

**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
SITE PLAN REVIEW**

DATE: March 7, 2016

CASE NO.: 2016-0018

APPLICANT: Bass Pro Shops

REPRESENTATIVE: Wende Wilber, AICP
ECI Hyer Architecture, Planning, and Interiors

REQUEST: Public hearing site plan review for vehicle storage in the B-3 district

LOCATION: Mountain View Development Subdivision, Tract 1A-1, Fragment Lot 14A

APPLICABLE CODE: “Old” code

COMMUNITY COUNCIL: Mountain View

PARCEL ID NUMBER: 004-051-44

GRID: SW0235

ATTACHMENTS:

1. Agency and Public Comments
2. Posting Affidavit and Historical Information
3. Application

RECOMMENDATION SUMMARY: Approval subject to conditions.

SITE:

Acres: ±1.36 acres
Vegetation: None
Zoning: B-3, general business district
Topography: Mostly flat with some slopes in the north side of the site.
Existing Use: Vacant
Utilities: Public water and sewer

COMPREHENSIVE PLAN:

Classification: “Town Center” in the *Anchorage 2020* Land Use Policy Map
“Commercial” in the 1982 *Anchorage Bowl Comprehensive Development Plan* Generalized Land Use Plan Map

Density: Not applicable

APPLICABLE ZONING REGULATIONS:

AMC 21.45.290 - Standards for self-storage facilities and vehicle storage yards
Standards
AMC 21.50.200 - General standards for site plan approval

SURROUNDING AREA:

	<u>NORTH</u>	<u>EAST</u>	<u>SOUTH</u>	<u>WEST</u>
Zoning:	B-3	B-3	R-3	B-3
Land Use:	Multifamily Residential	Commercial	Commercial	Middle School

PROPOSAL AND SITE DESCRIPTION:

The petitioner requests site plan approval for boat storage in the B-3 district. The petition site is a 1.36 acre fragment lot within the Glenn Square Mall. The property is not developed.

COMMUNITY COMMENTS:

On January 28, 2016, 35 public hearing notices were mailed. No public comments have been received. The Mountain View, Airport Heights, and Russian Jack Community Councils did not provide comments.

FINDINGS:

AMC 21.45.290 - Standards for self-storage facilities and vehicle storage yards.

- A. Size of the site; traffic access. The proposed self-storage site shall contain no less than one-half acre and no more than ten acres, and the proposed vehicle storage site shall contain no less than one acre and no more than ten acres. The proposed site shall have direct driveway access from a street constructed to appropriate Municipal commercial or urban standards as described in section 21.85.050 Table B for urban zoning districts and Table D for rural and suburban zoning districts, as required by the Municipal Traffic Engineer.

The petition site contains 1.36 acres, which complies with the area requirements.

Access to the site is from Mountain View Drive and Porcupine Drive. Both streets are constructed to Municipal Standards.

- B. Maximum lot coverage of by all buildings. Maximum lot coverage by all buildings is 50% lot coverage in B-3 or B-4 zoning, and 75 percent in industrial zones.

The lot coverage requirement is met. No buildings are being proposed.

- C. Maximum height of structures. Maximum height of structures shall be 35 feet. Structures over 35 feet in height shall require conditional use approval.

The building height requirement is met. There will not be any structures on the property.

- D. Parking. Parking and circulation shall be provided pursuant to section 21.45.080 and reviewed by Traffic Engineering. There shall be a minimum on-site queue lane length of 50 feet and 24 feet wide for vehicles entering a security gate. The width of the gate shall be excluded from this requirement. Internal parking lot landscaping required in section 21.45.080 shall not apply to this section.

The parking and vehicle queuing lane requirements are met.

- E. Paving and drainage. 1. All driveways, interior aisles, and walkways shall be paved to municipal standards or covered with recycled asphalt, asphalt or graveled with D-1. 2. Provisions shall be made to prevent any contamination of the domestic water supply or to prevent excessive or contaminated surface runoff from the site onto adjoining lands or streams. Drainage flow patterns shall be shown on the site plan or a separate approved map. If plans indicate that surface drainage will be carried off, the site plan shall be subject to the approval of the office of planning, development, and public works. If applicable, drainage shall comply with section 21.67.010.

The site will be paved to Municipal standards, except landscaped areas. Drainage will be review with the forthcoming building permit.

- F. Curb cuts. Access shall be as approved by the traffic engineer. The width and distance of any access from any property line or street intersection will be subject to the approval of the traffic engineer or the state department of transportation.

Access to the site is from Mountain View Drive and Porcupine Drive. No access issues have been raised by the Municipal Traffic Department or ADOT&PF.

- G. Permitted accessory uses. The facility may provide two on-site dwelling units for use by an on-site caretaker, manager, or owner of the site.

No caretaker units or manager offices are being proposed.

- H. Lighting. Exterior lighting shall be so arranged and shielded so as to prevent sky glow, glare on adjacent properties or rights-of-way.

Lighting levels will be review with the building permit. All fixtures will have full cut-off so as to prevent light trespass onto other properties.

- I. Storage of hazardous substances. The storage of explosives, radioactive materials or any other hazardous chemicals, explosives or flammable materials, as defined by municipal code, is prohibited.

There will be no storage of hazardous materials on-site.

- J. Except for work performed ancillary to the operation of the self storage facility, the following uses are prohibited from occurring within a self-storage or vehicle storage rental unit of space. 1. The servicing, repair, or fabrication of vehicles, boats, trailers, lawn mowers, appliances, or any other equipment with the exception of battery, tire removal and replacement. These must be conducted in accordance with all federal, state and local laws. All hazardous materials must be disposed of properly by the owner of the vehicle. 2. The operation of power tools, spray-painting equipment, kilns, or other similar equipment; and/or 3. Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations.

The site will only be used for boat storage. All servicing and repair of boats will occur at the existing boat service center at the main Bass Pro Shop building.

- K. Fencing and landscaping. 1. Where a self storage or vehicle storage facility abuts a commercially zoned district, eight feet of landscaping, in accordance with the standards contained in subsection 21.45.125C.1 (visual enhancement landscaping), shall be required external to the site-obscuring fence. Where lot lines for these facilities abut a residential district, 15 feet of landscaping shall be required, but only arterial landscaping with an eight-foot planting bed shall be required where abutting a street designated as a Class I or greater street on the OS&HP. No landscaping shall be required where a lot line abuts an industrial zoned district, or on the portion of site boundaries where a structure, excluding connexes, abuts either side of the lot line, unless otherwise required by this title. 2. Except as otherwise required by law, all site obscuring structures shall be at least eight feet high. No fencing shall be required on the portion of the site boundaries where a structure, excluding connexes, abuts either side of the lot line. The design of the site-obscuring fencing structure shall be approved by the Planning Department. 3. The site-obscuring fencing structure shall be architecturally compatible with the surrounding properties. All portions of the fence structure visible to the public, adjacent to a protected creek under section 21.45.210, or plainly visible to adjacent residential neighbors, shall be of a sight-obscuring nature, be compatible with the surrounding property, and be constructed of concrete, solid wood or chain link with a neutral color fabric screening or vinyl covering. The fencing structure shall be maintained in a safe, sound and orderly condition, and shall be kept free of any advertising matter other than signs permitted by this title. Security wire, such as concertina or razor wire and barbed wire

is permitted, but only if inverted inside the fence with posted and maintained prominent warning signs for the fencing, or with a maximum of at least one foot of wire material exposed and visible outside the fence.
4. All required landscaping shall be installed and maintained by the property owner or his/her designee. 5. Financial guarantees. The Planning Department may require financial guarantee to ensure installation of required landscaping, fencing, paving, or mitigation of any environmental impacts or contamination to the site or surrounding land in accordance with section 21.87.030.

The landscape plan shows visual enhancement landscaping along the perimeter to the site with an 8-foot tall screening fence placed interior to the landscaping. Barbed wire will be inverted inside the fence in accordance with this standard. The south and west sides of the screening fence will be made of wood. The north and east sides of the fence will be chain link with brown slats. The standard is met.

- L. Containerized storage. In conjunction with vehicle storage yards in the B-3 and B-4 districts, containerized storage shall be permitted only by conditional use approval under section 21.50.450, but containerized storage shall be a permitted use in self storage facilities in these zones.

No containerized storage is proposed with this site plan.

- M. Vehicle storage yards. The yard may not be used to display or advertise vehicles for sale. No salvaging, dismantling or disassembly of vehicles is permitted in a vehicle storage yard.

No boat advertising or sales is permitted at the site. The petitioner has stated that boats will be moved to the main Bass Pro Shop building for display and sales.

AMC 21.50.200 – General standards for site plan approval.

The authority reviewing a site plan shall approve the site plan only if it finds that the site plan:

- A. Meets the criteria for this approval established under this title; and
B. Will not have a permanent negative impact on the items listed below substantially greater than that anticipated from permitted development.
1. Pedestrian and vehicular traffic circulation and safety.

Pedestrian and vehicular traffic circulation patterns are already established. The mall site has constructed sidewalks and drive aisles.

2. The demand for and availability of public services and facilities.

The site is within the ARDSA, Building Safety Service Area, and Fire Service Area.

3. Noise, air, water or other forms of environmental pollution.

The boat storage lot is not expected to create environment pollution greater than that allowed by a permitted use.

4. The maintenance of compatible and efficient development patterns and land use intensities.


The surrounding zoning is B-3, PLI, and I-1. New multifamily residential units were recently constructed north of the site. Clark Middle School and an ML&P utility substation are located east of the site. Commercial retail uses are located south and west of the site. The proposed boat storage use is compatible with the surrounding land uses in terms of scale and the intensity of use. No buildings will be constructed on the petition site. The public will not have access to the site. The site will be visually buffered from adjoining uses by an 8-foot tall screening fence and visual enhancement landscaping.

RECOMMENDATION:

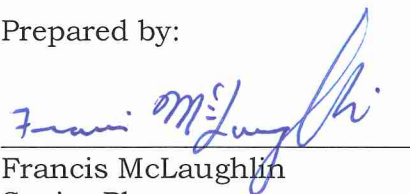
The Department recommends approval of the public hearing site plan review, subject to the following conditions:

1. A notice of zoning action shall be filed with the State Recorder's Office, along with a copy of the approved resolution and site plan. Proof of such shall be provided to the Planning Division.
2. All construction and uses shall generally conform to the following plans and narrative, except as amended by this approval:
 - a. Bass Pro Boat Storage; Sheets B1 Boat Layout Plan, C1 Site Plan, C2 Grading Plan, B1 Lighting Layout Plan, L1 Landscape Plan, L2 Landscape Details, and L3 Landscape Details; prepared by CRW Engineering Group, LLC.

Reviewed by:

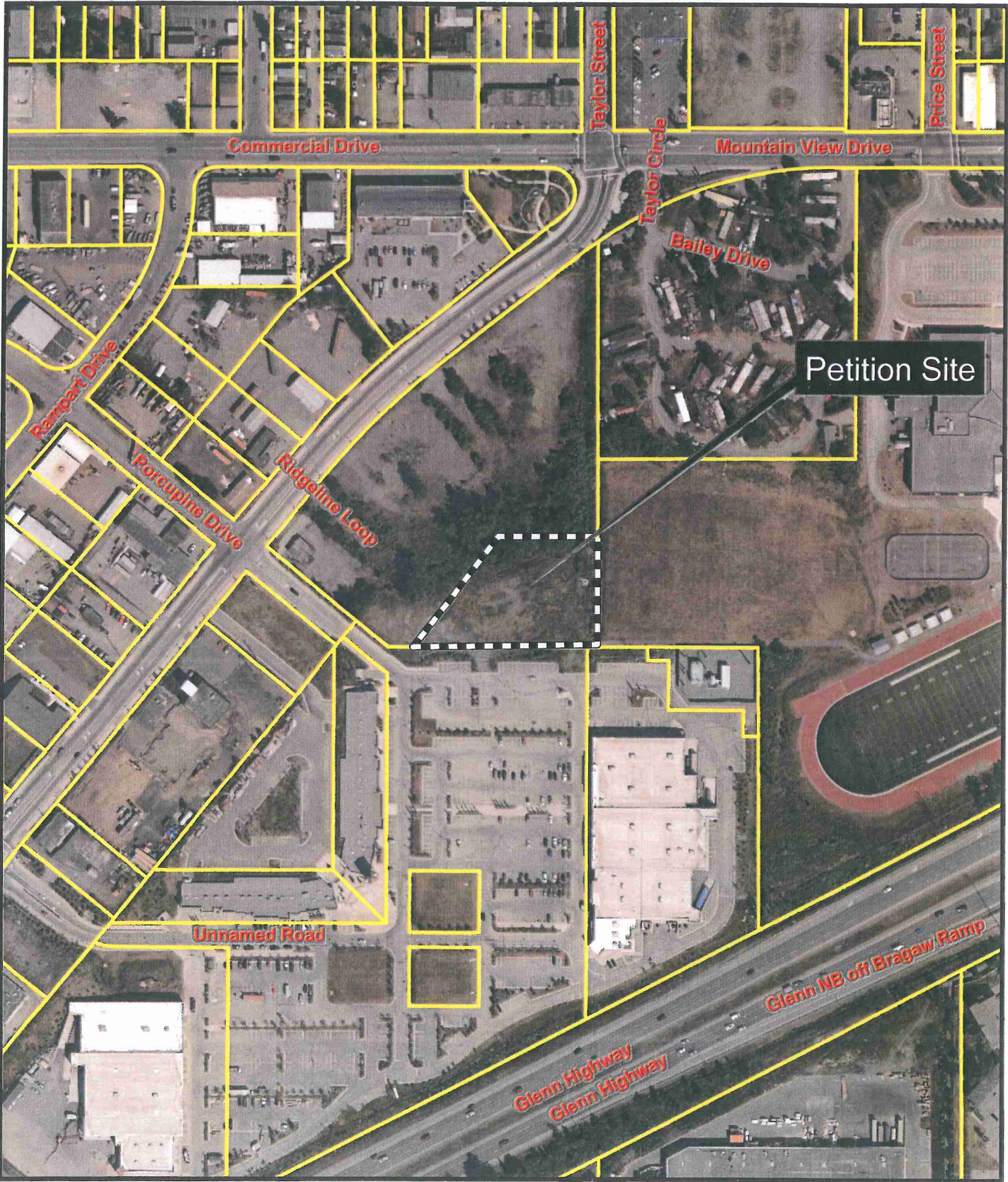

Hal H. Hart, AICP
Director

Prepared by:


Francis McLaughlin
Senior Planner

(Case 2016-0018; Parcel ID #004-051-44)

2016-0018



Departmental and Public Comments

Kimmel, Corliss A.

From: Hutchens, Jennifer M
Sent: Tuesday, January 26, 2016 3:12 PM
To: Blake, Lori A.; Johnson, Sandra L; Kimmel, Corliss A.; Whitfield, David R.
Cc: Wilson, Karleen K.; Hutchens, Jennifer M
Subject: Case NO 2016-0018

Case NO 2016-0018, MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, Lot 6, Block 44B, SW1235

No comments

Thanks,

Jennifer M. Hutchens

MSAG Addressing Coordinator
Municipality of Anchorage
Address Data Management, GIS
907.343.8244 (direct)
907.343.8466 (main)

MUNICIPALITY OF ANCHORAGE



Planning & Development Services Dept.
Development Services Division

RECEIVED Building Safety

FEB 09 2016

MEMORANDUM

PLANNING DEPARTMENT

Comments to Miscellaneous Planning and Zoning Applications

DATE: February 9, 2016

TO: Erika McConnell, Manager, Zoning and Platting

FROM: Ron Wilde, P.E.
Building Safety
343-8371

SUBJECT: Comments for Case 2016-0018
New boat inventory lot – Bass Pro Shops

No Comment

Municipality Of Anchorage
ANCHORAGE WATER & WASTEWATER UTILITY

RECEIVED

FEB 09 2016

MEMORANDUM

PLANNING DEPARTMENT

DATE: February 8, 2016
TO: Erika McConnell, Supervisor, Planning Section, Planning Division
FROM: Paul Hatcher, Engineering Technician III, AWWU Planning
SUBJECT: **Zoning Case Comments**
Hearing Date: March 7, 2016
Agency Comments Due: February 8, 2016

AWWU has reviewed the materials and has the following comments.

2016-0011 THIRD ADDITION BLK 15B LT 1, Request to rezone from R-3 (Mixed Residential) District to R-4 (Multifamily Residential), Grid SW1331

1. AWWU water and sanitary sewer are available.
2. AWWU has no objection to this rezone.

2016-0017 BRUCE LT 20B, Minor Amendment to a previously approved site plan (PZC Resolution No. 2014-025) seeking approval to reverse the layout and locate vehicle storage on the west side and container storage on the east side of the property, Grid SW2328

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

2016-0018 MOUNTAIN VIEW DEVELOPMENT TR 1A-1 FRAG LT 14A-A, Major Site Plan Review per AMC 21.45.290 for a new boat inventory lot (Bass Pro Shops), Grid SW1235

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

Case 2016-0018 – Major Site Plan Review per AMC 21.45.290 for a new boat inventory lot (Bass Pro Shops).

Drainage:

The petitioner is alerted to the pending requirement to provide project specific full drainage analysis and calculations to Private Development under land use and/or building permit processes. An analysis will be required to address storm runoff as a result of the proposed changes to infrastructure and to permeable / impermeable surface treatments. Final plans with appropriate details will be required prior to approval of building plans. The analysis and plans shall present and illustrate respectively how drainage from this facility is being managed in relation to peripheral properties and right of way; demonstrate that post development drainage will not adversely impact adjacent properties or rights of way; and, measures to be taken in the event that excavation associated with the build-out of the property exposes subsurface flows. Drainage analysis and design shall conform to the Municipality of Anchorage Design Criteria Manual (DCM) and the Drainage Design Guidelines (DDG).

Department Recommendations:

The Private Development Section has no objection to the Major Site Plan Review.

Case 2016-0023 – Remand from Superior Court (Case 3AN-15-06026 CI; Judge Guidi), a public hearing site plan review per AMC 21.55.130 and AMC 21.50.320 for a large retail establishment (Sears Mall/Nordstrom Rack) in the B-3 (general business) district.

Department Recommendations:

The Private Development Section has no comment.

MUNICIPALITY OF ANCHORAGE



Community Development Department
Development Services Division

Private Development Section
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Mayor Ethan Berkowitz

FEB 09 2016

MEMORANDUM

PLANNING DEPARTMENT

Comments to Planning and Zoning Commission Applications/Petitions

DATE: February 9, 2016
TO: Vacant, Current Planning Section Supervisor
FROM: Brandon Telford, Plan Review Engineer
SUBJECT: Comments for Planning and Zoning Commission
Public Hearing date: March 07, 2016

Case 2016-0011 – Request to rezone from R-3 (Mixed Residential) District to R-4 (Multifamily Residential)

Drainage:

The petitioner is alerted to the pending requirement to provide project specific full drainage analysis and calculations to Private Development under land use and/or building permit processes. An analysis will be required to address storm runoff as a result of the proposed changes to infrastructure and to permeable / impermeable surface treatments. Final plans with appropriate details will be required prior to approval of building plans. The analysis and plans shall present and illustrate respectively how drainage from this facility is being managed in relation to peripheral properties and right of way; demonstrate that post development drainage will not adversely impact adjacent properties or rights of way; and, measures to be taken in the event that excavation associated with the build-out of the property exposes subsurface flows. Drainage analysis and design shall conform to the Municipality of Anchorage Design Criteria Manual (DCM) and the Drainage Design Guidelines (DDG).

Department Recommendations:

The Private Development Section has no objection to the request to rezone.

Case 2016-0017 – Minor Amendment to a previously approved site plan (PZC Resolution No. 2014-025) seeking approval to reverse the layout and locate vehicle storage on the west side and container storage on the east side of the property.

Department Recommendations:

The Private Development Section has no comment on the Site Plan Review.



MUNICIPALITY OF ANCHORAGE

Development Services Department

Right of Way Section

Phone: (907) 343-8240 Fax: (907) 343-8250

RECEIVED

FEB 04 2016

PLANNING DEPARTMENT

DATE: February 4, 2016
TO: Planning Division, Current Planning Section
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 March 7, 2016.

Right of Way Section has reviewed the following case(s) due February 8, 2016.

**2016-0011 Third Addition, Block 15B, Lot 1, grid 1331
(Rezone from R-3 to R-4)**
Right of Way Section has no comments as no work is planned which would affect the rights of way or easements.
Review time 15 minutes.

**2016-0017 Bruce, Lot 20B, grid 2328
(Minor Amendment to Container and Vehicle Storage Facility Site Plan)**
Right of Way Section has no comments as no work is planned which would affect the rights of way or easements.
Review time 15 minutes.

**2016-0018 Mountain View Development, Tract 1A-1, Fragment Lot 14A-1, grid 1235
(Major Site Plan Review for Boat Inventory Lot, Bass Pro Shops)**
Right of Way Section will have comments in the project design review process.
Review time 15 minutes.

**2016-0023 T13N R3W SEC 30, N2NE4NE4 PTN PARCEL 1, grid 1631
(Remand From Superior Court for Site Plan Review, Addition to Sears Mall)**
Right of Way Section has no comments as no work is planned which would affect the rights of way or easements.
Review time 15 minutes.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Transportation and
Public Facilities

CENTRAL REGION
Planning & Administrative Services

4111 Aviation Avenue
P.O. Box 196900
Anchorage, Alaska 99519-6900
Main Phone: (907)269-0520
Fax: (907)269-0521
Web site: dot.state.ak.us

February 3, 2016

Dave Whitfield, Acting Planning Section Manager
MOA, Community Development Department
Planning Division
P.O. Box 196650
Anchorage, Alaska 99519-6650

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FEB 03 2016

PLANNING DEPARTMENT

RE: MOA Zoning Review

Dear Mr. Whitfield:

The Alaska Department of Transportation and Public Facilities (DOT&PF), Central Region Planning office has no comments on the following zoning applications:

- 2016-0017: Lot 20B, Bruce Subdivision
- 2016-0023: 680 E. Northern Lights Blvd.

The DOT&PF, Central Region Planning office has comments on the following zoning application:

- 2016-0018: Tract 1A-1, Fragment Lot 14A-1, Mountain View Development
 - We suggest an in-depth review of this project's impact on the internal traffic circulation patterns and development of possible solutions to mitigate any issues.

Sincerely,

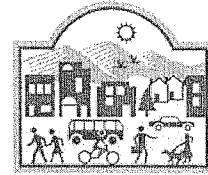
James Starzec
Anchorage Area Planner

Cc: Tucker Hurn, Right of Way Agent, Right of Way, DOT&PF
Morris Beckwith, Right of Way Agent II, Right of Way, DOT&PF
Scott Thomas, P.E., Regional Traffic Engineer, Traffic Safety and Utilities, DOT&PF
Jim Amundsen, P.E., Highway Design Group Chief, DOT&PF



Municipality of Anchorage

Planning Department
Long-Range Planning Division



MEMORANDUM

Date: February 1, 2016

To: Francis McLaughlin, Senior Planner
Zoning and Platting Section

From: Jon Cecil, Senior Planner
Long-Range Planning Section

Subject: Case 2016-0018; Major Site Plan Review per AMC 21.45.290 for a new boat inventory lot (Bass Pro Shops)

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FEB 01 2016

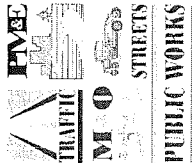
PLANNING DEPARTMENT

The Long-Range Planning section has reviewed the plans submitted for the development of Mountain View Development Subdivision Tract 1A-1, Fragment Lot 14-A-1, in the Glenn Square Shopping Mall located in the Northeast sub-area of the Anchorage Bowl. This application was received on December 21, 2015 and the applicant elected to apply under the old Title 21. Based on this, the new boat inventory use is permitted in the B-3 (General Business) Zoning District with an approved site plan review.

As there is insufficient space on the existing Bass Pro Shops' lot they have leased additional space for a new boat inventory lot; 1.36-acres in size. The Applicant's submittal has been reviewed under the provisions of old Code Title 21, namely 21.50.200 (General Standards for Site Plan Approval) and 21.45.290 (Standards for Vehicle Storage Yards). All of the standards have been met, or exceeded in the case of landscape screening and fencing. Issues pertaining to curb cuts and exterior lighting will be reviewed by the Traffic Engineer.

Long-Range Planning has no concerns or issues with the Major Site Plan Review.

Thank you for the opportunity to review and comment.



Project Review Form

Project Name: Major Site Plan Review (Bass Pro Shops)	Project No: 2016-0018
Project Status: <input type="checkbox"/> Design Study <input type="checkbox"/> 35% <input type="checkbox"/> 65% <input type="checkbox"/> 95% <input type="checkbox"/> Other	
Name/Title: Ryan Yelle/Senior Planning Tech, Randy Bergt/Capital Project Engineer	
Organization / Department: Public Transportation Dept / People Mover	
Phone Number: 343-8496 (Ryan) or 343-8285 (Randy) Date: 02/01/16	

Page/ Sheet No.	Reviewer	Comment	Response
1)	Ryan Yelle	No Comments.	
2)		Thank you for the opportunity to review	
3)			
4)			
5)			
6)			
7)			
8)			
9)			
10)			
11)			
12)			
13)			
14)			

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 FEB 01 2016
 PLANNING DEPARTMENT

Kimmel, Corliss A.

From: Hutchens, Jennifer M
Sent: Tuesday, January 26, 2016 3:12 PM
To: Blake, Lori A.; Johnson, Sandra L; Kimmel, Corliss A.; Whitfield, David R.
Cc: Wilson, Karleen K.; Hutchens, Jennifer M
Subject: Case NO 2016-0018

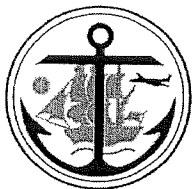
Case NO 2016-0018, MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, Lot 6, Block 44B, SW1235

No comments

Thanks,

Jennifer M. Hutchens

MSAG Addressing Coordinator
Municipality of Anchorage
Address Data Management, GIS
907.343.8244 (direct)
907.343.8466 (main)



MUNICIPALITY OF ANCHORAGE

Traffic Engineering Department



MEMORANDUM

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JAN 26 2016

MUNICIPALITY OF ANCHORAGE
ZONING DIVISION

DATE: January 26, 2016

TO: Current Planning Section Supervisor.
Zoning and Platting Division

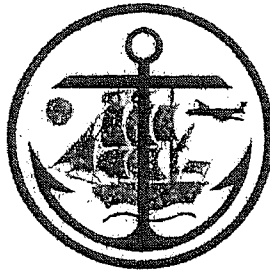
FROM: Kristen A. Langley, Traffic Safety Section Supervisor,
Traffic Engineering Department

SUBJECT: Traffic Engineering Comments

2016-0018 Site Plan Review per A.M.C. 21.45.290 for a new boat inventory lot (Bass Pro Shops)

1. A lighting plan shall be provided for the revised parking area, with a certified lighting and glare statement.
2. Traffic Engineering has no additional comments.

Affidavit of Posting and Historical Information

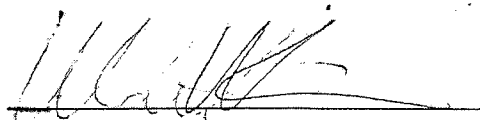


AFFIDAVIT OF POSTING

Case Number: 2016-0018

I, Wende Wilber, 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 Site Plan Review. The notice was posted on 29 Jan 2016 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 29 day of January, 2016


Signature

LEGAL DESCRIPTION

Tract or Lot 1A-1 Fragment Lot 148
Block _____
Subdivision Mountain View Development

Application

COMPREHENSIVE PLAN INFORMATIONAnchorage 2020 Urban/Rural Services: Urban RuralAnchorage 2020 West Anchorage Planning Area: Inside Outside

Anchorage 2020 Major Urban Elements: Site is within or abuts:

- Major Employment Center Redevelopment/Mixed Use Area Town Center
 Neighborhood Commercial Center Industrial Center
 Transit - Supportive Development Corridor

Eagle River-Chugiak-Peters Creek Land Use Classification:

- Commercial Industrial Parks/opens space Public Land Institutions
 Marginal land Alpine/Slope Affected Special Study
 Residential at _____ dwelling units per acre

Girdwood- Turnagain Arm

- Commercial Industrial Parks/opens space Public Land Institutions
 Marginal land Alpine/Slope Affected Special Study
 Residential at _____ dwelling units per acre

ENVIRONMENTAL INFORMATION (All or portion of site affected)

- Wetland Classification: None "C" "B" "A"
Avalanche Zone: None Blue Zone Red Zone
Floodplain: None 100 year 500 year
Seismic Zone (Harding/Lawson): "1" "2" "3" "4" "5"

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

- Rezoning - Case Number:
 Preliminary Plat Final Plat - Case Number(s): S-12061-1 Plat 2014-79
 Conditional Use - Case Number(s):
 Zoning variance - Case Number(s):
 Land Use Enforcement Action for
 Building or Land Use Permit for
 Wetland permit: Army Corp of Engineers Municipality of Anchorage

DOCUMENTATION

- Required: Original application with signature(s), 35 copies of application, plus 35 sets of:
 Site plan to scale depicting: building footprints; parking areas; vehicle and pedestrian circulation; lighting; grading; landscaping; signage; drainage and project location.
 Building plans to scale depicting: floor plans; building elevations; exterior colors and textures.
 Application and narrative: explaining the project; planning objectives; construction and operation schedule; final ownership
 Assembly Ordinance enacting zoning special limitations, if applicable.
 Watershed sign off form, completed

- Required if indicated: Air quality impact Traffic impact analysis Economic impact analysis
 Soils analysis Noise impact analysis Holding capacity of the land analysis
 Shadow impact analysis

PUBLIC FACILITY PROJECT LANDSCAPING REVIEW STANDARDS (if applicable)

The Urban Design Commission shall consider the following criteria in reviewing public facility project landscaping under this section. Each standard must have a response in as much detail as it takes to explain how your project satisfies the standard. The burden of proof rests with you. Use additional paper if needed.:

Cost.
Not applicable

Feasibility.
Not applicable

Explain how planning and design criteria are met by the proposed landscape plan:

The external impacts generated by the public facility project on adjacent areas. The landscape elements of the public facility project should complement, maintain or improve the landscape quality of adjacent neighborhoods and areas.

Not applicable

The degree to which the landscape elements contribute to on-site use of the public facility project. The landscape elements of the public facility project should enhance safe, efficient and comfortable public use.

Not applicable

The visual attractiveness of the landscaping and its enhancement of the architecture of the public facility project, including the integration of internal and exterior architectural themes.

Not applicable

PUBLIC FACILITY STANDARDS (if applicable)

The Planning and Zoning Commission shall review a proposed site plan for consistency with the goals, policies and land use designations of the comprehensive development plan and other municipal plans adopted by the assembly, conformity to the requirements of this title, and the effects of the proposal on the area surrounding the site.

Not applicable

SPECIAL LIMITATION STANDARDS (if applicable)

The Planning and Zoning Commission shall review the proposed site plan governed by special limitation for consistency with the special limitations, goals, policies and land use designations of the comprehensive development plan and other municipal plans adopted by the assembly, conformity to the requirements of this title, and the effects of the proposal on the area surrounding the site. Each special limitation standard must have a response in as much detail as it takes to explain how your project satisfies the standard. The burden of proof rests with you. Use additional paper if needed.:

Not applicable.

GENERAL SITE PLAN REVIEW STANDARDS (AMC 21.50.200) (if applicable)

The Planning and Zoning Commission shall review the proposed site plan governed by the general site plan review standards for consistency with conformity to the requirements of this title, and the effects of the proposal on the area surrounding the site. Each standard must have a response in as much detail as it takes to explain how your project satisfies the standard. The burden of proof rests with you. Use additional paper if needed.:

Explain how the proposed site plan meets the criteria for its approval established under this title.

See attached narrative.

Explain how the proposed conditional use will not have a permanent negative impact on the items listed below substantially greater than that anticipated from permitted development:

1. Pedestrian and vehicular traffic circulation and safety.
Not applicable - this is a site plan review not a conditional use.
2. The demand for and availability of public services and facilities.
Not applicable - this is a site plan review not a conditional use.
3. Noise, air, water or other forms of environmental pollution.
Not applicable - this is a site plan review not a conditional use.
4. The maintenance of compatible and efficient development patterns and land use intensities.
Not applicable - this is a site plan review not a conditional use.



Design Development Department

2500 E. Kearney • Springfield, MO 65898 • Tel: 417-873-5372 Fax: 417-873-5383

December 23, 2015

To whom it may concern:

Wende Wilber of ECI Hyer is authorized to represent Bass Pro Shops for the permitting effort for the Boat Storage Lot at the Glenn Square Development in Anchorage, Alaska.

Please feel free to contact me if you have any further questions or comments.

Sincerely,

Tom Jowett
VP, Design & Development
Bass Pro Shops
Tel: (417) 873-5372

cc Micah Schoming, PE
CRW Engineering Group, LLC
Palmer, Alaska

MUNICIPALITY OF ANCHORAGE



Community Development Department

Phone: 907-343-7931

Fax: 907-343-7927

Mayor Dan Sullivan

Title 21 Code Selection

For review and approval of my project, Bass Pro New Boat Inventory Lot, Glenn Square,
I choose to be regulated by:

"Old" Title 21 (expires December 31, 2015)

"New" Title 21 (becomes effective January 1, 2014)

I understand that my application will be reviewed and acted on using the provisions of the code version I have selected, and that this selection is final.*

Signature of Petitioner or Petitioner's Representative

12/21/2015

Date

Wende Wilber, AICP PTP

Printed Name

*Should the petitioner wish to switch the applicable version of code at any time after this form is submitted, a new application is required and new application fees will be assessed. The case will then be scheduled as a new application in accordance with the cut-off date schedule.

For office use only:

2016-0018

Permit/Case Number

10/30/14

WMS WATERCOURSE MAPPING SUMMARY

Per the requirements for watercourse verification outlined in Project Management and Engineering Operating Policy and Procedure #8 and Planning Department Operating Policy and Procedure #1 (effective June 18, 2007), MOA Watershed Management Services has inspected the following location for the presence or absence of stream channels or other watercourses, as defined in Anchorage Municipal Code (21.35).

- Project Case Number or Subdivision Name: Mountain View Development Subdivision
- Project Location, Tax ID, or Legal Description: Glenn Square Shopping Center Tract 1A-1
Frag Lot 14A-1 Tax ID 004-051-44-000
- Project Area (if different from the entire parcel or subdivision): _____

In accordance with the requirements and methods identified, WMS verifies that this parcel, project area, or application:

X ~~Y~~ ~~N~~ **DOES NOT** contain stream channels and/or drainageways, as identified in WMS field or archival mapping information.*

_____ **DOES** contain stream channels and/or drainageways **AND** these are located and identified on submittal documents in general congruence with WMS field and archival mapping information.

*New or additional mapping **IS NOT REQUIRED**.**

_____ Contains stream channels and/or drainageways **BUT** one or more streams or other watercourses:

- are **NOT** shown on submittal documents, or
- are **NOT** depicted adequately on submittal documents for verification, or
- are **NOT** located or identified on submittal documents in general congruence with WMS field and archival mapping information.

*New or additional mapping **IS REQUIRED** and must be re-submitted for further review and verification.**

_____ Presence of stream channels and/or drainageways is unknown **AND** field verification is not possible at this time. WMS will verify as soon as conditions and prioritized resources allow.

* Streams omitted in error by WMS or others remain subject to MOA Code and must be shown in new mapping upon identification of the error.

ADDITIONAL INFORMATION:

- | | | | |
|--|--|--------------------------------------|--------------------------------|
| <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | WMS written drainage recommendations are available. | <input type="checkbox"/> Preliminary | <input type="checkbox"/> Final |
| <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | WMS written field inspection report or map is available. | <input type="checkbox"/> Preliminary | <input type="checkbox"/> Final |
| <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | Field flagging and/or map-grade GPS data is available. | | |

Inspection Certified By:

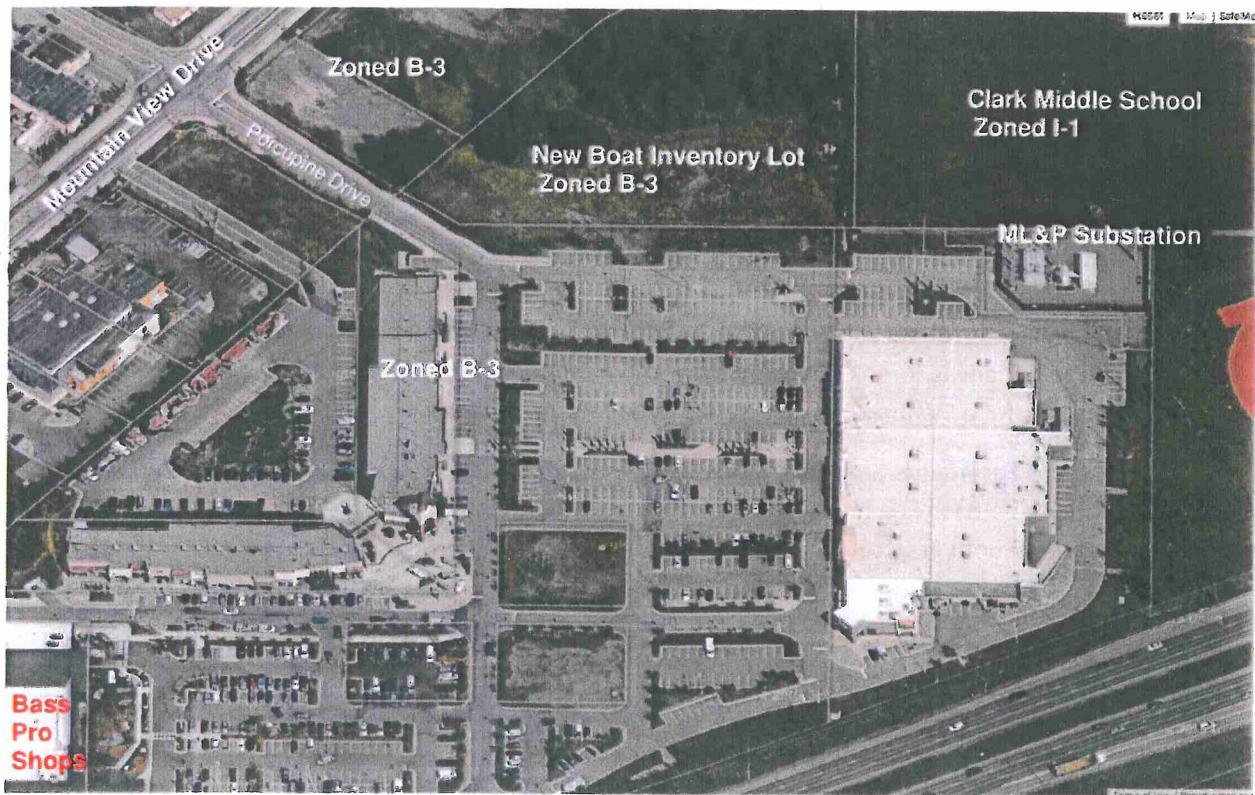
Date:

Kyle Cunningham
Kyle Cunningham

12/17/15

Bass Pro Shops New Boat Inventory Lot
Application for Site Plan Review Narrative
Mountain View Development Subdivision TR 1A-1 Fragment Lot 14A-1

Bass Pro Shops has leased Fragment Lot 14A-1 in the Glenn Square Shopping Complex in order to develop an inventory lot to store new boats. Construction is scheduled for 2016. The demand for new boats has exceeded their expectations and there is not sufficient space available on their existing site to display and store their new boat inventory. Fragment Lot 14A is approximately 1,000 feet north of the Bass Pro Shops and is also part of the Glenn Square Shopping Complex. Between the Bass Pro Shops and proposed boat inventory lot is a common parking area used by all the tenants at Glenn Square. Site plans are attached.



The original proposal brought to the Planning Department in December 2014 consisted of a 4-bay boat service center, part sales area, and a new boat inventory lot on Frag Lot 14A-1. As part of a code analysis the Planning Department determined the following in a letter dated December 8, 2014.

“Our conclusions based on this code analysis is that under the “old” Title 21, boat repair is permitted by right in the B-3 district but boat storage must go through a public hearing site plan review and meet the standards required for self-storage facilities and vehicle storage yards (AMC 21.45.290). Under the “new Title 21, neither boat repair nor boat storage is an allowed use in the B-3 district.”

It was also noted that the outdoor storage or display areas of products is allowed at the Bass Pro Shops (also B-3) subject to a site plan amendment (this option was not pursued due to lack of space) but it is not allowed on a separate frag lot within the common Glenn Square Shopping Center development. This was based on a determination by the Planning Department that the new boat inventory lot as a stand alone use or with a boat service center was a “vehicle storage yard.”

Bass Pro Shops New Boat Inventory Lot
Application for Site Plan Review Narrative
Mountain View Development Subdivision TR 1A-1 Fragment Lot 14A-1

During this process, the Planning Department recognized that the “new” code should be amended to allow small boats to be treated in the same fashion as automobiles which would allow the sale and repair of small boats in more zoning districts – including B-3. The zoning code was amended to allow a boat service center; however, during this process it was also determined that a “new boat inventory lot” would be classified as a “vehicle storage yard” and would not be allowed under the new code in a B-3 zone (“Sales inventory lots” are allowed for car dealerships in B-3). The staff report for the zoning code amendment states: “General Boat storage, for example, Bass pro’s entire sales inventory shrink-wrapped and/or on racks – would still be considered a “storage yard” use and would not be allowed in the B-3 district. Bass Pro has the option of amending their large retail establishment site plan to provide outdoor product storage on their lot.”

As a result, Bass Pro Shops is moving forward with the new boat inventory lot as allowed under the “old” code in B-3 zoning. Boats will be “towed” to the Bass Pro Shops for customer viewing, just as a new car may be pulled from a dealership lot to the front of the sales office and/or unlocked for viewing. This is comparable to an automotive display and sales lot operation which is allowable by right in the old and new B-3 zoning districts. Boats will be surface parked and not stored on boat racks. Boats will be covered with shrink wrap or canvas to protect them from the elements. The proposed project meets or exceeds all of the standards for a “Vehicle Storage Yard” as documented below.

The Declaration of Easements and Conditions were amended in 2014 (attached) to allow “boat storage and repair so long as Bass Pro or its permitted successors and assign under the Bass Pro Lease, lease premises located on both Frag Lot 2A and Frag Lot 14A-1.”



21.50.200 GENERAL STANDARDS FOR SITE PLAN APPROVAL

B. Will not have a permanent negative impact on those items listed in this subsection substantially greater than that anticipated from permitted development.

1. Pedestrian and vehicular traffic circulation and safety. **Finding:** The new boat inventory lot will have restricted access. Per code, two Bass Pro staff parking stalls (one ADA van accessible) are provided within the secure area. Boats will be parked, moved and/or delivered to the Bass Pro Shops on an "as needed basis" by qualified Bass Pro personnel. The general public will not have access to the inventory lot. An existing sidewalk to the west, along the Porcupine Drive (the main Glenn Square driveway) links the site to Mountain View Drive and transit routes. Existing sidewalks, internal to Glenn Square, provide a pedestrian link between the inventory lot and the Bass Pro Store. This standard is met.
2. The demand for and availability of public services and facilities. **Finding:** All public services and facilities are readily available to the site. The proposed use only requires electrical service for lighting of the inventory lot and to operate the electric slide security gate at the driveway entrance. This standard is met.
3. Noise, air, water or other forms of environmental pollution. **Finding:** The new boat inventory lot is a largely a passive use. The only noise generator will be occasional vehicular noise when boats

are towed to and from the Bass Pro Shops. The noise will be negligible when compared to traffic associated with the adjacent Glenn Square parking lot, driveways and Mountain View Drive, an arterial roadway. There will be no storage or use of hazardous materials at this site. The boat inventory lot is only for new boat inventory parking. Any servicing of boats will still be done at the existing Boat Service Center. This standard is met.

4. The maintenance of compatible and efficient development patterns and land use intensities. **Finding:** The proposed use is an allowed use within the B-3 zoning district (with a site plan review). Adjacent parcels are zoned B-3 and I-1. Adjacent uses include retail shops, Clark Middle School (fields), an ML&P substation and new housing to the north along Mountain View Drive (which sits higher than the subject parcel). The subject parcel has been vacant for over decade. Bass Pro Shops has revitalized Glenn Square Shopping Center and continues to invest in the shopping center. This standard is met.

21.45.290 STANDARDS FOR VEHICLE STORAGE YARDS

The Bass Pro new boat inventory lot will have a visible and direct relationship with the main Bass Pro Shops. They will have a higher “standard of care” than what would typically be expected for a “vehicle storage yard” in order to protect their inventory and their reputation as a retailer.

A) SIZE OF SITE; TRAFFIC ACCESS

- a) **Size of Site:** Shall contain not less than one acre and not more than 10 acres. **Finding:** The site is 1.36 acres. This standard is met.
- b) **Traffic Access:** Shall have direct driveway access from a street constructed to appropriate Municipal commercial or urban standards. **Finding:** The parcel has direct access to Mountain View Drive via a driveway that serves the Glenn Square Shopping Complex. Mountain View Drive is a collector roadway built to Municipal Standards. This standard is met.

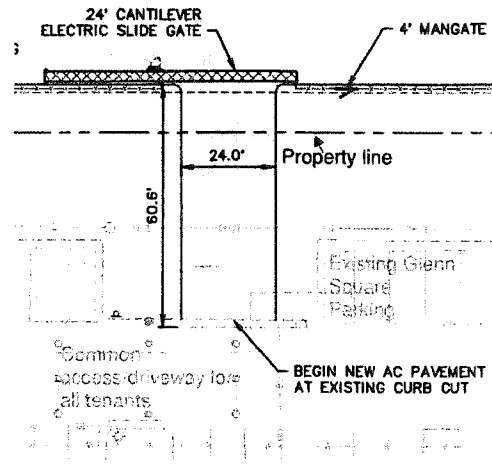
B) MAXIMUM LOT COVERAGE BY ALL BUILDINGS: 50 percent in B-3 Zoning. **Finding:** There are no buildings proposed; therefore, this standard is met.

C) MAXIMUM HEIGHT OF STRUCTURES: 35 feet. **Finding:** There are no buildings proposed; therefore, this standard is met.

D) PARKING

- a) **Circulation:** Pursuant to 21.45.80 Off Street Parking Requirements, vehicle storage yards shall provide one stall per 50 vehicles stored, plus one van accessible space. **Finding:** One parking stall and one van accessible parking stall are provided. This standard is met.

- b) **Minimum on site queue lane length:** 50 feet and 24 feet wide for vehicles entering a security gate. The width of the gate shall be excluded from this requirement. *Finding:* The driveway and cantilever electric slide security gate are 24 feet wide. The driveway entering the site is 60 feet in length from the common access Glenn Square drive aisle to the site. Queuing vehicles will not obstruct on-site circulation. This standard is met.
- c) **Internal Parking Lot Landscaping:** Landscaping required in section 21.45.080 shall not apply. *Finding:* Only 2 parking spaces are required and provided and per code no internal parking lot landscaping is required. The screening fence and perimeter landscaping will serve to screen the view of the parking area. This standard is met.



Driveway in to new boat inventory lot.

E) PAVING AND DRAINAGE.

- a) **All driveways, interior aisles, and walkways shall be paved to municipal standards or covered with recycled asphalt, asphalt or graveled with D-2.** *Finding:* The boat inventory lot, associated drive aisles and parking spaces are paved with asphalt. Walkways are not provided internal to the site. This standard is met.
- b) **Provisions shall be made to prevent any contamination of the domestic water supply or to prevent excessive or contaminated surface runoff from the site onto adjoining lands or streams.** *Finding:* All boats on the inventory lot are new and in good working order. Any servicing of the boats, such as washing, will occur in the existing Boat Service Center.
- c) **Drainage flow patterns shall be shown on the site plan or a separate approved map.** *Finding:* Drainage flow patterns are shown on the site plan. Drainage generally surface flows across the site to the south into an existing landscaped drainage swale where water will infiltrate. The Declaration of Easements and Conditions for Glenn Square states, "Each party... owning an immediately adjacent Tract (publicly accessible, parking and driveway areas) the perpetual right and easement to discharge surface storm drainage and/or runoff from the benefitted Party's tract, over, upon across the publicly accessible parking and driveway areas of the granting Party tracts. A full grading and drainage plan for review and approval is required to be submitted to Private Development as part of the permitting process.

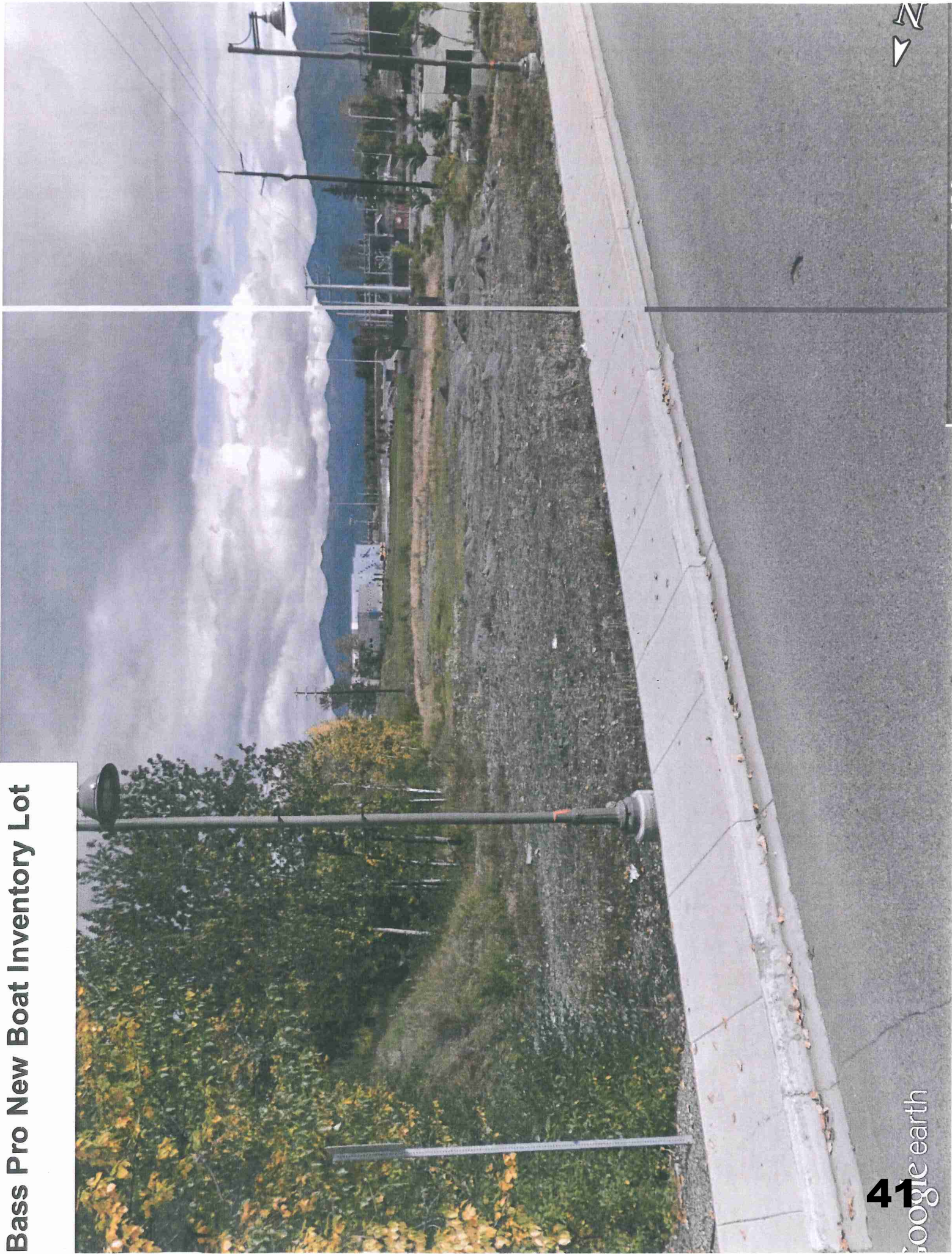
- F) **CURB CUTS.** The width and distance of any access from any property line or street intersection will be subject to the approval of the traffic engineer. **Finding:** *The parcel does not have direct frontage along a Municipal right-of-way as it is part of a larger development with a common driveway to Mountain View Drive. One driveway is being proposed and corner clearance is approximately 115 feet from the western property line and stop controlled intersection of the drive aisles. This project will be reviewed by the Traffic Engineer during the building permit process and this standard will be met.*
- G) **PERMITTED ACCESSORY USES.** The facility may provide two on-site dwelling unit for use by an on-site caretaker, manager, or owner of the site. **Finding:** *There are no buildings proposed; therefore, this standard is met.*
- H) **LIGHTING.** Exterior lighting shall be so arranged and shielded so as to prevent sky glow, glare on adjacent properties or rights-of-way. **Finding:** *Limited site lighting is being proposed. Luminaires will provide full cutoff light distribution to reduce the negative effect so casting light on nearby properties. A lighting plan is required to be submitted with the building permit application and will be reviewed by the Traffic Engineer for approval.*
- I) **STORAGE OF HAZARDOUS MATERIALS: PROHIBITED**
Finding: *There will be no storage or use of hazardous materials at this site. The boat inventory lot is only for storage of new boat inventory. This standard is met.*
- J) **THE FOLLOWING USES ARE PROHIBITED FROM OCCURRING WITHIN VEHICLE STORAGE SPACE:**
- a) The servicing, repair, or fabrication of vehicles, boats, trailers, lawn mowers, appliances, or any other equipment with the exception of battery, tire removal and replacement.
 - b) The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment; and/or
 - c) Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations.
- Finding:** *There will be no storage or use of hazardous materials at this site. The boat inventory lot is only for new boat inventory parking. Any servicing of boats will still be done at the existing Boat Service Center. This standard is met.*
- K) **FENCING AND LANDSCAPING.**
- a) Where vehicle storage facility abuts a commercially zoned district, eight feet of landscaping, in accordance with the standards contained in subsection 21.45.125C.1 (visual enhancement landscaping), shall be required external to the sight-obscuring fence. **Finding:** *The boat inventory lot abuts B-3, commercially-zoned parcels, on the north, west, and south sides of the parcel. The east side of the parcel is zone I-1; however, it is developed as a Middle School. An 8-foot wide landscaping bed with visual enhancement landscaping has been provided on the north, west and south sides of the parcel, along the outside of the site obscuring fence in compliance with this standard. In addition, 8 feet of visual enhancement landscaping on the outside of the site obscuring fencing will be provided along the east side. This proposed project exceeds the standard and requirements of Title 21 landscaping.*

- b) Where lot lines for these facilities abut a residential district, 15 feet of landscaping shall be required, but only arterial landscaping with an eight-foot planting bed shall be required where abutting a street designated as a Class I or greater street on the OS&HP. **Finding:** *The parcel does not abut residentially-zoned districts or any Municipality of Anchorage rights-of-way. This standard is met.*
- c) No landscaping shall be required where a lot line abuts an industrially zoned district, or on the portion of site boundaries where a structure, excluding connexes, abuts either side of the lot line, unless otherwise required by this title. **Finding:** *The parcel to the east is zoned as I-1; however, Clark Middle School is located on the parcel. The applicant understands no visual enhancement landscaping is required along the east lot line; however, 8 feet of landscaping is being provided along the outside of the fence in recognition of the school use. This proposed project exceeds the standard and requirements of Title 21 landscaping.*
- d) Except as otherwise required by law, all site obscuring fence structures shall be at least eight feet high. No fencing shall be required on the portion of site boundaries where a structure, excluding connexes, abuts either side of the lot line. The design of the sight-obscuring fencing structure shall be approved by the Planning Department. **Finding:** *The proposed fencing is 8 feet in height and will be continuous around the perimeter of the site. This standard is met.*
- e) The sight-obscuring fencing structure shall be architecturally compatible with the surrounding properties. All portions of the fence structure visible to the public, adjacent to a protected creek under [section 21.45.210](#), or plainly visible to adjacent residential neighbors, shall be of a sight-obscuring nature, be compatible with the surrounding property, and be constructed of concrete, solid wood or chain link with a neutral color fabric screening or vinyl covering. **Finding:** *The perimeter fencing around the Glenn Square Mall on the south, west, and east side is traditional chain link fence. The north side of the mall has limited fencing which consists of traditional chain link fence and some chain link fencing with vinyl slats. Substation 14 is located in the northeast corner of the mall, just east of the proposed site. It is surrounded with chain link fencing with vinyl slats on the south, east and west sides. On the north side, it is directly visible from the main drive entrance into the mall and has a CMU brick fence that matches the facade of the adjacent building (Bed Bath & Beyond). Existing fencing around Clark Middle School is traditional chain link.*
Fencing along the south and west sides of the site will be solid wood to reflect the Bass Pro Brand and store. Fencing on the north and east sides will be chain link with neutral vinyl slats. This standard is met.
- f) The fencing structure shall be maintained in a safe, sound and orderly condition, and shall be kept free of any advertising matter other than signs permitted by this title. Security wire, such as concertina or razor wire and barbed wire is permitted, but only if inverted inside the fence with posted and maintained prominent warning signs for the fencing, or with a maximum of at least one foot of the wire material exposed and visible outside the fence. **Finding:** *The Bass Pro Shops will maintain the fence in a safe, sound and orderly condition in keeping with the standards of their nearby store, brand and the new boat inventory housed within in the fencing.*

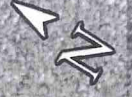
Bass Pro Shops New Boat Inventory Lot
Application for Site Plan Review Narrative
Mountain View Development Subdivision TR 1A-1 Fragment Lot 14A-1

- L) **CONTAINERIZED STORAGE:** In conjunction with vehicle storage yards in the B-3 districts, containerized storage shall be permitted only by conditional use approval under [Section 21.50.450](#). **Finding:** *No containerized storage will occur on the site. Storage necessary to support the new boat inventory will continue to be accommodated at the Bass Pro Shops. This standard is met.*
- M) **Vehicle Storage Yards:** The yard may not be used to display or advertise vehicles for sale. No salvaging, dismantling or disassembly of vehicles is permitted in a vehicle storage yard.
Finding: *The proposed use will serve as a parking lot for new boat inventory in support of the Bass Pro Shops. The lot will be fenced and secured. There will be no salvaging, dismantling or disassembly of the new boats. This standard is met.*

Bass Pro New Boat Inventory Lot



Bass Pro New Boat Inventory Lot



8.62 ft

Google earth

© 2015 Google

Supplemental Form: OWNERSHIP AND BENEFICIAL INTEREST DISCLOSURE

PETITIONER: CORPORATE OFFICERS OR PARTNERS

Applicants for an entitlement that will be in possession and the responsibility of more than one individual, such as a co-owner, joint venture, partnerships, corporations, company, or other similar form of ownership, are required to disclose a full and complete list of the name and address of each principal. (use additional paper if necessary)

Name	Title or Office (if any)	Address	Phone
<i>See attached Declaration of Easements + Conditions for Commercial Tract Lots</i>			

PROPERTY OWNER: CORPORATE OFFICERS OR PARTNERS

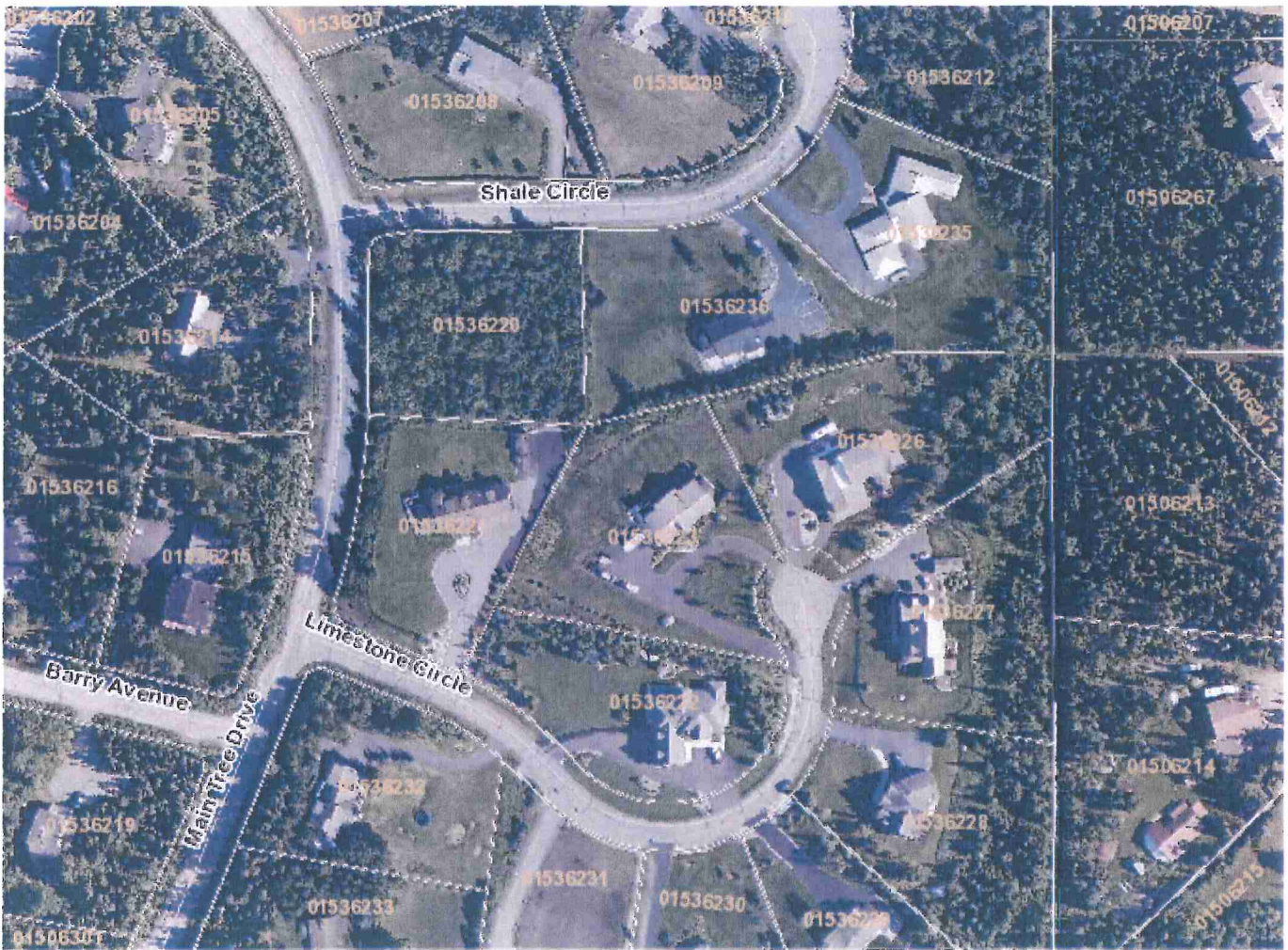
The petitioner of a property owned by more than one individual that will benefit from an entitlement is required to disclose a full and complete list of the name and address of each partner, officer, or co-owner. The other owner interest to be reported is co-owner, joint venture, partnership, corporation, company, or other similar form of ownership. (use additional paper if necessary)

Name	Title or Office (if any)	Address	Phone

Attach this sheet to your application form

Accepted by:	Date:	Application for:	Case Number:
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Anchorage



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Recording District 301 Anchorage
02/06/2015 12:10 PM Page 1 of 6



ANCHORAGE RECORDING DISTRICT

After recording, return to:

Landye Bennett Blumstein LLP
Attn: Joshua Hodes
701 West 8th Avenue, Suite 1200
Anchorage, AK 99501

SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF EASEMENTS AND CONDITIONS FOR COMMERCIAL TRACT FRAGMENT LOT SITE PLAN CASES S-11433-1 AND 2005-150, AND COMMERCIAL TRACT FRAGMENT LOT PLAT CASE S-11647

THIS SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF EASEMENTS AND CONDITIONS FOR COMMERCIAL TRACT FRAGMENT LOT SITE PLAN CASES S-11433-1 AND 2005-150, AND COMMERCIAL TRACT FRAGMENT LOT PLAT CASE S-11647 (this "Amendment") is made as of the 3rd day of December, 2015, by JL GLENN SQUARE, LLC, an Alaska limited liability company ("JL Glenn Square"), whose address is P.O. Box 202845, Anchorage, Alaska 99520-2845, successor-in-interest to KIMCO Glenn Square Anchorage, LLC, a Delaware limited liability company, f/k/a KIMCO/POB Glenn Square Anchorage, LLC, a Delaware limited liability company, ALASKA CORPORATION FOR AFFORDABLE HOUSING, an Alaska corporation (the "Corporation"), whose address is 4300 Boniface Parkway, Suite 200, Anchorage, Alaska 99508, successor-in-interest to ANCHORAGE COMMUNITY DEVELOPMENT AUTHORITY, and the MUNICIPALITY OF ANCHORAGE, whose address is P.O. Box 196650, Anchorage, Alaska 99519-6650 (the "Municipality").

WHEREAS, JL Glenn Square, the Corporation and the Municipality are the Approving Parties under that certain Amended and Restated Declaration of Easement and Conditions for Commercial Tract Fragment Lot Site Plan Cases S-11433-1 and 2005-150, and Commercial Tract Fragment Lot Plat Case S-11647, recorded July 23, 2012, as Serial No. 2012-040473-0, Anchorage Recording District, Third Judicial District, State of Alaska, as amended by that certain Amendment of Declaration of Easements and Conditions For Commercial Tract Fragment Lot Site Plan Cases S-114331 and 2005-150, and Commercial Tract Fragment Lot Plat Case S-11647, recorded September 4, 2014, as Serial No. 2014-035476-0, Anchorage Recording District, Third Judicial District, State of Alaska (collectively, the "A&R Declarations").

WHEREAS, Bass Pro Outdoor World, LLC, a Missouri limited liability company (“Bass Pro”) leases a portion of Fragment Lot 2A (“Frag Lot 2A”), pursuant to an unrecorded lease (the “Bass Pro Lease”) and is entering into a lease with the Corporation for the purposes of boat storage and repair on Fragment Lot 14A-1, Mountain View Subdivision, filed under Plat No. 2014-79, Anchorage Recording District, Third Judicial District, State of Alaska (“Frag Lot 14A-1”).

WHEREAS, the Approving Parties desire to amend the A&R Declarations to permit the usage of Frag Lot 14A-1 for boat storage and repair so long as Bass Pro, or its permitted successors and assign under the Bass Pro Lease, lease premises located on both Frag Lot 2A and Frag Lot 14A-1 and comply with the terms of this Amendment, the A&R Declarations as amended and the Bass Pro Lease.

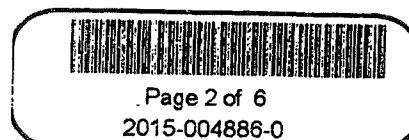
NOW, THEREFORE, the Approving Parties, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby amend the A&R Declarations as follows:

1. All capitalized terms used but not expressly defined herein shall have the meanings assigned thereto in the A&R Declarations.

2. Notwithstanding contrary provisions contained in the A&R Declarations, so long as Bass Pro, or its permitted successors and assigns under the Bass Pro Lease, lease premises on Frag Lot 2A and Frag Lot 14A-1, (a) Frag Lot 14A-1 may be used for a boat service center, boat display and inventory and parking; (b) so long as the plans therefor have been approved by the applicable governmental authority: (i) improvements may be constructed on Fragment Lot 14A including, without limitation, a building containing no more than 10,000 square feet, (ii) a security fence of at least eight feet in height may be constructed around the perimeter of Frag Lot 14A-1, and (iii) signage may be installed on Frag Lot 14A-1, all of which shall be maintained in a state of good condition and repair by the occupant of Frag Lot 14A-1 during the term of its lease thereof, and (c) the occupant of Frag Lot 14A-1 may satisfy the insurance requirements of the A&R Declarations, by maintaining the insurance required by the lease for Frag Lot 14A-1.

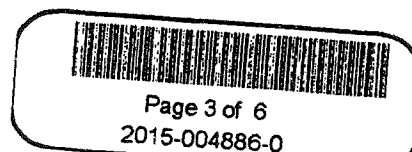
3. Except as expressly modified by the terms and provisions of this Amendment, each of the terms and provisions of the A&R Declarations are hereby ratified and shall remain in full force and effect; provided, however, that any reference in the A&R Declarations to any defined terms shall be deemed, from and after the date hereof, to refer to the defined terms as modified hereby.

4. THE TERMS AND PROVISIONS HEREOF SHALL BE GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF ALASKA.



IN WITNESS WHEREOF, the Corporation, the Municipality and JL Glenn Square have caused this Amendment to be executed effective as of the day and year first above written.

[SIGNATURE AND ACKNOWLEDGEMENT PAGES FOLLOW]



JL GLENN SQUARE, LLC, an Alaska limited liability company

By: JL-GS Partners, LLC, an Alaska limited liability company

By: [Signature]
Its: Managing Member

ACKNOWLEDGMENT

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

The foregoing SECOND AMENDMENT TO AMENDED AND RESTATED AMENDMENT TO DECLARATION OF EASEMENTS AND CONDITIONS was acknowledged before me this 3rd day of February, 2014, by Leonard Hyde, Managing Member, of JL GLENN SQUARE, LLC, an Alaska limited liability company, on behalf of the company.



[Signature]
Notary Public for the State of Alaska
My Commission Expires: 2/14/16

cc

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2015-004887-0

Recording District 301 Anchorage

02/06/2015 12:10 PM Page 1 of 4



ANCHORAGE RECORDING DISTRICT

After recording, return to:

Landye Bennett Blumstein LLP
Attn: Joshua Hodes
701 West 8th Avenue, Suite 1200
Anchorage, AK 99501

**THIRD AMENDMENT TO DECLARATION OF EASEMENTS
AND CONDITIONS**

THIS THIRD AMENDMENT TO DECLARATION OF EASEMENTS AND CONDITIONS (this "Amendment") is made as of the 3rd day of February, 2015, by JL GLENN SQUARE, LLC, an Alaska limited liability company ("JL Glenn Square"), whose address is P.O. Box 202845, Anchorage, Alaska 99520-2845, successor-in-interest to KIMCO Glenn Square Anchorage, LLC, a Delaware limited liability company, f/k/a KIMCO/POB Glenn Square Anchorage, LLC, a Delaware limited liability company, as the Approving Party under the Declaration (as hereinafter defined).

WHEREAS, JL Glenn Square is the Approving Party pursuant to that certain Declaration of Easements and Conditions dated as of May 19, 2006 and recorded on June 1, 2006 as Instrument No. 2006-035835-0 in the Anchorage Recording District, Anchorage Alaska as amended by a First Amendment to Declaration of Easements and Conditions dated as of July 16, 2012 and recorded on July 23, 2012 as Instrument No. 2012-040534-0 in the Anchorage Recording District, Anchorage Alaska and as further amended by a Second Amendment to Declaration of Easements and Conditions dated as of January 23, 2014 and recorded on February 7, 2014 as Instrument No. 2014-004635-0 in the Anchorage Recording District, Anchorage Alaska (collectively, the "DEC") with respect to certain fragment lots of land in the Municipality of Anchorage, State of Alaska more particularly described therein.

WHEREAS, the Approving Party is also a party to that certain Amended and Restated Declaration of Easement and Conditions for Commercial Tract Fragment Lot Site Plan Cases S-11433-1 and 2005-150, and Commercial Tract Fragment Lot Plat Case S-11647, as amended by that certain Amendment of Declaration of Easements and Conditions For Commercial Tract Fragment Lot Site Plan Cases S-114331 and 2005-150, and Commercial Tract Fragment Lot Plat Case S-11647, recorded September 4, 2014, as Serial No. 2014-035476-0, Anchorage Recording District, Third Judicial District, State of Alaska (collectively, the "A&R Declarations), which applies to the shopping center and certain adjacent parcels, including Fragment Lot 14A-1, Mountain View Subdivision, filed

under Plat No. 2014-79, Anchorage Recording District, Third Judicial District, State of Alaska (“Frag Lot 14A-1”).

WHEREAS, both the DEC and A&R Declarations restrict usage of applicable real property from being used to store or repair boats.

WHEREAS, Bass Pro Outdoor World, LLC, a Missouri limited liability company (“Bass Pro”) leases a portion of Fragment Lot 2A (“Frag Lot 2A”), which is subject to the DEC pursuant to an unrecorded lease (the “Bass Pro Lease”) and is entering into a lease with the owner of Frag Lot 14A-1, governed by the A&R Declarations, for purposes using Frag Lot 14A-1 for boat storage and repair.

WHEREAS, the Approving Party desires to amend the DEC to permit the storage and repair of boats on Frag Lot 14A-1 so long as Bass Pro, or its permitted successors and assigns under the Bass Pro Lease, lease premises located on both Frag Lot 2A and Frag Lot 14A-1 and comply with the terms of this Amendment, the DEC as amended herein and the Bass Pro Lease.

NOW, THEREFORE, the Approving Party, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby amends the DEC as follows:

1. All capitalized terms used but not expressly defined herein shall have the meanings assigned thereto in the DEC.

2. Notwithstanding contrary provisions contained in the DEC, so long as Bass Pro, or its permitted successors and assigns under the Bass Pro Lease, lease premises on Frag Lot 2A and Frag Lot 14A-1, (a) Frag Lot 14A-1 may be used for a boat service center, boat display and inventory and parking; (b) so long as the plans therefor have been approved by the applicable government authority: (i) improvements may be constructed on Frag Lot 14A-1 including, without limitation, a building containing no more than 10,000 square feet, (ii) a security fence of at least eight feet in height may be constructed around the perimeter of Frag Lot 14A-1, and (iii) signage may be installed on Frag Lot 14A-1, all of which shall be maintained in a state of good condition and repair by the occupant of Frag Lot 14A-1 during the term of its lease thereof, and (c) the occupant of Frag Lot 14A-1 may satisfy the insurance requirements of the DEC, by maintaining the insurance required by the lease for Frag Lot 14A-1.

3. Except as expressly modified by the terms and provisions of this Amendment, each of the terms and provisions of the DEC are hereby ratified and shall remain in full force and effect; provided, however, that any reference in the DEC to any defined terms shall be deemed, from and after the date hereof, to refer to the defined terms as modified hereby.



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4. THE TERMS AND PROVISIONS HEREOF SHALL BE GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF ALASKA.

IN WITNESS WHEREOF, Approving Party has caused this Amendment to be executed effective as of the day and year first above written.

[SIGNATURE AND ACKNOWLEDGEMENT PAGE FOLLOWS]



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JL GLENN SQUARE, LLC, an Alaska limited liability company

By: JL-GS Partners, LLC, an Alaska limited liability company

By: _____

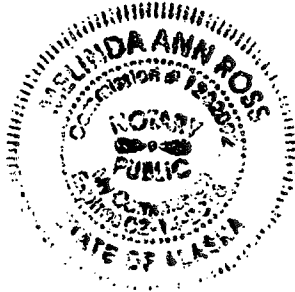
Its: Managing Member



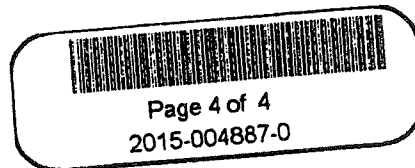
ACKNOWLEDGMENT

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

The foregoing THIRD AMENDMENT TO DECLARATION OF EASEMENTS AND CONDITIONS was acknowledged before me this 3rd day of February, 2015, by Leonard Hyde, Managing Member, of JL GLENN SQUARE, LLC, an Alaska limited liability company on behalf of the company.



Melinda Ann Ross
Notary Public for the State of Alaska
My Commission Expires: 2.14.2016





BASS PRO SHOPS
ANCHORAGE, AK
FRAG LOT 14A-1
BOAT LAYOUT PLAN

REV	DATE	DESCRIPTION	BY

DATE: 12/16/15
STATUS: DRAFT
SCALE:
HORIZ. SCALE: 1"=20'
VERT. SCALE: 1"=4'
SHEET NO.

B1

