

CLERK'S OFFICE  
AMENDED AND APPROVED  
Date: 7-14-98

Submitted by: Assemblymember Wohlforth  
Prepared by: Assembly Office  
For reading: June 9, 1998

ANCHORAGE, ALASKA  
AO 98-110

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING FROM B-1A SL (LOCAL AND NEIGHBORHOOD BUSINESS) DISTRICT AND R-10 SL (ALPINE/ SLOPE WITH SPECIAL LIMITATIONS) DISTRICT TO B-1A SL (LOCAL AND NEIGHBORHOOD BUSINESS) DISTRICT, R-10 SL (ALPINE/ SLOPE WITH SPECIAL LIMITATIONS) DISTRICT AND PLI SL, PUBLIC LANDS AND INSTITUTIONS WITH SPECIAL LIMITATIONS; TRACTS A AND B, STUCKAGAIN HEIGHTS SUBDIVISION, LOCATED IN THE NE¼ OF SECTION 6, T12N, R2W, S. M., AK., GENERALLY LOCATED TO THE EAST OF BASHER DRIVE AND NORTH OF NEARPOINT DRIVE.

(Basher(Stuckagain Hgts) Community Council) (Planning and Zoning Commission Case 98-052)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The zoning map shall be amended by designating the following described property as R-10, (Residential alpine/slope affected with special limitations) zone:

Tracts A & B, Stuckagain Heights Subdivision less commencing at the common section corner of sections 5 and 6, T12N, R2W, and sections 31 and 32, T11N, R2W, SM., Alaska; thence south S00°08'00"E, 208.00' to the true point of beginning; thence south S00°08'00"E, 674.00'; thence N80°30'17"W, 408.88'; thence north and west along radius of 180.00'; 50.81'; thence N08°40'41"W, 172.14' 174.14'; thence N89°52'00"E, 212.18'; thence N00°08'00"W, 384.00'; thence N89°52'00"E, 209.00' to the true point of beginning as shown on exhibit A and B attached (Planning and Zoning Commission Case 98-052).

Section 2. The zoning map shall be amended by designating the following described property as PLI, (Public Lands and Institutions with special limitations) zone:

Commencing at the common section corner of sections 5 and 6, T12N, R2W, and sections 31 and 32, T11N, R2W, SM., Alaska; thence south S00°08'00"E, 622.00' to the true point of beginning; thence south S00°08'00"E, 260.00'; thence N80°30'17"W, 408.88; thence north and west along radius of 180.00'; 50.81'; thence N08°40'41"W, 141.94'; thence N89°52'00"E, 417.74' to the true point of beginning, a parcel of 2.24 acres more or less, all located in the NE¼ of Section 6, T12N, R2W, SM., Alaska, as shown on exhibit A and B attached (Planning and Zoning Commission Case 98-052).

1 Section 3. The zoning map shall be amended by designating the following described  
2 property as B-1A, (Local and neighborhood business district with special limitations)  
3 zone:

4 Commencing at the common section corner of sections 5 and 6, T12N, R2W,  
5 and sections 31 and 32, T11N, R2W, SM., Alaska; thence south S00°08'00"E,  
6 06° 208.00' to the true point of beginning; thence south S00°08'00"E, 414.00';  
7 thence S89°52'00"W, 417.74; thence N08°40'41"W, 30.20'; thence N89°52'00"E,  
8 212.18'; thence N00°08'00"W, 384.00'; thence N89°52'00"E, 209.00' to the true  
9 point of beginning, a parcel of 1.99 acres more or less, all located in the NE¼ of  
10 Section 6, T12N, R2W, SM., Alaska, as shown on exhibit A and B attached  
11 (Planning and Zoning Commission Case 98-052).

12 Section 4. The zoning map described in section 1 above shall be subject to the  
13 following listed restrictions and design standards (special limitations):

- 14 1. The lots shall have a minimum area of 54,450 square feet (1 1/4 acres), except  
15 where development occurs under the cluster housing standards there shall be no  
16 minimum lot size and maximum density shall be .8 dwelling units per acre.  
17
- 18 2. Residential development shall be limited to single-family detached dwellings as the  
19 principal permitted structure.  
20
- 21 3. Electrical, communication, signal control, or other utility distribution lines shall be  
22 placed underground.
- 23 4. Prior to the issuance of a land use permit on any portion of the R-10 SL portion of  
24 the site, the petitioner shall submit a fire safety plan for review by the fire prevention  
25 Division of the Anchorage Fire Department.

26 Section 5. The zoning map described in section 2 above shall be subject to the  
27 following listed restrictions and design standards (special limitations):

- 28 1. There shall be no expansion of the existing Transmission Tower uses on the  
29 2.24 ~~2.50~~ acre portion of the site. There shall be no additional Transmission Towers  
30 developed on the site.  
31
- 32 2. Transmission towers shall be restricted to those structures existing with legal  
33 nonconforming rights.
- 34 3. Prior to the issuance of a land use permit on any portion of the PLI SL portion of  
35 the site, the petitioner shall submit a fire safety plan for review by the fire  
36 prevention Division of the Anchorage Fire Department.

1 Section 6. The zoning map described in section 3 above shall be subject to the  
2 following listed restrictions and design standards (special limitations):

3 A. Only the following principal uses and structures are permitted:

- 4 1 restaurants, tearooms, cafes and other places serving food or beverages;  
5 2. single-family dwellings, subject to a minimum lot size 54,450 square feet  
6 (1 1/4 acres).

7 B. Only the following Conditional Uses may be permitted:

8 1 uses involving the sale, dispensing or service of alcoholic beverages in  
9 accordance with AMC 21.50.160.

10 2. Any existing use and/or structures not established as an allowable use  
11 and/or structure under the B-1A district classification shall be considered  
12 as a nonconforming use and/or structure and shall be subject to the  
13 provisions of AMC 21.55.

14 C. Prior to the issuance of any land use or building permit for any new structure or  
15 addition to any existing structure equal to or greater than 10% of the square  
16 footage, a public hearing site plan shall be submitted for review. The site plan  
17 shall identify:

- 18 1. building plans, including elevations  
19 2. grading and drainage plan  
20 3. landscaping, including buffering of adjacent uses  
21 4. parking areas  
22 5. ingress/ egress  
23 6. vehicular and pedestrian circulation and  
24 7. site design measures necessary to minimize impact on critical  
25 environmental features, e.g. steep slopes

26 D. Prior to the issuance of a land use permit on any portion of the B-1A SL, portion  
27 of the site, the petitioner shall submit a fire safety plan for review by the fire  
28 prevention Division of the Anchorage Fire Department.

29 Section 7. The special limitations set forth in this ordinance prevail over any  
30 inconsistent provisions of Title 21 of the Anchorage Municipal Code, unless specifically  
31 provided otherwise. All provisions of Title 21 of the Anchorage Municipal Code not  
32 specifically affected by a special limitation set forth in this ordinance shall apply in the  
33 same manner as if the district classification applied by the ordinance was not subject to  
34 special limitations.

Section 8. The Director of Community Planning and Development shall change the zoning map accordingly.

3 Section 9. The ordinance referenced in Section 1 above shall become effective upon  
4 satisfaction of the following:

- 5 A. A final plat has been approved by the Platting Authority which reflects the  
6 reconfiguration of the site in accordance with the adopted zoning change.  
7
- 8 B. All nonconforming structures and uses without grandfather rights shall be  
9 removed from the site prior to the zoning map amendments becoming effective.  
10 Proof of such shall be provided to the Department of Community Development  
11 and Planning.  
12
- 13 C. The director of the Department of Community Planning and Development  
14 determines that the special limitations set forth in Section 4, 5 and 6 above have  
15 the written consent of the owners of the property within the area described in  
16 Section 1, 2, and 3 above. The Director of the Department of Community  
17 Planning and Development shall make such a determination only if he/she  
18 receives evidence of the required consent within 120 days after the date on  
19 which this ordinance is passed and approved.

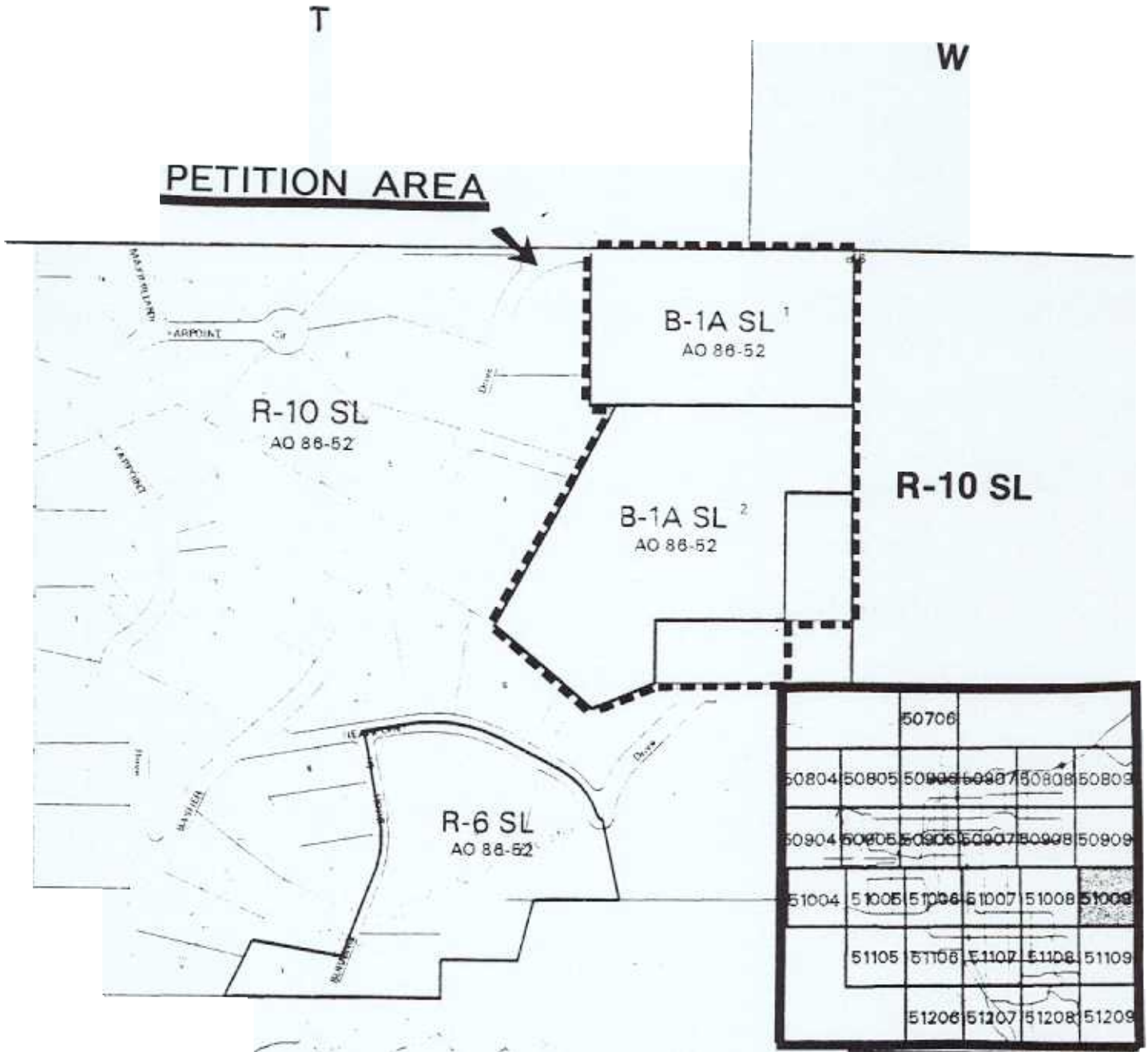
20  
21 PASSED AND APPROVED by the Anchorage Assembly this 14<sup>th</sup> day of  
22 July, 1998

23  
24  
25  
26  
ATTEST:

Fay Von Hennigen  
Chairman

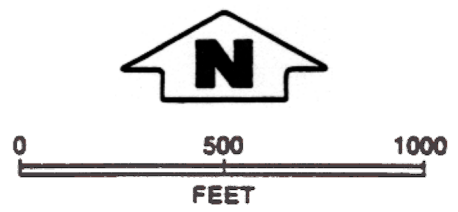
Lizanne Ferguson  
Municipal Clerk

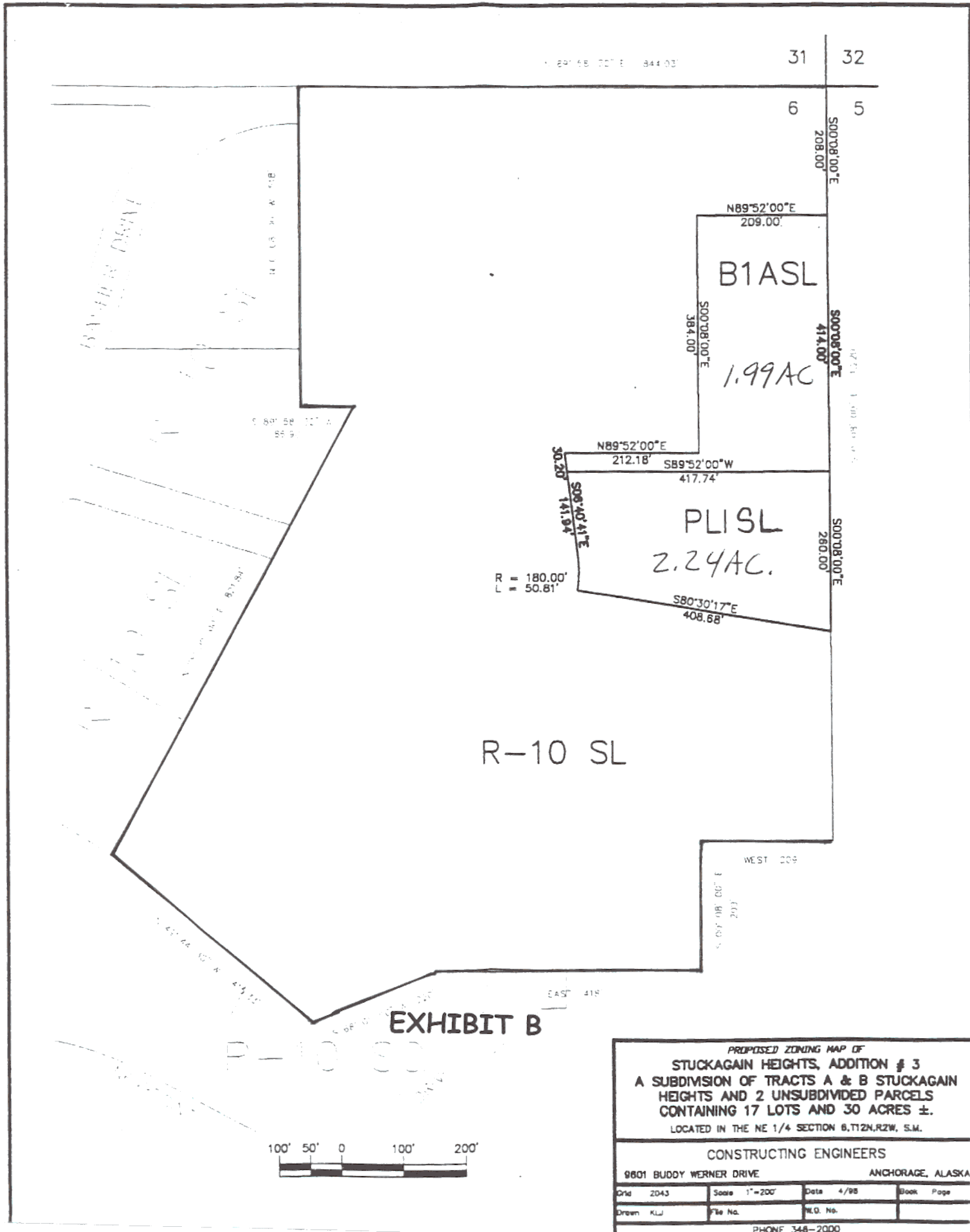
# 98 052 REZONING



**EXHIBIT A**

- 100 Year Floodplain
- 500 Year Floodplain





PROPOSED ZONING MAP OF  
 STUCKAGAIN HEIGHTS, ADDITION # 3  
 A SUBDIVISION OF TRACTS A & B STUCKAGAIN  
 HEIGHTS AND 2 UNSUBDIVIDED PARCELS  
 CONTAINING 17 LOTS AND 30 ACRES ±.  
 LOCATED IN THE NE 1/4 SECTION 8, T12N, R2W, S.M.

CONSTRUCTING ENGINEERS			
9601 BUDDY WERNER DRIVE		ANCHORAGE, ALASKA	
Ord 2043	Scale 1"=200'	Date 4/98	Book Page
Drawn K.L.J.	File No.	W.O. No.	
PHONE 348-2000			