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2015-013988-0

Recording District 301 Anchorage

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**NOTE**

Send original recorded document to:

Municipality of Anchorage  
Current Planning Section  
Planning Division  
PO Box 196650  
Anchorage, AK 99519-6650

**THIS COVER SHEET HAS BEEN ADDED TO THIS DOCUMENT TO PROVIDE SPACE FOR ANCHORAGE RECORDING DISTRICT DATA. THIS COVER SHEET APPEARS AS THE FIRST PAGE OF THE DOCUMENT IN THE OFFICIAL PUBLIC RECORD.**

**DO NOT DETACH**

## NOTICE OF ZONING ACTION


This notice announces that a conditional use for a utility substation has been duly approved by the Planning and Zoning Commission of the Municipal Planning Division providing for the development of the herein described property in accordance with the provisions of the Anchorage Municipal Code of Ordinances and the terms and conditions of the conditional use approval as set forth in the Municipal zoning file 2010-087. Under the provisions of the specified ordinance the subsequent development of the subject property shall be in accordance with the terms of the approved conditional use or any subsequent amendments hereto.

LEGAL: Hane subdivision, Tract 1, per plat 66-94, S.M., Anchorage Recording District, Anchorage, Alaska. Generally located south of O'Malley Rd and west of Hane Street at 2940 O'Malley Road.

PETITIONER: Chugach Electric Association

REQUEST: A conditional use permit to allow for a utility substation.

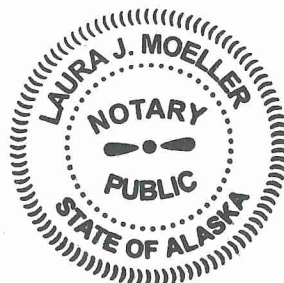
ATTACHMENT: Copy of the Municipality of Anchorage, Planning and Zoning Commission Resolution No. 2010-038.


  
for \_\_\_\_\_  
Director  
Municipality of Anchorage  
Community Development Department

STATE OF ALASKA                    )  
  )  
THIRD JUDICIAL DISTRICT        )

THIS IS TO CERTIFY that on the ~~13th~~ <sup>15th</sup> day of April, 2015 before me, the undersigned, a Notary Public in and for Alaska, personally appeared Erika McConnell, to me known to be the duly appointed representative of the Director of the Community Development Department and acknowledged to me that she had in her official capacity aforesaid executed the forgoing instrument as an act and deed of the Municipality of Anchorage for the uses and purposes therein stated.

WITNESS my hand and notarial seal on the 15th day of April, 2015 in this certificate first above written.



  
\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission expires: 2/22/17

**MUNICIPALITY OF ANCHORAGE**  
**PLANNING AND ZONING COMMISSION RESOLUTION NO. 2010-038**

A RESOLUTION APPROVING A UTILITY SUBSTATION CONDITIONAL USE PERMIT PER AMC 21.50.020 IN THE R-6 (SUBURBAN RESIDENTIAL – LARGE LOT) DISTRICT FOR HANE SUBDIVISION, TRACT 1, PER PLAT 66-94; LOCATED AT 2940 O'MALLEY ROAD IN SOUTH ANCHORAGE.

(Case 2010-087; Tax I.D. No. 015-271-11)

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WHEREAS, a request has been received from Chugach Electric Association Inc., petitioner, and Dryden and LaRue Inc., representative, for a utility substation conditional use permit per AMC 21.50.020 in the R-6 (Suburban Residential – Large Lot) District for Hane Subdivision, Tract 1, per Plat 66-94; located at 2940 O'Malley Road in South Anchorage;

WHEREAS, notices were published, posted and a public hearing was held on August 2, 2010. The Commission closed the public hearing and voted 6-aye and 2-nay to postpone the case to the September 13, 2010, in order for additional information to be provided by CEA;

WHEREAS, the Commission reviewed the additional information provided by CEA and approved the case by a vote of 6-aye and 1-nay at the September 13, 2010 meeting;

WHEREAS, Commissioner Weddleton spread notice of reconsideration with the secretary on September 14, 2010; and

WHEREAS, the Commission voted 2-aye and 4-nay on whether to reconsider the case on October 11, 2010. The motion to reconsider the case failed.

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

- A. The Commission makes the following findings of fact:
1. This utility substation is necessary to provide reliable electricity in the Hillside Area.
  2. The costs that utilities bear are passed onto the rate payers.
  3. CEA has experience with construction of utility substations and knows that they will have to appear before the Commission for future approvals.
  4. Utilities are necessary, even in residential areas, in order to provide power to the community.



5. CEA has gone beyond current Code requirements for the provision of landscaping on this site.
6. The sloping terrain of the site will make this utility substation more hidden than if the topography was flat.
7. CEA should consider moving the tower to a different location, perhaps north of O'Malley Road.
8. The lots to the south and west have been heavily cleared of vegetation and there are sports fields located on the north side of O'Malley Road. The area which will be cleared for this utility substation will have a minor effect on the surrounding area.
9. The site plan is consistent with the *Hillside District Plan* and *Anchorage 2020*.
10. The request meets the general standards for conditional use approval, AMC 21.50.020.
11. The Commission approved the case by a vote of 6-aye and 1-nay at the September 13, 2010 meeting.

B. The Commission APPROVES the above mentioned conditional use, subject to the following conditions:

1. A Notice of Zoning Action shall be filed with the State of Alaska District Recorder's Office. Proof of such shall be submitted to the Planning Department.
2. All construction and improvements related to this approval shall be substantially in compliance with the questionnaire, narrative, and with the following plans on file with the Planning Department, except as amended by this approval:
  - a. Abbott Area Substation Grading Plan Grading Plan, Elevation View, Landscape Plan, and Lighting Plan, dated 5-17-10, that was in the Commission's 9-13-10 packet that showed the tower on the north side of the lot, Dora Gropp-CEA/David W. Burlingame-EPS.
3. No barbed wire or concertina wire shall be used on site, except on the gate.
4. A revised lighting plan shall be submitted to the Planning Department which:



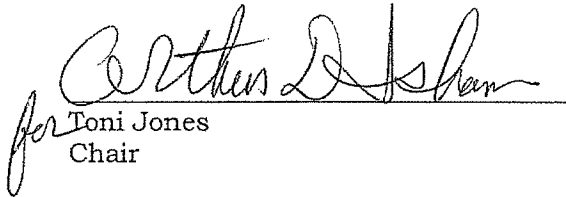
- a. Reduces total site lumen levels, during both maintenance periods and periods when the substation is unoccupied to be more in line with a site located within Lighting Zone 1.
  - b. Utilize lighting fixtures which meet BUG ratings for Lighting Zone 1 or 2.
  - c. Meet draft light trespass standards at the property lines of the site for Lighting Zone 1.
5. Provide a revised landscape plan which is prepared by a registered professional landscape architect.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 13<sup>th</sup> day of September, 2010.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 1<sup>st</sup> day of November, 2010. 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 the Anchorage Municipal Code 21.30.030.



Jerry T. Weaver, Jr.  
Secretary



for Toni Jones  
Chair

(Case 2010-087; Tax I.D. No. 015-271-11)

fdm

