public | 010039 |
| Planning_SubWorkflow | 3/23/11 12:22 PM | Reject | Jerry Weaver Jr. | Public | 010039 |
| AllOrdinanceWorkflow | 3/23/11 12:13 PM | Checkin | Angela Chambers | Public | 010039 |