

CLERK'S OFFICE  
**AMENDED AND APPROVED**  
Date: 2-9-99

Submitted by: Assemblymember KENDALL  
Prepared by: Assembly Office  
For reading: January 12, 1999

**ANCHORAGE, ALASKA**  
**AO NO. 99- 4**

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING FROM PC (PLANNED COMMUNITY) TO B-3 (GENERAL BUSINESS DISTRICT) ZONE WITH SPECIAL LIMITATIONS FOR TRACT 1, POWDER RESERVE SUBDIVISION, GENERALLY LOCATED IMMEDIATELY NORTHWEST AND SOUTHWEST OF THE NORTH EAGLE RIVER INTERCHANGE OF THE NEW GLENN HIGHWAY.

(Birchwood Community Council)(Case 99-001)

THE ANCHORAGE ASSEMBLY ORDAINS:

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

Tract 1, Powder Reserve Subdivision

**Section 2:** The zoning map amendment described in Section 1 above shall be subject to the following special limitations:

1. Permitted Principal Uses and Structures:
  - a. Regional Serving Factory Outlet Retail
2. Other Uses:
  - a. Visitor Center
  - b. Museum
  - c. Community Recreation Center
3. Conditional Uses
  - a. None
4. Permitted Accessory Uses and Structures:
  - a. Uses and structures customarily accessory and clearly incidental to permitted principal uses and structures, such as food courts, restaurants or similar places serving food and beverages (wine and beer only), and uses in support of the factory outlet mall.

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4 **Section 3:** The special limitations set forth in this ordinances prevail over any  
5 inconsistent provision of Title 21 of the Anchorage Municipal Code, unless specifically  
6 provided otherwise. All provisions of Title 21 of the Anchorage Municipal Code not  
7 specifically affected by a Special Limitation set forth in this ordinance shall apply in the  
8 same manner as if the district classifications applied by this ordinance were not subject to  
9 special limitations.

10  
11 **Section 4:** The Director of the Department of Community Planning and  
12 Development shall change the zoning map accordingly.

13  
14 **Section 5:** The ordinance referenced in Section 1 above shall become effective  
15 upon satisfaction of the following:

- 16 building of a
- 17 a. Issuance of a Land Use Permit for a minimum of 130,000 gross floor square  
18 footage within three years of Assembly approval of this rezoning, or the  
19 rezoning shall become null and void.
- 20  
21 b. A Public Hearing Site Plan Review in conformance with Anchorage Municipal  
22 Code 21.15.030, to include but is not limited to parking lot design, circulation,  
23 and landscaping, signage, landscaping and snow storage, lighting, scale, etc
- 24  
25 c. Prior to the public hearing site plan review, a Traffic Impact Analysis shall be  
26 submitted for review and approval to Municipal Traffic Engineering,  
27 Transportation Planning and the State Department of Transportation.
- 28  
29 d. Upon approval of the rezoning, Tract 1, Powder Reserve Subdivision shall  
30 be removed from the Powder Reserve Master Plan and from the PC zone.
- 31  
32 e. The Director of the Department of Community Planning and Development  
33 determines that the special limitations set forth in Section 2 above have the  
34 written consent of the owners of the property within the area described in  
35 Section 1 above. The Director of the Department of Community Planning  
36 and Development shall make such a determination only if he/she receives  
37 evidence of the required consent within 120 days after the date on which this  
38 ordinance is passed and approved.

39  
40 PASSED AND APPROVED by the Anchorage Assembly this 9<sup>th</sup> day of  
41 February, 1999.

42   
43 Chair

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45 ATTEST:

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47 Municipal Clerk  
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