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**2020-046293-0**

Recording Dist: 301 - Anchorage

10/5/2020 10:08 AM Pages: 1 of 5



**NOTE**

Send original recorded document to:

Municipality of Anchorage

Current Planning Section

Planning Division

PO Box 196650

Anchorage, AK 99519-6650

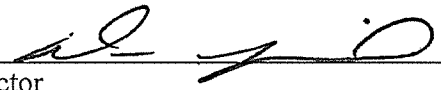
**THIS COVER SHEET HAS BEEN ADDED TO THIS DOCUMENT TO PROVIDE SPACE FOR ANCHORAGE RECORDING DISTRICT DATA. THIS COVER SHEET APPEARS AS THE FIRST PAGE OF THE DOCUMENT IN THE OFFICIAL PUBLIC RECORD.**

**DO NOT DETACH**

NOTICE OF ZONING ACTION

This notice announces that amendments to a conditional use for land reclamation have been duly approved by the Planning and Zoning Commission of the Municipal Planning Department 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 2019-0138. 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.

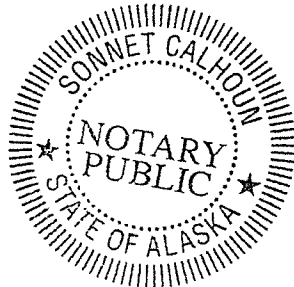
LEGAL: Lancaster Subdivision, Tract A (Plat 80-59); Polen Park Subdivision, Tracts 1, 2 & 3 (Plat 2019-41), S.M., Anchorage Recording District, Anchorage, Alaska. Generally located east of Sand Lake Road, south of West 82nd Avenue, west of Jade Street and north of West Dimond Blvd at 8501 Sand Lake Road  
PETITIONER: Anchorage Sand and Gravel  
REQUEST: Amendment to an existing Conditional Use for land reclamation.  
ATTACHMENT: Copy of the Municipality of Anchorage, Planning and Zoning Commission Resolution No. 2020-010

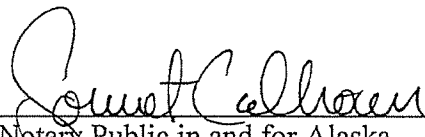
  
\_\_\_\_\_  
Director  
Municipality of Anchorage  
Planning Department

STATE OF ALASKA )  
) )  
THIRD JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on the 5<sup>th</sup> day of October, 2020 before me, the undersigned, a Notary Public in and for Alaska, personally appeared Dave Whitfield, to me known to be the duly appointed representative of the Director of the Planning Department and acknowledged to me that he had in his 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 5<sup>th</sup> day of October, 2020 in this certificate first above written.



  
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Notary Public in and for Alaska  
My Commission expires: 10-2-2023



**MUNICIPALITY OF ANCHORAGE  
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2020-010**

A RESOLUTION APPROVING AMENDMENTS TO A CONDITIONAL USE FOR LAND RECLAMATION; WITHIN LANCASTER SUBDIVISION, TRACT A, AND POLEN PARK SUBDIVISION, TRACTS 1, 2, AND 3; GENERALLY LOCATED NORTH OF WEST DIMOND BOULEVARD, EAST OF SAND LAKE ROAD, SOUTH OF 82<sup>ND</sup> AVENUE, AND WEST OF THE ENDICOTT STREET RIGHT-OF-WAY, IN ANCHORAGE.

(Case 2019-0138; Tax I.D. No. 001-162-42, -92, -93, and -94)

WHEREAS, a request has been received from Anchorage Sand and Gravel, petitioner, and S4 Group, Inc., representative, for amendments a conditional use for land reclamation within Lancaster Subdivision, Tract A, and Polen Park Subdivision, Tracts 1, 2, and 3; generally located north of West Dimond Boulevard, east of Sand Lake Road, south of 82<sup>nd</sup> Avenue, and west of the Endicott Street right-of-way, and

WHEREAS, notices were published, posted, and mailed, and a public hearing was held on March 9, 2020.

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

- A. The Commission makes the following findings of fact:
1. This application for amendments to an existing conditional use meets the nine approval criteria for a conditional use and the standards for land reclamation.
  2. There was no public testimony during the public hearing. The written comments that were received from nearby residents expressed concern about a different case about rezoning the property. This application is not a rezone, but an amendment to a conditional use to include additional acreage and to update the grading and drainage plan.
  3. A neighbor was concerned about the difference of grade from their property to this site. After hearing the petitioner's testimony, those grades are not the final grades.
  4. The grade will be below street level, which would address the written concerns submitted by the public.
  5. This amendment will add approximately 300,000 cubic yards of fill. It is not anticipated to affect the completion date of the project
- B. The Commission APPROVES the amendments, subject to the following conditions:



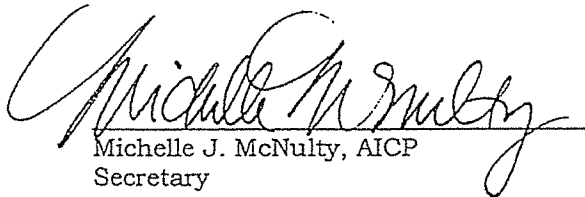
1. This approval is subject to the petitioner's application, narrative, and the following plans on file at the Planning Department, except as modified by these conditions of approval:
  - a. Sand Lake Fill Site – CUP Amendment Operations Plan
  - b. Sand Lake Fill Site – Estimated Filling Phases, 1-7-2020
  - c. Sand Lake Reclamation Site Conditional Use Amendment, Sheets C1 to C8, drawn by Brandon J. Marcott, Registered Professional Engineer, Triad Engineering, LLC.
2. A notice of zoning action and a final approved site plan shall be filed with the State Recorder's Office. Proof of such shall be submitted to the Planning Department.
3. Provide a stormwater pollution prevention plan to Watershed Management Services for review and approval.
4. This conditional use approval is valid until May 5, 2024.
5. At the end of the land reclamation operation, a close out inspection of the property with representatives of Private Development and Planning shall be conducted to evaluate the final restoration and compliance with the reclamation plan.
6. The list of acceptable fill materials is as follows: peat, clay, silty soil, hydro-axed materials, tree fragments, stumps, turf, and other organics associated with permitted clearing and grubbing operations, including wood chips from grinding operations, and concrete remnants related to demolition, concrete testing, or construction site clean-up.
7. Operational hours shall be limited to 7:00 a.m. to 6:00 p.m. on Monday through Saturday. No operations will be permitted on Sundays or legal holidays.
8. All on-site equipment shall be muffled and use white noise alarms or motion detectors for backing up.
9. Annually an inspection report prepared by a registered and professional engineer will identify the location and extent of the backfill as it relates to the fill being placed, and as it relates to the approved fill document. This report is to be submitted by December 31 of each year to the Planning Department for compliance to these conditions of approval.
10. The petitioner shall provide logbooks with dates, time and material dumped, to be available upon request of the Planning Department.

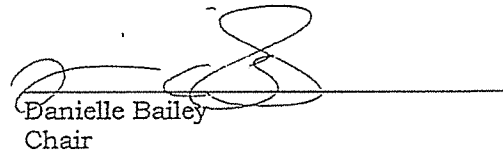


11. On-site personnel shall be formally trained on all aspects of the operation of the reclamation site.
12. The telephone number of Anchorage Sand and Gravel shall be placed on the side of the on-site operations building. The sign shall be of sufficient size to be visible from the adjacent roadway and the view of the sign shall be unobstructed by equipment, machinery, vegetation and the like.
13. On-site personnel shall have total authority to direct road clean-up and maintenance operations as needed. On-site personnel shall have the authority to call a sweeper, water truck and motor grader, as necessary, to respond to specific site conditions or complaints.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 9<sup>th</sup> day of March, 2020.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 4<sup>th</sup> day of May, 2020. 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.

  
Michelle J. McNulty, AICP  
Secretary

  
Danielle Bailey  
Chair

(Case 2019-0138; Tax I.D. No. 001-162-42, -92, -92, and -94)

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