

Submitted by: Assembly Members Wuerch, Meyer,
and Wohlforth

For reading: October 6, 1998

Anchorage, Alaska
AO 98-170

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING
FOR THE REZONING FROM R-4 (MULTIFAMILY
RESIDENTIAL) ZONE TO B-3SL (GENERAL BUSINESS DISTRICT)
ZONE WITH SPECIAL LIMITATIONS FOR CALAIS SUBDIVISION,
BLOCK 6, LOT 1, LOT 2 AND THE SOUTH 1/2 OF LOT 3, AND LOT 4
AND THE NORTH 1/2 OF LOT 3, GENERALLY LOCATED ON THE
EAST SIDE OF EIDE STREET AND BETWEEN 31ST AVENUE AND
WEST 32ND AVENUE.

(Spenard Community Council)(Case 98-132)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1: The zoning map shall be amended by designating the following
described property as B-3SL (General Business District) zone with special
limitations:

Calais Subdivision, Block 6, Lot , Lot 2 and the South 1/2 of Lot 3, and
Lot 4 and the North 1/2 of Lot 3.

Section 2. The zoning map amendment described in Section above shall
be subject to the following special limitations:

A. Uses

1. Multifamily residential, business, business services, professional
services and personal services that are permitted in the B-3 district,

1 including accessory uses and structures, are allowed in the rezone area (Lots
2 1 through 4, Block 6, Calais Subdivision), however, all retail, wholesale,
3 incidental manufacturing or processing uses, in addition to all conditional
4 uses, per AMC 21.40.180.D. are prohibited.
5

6 2. Future development of Lots 1 through 4, Block 6, Calais Subdivision,
7 shall maintain a multifamily residential floor area that is a minimum of at
8 least 50% of the total habitable floor area, not including ground level
9 parking facilities.
10

11 **B. Design Standards:**

12
13 1. A non-public hearing site plan review is required for any new building
14 construction, prior to issuance of any building permit.
15

16 2. To the maximum extent feasible, the height, setback, and character of
17 new buildings shall be similar to the residential structures in and around the
18 rezone area at the time of development. Taller buildings or portions of
19 buildings shall be located interior to the site. Buildings on the perimeter of
20 the rezone area shall be of a similar height, setback and character to
21 buildings in the adjoining blocks.
22

23 **Section 3.** The ordinance referenced in Section 1 above shall become
24 effective upon satisfaction of the following:
25

26 **A** Resolve site development issues raised by Physical Planning in the
27 revised comments dated, August 3, 1998, (through a non-public hearing site
28 plan process).
29

30 **B.** Resolve with Public Works the number and layout of parking spaces
31 required in the rezone area (7-plexes) and the adjoining office/retail uses,
32 subject to approval of the final site plan by the Department of Community
33 planning and Development as part of a non-public hearing site plan review.
34
35

36 **C.** Replat the 1.12 acres of land under contiguous ownership identified
37 in the application for rezone into one or more parcels that conform to the
38 existing and proposed development patterns in the rezone area and that

1 conform to the applicable lot area and width requirements; or, in the
2 alternative, obtain a determination of nonconforming status replat into a
3 single contiguous parcel.
4

5 D. The director of the Department of Community Planning and
6 Development determines that the special limitations set forth in Section 2
7 above have the written consent of the owners of the property within the area
8 described in Section 1 above. The Director of the Department of
9 Community
10 Planning and Development shall make such a determination only if he/she
11 receives evidence of the required consent with 120 days after the date on
12 which this ordinance is passed and approved.
13

14 PASSED AND APPROVED by the Anchorage Assembly this
15 day of _____, 199 .
16
17

18 _____
19 Chairman

20 ATTEST:
21
22

23 _____
24 Municipal Clerk

25 (98-132)

26 (Tax ID. #009-036-01, 009-036-02 and 009-036-03)

**MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 98-077**

DRAFT

A RESOLUTION APPROVING A REZONE FROM R-4 (MULTIFAMILY RESIDENTIAL) TO B-3/SL (GENERAL BUSINESS) WITH SPECIAL LIMITATIONS FOR CALAIS SUBDIVISION, BLOCK 6, LOT 1, LOT 2 AND THE S 1/2 OF LOT 3, AND LOT 4 AND THE N 1/2 OF LOT 3, GENERALLY LOCATED ON THE EAST SIDE OF EIDE STREET AND BETWEEN 31ST AVENUE AND WEST 32ND AVENUE.

(Case 98-132; 009-036-01, 009-036-02 and 009-036-03)

WHEREAS, a petition was received from Bernard Hoffman, represented by DOWL Engineers, requesting to rezone a 1.12 acre area identified as Calais Subdivision, Block 6, Lot 1, Lot 2 and the S 1/2 of Lot 3, and Lot 4 and the N 1/2 of Lot 3, from R-4 (Multi-family Residential) to B-3 (General Commercial) with special limitations, generally located on the east side of Eide Street and between 31st Avenue and West 32nd Avenue.

WHEREAS, notices were published, posted and mailed and a public hearing was scheduled for August 3, 1998 and a public hearing was held August 10, 1998.

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

A. The Commission makes the following findings of fact:

1. The rezone, with the inclusion of special limitations to require a substantial residential component will be included in future development of the parcel, is generally consistent with the Comprehensive Plan designation for this area. In addition, the use of the site for other than residential is restricted to office use only, no retail or service commercial is permitted unless it is office oriented.
2. The Comprehensive Plan depicts this area as high density residential. The rezone area is located at the edge of a contiguous R-4 district and is within 500 feet of a designated commercial area identified in the 1982 Anchorage Bowl Comprehensive Plan.
3. The rezone will not have a substantial effect on the provision of municipal utilities and services in the area. The rezone area is adequately served by all major utilities. The rezone area is currently served by Municipal road, fire and police services.
4. Special limitations are included with this rezone to ensure the that the change is generally consistent with the comprehensive plan designation for the area and to ensure compatibility between future development in the rezone area and existing residential development located to the west and south.

5. Effective clauses are required to resolve certain site plan/parking layout issues that were identified by Physical Planning during the review of this request. In addition, it will be beneficial to existing development within the rezone area, as well as development in the surrounding area to consolidate the four lots contained in this rezone by replatting prior to the zoning becoming effective.
 6. A non-public hearing site plan review is required for future development within the rezone area, to ensure that future development site designs and layouts are compatible with residential development in the surrounding area.
 7. The rezone will have little effect on school enrollment, demand for public services or otherwise add to utility and service area responsibilities. Approval of the rezone will not have a substantial effect on the supply of land in the economically relevant area, nor will the rezone have an effect on the residential density or the distribution of land uses in the area.
- B. The Commission recommends the above captioned rezoning to B-3/SL be APPROVED by the Anchorage Assembly subject to the following:
1. Effective Clause: Prior to this rezoning becoming effective:
 - a. Resolve site development issues raised by Physical Planning in the revised comments dated, August 3, 1998, (through a non-public hearing site plan process)
 - b. Resolve with Public Works the number and layout of parking spaces required in the rezone area (7-plexes) and the adjoining office/retail uses, subject to approval of the final site plan by the Department of Community Planning and Development as part of a non-public hearing site plan review.
 - c. Replat the 1.12 acres of land under contiguous ownership identified in the application for rezone into one or more parcels that conform to the existing and proposed development patterns in the rezone area and that conform to the applicable lot area and width requirements; or, in the alternative, obtain a determination of nonconforming status replat into a single contiguous parcel.
 2. Special Limitations
 - a. Uses:
 - 1) Multifamily residential, business, business services, professional services and personal services that are permitted in the B-3 district, including accessory uses and structures, are

allowed in the rezone area (Lots 1 through 4, Block 6, Calais Subdivision), however, all retail, wholesale, incidental manufacturing or processing uses, in addition to all conditional uses, per AMC 21.40.180.D, are prohibited.

2) Future development of Lots 1 through 4, Block 6, Calais Subdivision, shall maintain a multifamily residential floor area that is a minimum of at least 50% of the total habitable floor area, not including ground level parking facilities.

b. Design Standards:

1) a non-public hearing site plan review is required for any new building construction, prior to issuance of any land use permit,

2) To the maximum extent feasible, the height, setback, and character of new buildings shall be similar to the residential structures in and around the rezone area at the time of development. Taller buildings or portions of buildings shall be located interior to the site. Buildings on the perimeter of the rezone area shall be of a similar height, setback and character to buildings in the adjoining blocks.

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission this 10th day of August, 1998. This is the final decision of the Board. Any party aggrieved by that decision may file an appeal pursuant to AMC 21.30.030. no later than 15 days after the public hearing decision of the Planning and Zoning Commission.

Sheila Ann Selkregg, Ph.D.
Director

Daphne Brown
Chair

(Case No. 98-132)
(Tax ID 009-036-01, 009-036-02 and 009-036-03)