

CLERK'S OFFICE

APPROVED

Date: 3-25-02

Submitted by:

Chairman of the Assembly at the
Request of the Mayor

Prepared by:

Planning Department

For reading:

January 8, 2002

Anchorage, Alaska

AO 2002- 7

AN ORDINANCE AMENDING THE PC (PLANNED COMMUNITY DISTRICT) ZONE FOR TRACT 1 AND A PORTION OF TRACT 7, POWDER RIDGE SUBDIVISION (PLAT 98-80) TO MODIFY THE MASTER DEVELOPMENT PLAN AND DESIGN STANDARDS FOR DEVELOPMENT AREA "O" ADOPTED BY AO 94 235 (S-1) (AS AMENDED) (AS CORRECTED 5/4/95) AND FOR DEVELOPMENT AREA "P" AS AMENDED BY AO 2000-143 (S-2), GENERALLY LOCATED SOUTHWEST OF THE NORTH EAGLE RIVER INTERCHANGE OF THE NEW GLENN HIGHWAY IN EAGLE RIVER, WITHIN PORTIONS OF SECTIONS 35 AND 36, T15N, R2W, S.M., ALASKA.

(Birchwood Community Council: Case No. 2001-103)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. That the Master Plan for the PC (Planned Community) District, as depicted on Exhibit A (attached), for Development Area O and a portion of Development Area P subdivided as Tract 1 and a portion of Tract 7, Powder Ridge Subdivision (Plat 98-80) located within of Sections 35 and 36, T15N, R2W, S.M., Alaska, is hereby amended as set forth in subsequent sections.

Section 2. Page 2, Line 1 of the Master Development Plan Matrix contained in AO 94-235 (S-1) (as amended) (as corrected 5/4/95) as further amended by AO 2000-143 (S-2) is hereby amended to read as follows: *(the remainder of the matrix is not affected and therefore not set out) (note that 21.40.040 is R-2A two-family residential district (large lot) and R-2D two-family residential district zoning.)*

Master Development Plan Matrix

Development Area	Permitted or Conditional Uses			Total Dwelling Units	Total Commercial Retail Floor Area	Total Office Space
	Residential	Commercial	Other			
O	P [NP ²]*	Subject to AMC 21.40.040, [P, CU]	Subject to AMC 21.40.040 [P, CU]	101	[130,000 sf ²]	[30,000 sf]
Total				1891[1790]	[130,000 sf ²]	[30,000 sf]

Key: P = Permitted principal use NP = Not permitted CU = Conditional use

Section 3. AO 94-235 (S-1) (as amended) (as corrected 5/4/95) as further amended by AO 2000-143 (S-2) is amended at page 24 to read as follows:

Section 8. Development Area O consisting of 35± acres shall be restricted to the following uses and development design standards:

1. Development Area O (Single-Family/Two-Family Residential) [OFFICE/ INSTITUTIONAL/ HOTEL/MOTEL/COMMERCIAL RETAIL]

Intent and Use. Development standards within Development Area O shall be the same as the R-2D (two-family residential district) zone as defined in AMC 21.40.040. [THE DEVELOPMENT PROPOSED FOR THIS AREA IS INTENDED TO PROVIDE A MIX OF LOCAL/NEIGHBORHOOD-SERVING AND PRIMARILY REGIONAL-SERVING USES. THE AREA MAY INCLUDE COMMERCIAL RETAIL USES THAT ARE PRIMARILY LOCAL/NEIGHBORHOOD-SERVING. THE AREA MAY ALSO INCLUDE REGIONAL AND LARGER AREA SERVING TRANSIENT LODGING FACILITIES, INSTITUTIONAL USES, COMMERCIAL OFFICES AND SERVICES, AND OTHER SPECIFIED USES.]

Page 25, delete Lines 1 through 43.

Page 26, delete Lines 1 through 41.

Page 27, delete Lines 1 through 45.

Page 28, delete Lines 1 through 28.

Section 4. The Master Development Plan of the Powder Reserve adopted by AO 94-235 (S-1) (as amended) (as corrected 5/4/95) as further amended by AO 2000-143(S-2) is hereby amended at page 5 of AO 2000-143 (S-2) – Section III, Table 1. Land Use Data, to read as follows: *(the remainder of the table is not affected and therefore not set out)*

Table 1. Land Use Data.

Development Area	Description	Area (Ac.)	Development Units	Density (DU/Ac.)
O	<u>Single-Family/Duplex Residential (R-2A/R-2D)</u> [OFFICE/RETAIL/HOTEL/INSTITUTIONAL AREA]	<u>36</u> [35]	<u>101</u> [0]	<u>2.81</u> [0.0]
P	Multiple-Family Residential (R-2M)	<u>36</u> [37]	140	<u>3.89</u> [3.78]
	TOTAL	537	<u>1,931</u> [1,830]	<u>3.6</u> [3.4]
% of Total				
D, E, I, J, L, M, N, O & P	Total Residential Area	<u>448</u> [413]	<u>1,931</u> [1,854]	<u>83.4</u> [76.9]
A, C, G, K, Q	Total Open Space Area (Undisturbed Areas and Green Belt)	59	0	11.0
F, & H	Total Public Use Area (School and Parks)	30	0	5.6

[O]	[TOTAL OFFICE/HOTEL/INSTITUTION AREA]	Q [35]	0	Q [6.5]
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[Note that changes have been made to the total area. This is a result of boundary surveys completed for a portion of the property through the platting process. Additional changes are anticipated as the site is platted and development areas are defined by actual boundary surveys.]

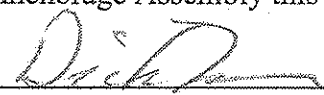
Section 5. AO 2000-143(S-2) provided as a pre-condition to its effectiveness that no further amendments would be considered by the Municipality without an accompanying re-evaluation of the Master Plan. The Assembly finds that the amendments contained herein are appropriate and waives the condition, but only to the extent required to approve this ordinance. No further zoning amendments of the PC Zone as represented by the Master Development Plan, Powder Reserve (as amended and corrected), shall be considered by the Municipality of Anchorage, without an accompanying re-evaluation of the existing Master Plan. At a minimum, the re-evaluation should address the inter-relationship of Powder Reserve Tracts A, B and C, as well as the use of standard zoning districts in lieu of the current PC and T zoning in the area.

Section 6. The Director of the Planning Department shall change the zoning map in accordance with Section 1 above, which shall become effective upon:

- a. Receipt by the Planning Department of a letter from the petitioner with 120 days of Assembly approval indicating no objection to any conditions contained herein.
- b. submittal by the petitioner of 18 copies of an updated Master Plan that is revised in accordance with the amendments contained herein, and all prior amendments and corrections, which shall be delivered to the Director of the Planning Department. The update shall include all prior amendments or revisions to the Master Development Plan for Tract A, Powder Reserve, that have been duly approved by the Assembly since the original approval in 1995.

PASSED AND APPROVED by the Anchorage Assembly this 5 day of March, 2002.

ATTEST:


Chairman


Municipal Clerk

(051-631-51 & 051-631-57)
(Case 2001-103)

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MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 200 2- 7

Title: Amendment to Tract A, Powder Reserve PC District and Master Plan.

Sponsor: Eklutna, Inc. (DOWL Engineers, Rep.)
Preparing Agency: Planning Department
Others Affected:

CHANGES IN EXPENDITURES AND REVENUES (Thousands of Dollars)

	FY00	FY01	FY02	FY03	FY04
Operating Expenditures					
1000 Personal Services					
2000 Supplies					
3000 Other Services					
4000 Debt Services					
5000 Capital Outlay					
TOTAL DIRECT COSTS					
6000 IGCs					
FUNCTION COST:					
REVENUES:					
CAPITAL:					
POSITIONS: FT/PT and Temp.					

PUBLIC SECTOR ECONOMIC EFFECTS:

Approval of the ordinance will add dedication for residential streets that will require public expenditure for maintenance and snow plowing. If Development Area O was developed with the outlet mall as proposed, interior streets might not have been dedicated. If the commercial development did not have interior streets, maintenance of internal driveways and snow plowing and the provision of snow storage areas would have been the responsibility of the property owner or lessee.

PRIVATE SECTOR ECONOMIC EFFECTS:

Approval of the ordinance should have no significant economic impact on the private sector. Regarding of the use, public utilities would have to be extended for development of the property along with the provision of traffic control devices and interior lighting. The developer will be responsible for constructing the residential rights-of-way, providing traffic control devices and street lighting. An additional cost for residential development will be the need to provide buffer landscaping adjacent to undeveloped commercially zone property to the south in order to mitigate the impacts of future commercial development and to provide a more livable community.

Prepared by: Jerry Weaver, Planning Supervisor

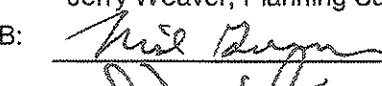
Telephone: 343-4215

Validated by OMB:

Date:

Approved By:

Date:


Director, Preparing Agency

12-27-01

10-8-01

EXHIBIT - A

REZONE 2001-103

POWDER RESERVE MASTER PLAN
DEVELOPMENT AREAS ARE GENERAL
DEPICTIONS OF LOCATION ONLY,
UNTIL SUCH TIME AS PLATTED.

EAGLE RIVER
VICINITY

PC
AO 94-235S-1

Develo
Access
Road

Case Location

PC
AO 94-235S-1

Development Area M

PC
AO 94-235S-1

Development Area N

PETITION AREA

PC
AO 94-235S-1

Development Area O

PC
AO 94-235S-1

Development Area M

PC
AO 94-235S-1

NEW GLENN

N. Eagle River Access Rd

PLI

R-O SL
AO 99-3

B-3 SL
AO 94-233(S-1)(AA)

B-3 SL
AO 94-233(S-1)(AA)

B-3

PC
AO 94-235S-1

Development Area P

Development Area Q

PC

NEW GLENN HIGHWAY

R-O SL
AO 99-3

B-3 SL
AO 94-233(S-1)(AA)

B-3 SL
AO 94-233(S-1)(AA)

B-3

R-2A

R-2A

R-5

B-3

B-3 SL
AO 85-100

B-3

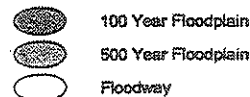
R-1A

Municipality of Anchorage
Planning Department



Date: NOVEMBER 7, 2001

Flood Limits



0 500 1000 Feet



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

AM No. 28 -2002

Meeting Date: January 8, 2002

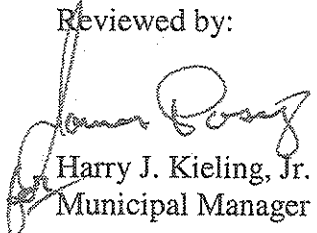
From: Mayor

Subject: AO 2002-7


Planning and Zoning Commission
Recommendation on an Amendment to the Powder
Reserve Master Plan and PC (Planned Community)
District for Tract 1 and a portion of Tract 7, Powder
Ridge Subdivision (Plat 98-80).

- 1 Eklutna Inc., has requested amendments to the development standards and master plan for
- 2 Tract A of the Powder Reserve. If approved as recommended by the Commission, the
- 3 petitioner must agree to the effective clause and condition recommended by the
- 4 Commission.
- 5 The request includes an amendment to the PC district and Master Plan for the Powder
- 6 Reserve adopted by AO 94-235 (S-1) (as amended) (as corrected on 5/4/95) and as
- 7 amended by AO 2000-143 (S-2). The petition proposes to eliminate commercial use in
- 8 Development Area O and to allow a maximum 101 dwelling units of single- and/or two-
- 9 family residential units at a density of 2.81 dwelling units per acre (DUA). The
- 10 commercial design standards for Development Area O will be eliminated substituting the
- 11 land use regulations of the R-2D (two-family residential district) zone as the design
- 12 standards to govern development of Area O.
- 13 The acreage of Development Area O will be increased from 35 to 36 acres by reducing the
- 14 acreage of Development Area P from 37 to 36 acres. No change in the maximum 140
- 15 dwelling units allowed under the previously approved provisions of AO 2000-143 (S-2) in
- 16 Development Area P is proposed. The reduction on acreage for Area P results in an
- 17 increase of density from 3.78 to 3.89 DUA.
- 18 The ±530-acre Tract A of the Powder Reserve was platted with the recording of Plat 98-80
- 19 on July 21, 1998 that created Tract 1 and Tract 7, Powder Ridge Subdivision for
- 20 Development Areas O and P respectively.
- 21 The Commission has recommended approval of the rezone petition finding that a
- 22 residential use is more appropriate at the gateway to the Powder Ridge Development.
- 23 Neighborhood serving commercial uses would be better located interior to the
- 24 development. Eklutna, Inc. is currently negotiating with the Alaska Railroad for
- 25 acquisition of property west of Tract A of the Powder Reserve. A master plan for the
- 26 entire area will be submitted for public hearing possibly within the next year or two. The
- 27 Commission recommends that no further rezones be reviewed prior to submission of a
- 28 revised master plan for all the Eklutna-owned property in the Powder Reserve area.

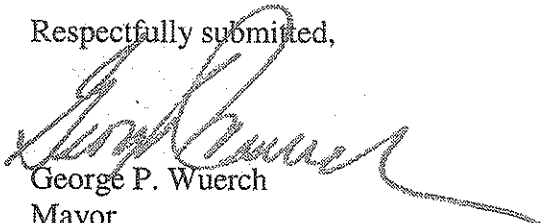
Reviewed by:


Harry J. Kielling, Jr.
Municipal Manager


Reviewed by:


Craig E. Campbell, Executive Director
Office of Planning, Development and Public
Works

Respectfully submitted,


George P. Wuerch
Mayor

Prepared by:


Susan R. Fison, Director
Planning Department

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2001-063

A RESOLUTION RECOMMENDING APPROVAL OF AN AMENDMENT OF THE PC (PLANNED COMMUNITY DISTRICT) ZONE FOR TRACT 1 AND A PORTION OF TRACT 7, POWDER RIDGE SUBDIVISION (PLAT 98-80) TO MODIFY THE MASTER DEVELOPMENT PLAN AND DESIGN STANDARDS FOR DEVELOPMENT AREA "O" ADOPTED BY AO 94-235 (S-1) (AS AMENDED) (AS CORRECTED 5/4/95) AND FOR DEVELOPMENT AREA "P" AS AMENDED BY AO 2000-143 (S-2), LOCATED SOUTHWEST OF THE NORTH EAGLE RIVER INTERCHANGE OF THE NEW GLENN HIGHWAY IN EAGLE RIVER WITHIN PORTIONS OF SECTIONS 25, 26, 35 AND 36, T15N, R2W, S.M., ALASKA.

(Case 2001-103; Tax I.D. Nos. 051-631-51 and 051-631-57)

WHEREAS, a petition has been received from DOWL Engineers representing Eklutna, Inc. (owner) to amend the PC (Planned Community District) zone for Tract 1 and a portion of Tract 7, Powder Ridge Subdivision (Plat 98-80) to modify the design standards for Development Area "O" adopted by AO 94-235 (S-1) (as amended) (as corrected 5/4/95) and for Development Area "P" as amended by AO 2000-143 (S-2), generally located southwest of the North Eagle River Interchange of the New Glenn Highway in Eagle River within portions of Sections 25, 26, 35 and 36, T15N, R2W, S.M., Alaska; and

WHEREAS, notices were published, posted and mailed and a public hearing was held August 6, 2001.

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

A. The Commission makes the following findings of fact:

1. AMC 21.20.060 (in addition to the general application requirements under AMC 21.20.050) provides for the creation and amendment of PC-Planned Community zoning districts.
2. The Master Development Plan for Tract A of the Powder Reserve was amended and adopted by the Assembly on February 14, 1995 and was subsequently corrected by action of the Assembly on May 4, 1995. The Master Development Plan has been further amended since that time.
3. The Commission found that the rezone petition for Development

Area "O" that was re-platted as Tract 1, Powder Ridge Subdivision (Plat 98-80) is to amend the design standards in the Master Development Plan to eliminate commercial use as a permitted use and to allow single-and two-family residential as a permitted use. The existing commercial design standards would be deleted and the land use regulations contained in the R-2D (Two-Family Residential District) zone would be substituted. A maximum allowable 101 dwelling units would be established at a density of 3.89 DUA. The petition acreage would be increased from 35 to 36 acres by incorporating one (1) acre of Development Area "P" into Development Area "O".

4. The Commission found that a petition to rezone Development Area "O" from PC (Planned Community District) zone to B-3/SL (General Business District) zone with Special Limitations had been recommended for approval to allow development of a regional outlet mall (PZC Resolution 99-060). The Assembly approved the rezone subject to an effective clause (AO 99-4) on 2/9/99. The rezoning never became effective and the design standards of AO 94-235 (S-1) (as amended) (as corrected 5/4/95) remain in effect.
5. The Commission found that the petition includes only a portion of Development Area "P" in the northeast corner of the parcel that was re-platted as Tract 7, Powder Ridge Subdivision (Plat 98-80). The development area acreage is reduced from 37 to 36 acres. The maximum permitted number of dwelling units remains unchanged at 140 units which will yield an increase of the maximum allowed density from 3.78 to 3.89 DUA.
6. The Commission found that Development Area "P" had been amended to increase the maximum number of dwelling units from 100 to 140 and to substitute the land use regulations of the R-2M (multiple-family residential district) zone as design standards were adopted by the approval AO 2000-143 (S-2) on January 9, 2001. The design standards contained in this amendment govern development in Area "P".
7. The Development Goals of the Powder Reserve Master Plan are principally to:
 - a. Provide an integrated mix of residential, institutional, commercial and recreational uses that will serve a diversity of age, income and user groups;

- b. Recognize that Tract A is an integrated part, and not isolated from, the larger community of Chugiak-Eagle River. In consequence, its development must also take account of and accommodate concerns and needs of the community as a whole;
 - c. Accommodate fundamental civic needs that will be generated at full build-out and minimize potential adverse on- and off-site impacts.
8. The Commission found that this rezone petition was in conformance with the goals of the Master Development Plan for the Powder Reserve. Development Area "O" is at the gateway to the Powder Ridge development. Residential development will not require the extensive grading that would have been needed for the proposed outlet mall. Residential development is a better use at this location than the commercial use would have been.
9. The Commission found that an interior location for neighborhood-serving commercial uses is appropriate. The petitioner's representative testified that the owner, Eklutna, Inc., is in final negotiations with the Alaska Railroad for acquisition of property to the west of Tract A of the Powder Reserve. Commercial uses could be located at possibly several interior sites so that they are more neighborhood serving.
10. Commissioner Adams stated that the proposed development for this rezone request does not address the need for parks. He noted the standard for parks is 2.5 acres of parkland per 2000 people. He noted that Policy 14 on page 89 in the new Comprehensive Plan states, "Encourage public/private collaboration for acquisition, development, and maintenance of recreational spaces, parks, sports fields, public use facilities and trails." He noted that while Anchorage 2020 does not necessarily guide the development in Eagle River, public hearings regarding the plan were held in Eagle River.
11. The Commission found that Development Area "N" was originally identified as a 10-acre park site in the Master Development Plan. The parkland was not acquired by the Municipality within the time limits established in the Master Plan and Area "N" has since been rezoned for residential development.
12. Commissioner Brown stated that "simply because the city cannot

buy parkland does not mean a developer should not provide for the needs of residents."

13. The Commission found that the developer's representative stated that a "master plan for the entirety of Eklutna's holdings will be developed over the next year or so and brought back to the Commission and the community," and that the Assembly "made it clear that Eklutna must come back with a revised master plan for any development after Area 'O'."
 14. The Commission found that the recommended conditions for this rezone petition to require a site plan and a 10-foot buffer landscape easement were more appropriately addressed during the platting process.
 15. A motion to amend the main motion to require that the developer provide three acres of parkland in this development failed with four (4) voting in favor and five (5) voting against the amendment.
 16. The Commission approved the main motion to recommend approval of the amendment to the PC zone for Area "O" and a portion of Area "P" (in) Powder Ridge Subdivision with nine (9) voting in favor and none opposed to the motion.
- B. The Commission recommends amending AO 94-235 (S-1) (as amended) (as corrected on 5/4/95) and AO 2000-143 (S-2) as follows:
1. Effective Clause
 - a. The petitioner shall submit 18 copies of a revised and updated Master Plan to the Director of the Planning Department before the zoning amendments approved in this case become effective. The update shall include all prior amendments or revisions to the Master Development Plan for Tract A of the Powder Reserve, that have been duly approved by the Assembly since the original approvals in 1995.
 2. Conditions of approval
 - a. No further zoning amendments of the PC zone, as represented by the Master Development Plan for Tract A, Powder Reserve (as amended), shall be considered by the Municipality of Anchorage without an accompanying re-evaluation of the existing Master Plan. At a minimum, the

re-evaluation should address the interrelationship of Powder Reserve Tracts A, B and C, as well as the use of standard zoning districts in lieu of the current PC and T zoning in the area.

3. Amendments to the AO 94-235 (S-1) (aa) (as corrected 5/4/95 that adopted the PC zoning district and Master Development Plan for Tract A of the Powder Reserve. (Brackets "[]" indicate items to be deleted and underline "_" indicates items to be added.)

a. Section 2 Changes:

Page 2, Line 1, Master Development Plan Matrix

1. Development Area O, Residential [NP] P, Commercial [P, CU] As defined in AMC 21.40.040, Total Dwelling Units 101, Total Commercial Retail Floor Area [130,000 sf] Blank, Total Office Area [30,000 sf] Blank.

b. Sections 3 through 7: No changes

c. Section 8 Changes:

Page 24, delete lines 36 through 42

Page 24, after line 35 add:

1. Intent and Use. Development standards within Development Area O shall be the same as the R-2D (two-family residential district) zone as defined in AMC 21.40.040.
2. Total Dwelling Units, Residential: 101 units

Page 25, delete Lines 1 through 43.

Page 26, delete Lines 1 through 41

Page 27, delete Lines 1 through 45

Page 28, delete Lines 1 through 28

d. Sections 9 and 10: No changes.

e. Section III of the Master Development Plan changes:

Page 18 - Section III, Table 1. Land Use Data: changes are included in Section 4 below.

4. Amendments to Master Development Plan for the Powder Reserve adopted by AO 94-235 (S-1) (as amended) (as corrected 5/4/95) and subsequently amended by AO 2000-143 (S-2) include:

a. Section 1: No changes

b. Section 2: AO 94-235 (S-1) (as amended) (as corrected 5/4/95) as amended by AO 2000-143 (S-2) are hereby amended as follows:

c. Section III changes:

Page 19 - Section III, Master Development Plan, Table 1. Land Use Data: delete and replace with:

Table 1. Land Use Data.

Development Area	Description	Area (Ac.)	Development Units	Density (DU/Ac.)
A	Undisturbed Area	9	0	0.0
B	Area Merged with Dev. Area E	--	--	--
C	Undisturbed Area	11	0	0.0
D	Single-Family Cluster Residential	74	200	2.7
E	Single-Family / Duplex Residential	60	220	3.7
F	Park Area (12.5 Ac. Dedicated and 2.5 Ac. Reserve)	150	0.0	
G	Undisturbed Area	7	0	0.0
H	School Site	15	0	0.0
I	Single-Family / Multi-Family Res.	76	450	5.9
J	Single-Family / Duplex Residential	82	330	4.0
K	Undist. Area (Fire Cr. Greenbelt)	20	0	0.0
L	Multi-Family Cluster Residential	39	350	9.0
M	Single-Family / Duplex Residential	35	108	3.1
N	Single Family Residential	10	32	3.2
O	[Office/Retail/Hotel/Institutional Area] Single-Family/Duplex Residential (R-2D)	[35] 36	[0] 101	[0.0] 2.81
P	Multiple-Family Residential (R-2M)	[37] 36	140	[3.78] 3.89
Q	Undisturbed Area	12	0	0.0
	TOTAL	537	[1,830] 1,931	[3.4] 3.6

COMMISSIONER KLEIN disclosed that, in the past, he sat on Eklutna's development board, Kanakanan Corporation, but he has had no dealings with them for several years and would not benefit from any action taken on this application.

Staff member JERRY WEAVER explained this request is to amend the PC District for Tract 1 and a portion of Tract 7 and to modify the development standards for Area "O" and Area "P". He stated this request is before the Commission primarily because the commercial portion of the property is not going forward and the petitioner is proposing to amend the PC District to provide for residential densities on that property. The design standards for Area "O", adopted in AO 94-235 (S1), would be amended to eliminate the commercial use as a permitted use, allow single family and duplexes as permitted uses, delete the existing design standards and substitute the land use regulations contained in the R-2 zoning district, and establish a maximum of 101 dwelling units and a density of 3.89 dwelling units per acre (DUA). Approximately one acre of Area "P" is being incorporated into Area "O". Tract 7 (Area "P") is governed by AO 2000-143 (S-2, which substituted multi-family for one- and two- family and increased the permitted number of dwelling units from 100 to 140, raising the allowable density from 2.8 DUA to 3.78 DUA. MR. WEAVER believed the petitioner's representatives have worked with the residents in the area and the Community Council. He indicated the proposed uses would be single family and duplex. The Transportation Section of the Traffic Department has concerns and the rezoning is conditioned upon resolutions of those concerns. The Department recommended approval of the amendment, subject to conditions.

COMMISSIONER ADAMS noted that, when this was originally conceived, it was fundamentally a planned community development, which he felt was not markedly different from some of the concepts in Anchorage 2020 Comprehensive Plan. He stated that, while that document is not directly applicable to Eagle River, necessarily, there were public hearings on the Plan in Eagle River and there is some sense it is reflective of community values such as walkable neighborhoods and walkable commercial uses. He was concerned that this request seems to be backing away from that concept. He asked why commercial use is being eliminated from the petition site. MR. WEAVER responded that the Department has not dropped the concept of walkable commercial uses and neighborhood connectivity, but in reviewing the petitioner's request, it was noted there is some small commercial use adjacent to the site. He understood that, while this case may be in part market driven, the proposed residential densities are appropriate and commercial uses can be reviewed in the future on other areas. MR. ADAMS noted that in the Commission's discussion of Area "N", a resolution was adopted

allocating 3 acres to park, which was not followed through with the Assembly. MR. WEAVER understood there was a time period for the acquisition of that land and the Municipality did not act upon it within the prescribed time period. He stated there is land to the west that Eklutna Inc. is actively pursuing for purchase and it appears realistic that they may acquire ownership of that.

COMMISSIONER KLINKNER noted there were references in the material about access to the adjacent commercial property. He asked if Area "O" is already platted or will road access be determined through other means. MR. WEAVER replied Area "O" is platted to a certain degree. He stated that access will be required with the property being discussed this evening.

The public hearing was opened.

TIM POTTER, representing the petitioner, stated the petitioner's request involves three things: modification of the master plan for the Powder Reserve to change the boundaries of Area "O" and to add an acre of Area "P"; rezoning the property from B-3 to R-2D with a maximum 101 units (2.81 DUA); and adopting current Title 21 design standards for subdivision development to be governed by the R-2D district regulations. He explained the requested density is similar to the Powder Reserve residential density of 3.1 DUA in Phase 1. He stated this proposal provides an opportunity to provide a diversity of housing types, including quarter-acre single family lots, standard single family lots, and duplex lots. To the west of Tract A is a 300-400 acre parcel owned by the Alaska Railroad and Eklutna Inc. is in final negotiations for acquisition of that property. On the other side of that property is property owned by Eklutna Inc., which abuts military land. The military has always wanted all the frontage around Clooney Lake. The Railroad land had created some problems in that, if Eklutna Inc. developed residential development on the west side of the railroad tracks there would have to be grade separated crossings. The realignment of the ownership boundary gives the military the land around Clooney Lake and the western property line of Eklutna's holdings will be the railroad tracks. This permits planning for this whole area without having to worry about an industrial railroad use in the middle of this area. MR. POTTER felt the commercial area would be better placed at possibly several interior locations so they are more neighborhood-serving than being at the interchange and visible to the passing public, thereby drawing traffic from outside of the subdivision. He explained that, after the failure of the outlet mall project and a re-evaluation of this parcel and its relationship to all of Eklutna's holdings, there is a realization that this is the front door to the Powder Reserve development. He stated it did not seem appropriate to do a massive earthwork project and scalp the hill on this property. He indicated a master plan for the entirety of Eklutna's holdings will be developed over the next year or so and brought back to the Commission and the community. He did not object to submitting a site plan, but noted there will be a separate

platting process where those reviews will occur. He noted this property will abut R-O zoned property and it is not known if there will be perimeter utilities in the subdivision, so he felt the proposed requirement for a 10-foot buffer landscape easement is preliminary. He indicated he would rather see that issue handled in the subdivision review.

COMMISSIONER COX noted the packet indicates that Transportation Planning recommended a condition of approval to provide access from the Hamilton property to Powder Ridge Drive. MR. POTTER explained the Hamilton property is triangular in shape and is situated at the south boundary of Area "O". The road connection will be placed at a 90 degree angle from Powder Ridge Drive and will extend south to service the Hamilton property.

COMMISSIONER KLEIN asked if the recent announcement of Fred Meyer locating across the road may have been factored into the decision to bring forward this request. MR. POTTER responded that the steps to begin this case occurred prior to Fred Meyer considering that site. He noted that, from a planning standpoint, for Eagle River to have large scale development along the Glenn Highway corridor between the main access and the North Eagle River access will strengthen that corridor. He believed Fred Meyer will serve the larger scale commercial needs of the entire area and the Powder Ridge property can contain more service-oriented commercial and office uses.

COMMISSIONER ADAMS asked what happened to the 3 acres of park he referenced earlier. MR. POTTER believed the Assembly said it is inappropriate to have created a situation where there was a contract and an ordinance saying something would be done, yet nothing was done, and something was being taken for no compensation. MR. ADAMS commented that there have been several changes since the initiation of this PC District such that the density is now 140 units above what was suggested in the Planned Community. He explained that, assuming there are 3.21 persons per home, there are 1,225 people in this area with no park facilities. He asked if park facilities are not fundamental infrastructure and is it not the obligation of the developer to provide for the needs of the residents. MR. POTTER agreed that this should be addressed when the master plan is modified in the future. He felt that Eklutna Inc. should not be exposed to takings for larger scale regional-serving facilities, however.

COMMISSIONER KILLORAN asked if Area "O" represents approximately one-twentieth of the entire Powder Ridge development. MR. POTTER estimated there will be 3,000 to 5,000 dwelling units developed in the overall area. MS. KILLORAN asked if park development might logically occur as development of Powder Ridge proceeds. MR. POTTER felt the key consideration is to not make the same mistakes that have been made in Anchorage in the past and instead ensure that trail corridors and greenbelt corridors are provided for in the planning process.

CHAIR BROWN noted the preliminary plat contained on page 23 of the packet does not appear to provide any type of connections. She remarked that Title 21, which will soon be revised, does not provide a great deal of guidance in terms of design and zoning. She felt that a cul-de-sacs were a step backward in terms of subdivision design, noting that connectivity and new urbanism are being discussed as opposed to dead-end streets. She further noted that simply because the city cannot buy parkland does not mean a developer should not provide for the needs of residents. She also asked where the railroad yards will be located, if not on the property being purchased from the Railroad. MR. POTTER did not know the answer to Ms. Brown's question, but felt it was not practical or cost-effective to put the railroad on the 400 acres in question. He thought there may be a shift of a portion of the railroad facilities to Birchwood where there is frontage and siting capability. Furthermore, the Railroad is revamping its downtown yard facility based on its master plan and there has even been speculation there may be a rail spur over to Fire Island. With regard to the subdivision design, he noted this property has a great deal of varied topography and the proposed design does more to service the land than would new urbanism, which would destroy the property. He stated the petitioner specifically looked at the road system, drainage, greenbelts, and topography and attempted to make the subdivision work with the least disruption to the property. MS. BROWN noted there are no trails from the ends of cul-de-sacs or between cul-de-sacs. MR. POTTER noted this is a preliminary design and he believed those details can be accommodated with these large lots.

SUE GALLEON, one of the current fifty homeowners in Potter Ridge, stated that residents had a meeting with Eklutna Inc. that did not go well. She indicated the homeowners were concerned with the density being proposed on this property. She indicated she finds it difficult to accept a maximization of density with absolutely no parks being provided. She stated there are two jagged 2.5 acre parcels designated as possible parks in Area "F". In the area of the petition site, where there is great potential for homes, there are no parks. She suggested that Area "N" would be a suitable park. That property is 10 acres, it is clear cut, and although it is rolling, a park could be accommodated. She suggested the Commission look very seriously at the issue of parks.

BOBBI WELLS, member of the Birchwood Community Council, stated she has been involved with the Powder Reserve since 1987. She noted page 32 of the packet contains the recommendations of the Municipal Parks and Beautification Division regarding trails and park and open space. She noted that historically Birchwood has not wanted the density being proposed by the petitioner. She noted that cutting down the hill was fine when Eklutna wanted a regional center in the form of an outlet mall on the petition site, and the neighborhood commercial was proposed to be accommodated by Mr. Hamilton, who secured a rezoning to R-O for his property. She stated that the density on this parcel would be increased from nothing to 2.8

dwelling units per acre, given that it was supposed to be a local-serving commercial use. She opposed R-2 zoning on this property. She noted that Area "P" was originally proposed for single family and duplex development and it was rezoned to R-2M in order to develop more dense housing; she noted the density was reduced before final resolution of that request. She stated Eklutna owns all the land from Clooney Lake to north Birchwood and everything west of the railroad tracks on the Birchwood side, except for Beech Lake Park. She indicated she has read the agreement between the Railroad and Eklutna, but she did not believe it had been made available to the public. She cautioned the Commission that Eklutna uses each change in density as a basis for increasing density in future development.

In rebuttal, MR. POTTER stated that, when the 10-acre park was being considered, it was to serve both the east and west sides of the highway. He stated that, Assemblymembers Kendall and Fairclough, Eklutna and the Assembly have made it clear that Eklutna must come back with a revised master plan for any development after Area "O". This allows Eklutna to generate some income while revising the master plan. He indicated that, from a philosophical standpoint, he was pleased that the proposed outlet mall did not come to fruition.

The public hearing was closed.

COMMISSIONER KARABELNIKOFF moved to amend the PC zone for Area "O" and a portion of Area "P" Powder Ridge Subdivision.

COMMISSIONER ADAMS seconded.

COMMISSIONER KARABELNIKOFF note that page 5 of the packet contains a suggested condition regarding a site plan, but he felt it would be premature to impose this requirement before a subdivision is finalized. The packet also suggests a condition regarding a 10-foot buffer landscape easement, which he also felt was best handled as part of a platting rather than a zoning action. He indicated the information in the packet and the information presented this evening had led him to find this a reasonable amendment.

COMMISSIONER KLEIN also supported the motion. He recommended the petitioner attempt to incorporate usable open space in the initial phases of the project. He noted that adding these amenities enables the developer to increase the prices of homes and recover those costs.

COMMISSIONER KLINKNER expressed appreciation for Mr. Potter's closing remark that rezonings will not come before the Commission until a revised master plan is developed.

MS. AUTOR noted the previous rezoning in the Powder Ridge that was considered by the Commission required that the petitioner do an update of

the master plan and the master plan language of the ordinance, if the request was approved by the Assembly. MR. POTTER indicated the petitioner would update the master plan and the master plan language in the ordinance, if this rezoning is approved, and provide Staff with an updated copy in-house.

COMMISSIONER ADAMS agreed that the proposed use of this property is more appropriate for a gateway into this community, and that an interior location for neighborhood commercial is appropriate. He took issue with Mr. Potter's discussion regarding parks, which he believed to be an integral part of development. He noted the standard for parks is 2.5 acres of parkland per 2,000 people. The 381 units that lie south of the access road would house 1,223 people, which indicates 3.05 acres of parkland would be appropriate for that area. He noted that Policy 14 on page 89 in the new Comprehensive Plan states, "Encourage public/private collaboration for acquisition, development, and maintenance of recreational spaces, parks, sports fields, public use facilities, and trails." He believed there is a fundamental understanding that parklands are fundamental parts of the infrastructure for developing in an urban manner. He noted this area is relatively isolated and he believed providing 3 acres of parkland is appropriate. He moved to amend the motion to require that the developer provide three acres of parkland in this development.

COMMISSIONER COX seconded.

COMMISSIONER PENNEY noted that Mr. Potter indicated this site has somewhat difficult topography and that 3 acres of usable park would be difficult to provide. Additionally, Mr. Potter indicated the petitioner will be looking at other areas to provide parkland.

COMMISSIONER COX supported the amendment, objecting to delaying providing parkland until later in the development process. She indicated this is a large piece of property and obviously leveling will be done to develop housing, therefore, she believed leveling can be done to provide a park. She further remarked there is no connectivity to provide access for children throughout the subdivision.

COMMISSIONER JONES supported the amendment, finding it was appropriate to address this issue at this time.

COMMISSIONER PENNEY noted this is not a final plat, it is preliminary, and there will be a number of conditions and things that will change the preliminary design design, such as a requirement to provide connectivity between cul-de-sacs. He felt the Platting Board was the appropriate decision-making body to deal with such matters.

COMMISSIONER KILLORAN indicated she views the subdivision as preliminary in nature and, as such, it will require fine tuning. She stated

the hill is a beautiful piece of property and she would prefer that the Platting Board review the subdivision. She added that the Commission deals primarily with urban issues, but this area of the community contains a great deal of green space.

COMMISSIONER KARABELNIKOFF remarked that slightly over a year ago he was working with the CEO of Eklutna, George Easley, who was dissatisfied with the master plan and wanted it redone; Mr. Easley passed away last year and did not have the opportunity to carry out his intentions. Mr. Karabelnikoff met recently with the new CEO and he believed he is sensitive to doing things right. He suspected there are other parcels near the petition site that are far more suitable for park use.

Amendment

AYE: Brown, Cox, Jones, Adams

NAY: Klinkner, Karabelnikoff, Klein, Penney, Killoran

FAILED

Main Motion

AYE: Killoran, Adams, Klinkner, Penney, Brown, Jones, Karabelnikoff,
Cox, Klein

NAY: None

PASSED

4. 2001-095

Municipality of Anchorage. An ordinance amending Anchorage Municipal Code Title 21 to expand the definition for "Subdivision" to include condominium, apartment, and similar developments and to establish standards for site plan review, construction, and warranty of public and private improvements for these developments.

COMMISSIONER PENNEY understood there is the need for additional research with regard to this ordinance and that the Platting Board has brought up issues that require additional research. MR. WEAVER explained Staff is working on an ordinance amendment that will provide the mechanism to obtain public road dedications and/or construction, public utility easements and drainage easements. He indicated a large working group has been assisting in the development of that ordinance, which includes representation from the public and the Homebuilders Association. He explained the ordinance was precipitated by problems with large condominium developments that precluded connectivity and the ability to get drainage and utility easements that were required. The

MUNICIPALITY OF ANCHORAGE
PLANNING DEPARTMENT

ZONING AMENDMENT
MEMORANDUM

DATE: August 6, 2001

CASE NUMBER: 2001-103

LAND OWNER: Eklutna, Inc.
DOWL Engineers, Representatives

REQUEST: Amendment to the PC (Planned Community District) zone for Tract 1, and a portion of Tract 7 (as depicted on Exhibit A mapping the petition site), Powder Ridge Subdivision to modify the design standards for Development Area O set forth in AO 94-235 (S-1) (as corrected 5/4/95) (as amended) and Development Area P set forth in AO 2000-143 (S-2).

LOCATION: Tracts 1 and a portion of Tract 7 (as depicted on Exhibit A mapping the petition site), Powder Ridge Subdivision (Plat 98-80) located south of Eklutna Park Drive between the Glenn Highway and Powder Ridge Drive.

COMMUNITY COUNCIL: Birchwood

TAX NUMBER/ 051-631-51 and 051-631-57
GRID NUMBER: NW 451 and NW 452

DEPARTMENT RECOMMENDATION:

APPROVAL of the rezone subject to conditions.

REQUEST:

This is a request to amend the following:

- The design standards for Development Area O of the Powder Reserve Master Plan that were established with the adoption of AO 94-235 (S1) (as corrected 5/4/95) (as amended) on February 14, 1995, and

- The design standards for a portion of Development Area P (as shown on Exhibit A for the petition site) of the Powder Reserve Master Plan that were amended by AO 2000-143(S-2) which was adopted on January 9, 2001.

Plat 98-80 recorded on July 21, 1998 created, Tracts 1 and 7 within Powder Ridge Subdivision that correspond to Development Areas O and P, respectively, that were established by the Powder Reserve Master Development Plan (Figure 7).

A history actions affecting Powder Reserve area and related zoning cases is outlined in Appendix A attached to this memorandum.

Development Area O

Tract 1, Powder Ridge Subdivision (Area O) was identified for commercial development under the Master Plan approval contained in AO 94-235 (S-1). A petition to rezone Tract 1, Powder Ridge Subdivision from PC to B-3 with Special Limitations was approved by the Assembly on February 9, 1999 for the proposed development of an outlet mall (AO 99-4). The rezone was subject to an effective clause that required an approved TIA, a public hearing site plan review and the issuance of a Land Use Permit for construction of a 130,000 SF commercial building. The rezone to B-3/SL for Tract 1, Powder Ridge Subdivision never became effective and Development Area O was never removed from the Powder Reserve Master Plan.

The design standards for Development Area O contained in AO 94-235(S-1) (as corrected 5/4/95) (as amended) remain in effect and are the subject of this rezone petition. The amendments include: eliminating commercial use as a permitted use; allowing single-family and duplex as a permitted use; deleting the existing design standards substituting the land use regulations contained in the R-2D (two-family residential district) zone, and establishing a maximum 101 dwelling units at a density of 3.89 DUA. Approximately one (1) acre of Development Area P is being incorporated into Development Area O. The proposed changes are summarized below:

DEVELOPMENT AREA O (TRACT 1, POWDER RIDGE SUBDIVISION)		
	AO 94-235 (S1) (as corrected 5/4/95) (as amended)	Proposed
Residential use	Not permitted	Single-family and duplex residential permitted

Commercial/Office/Hotel /Motel/Institutional uses	Permitted, conditional use	As governed by AMC 21.40.040
Total Commercial Retail Floor Area	130,000 SF	As governed by AMC 21.40.040
Total Office Floor Area	30,000 SF	As governed by AMC 21.40.040
Development area acreage	35	36
Residential units	None	101
Density	Not applicable	2.81 DUA
Design standards	Outlined in Section 8 of AO 94-235(S-1) (as amended) pages 24-28 (<i>copy of ordinance is attached</i>)	R-2D (two-family residential district) land use regulations

Development Area P

Tract 7, Powder Ridge Subdivision (Area P) is governed by the amendments to Development Area P adopted with AO 2000-143 (S-2) that substituted multiple-family for one-and two-family residential, increased the number of permitted dwellings units from 100 to 140 that raised the allowable density from 2.9 to 3.78 DUA. The R-2M district regulations were substituted for the design standards contained in the Master Plan.

The requested amendment affects only a portion of Tract 7, Powder Ridge Subdivision located in the northeast corner of the tract. The development area acreage is reduced from 37 to 36 acres. The maximum permitted number of dwelling units remains unchanged at 140 units which will yield an increase of the maximum allowed density from 3.78 to 3.89 DUA. The proposed changes are summarized below:

DEVELOPMENT AREA P (A PORTION OF TRACT 7, POWDER RIDGE SUBDIVISION)		
	AO 2000-143 (S-2)	Proposed
Residential use	Multiple family residential	Multiple family residential
Development area acreage	37	36
Residential units	140	140
Density	3.78	3.89

Design standards	R-2M (multiple-family residential district) land use regulations.	R-2M (multiple-family residential district) land use regulations.
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DISCUSSION:

Commercially zoned property abuts the southwestern boundary of Tract 1 (Area O) of the petition site. This triangular-shaped, ± 4.75 acres, commonly referred to as the Hamilton property, was rezoned from Transition (T) to Residential Office District with Special Limitations (R-O/SL) in 1999 (AO 99-3). Access to the Glenn Highway is prohibited by ordinance. There are no restrictions on R-O permitted and conditional in this R-O/SL district, although a non-public hearing site plan review is required. This rezone was heard and approved in conjunction with the rezone of Tract 1 to allow development of an outlet mall.

Access to the Hamilton property will be from a proposed extension of Powder Ridge Drive. The corner rounding for the turn radius of this proposed right-of-way extension was dedicated with Plat 98-80. Powder Ridge Drive as well as the proposed extension are classified as collector streets in the Powder Ridge Master Development Plan.

The amendment to the PC zoning for Tract 1 and a portion of Tract 7 of the Powder Ridge Subdivision will change the use from a mixture of commercial uses to single family residential. This will have the effect of reducing the amount of traffic on Powder Ridge Drive, the collector road adjacent to the petition site. As a result, no transportation impacts are anticipated from the proposed zoning change.

Transportation Planning does, however, have some concerns regarding the compatibility of this zoning change with the uses allowed on the Hamilton property located directly to the south. This property was rezoned in January 1999 from T to R-O SL. The R-O zoning district permits residential as well as a wide range of office uses. Neither the height nor the lot coverage is restricted in the R-O zoning district. As a result, an office development on this 4.75-acre parcel could generate a substantial amount of traffic. This would not be a problem if Area O were developed as originally proposed, especially if access from the Hamilton property to Powder Ridge Drive was permitted through the commercial development of Area O.

With the proposed rezoning, traffic from the potential commercial development on the Hamilton property will have to travel between the residential neighborhoods located in Area O and Area P of the Powder Reserve. One of the

main principals of good traffic planning is to avoid passing a substantial amount of commercial traffic through residential neighborhoods.

Transportation planning staff recommends a condition of approval that would require a Traffic Department review and approval of the site plan for Area O and P to ensure that a separate access is provided which would connect the Hamilton property to Powder Ridge Drive.

The proposed rezoning will allow development of one-and two-family residential dwellings. Figure 4 of the application depicts the layout of the proposed subdivision. As depicted, the lots at the southwestern boundary of the site will abut the proposed right-of-way extension from Powder Ridge Drive. A minimum 10-foot wide buffer between this collector street and potential commercial traffic to the Hamilton property and the residential lots needs to be provided. Landscaping meeting the buffer landscape standards of AMC 21.45.125.C.2 needs to be planted with the development of the property. Existing vegetation can be retained supplemented where necessary to meet the buffer landscape standards. The 10-foot landscaped buffer should be provided exclusive of all utility easements, as vegetation is routinely cleared from landscape easements by utilities.

DEPARTMENT RECOMMENDATION:

Approval of the rezone to amend the PC zone for Development Area O (Tract 1, Powder Ridge Subdivision) and a portion of Development Area P (Tract 7, Powder Ridge Subdivision) subject to:

Submitting a site plan for the proposed subdivision to the Traffic Department for review and approval.

Providing a 10-foot buffer landscape easement exclusive of utility easements where in natural landscaping may be retained supplemented where necessary to meet the Buffer Landscape standards of AMC 21.45.125.C.2. Required landscaping to be installed by the developer prior to the issuance of a final certificate of occupancy.

APPENDIX A

Powder Reserve Property History:

02/14/95	AO 94-235(S-1) (as amended) (as corrected) 5/4/95)	Rezone of ±530 acres from Transition (T) to Planned Community District (PC) for Tract A of the Powder Reserve located within Sections 25, 26, 35 and 36, T15N, R2W, SM, Alaska (PZC Case 93-022)
05/19/98	AO 98-54(s)	Delete Tract A, Powder Reserve from the Municipal Building Safety Service Area; providing for special assessment district for snow plowing/removal operations and streetlight maintenance and operation. (PZC 93-022-2)
06/02/98	AO 98-97	Approval of ballot proposition to de-annex Tract A, Powder Reserve from the Anchorage Fire Service Area.
07/31/98	Plat 98-80	Final plat recorded for Powder Ridge Subdivision, a 530-acre plat creating 50 lots and 8 tracts.
09/31/98	Case 93-022-31	Changed MEA Utility Subdivision from Area L to Area J. (PZC Resolution 98-047A)
02/09/99	AO 99-4	Rezone of Tract 1, Powder Ridge Subdivision (Master Plan Area O) from PC to B-3 with Special Limitations that addressed permitted principal uses, other uses and accessory uses and with an Effective Clause that required: <ul style="list-style-type: none"> • Issuance of a land use permit within 3 years of the rezone approval; • Public hearing site plan review; • Approval of a Traffic Impact Analysis (TIA); <p>The rezone to B-3SL never became effective and Tract 1, Powder Ridge Subdivision PC zoning district remains unchanged. (PZC Case 99-001, Resolution 99-005)</p>
07/12/99	Case 99-133	Site plan approval for an outlet mall located within Development Area O of the Powder Reserve PC Master Plan. (PZC Resolution 99-060)

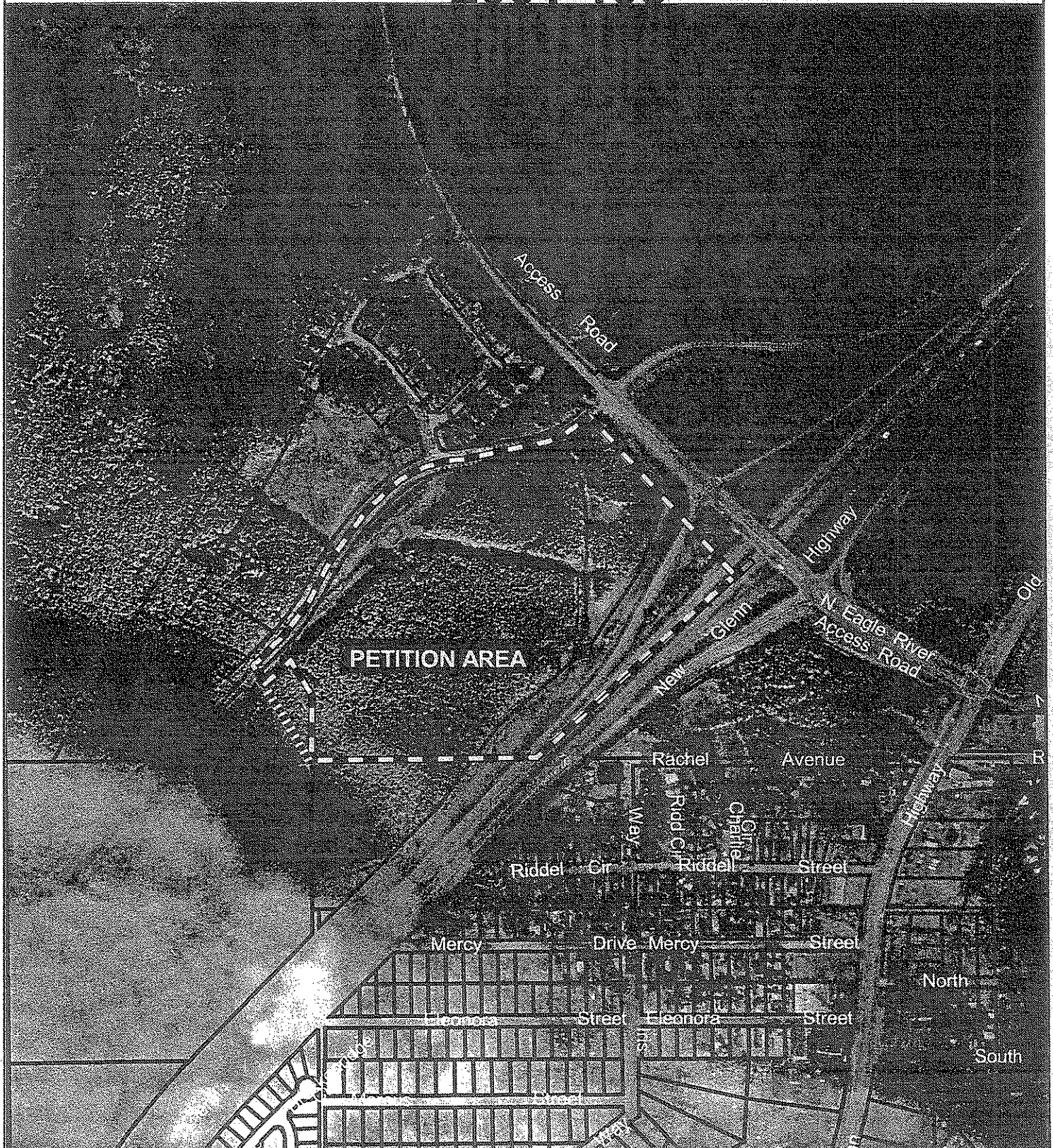
06/05/00	Case 99-133-2	PZC granted time extension for start and completion dates for the construction of outlet mall. (PZC Resolution 2000-053)
01/09/01	AO 2000-143(S-2)	<p>Amendment to the Powder Reserve Planned Community District Master Plan that:</p> <ul style="list-style-type: none">• Deleted the park reserve status of Area N and permitted a total of 32 SF dwelling units;• Amended the acreage of Area P from 34 to 37 acres and increased the permitted dwelling units to 164;• Deleted requirement to annex into the Building Safety Service Area;• Reduced the required yard setbacks;• Amended residential street standards to reflect Title 21 requirements;• Required landscaping on both sides of collector streets only;• Eliminated the PC district design standards for all streets except those designated collector;

Past Surrounding Land Use:

02/09/99	AO 99-3	Rezone of ±4.75 acres from Transition (T) to Residential Office District with special limitations (R-O/SL) for a portion of the NW ¼ NE ¼ NE ¼ Section 2, T14N, R3W, S.M., Alaska abutting the south boundary of the current petition site. The special limitations include: 1) Glenn Highway access prohibited; 2) non-public hearing site plan review prior to land use permit issuance; 3) UDC approval of landscaping plan prior to land use permit issuance. (PZC Case 2000-013)
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REZONING

2001-103



Municipality of Anchorage
Planning Department



Date: JUNE 05, 2001

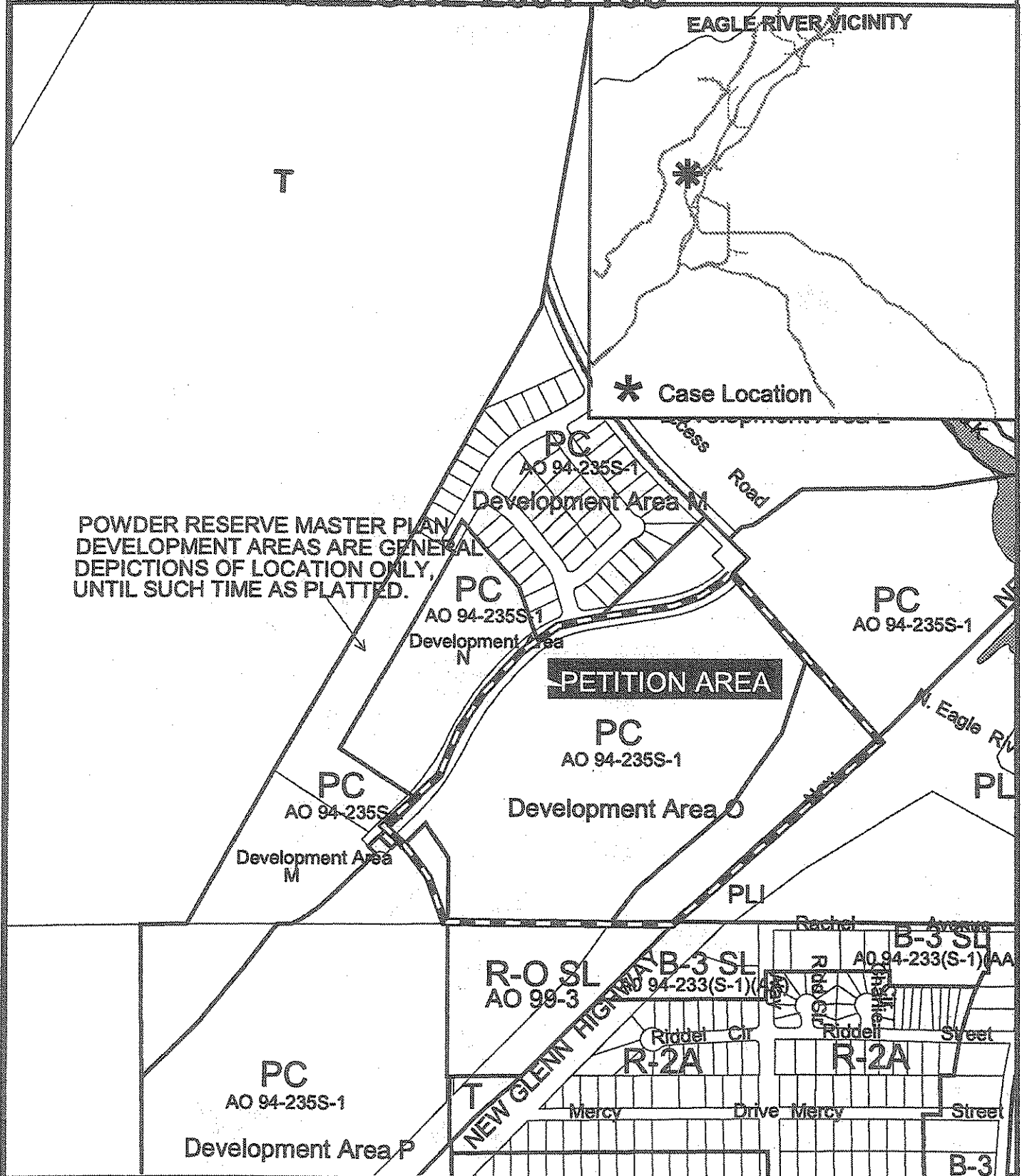


0 500 1000 Feet 009

Date of Aerial Photography: 1996

EXHIBIT A

REZONE 2001-103



Municipality of Anchorage
Planning Department



Date: JULY 30, 2001

Flood Limits

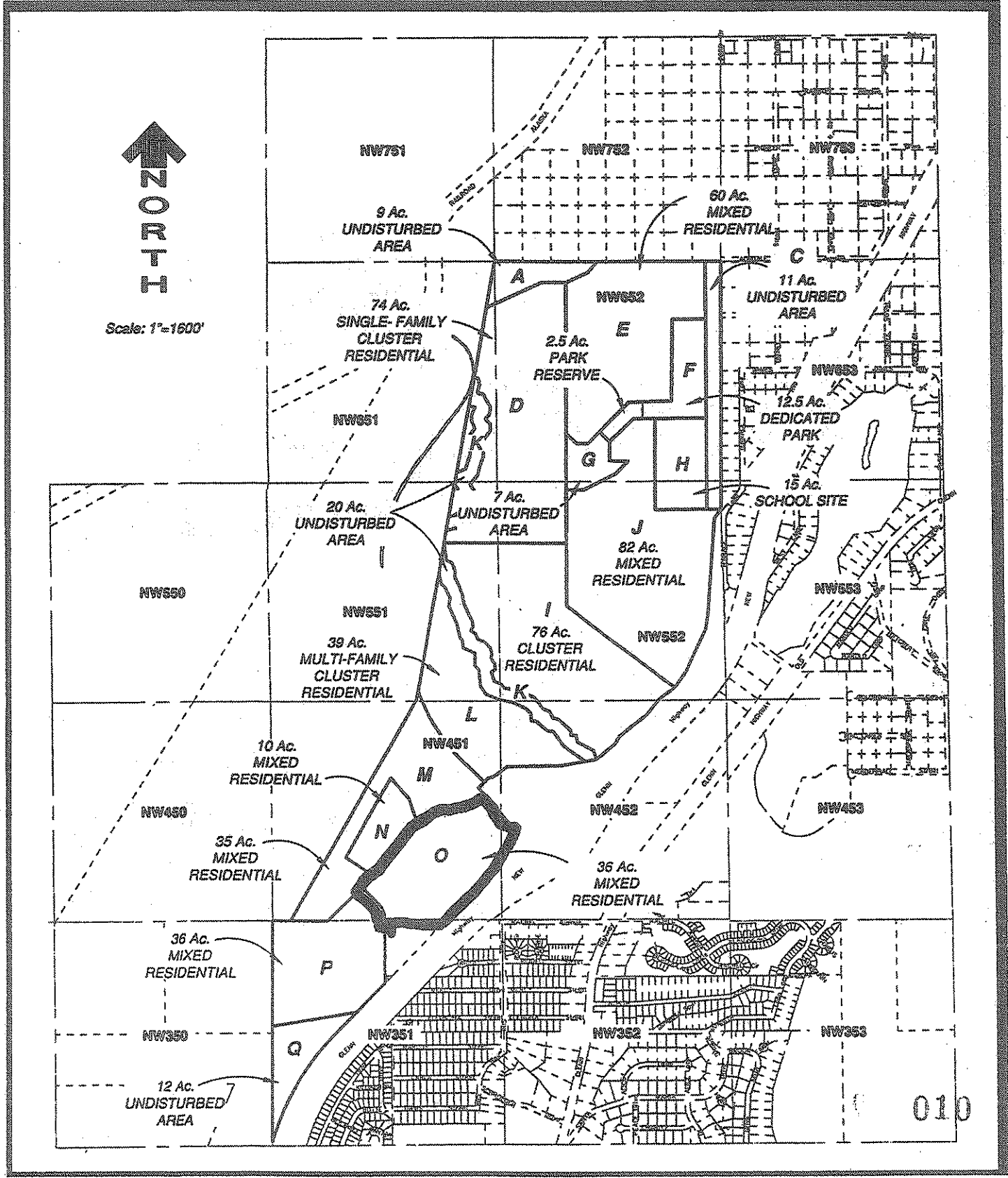
- 100 Year Floodplain
- 500 Year Floodplain
- Floodway



0 500 1000 Feet

008

PETITION AREA



1

APPLICATION



Municipality of Anchorage
Department of Community Planning and Development
P.O. Box 196650
Anchorage, Alaska 99519-6650
ZONING MAP AMENDMENT APPLICATION

OFFICE USE	
REC'D By:	<u>MA</u>
Verify Own:	<u>OK</u>
Poster and Affidavit:	<u>5</u>
Fee \$	<u>1000.00</u>
Tentative	
Hearing Date	<u>8/6/01</u>

Case Number: 2001-103

Zoning map amendments require at a minimum 1.75 acres of land or a boundary common to the requested zoning district. The application must also be signed by 51% of the property owners within the area to be rezoned.

A. Please fill in the information requested below. Print one letter or number per block.

1. Petitioning for:

A M M E N D I N G D E V E L O P M E N T S T A N D A R D

AND SITE LAYOUT

2. Abbreviated legal description (T12N R2W SEC 2 LOT 45 or SHORT SUB BLK 3 LOT 34) Full legal on back Page.

T R 1 & 7 , P O W D E R R I D G E S U B D I V I S I O N

3. Street address of petition site (1234 Main Street).

S O . C O R N E R P O W D E R R I D G E & E K L U T

NA PARK DRIVES

4. Petitioner's Name (Last - First)

E K U L T N A , I N C .

Address:

510 L Street, Suite 200

City

Anchorage

State:

Alaska

Day Phone
Number:

Zip:

99501

5. Petitioner's representative

D O W L E N G I N E E R S

Address:

4040 B Street

City

Anchorage

State:

Alaska

Day Phone
Number:

(907) 562-2000

Zip:

99503

6. Current Zoning:

P C

7. Petition Acreage:

3 6

8. Grid Number:

N W 0 4 5 1

9. Principal Tax Number:

0 5 1 6 3 1 5 1 and 57

10. No. of Tax Parcels:

2

11. Community Council:

Birchwood

B. I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I desire to rezone it in conformance with Title 21 of the Anchorage Municipal, Code of Ordinances. I understand that payment of the rezoning application fee is nonrefundable and is to cover the costs associated with processing this applications, and that it does not assure approval of the rezoning. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department Staff or the Planning and Zoning Commission or the Assembly due to administrative reasons.

Date: 5/17/01

Signature:

Thomas R. Neelan

*Agents must provide written proof of authorization

C. Please check or fill in the following

1. Comprehensive Plan - Land Use Classification Mixed Use

<input type="checkbox"/> Alpine/Slope Affected	<input type="checkbox"/> Marginal Land	<input type="checkbox"/> Residential
<input type="checkbox"/> Commercial	<input type="checkbox"/> Parks/Open Space	<input type="checkbox"/> Special Study
<input type="checkbox"/> Commercial/Industrial	<input type="checkbox"/> Public Lands Institutions	<input type="checkbox"/> Transportation Related
<input type="checkbox"/> Industrial		

2. Comprehensive Plan Residential Land Use Intensity N/A

<input type="checkbox"/> Dwelling units per acre	<input type="checkbox"/> Alpine/Slope Affected	<input type="checkbox"/> Special Study
--------------------------------------------------	------------------------------------------------	----------------------------------------

3. Environmental Factors (If any):

<input type="checkbox"/> a. Wetlands	<input type="checkbox"/> b. Avalanche
<input type="checkbox"/> Development	<input type="checkbox"/> c. Floodplain
<input type="checkbox"/> Conservation	<input type="checkbox"/> d. Seismic Zone (Harding/Larson)
<input type="checkbox"/> Preservation	

D. Please indicate below if any of these events have occurred in the last three years on the property

<input checked="" type="checkbox"/> Rezoning	Case Number	00-013
<input checked="" type="checkbox"/> Subdivision action	Case Number	S-10207 and S-10406
<input type="checkbox"/> Conditional use	Case Number	
<input type="checkbox"/> Zoning Variance	Case Number	
<input type="checkbox"/> Site plan review	Case Number	
<input type="checkbox"/> Enforcement action	Case Number	
<input type="checkbox"/> Building/Land use permit	Permit Number	

E. Please list any attachments

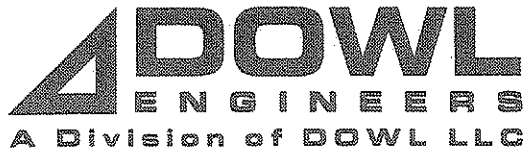
1. Location map (Mandatory) - Figure 1
2. Figure 2 - Area 'O' Rezone and Area Adjustment Including Area 'P'
3. Figure 3 - Land Use Data (Table 1)
4. Figure 4 - Proposed Residential Development

F. Proposed special limitations: (use separate sheet if necessary).

- 1.
- 2.
- 3.
- 4.

G. The full legal description for legal advertisement (use separate paper if necessary)

Tract 1 and a portion of Tract 7, Powder Ridge Subdivision (Plat 98-80)
located within SE $\frac{1}{4}$, T15N, R2W, S.M., AK.



May 17, 2001
W.O. D57382

Ms. Sue Fison, Director
Planning Department
Municipality of Anchorage
P.O. Box 196650
Anchorage, Alaska 99519-6650

Subject: Modification to Powder Reserve Master Plan
and Ordinance AO 94-235(S-1)(as amended)(as corrected May 4, 1995)

Dear Ms. Fison:

DOWL Engineers (DOWL), on behalf of Eklutna, Inc., is please to submit the attached rezone application to modify the Master Plan and associated ordinance for Tract A of the Powder Reserve. This request modifies the development allowed within Area "O". This development area was identified for commercial development in the original master plan and later rezoned to allow development of a major retail facility. With the announcement that the retail facility would not be constructed and recent advances to expand Eklutna's land holding in the immediate area, development of Area "O" as residential is in the best interest of the greater Eagle River area and the Municipality of Anchorage.

The Assembly approved a modification to this PC district in early 2001. Section 4, Item A.1 of AO 2000-143(S-2) stated that no further modifications of this PC district would be considered without a re-evaluation of the inter-relationship of Tract A, B, and C of the Powder Reserve. We have discussed this provision with the planning staff and local Assembly representatives. Since ownership transfer of the adjoining Powder Reserve tracts has not occurred and is likely to take two or more years to complete, it has been agreed that a change to the Area "O" development area would not impact future inter-relationships between the parcels. Further, residential development within this area would minimize impacts to the viewshed along the highway and to properties east of the highway.

We are in the process of completing the changes to the Master Plan required by AO 2000-143(S-2) and should have the materials required under Section 4.B delivered to your staff next week. Once this has occurred, we will modify the documents to reflect the changes requested in the attached application.

Eklutna, Inc. has already met with the existing property owners within the Powder Ridge Subdivision, and we look forward to working with your staff and the public as this rezone moves through the approval process.

Sincerely,
DOWL Engineers

Timothy C. Potter, Principal
Director of Planning

Attachments: As stated

D57382.Fison.TRM.TCP.051701.kms

STANDARDS FOR ZONING MAP AMENDMENTS

A. Conformance to Comprehensive Plan.

1. If the proposed zoning map amendment does not conform to the land use classification map contained in the applicable Comprehensive Plan, explain how the proposed rezoning meets one or more of the following standards:

- a. The proposed use is compatible because of the diversity of uses within the surrounding neighborhood or general area;

This request is to rezone Tract 1 and a portion of Tract 7, Powder Reserve Subdivision from PC to R-2D utilizing the existing development standards of that zoning district. This area was depicted as a mixed use area in the Chugiak - Eagle River Comprehensive Plan, this was supplemented by the adoption of the Master Development Plan for Tract A of the Powder Reserve. Tract 1 of Powder Ridge Subdivision is identified in the Master Plan as Development Area O which provided Office / Institutional / Hotel / Motel / Commercial Retail. Later there was a rezone from PC to B-3SL that was conditioned on obtaining a Land Use Permit for a Outlet Mall by a certain date. That deal has fallen through and the land remains PC.

- b. The proposed use may be made compatible with conforming uses by special limitations or conditions of approval concerning such matters as access, landscaping, screening, design standards and site planing ;or

Not applicable.

- c. The proposed use does not conflict with the applicable Comprehensive Development Plan and policies.

It will be more compatible with the existing Master Plan. Development of this site with 61 single family and 20 duplex's for a total of 101 dwelling units will be more in keeping with the existing development of the Master Plan that is approved.

2. If the proposed zoning map amendment does not conform to the generalized intensity (density) of the applicable Comprehensive Plan map, explain how the proposed rezoning meets the following standards:

- a. In cases where the proposed rezoning would result in a greater residential intensity (density), explain how the rezoning does not alter the plan for the surrounding neighborhood or general area, utilizing one of the following criteria:

Not applicable due to the Master Plan designation.

- i. The area is adjacent to a neighborhood shopping center, other major high density mode, or principal transit corridor.

Access to the subdivision will be from Powder Ridge Drive which is a collector in the Official Streets and Highways Plan. The density proposed will be in line with the existing development.

- ii. Development is governed by a Cluster Housing or Planned Unit Development site plan.

Not applicable.

- b. In cases where the proposed rezoning would result in a lesser residential intensity (density), explain how the rezoning would provide a clear and overriding benefit to the surrounding neighborhood.

Not applicable.

- c. Explain how the proposed residential density conforms with the applicable Comprehensive Development Plan goals and policies pertaining to the surrounding neighborhood or the general area.

Changing the Master Plan for this area from Commercial/Retail to residential will further the goals and policies of protecting existing residential areas from incompatible uses. Residential development of single family and duplex's meets the intent of the Powder Ridge Master Plan.

B. A zoning map amendment may be approved only if it is the best interest of the public, considering the following factors:

1. Describe the effect of development under the amendment and the cumulative effect of similar development on (a) the surrounding neighborhood, (b) the general area, and (c) the community with respect to the following (The discussion should include the degree to which proposed special limitations will mitigate any adverse effect.):

- a. Environment;

As with the surrounding property, much of this site is heavily wooded and residential development will be enhanced by the natural beauty of the site. Due to topography much of the site will be retained in open space which will benefit the new homeowners.

- b. Transportation;

The access to the site is from Powder Ridge Drive which is a collector in the Official Streets and Highways Plan.

- c. Public Services and Facilities;

All public services except for building safety are available to the site at this time, which include sewer, water, gas, fire and police.

- d. Land Use Patterns;

North:	PC, residential development
South:	PLI, B-3SL and R-2A, vacant, commercial and residential
East:	PC, vacant
West:	PC and R-OSL, vacant

Note:	Surrounding neighborhood	=	500 - 1000' radius
	General area	=	1 Mile Radius
	Community	=	Anchorage as a whole

2. Quantify the amount of undeveloped (vacant) land in the general area having the same zoning or similar zoning requested by this application. Explain why you feel the existing land is not sufficient or is not adequate to meet the need for land in this zoning category?

There is a large area of undeveloped land in the area. Much of the designated residential land has not been deeded to Eklutna. This development is in keeping with the neighborhood and will enhance the Eagle River Community.

3. When would development occur under the processed zoning? Are public services (i.e., water, sewer, street, electric, gas, etc.) Available to the petition site? If not, when do you expect that it will be made available and how would this affect your development plans under this rezoning?

The development process would begin immediately after the rezoning takes effect. Design and engineering would begin immediately. All utilities are available to the site.

4. If the proposed rezoning alter the use of the property from that which is indicated in the applicable Comprehensive Plan, explain how the loss of the land from this use category (i.e., residential, commercial, industrial) might be regained elsewhere in the community.

The loss of this semi commercial area in the Powder Ridge Master Plan will not be immediately apparent. The housing will blend into the existing development. Neighborhood commercial has been addressed in other development areas within the Master Plan. The demand for the uses in this development area have not materialized.

Proposed Amendments to the
POWDER RESERVE ORDINANCE
AO94-235(S-1)(as amended) (as corrected 5/4/95)

Section 1 No Changes

Section 2 Changes:

Page 2, Line 1, Master Development Plan Matrix

Development Area O, Residential [NP] P, Commercial [P,CU] As Defined in AMC
21.40.040, Total Dwelling Units 101, Total Commercial Floor Area [130,000 sf] Blank,
Total Office Floor Area [30,000 sf] blank.

Sections 3 through 7 No Changes

Section 8 Changes:

Page 24, delete lines 36 through 42.

Page 24, after line 35 add:

- a. Intent and use. Development standards within Development Area O shall be the same as the R-2D (two-family residential) district as defined in AMC 21.40.040.
- b. Total Dwelling Units, Residential 101.

Page 25, delete lines 1 through 43.

Page 26, delete lines 1 through 41

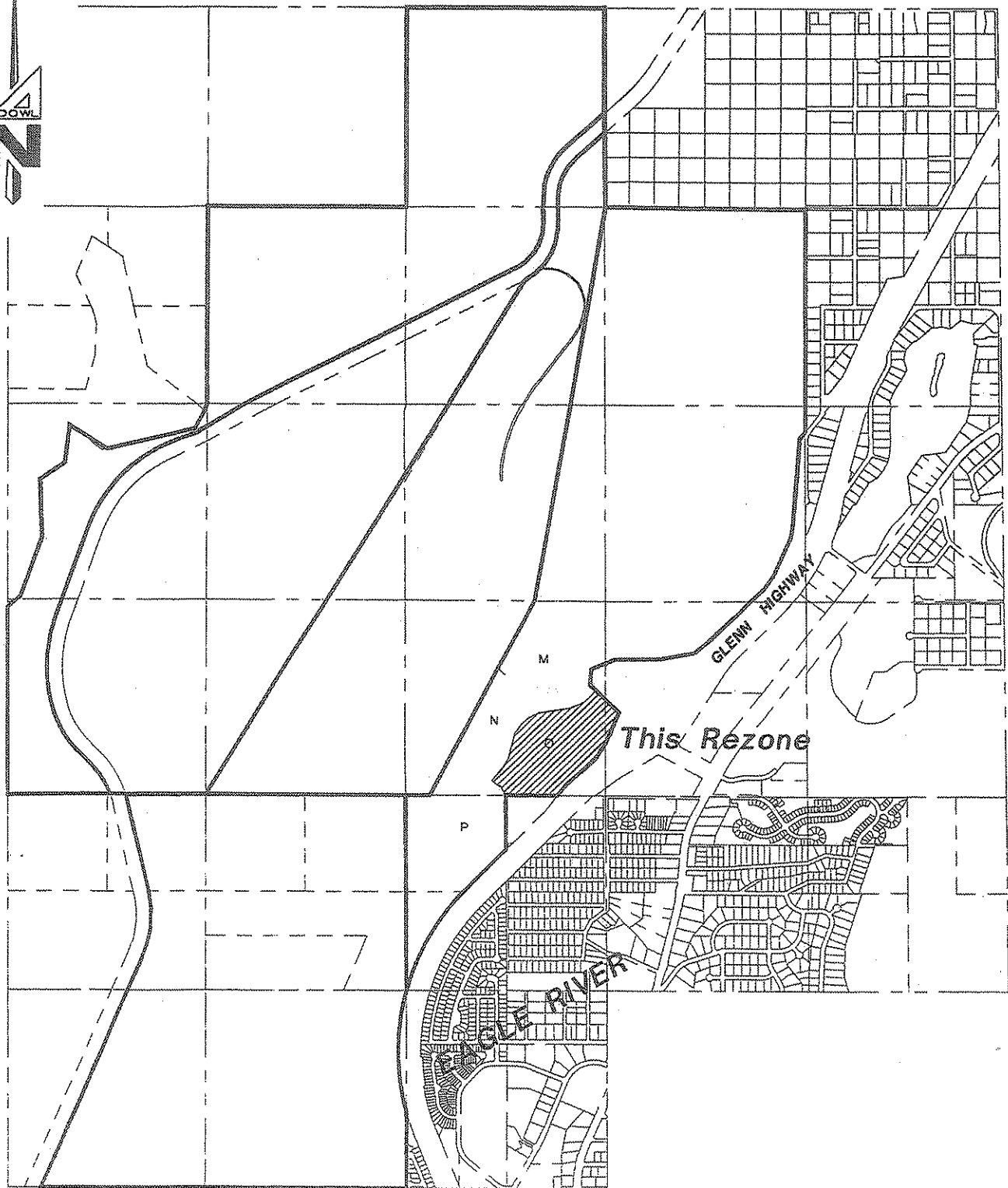
Page 27, delete lines 1 through 45.

Page 28, delete lines 1 through 28.

Sections 9 and 10 No Changes

END OF ORDINANCE CHANGES

Brackets "[]" Indicate items to be deleted.
Underline "_" indicates items to be added.

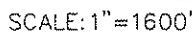


SCALE: 1" = 2000'

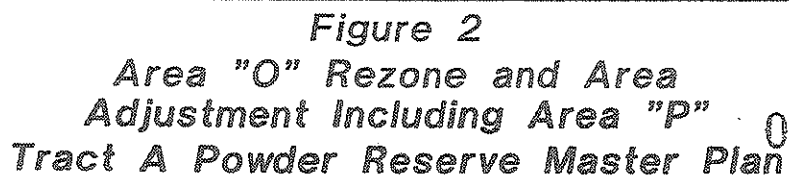
D57382



FIGURE 1
Vicinity Map
Area "O" Rezone
Tract A Powder Reserve Master Plan



D57382



021

Table 1: Land Use Data*

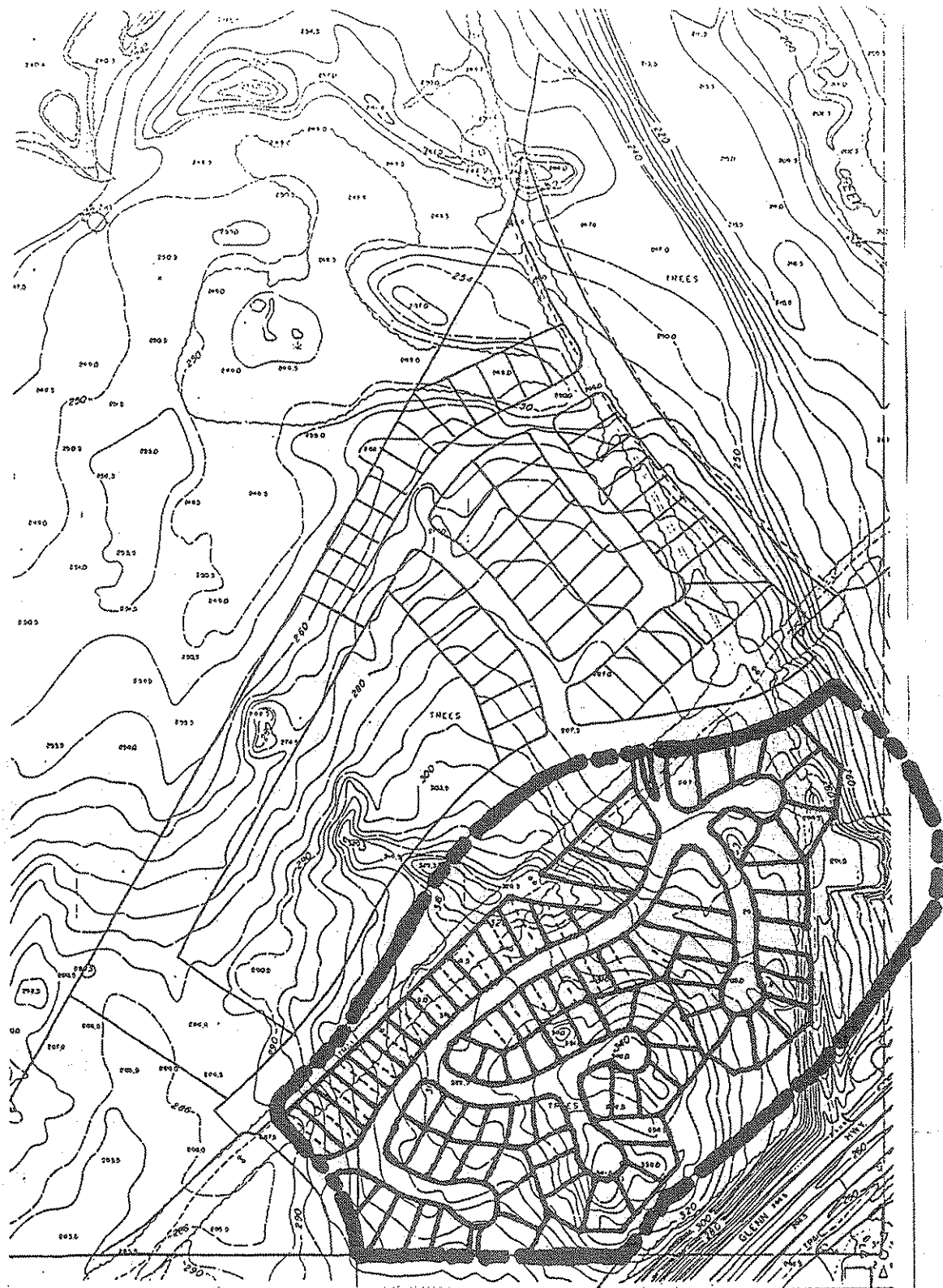
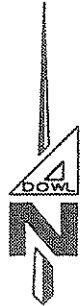
Development Area	Description	Area (Ac.)	Development Units	Density (DU/Ac.)
A	Undisturbed Area	9	0	0.0
B	Area Merged with Dev. Area E	--	--	--
C	Undisturbed Area	11	0	0.0
D	Single-Family Cluster Residential	74	200	2.7
E	Single-Family / Duplex Residential	60	220	3.7
F	Park Area (12.5 Ac. Dedicated and 2.5 Ac. Reserve)	150	0.0	
G	Undisturbed Area	7	0	0.0
H	School Site	15	0	0.0
I	Single-Family / Multi-Family Res.	76	450	5.9
J	Single-Family / Duplex Residential	82	330	4.0
K	Undist. Area (Fire Cr. Greenbelt)	20	0	0.0
L	Multi-Family Cluster Residential	39	350	9.0
M	Single-Family / Duplex Residential	35	108	3.1
N	Single Family Residential	10	32	3.2
O	Single-Family/Duplex Residential (R-2D)	36	101	2.81
P	Multiple-Family Residential (R-2M)	36	140	3.89
Q	Undisturbed Area	12	0	0.0
	TOTAL	537	1,931	3.6

% of

Total Area

D, E, I, J, L, M, N, & P	Total Residential Area	448	1,931	83.4
A, C, G, K, Q	Total Open Space Area (Undisturbed Areas and Green Belt)	59	0	11.0
F, & H	Total Public Use Area (School and Parks)	30	0	5.6

**Note that changes have been made to the total area. This is a result of boundary surveys completed for a portion of the property through the platting process. Additional changes are anticipated as the site is platted and development areas are defined by actual boundary surveys.*

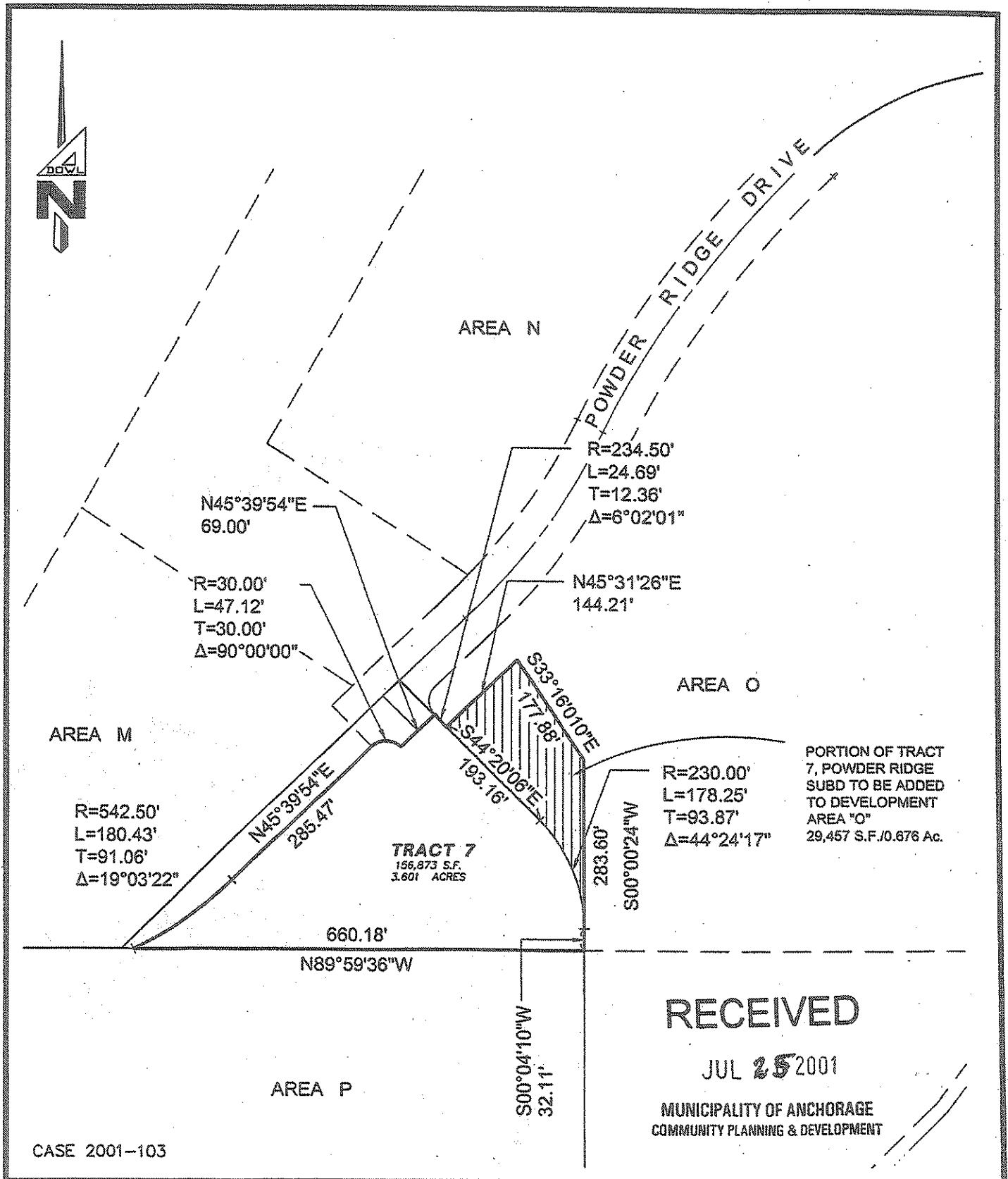


Not to Scale

D57382



FIGURE 4
Proposed Residential Development
Area "O" Rezone
Tract A Powder Reserve Master Plan



SCALE: 1"=200'

D57382

DOWL
ENGINEERS

FIGURE 5
Area "O" Rezone
Tract A, Powder Ridge Master Plan



16515 CENTERFIELD DRIVE, SUITE 201
EAGLE RIVER, ALASKA 99577
May 16, 2001 (907) 696-2845

INC.

Ms. Sue Fison, Director
Planning Department
Municipality of Anchorage
P.O. Box 196650
Anchorage, Alaska 99519-6650

Subject: Letter of Authorization

Dear Ms. Fison:

Eklutna, Incorporated authorizes DOWL Engineers to process a modification to the Master Development Plan for Tract A of the Powder Reserve and associated PC zoning district regulations concerning Development Area "O". This authority includes a minor revision to the areas between Development Areas "O" and "P" to align the development areas with future residential development plans.

The parcels affected by this request are Tract 1 and a small portion of Tract 7, Powder Ridge Subdivision (Plat 98-80). Future platting actions will align the parcel lines with the amendments proposed under this application.

Please direct all questions to either Tim Potter or Tom Meehan at DOWL Engineers. They can be reached at 562-2000, via fax at 563-3953 or via e-mail at tpotter@dowl.com and tmeehan@dowl.com respectively.

Thank you for your time and consideration of this request. We look forward to working with your staff, the public, Planning and Zoning Commission and Assembly as this rezone is processed.

Very Truly Yours,

William C. Price, CEO

Enclosure:

2

**REVIEW
AGENCY and
PUBLIC
COMMENTS**

Case #: 2001-103 ✓
Type: PC Amendment
Subdivision: Powder Ridge, Tracts 1 and 7
Grid: NW 451
Tax ID #: 051-631-51, -57
Zoning: PC per AO 94-235 (S-1 aa) and AO 2000-143 (S-2)
Petitioner: Eklutna, Inc.

PROJECT MANAGEMENT AND ENGINEERING

Road comments: Existing construction is adequate and no road construction is required.

Drainage comments: Drainage is adequate and no drainage easements or drainage improvements are required.

A site grading and drainage plan for the development must be submitted to Public Works for approval.

A drainage impact analysis is needed to adequately analyze impacts.

Resolve the need for drainage improvements and drainage easements with Project Management and Engineering.

ADEC approval will be required for any development on this site.

An erosion and sediment control plan must be submitted to Public Works for approval.

Resolve the need for footing drains and footing drain stubouts with Project Management and Engineering.

Right of way and street improvement widths for interior and peripheral streets: The existing right of way that is provided is adequate.

Provide 60 foot wide rights of way for all streets within this subdivision.

Stream maintenance easements: No streams are impacted by this proposal.

Provide stream protection and maintenance easement per AMC 21.45.210; resolve width with Project Management and Engineering.

Street design standards (OS&HP) including requirements for additional dedication: No OS&HP streets are impacted by this proposal.

Existing construction reflects OS&HP standards.

Street geometrics-traffic safety: Street geometrics provided adequately satisfy code requirements.

Compliance with UBC Chapters 18 and 33: UBC requirements are not affected by this proposal.

UBC requirements will be adequately addressed by the requirement for a grading and drainage plan in the building permit process.

Recommendations: Project Management and Engineering has no adverse comment regarding this case.

(Reviewer: Robert C. Palmer)

FLOODPLAIN

Flood Hazard Zone:

Map:

I have no comments on this case.

Portions of this lot are located in the floodplain as determined by the Federal Emergency Management Agency.

AMC 21.15.020 requires that the following note be placed on the plat: "Portions of this subdivision are situated within the flood hazard district as it exists on the date hereof. The boundaries of the flood hazard district may be altered from time to time in accordance with the provisions of Section 21.60.020 (Anchorage Municipal Code.) All construction activities and any land use within the flood hazard district shall conform to the requirements of Chapter 21.60 (Anchorage Municipal Code.)"

A Flood Hazard permit is required for any construction in the floodplain.

(Reviewer: Jack Puff)

LAND USE ENFORCEMENT

Zoning: PC per AO 94-235 (S-1 aa) and AO 2000-143 (S-2)

Platting: 98-80, filed July 21, 1998

Enforcement actions: No land use cases are listed in CETS.

Use determination: CityView® indicates vacant land.

Recommendations: Land Use Enforcement has no adverse comment regarding this case.

(Reviewer: Don Dolenc)

RIGHT-OF-WAY

We have no comment at this time.

(Reviewer: Lynn McGee)

ADDRESSING

I have no comments on this case.

(Reviewer: Kristiann Rützler)

BUILDING SAFETY PLAN REVIEW AND INSPECTION

I have no comments on this case.

(Reviewer: James Gray, P.E.)

No comments Title 23.

(Reviewer: Chuck La Casse)

NPDES STORM WATER REVIEW

Storm Water Treatment Plan Review has no adverse comments regarding this case.

(Reviewer: Robert C. Palmer)

Department position: If approval of this case is granted, Development Services recommends the following:

XXXXX:

Jerry T. Weaver, Jr., Zoning and Platting Manager
August 6/13, 2001 Zoning Cases
Physical Planning Division Comments
Page 2

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JUL 29 2001
MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

✓ **2001-103 Proposed Rezoning from PC to R2D (Powder Ridge Subdivision)**

The Division has no comment regarding the proposed rezoning.

2001-104 Conditional Use for a Bed and Breakfast Expansion

The Division has no comment on this case.

2001-98 Site Plan Review for Multi-Family Residential Development (Maple Ridge Condominiums)

This application is being withdrawn. Since there are quite a few issues associated with this site and the proposed use, the Division recommends that a pre-application meeting be held with the applicant prior to the next submittal.

2001-136 Conditional Use for an Airport Hanger in PLI Zoning District (TSAIA)

The Division has no comment on this case.

✓ Case No. 2001-103

The amendment to the PC zoning for Tracts 1 & 7 of the Powder Ridge Subdivision will change the use from a mixture of commercial uses to single family residential. This will have the effect of reducing the amount of traffic on Powder Ridge Drive, the collector road adjacent to the petition site. As a result, no transportation impacts are anticipated from the proposed zoning change.

Transportation Planning does, however, have some concerns regarding the compatibility of this zoning change with the uses allowed on the Hamilton property located directly to the south. This property was rezoned in January 1999 from T to R-O SL. The R-O zoning district permits of residential as well as a wide range of office uses. Neither the height nor the lot coverage is restricted in the R-O zoning district. As a result, an office development on this 4.75 acre parcel could generate a substantial amount of traffic. This would not be a problem if Area O were developed as originally proposed, especially if access from the Hamilton property to Powder Ridge Drive was permitted through the commercial development of Area O.

With the proposed rezoning, traffic from the potential commercial development on the Hamilton property will have to travel between the residential neighborhoods located in Area O and Area P of the Powder Reserve. One of the main principals of good traffic planning is to avoid passing a substantial amount of commercial traffic through residential neighborhoods.

Transportation planning staff recommends a condition of approval that would require a Traffic Department review and approval of the site plan for Area O and P to ensure that a separate access is provided which would connect the Hamilton property to Powder Ridge Drive.

Case No. 2001-104

No comment.

MUNICIPALITY OF ANCHORAGE

DEPARTMENT OF CULTURAL & RECREATIONAL SERVICES

PARKS & BEAUTIFICATION DIVISION

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MEMORANDUM

JUL 13 2001

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

DATE: July 12, 2001

TO: Jerry T. Weaver, Supervisor, Zoning and Platting Division, Department of Community Planning and Development

THRU: John Rodda, Manager, Eagle River Parks and Recreation Division

FROM: Tom Korosei, Park Planner, Design and Development Section

SUBJECT: Planning and Zoning Case Reviews—Eagle River-Chugiak Park and Recreational Service Area

Chugiak-Eagle River Parks and Recreation has the following comments:

<u>CASE NO.</u>	<u>CASE</u>
-----------------	-------------

2001-099	Conditional use permit for a cellular or wireless communication tower near New Glenn Highway (James Way at Husky Ave.).
----------	-------------------------------------------------------------------------------------------------------------------------

- The *Areawide Trails Plan* shows a planned multi-use paved trail along adjoining Husky Ave. and other trails along nearby Glenn Highway. Parks and Beautification requests that the tower be designed and located to avoid or minimize visual intrusiveness, which would detract from the visual quality of the neighborhood.

✓ 2001-103	Change of use (rezoning from PC (commercial) to R-2D (two-family residential)) within Tr. 1 and portion of Tr. 7, Powder Ridge Subd. (Development Area O), approx. 37.3 acres adjacent to Powder Ridge Dr./New Glenn Hwy.
------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

- The *Areawide Trails Plan* shows planned multi-use paved and unpaved trails in or near the northwesterly and northeasterly boundaries, and planned snowmobile trail near the southeasterly boundary of the subject property. Parks and Beautification recommends that consideration be given to assuring appropriate access to trails, and to providing appropriate park and open space within the subject development area and within the area that may be affected by the proposed change of use.



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JUL 13 2001

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

Municipality of Anchorage
Development Services Department
Building Safety Division



MEMORANDUM

DATE: 07/13/01
TO: Jerry T. Weaver, Jr., Platting Officer, CPD
FROM: James Cross, PE, Program Manager, On-Site Water & Wastewater
SUBJECT: Comments on Cases due July 9, 2001

The On-Site Water & Wastewater Program has reviewed the following cases and has these comments:

2001 - 099 A request for a Conditional Use for a Cellular or Wireless Communication Tower.
No objections.

2001 - 100 A request for a Conditional Use for a Cellular or Wireless Communication Tower.
No objections.

2001 - 101 A request for a Conditional Use for a Cellular or Wireless Communication Tower.
No objections.

2001 - 102 A request for a Conditional Use for a Cellular or Wireless Communication Tower.
No objections.

✓ 2001 - 103 A request for a change of use R-2D Two-family residential district.
No objections.

2001 - 104 A request for a conditional use for a bed & breakfast of 5 guest rooms or more.
No objections.

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JUL 09 2001
MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

3. AWWU has no objection to the proposed conditional use for a cellular or wireless communication tower.

01-102 Glen Alps Estates #1, Lot 3 (conditional use) Grid 2943

1. AWWU water and sanitary sewer mains are not available to the referenced lot.
2. AWWU has no objection to the proposed conditional use for a cellular or wireless communication tower.

✓ **01-103 Powder Ridge, Tracts 1 & 7 (rezone) Grid NW451**

1. AWWU water and sanitary sewer mains are located within and around the referenced tract.
2. An AWWU water main extension agreement is required to extend the existing water main and provide water service to proposed tract if water facilities are desired by owner or required by the Platting Authority under AMC 21.85.160.
3. An AWWU sanitary sewer main extension agreement is required to extend the existing sanitary sewer main and provide sanitary sewer service to proposed tract if sanitary sewer facilities are desired by owner or required by the Platting Authority under AMC 21.85.170.
4. AWWU has no objection to the proposed rezone from PC (planned community district) to R-2D (two-family residential district).

01-104 Strzelewicz, Lot 13A (conditional use) Grid 3034

1. The referenced lot is outside the AWWU certificated water service area.
2. Wastewater facilities are to be in accordance with the Hillside Wastewater Management Plan (HWMP).
3. Note: The parcel fronts the ADOT&PF Dearmoun Road Project.
4. AWWU has no objection to the proposed conditional use for a bed & breakfast.

If you have any questions, please call me at 343-8009.



George P. Wuerch,
Mayor

Municipality of Anchorage

Department of Health and Human Services

Division of Environmental Services

Air Quality Program

P.O. Box 196650 Anchorage, Alaska 99519-6650

<http://www.ci.anchorage.ak.us>



RECEIVED

JUN 11 2001

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

DATE: 6/7/01
TO: Jerry Weaver, Platting & Zoning, fax 4220
THROUGH: SM Steve Morris, P.E., Program Manager
FROM: *KT* Larry Taylor, QEP, Environmental Engineer
SUBJECT: Comments

CASE NO. 2001-095:	No Objection
CASE NO. 2001-096:	No Objection
Proposed Balto- Seppala Parking Lot:	No Objection
CASE NO. 2001-104:	No Objection
CASE NO. 2001-098:	No Objection
✓ CASE NO. 2001-103:	No Objection
CASE NO. 2001-102:	No Objection
CASE NO. 2001-099:	No Objection
CASE NO. 2001-100:	No Objection
CASE NO. 2001-101:	No Objection

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION - PLANNING

TONY KNOWLES, GOVERNOR

4111 AVIATION AVENUE
P.O. BOX 196900
ANCHORAGE, ALASKA 99519-6900
(TDD 269-0473)
(907) 269-0520 (FAX 269-0521)

RECEIVED

June 7, 2001

JUN 11 2001

RE: MOA Zone Requests

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

Mr. Jerry Weaver, Platting Officer
Department of Development & Planning
Municipality of Anchorage
P.O. Box 196650
Anchorage, Alaska 99519-6650

Dear Mr. Weaver:

The Department of Transportation and Public Facilities (ADOT&PF) has reviewed the following zoning cases and has no comment:

2001-098 Boettcher Subdivision, Tract 3
2001-099 17833 James Way – 65-foot cell tower
2001-100 3600 DeArmoun Rd – 80-foot cell tower
2001-101 3835 Lore Rd – 80-foot cell tower
2001-102 Glen Alps Estates – 40-foot cell tower
✓ 2001-103 Powder Ridge Subdivision – amend development standards & site layout
2001-104 Strzelewicz Subdivision – 5-room Bed & Breakfast

Thank you for the opportunity to comment on these zoning cases. If you have any questions, please contact me at 269-0522.

Sincerely,



Sandra L. Cook
Anchorage Area Planner

/hh

Pierce, Eileen A

01-103

From: Staff, Alton R.
Sent: Wednesday, June 13, 2001 10:31 AM
To: Pierce, Eileen A
Cc: Taylor, Gary A.
Subject: Zoning Case Reviews

Case No. 2001-086 The proposed hotel development should include pedestrian access to the adjoining
pathway that does not require pedestrians to walk in via the driveway.

Public Transportation has no comment on the following cases:

2001-042, 80, 81, 83, 85, 87 through 93, 099 through 104.

Thank you for the opportunity to comment.

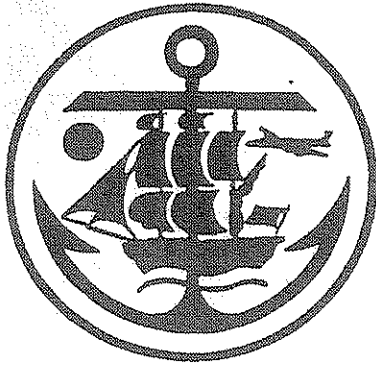
Alton R. Staff, Operations Supervisor
Municipality of Anchorage - Public Transportation Department
3650-A E. Tudor Road
Anchorage, AK 99507
907-343-8230

3

POSTING AFFIDAVIT

RECEIVED

JUL 16 2001

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISIONAFFIDAVIT
OF
POSTINGCase Number: 2001-103

I, TERENCE CHANG, 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 REZONE. The
notice was posted on JULY 13, 2001 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 13TH day of JULY, 1999 2001
SignatureLEGAL DESCRIPTION Tract or Lot A OF POWDER RESERVE

Block _____

Subdivision _____

4

**PROPERTY
and
RELATED
CASE
HISTORY**

4a

AO 2000-143 (S-2)

Amendment to PC zone

Powder Ridge Subdivision
Affecting Development Areas O and P

CLERK'S OFFICE

APPROVED

Date: 1-9-01

Submitted by:

Assemblymember Fairclough

Prepared by:

Department of Community Planning
and Development

For reading:

Anchorage, Alaska

AO 2000-143(S-2)

1
2
3 AN ORDINANCE AMENDING ANCHORAGE ZONING ORDINANCE 94-235 (S-1)(aa), AN
4 ORDINANCE THAT REZONED TO PC (PLANNED COMMUNITY) DISTRICT APPROXIMATELY 530
5 ACRES, DESCRIBED AS TRACT A OF THE POWDER RESERVE, TO AMEND THE STANDARDS OF
6 DEVELOPMENT AND SITE LAYOUT PREVIOUSLY ADOPTED IN THE MASTER PLAN FOR TRACT A
7 OF THE POWDER RESERVE, GENERALLY LOCATED IMMEDIATELY NORTHWEST AND
8 SOUTHWEST OF THE NORTH EAGLE RIVER INTERCHANGE OF THE NEW GLENN HIGHWAY, IN
9 THE EAGLE RIVER & BIRCHWOOD AREA, LOCATED WITHIN PORTIONS OF SECTIONS 25, 26,
10 35 AND 36, T15N, R2W, S.M., ALASKA CONTAINING 530 ACRES MORE OR LESS.

11 (Birchwood Community Council)(Planning and Zoning Commission Case No. 00-013)

12 THE ANCHORAGE ASSEMBLY ORDAINS:

13 Section 1. That the Master Plan for the PC (Planned Community) District, as
14 depicted on Exhibit A (attached), for Tract A of the Powder Reserve located within portions of
15 Sections 25, 26, 35 & 36, T15N, R2W, S.M., Alaska, is hereby amended as set forth in subsequent
16 sections.

17 Section 2. AO94-235 (S-1) (as amended) (as corrected 5/4/95) is hereby amended
18 as follows:

19 Section 2 Changes:

20 Page 2, Line 1, Master Development Plan Matrix

21 Development Area N, Residential [NP] P, Commercial [NP] CU, Other [Park Reserve]
22 P, CU, Total Dwelling Units 32.

23 Development Area P, Total Dwelling Units [100] [164] 140.

24 *** No Change ***

25 Section 3 Changes:

26 Page 3, Line 19 & 20

27 [h. Tract A shall be annexed into the Building Safety Service Area (AMC 27.30.040)
28 with or prior to the recordation of the first subdivision plat.]

29 *** No Change ***

1 Page 4 - Delete PC District Residential Street Design Standard sections for major and minor residential
2 streets. Retain design standard sections for collector streets.

3 *** No Change ***

4 Page 6, lines 7,8 & 9

5 1) Designated open space areas within the PC district shall comply with those shown
6 in Figures 7 and 9 as amended (Exhibit B) of the adopted Master Development Plan, except
7 that:

8 *** No Change ***

9 Page 7, lines 40,41,42 and 43

10 2) Reserves for possible future construction of public park facilities shall be located
11 in the remaining portion of Development Area F (2.5 acres) [and Development
12 Area N (10 acres)] ,as shown in Figure 7 as amended (Exhibit B) of the adopted Master
13 Development Plan.

14 *** No Change ***

15 Page 8, lines 4,5 and 6

16 4) The Municipality of Anchorage shall have authority to acquire [Development
17 Area N and] the reserve portion of Development Area F for public park purposes
18 and subject to the following conditions.

19 *** No Change ***

20 Section 4 Changes:

21 Page 9, Lines 20,21,22 and 23.

22 Section 4. Development area E consisting of 60 + acres, development area J consisting or
23 82 + acres, development area M consisting of [33] 35 + acres, development area N
24 consisting of 10 + acres, and development area P consisting of [34] 37 + acres, as depicted in Exhibit
25 B, shall be restricted to the following uses and development design standards:

26 *** No Change ***

1 Page 9, Line 24.

2 1. Development Areas E, J, M, and N [and P] (Single-Family, Two-Family
3 Residential) (Exhibit D)

4 *** No Change ***

5 Page 9, Line 35.

6 Development Area M and N, Total Dwelling Units, Residential, 140

7 *** No Change ***

8 Page 9, Line 36.

9 [Development Area P, Total Dwelling Units, Residential, 100]

10 *** No Change ***

11 Page 10, Lines 11 and 12.

12 4) Public Buildings such as police stations, fire stations, libraries and uses in keeping
13 with the character and requirements of the PC district.

14 *** No Change ***

15 Page 12, Lines 1 through 13.

16 1) A residential lot [Areas E, J, M, and P] created by Plat 98-80 and developed with a
17 structure as of the effective date of this ordinance in Area M and any future lots in Areas M and N
18 identified as Tracts 4 and 5 on Plat 98-80 with a common lot line adjacent to any developed platted
19 lots in Area M shall have the following minimum yard

20 dimensions:

21 Front: 20 feet

22 Side: 10 feet

23 Rear: 20 feet

24 *No less than 20 feet of the rear yard area, measured from the property line, shall be
25 retained as undisturbed open space, except that the property owner shall be
26 permitted unlimited right to remove slash and deadfall and to plant additional
27 vegetation, if desired.

28 2) A 20-foot minimum Undisturbed Vegetative Easement, located at the rear of each lot
29 shall be identified during the platting action to ensure that the intent of this Master
30 Development Plan is carried out.

3) A residential lot in Areas E, J, the undeveloped portion of Area M identified as Tract 5 on Plat 98-80, and N shall have the following minimum yard dimensions:

Front: 20 feet

Side: [10] 5 feet

Rear: 20 feet

*No less than [20] 10 feet of the rear yard area, measured from the property line, shall be retained as undisturbed open space, except that the property owner shall be permitted unlimited right to remove slash and deadfall and to plant additional vegetation, if desired.

4) A [20] 10-foot minimum Undisturbed Vegetative Easement, located at the rear of each lot, shall be identified during the platting action to ensure that the intent of this Master Development Plan is carried out.

No Change

Page 13, after Line 17 add:

2. Development Area P (Single-Family, Two-Family and Multiple-Family Residential)

a. Intent and use. Development standards within Development Area P shall be the same as the R-2M (multiple-family residential) district as defined in AMC 21.45.045.

b. Total Dwelling Units, Residential [164] 140.

Section 3. Master Plan Amendments:

Section III Changes:

Page 16 - Section III, A. 4 modify to read:

4. Street Design. All streets will be constructed to meet or exceed Municipal urban standards, including requirements for sidewalks and street lighting. All collector streets shall be designed in accordance with Figure 13b. PC District Residential Street Design Standard of this Master Plan. All other residential streets, including right-of-ways dedicated on Plat 98-80, shall be designed to urban street standards defined in the most recently adopted version of AMC 21.85. Subdivision Standards: Improvements, Table A. This will ensure consistency and quality in street design as phased development is undertaken.

*** No Change ***

Page 18 - Section III, Table 1. Land Use Data: delete and replace with:

1 Table 1. Land Use Data.

Development Area	Description	Area (Ac.)	Development Units	Density (DU/Ac.)
A	Undisturbed Area	9	0	0.0
B	Area Merged with Dev. Area E	--	--	--
C	Undisturbed Area	11	0	0.0
D	Single-Family Cluster Residential	74	200	2.7
E	Single-Family / Duplex Residential	60	220	3.7
F	Park Area (12.5 Ac. Dedicated and 2.5 Ac. Reserve)	150	0.0	
G	Undisturbed Area	7	0	0.0
H	School Site	15	0	0.0
I	Single-Family / Multi-Family Res.	76	450	5.9
J	Single-Family / Duplex Residential	82	330	4.0
K	Undist. Area (Fire Cr. Greenbelt)	20	0	0.0
L	Multi-Family Cluster Residential	39	350	9.0
M	Single-Family / Duplex Residential	35	108	3.1
N	Single Family Residential	10	32	3.2
O	Office/Retail/Hotel/Institutional Area	35	0	0.0
P	Multiple-Family Residential (R-2M)	37	[164] 140	[4.4] 3.78
Q	Undisturbed Area	12	0	0.0
	TOTAL	537	[1,854] 1,830	[3.5] 3.4

				% of Total Area
D, E, I, J, L, M, N, & P	Total Residential Area	413	1,854	76.9
A, C, G, K, Q	Total Open Space Area (Undisturbed Areas and Green Belt)	59	0	11.0
F, & H	Total Public Use Area (School and Parks)	30	0	5.6
O	Total Office/Hotel/Institution Area	35	0	6.5

4 [Note that changes have been made to the total area. This is a result of boundary surveys completed
5 for a portion of the property through the platting process. Additional changes are anticipated as the
6 site is platted and development areas are defined by actual boundary surveys.]

7 *** No Change ***

8 Page 19 - Section III, A. 5 delete and replace with:

9 5. Street Landscaping. Both sides of all collector streets within the tract will be tree-lined to
10 specified standards to ensure consistent, high quality aesthetic design.

*** No Change ***

Page 19 - Section III. A. 6 be amended to read:

6. Preservation of Natural Vegetation. Standards have been developed to ensure that a high degree of natural vegetation is retained in all areas of the tract. In addition, of the tract's [five] four designated opens space areas, development standards require that undisturbed open space be retained in rear yards of all residential neighborhoods.

*** No Change ***

Page 19 - Section III. A. 8 be deleted:

[8. Quality of Construction. All structures within the tract are required to be constructed to municipal Uniform Building Code Standards]

*** No Change ***

Page 19 - Section III. B. 1 amend the first paragraph to read:

1. Overview. The unifying development theme and dominant land use for Tract A is residential. Almost 77 percent of the land, [398] 413 acres in total, is designated for primary residential use. At full build-out, the tract will accommodate a total of [1,790] [1,854] 1830 dwelling units. Residences will be located within [seven] eight Development Areas: Areas D, E, I, J, L, M, N, and P.

*** No Change ***

Page 20 - Section III. B. 3 amended the "NOTE:" to read:

NOTE: Development Areas E, J, M, and N [and P] are all subject to the same development standard requirements and restrictions.

*** No Change ***

Page 21 - Section III. B.5 be deleted and replaced with:

5.	Development Area M and N	(Single-Family, Two-Family Residential)
	Development Area Size:	45 acres
	Development Area Dwelling Units:	140
		Area M = 66 Single-Family and 42 Two-Family
		Area N = 32 Single-Family
	Style of Dwelling Units	Single-Family detached, Two-Family
	See Development Area E above for description of development requirements and restriction.	

Page 21 - Section III. B. 6 be deleted and replaced with:

6. Development Area P (Single-Family, Two-Family and Multiple-Family Residential)

Development Area Size: 37 acres

Development Area Dwelling Units: [164] 140

Style of Dwelling Units: Single-Family, Two-Family and Multiple-Family

This development area is intended to serve single-family, two-family and multiple-family residential development. Development standards shall be the same as the R-2M (Multiple-Family Residential) district as defined in AMC 21.45.045.

*** No Change ***

Page 25 - Figure 8. Conceptual Park Layout: delete Area N figure. (Exhibit C)

*** No Change ***

Page 26 - Section III.D.3 be deleted.

[3. Development Area N (Active Park)

In the southern portion of the tract, a 10-acre active park/ball field area has been reserved at the existing gravel extraction site. The site's advantage for ball field use is that it has been excavated more like a "clear cut" than a "hole". Its location also has the major benefit of making it readily accessible to both tract residents and the surrounding community. The park is primarily intended, and can be designed, to accommodate baseball, softball or Little League fields. Figure 8 shows a conceptual park layout.] (Exhibit C)

*** No Change ***

Section IV Changes:

Page 36 - Section IV. A.8 be deleted:

[8. Tract A shall be annexed into the Building Safety Service Area (AMC 27.30.040) with or prior to recordation of the first subdivision plat.]

*** No Change ***

Page 37 - Section IV.D.1.b be amended to read:

- b. All streets, street lighting, sidewalks and bike paths will be designed and constructed to meet or exceed the most recently adopted urban design standards identified in Title 21, the Design Criteria Manual (DCM), and the Official Streets and Highways Plan (OSHP).
Collector streets shall conform to PC District street design standards shown in Figure 13B.
Streets shall be constructed in conjunction with subdivision development.

*** No Change ***

Page 37 - Section IV.D.1.c be amended to read:

1 C. All collector streets within the PC district shall be planted on both sides with deciduous
2 trees a minimum of 8 feet in height (1-inch caliper). Trees shall be planted at average
3 intervals no greater than 20 feet on center. Trees shall be planted within 12 months of
4 street construction. Trees shall be maintained by the property owner after expiration of
5 any warranty on the landscaping.

6 *** No Change ***

7 Page 39 - Figure 13a. PC District Residential Street Design Standards: to be deleted.

8 *** No Change ***

9 Page 44 - Section IV F.2.b. amend to read:

10 b. Reserve for possible future construction of public park facilities shall be located in the
11 remaining portion of Development Area F (2.5 acres) [and Development Area N (10 acres),]
12 as shown in Figure 7, as amended (Exhibit B), of the adopted Master Development Plan.

13 *** No Change ***

14 Page 44 - Section IV.F.2.d. amend to read:

15 d. The Municipality of Anchorage shall have authority to acquire [Development Area N and]
16 the reserve portion of Development Area F for public park purposes and subject to the
17 following conditions.

18 *** No Change ***

19 Page 45 - Section IV.F.2.d.(2) amend to read:

20 (2) Decision by the Municipality not to acquire [Development Area N or] the reserve
21 portion of Development Area F shall not obligate Eklutna, Incorporated or such
22 other property owner to provide alternative park reserve site(s) within the Master
23 Development Plan area. Provisions of alternative park reserve site(s) shall be solely
24 at the discretion of Eklutna, Incorporated or such other property owner.

25 *** No Change ***

26 Page 45 - Section IV.F.2.e amend to read:

27 e. If the decision is made by the Municipality not to acquire [Development Area N or] the
28 reserve portion of Development Area F at any time from date of adoption of the PC District,
29 then they shall be immediately released from their reserve designations. Under such
30 circumstance, standard for [Development Area N and] the reserve portion of Development
31 Area F of the Master Development Plan shall be amended as outlined in Anchorage
32 Municipal Code 21.40.250.f.

33 *** No Change ***

1 Page 46 - Section ~~IV.B~~ amend to: DEVELOPMENT AREAS E, J, M, and N ~~and P~~

2 *** No Change ***

3 Page 47 - Section ~~IV B.2.~~ Maximum Limits on Permitted Principal Uses

4 Total Dwelling Units, Residential

5 1) Dev Area E 220

6 (2) Dev Area J 330

7 (3) Dev Area M and N 140

8 [(4) Dev Area P 100]

9 *** No Change ***

10 Page 47 - Section ~~IV.B.3.d~~ modify to read:

11 d. public buildings such as police, fire stations, libraries and uses in keeping with the
12 character and requirements of the PC district;

13 *** No Change ***

14 Page 70 - Add new item as follows:

15 G. Development Area P (Single-Family, Two-Family, and Multiple-Family Residential.

16 1. Intent and use. Development standards within Development Area P shall be the
17 same as the R-2M (multiple-family residential) district as defined in the most
18 recently adopted version of AMC 21.45.045.

19 2. Total Dwelling Units, Residential [164] 140.

20 *** No Change ***

21 Section 4. Effective Clauses. The Director of the Department of Community

22 Planning and Development shall change the zoning map in accordance with ordinance referenced
23 in Section 1 above, which shall become effective upon satisfaction of the following:

24 A. A letter from the petitioner shall be submitted within 120 days of Assembly approval,
25 indicating no objection to the following conditions:

- 1) NO further zoning amendments of the PC Zone, as represented by the Master Development Plan for Tract A, Powder Reserve (as amended and corrected), shall be considered by the Municipality of Anchorage, without an accompanying re-evaluation of the existing Master Plan. At a minimum, the re-evaluation should address the inter-relationship of Powder Reserve Tracts A, B and C, as well as the use of standard zoning districts in lieu of the current PC and T zoning in the area.
- 2) ~~Residential streets shall be designed to accommodate separated sidewalks (on both sides of the street), bike trails (where designated in the Plan), and snow storage areas within the right-of-way.~~
- 3) The map/plat for Powder Ridge Subdivision, contained in the petitioner's submittal dated May 18, 2000, showing the location of single-family and duplex dwellings, shall be included in the Master Plan to supplement related text revisions. (Exhibit D)
- 4) ~~The petitioner agrees to dedicate 3.5 acres of land from Development Area N to be used for a neighborhood park.~~

B. The petitioner shall submit 18 copies of an updated Master Plan that is revised in accordance with the amendments contained herein, and all prior amendments and corrections, which shall be delivered to the Director of the Community Planning and Development Department. The update shall include all prior amendments or revisions to the Master Development Plan for Tract A, Powder Reserve, that have been duly approved by the Assembly since the original approval in 1995.

PASSED AND APPROVED by the Anchorage Assembly this 9th day of January, 2000.

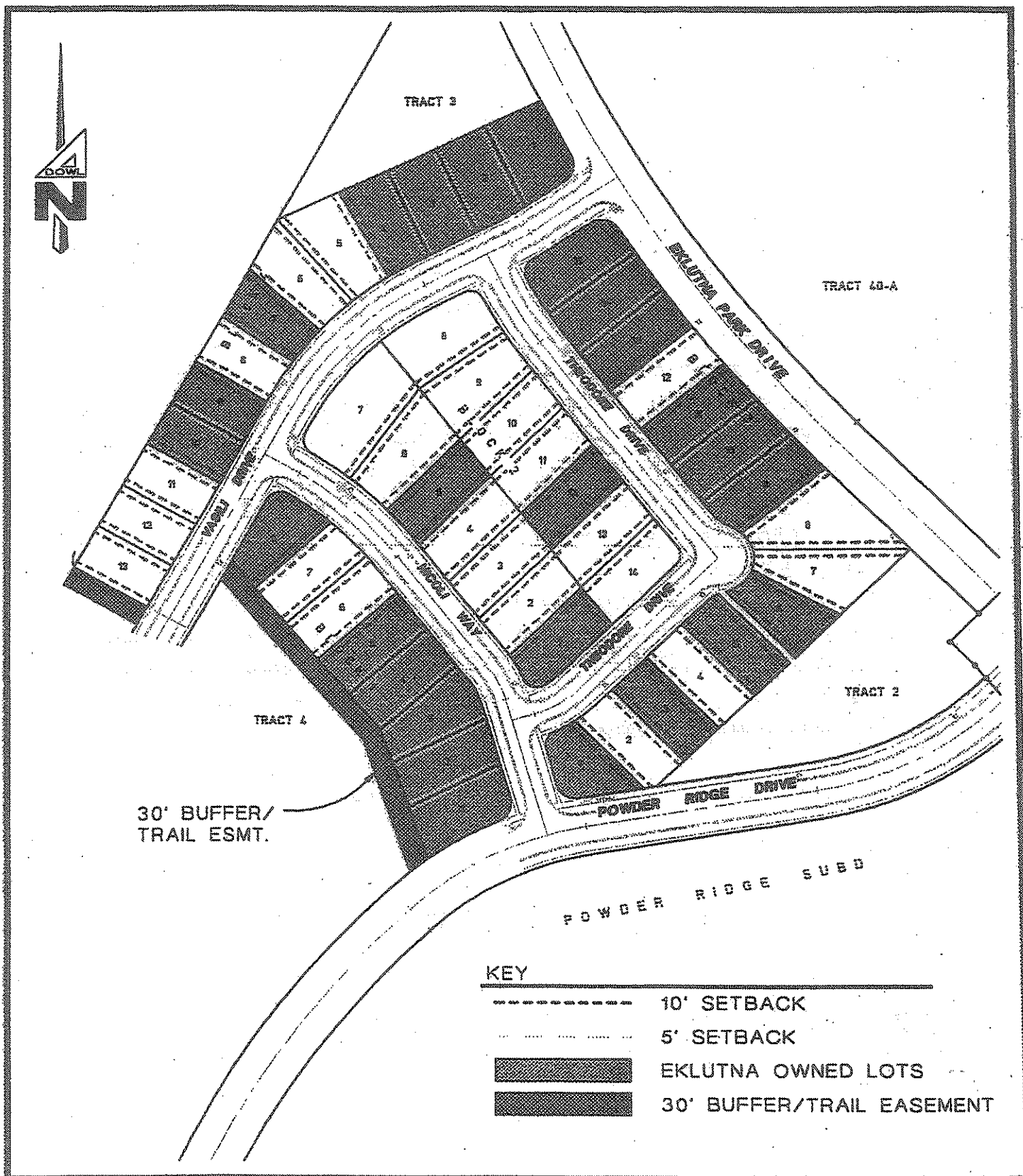
ATTEST:

Fay Van Hemming
Chairman

Lester Morgan
Municipal Clerk

(051-631-51, varies within Powder Ridge Phase I)

(Case 2000-013)



SCALE: 1"=200'

D57077

DOWL
ENGINEERS

FIGURE 3
5' AND 10' YARD SETBACKS
PHASE 1, POWDER RIDGE SUBD.
EAGLE RIVER, ALASKA

EXHIBIT A

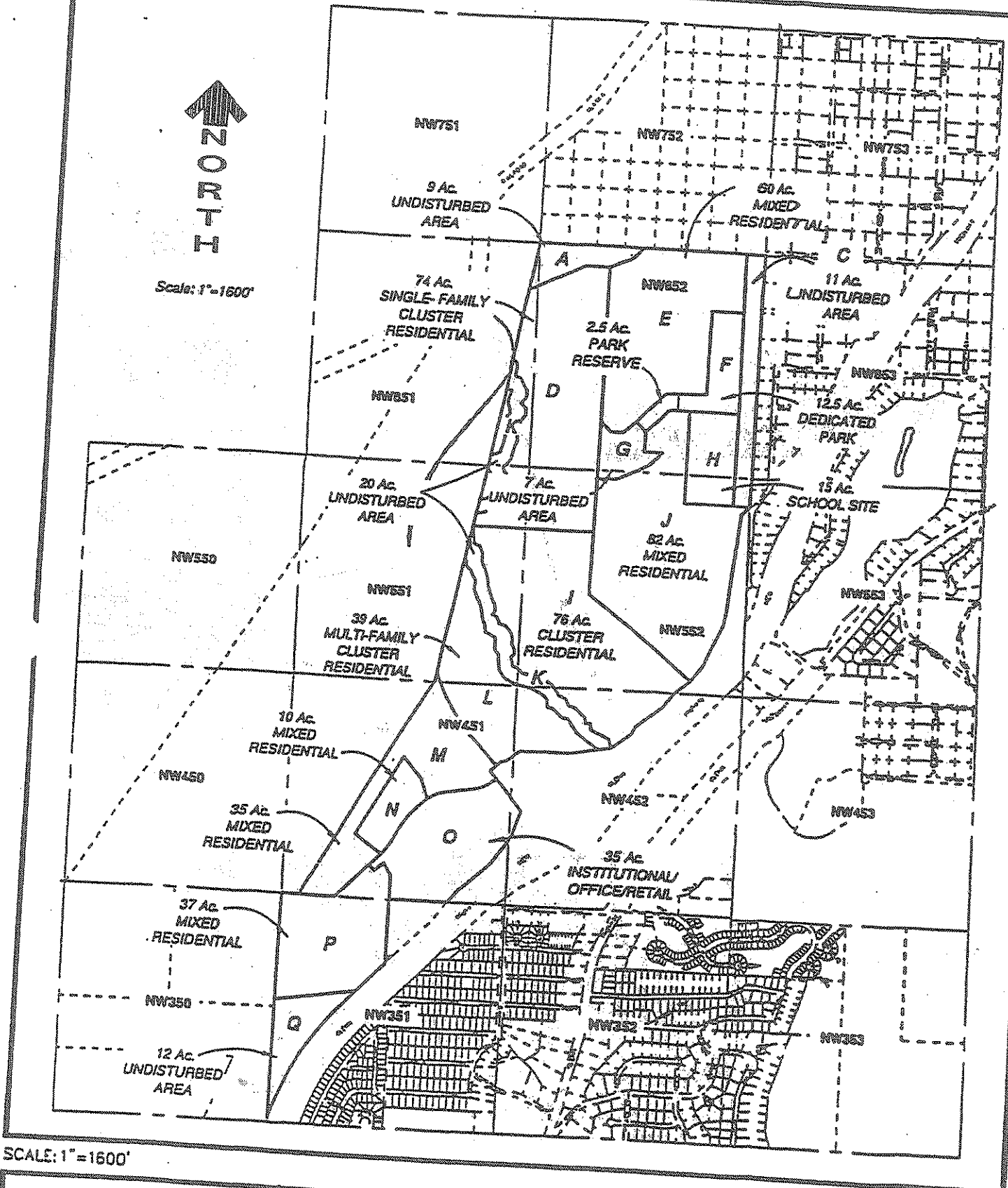


500 Year Floodplain



053

EXHIBIT B



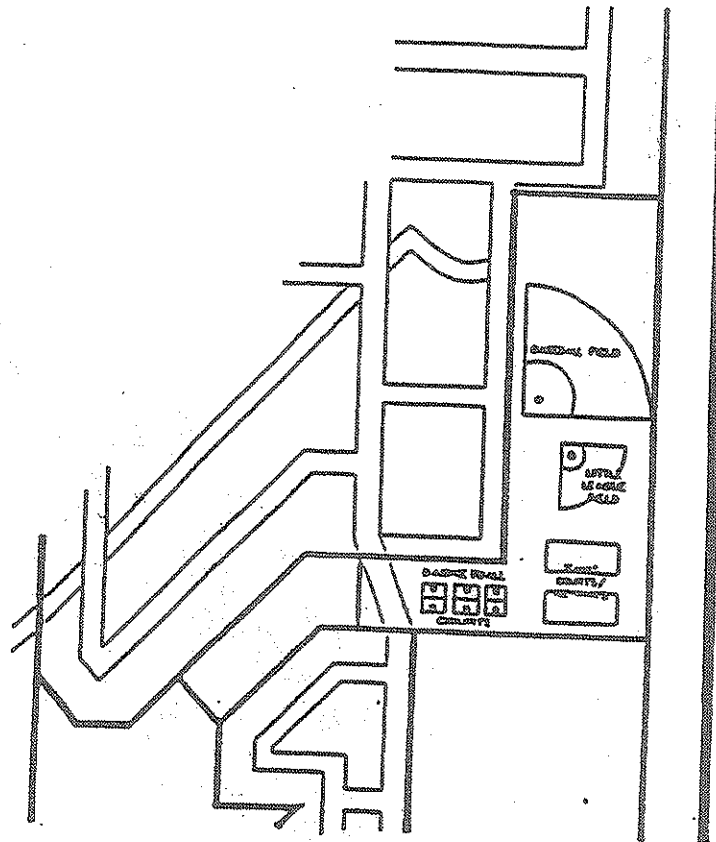
SCALE: 1"=1600'

056878

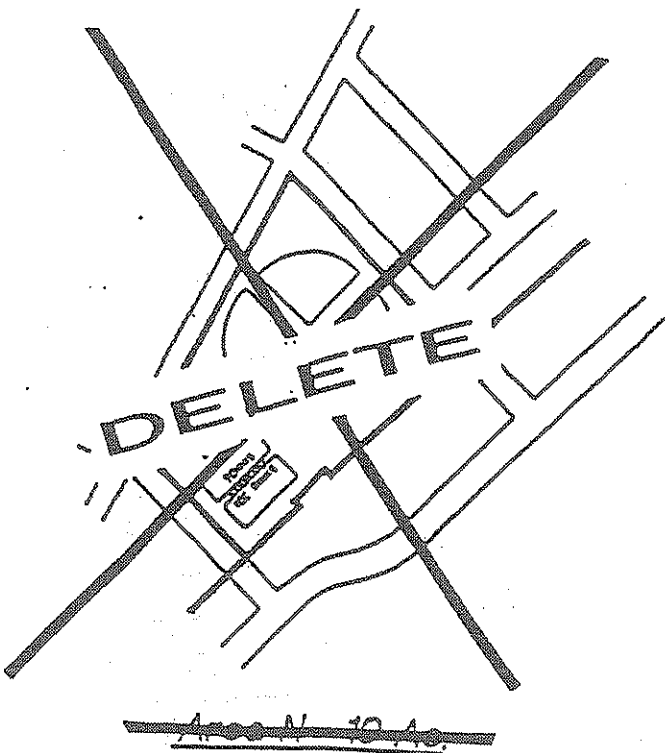
DOWL
ENGINEERS

Figure 7
Master Development Plan for
Tract A

EXHIBIT C



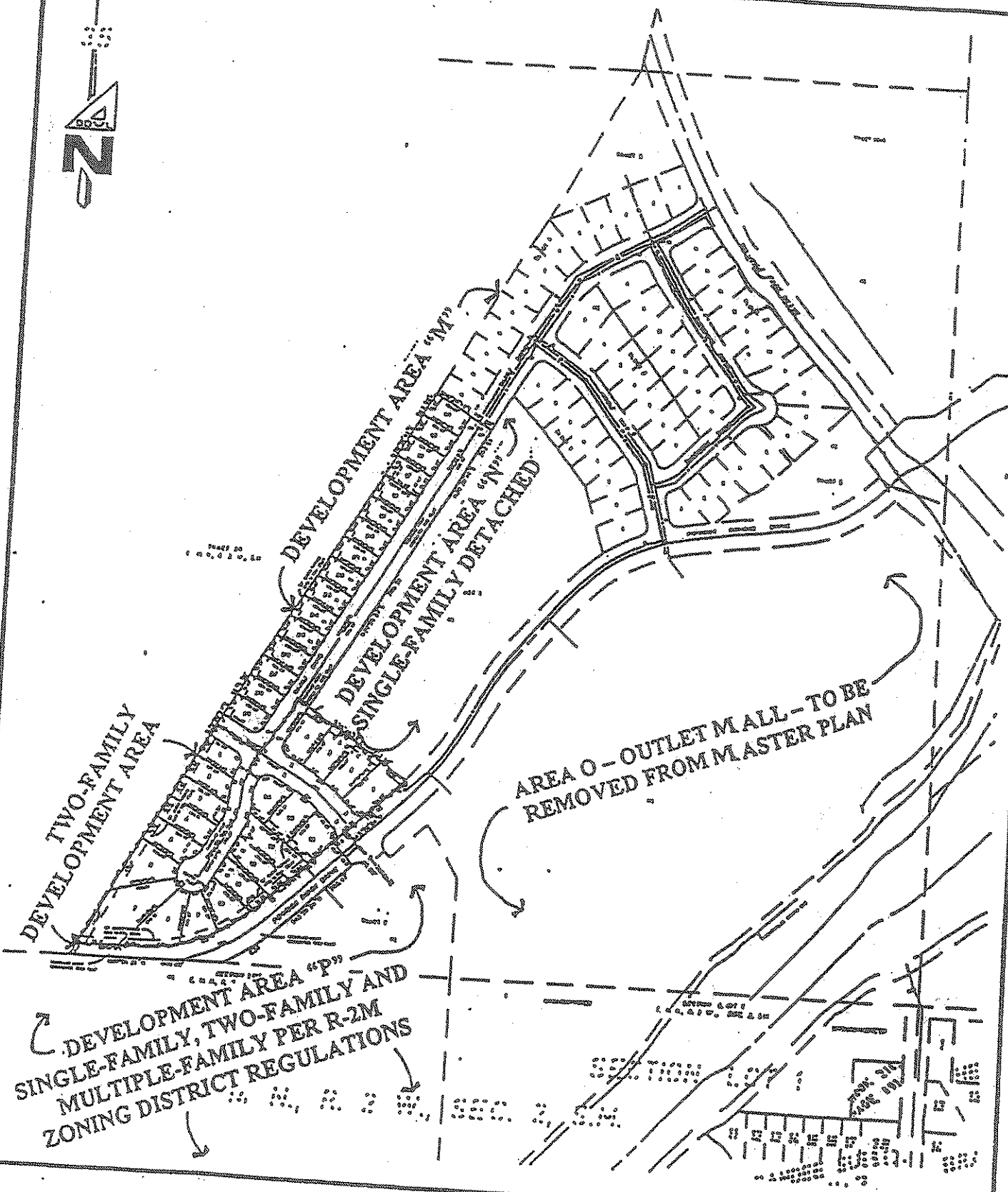
Area F - 15 Ac.



Area N - 10 Ac.

Figure 8. Conceptual
Park Layout

EXHIBIT D



LOCALIZED DEVELOPMENT PLAN
POWDER RIDGE SUBDIVISION 056
EKLUTNA, INC.

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2000-062

A RESOLUTION APPROVING AMENDMENTS TO ZONING ORDINANCE 94-235(S-1) (as corrected 5/4/95) (as amended) TO ALLOW MODIFICATIONS TO THE MASTER PLAN FOR A PC (PLANNED COMMUNITY) ZONE. AO 94-235-(S-1) REZONED TO PC, (PLANNED COMMUNITY DISTRICT) APPROXIMATELY 530 ACRES DESCRIBED AS TRACT A OF THE POWDER RESERVE LOCATED IMMEDIATELY NORTHWEST AND SOUTHWEST OF THE NORTH EAGLE RIVER INTERCHANGE OF THE NEW GLENN HIGHWAY IN EAGLE RIVER AND WITHIN PORTIONS OF SECTIONS 25, 26, 35 AND 36, TOWNSHIP 15 NORTH, RANGE 2 WEST, SEWARD MERIDIAN ALASKA.

(Case 2000-013; Tax ID. 051-631-51; varies within Powder Ridge Phase I)

WHEREAS, a petition has been received from Eklutna, Inc., (Owner) as represented by DOWL Engineers (Representative) requesting to rezone approximately 532 acres to modify the PC (Planned Community) zone set forth in A.O. 94-235 (S1) (as corrected 5/4/95) (as amended) which will modify the Master Plan as follows:

1. Delete the Park Reserve designation from Development Area N (DA-N), a tract formerly reserved for purchase by the MOA for park purposes and re-allocate that area for the development of a maximum of 32 single-family dwellings. The development standards would be identical to Development Area M (DA-M) which adjoins DA-N on three sides.
2. Increase the maximum number of dwelling units allowed in Development Area P (DA-P), from 100 dwellings to 164 dwellings, and to develop those units in accordance with R-2M development standards.
3. Delete the three residential street standards in the Powder Reserve, Tract A, Master Plan and refer instead to the urban residential street standards in Title 21, AMC. Master Plan street standards for Collector and Arterial Street would remain as originally adopted with the landscaping provided by the developer and wider than normal right-of-way width.
4. Amend the language of the Master Plan to reflect prior decisions of the Assembly regarding building permit and fire service standards and to effect a minor boundary change between DA-M and DA-P, amounting to 2 or 3 acres, in order to conform the Development Area Boundary to the planned collector road pattern.

The changes apply to portions of Tract A, Powder Reserve, comprised of Tracts 1 through 7 and 40-A; Lots 1 through 8, Block 1; Lots 1 through 14, Block 2; Lots 1 through 15, Block 3; Lots 1 through 13, Block 4, Powder Ridge Subdivision, located within portions of Sections 25, 26, 35 and 36, T15N, R2W, S.M., AK and a portion of Lot 2, Section 2, T14N, R2W, S.M., AK and Tract 38, Section 35, T15N, R2W, S.M., AK, generally located immediately northwest and southwest of the North Eagle River Interchange of the New Glenn Highway in Eagle River and Birchwood area, and

WHEREAS, notices were published, posted and mailed and a public hearing was held June 12, 2000.

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

- A. The Commission makes the following findings of fact:
1. AMC 21.20.060 (in addition to the general application requirements under AMC 21.20.050) provides for the creation and amendment of PC—Planned Community zoning districts.
 2. The Master Development Plan for Tract A of the Powder Reserve was adopted by the Assembly on February 14, 1995. The Master Plan was subsequently corrected by action of the Assembly on May 4, 1995 and has been further amended since that time.
 3. The Development Goals of the Powder Reserve Master Plan are principally to:
 - a. Provide an integrated mix of residential, institutional, commercial and recreational uses that will serve a diversity of age, income and user groups;
 - b. Recognize that Tract A is an integrated part, and not isolated from, the larger community of Chugiak-Eagle River. In consequence, its development must also take account of and accommodate concerns and needs of the community as a whole;
 - c. Accommodate fundamental civic needs that will be generated at full build-out and minimize potential adverse on- and off-site impacts.

4. The Master Plan gave the Municipality of Anchorage (MOA) 15 months to acquire Development Area N (DA-N) after that area was platted as part of the Phase I development of the Powder Ridge Subdivision. This time period elapsed on October 22, 1999 with no acquisition by the MOA. The petitioner, therefore, has requested reallocation of DA-N, comprising about 10 acres, from a park reserve designation to a residential designation, similar in allowable density and use to the adjoining DA-M, which borders DA-N on three sides.
5. The status change of DA-N referenced in Finding #4 above is clearly set forth in the adopted Powder Reserve Master Plan and is included as a note on Plat 98-80, which platted Powder Ridge Subdivision, Phase I. The Commission, however, finds that there is an overriding public need to maintain a portion of DA-N (about 3.5 acres) in anticipation of park demand that will not be fully realized until the latter stages of the Powder Reserve Development.
6. The Commission finds that amendments to the language of the Master Plan for issues already addressed by the Assembly are minor housekeeping measures intended to ensure the plan is up-to-date.
7. The Commission finds the request to conform the boundary between DA-M and DA-P to the alignment of the proposed collector through the area to be a minor boundary amendment between the two development areas. The petitioner indicates that the two development areas have different density standards and it would be easier to provide a consistent, but different, development character in each area if the two areas were completely segregated from one another. The boundary adjustment will transfer about 3 acres from DA-M to DA-P.
8. Development Area P (DA-P) is requested for an increase in the maximum number of units allowed from 100 dwelling units to 164 dwelling units. The Commission finds that this amendment is minor, considering the overall scope of the Powder Reserve Master Plan. The development standards for DA-P are to be those established for the R-2M district in general. According to the petitioner, the increase density is requested, in part, as a result of the Outlet Mall rezone (DA-O) which effectively takes 35 acres out of the Powder Reserve Master Plan and allows about 10 times the 30,000 square feet of commercial development for DA-O that was

originally envisioned in the Master Plan. In addition, an inholding of land adjoining DA-P, that is not included in the Master Plan, has recently been rezoned from T—Transition to R-O (Residential Office).

9. The petitioner has requested to reduce the width of required residential class rights of way within the Powder Reserve and no longer require landscaping between the street and path/sidewalk. The petitioner has indicated there are engineering problems with the separated paths where they intersect with driveways in areas of topographical variation. The petitioner has requested a uniform 60-foot width for residential street rights-of-way, which coincides with MOA residential street standards for urban residential development. The Commission has agreed that the 60 foot right-of-way is adequate for residential streets within the Powder Reserve, however the Commission also finds that the recommendation of the Physical Planning Division to continue to provide separated paths/sidewalks would maintain the character of the residential streets as originally envisioned in the Master Plan. In addition, Physical Planning believes that the street issue could be resolved through the platting process and with Public Works.
10. The Commission finds that all of the requested amendments in this case are generally consistent with the intent of the Powder Reserve Master Plan for Tract A, subject to certain conditions. The Commission is concerned, however, that the continuing amendment of the Master Plan area and development standards will eventually result in a cumulative impact that will not be consistent with the intent of the plan. For this reason, the Commission recommends that this rezone be the last such amendment of the Powder Reserve Master Plan for Tract A, unless the amendment is accompanied by a complete review of the entire Master Plan area.
11. A prior request to amend language relating to the preservation of natural vegetation was withdrawn by the petitioner.
12. A number of homeowners, principally from the Powder Ridge Subdivision, Phase I, have objected to the changes requested in this rezone. They particularly object to the re-allocation of the 10 acres, comprising DA-N from park reserve to residential, as indicated in the approved Master Plan. The petitioner has agreed

to incorporate DA-N with DA-M and develop the two areas concurrently. The petitioner proposed no increase in the maximum number of dwelling units. DA-M was approved for a maximum of 140 dwelling units, with up to 20 percent being developed as duplexes. DA-M was projected to fall short of the maximum so that the inclusion of DA-N with DA-M is proposed to allow a maximum of 140 dwellings. This does not take into account the Commission's recommendation to continue to reserve 3.5 acres for park purposes.

13. The Commission found the rezoning met the standards for a zoning map amendment as required by AMC 21.20.090 and is consistent with the Anchorage Comprehensive Plan.
14. The motion to amend AO 94-235 (S-1) carried: 6 in favor, 0 opposed, 1 abstention.

B. The Commission recommends amending AO 94-235(S-1) as follows:

1. Effective Clause
 - a. 18 copies of a revised and updated Master Plan shall be delivered to the Community Planning and Development Department before the zoning amendments approved in this case become effective. The update shall include all prior amendments or revisions to the Master Development Plan for Tract A, Powder Reserve, that have been duly approved by the Assembly since the original approvals in 1995.
2. Conditions of approval
 - a. No further zoning amendments of the PC zone, as represented by the Master Development Plan for Tract A, Powder Reserve (as amended), shall be considered by the Municipality of Anchorage without an accompanying re-evaluation of the existing Master Plan. At a minimum, the re-evaluation should address the interrelationship of Powder Reserve Tracts A, B and C, as well as the use of standard zoning districts in lieu of the current PC and T zoning in the area.

- b. Residential streets shall be designed to accommodate separated sidewalks (on both sides of the street), bike trails (where indicated in the Plan) and snow storage areas within the right-of-way.
 - c. The map/plat for Powder Ridge Subdivision, contained in the petitioner's submittal dated May 18, 2000, showing the location of single-family and duplex dwellings, shall be included in the Master Plan to supplement related text revisions.
 - d. The petitioner shall dedicate 3.5 acres of park in Development Area N.
3. Amendments to the POWDER RESERVE ORDINANCE AO94-235(S-1)(as amended) (as corrected 5/4/95). (Brackets "[]" indicate items to be deleted and underline "_" indicates items to be added.)

a. Section 2 Changes:

Page 2, Line 1, Master Development Plan Matrix

Development Area N, Residential [NP] P, Commercial [NP]
CU, Other [Park Reserve] P, CU, Total Dwelling Units 32.

Development Area P, Total Dwelling Units [100] 164.

b. Section 3 Changes:

Page 3, Line 19 & 20

[h. Tract A shall be annexed into the Building Safety Service Area (AMC 27.30.040) with or prior to the recordation of the first subdivision plat.]

Page 4, Delete PC District Residential Street Design Standard sections for major and minor residential streets. Retain design standard sections for collector streets.

Page 6, lines 7, 8 & 9

- 1) Designated open space areas within the PC district shall comply with those shown in Figures 7 and 9 as amended of the adopted Master Development Plan, except that:

Page 7, lines 40, 41, 42 and 43

- 2) Reserves for possible future construction of public park facilities shall be located in the remaining portion of Development Area F (2.5 acres) [and Development Area N (10 acres)] as shown in Figure 7 as amended of the adopted Master Development Plan.

Page 8, lines 4, 5 and 6

- 4) The Municipality of Anchorage shall have authority to acquire [Development Area N and] the reserve portion of Development Area F for public park purposes and subject to the following conditions.

c. Section 4 Changes:

Page 9, Lines 20, 21, 22 and 23.

Section 4. Development area E consisting of 60 + acres, development area J consisting of 82 + acres, development area M consisting of [33] 35 + acres, development area N consisting of 10 + acres and development area P consisting of [34] 37 + acres shall be restricted to the following uses and development design standards:

Page 9, line 24.

1. Development Areas E, J, M, and N [and P] (Single-Family, Two-Family Residential)

Page 9, Line 35.

Development Area M and N, Total Dwelling Units, Residential, 140.

Page 9, Line 36.

[Development Area P, Total Dwelling Units,
Residential, 100]

Page 10, Lines 11 and 12.

- 4) Public Buildings such as police stations, fire stations, libraries and uses in keeping with the character and requirements of the PC district.

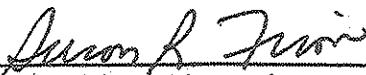
Page 13, after Line 17 add:

2. Development Area P (Single-Family, Two-Family and Multiple-Family Residential)

- a. Intent and use. Development standards within Development Area P shall be the same as the R-2M (multiple-family residential) district as defined in AMC 21.45.045.
- b. Total Dwelling Units, Residential 164.

4. Amendments to the Master Development Plan for Tract A of the Powder Reserve, are as shown in the proposal dated 5/17/00, pages 1 through 6, as submitted by the petitioner's representative, and as amended by the Planning and Zoning Commission to require the dedication of 3.5 acres of Development Area N for park purposes.

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission this 12th day of June 2000.


for Donald S. Alspach
Secretary


Daphne Brown
Chair

(CASE #2000-013)
(TAX #051-631-51, et al)

believe that the wall signs requested by the petitioner are appropriate, but felt that increasing the size of the monument signs is appropriate. He felt the conditions on this approval provide for the protection of residential areas and that 10:00 PM is a reasonable time to end construction.

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COMMISSIONER KLINKNER moved to amend condition 9 so that the maximum viewing area of the sign is 25 feet.

COMMISSIONER JONES seconded.

COMMISSIONER KLINKNER stated this is not the type of development that will rely on signage for advertising, rather signage will be needed only to mark its location.

COMMISSIONER ADAMS noted that the Sign Committee is reviewing a sign ordinance under which even churches would be permitted signs greater in size than 25 feet.

Amendment

AYE: Jones, Hodel, Klinkner, Isham

NAY: Adams, Brown, Karabelnikoff

FAILED

Main Motion

AYE: Karabelnikoff, Jones, Hodel, Brown, Adams, Klinkner, Isham

NAY: None

PASSED

COMMISSIONER ADAMS noted regarding case 00-092 that AMC 21.10.015.C states "The planning and zoning commission may delegate to the urban design commission the authority to review and decide upon, with regard to site design, landscaping and structure design." Subsection 3 notes that this authority can be delegated for "a site plan review subject to review by the planning and zoning commission." Based on this section of the code, he felt the Commission has the authority to review a site plan and place conditions on it with regard to building design.

2. 00-013

Eklutna, Inc. Rezoning to PC (Planned Community District) to modify the PC zone set forth by A.O. 94-235(SL) (as amended) which will modify the Master Plan for the Powder Reserve, Tract A. Located in the Powder Reserve Subdivision, Tracts 1-7 and 40-A; Block 1, Lots 1-8; Block 2, Lots 1-14; Block 3, Lots 1-15; Block 4, Lots 1-13; located within portions of Sections 25, 26, 35, & 36, T15N, R2W, S.M., AK, and a portion of Lot

2, Section 2, T14N, R2W, S.M., AK, and Tract 38, Section 35, T15N, R2W, S.M., AK, generally located immediately northwest and southwest of the North Eagle River Interchange of the new Glenn Highway in the Eagle River and Birchwood area.

Staff member DUANE DVORAK noted that this matter has been before the Commission twice in the past on March 6 and May 8. The petitioner has asked to have the 10 acre park reserve reclassified for residential development and has agreed to designate that area for 32 single family residences. They had originally requested to reduce the right-of-way width for residential streets from over 60 feet to 50 feet, but they have now agreed to a minimum width of 60 feet and have requested to increase the number of dwelling units in Area P by 64, subject to the R-2M development standards. They have also requested some housekeeping measures regarding annexation to the Building Safety area and a boundary adjustment to address the acreage between Area P and Area M. MR. DVORAK stated the Department has included conditions in its recommendations of approval. He stated the Department feels comfortable with the amendments as requested. The Department remains concerned about the apparent trend of amending master plans. MR. DVORAK reviewed the one Effective Clause and three conditions being recommended by the Department. The first condition disallows further zoning amendments of the PC Zone without re-addressing the Master Plan, including the alternative of using standardized zoning districts. The second condition addresses Physical Planning's request that separated sidewalks be provided, as designated in the Plan. Staff did not feel that landscaping should be required in the narrow median strip between the roadway and the sidewalks. He noted the petitioners have presented a preliminary plat of Area M, which delineates the areas proposed for single family and duplex development. Condition 3 requires that exhibit to be included in the Master Plan, where appropriate.

The public hearing was opened.

TIM POTTER, representing the petitioner, used a schematic drawing to indicate the area in question, which is located south of the North Eagle River access road and includes Area M, Area N (a 10-acre inholding that was previously identified for a park), and Area P. He noted the location of the proposed outlet mall (Area O) and the triangular inholding owned by the Hamiltons, which was recently rezoned to R-O. He showed the first phase of development in Area M, which has been restructured according to how the collector road should be designed. He indicated that a determination has been made to create a collector offshoot, resulting in a 3-acre portion of the site being moved from Area M to Area P. Area N would be developed with three cul-de-sacs. The underlying existing PC Zone calls

for up to 20% of the lots to be developed as duplexes. Based on discussions with the neighbors, those duplexes are being concentrated into one area so there is single family development adjacent to the existing single family. He stated that Powder Ridge Drive has been developed with separated bike trail and sidewalks, and trees every 20 feet. This works well because there are no driveways from the residential development onto that roadway. The outlet mall has two accesses to Powder Ridge Drive. He stated that, in the steeper portion of the first phase of residential development, it was found that separated walkways creates problems vis-à-vis topography. He explained the petitioner believes it is preferable for sidewalks to be pulled back to the curb line in order to work with the utility companies to pull their clearing closer to the back of the sidewalk, leaving approximately 10-feet of trees in front of the property. He stated the petitioner has taken the former configuration of Area M (4.2 DUA) and consolidated Area M and N into single family, with duplex lots at the bottom, and has transferred 3 acres of Area M into Area P. Area M had a previously permitted density of 4.2 dwelling units per acre (DUA) and the petitioner's currently proposal carries a density of 3.1 DUA. The property to be developed under R-2M standards includes Area P. The density in Area P goes from 2.9 DUA to 4.4 DUA, which is appropriate as that property is adjacent to R-O and B-3. He noted that a density of 4.4 DUA is found in subdivisions such as Kempton Hills or Turnagain. He noted that Area N was tentatively a 10-acre park that would have included ballfields, which would have drawn people from Eagle River, Birchwood, and Chugiak. The petitioner is retaining a half-acre lot and a one-acre lot as open space. MR. POTTER displayed a model depicting the required 10% slope and 2% cross slope on a driveway, which requires a terrace onto the driveway. This also pushes the water service deeper into the property, resulting in more excavation. He stated the petitioner does not object to the Effective Clause. He stated he believes condition 1 addresses Mr. Adams' concern expressed at an earlier meeting that the entire Master Plan should be re-evaluated. He felt that part of that re-evaluation should include consideration of straightforward zoning. He objected to condition 2, based on the topography and the conditions of the area, and stated it is more appropriate for sidewalks to abut the back of curb. He indicated that condition 3 is agreeable to the petitioner.

COMMISSIONER ISHAM asked what is the original permitted density for Area P. MR. POTTER replied the density for Area P was 2.9 DUA and the petitioner is proposing 4.4 DUA. MR. ISHAM asked if Area N will be the same density as Area M. MR. POTTER replied that both areas will meet the lot width standard of 70 feet and minimum lot size of 8,400 square feet. He stated that blending Area M and Area N results in a density of 4.2 DUA.

COMMISSIONER ADAMS asked what will be the net increase in density under the petitioner's proposal. MR. POTTER replied there are a total of 64 additional units under the petitioner's proposal.

COMMISSIONER HODEL asked what is the level of development of Area Q. MR. POTTER replied that Area Q is passive open space that contains a mixture of upland and wetland areas.

CHAIR BROWN noted Area M is proposed to have separated sidewalks on both sides of the street. MR. POTTER confirmed this is correct. CHAIR BROWN noted that sidewalks are still proposed on both sides of the street, they are simply proposed to be attached rather than detached. MR. POTTER confirmed this is correct. MS. BROWN noted that Goldenview Park has detached sidewalks and that is a fairly steeply sloped property. She asked if a 6-foot or 4-foot separation between the sidewalk and the street would be acceptable for this subdivision. MR. POTTER stated that parts of Fairview, Mountain View, and College Village have sidewalks on both sides of the roads with a 1-foot to 3-foot separation. He stated it is his experience that, so long as the sidewalks are maintained by area residents, they work well, but when that does not occur, they do not work well. MS. BROWN noted that there are separated sidewalks that work well in South Addition and Rogers Park subdivisions. MR. POTTER noted there are also areas in South Addition with sidewalks located at the back of the curb. He stated that anything that can be done to move the sidewalks close to the back of curb would be beneficial. MS. BROWN noted that sidewalks at the back of the curb are never cleared of snow, but instead become snow storage areas, however, where they are separated from the roadway, they are typically plowed. MR. POTTER responded that separated sidewalks are plowed, if they are located on snow routes or walking routes to school.

COMMISSIONER ADAMS asked if Mr. Potter's concern is water service or the water line. MR. POTTER stated he is concerned with the water service itself. He explained the Municipality requires that there be a 10-foot bury on both the water line and the service and, until the warranty period is over, the developer is responsible for those. He explained that, wherever the hillside is excavated to achieve the 2% cross slope, the water line has to be buried another foot or two.

SUE GALLION, resident on Nicoli in the Powder Ridge Subdivision, stated she continues to oppose any increased density or diminishment of any of the assets in the original Master Plan. She indicated she studied that plan before she bought her home and found it to be satisfactory. She stated she is disappointed and concerned about the traffic on Vasili because of increased density. She believed that no one will use Powder Ridge Drive while the outlet mall is open because of congestion. She stated that replacing the 10-acre park with a quarter acre dry spot is a concern. She stated the homeowners will be responsible for this lot and they have not been informed about it, nor have they agreed to it. She noted that several of her neighbors were unable to stay at this hearing, but she is aware of 14 neighbors who are concerned about these issues. She stated she does not know anyone who accepts the increase in density and the diminishment of amenities. She believed the separation between the existing sidewalk and the street is 6 feet and noted that separation provides children a place to ride their bicycles

without being adjacent to the street. She stated she has driven through other subdivisions with the same size lots and she finds there is something missing because they do not have separated sidewalks.

COMMISSIONER ADAMS remarked that, when he drove through this subdivision, he also found the trees to be attractive. He explained that approximately 12 feet would be disturbed under the current proposal for separated sidewalks. MS. GALLION stated that subdivisions without sidewalks also do not have trees on the first 10 feet of a lot, simply because enormous equipment is used in developing these properties.

COMMISSIONER KLINKNER asked Ms. Gallion to indicate on the map the location of the street she is concerned will be negatively affected by traffic. MS. GALLION explained she is concerned with Vasili, which comes off the highway. She believed people from Area P will use Vasili if Powder Ridge Drive is congested.

GARY CREVISTON stated he is also concerned with traffic flow through this area. He stated he and his wife lived in Chugiak for 13 years and only recently moved to Powder Ridge. He explained they enjoyed what was done in Phase I and decided to buy their home in this subdivision. He stated he walks his daughter on the sidewalk that is separated from the roadway. He indicated he grew up in Michigan where there was a similar road design. He stated he would prefer that the density be maintained as it has been done in Phase I and that multi-family not be allowed. He stated the neighborhood is aware that traffic will increase with the development of the new outlet mall.

COMMISSIONER HODEL asked whether, considering the fact that mixed residential is approved for Area P, it is preferable to have that density there. MR. CREVISTON replied that he would prefer that plan be followed.

JACK GALLION felt that the public testimony given in relation to the case 00-086 reflects his concerns. He stated the petitioner's request for a change to allow for increased density is a bottom line issue that is motivated by profit. He stated he does not object to that, so long as it does not detrimentally affect existing homeowners. He stated he bought his property under a certain set of conditions and he expects adherence to those. He felt that changing at this point is unethical. He stated that density affects the character of a neighborhood by eventually eroding and degrading it. He indicated there have been many studies proving this point.

COMMISSIONER ISHAM asked whether Mr. Gallion has concerns with Area N, which was formerly proposed for park use, being developed at the same density as Phase I. MR. GALLION replied he does object to this because the infrastructure does not exist to sustain that increased density. He stated there is not a park on this side of the highway from Anchorage to Peters Creek. He stated that, if the park remained in the plan, he would not be as vehemently opposed to some of the proposed changes.

CHAIR BROWN asked if the petitioner can presently develop both single family and two-family residential in Area M and Area P. MR. DVORAK replied this is correct. He stated Staff recommended that the exhibit prepared by the petitioner be included in the Master Plan because the reference to single family and duplex in the language does not dictate where single family development must be done. He stated that attaching this exhibit would lock in the single family area as though it were an R-1 area, rather than single family or duplex, at the developer's discretion.

MR. DVORAK noted that Area M alone was designated for 140 dwelling units and the petitioner is proposing 140 dwelling units or less for Areas M and N combined. He noted these are maximum densities that may or may not be achievable, depending on the physical features of the land.

MR. GALLION noted that Chugiak High School is over capacity and the additional density cannot help that issue.

DALE TURPIN, resident of Powder Ridge, stated he lived in Japan for 13 years and, when he moved to Anchorage, he reviewed the house he decided to live in and felt the plan for the area gave him what he was looking for in a house and in an investment. He was concerned that, after only a few short months living in his home, the developer is asking for changes to the plan. He favored the requirement that the map be included in the Master Plan. He stated he wants Area N to be developed as a park. He believed there will be enough residents in the area to support a park in this location. In the alternative, he could accept the 32 residential units being proposed by the petitioner. He indicated he is concerned with increased density in Area P. He is also concerned that traffic will use Vasili. He stated he is also concerned with the driveway issue, indicating that he likes the setback of the sidewalk from the street. He noted there are trees every 20 feet in the separated area between the sidewalk and curb. He stated he expects to clean the sidewalk at least up to his property line.

BOBBI WELLS, representing the Birchwood Community Council, stated she has followed this development from its beginning. She stated she supports condition 1 as proposed by Staff. She stated the original Master Plan proposed that Areas E, J, M and P were all single family or duplex residential and nowhere was it ever listed as permitting multi-family development. She stated she would like Area P to have the same development standards as Area M and anywhere "single family housing" is used she wanted "detached" to be included. She felt that higher density development in the middle of the Master Plan area is unwise, explaining that such developments require consideration in terms of snow storage, etc., as well as buffering to other less dense uses. She stated that, when the Platting Board first heard Powder Ridge Subdivision, the owner tried to get all the right-of-way widths narrowed to 60 feet. She stated the narrower right-of-way was established by the petitioner. She stated the petitioner indicated that roadways internal to the subdivision have been designed with

60-foot rights-of-way, which are narrower than indicated in the Master Plan. She stated that all residential streets are required to be developed to widths indicated in the Master Plan, however, separations between the street and the sidewalks will be reduced under the petitioner's proposal. She stated that a 12-foot separation allows for the placement of utilities and for snow storage. She noted that the Road Board has not yet accepted the existing roads; the developer will not provide snow disposal sites. She stated the Road Board does not haul snow or wing back when plowing because of insufficiency of funds to do so. She noted that Matanuska Electric Association has submitted a letter indicating they need the entire area between the roadway and separated sidewalk for utility placement, which is the case even if public sewer and the gas line are put in the street.

COMMISSIONER ISHAM asked if Ms. Wells is asking that the street designs not be changed. MS. WELLS suggested that street designs be left as they are in the Master Plan. She noted that Area M is shown with cul-de-sacs and Public Works has problems with snow in cul-de-sacs.

DICK HAMILTON stated he was out of town this winter when several meetings on this issue took place and he is attempting to understand the petitioner's proposal. He stated the March 6, 2000 packet shows the circulation pattern of roads, which includes a collector that comes to the edge of his property across from Area P. He was concerned with a proposal to allow R-2M standards on Area P and whether or not the collector status of the road would be affected.

CHAIR BROWN noted that a road is being proposed abutting Mr. Hamilton's property. MR. HAMILTON asked whether that street is a collector. MS. BROWN suggested that Mr. Potter address this inquiry.

In rebuttal, MR. POTTER stated that there is no change from the original PC Master Plan vis-à-vis the collector that adjoins Mr. Hamilton's property. He clarified that Powder Ridge Drive was always identified as the primary road. He stated the road along Area N and along the west side of Area M out to Eklutna Drive was always identified as a roadway. He emphasized that, under the existing PC zoning, 20% of the lots in Area M could be developed with duplexes. He explained that the petitioner is simply proposing that those developments be in a transitional location. He thought that people from Mountain View, Fairview, etc. would be amused at the comments on high density under the petitioner's proposal. He stated that the question is not one of density, but rather one of housing style. He explained the petitioner is attempting to allow diversity of housing types in Area P.

COMMISSIONER ISHAM asked if the items enumerated as 1 through 3 on page 2 of the packet reflect the three changes that are being requested by the petitioner. MR. POTTER replied in the affirmative. CHAIR BROWN noted that Area P only allows single family and duplex development at this time

and the petitioner's request would change it to R-2M, which could be developed with multi-family, depending on lot size.

COMMISSIONER KLINKNER asked what is the acreage of Area P. MR. POTTER replied it is 34 acres in size. MR. KLINKNER noted that the density of 100 units on that property is 3 DUA. MR. POTTER stated that the density would be 3.4 DUA.

COMMISSIONER ADAMS stated the neighborhood commercial envisioned for this area has been changed to a regional center and the petitioner is now asking for an increase in density. He noted that the developer is getting quite a bit, while the community has not gained much. He asked whether the developer would donate 3.5 acres of park land in Area N. MR. POTTER indicated the petitioner would have to respond to this suggestion. He stated the petitioner's proposal is a one-half acre tot lot in Area N and a 1-acre park between Area N and Area P. MR. ADAMS questioned whether creating a 1-acre park that would bring children across a collector designed street is appropriate. He explained his suggestion is to create a park that would serve the entire community. MR. POTTER remarked that the Heritage Land Bank owns a significant amount of land that area community councils have been targeting for addition into the park at the north end of the Powder Reserve property. He stated the petitioner's proposal is for smaller parks that can be maintained by the community and serve the houses in this area. He stated the original idea for Area N was a park to serve the entire area, not only this subdivision. The petitioner thought it would be appropriate to create smaller parks for the children in this subdivision to play. He stated the area at the top end of the Powder Reserve is adjacent to Beach Lake Park and it is held by the Heritage Land Bank (HLB). He stated Eklutna has been working with the Heritage Land Bank and wishes to ensure that an access route is reserved through the HLB land so this community can have access to the greater park area. He stated Eklutna supports the councils' efforts to have the HLB identify that area as park.

COMMISSIONER HODEL recognized that the city had passed on their option to purchase Area N for a park, but he had concern with the significant increase in density in Area P and the change to R-2M standards. He asked whether a lesser density district was considered. MR. POTTER explained that the R-2M district was created during the mid-1980s to allow a variety of housing styles without driving the density of developments too high. He stated that the petitioner's proposed density of 4.4 DUA is comparable to a typical single family density in Anchorage. He noted that a regional mall was approved, as was a rezoning of T (Transition) property to R-O that would support large residential buildings or offices, and he felt the petitioner's proposal provides an appropriate transition. MR. HODEL asked if a visual separation will exist between the R-2M and the property to the west. MR. POTTER stated there is a large utility easement that provides a separation buffer of between 60 feet and over

120 feet. He stated that buffering will be looked at when this development gets to the platting level.

COMMISSIONER JONES asked who will own the half acre and one acre parks being proposed by the petitioner. MR. POTTER replied that the Municipality Parks and Recreation Department is reluctant to accept any parks under 5 acres in size. He stated the petitioner will try to dedicate these parks to the city, but in the alternative, the petitioner might coordinate with community groups to adopt the parks, or a homeowners association could be created to own and maintain the parks.

CHAIR BROWN asked what is the right-of-way width of streets in the existing residential development. MR. POTTER replied those roads are 72 feet wide. He stated the petitioner's proposal would reduce road widths to 60 feet in the proposed development. He noted that the comment from the utility regarding the need for the area between the back of curb and the sidewalk is interesting, given that there were discussions between the developer and Public Works to allow utilities to locate in the right-of-way.

The public hearing was closed.

COMMISSIONER ISHAM moved for approval subject to the Effective Clause and the 3 conditions recommended by Staff.

COMMISSIONER KLINKNER seconded.

COMMISSIONER ISHAM stated that, in its present configuration, he could not support this proposal. He stated that the Municipality, by not taking the opportunity to obtain the park in Area N, put the Commission in a difficult position. He felt the petitioner's proposal is appropriate for that area, as it would be developed at a density similar to Phase I. He stated he would like to add condition to delete the petitioner's request to increase the maximum number of dwelling units in Area P from 100 to 164. CHAIR BROWN suggested that Mr. Isham address his intent as an amendment to the proposed conditions of approval. COMMISSIONER HODEL suggested adding a condition 4 to state, "The maximum number of dwelling units allowed in Development Area P is 100 units." COMMISSIONER ISHAM so moved.

COMMISSIONER JONES seconded.

COMMISSIONER ISHAM stated this retains the original conditions that were established in this PC area.

COMMISSIONER KLINKNER stated he could support this amendment, if it preserves the existing density level as it is modified with the addition of 3 acres, so the maximum number of dwellings permitted in Development Area P would be 110 units. This was accepted as a friendly amendment.

COMMISSIONER ADAMS stated he understands the concerns of the community and he had intended to propose an amendment to provide a park area, but he could not do that if the density of Area P is kept at the current level. He stated the Chugiak/Eagle River Comprehensive Plan park plan calls for two neighborhood parks, one of which has been developed by the petitioner. He indicated he would vote against this amendment, hoping there could be a compromise to provide a park while the petitioner maintains some of the requested increase in density.

Amendment

AYE: Jones, Hodel, Klinkner, Isham

NAY: Adams, Brown

ABSTAIN: Karabelnikoff

FAILED

COMMISSIONER ISHAM moved to amend to add condition 4 to state, "Residential street standards shall remain as designated in the PC area."

COMMISSIONER JONES seconded.

COMMISSIONER ISHAM explained he feels as though the street standards that were initially established in this PC district are appropriate for the area.

COMMISSIONER ADAMS noted that terrain-challenged areas pose problems in the construction of separated sidewalks. He indicated he would support this amendment, but suggested that the updated Master Development Plan contain language to address his concern.

COMMISSIONER KLINKNER objected to this amendment, finding that the condition proposed by Staff is adequate to address this issue.

Amendment

AYE: Jones, Brown, Isham

NAY: Hodel, Klinkner, Adams

ABSTAIN: Karabelnikoff

FAILED

COMMISSIONER ADAMS moved to add a condition 4 requiring that the petitioner dedicate 3.5 acres of park in Development Area N.

COMMISSIONER JONES seconded.

COMMISSIONER ADAMS remarked that the community has made sacrifices with the approval of the outlet mall and increased residential density. He noted there has been verbal and written testimony that the park is important to the community. He stated the Chugiak/Eagle River

Comprehensive Plan specifically designates two neighborhood parks of 5 acres in this area. He agreed that 5 acres is a desirable size for a park from the perspective of maintenance staff, but if that amount of land is taken, the developer cannot develop this parcel appropriately. He felt the 3.5 acres will be a reasonable size for a neighborhood park, perhaps developed with a field, a shelter, and a playground. He felt this park is an appropriate compromise for this community in light of the increase in residential density and the outlet mall.

Amendment

AYE: Jones, Hodel, Brown, Adams, Klinkner, Isham

NAY: None

ABSTAIN: Karabelnikoff

PASSED

Main Motion

AYE: Jones, Hodel, Brown, Adams, Klinkner, Isham

NAY: None

ABSTAIN: Karabelnikoff

PASSED

3. 00-094

Municipality of Anchorage. An ordinance of the Anchorage Municipal Assembly amending the Anchorage Municipal Code Title 4 and Title 21 by creating alternate members for the Planning and Zoning Commission, Platting Board, Zoning Board of Examiners and Appeals, and the Urban Design Commission, providing for the duties and authority of the alternate members, and moving provisions regarding the boards and commissions from Title 21 to Title 4.

Staff member MARY AUTOR explained this proposal removes the powers and authorities of the regulatory boards from Title 21 and places those duties and powers in Title 4. It also moves conflict of interest procedures moved from Title 21 to Title 4. The proposal also brings back the idea of rules to govern alternate board and commission members. She noted that, in 1998, an alternate board and commission ordinance was brought before the Commission and the Commission voted that down. That ordinance was not taken forward to the Assembly. She stated she understands there is interest to take this forward to the Assembly. She noted that letters of support were submitted from the Turnagain and Abbott Loop community councils.

AYE: Klinkner, Cox, Adams, Brown, Stiles, Jones, Isham, Karabelnikoff
NAY: None
ABSTAIN: Hodel

PASSED

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G. PUBLIC HEARINGS

1. 00-013

Eklutna, Inc. A request to rezone approximately 532 acres to modify the PC zone set forth by A.O. 94-235 (s1) (as amended) which will modify the Master Plan for Tract A, Powder Reserve. Tracts 1 through 7 and 40-A; Lots 1 through 8, Block 1; Lots 1 through 14, Block 2; Lots 1 through 15, Block 3; Lots 1 through 13, Block 4, Powder Ridge Subdivision. Located immediately northwest and southwest of the North Eagle River Interchange of the New Glenn Highway and in the Eagle River and Birchwood area.

Staff member DUANE DVORAK noted this case is related to a case heard by the Commission on March 6, at which time the Commission postponed the matter for one month. A site visit was held in the interim. A packet was prepared for that worksession, which was included in the packet for this evening's meeting. Comments from the public were also solicited. On May 1, the Department received a revised proposal from the petitioner's representative changing the request in a number of ways. With regard to open space, the petitioner has withdrawn the request to make that optional. Regarding Tract N, the petitioner proposes to limit development Area N to 32 single family residential units. Regarding road widths, where the petitioner had proposed revised road widths to replace those in the master plan, the petitioner now proposes to limit the reference to residential streets only and instead reference Title 21 to apply to the entire PC zone. Regarding Tract P, the petitioner originally asked to add multi-family residential as an allowable housing type, but now proposes to add the multi-family reference but increasing the density from 100 dwelling units to 200 dwelling units for the 30-acre site, subject to the R-2M standards. MR. DVORAK noted that Staff did not have much time to review this revised proposal and did not circulate the revised proposal among other departments for comment. He indicated the Planning Department did receive comments from the Department of Public Works regarding right-of-way and also from the local road service area expressing support for 60-foot right-of-way widths. In areas where there needs to be clarification, the Department has suggested those things in the conditions. MR. DVORAK stated that, in

reviewing the minutes from the previous meeting, it was not clear what the Commission intended to be the status of the public hearing process. He stated that no new public hearing notices were mailed and the public hearing was closed at the previous meeting, but the Commission has the ability to re-open the hearing, if it feels that is merited based on the new conditions.

CHAIR BROWN asked the wish of the Commission regarding the public hearing.

COMMISSIONER STILES moved to re-open the public hearing to take a presentation from both the applicant and the public.

COMMISSIONER JONES seconded.

CHAIR BROWN asked if the conditions have changed so significantly that the case should have been re-advertised. MR. DVORAK deferred to the Commission to determine whether the revisions are substantial enough to merit re-advertising. He indicated that some density transference has occurred and, in fact, there is perhaps some increase in density by virtue of the doubling of density in Area P. That would seem to more than offset the reduction for Area N. He did not believe Staff has had sufficient time to evaluate all the implications of the petitioner's revised proposal. CHAIR BROWN asked whether Staff has had sufficient time to evaluate the application and propose conditions. MR. DVORAK noted that Staff has made a recommendation to approve the petitioner's requests, subject to conditions that will provide clarification.

COMMISSIONER ISHAM noted that Staff indicates in the May 8 supplemental memorandum that there has not been sufficient time to have this proposal circulated among reviewing agencies. He suggested to the Commission that Staff should be given sufficient time to make a recommendation based on the facts.

COMMISSIONER KLINKNER asked if the motion is to open the hearing now or after this matter is re-advertised. CHAIR BROWN understood the intent of the motion is to open the hearing at this time. COMMISSIONER STILES clarified the intent of his motion is to open the hearing now, but he would not support the motion believing that the matter should be re-advertised and the public should be given an opportunity to review this proposal, as well as for it to be circulate to the various departments.

CHAIR BROWN noted the Commission previously took action to postpone this case one month and there was an approval recommendation from Staff at that time; the recommendation tonight is for approval, but with changed conditions.

AYE: Brown

NAY: Hodel, Klinkner, Cox, Adams, Stiles, Jones, Isham

ABSTAIN: Karabelnikoff

FAILED

COMMISSIONER STILES moved to reschedule a public hearing on the first available date that satisfies the public notice requirements.

COMMISSIONER ISHAM seconded.

AYE: Hodel, Klinkner, Cox, Brown, Adams, Stiles, Jones, Isham

NAY: None

ABSTAIN: Karabelnikoff

PASSED

2. 00-068

Anchorage Sand and Gravel (AS&G).
Amending a conditional use to allow a 5-year time extension for restoration of a natural resource extraction site. Located on the NE corner of Sand Lake Road and Dimond Boulevard.

Staff member BEVERLY JONES stated this case is a request for a 5-year time extension for reclamation of the Sand Lake gravel pits. This is a reclamation that has been ongoing for the last 17 years. The last time this case came before the Commission was 1995 at which time a 5-year time extension was approved. This project represents the ongoing efforts of AS&G to reclaim the site after natural resource extraction. The last time this matter was reviewed, there was discussion of dust and hours of operation and those matters were resolved at that time. There was also a concern within the last five years that the operation did take on some contaminated materials, however, the petitioner did, in fact, change their methodology in response to that concern and there was an inspection by ADEC to review the petitioner's thresholds and limits and those standards were apparently met. MS. JONES indicated there are comments in the packet from the community, most of which favor continuation of the reclamation plan. She noted that pages 24-26 of the packet contain a memorandum from a property owner in the community, Dan Coffey, that outlines suggestions for conditions to be added to this request. The Department finds that the request for time extension meets the standards for such requests and the Department does not object to the request.

COMMISSIONER ADAMS noted that Transportation Planning indicates that the haul road should be moved to the south as soon as it is feasible in order to reduce noise impacts on the residential

4b

PZC 99-133
PZC 99-133a

Final Site Plan for Outlet Mall
PZC Resolution 99-060

Amendment to PZC Resolution
99-060

Tract 1, Powder Ridge Subdivision
Development Area O

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 99-060

A RESOLUTION GRANTING FINAL SITE PLAN REVIEW IN ACCORDANCE WITH B-3 SL SPECIAL LIMITATIONS AS REQUIRED BY AO 86-216 FOR CONSTRUCTION OF A REGIONAL-SERVING FACTORY OUTLET MALL LOCATED ON TRACT 1, POWDER RIDGE SUBDIVISION; GENERALLY LOCATED IMMEDIATELY NORTHWEST AND SOUTHWEST OF THE NORTH EAGLE RIVER INTERCHANGE OF THE NEW GLENN HIGHWAY IN EAGLE RIVER.

FILE COPY

(Case 99-133; Tax # 051-631-51)

WHEREAS, the Planning and Zoning Commission (PZC) received a request from Northpac Development, L.L.C. for final approval of a public hearing site plan review required by AO 99-04, B-3 SL special limitations, for construction of a regional-serving factory outlet mall, located on Tract 1, Powder Ridge Subdivision, consisting of 33.7 acres; generally located immediately northwest and southwest of the North Eagle River Interchange of the New Glenn Highway in Eagle River, and

WHEREAS, a public hearing site plan review was held on July 12, 1999.

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

- A. The Commission makes the following findings of fact:
1. The applicant proposes to construct a village-concept, regional-serving factory outlet mall, to be called the "Great Alaska Factory Outlet Mall." The outlet mall project consists of a maximum gross floor area of 315,305 square feet, 12 buildings constructed in 2 phases. Phase 1 has 7 buildings, containing a total of 144,205 square feet, with construction beginning in the fall of 1999 and completion in 2000. Phase 2 consists of 171,100 square feet, construction is expected to be completed by 2000. A visitor's center is the only other additional use/structure identified on the site plan.
 2. Testimony by the applicant and his architect clarified that the mall is enclosed. The four entry portals to the mall have glass doors. The enclosed pedestrian walkway will maintain heat between 40-50 degree ambient temperature, and the stores 60-70 degrees.

3. Eklutna, Inc., who leases the subject property to Walter Birk, is confident that the shopping center is compatible, and will be integrated, with the surrounding residential subdivision development planned for Powder Ridge. Powder Ridge Drive is located outward of the outlet center in order to provide 200-feet of screening between the road and the mall; the elevation of the development is at or about 200 feet and the elevation on the street below is 275 so that residents of the subdivision do not see the center. Eklutna insisted on a screening line around the circumference of the shopping center, and has planned subdivision landscaping to coordinate with the shopping center's landscaping. All of Powder Ridge will have sidewalks built with the last phase of road development.
4. The Commission finds that in light of the public testimony, and testimony of the applicant, that the conditions proposed by staff, and amended by the Commission, are appropriate. The developer's concerns were taken into account, and the parking ratio remained as proposed by the developer, one pole sign is permitted, and the hours of operation changed from 9PM to 10PM. The Commission added a condition prohibiting overnight parking of all types of vehicles, recreational vehicles, campers and buses. The Commission did not agree that the parking lot should not be redesigned or to preclude the Urban Design Commission from deciding signage or refuse area issues.
5. The Commission finds that all access and circulation to the parking lots occurs from a common roadway separating the stores from the parking lot, and concurs with the department's evaluation that this design forces unsafe competition between cars looking for a parking space, or exiting the parking lot, and pedestrians walking to and from the stores crossing the main internal traffic road. Further, the Commission finds that there needs to be additional driveway access to the parking lot "pods" from the access ring-road with adequate turning radius for maneuverability on site for all types of vehicles/buses. There also needs to be provision for pull-through bus and recreational vehicle parking stalls in an amount and size determined by Public Works. For these reasons changes to the parking lot design and circulation plan is required.

6. The Commission finds it appropriate to delegate to the Urban Design Commission review and approval of all issues relating to landscaping (highway, internal, yard setbacks and parking lot), lighting, signage, and trash dumpsters, following resolution of the parking lot redesign and snow storage location.
 7. The Commission finds the site plan satisfies the special limitation requirements of AO 99-04, Section 5. A.
- B. The Commission grants final site plan approval subject to the following conditions of approval:
1. A Notice of Zoning Action shall be submitted to the State of Alaska District Recorder's Office. Proof of such shall be provided the Department of Community Planning and Development.
 2. Phase 1 construction shall begin no later than July 1, 2000 and shall be completed no later than July 1, 2001. Phase 2 construction shall begin no later than July 1, 2002 and shall be completed no later than July 1, 2004. Failure to begin by the dates stipulated will make this approval null and void.
 3. In accordance with AMC 21.10.028.B the Planning and Zoning Commission delegates to the Urban Design Commission review and final approval of final highway screening; internal, yard, and parking lot landscaping; signage; trash dumpster and design of enclosures; prior to the issuance of any fill or land use permit.
 4. A revised parking lot design and circulation plan shall be submitted for review and approval to Department of Community Planning prior to the issuance of any fill or land use permits. There shall be provision for pull through bus and recreational vehicle parking stalls in an amount and size determined by Building Safety Plan Review. Twenty handicap-parking spaces are required. Parking spaces shown between buildings cannot be counted as required parking spaces. All car parking stalls shall measure 9' x 20'. Special provisions for parking and circulation shall be made for over-sized vehicles such as buses and recreational vehicles, and the appropriate siting of the Visitors

- Center. The revised site plan shall also provide for pedestrian/bike trail connections to adjacent residential zoned property, future transit site, AWWU approved snow storage site, pedestrian walkways internal to the parking lot and road system. Traffic Engineering and Building Safety shall review and advise the Department of Community Planning regarding conformance with code and design specifications.
5. Prior to the issuance of any fill or land use permit, a revised final site plan of each separate phase shall be submitted for review and approval to the Department of Community Planning and Development, at a 1" = 20' scale showing buildings, sidewalks, and showing all easements and utility structures. Provide proof of acceptance by AWWU for the location of all structures located within its utility easements including location of snow storage site.
 6. Resolve with AWWU the need for easements for the AWWU existing water transmission line and vault, and other mainlines; location of the snow storage within AWWU easements and any required mainline extension agreement. Submit engineered private system plans to AWWU for review and approval of water and sanitary sewer service connections.
 7. This project is subject to land use permits for grading, excavation, fill and buildings. State Fire Marshall approval is required for the land use permit.
 8. Those buildings that have an interior circular service court shall be secured and gated in a manner that prohibits casual access and is architecturally consistent with the rest of the building.
 9. All trash dumpsters or trash storage containers shall be located within secured fully enclosed structures. The final site plan must show that all such containers can be safely accessed, with adequate space to maneuver, by trash collection vehicles. Use of trash compactors may be substituted for dumpsters, and if so are not required to be fully enclosed.
 10. Monument signs are limited in number to one at each of the two main driveway entrances, and one along the North Eagle Access

Road. One pole sign is permitted as approved by Urban Design Commission.

11. A lighting plan shall be submitted to Urban Design Commission that indicates the location, type and intensity of all lighting including light source and fixtures. All outdoors-light fixtures shall be shielded.
12. A landscape maintenance, irrigation and replacement plan shall be reviewed and approved with a final landscape plan by the Urban Design Commission.
13. All landscaping shall be installed no later than the first growing season following the issuance of the land use permit, and shall be maintained by the petitioner or his designee for the life of this approval.
14. A dust control plan and a revegetation plan of all disturbed areas during construction shall be submitted for review and approval to DHHS Air Quality and the Department of Community Planning and Development prior to the issuance of any land use permits. All disturbed areas not devoted to buildings or parking shall be revegetated within 12 months of disturbance.
15. Site clearing shall be done in phases as construction occurs. Clearing limits shall be clearly shown and dimensioned on a revised final site plan. The clearing limits shall be delineated with construction fencing prior to the start of any land clearing or grading. Construction fencing shall be used to delineate the clearing limits around the proposed drainage basin prior to the start of any land clearing or grading. All disturbed areas shall be revegetated within one year of disturbance in accordance with the approved landscape plan.
16. Prior to the issuance of a fill or land use permit the developer shall provide a site drainage plan for the development including an appropriate drainage outfall for surface water and roof drainage. The drainage plan shall also indicate effects if any on adjacent properties. This project will be constructed under the requirements of the Municipal Separate Storm Sewer System (MS4)

National Pollutant Discharge Elimination System (NPDES) Permit No. AKS05255-8. Depending on the characteristics of the site a stormwater site plan may require both an erosion and sediment control plan and a permanent stormwater quality control plan.

17. A performance bond is required for all required site improvements in accordance with AMC 21.87.030, to include the installation of landscaping and the requirements of the approved Traffic Impact Study, in accordance with AO No. 99-4. This bond, payable to the Municipality of Anchorage prior to the issuance of a fill or land use permit, shall be in the amount of a 120% itemized cost estimate prepared by a professional engineer, or landscape architect, as appropriate. For example, the landscape estimate is the cost of the planting material, topsoil, irrigation system plus labor for installation. Further, this bond shall remain in effect for a 3-year growing period to assure survivability of all trees and shrubs and replacement of dead or stunted landscape materials.
18. To avoid excessive noise from site preparation, and construction of both phases of the mall from spilling over into the neighboring residential areas, daily hours of operation shall be limited from 7:00 AM to 10:00 PM. Post construction of each phase, to avoid excessive noise from bus, RV and car traffic from spilling over into the neighboring residential areas, daily hours of operation shall be limited from 10:00 AM to 10:00 PM.
19. Restaurants serving food and beverages (wine and beer only) are listed as a permitted accessory use and structure to a regional serving factory outlet retail mall. Any restaurant wishing to serve wine and beer shall comply with AMC 21.50.160 – Conditional uses involving sale of alcoholic beverages.
20. The overnight parking of vehicles, buses and recreational facilities is prohibited.
21. This site plan approval is for the construction of a village-concept, regional-serving factory outlet mall, to be called the "Great Alaska Factory Outlet Mall." The outlet mall project has a maximum gross floor area of 315,305 square feet, consisting of 12 buildings, constructed in 2 phases. Phase 1 will have 7 buildings, containing


a total of 144,205 square feet. Phase 2 will consist of 315,305 square feet. All construction and improvements relating to this approval shall be substantially in compliance with the following plans on file with the Department of Community Planning and Development, except as modified by conditions of this approval:

1. Rendering -Great Alaska Factory Outlet Mall for Northpac Development Corp.	Sheet A-1	Scale: none	Dated June 23, 1999	Prepared by MGA Musil Group Architects, Inc ., 19712 MacArthur Blvd. #100, Irvine, CA 92612
2. Elevations	Sheet A-2	Scale: 1/8" = 1'-0"	Dated June 23, 1999	Prepared by MGA Musil Group Architects, Inc ., 19712 MacArthur Blvd. #100, Irvine, CA 92612
3. Elevations	Sheet A-3	Scale: 1" = 40'	Dated June 23, 1999	Prepared by MGA Musil Group Architects, Inc ., 19712 MacArthur Blvd. #100, Irvine, CA 92612
4. Sections/Buildings	Sheet A-4	Scale 1" = 50'	Dated June 23, 1999	Prepared by MGA Musil Group Architects, Inc ., 19712 MacArthur Blvd. #100, Irvine,
5. Floor Plan/Site Plan	Sheet A-5	Scale as shown	Dated June 23, 1999	Prepared by MGA Musil Group Architects, Inc ., 19712 MacArthur Blvd. #100, Irvine,
6. Phase 1 Site Plan	Sheet A-6	Scale as shown	Dated June 23, 1999	Prepared by MGA Musil Group Architects, Inc ., 19712 MacArthur Blvd. #100, Irvine,
7. Existing Contour Plan	Sheet G-1/ S-X	Scale as shown	Dated June 23, 1999	Prepared by DCI Engineers, 2821 NorthupWay, #200, Bellevue, WA 98004
8. Preliminary Grading Plan plus cross sections	Sheet G-2/ S-X	Scale as shown	Dated June 23, 1999	Prepared by DCI Engineers, 2821 NorthupWay, #200, Bellevue, WA 98004
9. Landscape Area Plan	Sheet L-2	Scale as shown	Dated June 23, 1999	Prepared by MGA Musil Group Architects, Inc ., 19712 MacArthur Blvd. #100, Irvine,
10. Landscape Concept	Sheet L-3	Scale as shown	Dated June 23, 1999	Prepared by MGA Musil Group Architects, Inc ., 19712 MacArthur Blvd. #100, Irvine,

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission this 12th day of July 1999. This is the final decision of the Commission. Any party aggrieved by this decision may file an appeal pursuant to AMC 21.30.030 no later than 15 days after the administrative decision of the Planning and Zoning Commission.



Caren L. Mathis
Secretary



Daphne Brown
Chair

(CASE # 99-133; TAX ID # 051-631-51)

mpa

5.

99-133

Northpac Development, LLC. A public hearing site plan review as required by A.O. 99-4 for Powder Reserve Subdivision, Tract 1. Located immediately northwest and southwest of the North Eagle River Interchange of the New Glenn Highway, Development Area O in its entirety.

Staff member MARY AUTOR stated 150 public hearing notices were mailed, 2 were returned unclaimed, 1 was returned against citing concerns with traffic patterns, competition with the Eagle River core retail, and concern that there be an undisturbed tree buffer left along the highway and the Eagle River access road. She stated there were no returned comments from either the Birchwood or Eagle River Community Councils. She noted that one complete copy of the submitted application and all revised drawings were made available to the Birchwood Community Council chair. She referred the Commission to pages 6 and 7 of the Planning Staff Analysis, which summarize this proposal. She explained this is a request for final site plan approval of a project that is to be done in two phases: Phase 1 is a regional serving outlet mall of 144,205 square feet and 613 parking spaces, and Phase 2 is a 171,100 square foot development with 682 parking spaces. Phase 1 would begin in the fall of 1999 and Phase 2 would begin 1 to 1.5 years from the completion of Phase 1. The buildings are clustered, rather than a strip mall or box, for a total of 12 buildings.

COMMISSIONER DeLUCIA asked Ms. Autor to expand on condition 5 regarding the parking lot design and circulation plan. MS. AUTOR explained there are two calculations for required parking, either based on the building size or for a shopping center, the latter of which yields a higher number of spaces. Staff believes the difference between the two would allow for additional landscaping and a needed addition to this parking lot, which is pull through stalls for buses and recreational vehicles. She noted that the parking stalls as designed do not meet the 9'x20' minimum requirement. Also, there needs to be more attention paid to the proper siting of the visitors center to allow for better access by the public and tourists, possibly placing it closer to Powder Ridge Drive. There is also a need for pedestrian circulation and access, both internally and by a trail to Powder Ridge Drive. She further noted that, as laid out, there is a road that goes behind the buildings to provide service access and that road then loops around the outer edges of the parking lot. Staff thinks that, while a service ring road is needed, the layout creates a conflict between the cars coming into the site and people needing to cross to the buildings; there would also be conflicts between vehicles and pedestrian traffic into the stores.

The public hearing was opened.

WALTER BIRK, petitioner, described the people involved in the project in order for the Commission to understand the responses made to the issue that have arisen around this project. Those individuals include Mark Lieberman, architect, Larry Cash, Bill Hamm, Joe Stimson, Jacques Boutet, and two other architectural firms, as well as Steve Craig, a consultant in the outlet development industry. He stated this project has been the subject of 6 or 7 meetings with the Planning Department, this is the second appearance before this Commission, and there has been one meeting with Assembly. He stated this project has been in process for 4.5 years, during which time there have been many meetings with the Eagle River Chamber, the Birchwood community, the ACVB, and the Anchorage Chamber Board, among others. He stated that there have been at least 10 different architectural layouts and 9 different engineering layouts, all of which have been analyzed. He stated he personally has visited 10 states and 12 outlet centers to familiarize himself with the "feel" of these malls. He stated the proposal before the Commission is a product of that time, expertise, and input from the Commission, the Planning Department, and community residents. He believed this is the best design for this site for an outlet project. He stated he reviewed the recommended conditions and agreed with many, but there were several of concern to him because, if approved subject to those conditions, the project would basically have to be redone.

MARK LIEBERMAN, architect, stated his firm has most recently been involved with a project in San Clemente, which was approved last week by their council. He stated that this current design is a reflection of the industry today. He indicated he was also the in-house architect for Nike stores for a number of years and has been involved with 100 of their outlet stores. He reviewed the goals of the project, which are to create a pedestrian friendly environment, use a regionally based design, provide a continuous shopping atmosphere, and have a destination orientation. He also reviewed the challenges faced by the project, including topography, sensitivity to future residential areas, existing utilities (power transmission lines and water lines), site size, and economics.

COMMISSIONER DeLUCIA asked that Mr. Lieberman continue. MR. LIEBERMAN displayed a design of an elongated strip outlet center, which he believed the community had seen in the past. He stated this is no longer the standard in the industry. He next displayed the first "village" design, but stated that, in working with Staff, he discovered the large expansive parking was undesirable, access was prohibitive, and it would be an economic failure. He lastly displayed the proposed site plan before the Commission, which is enclosed and has parking with landscaping. He noted that the code requires 5% landscaping and this proposal includes over 8%, excluding the perimeter areas.

COMMISSIONER KARABELNIKOFF asked how this design is enclosed. MR. LIEBERMAN displayed a rendering of the entrance to the mall, noting

there will be four entry portals into the mall. MR. KARABELNIKOFF asked if the roof will be glass. MR. LIEBERMAN replied the roof will be metal with glass curtain walls. Additionally, there will be some means of facilitating heat and air flow within the building. He stated the intent is to maintain 40-50 degree ambient temperature in the enclosed area, with the stores being 60-70 degrees.

COMMISSIONER JONES noted Dennis Clark is the director at the UAA campus in Eagle River and she is an adjunct instructor through that unit. VICE CHAIR STILES asked if Ms. Jones' job would be jeopardized by her vote on this case. MR. CLARK stated there would be no impact on Ms. Jones' job as a result of her action in this case.

DENNIS CLARK, Chair of the Chugiak-Eagle River Chamber Economic Development Committee, stated Mr. Birk has worked with the Chamber and his Committee for several years. He stated Mr. Birk has made many trips to the area, has made many presentations to the Committee, has always been available by telephone, and has listened to the Committee's suggestions and tried to incorporate them, to the extent possible. He stated with respect to the criticism that this is an auto-dominated mall that Eagle River is auto-dominated because it is not pedestrian friendly. He stated the Chamber has worked for many years to remedy this situation. He noted the developer has made provisions for the residents of Powder Ridge Subdivision to access the mall. He commented that the mall is located 15 miles from the business center of Anchorage, which is being done in order to be removed from the businesses that might sell the goods being sold at the outlet mall. As a result of this location, people will drive and there will be a need for signs. He stated the Committee would like to see this project move forward and be approved this evening. He felt this project will provide critical mass, as well as corporate jobs for residents, and will also prove to be good for feeder businesses, such as restaurants.

GEORGE EASLEY, representing Eklutna Inc., stated there are several thousand acres involved in the overall Powder Ridge area, which will be developed over the next 30 to 40 years. He stated it is extremely important to Eklutna Inc. to ensure this shopping center is compatible with all surrounding areas because, if it is done poorly, there will be adverse effects on the rest of the land. He stated he has worked for several years with this developer to ensure this shopping center is totally compatible with the plans for the rest of the property. He noted that Eklutna Inc. still reserves the right to reject any plan for this development. He stated the corporation has reviewed this proposal in depth and believes it is a good plan. He indicated he was somewhat taken aback by the position of the Staff of the Planning Department, but he realized they were performing their job.

COMMISSIONER ADAMS asked how this development has been integrated with the subdivision. MR. EASLEY replied that Powder Ridge Drive is located outward of the outlet center in order to provide 200 feet of screening between the road and the mall; the elevation of the development

is at or about 200 feet and the elevation on the street below is 275 so that residents of the subdivision do not see the center. Eklutna Inc. has also insisted on a screening line around the circumference of the shopping center and has planned subdivision landscaping to coordinate with the shopping center's landscaping. MR. ADAMS asked whether pedestrian circulation had been addressed, such as by providing sidewalks along Powder Ridge Drive. MR. EASLEY stated that all of Powder Ridge Drive will have sidewalks, which will be built as part of the last phase of that road development.

MARK IDAM, representing the Chugiak-Eagle River Chamber of Commerce, noted the Chamber is in strong support of the mall, as is every community council that has taken a formal position. Until today, he was unaware of any active opposition. He thanked Ms. Mathis for her visit to Eagle River earlier this spring to hear issues of concern to the community and to tour the area. He stated it is sadly clear to the Chamber that the Planning Staff is the opposition to this project. He noted that there are 20 conditions being proposed on this project, all of which must be met before issuing any land use permits. He felt that imposing these requirements would be of no use whatsoever. He stated Chugiak-Eagle River is willing to look at ways to enhance and beautify a project, but was also opposed to using the tools of bureaucracy to delay and ultimately derail an economic project supported by most of the area. He reviewed his military background and explained the concept of helping to make things happen, not being an obstructor. He felt that Staff had ignored experts in the field and instead has chosen to use their own terms.

COMMISSIONER DeLUCIA asked Mr. Idam to identify the conditions he felt were acceptable. MR. IDAM noted that condition 20 seemed redundant and superfluous in its requirement that restaurants serving wine and beer must comply with AMC 21.50.160, which would be a requirement in any case. He also objected to condition 12 and the Staff's discussion regarding a lighting plan with a larger number of shorter poles as opposed to a larger number of "very tall fixtures with extremely bright luminaries" given the fact that the tallest luminaries in Anchorage are located along the Glenn Highway directly before this property.

JOHN McCracken, research director with the Anchorage Economic Development Corporation (AEDC), stated he has worked to provide economic analysis and information to the petitioner and prospective businesses for the mall. He stated the AEDC supports this mall for the diversification it would bring to Anchorage and Eagle River, and as an attraction to visitors to the area. He stated that the economic benefits from the mall fall into two categories: construction, which would bring \$20 million in direct benefit and \$10 million in indirect benefit, as well as 100 to 150 jobs in the community of Eagle River and Anchorage from construction alone and, once the mall is operating, there will be an approximate benefit of \$13.5 million in wages and salaries and it will create 450 direct and indirect jobs in the area. There is also a benefit of 300 jobs ranging from

entry level positions to management level positions with national chains, which allows mobility for employees to become managers.

VICE CHAIR STILES indicated that the remaining cases on the agenda would be heard on July 19, 1999.

DARCY SALOMON, Mayor of the Matanuska-Susitna Borough, stated his community has been reviewing this project for some time. He stated he was personally excited to see the North Eagle River exit upgraded the way it has been, as it has made access to Eagle River much easier for Mat-Su residents. He characterized Eagle River as the connective tissue between Anchorage and the Valley. He noted that the Mat-Su is facing many of the same issues Anchorage has faced, given the recent development of a new Fred Meyer and Walmart. He felt that this outlet mall project is the type of thing a community would embrace, both in terms of aesthetics and location. He stated that 30% to 40% of Mat-Su residents commute to Anchorage and he was sure they would rather commute to Eagle River for employment. He stated he was excited about this project for many reasons and he felt this project was a critical and very positive link in the connective tissue of Eagle River.

COMMISSIONER JONES noted it is not often that this body is able to hear planning from a regional perspective. She thanked Mayor Salomon for traveling to Anchorage to present his comments.

COMMISSIONER KARABELNIKOFF echoed Ms. Jones' comments.

MICHAEL SCOTT, Mat-Su Borough Manager, stated the Assembly has, as one of its top five priorities, the economic development of the Mat-Su and he believed this project is related to that priority. He noted that Mr. Birk has indicated this site plan with the 20 conditions suggested would be unacceptable to him. He stated he opened a business in Eagle River in 1985 and, if he were still there today, he would welcome this development as it has been presented by Mr. Birk. He felt this project would be an asset to the regional economy.

ANN NEWBERRY, resident of Eagle River, opposed this proposed site plan. She felt it was unfortunate that the location of this mall was moved because the residential area closest to this new location were not involved. She felt it was also not ethical to make such a major change to the Powder Ridge master plan. She felt traffic mitigation should be addressed for local residents who travel on Terrace Lane, even though the Staff analysis says nothing needs to be done. She also felt there was a need for a better tree buffer to screen the outlet mall development. She suggested that road designs should accommodate the turning radiuses of tour buses and recreational vehicles, which are common in the Anchorage area. She suggested building a parking garage to serve the mall rather than asphalt for surface parking. She noted that Fire Creek is an anadromous stream and it should be protected from any runoff.

BOBBI WELLS, representing the Birchwood Community Council, stated that 2,173 residents of Birchwood do not support the outlet mall as proposed. She commented that Mr. Birk had testified to the fact there have been a number of different designs and site plans for this development. The original plan presented to the Commission on January 4, 1999 was for a 294,525 square feet building footprint with parking for 1,178 vehicles and traffic generation would have been 17,100 vehicles per day. She noted it would have been nice if Eagle River and Birchwood residents could have seen the drawings that were put before the Commission this evening. She stated the Birchwood Community Council will not oppose the outlet mall, as that would be fruitless, but it does support the Commission applying the 20 conditions proposed by Staff to this approval. She asked that, if this is approved, the Commission require an additional public hearing for Phase 2. She noted that she would not like to see the Commission surrender its authority with respect to signage or landscaping. She noted the sign in front of the visitors center is now proposed at a size of 18 feet high and 90 feet long. She stated that lighting will be an issue with regard to interference with the interchange. She stated her employer built three phases of the Eklutna water project and the water vault at the top of that will be part of the view from above Powder Ridge Drive. She felt that having the snow disposal site there may not be well advised. She asked that the Commission closely review the drainage of this site (Area O), on which there have been only one boring and two tests.

JOHN STEINER, representing the Eagle River Valley Community Council, stated the Council has not taken a position, but is supportive of the Birchwood Community Council. He expressed concern that the petitioner has not specifically identified which of the proposed 20 conditions are problematic. He noted that his Council has many times felt that the Staff has been attempting to facilitate development, but in this case, found the Staff's position to be reasonable in their proposal of conditions on this development. He remarked that, if there are conditions that would kill this development, they should of course be looked at carefully, but they should not all simply be discarded. He stated the Council has no objection to the concept of new stores and new employment in Eagle River, but believes it is important to consider the Staff's recommended conditions.

RON AKSAMIT, president of the Southfork Community Council, stated the Council has passed a resolution supporting this project. He believed the developer and his consultants have satisfactorily responded to comments by the Planning Department. The Council feels this is a good project for Eagle River.

COMMISSIONER COX asked for an explanation of the manner in which individual stores will be serviced so as to not inhibit pedestrian travel. MR. BIRK explained that the stores that are serviced from the rear are serviced in a traditional fashion; and the remaining stores are serviced within the parking areas adjacent to them. He noted that Staff has asked if this creates

a dangerous situation, however, this is not a unique concept and is one that is used in many centers. MS. COX asked if there is the ability for large vehicles, such as motorhomes, to maneuver in this parking lot. She asked whether it is necessary to have the number of parking spaces being shown on the site plan and whether there is a possibility of reducing the number of spaces and providing more landscaping. MR. BIRK stated that typically in the industry a ratio of 5:1 parking spaces is required and, in meetings with the Staff, it was generally felt that a ratio of 4:1 is workable. He stated it is clear in his reading of the code that shopping centers require a 4:1 ratio and the 3:1 ratio are intended for small market uses. He noted that, if the parking spaces are full and people are visiting from distances, such as Fairbanks, they may begin to park on Powder Ridge Drive. With regard to maneuverability for large vehicles, MR. BIRK stated that it will be necessary to handle maneuverability on the site in order for the project to be successful. MS. COX noted she understood there is no transit service to this location, but she asked if that may be possible. MR. BIRK stated he has provided for that in his most recent design submittal and is willing to work with the Municipality to provide for transit, when and if that is a possibility.

COMMISSIONER DeLUCIA asked Mr. Birk to review which of the Staff conditions he found unacceptable. MR. BIRK replied that he has agreed to the Urban Design Commission (UDC) reviewing all the landscaping, but he did not agree to have the signage and refuse area reviewed by that body. He explained, if that is required and the result is that the UDC requires parking lots to be redesigned, which would result in the building layout being changed, there is little left for this Commission to approve. He reviewed the conditions of approval as follows:

- | | |
|--------------|------------------------------------------------------------------------------------------------|
| Condition 1 | Acceptable |
| Condition 2 | Acceptable |
| Condition 3 | Acceptable, barring a natural disaster |
| Condition 4 | Acceptable as to the Urban Design Commission reviewing highway screening and landscaping only. |
| Condition 5 | The minimum parking ratio should be 4:1 and the parking lot should not be redesigned. |
| Condition 6 | Acceptable |
| Condition 7 | Acceptable |
| Condition 8 | Acceptable |
| Condition 9 | Acceptable |
| Condition 10 | Acceptable |
| Condition 11 | Not acceptable |
| Condition 12 | Acceptable |
| Condition 13 | Acceptable |
| Condition 14 | Acceptable |
| Condition 15 | Acceptable |
| Condition 16 | Acceptable |
| Condition 17 | Acceptable |
| Condition 18 | Acceptable |

- | | |
|--------------|------------------------------------------------------------------------------------------------------------------------|
| Condition 19 | Change "9:00 p.m." to "10:00 p.m." and clarifying that "operating hours" refers to the hours that the stores are open. |
| Condition 20 | Acceptable, but cannot be accomplished prior to the issuance of a land use permit. |

He noted that the clock tower was included in the design as an amenity and was not intended to be signage in lieu of the pylon sign. The other sign is the major sign and taking it away would be incredibly detrimental to the project. The monument sign at the off ramp provides both advertising and direction. The two other signs are totally directional and, without them, people could end up in the subdivision.

COMMISSIONER HODEL asked for clarification of Mr. Birk's concern with condition 11. MR. BIRK clarified his concern was with the prohibition of a pole sign. He explained that the pole sign is the only real advertising sign and not providing it which could result in the loss of tenants and people not knowing what stores are in the mall. MR. HODEL asked the size of the pole sign. MR. LIEBERMAN replied that information is in the sign package. MS. AUTOR referred to page 12 of the packet, which indicates the sign is 30'x6'x30' containing 180 square feet of sign area, as recalculated by Staff. MR. HODEL asked if this proposed sign violates the code. MS. AUTOR explained the objection raised by Physical Planning had to do with the height and amount of square footage of the sign. MR. HODEL noted he has observed two rather large flags at the Auto Max in Eagle River, so he believed the petitioner's request was not unprecedented.

COMMISSIONER HODEL reviewed condition 5 and ultimately recommended deleting the second sentence. MR. LIEBERMAN asked if the last sentence of that condition that "Traffic Engineering and Building Safety shall review and advise the Department of Community Planning regarding conformance with code and design specifications." applied to building permit issuance. MS. AUTOR replied that this requirement would be prior to the issuance of filling or land use permits. MR. LIEBERMAN found this to be acceptable.

COMMISSIONER KARABELNIKOFF stated he believed he could make a motion that would be acceptable, if it could be addressed this evening.

The public hearing was closed.

COMMISSIONER KARABELNIKOFF moved for approval of the final site plan, subject to Staff conditions 1 through 20, amending condition 5 to delete "The number of parking spaces shall be reduced to the minimum required parking, and"; amending condition 11 to state "One pole sign is permitted as approved by the Urban Design Commission."; and amending condition 19 to delete "9:00 p.m." and insert "10:00 p.m."

COMMISSIONER DeLUCIA seconded.

COMMISSIONER KARABELNIKOFF stated he listened to all the testimony presented and he felt that, for this site plan review, the conditions proposed by Staff, as amended, were appropriate. He believed the developer's concerns were taken into account with these conditions. He noted that the developer can bring forward a request to modify the site plan approval, if that is appropriate.

COMMISSIONER ADAMS moved to amend condition 5 to insert a 3.5:1 parking ratio.

COMMISSIONER KARABELNIKOFF seconded.

COMMISSIONER ADAMS noted that this parking lot is 8 football fields long and he believed a ratio of 3.5:1 is a compromise between Staff's recommendation and the developer's proposal.

COMMISSIONER DeLUCIA believed much of the parking ratio requirement desired by the petitioner is, in fact, driven by tenants of the mall and he, therefore, did not support the amendment.

COMMISSIONER HODEL believed that the market determines what is acceptable and, given the fact this is a regional-serving mall, sufficient parking should be allowed.

Amendment

AYE: Isham, Stiles, Adams

NAY: Karabelnikoff, Jones, Hodel, DeLucia, Cox

FAILED

COMMISSIONER ADAMS moved to amend condition 11 to delete "One pole sign is permitted as approved by the Urban Design Commission."

COMMISSIONER ISHAM seconded.

COMMISSIONER ADAMS felt that the clock tower would be sufficient advertising and the proposed pole sign was not appropriate or necessary.

COMMISSIONER DeLUCIA opposed the amendment.

Amendment

AYE: Isham, Stiles, Adams

NAY: Karabelnikoff, Jones, Hodel, DeLucia, Cox

FAILED

Main Motion

AYE: Karabelnikoff, Jones, Hodel, Stiles, DeLucia, Cox, Adams, Isham
NAY: None

PASSED

VICE CHAIR STILES asked what will be done to prevent motorhomes from camping in the parking lot of this outlet mall. MR. BIRK noted that, if the community desires that there not to be camping in the parking lot, he would agree to ensuring this does not occur.

COMMISSIONER ADAMS moved to reconsider case 99-133.

COMMISSIONER JONES seconded.

AYE: Karabelnikoff, Jones, Hodel, Stiles, DeLucia, Cox, Adams, Isham
NAY: None

PASSED

COMMISSIONER ADAMS moved to amend to add a condition of approval number 21 that overnight camping be prohibited in the parking lot for the Great Alaska Outlet Mall.

COMMISSIONER JONES seconded.

COMMISSIONER ADAMS stated this condition addresses the concern that this project be specifically retail directed.

Amendment

AYE: Karabelnikoff, Jones, Hodel, Stiles, DeLucia, Cox, Adams, Isham
NAY: None

PASSED

Revote on Main Motion, as Previously Amended

AYE: Karabelnikoff, Jones, Hodel, Stiles, DeLucia, Cox, Adams, Isham
NAY: None

PASSED

6. 99-132

Michael Freeman, Midas. A public hearing site plan review as required by A.O. 88-146 for Australaska Subdivision, Tract B-2. Located on the northeast corner of DeBarr Road and Bragaw Street.

CONTINUED TO JULY 19, 1999

COMMISSIONER STILES indicated he was contacted by a friend regarding case 00-086, but he informed him he could not speak and suggested he could testify tonight.

D. CONSENT AGENDA

1. Resolutions for Approval: 99-040 (case 99-087), 00-037 (case 00-065)
4. Time Extensions/Expedited Hearing Requests/Minor Conditional Use Amendments
 - a. **00-098:** Southcentral Counseling Center. Amending a conditional use for a quasi-institutional use. Located on the east side of Lake Otis and to the south of Providence Drive.
 - b. **00-046:** LH Construction & Hallmark Inv. Minor amendment to a conditional use for a planned unit development to remove condition of approval B.5 of Planning and Zoning Commission resolution #97-081. Located at the east end of Chilkoot Court and south of East 40th Avenue.
 - c. **00-097:** AWWU Engineering. A minor amendment to a conditional use for upgrades and improvements to an existing septage receiving station. Located at the north end of Turpin Street within the Glenn Highway right-of-way.
 - d. **99-064-2:** Rodney Robertson. Amending a conditional use for multi-family development required by the Girdwood Area Plan to amend conditions of approval 4A and 4C regarding building height, which was approved by the Planning and Zoning Commission on 5/3/99. Located on the east side of Arlberg Road and north of Olympic Drive.
 - e. **99-133-2:** Northpac Development, LLC. Amending condition #2 of Planning and Zoning Commission Resolution #99-060 regarding construction start and finish dates. Located immediately NW and SW of the North Eagle River Interchange of the New Glenn Highway, Development Area O in its entirety.

COMMISSIONER HODEL moved for approval of the Consent Agenda.

FILE COPY

MUNICIPALITY OF ANCHORAGE PLANNING AND ZONING COMMISSION RESOLUTION NO. 2000-053

ORIG. SENT
TO APP
7/19/00

A RESOLUTION APPROVING A TIME EXTENSION FOR THE GREAT ALASKA OUTLET MALL LOCATED ON TRACT 1, POWDER RIDGE SUBDIVISION, TO BEGIN CONSTRUCTION.

(Case 99-133-2; Tax # 051-631-51)

WHEREAS, a petition has been received from Wally Birk, representing the Great Alaska Outlet Mall for an amendment to condition 2 of Planning and Zoning Commission resolution 99-060 to extend the timeframe on the approved site plan for construction and completion.

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

A. The Commission makes the following findings of fact:

1. The petitioner reports that the project has been unavoidably delayed and that it is unlikely that the project will be underway on or before July 1, 2000.
2. AMC 21.15.030.G. provides that the Commission may modify an approved conditional use or site plan under two conditions: changed conditions cause the conditional use or site plan to no longer conform to the standards for its approval, or to implement a different development plan conforming to the standards for its approval. A modification application shall not be subject to a public hearing unless the authority finds that the modification will have a significant effect on the surrounding neighborhood.
3. The Commission finds the proposed time extension is a minor amendment and has no significant impact on surrounding properties.

B. The Commission approves the modification to PZC resolution 99-060 condition 2 to read as follows:

1. *Phase 1 construction shall begin no later than October 1, 2001 and shall be completed no later than October 1, 2002. Phase 2 construction shall begin no later than October 1, 2003 and shall be completed no later than October 1, 2005. Failure to begin by the dates stipulated will make this approval null and void.*

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission this 5th day of June 2000.

for *Douglas R. Nixon for Donald S. Alspach*
Donald S. Alspach
Acting Secretary

Daphne Brown
Daphne Brown
Chair

(99-133-2)
(TAX NUMBER(S) 051-631-51)

4c

AO 99-4

Rezone from PC to B-3/SL

Tract 1, Powder Ridge Subdivision
Development Area O

1
2 CLERK'S OFFICE
3 AMENDED AND APPROVED
4 Date: 2-7-99

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

5 ANCHORAGE, ALASKA
6 AO NO. 99- 4

7
8 AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE
9 REZONING FROM PC (PLANNED COMMUNITY) TO B-3 (GENERAL BUSINESS
10 DISTRICT) ZONE WITH SPECIAL LIMITATIONS FOR TRACT 1, POWDER RESERVE
11 SUBDIVISION, GENERALLY LOCATED IMMEDIATELY NORTHWEST AND
12 SOUTHWEST OF THE NORTH EAGLE RIVER INTERCHANGE OF THE NEW GLENN
13 HIGHWAY.

14
15 (Birchwood Community Council)(Case 99-001)
16

17
18 THE ANCHORAGE ASSEMBLY ORDAINS:

19
20 Section 1: The zoning map shall be amended by designating the following
21 described property as B-3 (General Business District) zone with special limitations:

22
23 Tract 1, Powder Reserve Subdivision

24
25 Section 2: The zoning map amendment described in Section 1 above shall be
26 subject to the following special limitations:

- 27
28 1. Permitted Principal Uses and Structures:
29 a. Regional Serving Factory Outlet Retail
30
31 2. Other Uses:
32 a. Visitor Center
33 b. Museum
34 c. Community Recreation Center
35
36 3. Conditional Uses:
37 a. None
38
39 4. Permitted Accessory Uses and Structures:
40 a. Uses and structures customarily accessory and clearly incidental to
41 permitted principal uses and structures, such as food courts,
42 restaurants or similar places serving food and beverages (wine and
43 beer only), and uses in support of the factory outlet mall.
44
45
46

3
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 9th day of
41 February, 1999.

42 Lay Von Hemmingen
43 Chair

44
45 ATTEST:

46 Lizano I. Iregui
47 Municipal Clerk
48
49

FILE COPY

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 99-005

A RESOLUTION RECOMMENDING APPROVAL OF A REZONING FROM "PC" PLANNED COMMUNITY DISTRICT TO B-3 SL (GENERAL BUSINESS) DISTRICT 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 IN EAGLE RIVER.

(Case: 99-001; Tax ID 051-631-51)

WHEREAS, a petition has been received from Northpac Development, LLC requesting rezoning from "PC" Planned Community to B-3 SL (General Business) District, for Tract 1, Powder Reserve Subdivision, consisting of approximately 34 acres; generally located immediately northwest and southwest of the North Eagle River Interchange of the New Glenn Highway in Eagle River, and

WHEREAS, notices were published and a public hearing was held January 4, 1999 and reconsidered January, 11, 1999.

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

A. The Commission makes the following findings of fact:

1. The applicant amended his original request to rezone Tract 1, Powder Reserve Subdivision by amending the PC zoning established by AO 94-235-(S-1)(as corrected 5/4/95) for Development Area "O", to rezoning the property from PC to B-3 SL. The applicant proposes to construct a regional serving factory outlet mall, to be called the Great Alaska Factory Outlet Mall. The mall project will consist of a maximum gross floor area of 300,000 square feet, constructed in 3 phases. In addition to retail outlet stores, it will include a visitor's center, museum, and community recreation center. Phase 1 is expected to be open by spring, 2000. No dates were given for Phase 2 and 3.
2. Phase 1 will consist of 132,700 SF; Phase 2 will consist of 144,825 SF, and Phase 3 will consist of 17,000 SF. The number of required parking spaces will total 1,178.

3. The commercially designated area at the corner of the Glenn Highway and North Eagle River Access Road appears to be well located to provide a regional commercial development such as the proposed factory outlet mall. It has a potential market area extending from Anchorage to the Palmer-Wasilla area, with access via the Glenn Highway. Basic utility services are available to the site.
4. The proposed site is part of a larger master planned development that was designed as a mixed-use neighborhood unit of Eagle River. Area O was designated for Commercial/Institutional Use. Three primary uses are envisioned to anchor and establish the character of the PC development area. The Plan recognized that "most higher intensity commercial uses would not be compatible with either site conditions or the predominant residential character and theme of the tract's overall development." The Master Plan was designed to provide a mixed-use development that exhibited small town like qualities through integration rather than separation of uses, to contribute positively to the ease and convenience with which its residents could meet daily needs for housing, shopping, work and recreation. With the exception of some transient lodging, Area O is intended for local and community serving commercial development, not a regional serving, factory outlet mall.
5. Nearly six years have passed since the Master Plan was approved. Development has been slow in forthcoming. One residential subdivision plat was approved this year for the northern portion of Area M, immediately to the west of Area O.
6. The State of Alaska Department of Transportation will not grant an access to this property from the Glenn Highway, and requests a special limitation limiting all access to Tract 1 shall be via Powder Ridge Boulevard.
7. AWWU commented that based on water demand and wastewater discharge volumes for the revised development size, the petitioner will be required to make any necessary upgrades to the AWWU facilities needed to accommodate the proposed development. Public Works notes that water and electric transmission lines exist on the property. Map 1-7 of the Utility Corridor Plan shows a future sewer transmission main on or near the property. This needs to be resolved with AWWU the need for additional easements.

8. Both MOA Transportation Planning and Traffic Engineering require a Traffic Impact Analysis (TIA) prior to a public hearing site plan review. A TIA should determine the effect of the use upon the surrounding road system. In particular they are concerned about the effect it will have on the operation of the Glenn Highway on and off ramps. This same concern was raised in the TIA conducted in 1992 as part of the Powder Reserve PC rezone. In addition, the TIA should examine the need for and feasibility of providing a secondary access to Area O from the west. This access would most likely cross the Glenn Highway and connect with Farm Avenue in downtown Eagle River.
9. Because this is a highly visible and prominent location at the intersection of the Glenn Highway, landscaping along the highway is a major concern. Of equal concern is the landscaping of the site adjacent to the future development areas of the Master Plan.
10. B-3 zoning, with special limitations, would be consistent with the mixed-use land use designation of the 1993 Chugiak-Eagle River Comprehensive Plan. Rezoning this site for the specific development of a regional serving factory outlet mall is supported by the Chugiak-Eagle River Chamber of Commerce, the Anchorage Economic Development Corporation, the Anchorage Convention & Visitors Bureau, and a petition in support of the rezoning signed by numerous private individuals.
11. The Commission reconsidered its January 4, 1999, 3-4 vote to rezone to B-3 SL to allow the two PZC members who were absent to consider the rezoning. The developer, Walter Birk, and the land owner, Eklutna, Inc., testified that they will accept the special limitations and effective clauses as developed by staff. Eklutna further assured the Commission that they would not seek removal of the special limitations or effective clauses when they appear before the Assembly.
12. The Commission believes regional outlet malls are appropriate along highways and at this site since the infrastructure of sewer and water is available, whereas it is not available at sites at the north end of Chugiak. Other sites were found to be too small, or divided by the Old Glenn Highway, or had environmental features which made the sites unsuitable.

13. The Commission notes that it unusual that a commercial mall will develop prior to residential development. The development has the potential of contributing to the overall Eagle River economy without having adverse impacts.
 14. The Commission finds the rezoning meets the standards for a zoning map amendment as required by AMC 21.20.090.
 15. The Commission voted 7 to 2 to support the rezoning to B-3 with special limitations and effective clauses, and to remove Tract 1 from the PC zoning and Powder Reserve Master Development Plan.
 16. The dissenting votes found that the use is not in the best interest of the public with respect to the traffic impact, the fact there will be six football fields of parking at the entrance to what was envisioned as a classic neighborhood, and that children who wish to visit the Fire Lake Recreation Center from the neighborhood that develops around this will need to go through this development to access it. Further, the Comprehensive Plan does not stipulate that a rezoning is permissible because it will avoid a Not In My Back Yard attitude, and there will be no way to retrieve what was envisioned in the Planned Community after this proposal is developed.
- B. The Commission recommends the above captioned ordinance be approved by the Anchorage Assembly subject to the following:
1. Special Limitation:
 - a. Permitted Principal Uses and Structures:
 - 1) Regional Serving Factory Outlet Retail
 - b. Other Uses.
 - 1) Visitor Center
 - 2) Museum
 - 3) Community Recreation Center
 - c. Conditional Uses:
 - 1) None
 - d. Permitted Accessory Uses and Structures
 - 1) 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.

2. Effective Clause:

a. Prior to this rezoning becoming effective the following shall be competed:

- 1) Issuance of a Land Use Permit for a minimum of 130,000 gross floor square footage within three years of Assembly approval of this rezoning, or the rezoning shall become null and void.
- 2) Public Hearing Site Plan Review in conformance with Anchorage Municipal Code 21.15.030, to include but is not limited to parking lot design, circulation, and landscaping; signage; landscaping and snow storage; lighting, scale, etc.
- 3) Prior to the public hearing site plan review, a Traffic Impact Analysis shall be submitted for review and approval to Municipal Traffic Engineering, Transportation Planning, and the State Department of Transportation Planning.

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission this 11th day of January, 1999.



Caren L. Mathis
Secretary



Daphne Brown
Chair

(99-001/051-631-51)

mpa

MS. AUTOR asked if the two-story design would have the ability to be expanded higher. MR. STEELE felt it was premature to speak to the final configuration of the facility in that design is being tested at preliminary levels at this time. He stated the facility would have the ability to expand. He stated the typical jail is two stories in height and the consideration with this facility is a two-module facility approaching 40 feet in height, but with two floors. He stated that future expansion would occur on the second level.

The public hearing was closed.

COMMISSIONER COX moved for approval of a rezoning of 5.05 acres from I-2 to PLI.

COMMISSIONER DeLUCIA seconded.

COMMISSIONER COX noted this truly is a housekeeping matter in that correctional institutions are prohibited in the I-2 and permitted in the PLI. She remarked that the intent with a rezoning to PLI is to be compatible with surrounding uses, which includes the Cook Inlet Pretrial Facility.

COMMISSIONER ADAMS stated this rezoning implements a site selection process already approved by the Commission, during which there was due consideration of many issues. Also, this rezoning is compatible with the Cook Inlet Pretrial Facility and he felt this was a logical extension of the zoning. He stated he was uncomfortable with piecemeal zoning and felt both Tract A and Tract C should be considered at the same time, but since the facility can be accommodated on Tract C, he felt there was no reason not to approve the request.

AYE: Hodel, Stiles, DeLucia, Cox, Adams, Birkinshaw

NAY: None

ABSTAIN: Brown

PASSED

4. 95-078-4

Norman McDougal. Amending a conditional use permit for a camper park. Generally located on the south side of DeBarr Road and west of Hoyt Street.

POSTPONED

5. 99-001

Northpac Development LLC. A request to amend the PC (Planned Community A.O. 94-235 S1) to increase the allowable square footage of commercial space. Powder Ridge Subdivision, Tract 1. Generally located on the west side of the New Glenn Highway

and south of the North Eagle River
Interchange.

CHAIR BROWN noted that her employer is designing a building in another part of Anchorage that is also owned by Eklutna Inc.

COMMISSIONER STILES asked if there was no potential effect on Ms. Brown's employer's business as a result of the outcome of this case. MS. BROWN replied there would be no effect either on her employer or herself and she would not have any personal gain.

COMMISSIONER STILES moved to direct Ms. Brown to participate.

COMMISSIONER DeLUCIA seconded.

AYE: Hodel, Stiles, DeLucia, Cox, Adams, Birkinshaw

NAY: None

ABSTAIN: Brown

PASSED

Staff member MARY AUTOR stated 90 public hearing notices were mailed and one was returned unclaimed. She received a letter indicating that Mr. Birk, who is the developer, is unable to attend this hearing this evening. She also had a letter indicating that he had reviewed the packet and agreed with amending the intent of the recommendation and with the effective clauses and conditions of approval recommended by Staff. She explained this request involves an approximately 35-acre parcel of land zoned PC that is part of the Powder Reserve Master Plan prepared in 1995 for Eklutna-owned land in the Eagle River Area. She stated this property is what is known as "Area O" and is prominently located at the north Eagle River access road and the New Glenn Highway. MS. AUTOR noted that the request that was originally received was to change the "Area O" development standards found in the original approving A.O. that created the PC zoning and approved the Master Plan. The property is owned by Eklutna and the applicant would lease it from Eklutna and develop it by constructing a commercial retail factory outlet mall. The maximum square footage proposed is 300,000. The special limitations being proposed by the Department would allow the uses on this site to be only a regional serving commercial retail factory outlet mall, a local and community serving visitor's center, museum, and recreational center. Accessory structures and uses would be those typically associated with retail malls and would include food courts, restaurants or similar places serving food and beverages (wine and beer only), and uses in support of the factory outlet mall. MS. AUTOR noted the packet contains a table showing the total proposed development in a three-phased form on the 33.67 acre site with a building total square footage of 294,525 and 1,178 parking spaces

required. She listed the types of outlets that might be housed in this mall. She explained that the Department, in the review of this proposal, concluded this proposed development is not compatible with the Master Plan approved for this area. That Master Plan had designated "Area O" for providing commercial and institutional uses to support the surrounding neighborhood and the larger community. However, the Comprehensive Plan designates this area as a mixed use, which is a category only found in the Chugiak/Eagle River Comprehensive Plan. That term means land that is under single ownership in large tracts could be developed as PC and can provide for residential and/or commercial and industrial uses. Although the use as a regional mall has no relationship to the planned community envisioned in the Master Plan, it is nonetheless compatible with the Comprehensive Plan. Staff, therefore, felt B-3 is a more appropriate rezoning, which would remove the parcel from the Master Plan and from the PC zoning. MS. AUTOR stated there were no returned comments, although letters of support were submitted from the Chugiak/Eagle River Chamber of Commerce, Anchorage Economic Development Corporation, and the Anchorage Convention and Visitors Bureau because this use would be a draw both to Anchorage and to other locations. The B-3 zone would limit the uses to what is being proposed, which includes a regional serving commercial retail factory outlet mall, a local and community serving visitor's center, museum, and recreational center. MS. AUTOR stated the effective clause being proposed is that this rezoning would not become effective until a land use permit is issued for the first phase within three years of the Assembly approval of the rezoning. A public hearing site plan review would also be required to examine things such as parking lot design, circulation, and landscaping; signage; landscaping and snow storage; lighting, scale, etc. A traffic impact analysis (TIA) would also be required for submission prior to the public hearing site plan review. She explained Traffic Engineering desires a TIA because, at the time the Master Plan was considered, a TIA prepared was based solely on the types of uses being examined at that time, which were community-serving as opposed to regional-serving. MS. AUTOR noted she had color copies of the concept designs that were available for the Commission's review.

COMMISSIONER BIRKINSHAW asked the definition of self-contained neo-traditional planned residential community as is referred to in the Staff analysis in relation to the Powder Reserve Master Plan. MS. AUTOR explained "Area O" originally had a maximum of 30,000 square feet of retail. Throughout the residential areas, the ordinance allows 30,000 square feet of retail. The intended retail use was to be community serving, so that residents would not have to cross the highway to access those services. Also, there was a trail system within the Planned Community connecting all development areas.

COMMISSIONER STILES noted this request is not compatible with the goals and objectives of the Chugiak/Eagle River Comprehensive Plan, which calls for centralizing commercial uses in downtown Eagle River. MS. AUTOR stated that, when the PC was adopted by the Assembly, they were explicit in stating that the Comprehensive Plan did not reflect the changing dynamic of the Eagle River area. MR. STILES asked how many dwelling units were permitted in the PC. MS. AUTOR replied that over 1,000 dwelling units are permitted. MR. STILES asked if the Commission can concurrently extract this property from the Master Plan and rezone it from PC and, if not, what can be done by the Commission this evening. MS. AUTOR replied that it is within the Commission's purview to extract the property from the Master Plan and rezone to B-3 because B-3 zoning would be a more restrictive zoning category.

Noting that letters had been received from the Anchorage Convention and Visitors Bureau and the Anchorage Economic Development Corporation, COMMISSIONER ADAMS asked whether Staff examined the impact of this proposed use on business uses in Anchorage. MS. AUTOR replied that this examination was not conducted, but the issue arose after the Staff report was concluded. She stated that, because this is a regional-serving facility, the impact would extend beyond Eagle River. MR. ADAMS asked if there would be a forthcoming consideration of commercial development within the Master Plan area, with the removal of this acreage from the Master Plan. MS. AUTOR agreed this was an issue as "Area O" was intended to include a hotel, office space intended to house Eklutna's headquarters, and institutional uses that could include things such as nursing or convalescent homes, municipal facilities such as a fire station or a community recreational area or CCRCs or a jail, etc.

COMMISSIONER STILES recalled when the Commission completed its review of the PC rezoning, there were small areas internal to the site that were set aside for some limited neighborhood-serving commercial uses. He was uncertain what was ultimately approved by the Assembly. MS. AUTOR stated that areas D, E, I, J, L, and M were identified as allowing or permitting local neighborhood-serving retail businesses, but the total or aggregate gross square footage of all development allowed was 30,000 square feet. The Commission had recommended a smaller amount of square footage in "Area O" than was ultimately approved by the Assembly. In the approximately one-year time span from Commission approval to Assembly consideration, Eklutna submitted amendments. The A.O. identified all aspects of the PC zoning. She noted that "Area O" was enlarged to allow greater square footages and uses than the Commission had recommended.

The public hearing was opened.

JOE STIMSON, representing the petitioner, stated when Mr. Birk originally met with the Department, they recommended amending the PC zone, which was the direction he pursued. Mr. Stimson then met with Ms. Autor and discussed amendments to the A.O. regarding "Area O". The letter from Mr. Birk agrees to that proposal, although he was aware the now recommended change in zoning to B-3 is agreeable to the petitioner and would allow the petitioner to move forward with development. He referenced a preliminary site plan and noted there are several major issues to be addressed with respect to the site, including a 24 inch water line to the north and a 54 inch water line serving Eagle River that bisects the site. The petitioner originally identified an area that was half on one side of the Old Glenn Highway and half on the other, which was not desirable. MR. STIMSON noted that one of the goals of the Comprehensive Plan is that uses in this area not compete with the downtown Eagle River business district, which is the case with this proposal. This type of a outlet mall use is typically located away from downtown and typically at freeway interchanges. He stated this use will bring employment to the area and, from a financial standpoint, will be a boon to both Eagle River and Anchorage. He noted that the uses in this mall would be retail outlets, which are not traditionally in a downtown location. He stated the proposed location is away from the primary retail area of Eagle River and near an interchange.

COMMISSIONER STILES asked if the petitioner would not object to removing this property from the PC zone and recommending rezoning to B-3SL. MR. STIMSON indicated he spoke with the petitioner this afternoon and, from his standpoint as a lessee of the site, the special limitations as proposed would accommodate the proposed use.

COMMISSIONER ADAMS remarked that the neo-traditional community described by Ms. Autor is different than anything else in Eagle River and this property, because it is separated by the highway, was seen as able to accommodate that type of development. He asked, with this proposed use, whether that would still be possible, or would it become a bedroom community. MR. STIMSON replied that the Powder Reserve PC is an extremely difficult document and the standards for development of the PC are fairly high. He stated there is allowance in the PC for 30,000 square feet of commercial development exclusive of the residential uses therein. He felt the proposal before the Commission allowed for the ability to create neighborhood-serving uses within the PC.

COMMISSIONER BIRKINSHAW expressed familiarity with factory outlet malls and stated that, while he was aware they are typically located near freeways, they are not typically located near residential areas. He also commented on the considerable traffic that this use may generate. Also, he stated with regard to having 30,000 square feet available for neighborhood-serving retail uses that 40,000 square feet is required for a typical gas station. MR. STIMSON stated the petitioner is not in a position to discuss the areas outside of "Area O", which are under the control of Eklutna, Inc.

He believed Eklutna will need to rethink the overall project and whether or not amendments to the PC will be desirable or required.

CHAIR BROWN suggested that allowing for the development of a 300,000 square foot mall with over 1,000 cars may be premature because there must be an understanding of the impact of traffic before proceeding with a rezone and, if this were approved as B-3SL, one of the effective clauses does, in fact, require a traffic impact analysis (TIA). MR. STIMSON noted there is an existing TIA for the area and the requirement in that effective clause would essentially be an update of that TIA. He noted the Commission will have the opportunity to review the TIA as part of the public hearing site plan review. MS. BROWN asked what would be the process if the TIA did not support such a large development. MS. AUTOR stated, as worded, it would not allow the rezoning to move forward because it is an effective clause. MS. BROWN noted the TIA can call for mitigation measures. MS. AUTOR acknowledged this and explained, in addition to assessing impacts, the TIA would contain recommendations, which the Traffic Engineer could require as part of his approval. MS. BROWN noted that some very public uses would be permitted under the B-3SL and she, therefore, would recommend a building permit be required, rather than a land use permit. MR. STIMSON stated the original PC required that Eklutna annex to Building Safety, the Anchorage Fire Department, etc. and those requirements were withdrawn by the Assembly. He stated discomfort with involving Building Safety outside of their area of jurisdiction.

COMMISSIONER HODEL voiced concern in moving quickly on amending a PC and asked what would be the immediate impact on the petitioner by postponing this petition and requesting additional data, as well as the presence of the landlord to provide input as to the overall Master Plan. MR. STIMSON noted Mr. Easley, who is CEO of Eklutna, Inc., was present in the audience this evening. He stated the issues faced by the lessee are commitments received from potential users to occupy the building, which makes the timing of the project important. MR. HODEL felt that, with another month or two delay, perhaps something more effective could be developed with input from all involved parties. He asked if the time frame under which the lessee is constrained would allow weeks or months of delay time. MR. STIMSON stated the crafting of the effective clauses proposed by Staff would allow the project to move forward with an approval this evening and, should any of those clauses not be met, the property would not be rezoned. MR. HODEL asked if a delay of two to eight weeks would be onerous. MR. STIMSON replied that, without being able to consult with his client, he could not respond to that question.

COMMISSIONER DeLUCIA asked when construction would begin on this project. MR. STIMSON replied that construction would begin immediately after Assembly approval and perhaps site preparation would be done sooner. He stated the petitioner has hired Cash Barner Architects and DOWL Engineers to begin architectural and civil engineering work. MR. DeLUCIA asked if there are time lines with associated some of the

petitioner's tenants. MR. STIMSON was aware there were, but did not have specific information.

DICK HAMILTON, part owner in property adjoining the petition site, stated his brothers and he purchased their property when the BLM owned the property now owned by Eklutna. He attempted to get the easement for the right-of-way and BLM would not give it to him and later Eklutna became owner of this land and a landlocked situation was created. He noted that access could be provided to his property from a road extending through the residential property owned by Eklutna. He remarked on the costs associated with developing access otherwise. He was uncertain how approval was given for only 30,000 square feet of commercial space on a property over 30 acres in size, considering the costs associated with commercial development. He stated, before the Comprehensive Plan was developed, he proposed that his property be commercial, but he did not get that zoning. He received a rezoning to R-O recently, which will be heard by the Assembly in the near future. He explained his concern is that the access through Eklutna's residential property is the access to his property, but it is not sufficient as presently proposed. He stated he has spoken with Mr. Birk, but he could not support the proposal without knowing more about what will be done with respect to a commercial easement to his property.

BOBBI WELLS, representing the Birchwood Community Council, stated she has been tracking the development plans for this property for eleven years. She stated the Council, because it had not met, had not taken a formal stance on this rezoning request, however, based on her long history in the area and with this property, she believed there was no objection to the outlet mall, but there were reservations with respect to the location of the mall in the Powder Reserve. She suggested, if the development is done in any way other than proposed, it could be disastrous to the Eagle River business core and residents who will live in the Powder Reserve, so she recommended that it be tied to this development. She remarked that the public hearings and worksessions on the Powder Reserve PC included discussions that commercial development should not compete with the core business area in Eagle River, but should be neighborhood-serving. In 1993, the Planning and Zoning Commission worked on this effort and, when the request reached the Assembly, any allowance for commercial uses anywhere else throughout the development was eliminated. She stated the Council does not want to see direct competition with downtown Eagle River commercial uses. She noted this proposal is for a regional-serving use, which is not directly in competition with the Eagle River commercial district. She remarked that the petitioner's representative had indicated there is some urgency in allowing this development to move forward, which is a concern to the Council because, if the users do not ultimately occupy the space, it could be occupied by tenants that compete with downtown Eagle River commercial uses.

COMMISSIONER DeLUCIA asked if the conditions proposed by Staff address Ms. Wells' concerns. MS. WELLS indicated she had read them, but was not prepared to react to them. MR. DeLUCIA listed the permitted uses under the conditions proposed by Staff, which limit the uses to includes a regional serving commercial retail factory outlet mall, a local and community serving visitor's center, museum, and recreational center. MS. WELLS feared that a loophole might be found that would allow some other use(s).

JIM GALE, Eagle River resident, felt that this proposal had not been made widely known to residents in Eagle River. He stated there has not been much discussion about this proposal. He felt the matter should be delayed until community councils had the opportunity to discuss it. He commented that the Chamber of Commerce is not necessarily the best representative of Eagle River overall. He urged that this proposal be brought to the public in Eagle River.

BEN IVERSON, 16-year Anchorage and 4-year Eagle River resident, asked that the Commission consider the culture and community that Eagle River represents to its residents. He explained he sought a quality of life in Eagle River that he would no longer enjoy with a regional outlet mall nearby.

ART ISHAM, representing the Eagle River Valley Community Council, indicated the Council had not taken a position on this development because it had not been requested to do so. He voiced concern that changing the carefully crafted PC by allowing business zoning in this area may result in the entire PC zone coming unraveled and ultimately not fit into the community.

TED KENNEDY, Chugiak resident and member of one of the road boards, stated there is a distance of seven miles from his home to the nearest elementary school and his children traveled 14 miles to high school. When the Comprehensive Plan was developed and the Master Plan was developed for this parcel, higher density residential was envisioned with neighborhood serving areas. He recommended, if a rezoning to B-3 is allowed and an outlet mall developed, that the Master Plan be redeveloped. He noted that, even at the time the Comprehensive Plan was discussed, there was discussion of a regional mall. He suggested that the general area between the Old and New Glenn highways is probably a better location for the proposed use, particularly in terms of traffic flow.

TERRY BEAL stated he has lived in Eagle River for some time and helped sell some of the area that was owned by homesteaders. He stated municipal staff member Tom Nelson indicated that Eagle River would need 33 acres of additional commercial ground and this ground was identified as a possible site for rezoning to B-3. He stated there is currently a push to take 15 acres of the core area and develop an "Eagle River Commons." He stated he heard about this meeting by reading the local newspaper, which carried an article on the front page.

COMMISSIONER STILES noted Mr. Beal testified this proposed use would add to the commercial uses in Eagle River, however, this is a regional mall. MR. BEAL stated the Powder Ridge project has been in the works for many years and there has been recognition that commercial land would be included in that project. He noted that commercial land is scarce in Eagle River. He stated that additional business property needs were identified in the Comprehensive Plan and this was identified as a logical site for commercial use.

COMMISSIONER ADAMS asked if Mr. Nelson identified 33 acres with respect to Eagle River or in terms of regional economic development needs. MR. BEAL understood a community of the size of Eagle River has the need for a particular amount of industrial, commercial, and residential land and, within 20 years, Eagle River would need 33 acres of commercial zoned land.

JOHN RODDA, resident of Eagle River and employee of the Municipality as the Acting Manager for Parks and Recreation for Chugiak/Eagle River, stated he had been fortunate to work on this project for nearly three years in association with Mr. Birk. He explained Mr. Birk has tried to examine all of the most reasonable options to assemble a project that would accommodate the growth pattern of the community. He stated the community is looking at retaining a sizable piece of property in the core of Eagle River in order to retain the character of the community whole. He suggested, in examining the outlet mall as proposed, he believed it minimizes the traffic impact for the north Eagle River Interchange and the Old Glenn Highway. He stated he managed the Fire Lake Recreation Center for 15 years and the traffic pattern near Fire Lake Elementary School resulted in many accidents. He felt the previous proposal for the outlet mall would have created more traffic problems than this current proposal. He found this proposed use to be highly complementary to the north Eagle River area and does not detract from downtown commercial area. He stated this proposal has been presented to the Eagle River Community Council and was scheduled for a presentation to the Birchwood Community Council, but there was a snow storm that prevented a quorum from being achieved that meeting.

COMMISSIONER STILES noted there has been testimony that this use is not in competition with the downtown Eagle River business center, but also that it is complementary to satisfying the need for commercial ground in Eagle River, which seem to be mutually exclusive. CHAIR BROWN asked if there would be a need for 33 acres of commercial land into the future to satisfy the needs of Eagle River, in addition to this property. MR. RODDA stated that it is the hope in retaining the downtown core of Chugiak/Eagle River that all things done on the perimeter will be complementary. He foresaw that, at some point in the future, there will be other commercial requirements in this area.

MARK EIDEM, Chair of the Chugiak/Eagle River Chamber of Commerce, explained the response to Mr. Stiles' comments is that the types of uses that would exist in an outlet mall would not be in conflict with the businesses that exist in the downtown core of Eagle River. Further, from the Chamber's perspective, an anchor could be established at the north Eagle River Interchange that would draw commuting traffic into the downtown core, enhancing the ability for that core to survive. He also felt this use could be a draw for Anchorage residents to the Eagle River commercial district. He distributed a letter from the Chamber dated January 4, 1999 strongly in support of the proposal, as well as letters from the owner of Jitters and Picture This, Inc. and the Eagle River Community Council. He noted the community in the Eagle River area is growing much more rapidly than the area within the Anchorage Bowl. He cited letters of endorsement from the Anchorage Economic Development Corporation and the Anchorage Convention and Visitors Bureau.

COMMISSIONER ADAMS asked how long Mr. Birk had been talking with the Chamber about this project. MR. EIDEM replied that discussions have been ongoing over three years. MR. ADAMS asked if those discussions were primarily focused on this property. MR. EIDEM explained that previous discussions were focused on the property on the other side of the highway, but he understood wetlands considerations prompted a move to this site.

COMMISSIONER HODEL remarked that citizens have testified that this site is better than the site on the other side of the highway, which was recommended in the Comprehensive Plan, however, this development would displace other developments that would grow out of the PC. He asked where commercial neighborhood serving uses would be developed within the PC if this site is removed from the PC. MR. EIDEM replied that the original Master Plan planned 30,000 square feet of commercial use, which is the size of a modern-day gas station. He believed existing services in the downtown core will need to be utilized.

COMMISSIONER HODEL noted this acreage was designated for neighborhood serving uses, with the intent that people residing in the PC would not have to cross the highway to access services. MR. EIDEM remarked that grocery services, for instance, are best located in the downtown core. He explained the Chamber wishes to both encourage new business development and draw users to the existing commercial uses.

COMMISSIONER ADAMS asked why a visitor to the outlet mall who has easy access to and from the proposed facility would go to the Eagle River core to shop. MR. EIDEM agreed that traffic could easily access this site via the highway and egress via the highway without traveling into the downtown core, but noted that area residents would be encouraged to use the downtown core. CHAIR BROWN noted the incidental uses that would be permitted on this property would include restaurants and other types of uses that may compete with existing commercial uses in the Eagle River

downtown core. MR. EIDEM stated, speaking from his personal experience, outlet malls have food courts and not finer restaurants, albeit perhaps a more upscale coffee shop could be developed on the site.

MS. AUTOR noted that, as the effective clauses are written, they do not envision things such as a gas station. She asked if Mr. Eidem felt there was sufficient properly zoned acreage to serve the commercial needs of Eagle River in the downtown area. MR. EIDEM replied that one of the allowable uses in commercial zoning is multi-family and that has been developed on some commercial parcels. He explained there has not been sufficient business interest along the core Eagle River area to date. MS. AUTOR explained the intent of her question was to determine whether there is a perception by the public that there is sufficient commercially zoned property to serve the area 20 years into the future. She noted that the question arises where community-serving commercial land would be found to replace the area lost by a rezoning of "Area O" to B-3. CHAIR BROWN asked Staff to address this question. MS. AUTOR stated there does not appear to be enough commercially zoned land and Staff feared this rezoning would set into play a domino effect requiring further rezonings and reconsideration of the Master Plan. She noted the Commission has dealt with this same type of issue with respect to industrial land in the Eagle River area. MR. EIDEM stated that, looking 20 years into the future with perhaps a population of 50,000 in Eagle River, he felt there is not enough commercial land, however, that population will also spread north and the development of services will need to occur further out in order to meet the needs of residents in those areas. He felt the proposed use would enhance the business uses that exist in the core area at this time.

In rebuttal, MR. STIMSON stated he met Mr. Birk four years ago when he was considering the site on the other side of the Glenn Highway that is between the Old and New Glenn Highways. They eventually reached the conclusion that site would create traffic problems and presented wetland issues. He stated that the core commercial area in Eagle River has eroded because of residential development occurring on commercially zoned land. He indicated that land has not developed commercially primarily because of access issues. He noted there is a large B-3 parcel between the business park and the recreation center, but it is difficult to say if what exists will meet the commercial demand of the area in 20 years. He stated the uses proposed with this development will not conflict with uses in the downtown core, and will provide a financial stimulus in the area.

COMMISSIONER DeLUCIA asked what is the acreage of the B-3 parcel referenced by Mr. Stimson that is located between the north interchange and the Fire Lake Recreation Center. MR. STIMSON estimated there are 40 acres in that area. He noted that the parcel between the Old and New Glenn Highway is also available, although it is not fully developable. He estimated the total commercial acreage at 45 acres.

COMMISSIONER STILES asked whether George Easley, CEO of Eklutna Inc., had reviewed the Staff recommendations for B-3SL and, if so, were they agreeable to Eklutna Inc. MR. EASLEY stated he understood the recommendation was to remove "Area O" from the Master Plan and rezone that area to B-3SL. He stated the conditions proposed by Staff are consistent with the letter of intent between Eklutna and the petitioner. MR. STILES asked, if this request was approved this evening, whether the Commission could expect these conditions applied to the approval would not be changed at the Assembly level. MR. EASLEY confirmed that as correct.

COMMISSIONER HODEL asked how, as a landlord, Eklutna, Inc. would propose the Commission view at the issue of losing "Area O" from the PC. MR. EASLEY stated the configuration of "Area O" does not change with either proposal, nor does the amount of development within "Area O", only the character of the development within the area are changed. He listed other uses that could be placed on the site, which would generate the same traffic demand as the petitioner's proposal, such as office/retail, a hotel, and institutional uses. He stated this parcel is a "crown jewel" in terms of Eklutna's holdings. He stated that this parcel, Parcel C, in combination with Parcel A, represent a total 1,200 acres, which is considered to be a 25-year project. He stated that "Area O" is carefully screened, both topographically and in terms of landscaping, to ensure whatever is developed there does not affect the residential uses adjacent to it. He did not believe that removing "Area O" from the potential uses under the PC would affect the commercial needs of Eagle River. He assured the Commission that enormous thought had been given to "Area O" and its development. He stated the petitioner has negotiated with potential tenants and it is important that the process move forward. He stated that, concomitantly with this development, Eklutna is moving forward with phase 2 of its residential development.

COMMISSIONER ADAMS asked if Eklutna does not envision changing the Master Plan for Powder Ridge. MR. EASLEY indicated he does not envision that, but could not assume it would not change over time. He stated the development of the Master Plan has begun under very strict criteria and will continue in that manner.

MS. AUTOR noted there are close to 500 acres in the total Powder Ridge area. She asked if it is the intent of Eklutna to change any of those areas to accommodate a hotel or office building(s) for Eklutna Inc. MR. EASLEY replied that Eklutna owns the 30-acre property across the highway, which is more suitable for such development. MS. AUTOR asked if, therefore, Eklutna was committed to the neo-traditional development envisioned by the Master Plan. MR. EASLEY replied affirmatively.

CHAIR BROWN remarked that the proposed site plan is not very gracious to the land. MR. STIMSON explained that this site plan simply observes the 24 inch and 54 inch water lines and the topography of the site is such that a large building footprint would require fill. The 54 inch water line is at a

much higher elevation and not developing into that area will protect the adjacent residential areas. He stated, as the design process proceeds, the petitioner will work with the architect to design a more pleasing development with an Alaskan theme. He explained that the petitioner was not willing to invest further in this project without approval of the proposal before the Commission. MS. BROWN asked how access would be accommodated to the Hamilton property to the south. MR. STIMSON replied that would come through the Eklutna property as it develops residentially. MS. BROWN asked whether there is a possibility that access could come through this property. MR. STIMSON understood the access to the Hamilton's property would be through Area P. He was not aware of discussions between Mr. Hamilton and Mr. Birk about access through "Area O". He believed there were also topography problems. MS. AUTOR noted, during the rezoning on the Hamilton property, there was discussion of the type of uses that can be developed under R-O. The development that occurs is contingent upon the standard to which the road is constructed. MS. BROWN asked whether access should be provided through "Area O" to the Hamilton property. MS. AUTOR recalled that the Commission left that decision to whatever arrangements could be made between Mr. Hamilton and Eklutna.

The public hearing was closed.

COMMISSIONER DeLUCIA moved to remove this petition site ("Area O") from the Master Plan.

COMMISSIONER COX seconded.

COMMISSIONER DeLUCIA characterized this as a housekeeping matter that was required in preparation for the rezoning. He noted that this action is being recommended by Staff.

COMMISSIONER COX stated the removal of "Area O" from the Planned Community allows the rezoning motion to be considered by the Commission.

AYE: Hodel, Brown, Stiles, DeLucia, Cox, Adams, Birkinshaw
NAY: None

PASSED

COMMISSIONER DeLUCIA moved for approval of a rezoning of "Area O" to B-3SL subject to special limitations and effective clauses.

COMMISSIONER STILES seconded.

COMMISSIONER DeLUCIA stated this rezoning conforms with the Comprehensive Plan, the proposed use will not compete with the Eagle River business district, a freeway interchange is an ideal location to provide

a regional commercial development, and this use will be a great economic help to the area and the whole Anchorage Bowl, as well as a draw for tourism.

COMMISSIONER STILES noted the Commission discussed the removal of "Area O" from the Planned Community and the rezoning with both the developer and the landowner and both assured the Commission that the special limitations and effective clauses were acceptable and that they would not attempt to change them when the matter goes to the Assembly for action.

COMMISSIONER COX supported the motion, expressing surprise that Eagle River is as supportive of this proposal as had been indicated. She believed the stores that would be located in this mall will be in direct competition with some stores in Eagle River. She also felt that expansion of commercial uses is a reality in Eagle River. In terms of location, she found that this site is appropriate for an outlet mall.

COMMISSIONER ADAMS feared that the proposed use could very negatively affect the commercial uses that exist in Eagle River and could become more of a core business area. He did not agree with the comment that the outlet mall in Seaside, Oregon did not affect the surrounding uses. He questioned what this use would do to the need for commercial uses in Eagle River and feared it could become a formula for strip development because there is nowhere else for these uses to go except along major roads. He noted that, as a gateway to much of Eklutna's property, he questioned how the tremendous number of automobiles generated by this use will be dealt with daily. He was concerned with delaying planning issues while awaiting design issues that may result from the traffic impact analysis related to this use.

COMMISSIONER ADAMS moved to postpone this item for one month in order to: 1) better address the availability of commercial services in Eagle River; 2) determine how Eklutna, Inc. will address issues of neo-traditional town planning; 3) the effect of the proposed use on Anchorage as a whole; and 4) traffic impacts.

COMMISSIONER STILES seconded.

COMMISSIONER DeLUCIA noted that the site plan for the proposed use will be reviewed by the Commission and, at that time, many of these issues will be dealt with. He noted there are primarily services in downtown Eagle River, and very little retail use.

COMMISSIONER HODEL also did not support the motion, noting that this rezoning request had been fleshed out fairly well and, while he had some concerns with the affect of this on the Planned Community as a whole, he did not believe there would be a negative impact on the existing business uses in Eagle River.

COMMISSIONER STILES stated he also would not be supporting the motion only because he did not believe the delay would provide better information. He believed this use, while not competing with downtown Eagle River, would not enhance it either. He believed that a review of the Master Plan for the overall Planned Community development may be necessary because of the removal of "Area O" and its rezoning, but felt that could not be achieved within a one month period.

AYE: Brown, Adams

NAY: Hodel, Stiles, DeLucia, Cox, Birkinshaw

FAILED

COMMISSIONER STILES did not support the motion, finding that this use would add to Eagle River only in terms of traffic.

COMMISSIONER BIRKINSHAW indicated he also would not support the motion to rezone. He believed there would be little impact, negative or positive, on downtown Eagle River because the mall would be self-supporting and it is located on the other side of the highway. His concern was with the residential area on the west side of the Highway, which he felt would not be best served by locating a factory outlet mall at this site.

COMMISSIONER HODEL supported the motion, noting that a site plan review would be forthcoming, which would provide another opportunity for review of the proposed use. He cited the testimony given this evening that the petitioner had exhausted other options in terms of a location for this use. At some point, he felt it must be left to the landlord and developer to take into account the needs of the community and the impact of a proposed use on the community.

AYE: DeLucia, Cox, Hodel

NAY: Brown, Stiles, Adams, Birkinshaw

FAILED

CHAIR BROWN asked whether it would be appropriate for the Commission to rescind its action to remove "Area O" from the Planned Community. MS. AUTOR suggested the Commission could reconsider that action and condition any approval to tie it to the Assembly action on the rezoning.

COMMISSIONER STILES moved to reconsider the Commission's action on "Area O".

COMMISSIONER BIRKINSHAW seconded.

COMMISSIONER STILES felt this action should be reconsidered due to the fact the rezoning request was denied.

Vote to Reconsider

AYE: Hodel, Brown, Stiles, DeLucia, Cox, Adams, Birkinshaw

NAY: None

PASSED

Vote on Motion to Remove "Area O" from the Planned Community Ordinance

AYE: DeLucia

NAY: Hodel, Brown, Stiles, Cox, Adams, Birkinshaw

FAILED

6. 99-006

Eagle Crossing, Inc. A request to rezone approximately 33.5 acres from R-3SL to R-3SL, which will modify the special limitations set forth by A.O. 84-101 regarding wetlands and 30% slope development. Eagle Crossing Subdivision, Tracts C-11 and C-15; Ptarmigan Subdivision Tract A, and a portion of the NW1/4 of the SW1/4 of Section 17, T14N, R1W, S.M., AK.

POSTPONED

I. REPORTS

1. Chair -

CHAIR BROWN thanked Ms. Autor for preparing the matrix of topic areas that had been provided to the Commission.

2. Secretary

MS. AUTOR stated the meeting with the Director had been moved to January 7, 1999. MS. COX noted she had understood the 15th Avenue presentation was to be made at that meeting, but the Commission's schedule shows that presentation is scheduled for February. MS. AUTOR explained there were scheduling conflicts that did not permit a presentation being made until February. MS. AUTOR stated that the agenda for January 11 will include the Comprehensive Plan Goals and Objectives hearing, a memorandum on the Heritage Land Bank Potter Marsh property, site selection for the State Health Laboratory and a site plan review of that lab, and the Muldoon replacement elementary school. She believed the January 18 meeting was for the Comprehensive Plan Goals and Objectives only.

**MUNICIPALITY OF ANCHORAGE
DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT**

ZONING AMENDMENT MEMORANDUM

DATE: January 4, 1999

TO: Planning and Zoning Commission

THROUGH: Caren L. Mathis
Director

FROM: Mary Autor, Senior Planner

CASE NUMBER: 99-001

APPLICANT: Northpac Development, LLC.
LAND OWNER: Eklutna, Inc.

REQUEST:

1. To amend the PC zoning ordinance AO 94-235 (S-1) (as corrected 5/4/95) for Area O
2. To amend the Master Development Plan of Tract A of the Powder Reserve for Area O.

Specifically, AO 94-235 (S-1) (as corrected 5/4/95) Section 8, Development Area O. Specifically, to delete subsections 1a, 1b, 1c (in its entirety), 1d, 1e and substitute the following: to increase the maximum gross floor area limits to 300,000 square feet for all uses; to permit only regional serving commercial retail factory outlet mall, local and community serving visitor's center, museum, and recreational center as the only permitted principal uses and structures. Accessory uses and structures may include food courts, restaurants or similar places serving food and beverages (wine and beer only), and uses in support of the factory outlet mall.

LOCATION: Tract 1, Powder Ridge Subdivision; generally located immediately northwest and southwest of the North Eagle River Interchange of the New

Glenn Highway in Eagle River.

COMMUNITY COUNCIL: Birchwood

**TAX NUMBER/
GRID NUMBER:** 051-631-51/NW552

**DEPARTMENT
RECOMMENDATION:** Denial of PC rezoning and amending the Powder Reserve Master Plan.

Approval of B-3 SL with effective clauses

SURROUNDING AREA:

	<u>North</u>	<u>South</u>	<u>East</u>	<u>West</u>
Zoning:	PC/AO 94-235 (S-1)	Transition	PLI	PC/ AO 94- 235 (S-1)
Land Use:	Area L Undeveloped-- Multi Family Cluster Residential	Vacant		Area N -- Undeveloped Park

PROPERTY HISTORY:

03-06-79		BLM Land Patent No. 50-79-0057
07-07-83		Interim Conveyance #1388 pursuant to the Alaska Native Claims Settlement Act of 12-18-71.
01-12-93	Transition Zoning	Assembly Adopted Chugiak-Eagle River Comprehensive Plan (AO 92-113); established "mixed-use" land use category for the petition site.
02-14-95	PC Zoning	Assembly approved an ordinance provided for the rezoning from T (Transition) to PC (Planned Community District) For Tract A of the Powder Reserve, located immediately northwest and southwest of the North Eagle River interchange of the New Glenn Highway in the Eagle River & Birchwood are, located within portions of Section 25, 26, 35 and 36, T15N, R2W, S.M., Alaska, containing 530 acres more or less. AO 94-235 (S-1); as

corrected 5/4/95

- 05-19-98 Assembly approved an ordinance to delete the 530 acre Powder Reserve Tract A from the MOA Building Safety Service Area and that snow removal and disposal be provided said property by special assessment district, and amending AO 94-235 (S-1) requirements for street light maintenance and operation. PZC 93-022-2; AO 98-54 (s)
- 06-02-98 Assembly approved an ordinance to the qualified voters of the Anchorage Fire Service Area a ballot proposition to de-annex Tract A, Powder Reserve, from the Anchorage Fire Service area, and submitting to the qualified voters of the Chugiak Fire Service Area a ballot proposition to annex Tract A, Powder Reserve to the Chugiak Fire Service Area. AO 98-97
- 07-31-98 Plat 98-80 Final Recordation of Plat 98-80 for Powder Ridge Subdivision, Tracts 1-7 and 40-A, Lots 1-8, Block 1; Lots 1-14, Block 2; Lots 1-15, Block 3; & Lots 1-13, Block 4.
- 09-14-98 Case 93-022-3 Changed MEA Utility Subdivision from Area L to Area J. Resolution 98-047A

REQUEST:

To amend AO 94-235 (S-1) (as corrected 5/4/95), Section 8, Development Area O. Specifically, to delete subsections 1a, 1b, 1c (in its entirety), 1d, 1e and substitute the following: to increase the maximum gross floor area limits to 300,000 square feet for all uses; to permit only regional serving commercial retail factory outlet mall, local and community serving visitor's center, museum, and recreational center as the only permitted principal uses and structures. Accessory uses and structures may include food courts, restaurants or similar places serving food and beverages (wine and beer only), and uses in support of the factory outlet mall.

PROPOSAL:

The applicant proposes to construct a regional serving factory outlet mall, to be called the Great Alaska Factory Outlet Mall. The mall project will consist of a maximum gross floor area of 300,000 square feet, constructed in 3 phases. In addition to retail outlet stores, it will include a visitor's center, museum, community recreation center. Phase 1 is expected to be open by spring, 2000. No dates were given for Phase 2 and 3.

PROJECT SUMMARY				
	Phase 1	Phase 2	Phase 3	Site Total
Land Area	17.03 acres	15.24 acres	1.4 acres	33.67 acres
Building Area	132,700 SF *	144,825 SF	17,000 SF	294,525 SF
Land/Bldg. Ratio	5.59/1 18%	4.58/1 22%	3.58/1 28%	4.98/1 20%
Parking	538	845	53	1,436
Parking/Bldg. Ratio	4.05/1,000	5.84/1,000	3.12/1,000	4.88/1,000
Parking Required	530	579	68	1,178

*Includes 1,200 SF visitors center

The retail outlets may include such tenants as Reebok, Mikasa, Donna Karan, Jones N.Y., Ralph Lauren Polo, Leggs/Hanes/Bali, Prestige Fragrance, Samsonite, Haggard, Famous Footwear, Osh Kosh, GNC, Nike, Bugle Boy, Adidas.

**PROPOSED CHANGES TO AO 94-235 (S-1) (as corrected 5/4/95),
Section 8, Development Area O:**

The request would change it to read as follows:

Section 8. Development Area O consisting of 35 +/- shall be restricted to the following uses and development design standards:

1. *Development Area O (Commercial Retail)*
 - a. *Intent and Use. The development proposed for this area is intended to provide a regional serving commercial retail use only for factory retail outlet uses. The area may include local and*

- community serving visitor center, museum, and recreational centers.*
- b. Maximum Limits of all Permitted Principal Uses.
Total Gross Floor Area. 300,000 SF*
 - c. Permitted Principal Uses and Structures.
1) Factory outlet stores*
 - d. Other Uses.
1) Visitor center
2) Museum
3) Recreational Center*
 - e. Commercial retail is subject to:
1) Public hearing site plan review in conformance with
Anchorage Municipal Code 21.15.030.*
 - f. Permitted Accessory Uses and Structures:
1) 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.*
 - g. Conditional Uses.
1) none.*

The remainder of Section 8 is unchanged, but renumbered accordingly.

DISCUSSION:

The commercially designated area at the corner of the Glenn Highway and North Eagle River Access Road appears to be well located to provide a regional commercial development such as the proposed factory outlet mall. It has a potential market area extending from Anchorage to the Palmer-Wasilla area, with access via the Glenn Highway. Basic utility services are available to the site.

It should be noted however, that the proposed site is part of a larger master planned development that was designed as a mixed-use neighborhood unit of Eagle River. No where in the master plan is a region serving commercial development envisioned.

When the Master Development Plan for Tract A of the Powder Reserve was approved, Area O was designated for Commercial/Institutional Use. Volume I of the Master Development Plan noted that Area O is intended "primarily for commercial and institutional uses that serve the needs of the surrounding (Planned Community) neighborhoods and the larger community. Three primary

uses are envisioned to anchor and establish the character of the development area. These are transient lodging; institutional uses such as retirement homes, convalescent homes, nursing homes and the like; and professional offices and services. A variety of other commercial retail uses are also permitted, but are restricted to consumer-oriented businesses that compliment the anchors or supplement neighborhood and community needs. The area could also accommodate a range of other uses such as church, public buildings, public safety facility and the like." The Plan also recognized that "most higher intensity commercial uses would not be compatible with either site conditions or the predominant residential character and theme of the tract's overall development."

The Master Plan was designed to provide a mixed-use development that exhibited small town like qualities through integration rather than separation of uses, to contribute positively to the ease and convenience with which its residents could meet daily needs for housing, shopping, work and recreation. With the exception of some transient lodging, Area O is intended for local and community serving commercial development, not a regional serving, factory outlet mall.

Nearly six years have passed since the Master Plan was approved. Development has been slow in forthcoming. One residential subdivision plat was approved this year for the northern portion of Area M, immediately to the west of Area O.

Staff does not dispute the potential demand for a factory outlet mall, nor the benefits to the mall owners and general public of siting such a development at the proposed location. However, it should be acknowledged that it is not consistent with the intent of the approved Master Plan for the use of Area O. Tract A will no longer become a neighborhood with small town like qualities with its local serving mixed use commercial town center since it will be replaced by the factory outlet mall.

The Master Plan permits local neighborhood serving retail businesses within residential development areas D, E, I, J, L, and M., but limits the total commercial retail floor area allowed in any one or combination of all areas to a maximum of 30,000 square feet. Allowing Area O to become regional serving with a ten-fold increase in allowable gross floor area, will have implications for the viability of the majority of undeveloped residential areas remaining in Tract A of the Master Plan. Potentially, it increases pressure for future changes and amendments to the Master Plan to increase the amount of gross square footage and expand the type of commercial from local serving to community serving, and perhaps to come up with another commercial town center.

The Department of Transportation will not grant an access to this property from the Glenn Highway, and requests a special limitation limiting all access to Tract 1 shall be via Powder Ridge Boulevard.

AWWU commented that based on water demand and wastewater discharge volumes for the revised development size, the petitioner will be required to make any necessary upgrades to the AWWU facilities needed to accommodate the proposed development. Public Works notes that water and electric transmission lines exist on the property. Map 1-7 of the Utility Corridor Plan shows a future sewer transmission main on or near the property. This needs to be resolved with AWWU the need for additional easements.

If this property is rezoned, both Transportation Planning and Traffic Engineering require a Traffic Impact Analysis (TIA) prior to a public hearing site plan review. They note that the proposed use and increase in allowable gross floor area of commercial space could have a substantial impact on traffic.

According to the Institute of Transportation Engineers Trip Generation Manual (February 1995 Update to the 5th Edition), this facility could generate approximately 17,100 trips per day on an average weekday.

A TIA should determine the effect of the use upon the surrounding road system. In particular they are concerned about the effect it will have on the operation of the Glenn Highway on and off ramps. This same concern was raised in the TIA conducted in 1992 as part of the PC rezone. In addition, the TIA should examine the need for and feasibility of providing a secondary access to Area O from the west. This access would most likely cross the Glenn Highway and connect with Farm Avenue in downtown Eagle River.

Because this is a highly visible and prominent location at the intersection of the Glenn Highway, landscaping along the highway is a major concern. Of equal concern is the landscaping of the site adjacent to the future development areas of the Master Plan.

DEPARTMENT RECOMMENDATION:

The Department does not support amending the PC zoning or the Master Plan for the Powder Reserve to allow the intensive change in use and ten-fold increase in maximum allowable gross floor area. Such a change in use and intensity is not consistent with the overall intent of the adopted Master Plan for the Powder Reserve and tears the heart out of the Master Plan concept as a self-contained, neo-traditional planned residential community.

On the other hand, if the site were removed from the Master Plan and rezoned from PC to B-3 with special limitations, it would be consistent with the mixed-use land use designation of the 1993 Chugiak-Eagle River Comprehensive Plan. Rezoning this site for the specific development of a regional serving factory outlet mall is supported by the Chugiak-Eagle River Chamber of Commerce, the Anchorage Economic Development Corporation, and the Anchorage Convention & Visitors Bureau. There have been no returned comments to the 90 public hearing notices mailed to surrounding property owners, nor have there been any written responses from any of the area's community councils.

The Department supports B-3 SL with effective clauses.

A. Special Limitation:

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

B. Effective Clause:

1. Prior to this rezoning becoming effective the following shall be competed:
 - a. Issuance of a Land Use Permit for a minimum of 130,000 gross floor square footage within three years of Assembly approval of this rezoning, or the rezoning shall become null and void.
 - b. Public Hearing Site Plan Review in conformance with Anchorage Municipal Code 21.15.030, to include but is not limited to parking lot design, circulation, and landscaping; signage; landscaping and snow storage; lighting, scale, etc.

- c. Prior to the public hearing site plan review, a Traffic Impact Analysis shall be submitted for review and approval to Municipal Traffic Engineering, Transportation Planning, and the State Department of Transportation Planning

ATTACHMENT 1

EXCERPT OF

AO 94-235 (S-1) (as corrected 5/4/95):

Section 8, Development Area O:

"Section 8. Development Area O consisting of 35± acres shall be restricted to the following uses and development design standards:

1. Development Area O (Office/Institutional/Hotel/Motel/Commercial Retail).

- a. Intent and Use. The development proposed for this area is intended to provide a mix of local/neighborhood-serving and primarily regional-serving uses. The area may include commercial retail uses that are primarily local/neighborhood-serving. The area may also include regional and larger area serving transient lodging facilities, institutional uses, commercial offices and services, and other specified uses.
- b. Maximum Limits on Permitted Principal Uses.

Total Gross Floor Area, Office : 30,000 sq. Ft.

Total Gross Floor Area, Hotel/Motel: 100,000 sq. Ft.

Total Gross Floor Area, Institutional: unlimited

Total Gross Floor Area, Commercial Retail: 30,000 sq. ft.

c. Permitted Principal Uses and Structures.

1) Transient lodging facilities:

- (a) hotels, motels and motor lodges;
- (b) rooming, boarding and lodging houses.

2) Institutional:

- (a) nursing homes, convalescent homes, children's homes, rest homes and the like provided that facilities for the treatment of drug addicts or alcoholic patients shall be permitted by conditional use only;
- (b) retirement homes and the like. Retirement homes shall be defined as "housing designed for occupancy by persons 55 years old or older."

3) Offices and services:

- (a) insurance and real estate offices;
- (b) banking and financial institutions;
- (c) business and professional offices;
- (d) medical, health and legal offices.

4) Commercial retail subject to:

- (a) the provisions of Anchorage Municipal Code 21.40.190.B.2. (B-4, Rural Business) except as otherwise provided under this section;
 - (b) a public hearing site plan review in conformance with Anchorage Municipal Code 21.15.030, and
 - (c) the requirement that the site plan shall incorporate the concept of a traditional neighborhood retail center as opposed to a strip retail development and shall include adequate connections to the proposed trail system.
- 5) Other Uses:
 - (a) parks, playgrounds, play fields and recreation facilities;
 - (b) public buildings and uses in keeping with the character and requirements of the PC district;
 - (c) churches, to include any place of religious worship along with their accessory uses, including (without limitation) parsonages, meeting rooms and child care services provided during religious functions. Other day care uses or use of church buildings, other than the parsonage, for provision of housing or shelter may be permitted only if approved in accordance with applicable conditional use standards and procedures of the Anchorage Municipal Code. Churches shall be subject to the provisions of Anchorage Municipal Code 21.45.235;
 - (d) day care and 24-hour child care facilities;
 - (e) museums, libraries, historic and cultural exhibits and the like;
 - (f) academic, vocational and trade schools;
 - (g) private clubs and lodges;
 - (h) post office;
 - (i) commercial recreation facilities;
 - (j) off-street parking lots and parking structures of less than 50 spaces.
- d. Permitted Accessory Uses and Structures:
 - 1) uses and structures customarily accessory and clearly incidental to permitted principal uses and structures;
 - 2) a building of at least 5,000 square feet may include dwelling units incidental to the operation of the permitted principal use;

- 3) hotel, motel or motor lodges having 20 or more rental units may include commercial retail, offices and services, and other uses that are clearly accessory and incidental to the operation of the transient lodging facility.
- e. Conditional Uses. Subject to the requirements of the conditional use standards and procedures of Anchorage Municipal Code, Chapter 21.50, the following uses may be permitted:
 - 1) marquees, overpasses and similar substantial projections into the public airspace, together with any signs to be mounted thereon shall be allowed only in conjunction with transient lodging facilities and institutional uses;
 - 2) off-street taxicab stands;
 - 3) drive-in banks with sufficient off-street area for maneuvering and waiting vehicles;
 - 4) utility substations;
 - 5) commercial planned unit development that conforms to the standards of Anchorage Municipal Code 21.50.130;
 - 6) liquor stores and restaurants, tearooms, cafes and other places serving food and involving the retail sale, dispensing or service of alcoholic beverages in accordance with Anchorage Municipal Code 21.50.160;
 - 7) quasi-institutional houses;
 - 8) nursing homes, convalescent homes, rest homes and the like that involve the treatment of drug addicts or alcoholic patients;
 - 9) off-street parking lots or structures with more than 50 spaces;
 - 10) one transmission tower;
 - 11) snow disposal sites.
- f. Prohibited Uses and Structures:
 - 1) storage or use of mobile homes or Quonset huts;
 - 2) any use that causes or may reasonably be expected to cause excessive noise, vibration, odor, smoke, dust, or other particulate matter, toxic or noxious matter, humidity, heat or glare at or beyond any lot line of the property on which the use is located, or as otherwise prohibited in similar use districts in accordance with the most recently adopted provisions of the Anchorage Municipal Code, Title 21;
 - 3) the outdoor storage or display of any scrap, junk, salvaged or secondhand materials.
- g. Minimum Lot Requirements.

- h. Lots shall have the following minimum area and width:

Lot Area: 8,000 square feet

Lot Width: 60 feet

- i. Minimum Yard Requirements:

Front: 20 feet

Side: 20 feet adjacent to a residential lot; otherwise, none, provided that all buildings on the lot shall have a wall on the lot line or shall be set back at least 5 feet from the lot line

Rear: 5 feet, except that where the rear lot line adjoins a residential lot, the minimum rear yard shall be 25 feet.

- j. Maximum Lot Coverage: Unrestricted

- k. Maximum Height of Structures. Unrestricted, except that structures shall not interfere with Federal Aviation Administration Regulations on airport approaches.

- l. Signs. Signs shall be allowed in connection with any permitted use subject to the provisions of Anchorage Municipal Code 21.45.160 for the B-3 use district.

- m. Parking. Adequate off-street parking shall be provided in connection with any permitted use in accordance with Anchorage Municipal Code 21.45.080.

- n. Loading. Where applicable, off-street loading facilities shall be provided in accordance with Anchorage Municipal Code 21.45.090.

- o. Refuse Collection. Where applicable, refuse collection facilities shall be provided in accordance with Anchorage Municipal Code 21.45.080.W.4.f.

- p. Landscaping.

- 1) In accordance with the standards of Anchorage Municipal Code 21.45.125:

- (a) buffer landscaping shall be planted along each lot line abutting a residential lot, except that the average width of the planting bed shall be 25 feet.
- (b) visual enhancement landscaping shall be planted along the perimeter of all outdoor areas used for vehicle circulation, parking, storage or display.
- (c) arterial landscaping shall be planted along all collector or arterial streets.
- (d) all areas not devoted to buildings, structures, drives, walks, off-street parking facilities, or other authorized installations shall be planted with visual enhancement landscaping.

- (e) Natural vegetation that is sufficient to meet the intent of these standards may be retained in place of all or part of any required landscaping.
- 2) All landscaping shall be maintained by the property owner or designee.
- q. Preservation of Existing Vegetation. Removal of natural vegetation and disturbance of existing ground cover shall be avoided to the maximum extent practicable when permitted construction is undertaken.
- r. Circulation Elements. All streets and trails shall comply with the principal circulation requirements of the Master Development Plan Standards.
- s. Anchorage Municipal Code, Supplementary District Regulations.

The provisions of Anchorage Municipal Code, Chapter 21.45 shall apply, except as noted below:

- 1) AMC 21.45.125. Landscaping standards. Applies except as otherwise stated in these development area standards.
- 2) AMC 21.45.150. Home occupation. Does not pertain.
- 3) AMC 21.45.160. Signs. Applies except as otherwise stated in these development area standards.
- 4) AMC 21.45.200. Transition and buffering standards. Does not apply except with respect to a conditional use application.
- 5) AMC 21.45.250. Bed and breakfast, 3 or less guest rooms. Does not pertain.
- 6) AMC 21.45.255. Bed and breakfast, 4 guest rooms. Does not pertain.
- 7) AMC 21.45.260. Transient lodging facilities. Does not pertain.
- 8) AMC 21.45.275. Zero-lot line subdivisions. Does not pertain."

4d

AO 99-3

Rezone from T to R-O/SL

NW ¼ NE ¼ NE ¼ Section 2, T14N, R2W, SM
(Hamilton Property)

MAR 5 1999

cc Z+P

March 5, 1999

Ms. Caren Mathis, Director
Department of Community Planning & Development
Municipality of Anchorage
P.O. Box 196650
Anchorage, Alaska 99519-6650

Subject: Consent to Special Limitations AO 99-3

Dear Ms. Mathis:

The Anchorage Municipal Assembly approved a rezone of a portion of the NW $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 2, Township 14 North, Range 2 West, Seward Meridian, Alaska through the adoption of AO 99-3. The ordinance establishes special limitations with respect to the R-O zoning for this parcel.

Pursuant to Section 5, we hereby consent to the special limitations set forth in Section 2 of AO 99-3.

Sincerely,



Richard Hamilton

CLERK'S OFFICE

APPROVED

Date: 2-9-99

Submitted by: Chairman of the Assembly at

the Request of the Mayor

Prepared by: Department of Community
Planning and Development

For reading: January 12, 1999

Anchorage, Alaska
AO 99-3

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE
REZONING FROM "T" TRANSITION DISTRICT TO R-O SL (RESIDENTIAL-OFFICE)
DISTRICT WITH SPECIAL LIMITATIONS, FOR A PORTION OF THE NW4 OF THE
NE4 OF THE NE4, T14N, R2W, SEWARD MERIDIAN ALASKA; GENERALLY
LOCATED ON THE WEST SIDE OF THE NEW GLENN HIGHWAY AND SOUTH OF
THE NORTH EAGLE RIVER INTERCHANGE.

(Eagle River Community Council; Case 98-151)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1: The zoning map shall be amended by designating the following
described property as R-O SL (Residential Office District) zone with special limitations:

Portion of the NW4 of the NE4 of the NE4, T14N, R2W, Seward Meridian
Alaska, consisting of approximately 4.75 acres; as shown on Exhibit A (Planning
and Zoning Commission Case 98-151).

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

1. Access: Access is prohibited from the New Glenn Highway.
2. Non-public hearing site plan review by the Planning and Zoning
Commission prior to issuance of any land use permit. Review shall
include but is not limited to site access, road standards, and the road and
traffic circulation plan for future development and to ensure that the roads
can handle the volume of traffic to be generated by this site.
3. Landscaping: Highway screening for the New Glenn Highway will require
approval by the Urban Design Commission prior to issuance of any land
use permit.

Section 3. The special limitations set forth in this ordinance prevail over any inconsistent provisions of Title 21 of the Anchorage Municipal Code, unless specifically provided otherwise. All provisions of Title 21 of the Anchorage Municipal Code not specifically affected by a special limitation set forth in this ordinance shall apply in the same manner as if the district classification applied by the ordinance was not subject to special limitations.

Section 4. The Director of the Department of Community Planning and Development shall change the zoning map accordingly.

Section 5. The ordinance referenced in Section 1 above shall become effective within 10 days after the Director of the Department of Community Planning and Development has determined that the special limitations set forth in Section 2 above have the written consent of the owners of the property within the area described in Section 1 above. The Director of the Department of Community Planning and Development shall make such a determination only if he/she receives evidence of the required consent within 120 days after the date on which this ordinance is passed and approved.

PASSED AND APPROVED by the Anchorage Assembly this 9th day of February, 1999.

ATTEST:

Fay Van Henning
Chairman

Loraine Ferguson
Municipal Clerk

(98-151)
(Tax ID. No. 050-043-04)

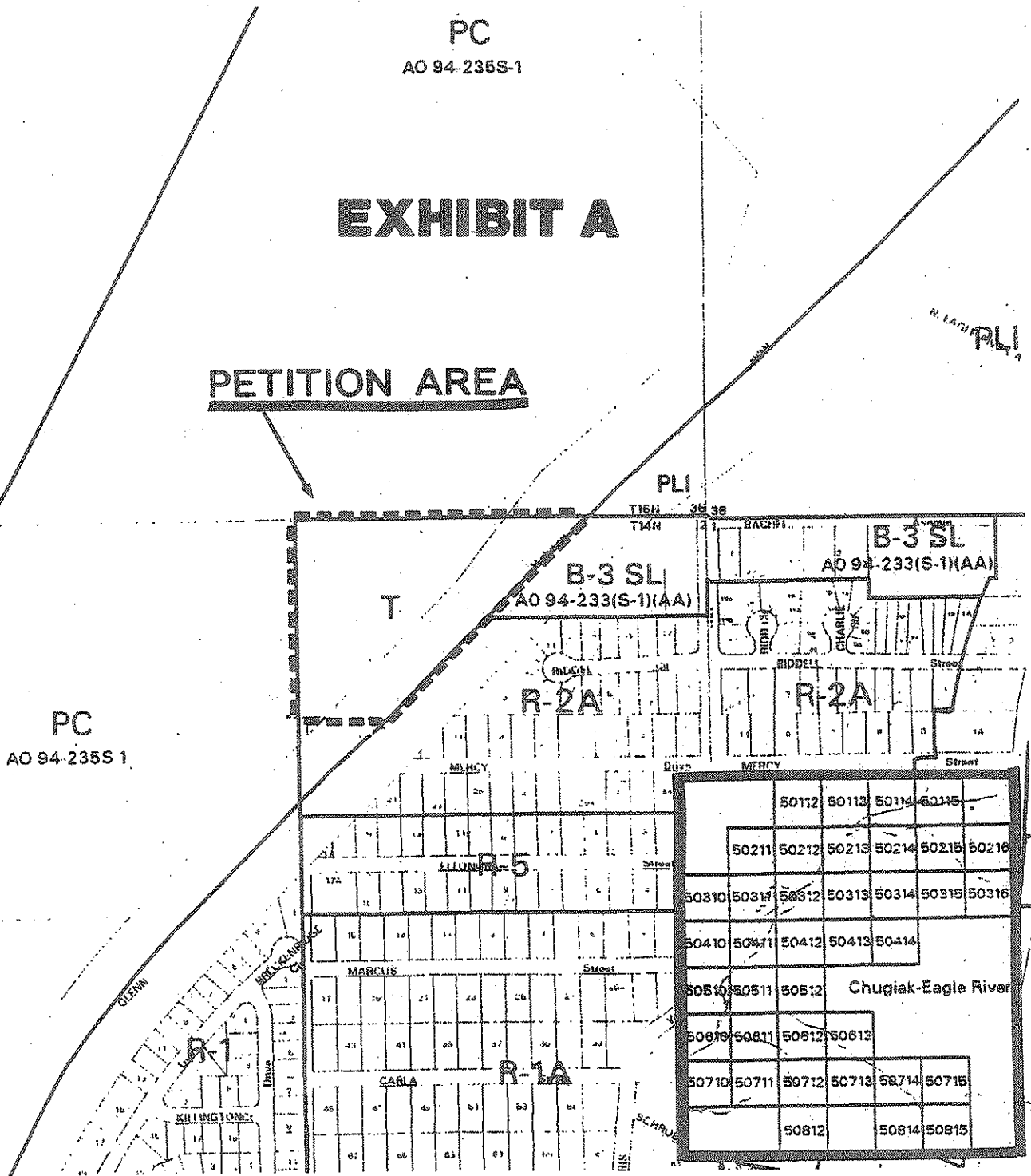
98-151 REZONING



PC
AO 94-235S-1

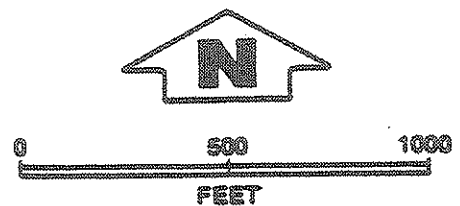
EXHIBIT A

PETITION AREA

PC
AO 94-235S-1



 100 Year Floodplain
 500 Year Floodplain



THIS REZONE

POWDER

RESERVE

NEW GLENN HWY.

NORTH EAGLE RIVER
INTERCHANGE

OLD GLENN HWY.

EAST EAGLE RIVER LOOP

BUSINESS BLVD

MONTE RD.

WATER DR.

KASKANAK DR.

BARONOFF AVE

CITATION RD.

CREST VIEW LANE

EAGLE RIVER ROAD

EAGLE RIVER



NOT TO SCALE

DOWL
ENGINEERS

PROPOSED REZONE
FROM T TO R-O
PETITIONER: DICK HAMILTON

D56280

98-151 ↑ 143



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 53-99

Meeting Date: January 12, 1999

From: Mayor

Subject: AO 99-3

Planning and Zoning Commission
Recommendation on Rezoning on New Glenn
Highway Near the Eagle River North
Interchange

- 1 The property owner, Richard Hamilton, has petitioned to rezone his property from
- 2 Transition to R-O residential office district with special limitations. The property is
- 3 located on the New Glenn Highway just south of the northern interchange at Eagle
- 4 River. Access to the site will be through the Powder Reserve development,
- 5 consequently development of the property is dependent on the Powder Reserve.
- 6 The Planning and Zoning Commission unanimously recommended approval of the
- 7 rezoning on findings that the rezoning is in conformance with the Chugiak-Eagle
- 8 River Comprehensive Plan and the standards for a zoning map amendment. The
- 9 Commission proposed three special limitations that involve access restrictions,
- 10 non-public hearing site plan review, and New Glenn Highway landscaping to be
- 11 reviewed by the Urban Design Commission.

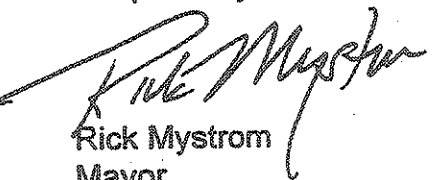
Reviewed by:


George J. Vakalis
Municipal Manager

Prepared by:


Caren L. Mathis
Director, Community Planning and
Development

Respectfully submitted,


Rick Mystrom
Mayor

Reviewed by:


Elaine A. Christian
Executive Manager

MAILED
JAN 14 1999

FILE COPY

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 98-085

A RESOLUTION APPROVING THE REZONING FROM "T" TRANSITION DISTRICT TO R-0 SL (RESIDENTIAL-OFFICE) DISTRICT WITH SPECIAL LIMITATIONS, FOR T14N, R2W, SEWARD MERIDIAN ALASKA, PORTION OF THE NW4 OF THE NE4 OF THE NE4; GENERALLY LOCATED ON THE WEST SIDE OF THE NEW GLENN HIGHWAY AND SOUTH OF THE NORTH EAGLE RIVER INTERCHANGE.

(Case 98-151; Tax ID. 050-043-04)

WHEREAS, a petition has been received from Richard Hamilton requesting rezoning from "T" Transition District to R-0 (Residential-Office) District, for T14N, R2W, Seward Meridian Alaska, portion of the NW4 of the NE4 of the NE4; generally located on the west side of the New Glenn Highway and south of the North Eagle River Interchange, consisting of approximately 6.1 acres; and

WHEREAS, notices were published, posted and mailed and a public hearing was held September 14, 1998.

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

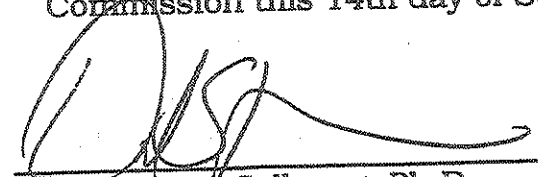
A. The Commission makes the following findings of fact:

1. The petition site is a single unsubdivided parcel generally located south of the North Eagle River Interchange, fronting onto the Glenn Highway. The parcel is triangular in shape. To the north and west of the parcel is Eklutna's Planned Community, which has it's own Assembly adopted master plan for development. The site is located on a south facing slope. The topography of the site ranges from 297 foot elevations in the northwest to 257 feet in the southwest.
2. The 1993 *Chugiak-Eagle River Comprehensive Development Plan*, designates the petition site as Mixed-Use. This is the first time this land use classification appears in any municipal comprehensive plan. It is intended for a mix of residential, commercial, institutional, open space or light industrial uses, and it is the policy of the Chugiak-Eagle River Comprehensive Plan that a mixed use designated area be implemented through a Planned Community District (PC), which requires a minimum of 40 acres, or through an *alternative zoning* but not with the Transition zoning district. The petition property is zoned Transition ("T") District.

3. In the adopted 1979 *Chugiak-Eagle River Comprehensive Development Plan*, the petition site was designated residential, at 3-9 dwelling units per acre.
 4. Development of the property under PC zoning is not an option, because the petitioner has less than 40 acres, and because he chooses not to annex to the adjoining Powder Reserve Master Plan PC zoning regulations. The R-O District, however, does allow the opportunity to do a mix of low- to medium-density residential and professional office development, which is consistent with the intent of the comprehensive plan mixed-use classification of this property and meets the intent of an *alternative zoning package*.
 5. Transportation Planning and Physical Planning Divisions requested a special limitation for a non-public hearing site plan review to review the circulation plan for future development and to ensure that the roads can handle the volume of traffic generated by the developed use of this site, and for proper screening of the property to protect the views from the New Glenn Highway. Alaska Department of Transportation controls access from the New Glenn Highway, and will prohibit access from this site.
 6. The petitioner's representative, Dowl Engineering, accepted the proposed special limitations as modified.
 7. The Commission agreed with the findings of the planning staff analysis.
 8. The Commission found the rezoning met the standards for a zoning map amendments as required by AMC 21.20.090, and is consistent with the Anchorage Comprehensive Plan.
 9. The motion to approve the rezoning to R-O with special limitations carried: 9 in favor, 0 opposed.
- B. The Commission recommends the rezoning to R-O be approved with the following special limitation:
1. Access: Access is prohibited from the New Glenn Highway.

2. Non-public hearing site plan review by the Planning and Zoning Commission prior to issuance of any land use permit. Review shall include but is not limited to site access, road standards, and the circulation plan for future development and to ensure that the roads can handle the volume of traffic to be generated by this site.
3. Landscaping: Highway screening for the New Glenn Highway will require approval by the Urban Design commission prior to issuance of any land use permit.

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission this 14th day of September, 1998.


Sheila Ann Selkregg, Ph.D.
Secretary


Daphne Brown
Chair

(CASE #98-151)
(TAX # 050-043-04)

mpa

Main Motion

AYE: Karabelnikoff, Jones, Hodel, Brown, Stiles, DeLucia, Cox,
Birkinshaw

NAY: None

ABSTAIN: Adams

PASSED

FILE COPY

5. 98-151

Richard Hamilton. A request to rezone approximately 6.10 acres from "T" to R-O. Generally located on the west side of the New Glenn Highway and south of the North Eagle River Interchange.

Staff member MARY AUTOR stated 70 public hearing notices were mailed, 5 were returned unclaimed and there was one response. This request involves a parcel that is an "inholding" between the Eklutna Powder Reserve Planned Community and the New Glenn Highway. The Department found this request to be appropriate, subject to special limitations prohibiting access to the New Glenn Highway, requiring a non-public hearing site plan review, and requiring Urban Design Commission approval of highway screening for the New Glenn Highway.

The public hearing was opened.

TOM MEEHAN, representing the petitioner, stated the petitioner had no objections to the special limitations proposed by Staff. He noted, as Staff pointed out in their analysis, the property is designated as mixed use in the Chugiak/Eagle River Comprehensive Plan. The history of the land use adjacent to this parcel has resulted in the Powder Reserve being rezoned to a PC district, which is one of the two preferred ways of developing mixed use property. The other is to do an alternative zoning designation from the current "T" zone. The petitioner has owned the property for a number of years and was party to discussions with Eklutna Inc. when they came forward with a PC rezoning. Through that process, the petitioner was not involved as Eklutna Inc. moved its proposal forward through the Commission and the Assembly. MR. MEEHAN explained that development of Mr. Hamilton's property is wholly dependent on the development of the adjoining parcels. He noted, with the Glenn Highway serving as the eastern property boundary and the State controlling access, the only access available is through Eklutna's land. Eklutna is in the process of developing its property, having moved forward with one residential subdivision this year. Rezoning this parcel to R-O allows the petitioner and Eklutna to discuss future development plans and incorporate the properties, if that is desirable. The property would be developed using R-O densities and uses and a non-public hearing site plan review will allow the Municipality and the Commission adequate opportunity to review development plans.

COMMISSIONER DeLUCIA noted that Eklutna Inc. sent a letter asking that the limitations placed on their adjoining areas O and L also be placed on this petition site in order to achieve compatibility. MR. MEEHAN responded that, inasmuch as the Eklutna property and the PC district is a concentrated whole that was scrutinized through many hours of public meetings, he felt the R-O district would allow the petitioner the flexibility to work with Eklutna and develop his property independent from the PC Eklutna property. He reiterated that the development of this 6-acre site will be severely limited by the access that is provided through Eklutna's property. He stated the petitioner would not accept imposition of the special limitations applied to Eklutna's land. He noted that the public is very protected under the proposed special limitations on this R-O rezoning.

The public hearing was closed.

COMMISSIONER DeLUCIA moved for approval of a rezoning to R-O subject to three special limitations: 1. Access: Access is prohibited from the New Glenn Highway; 2) Non-public hearing site plan review by the Planning and zoning Commission prior to issuance of any land use permit. Review shall include but is not limited to site access, road standards, and the circulation plan for future development and to ensure that the roads can handle the volume of traffic to be generated by this site; 3) Landscaping: Highway screening for the New Glenn Highway will require approval by the Urban Design Commission prior to issuance of any land use permit.

COMMISSIONER STILES seconded.

COMMISSIONER DeLUCIA felt the proposed rezoning would be compatible with the area. He stated he was satisfied, after hearing from the petitioner's representative, with this compatibility and also that it is compatible with the Chugiak/Eagle River Comprehensive Plan.

COMMISSIONER STILES further stated that the application of a number of the special limitations that exist on area O would be impractical for this smaller parcel of land.

COMMISSIONER COX supported the motion, noting that "T" zones should be rezoned to a district compatible with surrounding lands.

COMMISSIONER JONES noted that the "T" district was created to be in place for a brief period of time and she felt the time was appropriate to change the zoning of this parcel. She noted that Staff's findings support the rezoning.

COMMISSIONER ADAMS also noted that the adjacent parcel to the north is in the Powder Reserve PC that is designated commercial and the area to the south is residential, so this R-O is appropriate as a buffer between the two.

AYE: Karabelnikoff, Jones, Hodel, Brown, Stiles, DeLucia, Cox, Adams,
Birkinshaw
NAY: None

PASSED

6. 98-152

Delio A. Isabelle. A request to rezone approximately 2.80 acres from R-1A to I-1SL. Located on the north side of Katahdin Drive and west of Sand Lake Road.

POSTPONED TO OCTOBER 5, 1998

7. 98-154

Anchorage Water and Wastewater Utility. A conditional use for a utility facility (water reservoir) for Brendlwood Subdivision, Tract A-2. Generally located on the east side of Eagle River Loop Road and north of Talarik Drive.

Staff member DUANE DVORAK stated 55 public hearing notices were mailed and none were returned. This request involves the establishment of a larger water reservoir in an R-7 zone. The Department found no major concerns in its review of this case. There were some issues unclear in the plans that should be resolved and the request is so conditioned. MR. DVORAK noted there was a meeting with the petitioners last week after which it seemed infeasible to move forward with a more complicated painting scheme at this time. As a result, Physical Planning recommended deletion of condition 12, but the Department wishes to consider this with future reservoir reviews.

COMMISSIONER STILES asked what type of painting design was being considered in condition 12. MR. DVORAK noted a member of Physical Planning had suggested a possible painting scheme, however, that example had not been implemented and discussions indicated there was probably a good reason it had not. As a result, Physical Planning recommended the deletion of that requirement.

The public hearing was opened.

LINDA BARBER-WILTSE with AWWU stated this project is the culmination of many years of studying the Eagle River Valley area for the placement of a water reservoir to meet the community's needs. The process first involved a master plan, followed by a site selection process. Initially, thought was given to siting the facility at the 1,100 elevation above homes, but physical and elevation constraints prevailed and that placement was not possible. In the alternative, the petitioner is proposing to expand the use of the existing site to provide for additional storage. She noted there have

4e

**AO 94-235 (-2)
(as amended)
(as corrected 5/4/95)**

Rezone from T to PC

Tract A, of the Powder Reserve
Within Sections 25, 26, 35, 36, T15N, R2W, SM

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 2-14-95

Submitted by: Assemblymember Campbell
Prepared by: Department of Community
Planning and Development
For reading:

Anchorage, Alaska

AO 94-235(S-1)(as amended) (as corrected 5/4/95)

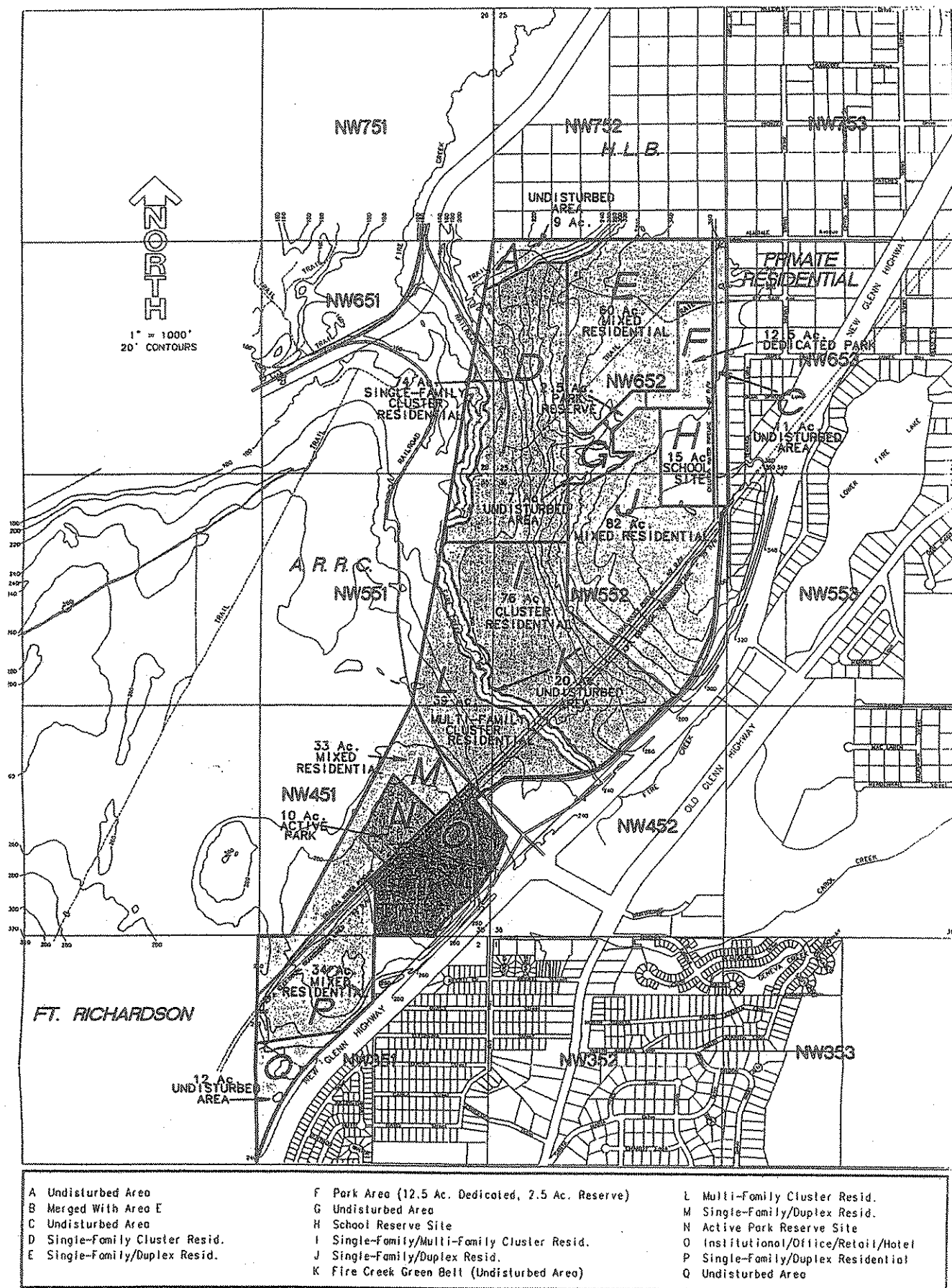
AN ORDINANCE PROVIDING FOR THE REZONING FROM T (TRANSITION) TO PC (PLANNED COMMUNITY DISTRICT), FOR TRACT A OF THE POWDER RESERVE, LOCATED IMMEDIATELY NORTHWEST AND SOUTHWEST OF THE NORTH EAGLE RIVER INTERCHANGE OF THE NEW GLENN HIGHWAY IN THE EAGLE RIVER & BIRCHWOOD AREA, LOCATED WITHIN PORTIONS OF SECTIONS 25, 26, 35 AND 36, T15N, R2W, S.M., ALASKA CONTAINING 530 ACRES MORE OR LESS.

(Birchwood Community Council)(Planning and Zoning Commission Case No. 93-022)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. That Tract A of the Powder Reserve located within portions of Sections 25, 26, 35 & 36, T15N, R2W, S.M., Alaska are rezoned from T (Transition) to PC (Planned Community District), as depicted on Exhibit A attached.

Section 2. Development of planned community district shall proceed in substantial conformance to the master development plan map entitled Figure 7 and the master development plan for the Powder Reserve Tract A amended and dated to reflect the provisions of this Assembly adopted ordinance prepared by ASCG Incorporated for Eklutna Incorporated. The Master Development Plan for Tract A and said master development plan map are a part of this ordinance. Permitted and conditional uses and, as applicable, total number of dwelling units and total amount of commercial and office floor area within the PC district shall be as set forth in the following matrix:



*Figure 7. Master Development Plan
For Tract A*

Master Development Plan Matrix

Development Area	Permitted or Conditional Uses			Total Dwelling Units	Total Commercial retail Floor Area	Total Office Floor Area
	Residential	Commercial	Other ¹			
A	NP	NP	Open Space			
B	Acreage has been merged with Development Area E.					
C	NP	NP	Open Space			
D	P	CU	P.CU	200		
E	P	CU	P.CU	220		
F	NP	NP	Dedicated Park and Park Reserve			
G	NP	NP	Open Space			
H	NP	NP	School Reserve			
I	P	CU	P.CU	450		
J	P	CU	P.CU	330		
K	NP	NP	Open Space			
L	P	CU	P.CU	350		
M	P	CU	P.CU	140		
N	NP	NP	Park Reserve			
O	NP ²	P.CU	P.CU		130,000 sf ³	30,000 sf
P	P	CU	P.CU	100		
Q	NP	NP	Open Space			
TOTAL				1,790	130,000 sf ³	30,000 sf

Key: P = Permitted principal use NP = Not permitted CU = Conditional use

Section 3. The PC (Planned Community District) is enacted as follows:

A. Master Development Plan Standards

1. General Provisions

- a. Purpose. The primary purpose of these Master Development Plan standards is to establish the general character, design and procedures for permitted development within the Planned Community (PC) district.
- b. Effect of Standards. Any use or conditional use established for the PC district may be permitted. Any use or conditional use not permitted by the PC district is prohibited.

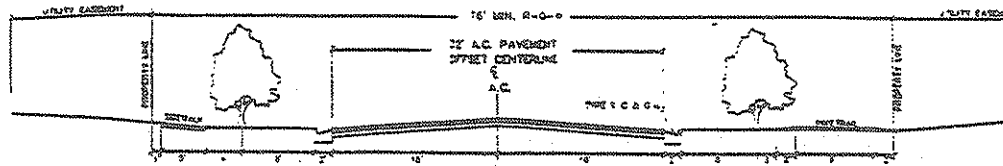
¹ Includes institutional and other specified uses, as described in the Development Area Standards

² Except that dwelling units are a permitted accessory use in some specified instances

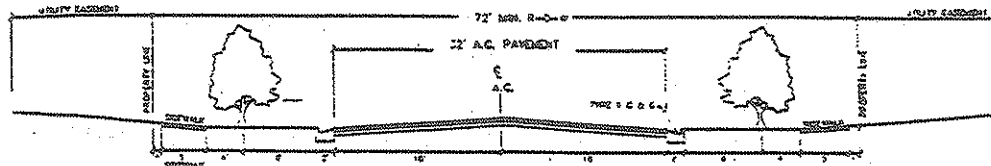
³ Hotel/motel complex = 100,000 square feet; commercial retail = 30,000 square feet.

- c. Development Area Plans. Development within the PC district may be proposed and approved in accordance with the provisions of Anchorage Municipal Code 21.40.250.D. Development shall comply with the requirements of the applicable Development Area Standards.
 - d. Land Clearing. Land clearing within the PC district shall comply with the provisions of Anchorage Municipal Code 21.40.250.E.
 - e. Amendments. Certain amendments to the Master Development Plan or to the PC district may be proposed and approved in accordance with the provisions of Anchorage Municipal Code 21.40.250.F. and 21.40.250.G.
 - f. Applicability of Municipal Code. The Anchorage Municipal Code shall apply except where specifically altered or amended in this ordinance. The most recently adopted version of the Anchorage Municipal Code shall apply.
 - g. Tract A shall be annexed into the Chugiak-Birchwood- Eagle River Rural Road Service Area (AMC 27.30.215) and a special assessment district shall be created for street light maintenance, snow removal and disposal with or prior to the recordation of the first subdivision. The mill rate assessment shall be a total of 3.1 mills, including 2.1 mills for annexation to the rural road service area, 0.5 mills for snow hauling and disposal, and 0.5 mills for street light service area.
 - h. Tract A shall be annexed into the Building Safety Service Area (AMC 27.30.040) with or prior to the recordation of the first subdivision plat.
 - i. Tract A shall be annexed into either the Anchorage Fire Service Area (AMC 27.30.050) or the Chugiak Volunteer Fire Service Area with or prior to the recordation of the first subdivision plat.
2. Principal Drainage Requirements. Provisions for storm drainage within the PC district shall comply with requirements under Anchorage Municipal Code 21.45.230. and 21.85.140.. Drainage system design shall provide for the preservation of designated high-quality wetlands that are critical to water table levels and wildlife habitat within and surrounding the PC district.
 3. Principal Circulation Requirements.
 - a. Access and Street Circulation.
 - 1) The access and street circulation system for the PC district shall comply with the modified grid network depicted in Figure 10 of the adopted Master Development Plan, except that the platting authority may permit modifications as necessary to integrate street and subdivision design.
 - 2) All streets, street lighting, sidewalks and bike paths will be designed and constructed to meet or exceed the most recently adopted urban design standards identified in Title 21, the Design Criteria Manual (DCM), and the Official Streets and Highways Plan (OSHP). Residential street right-of-way widths, sidewalk and bike path location, and landscaping shall conform to PC District residential street design standards shown in Figures 13a and 13b of the adopted Master Development Plan. Streets shall be constructed in conjunction with subdivision development.
 - 3) All streets within the PC district shall be planted on both sides with deciduous trees a minimum of 8 feet in height (1" caliper). Trees shall be planted at average intervals no greater than 20 feet on center. Trees shall be planted within 12 months of street construction. Trees shall be maintained by the property owner after expiration of any warranty on the landscaping.

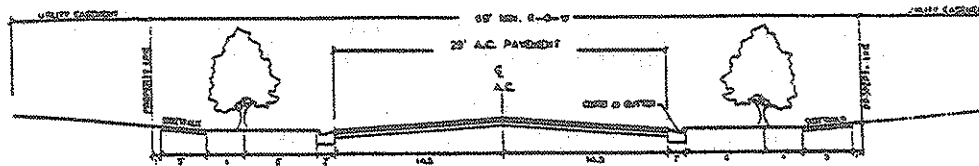
PC District Residential Street Design Standards*



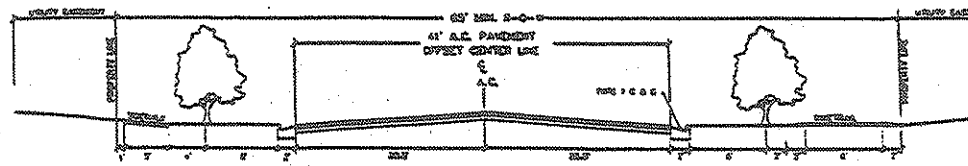
MAJOR RESIDENTIAL W/ BIKE LANE



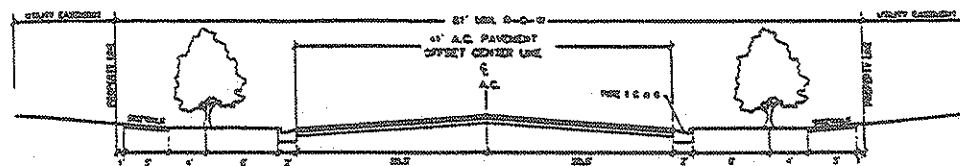
MAJOR RESIDENTIAL W/O BIKE LANE



MINOR RESIDENTIAL



COLLECTOR W/BIKE LANE



COLLECTOR W/O BIKE LANE

Notes

1. The Platting Authority may permit modifications to accommodate subdivision design requirements.
2. Streets, sidewalks and bike paths shall be designed and constructed to meet or exceed the most recently adopted urban design standards identified in Title 21, the Design Criteria Manual (DCM) and the Official Streets and Highway Plan (OSHP) rights-of-way widths, sidewalk and bike path locations, and landscaping shall be as shown in this figure.
3. All streets shall be planted on both sides with deciduous trees a minimum of 8 feet in heights (1" caliper). Trees shall be planted at average intervals no greater than 20 feet on center.

* See Figures 13a and 13b in Master Development Plan Volume I for detail

- 1 4) All constructed streets within the PC district shall be dedicated to the
2 Municipality for annexation into the Eagle River/Chugiak/Birchwood Rural
3 Road Service Area or its equivalent at the time of annexation.

4 b. Trails.

- 5 1) Trails within the PC district shall comply with those shown in Figures 10 and
6 11 of the adopted Master Development Plan, except that the platting authority
7 may permit modifications as necessary to integrate trail, street and
8 subdivision design.
- 9 2) Trails within the PC district shall be constructed to municipal standards in
10 the Design Criteria Manual and the most recently adopted version of the
11 Anchorage Trails Plan in conjunction with subdivision development, except
12 that:
- 13 a) Standards set forth in the Anchorage Trails Plan shall apply to trail
14 design and construction only and not to the alignments or types of uses;
- 15 b) The Fire Creek bike trail shall be constructed by the Municipality at such
16 time and to such standards as it deems appropriate. Reasonable effort
17 shall be made by the Municipality to construct the bike trail within the
18 boundaries of the Fire Creek Greenbelt. The trail shall be designed such
19 that any portion lying outside the greenbelt shall be in close proximity to
20 the greenbelt boundary. A trail easement outside the greenbelt boundary
21 may be granted under such terms and conditions as are mutually agreed
22 to by the Municipality of Anchorage and Eklutna, Incorporated, or other
23 property owner;
- 24 c) Eklutna, Incorporated shall dedicate to the Municipality of Anchorage a
25 50 foot right-of-way to preserve the existing nature trail in conjunction
26 with subdivision development in Areas D and E. In addition, a 20-foot
27 construction setback shall be required adjacent to the right-of-way, with
28 the exception that fences can cross the construction setback. The
29 existing trail shall remain unimproved;
- 30 d) The developer shall obtain written permission for trails utilizing the
31 existing electrical and water easements from the Alaska Power Authority
32 (APA) and the Anchorage Water and Wastewater Utility (AWWU) prior to
33 final approval of the trail plan;
- 34 e) All trails dedicated and accepted by the Municipality for maintenance
35 shall be signed as public trails.
- 36 3) All trails within the PC district shall be restricted to non-motorized use only.
- 37 4) All constructed trails within the PC district and shown in Figure 10 and 11 of
38 the adopted Master Development Plan shall be dedicated to the Municipality
39 in conjunction with subdivision development and shall be maintained
40 thereafter by the Municipality, except as otherwise stated within these
41 standards.
- 42 5) Should additional trails within the PC district be created as a result of
43 subdivision development, ownership and maintenance responsibilities shall
44 be as approved in conjunction with the platting action. Maintenance of trails
45 not dedicated to the Municipality shall be the responsibility of a homeowners
46 association and any trail corridors or systems dedicated to the Municipality
47 shall be the responsibility of the Municipality.

- 6) Requirements, terms and conditions for provision of trails shall be as described in this standard, notwithstanding the provisions of any title of the Anchorage Municipal Code or any other ordinance adopted before or after the establishment of the PC district.

4. Open Space.

a. Designated Open Space Areas.

- 1) Designated open space areas within the PC district shall comply with those shown in Figures 7 and 9 of the adopted Master Development Plan, except that:

- a) For the Fire Creek greenbelt, identified in the approved Master Development Plan as Development Area K, the outer boundaries of the open space area shall be determined by a meander line running the full length of the creek and 75± feet each side of the centerline for a total 150-foot width. In addition, a 25-foot construction setback shall be required adjacent to the greenbelt, with the exception that fences can cross the setback;
- b) For designated open space areas other than Development Area K, the platting authority may permit modifications as necessary to integrate open space and subdivision design.
- 2) Designated open space areas shall generally be retained as undisturbed natural areas, except that they may include utility and drainage easements and such improvements described under AMC 21.35.020.B.88.
- 3) Designated open space areas shall be retained under ownership by Eklutna, Incorporated, or as otherwise determined by Eklutna, Incorporated, except that:
- a) The Fire Creek greenbelt, identified in the approved Master Development Plan as Development Area K, shall be dedicated to the Municipality;
- b) Dedication of the Fire Creek greenbelt shall be accomplished at such time and under such terms as are mutually agreed to by the Municipality and Eklutna, Incorporated and consistent with the terms of the 1979 Agreement of Compromise and Settlement between Eklutna, Incorporated, State of Alaska and Municipality of Anchorage.

b. Seasonal Maintenance of Designated Open Space Areas.

The property owner shall have responsibility for such maintenance as it deems necessary to protect public health and safety within the designated open space area.

c. Additional Open Space Areas.

Should additional open space areas within the PC district be created as a result of subdivision development, ownership and maintenance responsibilities shall be as approved in conjunction with the platting action.

5. Public Facilities.

a. School Facilities.

- 1) A school site reserve for possible future construction of a public elementary school shall be provided as shown in Figure 7 of the adopted Master Development Plan, Development Area H.

- 2) The school site reserve shall remain in effect until such time as a final plat encompassing the reserve tract is filed. If the reserve tract is not acquired within 15 months of the filing of a final plat, it shall be released from the reserve designation unless the time for acquisition is extended by Eklutna, Incorporated or such other property owner. In consideration of the reservation, the Municipality shall pay the owner of the reserve an amount equal to all municipal real property taxes that accrue on the reserve tract during the period of reservation, if applicable.
- 3) The Anchorage School District shall have authority to accept or reject Development Area H as an official school site selection subject to the following conditions:
 - a) Decision by the Anchorage School District to select and acquire Development Area H as an official school site shall be accomplished only under such terms as are mutually agreed to by the Anchorage School District and Eklutna, Incorporated or such other property owner;
 - b) Decision by the Anchorage School District to reject Development Area H as an official school site shall not obligate Eklutna, Incorporated or such other property owner to provide an alternative school site within the Master Development Plan area. Provision of an alternative school site shall be solely at the discretion of Eklutna, Incorporated or such other property owner.
- 4) If decision is made by the Anchorage School District to reject Development Area H as a school site selection at any time from date of adoption of the PC district, Development Area H shall be immediately released from its reserve designation. Under such circumstance, standards for Development Area H of the Master Development Plan shall be amended as outlined in Anchorage Municipal Code 21.40.250.F..

b. Park Facilities.

- 1) Eklutna, Incorporated shall dedicate 12.5 acres of land to the Municipality to be used as a public park. This land is located in Development Area F, as shown in Figure 7 of the adopted Master Development Plan.

The park may be used as a disposal site for excess clean material and filled in accordance with plans approved by Parks and Recreation, provided that:

- a) the fill is placed in accordance with an approved grading plan, drainage plan, and revegetation plan; and
 - b) before any materials are placed on site, a full public hearing site plan review shall be accomplished that includes a review of the grading plan, drainage plan, and revegetation plan.
- 2) Reserves for possible future construction of public park facilities shall be located in the remaining portion of Development Area F (2.5 acres) and Development Area N (10 acres), as shown in Figure 7 of the adopted Master Development Plan.
 - 3) Each park site reserve shall remain in effect until such time as a final plat encompassing the reserve tract is filed.

If the park reserve is not acquired within 15 months of the filing of a final plat, it shall be released from the reserve designation unless the time for acquisition is extended by Eklutna, Incorporated or such other property

owner. In consideration of the reservation, the Municipality shall pay the owner of the reserve an amount equal to all municipal real property taxes that accrue on the reserve during the period of reservation, if applicable.

- 4) The Municipality of Anchorage shall have authority to acquire Development Area N and the reserve portion of Development Area F for public park purposes and subject to the following conditions:

- a) Acquisition shall be accomplished only under such terms as are mutually agreed to by the Municipality of Anchorage and Eklutna, Incorporated or such other property owner;

- b) Decision by the Municipality not to acquire Development Area N or the reserve portion of Development Area F shall not obligate Eklutna, Incorporated or such other property owner to provide alternative park reserve site(s) within the Master Development Plan area. Provision of alternative park reserve site(s) shall be solely at the discretion of Eklutna, Incorporated or such other property owner.

- 5) If decision is made by the Municipality not to acquire Development Area N or the reserve portion of Development Area F at any time from date of adoption of the PC District, then they shall be immediately released from their reserve designations. Under such circumstance, standards for Development Area N and the reserve portion of Development Area F of the Master Development Plan shall be amended as outlined in Anchorage Municipal Code 21.40.250.F.

c. Other Public Facilities.

Other public facilities may be provided within such areas and under such standards as outlined in the applicable Development Area Standards and as elsewhere addressed within these standards. Any such facilities shall be in keeping with the character and requirements of the PC district and shall be subject to AMC 21.15.015 Public Facility Site Plan Review.

6. Utilities.

- a. Public utilities shall be used to meet all requirements within the PC district for water service and wastewater disposal.
- b. Public water systems shall be built to adequate standards for fire protection, including volume, pressure and hydrants.
- c. All utilities, including but not limited to water and sewer, shall be served from the front of the lots.
- d. All newly installed or relocated utility distribution lines shall be placed underground, except as provided under Anchorage Municipal Code 21.90.030.A - C.
- e. The developer shall be required to upgrade the capacity of the offsite downstream sewer laterals between Tract A and the Fire Lake Interceptor when 50 percent of Development Area I has been platted (projected to be the year 2007) unless Anchorage Water and Wastewater Utility determines that the downstream facilities require upgrade sooner.
- f. Crossings of the existing Eklutna water line should be primarily for main access and circulation. Other crossings should be limited to the maximum extent possible.

B. Development Area Standards

1. General Provisions

a. Purpose. The purposes of these development standards are to:

- 1) ensure a logical growth pattern that is consistent with the development goals, objectives and standards of the Master Development Plan;
- 2) encourage the most appropriate use of land;
- 3) prevent the overcrowding of land;
- 4) avoid undue concentration of population;
- 5) facilitate adequate provisions for transportation, water, sewage, drainage, school, park and other facilities;
- 6) reduce street congestion;
- 7) provide adequate light, air and open space;
- 8) preserve property values; and
- 9) promote public health, safety and welfare.

b. Applicability of Municipal Code. The Anchorage Municipal Code shall apply except where specifically altered or amended in this ordinance. The most recently adopted version of the Anchorage Municipal Code shall apply.

c. Definitions. Certain terms or words used within these development standards shall be interpreted in accordance with Anchorage Municipal Code 21.35.020, unless specifically stated to the contrary.

Section 4. Development area E consisting of 60± acres, development area J consisting of 82± acres, development area M consisting of 33± acres, and development area P consisting of 34± acres shall be restricted to the following uses and development design standards:

1. Development Areas E, J, M, P (Single-Family/Two-Family Residential)

a. Intent and Use. These development areas are intended to serve primarily as single-family and two-family residential areas. Certain public, recreational, and religious uses are also permitted subject to requirements that protect, preserve and enhance the principal residential character of the development area.

b. Maximum Limits on Permitted Principal Uses* :

	Total Dwelling Units, Residential
Development Area E	220
Development Area J	330
Development Area M	140
Development Area P	100

*Any density transfers between Development Areas that will result in certain increases or decreases in the total number of dwelling units, shall

be subject to approval in accordance with the provisions of Anchorage
Municipal Code 21.40.250.F.

c. Permitted Principal Uses and Structures (only one principal structure may be
allowed on any lot):

- 1) single-family dwellings;
- 2) two-family dwellings, except that no more than 20% of the dwelling units
within the development area, as reflected on the recorded plat, shall be
two-family dwellings;
- 3) parks, playgrounds and play fields;
- 4) public buildings and uses in keeping with the character and
requirements of the PC district;
- 5) churches, to include any place of religious worship along with their
accessory uses, including (without limitation) parsonages, meeting rooms
and child care services provided during religious functions. Other day
care uses or use of church buildings, other than the parsonage, for
provision of housing or shelter may be permitted only if approved in
accordance with applicable conditional use standards and procedures of
the Anchorage Municipal Code. Churches shall be subject to the
provisions of Anchorage Municipal Code 21.45.235;
- 6) family residential care;
- 7) Matanuska Telephone Association (MTA) utility substations, as follows:
 - (a) Subject to terms and conditions acceptable to the property owner,
MTA may select, at the time of initial platting, one (1) site in Area
J and one (1) site in Area M. These two (2) sites shall be
permitted uses.
 - (b) Additional sites, or sites identified after platting action has
occurred, shall be subject to conditional use approval.

d. Permitted Accessory Uses and Structures

- 1) home occupation, subject to the provisions of Anchorage Municipal Code
21.45.150;
- 2) family care;
- 3) bed and breakfast with 3 or less guest rooms;
- 4) noncommercial greenhouses and gardens; storage, garden and tool
sheds; private barbecue pits; private workshops and similar type
structures and uses;
- 5) private garages;
- 6) private storage in yards of noncommercial equipment including
noncommercial trucks, boats, aircraft, campers, recreational vehicles or
the like in a safe and orderly manner and separated by at least 10 feet
from any property line;
- 7) the outdoor harboring or keeping of dogs, animals, and fowl in a manner
consistent with the requirements of all titles of the Anchorage Municipal
Code. Paddocks, stables or similar structures or enclosures which are

Corrected by Don Alspach per 2/14/95 Assembly Minutes

- 1 utilized for the keeping of animals shall be at least 100 feet from any lot
- 2 line.
- 3 e. Conditional Uses. Subject to the requirements of the conditional use standards
- 4 and procedures of Anchorage Municipal Code Chapter 21.50, the following uses
- 5 may be permitted:
- 6 1) utility substations, except as permitted in subparagraph 1.C.(8) of this
- 7 section.
- 8 2) residential planned unit development that conforms to the standards of
- 9 Anchorage Municipal Code 21.50.130 for the R-1A use district, except as
- 10 otherwise permitted, prohibited or restricted under these development
- 11 area standards;
- 12 3) nursing homes, convalescent homes, children's homes, rest homes and
- 13 similar institutional uses (Development Area P only);
- 14 4) retirement homes (Development Area P only);
- 15 5) quasi-institutional houses;
- 16 6) 24- hour day care or child care facilities;
- 17 7) one transmission tower;
- 18 8) snow disposal sites.
- 19 f. Prohibited Uses and Structures:
- 20 1) storage or use of mobile homes or quonset huts;
- 21 2) any use which causes or may reasonably be expected to cause excessive
- 22 noise, vibration, odor, smoke, dust, or other particulate matter, toxic or
- 23 noxious matter, humidity, heat or glare at or beyond any lot line of the
- 24 property on which the use is located, or as otherwise prohibited in
- 25 similar use districts in accordance with the most recently adopted
- 26 provisions of the Anchorage Municipal Code, Title 21;
- 27 3) the outdoor storage or display of any junk materials.
- 28 g. Minimum Lot Requirements:
- 29 1) A residential lot shall have the following minimum area and width, except
- 30 as provided in g(2) below:
- 31 Lot Area: 8,400 square feet
- 32 Lot Width: 70 feet
- 33
- 34 2) Lots adjoining Development Area C and the northern boundary of
- 35 Development Area E shall have the following minimum area and width:
- 36
- 37 Lots abutting the Area C and northern boundary Area E:
- 38 Lot Area: ~~2.5-acres~~ 1.25 acres
- 39 Lot Width: 330 feet
- 40
- 41 Lot abutting the above lots
- 42 Lot area: ~~1.25-acres~~ 0.5 acres
- 43 Lot width: 165 feet.
- 44 h. Minimum Yard Requirements:

1) A residential lot shall have the following minimum yard dimensions:

Front: 20 feet
Side: 10 feet
Rear: 20 feet*

*No less than 20 feet of the rear yard area, measured from the property line, shall be retained as undisturbed open space, except that the property owner shall be permitted unlimited right to remove slash and deadfall and to plant additional vegetation, if desired.

2) A 20-foot minimum Undisturbed Vegetative Easement, located at the rear of each lot, shall be identified during the platting action to ensure that the intent of this Master Development Plan is carried out.

i. Maximum Lot Coverage By All Buildings:

1) A residential lot may have a maximum lot coverage of 40%.

j. Maximum Height of Structures. No portion of a principal structure shall exceed 25 feet in height. No accessory building shall exceed 12 feet in height.

k. Signs. Signs shall be allowed in connection with any permitted use subject to the provisions of Anchorage Municipal Code 21.45.160, except that for single-family or two-family dwellings, the provisions under AMC 21.45.160.F for the R-1A use district shall apply.

l. Parking. Adequate off-street parking shall be provided in connection with any permitted use in accordance with urban use district standards under Anchorage Municipal Code 21.45.080.

m. Loading. Where applicable, off-street loading facilities shall be provided in accordance with Anchorage Municipal Code 21.45.090, except as otherwise prohibited or restricted under this standard.

n. Refuse Collection. Where applicable, refuse collection facilities shall be provided in accordance with Anchorage Municipal Code 21.45.080.W.4.f.

o. Landscaping.

1) A residential lot shall be subject to the following minimum landscaping requirements:

(a) All areas not devoted to buildings, structures, drives, walks, off-street parking facilities, useable yard areas or other authorized installations shall be planted with visual enhancement landscaping in accordance with the standards of AMC 21.45.125.

(b) Natural vegetation that is sufficient to meet the intent of these standards may be retained in place of all or part of any required landscaping.

(c) All landscaping shall be maintained by the property owner or designee.

p. Preservation of Existing Vegetation. Removal of natural vegetation and disturbance of existing ground cover shall be avoided to the maximum extent practicable, and consistent with subparagraph l.h. of this section, when permitted construction is undertaken.

q. Circulation Elements. All streets and trails shall comply with the principal circulation requirements of the Master Development Plan Standards.

r. Anchorage Municipal Code, Supplementary District Regulations.

The provisions of Anchorage Municipal Code, Chapter 21.45 shall apply, except as noted below:

1) AMC 21.45.125. Landscaping standards. Applies except as otherwise stated in these development area standards.

2) AMC 21.45.160. Signs. Applies except as otherwise stated in these development area standards.

3) AMC 21.45.180. Child care services. Applies except as otherwise stated in these development area standards.

4) AMC 21.45.200. Transition and buffering standards. Does not apply except with respect to a conditional use application.

5) AMC 21.45.255. Bed and breakfast, 4 guest rooms. Does not pertain.

6) AMC 21.45.260. Transient lodging facilities. Does not pertain.

7) AMC 21.45.275. Zero-lot line subdivisions. Does not pertain.

Section 5. Development area D consisting of 74± acres shall be restricted to the following uses and development design standards:

1. Development Area D (Single-Family Residential)

a. Intent and Use. This development area is intended to serve primarily for single-family residential development. Certain public, recreational, and religious, uses are also permitted subject to requirements that protect, preserve and enhance the principal residential character of the development area. Certain types of housing development may be subject to site plan review standards and procedures set forth under Anchorage Municipal Code 21.15.030, 21.50.130 and 21.50.210. The area is generally consistent with R-1A zoning district requirements, except that additional restrictions are set forth to further protect physical and environmental features.

b. Maximum Limits on Permitted Principal Uses*

Total Dwelling Units, Residential: 200 units*

*Certain increases or decreases in the total number of dwelling units shall be subject to approval in accordance with the provisions of Anchorage Municipal Code 21.40.250.F.

c. Permitted Principal Uses and Structures:

1) single-family dwellings (only one principal structure may be allowed on any lot);

2) parks, playgrounds and play fields;

3) public buildings and uses in keeping with the character and requirements of the PC district;

- 1 4) churches, to include any place of religious worship along with their
2 accessory uses, including (without limitation) parsonages, meeting rooms
3 and child care services provided during religious functions. Other day
4 care uses or use of church buildings, other than the parsonage, for
5 provision of housing or shelter may be permitted only if approved in
6 accordance with applicable conditional use standards and procedures of
7 the Anchorage Municipal Code. Churches shall be subject to the
8 provisions of Anchorage Municipal Code 21.45.235;
- 9 5) family residential care.
- 10 d. Permitted Accessory Uses and Structures:
 - 11 1) home occupation, subject to the provisions of Anchorage Municipal Code
12 21.45.150;
 - 13 2) family care;
 - 14 3) bed and breakfast with 3 or less guest rooms;
 - 15 4) noncommercial greenhouses and gardens; storage, garden and tool
16 sheds; private barbecue pits; private workshops and similar type
17 structures and uses, unless otherwise prohibited or restricted under
18 cluster development by a Homeowners' Association;
 - 19 5) private garages;
 - 20 6) private storage in yards of noncommercial equipment including
21 noncommercial trucks, boats, aircraft, campers, recreational vehicles or
22 the like in a safe and orderly manner and separated by at least 10 feet
23 from any property line;
 - 24 7) the outdoor harboring or keeping of dogs, animals and fowl in a manner
25 consistent with the requirements of all titles of the Anchorage Municipal
26 Code. Paddocks, stables or similar structures or enclosures which are
27 utilized for the keeping of animals shall be at least 100 feet from any lot
28 line.
- 29 e. Conditional Uses. Subject to the requirements of the conditional use standards
30 and procedures of Anchorage Municipal Code, Chapter 21.50, the following uses
31 may be permitted:
 - 32 1) utility substations;
 - 33 2) residential planned unit development that conforms to the standards of
34 Anchorage Municipal Code 21.50.130 for the R-1A use district;
 - 35 3) privately owned neighborhood community recreation centers in keeping
36 with the character and requirements of the development area, provided
37 the center is oriented to a particular residential subdivision or housing
38 project and that the uses within are delineated as conditions to approval;
 - 39 4) quasi-institutional houses;
 - 40 5) 24-hour child care or day care facilities;
 - 41 6) equestrian facilities, subject to site plan approval under AMC 21.15.030;
 - 42 7) one transmission tower;
 - 43 8) snow disposal sites.
- 44 f. Prohibited Uses and Structures:

- 1) storage or use of mobile homes or quonset huts;
 - 2) any use which causes or may reasonably be expected to cause excessive noise, vibration, odor, smoke, dust, or other particulate matter, toxic or noxious matter, humidity, heat or glare at or beyond any lot line of the property on which the use is located, or as otherwise prohibited in similar use districts in accordance with the most recently adopted provisions of the Anchorage Municipal Code, Title 21;
 - 3) outdoor storage in connection with trade, service or manufacturing activities;
 - 4) outdoor storage or display of any junk materials.
- g. Minimum Lot Requirements:
- 1) A residential lot shall have the following minimum area and width except as provided in g(2) below:

Lot Area: 8400 square feet
Lot Width: 70 feet
 - 2) In a cluster housing development, all lots not part of the common area shall have a minimum area and width in accordance with requirements of Anchorage Municipal Code 21.50.210 for the R-1A zoning district, except that the minimum area shall be 5.0 acres.
- h. Minimum Yard Requirements:
- 1) A residential lot shall have the following minimum yard dimensions:

Front: 20 feet
Side: 10 feet, except that in a cluster development the minimum shall be 5 feet
Rear*: 20 feet, except that in a cluster development the minimum shall be 10 feet

*Minimum rear yard area, measured from the property line, shall be retained as undisturbed open space, except that the property owner shall be permitted unlimited right to remove slash and deadfall and to plant additional vegetation, if desired.
 - 2) A 20-foot minimum Undisturbed Vegetative Easement, located at the rear of each lot, shall be identified during the platting action to ensure that the intent of this Master Development Plan is carried out. This easement may be a minimum of 10 feet in cluster developments.
- i. Maximum Lot Coverage By All Buildings:
- 1) A residential lot may have a maximum lot coverage of 30%, provided that a cluster housing development may have maximum lot coverage consistent with the requirements of Anchorage Municipal Code 21.50.210.
- j. Maximum Height of Structures. No portion of a principal structure shall exceed 25 feet in height. No accessory building shall exceed 12 feet in height.
- k. Standards for Cluster Housing Site Plan Review. Except as otherwise permitted, prohibited or restricted under these development area standards, cluster

housing development shall conform with the provisions of Anchorage Municipal Code 21.50.210.

- l. Signs. Signs shall be allowed in connection with any permitted use subject to the provisions of Anchorage Municipal Code 21.45.160, except that for single-family dwellings, the provisions under AMC 21.45.160.F for the R-1A use district shall apply.
- m. Parking. Adequate off-street parking shall be provided in connection with any permitted use in accordance with urban use district standards under Anchorage Municipal Code 21.45.080.
- n. Loading. Where applicable, off-street loading facilities shall be provided in accordance with Anchorage Municipal Code 21.45.090.
- o. Refuse Collection. Where applicable, refuse collection facilities shall be provided in accordance with Anchorage Municipal Code 21.45.080.W.4.f.
- p. Landscaping.
 - 1) A residential lot shall be subject to the following minimum landscaping requirements:
 - (a) All areas not devoted to buildings, structures, drives, walks, off-street parking facilities, useable yard areas or other authorized installations shall be planted with visual enhancement landscaping in accordance with the standards of AMC 21.45.125.
 - (b) Natural vegetation that is sufficient to meet the intent of these standards may be retained in place of all or part of any required landscaping.
 - (c) All landscaping shall be maintained by the property owner or designee.
- q. Preservation of Existing Vegetation. Removal of natural vegetation and disturbance of existing ground cover shall be avoided to the maximum extent practicable, and consistent with subparagraph 1.h. of this section, when permitted construction is undertaken.
- r. Circulation Elements. All streets and trails shall comply with the principal circulation requirements of the Master Development Plan Standards.
- s. Anchorage Municipal Code. Supplementary District Regulations.

The provisions of Anchorage Municipal Code, Chapter 21.45 shall apply, except as noted below:

- 1) AMC 21.45.125. Landscaping standards. Applies except as otherwise stated in these development area standards.
- 2) AMC 21.45.180. Child care services. Applies except as otherwise stated in these development area standards.
- 3) AMC 21.45.200. Transition and buffering standards. Does not apply except with respect to a conditional use application.
- 4) AMC 21.45.255. Bed and breakfast, 4 guest rooms. Does not pertain.
- 5) AMC 21.45.260. Transient lodging facilities. Does not pertain.
- 6) AMC 21.45.275. Zero-lot line subdivisions. Does not pertain.

Section 6. Development area L consisting of 39± acres shall be restricted to the following uses and development design standards:

1. Development Area L (Multiple-Family Residential)

a. Intent and Use. This development area is intended to serve primarily for multiple-family residential development. Certain public, recreational, and religious uses are also permitted subject to requirements that protect, preserve and enhance the principal residential character of the development area. Certain types of housing development may be subject to site plan review standards and procedures set forth under Anchorage Municipal Code 21.15.030, 21.15.130, and 21.50.210. Residential standards are generally consistent with R-2M zoning district requirements, except that additional restrictions are set forth to further protect physical and environmental features.

b. Maximum Limits on Permitted Principal Uses*:

Total Dwelling Units, Residential: 350 units*

*Certain increases or decreases in the total number of dwelling units shall be subject to approval in accordance with the provisions of Anchorage Municipal Code 21.40.250.F.

c. Permitted Principal Uses and Structures (only one principal structure may be allowed on any lot):

- 1) multiple-family dwellings containing at least four and no more than eight dwelling units;
- 2) parks, playgrounds and play fields;
- 3) public buildings and uses in keeping with the character and requirements of the PC district;
- 4) churches, to include any place of religious worship along with their accessory uses, including (without limitation) parsonages, meeting rooms and child care services provided during religious functions. Other day care uses or use of church buildings, other than the parsonage, for provision of housing or shelter may be permitted only if approved in accordance with applicable conditional use standards and procedures of the Anchorage Municipal Code. Churches shall be subject to the provisions of Anchorage Municipal Code 21.45.235;
- 5) family residential care;
- 6) day care;
- 7) Matanuska Electric Association (MEA) utility substations, as follows:
 - (a) Subject to terms and conditions acceptable to the property owner, MEA may select, at the time of initial platting, one (1) site in Area L. This site shall be a permitted use.
 - (b) Additional sites, or sites identified after platting action has occurred, shall be subject to conditional use approval.

d. Permitted Accessory Uses and Structures:

- 1) home occupation, subject to the provisions of Anchorage Municipal Code 21.45.150;
- 2) family care;
- 3) noncommercial greenhouses and gardens; storage, garden and tool sheds; private barbecue pits; private workshops and similar type structures and uses unless otherwise prohibited or restricted by a Homeowners' Association;
- 4) private garages;
- 5) private storage in yards of noncommercial equipment including noncommercial trucks, boats, aircraft, campers, recreational vehicles or the like in a safe and orderly manner and separated by at least 10 feet from any property line;
- 6) the outdoor harboring or keeping of dogs, animals and fowl in a manner consistent with the requirements of all titles of the Anchorage Municipal Code. Paddocks, stables or similar structures or enclosures which are utilized for the keeping of animals shall be at least 100 feet from any lot line.

e. Conditional Uses. Subject to the requirements of the conditional use standards and procedures of Anchorage Municipal Code, Chapter 21.50, the following uses may be permitted:

- 1) utility substations, except as permitted in subparagraph 1.C.(8) of this section;
- 2) residential planned unit development that conforms to the standards of Anchorage Municipal Code 21.50.130 for the R-2M use district, except as otherwise permitted, prohibited or restricted under these development area standards;
- 3) privately owned neighborhood community recreation centers in keeping with the character and requirements of the development area, provided the center is oriented to a particular residential subdivision or housing project and that the uses within are delineated as conditions to approval;
- 4) quasi-institutional houses;
- 5) 24-hour child care facilities;
- 6) one transmission tower;
- 7) snow disposal sites.

f. Prohibited Uses and Structures:

- 1) storage or use of mobile homes or quonset huts;
- 2) any use which causes or may reasonably be expected to cause excessive noise, vibration, odor, smoke, dust, or other particulate matter, toxic or noxious matter, humidity, heat or glare at or beyond any lot line of the property on which the use is located, or as otherwise prohibited in similar use districts in accordance with the most recently adopted provisions of the Anchorage Municipal Code, Title 21;
- 3) outdoor storage in connection with trade, service or manufacturing activities;
- 4) outdoor storage or display of any junk materials.

g. Minimum Lot Requirements:

- 1) A residential lot shall have the following minimum area except that, in a cluster housing development, all lots not part of the common area shall have a minimum area and width in accordance with requirements of Anchorage Municipal Code 21.50.210 for the R-2M zoning district:

# Of Dwelling Units	Minimum Lot Area
4	11,000 sq. Ft.
5	13,500 sq. Ft.
6	16,000 sq. Ft.
7	18,000 sq. Ft.
8	20,000 sq. ft.

h. Minimum Yard Requirements:

- 1) A residential lot shall have the following minimum yard dimensions:

Front: 20 feet
Side: 10 feet
Rear: 10 feet*

A minimum of 400 square feet of useable yard per dwelling unit shall be provided. No dimension of the useable yard shall be less than 10 feet.

*No less than 10 feet of the rear yard area, measured from the property line, shall be retained as undisturbed open space, except that the property owner shall be permitted unlimited right to remove slash and deadfall and to plant additional vegetation, if desired.

- 2) A 10-foot minimum Undisturbed Vegetative Easement, located at the rear of each lot, shall be identified during the platting action to ensure that the intent of this Master Development Plan is carried out.

i. Maximum Lot Coverage.

- 1) A residential lot may have a maximum lot coverage of 40%, provided that a cluster housing development may have maximum lot coverage consistent with the requirements of Anchorage Municipal Code 21.50.210.

j. Maximum Height of Structures.

- 1) No portion of a principal residential structure shall exceed 30 feet in height. No accessory building shall exceed 12 feet in height.

k. Standards for Cluster Housing Site Plan Review. Except as otherwise permitted, prohibited or restricted under these development area standards, cluster housing development shall conform with the provisions of Anchorage Municipal Code 21.50.210.

l. Signs. Signs shall be allowed in connection with any permitted use subject to the provisions of Anchorage Municipal Code 21.45.160, except that for residential dwellings, the provisions under AMC 21.45.160.F for the R-2M use district shall apply.

m. Parking. Adequate off-street parking shall be provided in connection with any permitted use in accordance with urban district standards under Anchorage Municipal Code 21.45.080.

- n. Loading. Where applicable, off-street loading facilities shall be provided in accordance with Anchorage Municipal Code 21.45.090.
- o. Refuse Collection. Where applicable, refuse collection facilities shall be provided in accordance with Anchorage Municipal Code 21.45.080.W.4.f.
- p. Landscaping.
 - 1) A residential lot shall be subject to the following minimum landscaping requirements:
 - (a) All areas not devoted to buildings, structures, drives, walks, off-street parking facilities, useable yard areas or other authorized installations shall be planted with visual enhancement landscaping in accordance with the standards of AMC 21.45.125.
 - (b) Natural vegetation that is sufficient to meet the intent of these standards may be retained in place of all or part of any required landscaping.
 - (c) All landscaping shall be maintained by the property owner or designee.
- q. Preservation of Existing Vegetation.
 - 1) The removal of natural vegetation is prohibited except in connection with a permitted use or an approved conditional use.
 - 2) Removal of natural vegetation and disturbance of existing ground cover shall be avoided to the maximum extent practicable, and consistent with subparagraph 1.h. of this section, when permitted construction is undertaken.
- r. Circulation Elements. All streets and trails shall comply with the principal circulation requirements of the Master Development Plan Standards.
- s. Anchorage Municipal Code, Supplementary District Regulations.

The provisions of Anchorage Municipal Code, Chapter 21.45 shall apply, except as noted below:

 - 1) AMC 21.45.125. Landscaping standards. Applies except as otherwise stated in these development area standards.
 - 2) AMC 21.45.180. Child care services. Applies except as otherwise stated in these development area standards.
 - 3) AMC 21.45.200. Transition and buffering standards. Does not apply except with respect to a conditional use application.
 - 4) AMC 21.45.255. Bed and breakfast. 4 guest rooms. Does not pertain.
 - 5) AMC 21.45.260. Transient lodging facilities. Does not pertain.
 - 6) AMC 21.45.275. Zero-lot line subdivisions. Does not pertain.

Section 7. Development area I consisting of 76± acres shall be restricted to the following uses and development design standards:

1. Development Area I (Single-Family, Two-Family, Multi-Family Residential)

a. Intent and Use. This development area is intended to serve primarily for residential development with a mix of housing types. Certain public, recreational, and religious uses are also permitted subject to requirements that protect, preserve and enhance the principal residential character of the development area. Certain types of housing development may be subject to site plan review standards and procedures set forth under Anchorage Municipal Code 21.15.030, 21.50.130, and 21.50.210. Residential development is generally consistent with R-2M zoning district requirements, except that additional restrictions are set forth to further protect physical and environmental features.

b. Maximum Limits on Permitted Principal Uses*:

Total Dwelling Units, Residential: 450 units*

*Certain increases or decreases in the total number of dwelling units shall be subject to approval in accordance with the provisions of Anchorage Municipal Code 21.40.250.F.

c. Permitted Principal Uses and Structures (only one principal structure may be allowed on any lot).

- 1) single-family dwellings;
- 2) two-family dwellings;
- 3) multiple-family dwellings containing up to four dwelling units;
- 4) parks, playgrounds and play fields;
- 5) public buildings and uses in keeping with the character and requirements of the PC district;
- 6) churches, to include any place of religious worship along with their accessory uses, including (without limitation) parsonages, meeting rooms and child care services provided during religious functions. Other day care uses or use of church buildings, other than the parsonage, for provision of housing or shelter may be permitted only if approved in accordance with applicable conditional use standards and procedures of the Anchorage Municipal Code. Churches shall be subject to the provisions of Anchorage Municipal Code 21.45.235;
- 7) family residential care;
- 8) day care.

d. Permitted Accessory Uses and Structures:

- 1) home occupation, subject to the provisions of Anchorage Municipal Code 21.45.150;
- 2) family care;
- 3) bed and breakfast with 3 or less guest rooms;
- 4) noncommercial greenhouses and gardens; storage, garden and tool sheds; private barbecue pits; workshops and similar type structures and uses unless otherwise prohibited or restricted by a Homeowners' Association;
- 5) private garages;

- 6) private storage in yards of noncommercial equipment including noncommercial trucks, boats, aircraft, campers, recreational vehicles or the like in a safe and orderly manner and separated by at least 10 feet from any property line;
- 7) the outdoor harboring or keeping of dogs, animals and fowl in a manner consistent with the requirements of all titles of the Anchorage Municipal Code. Paddocks, stables or similar structures or enclosures which are utilized for the keeping of animals shall be at least 100 feet from any lot line.

e. Conditional Uses. Subject to the requirements of the conditional use standards and procedures of Anchorage Municipal Code, Chapter 21.50, the following uses may be permitted:

- 1) utility substations;
- 2) residential planned unit development that conforms to the standards of Anchorage Municipal Code 21.50.130 for the R-2M use district, except as otherwise permitted, prohibited or restricted under these development area standards;
- 3) privately owned neighborhood community recreation centers in keeping with the character and requirements of the development area, provided the center is oriented to a particular residential subdivision or housing project and that the uses within are delineated as conditions to approval;
- 4) quasi-institutional houses;
- 5) 24-hour child care facilities;
- 6) snow disposal sites.

f. Prohibited Uses and Structures.

- 1) storage or use of mobile homes or quonset huts;
- 2) any use that causes or may reasonably be expected to cause excessive noise, vibration, odor, smoke, dust, or other particulate matter, toxic or noxious matter, humidity, heat or glare at or beyond any lot line of the property on which the use is located, or as otherwise prohibited in similar use districts in accordance with the most recently adopted provisions of the Anchorage Municipal Code, Title 21;
- 3) outdoor storage or display of any junk materials.

g. Minimum Lot Requirements.

- 1) A residential lot shall have the following minimum area except that, in a cluster housing development, all lots not part of the common area shall have a minimum area and width in accordance with requirements of Anchorage Municipal Code 21.50.210 for the R-2M zoning district:

<u>Use</u>	<u>Lot Area</u>	<u>Lot Width</u>
(a) Single-family	7,200 sq. ft.	60 feet
(b) Two-family	7,200 sq. ft.	60 feet
(c) For more than two dwelling units, a lot shall have the following minimum area:		

<u># Of Dwelling Units</u>	<u>Minimum Lot Area</u>
----------------------------	-------------------------

8.500 sq. ft.

11.000 sq. ft.

h. Minimum Yard Requirements.

- 1) A residential lot shall have the following minimum yard dimensions:

Front: 20 feet

Side: 10 feet

Rear: 20 feet*

On lots containing three or more dwelling units, a minimum of 400 square feet of useable yard per dwelling unit shall be provided. No dimension of the useable yard shall be less than 10 feet.

*No less than 20 feet of this area, measured from the property line, shall be retained as undisturbed open space, except that the property owner shall be permitted unlimited right to clear slash or deadfall and to plant additional vegetation, if desired.

- 2) A 20-foot minimum Undisturbed Vegetative Easement, located at the rear of each lot, shall be identified during the platting action to ensure that the intent of this Master Development Plan is carried out.

i. Maximum Lot Coverage By All Buildings.

- 1) A residential lot may have a maximum lot coverage of 40%, provided that a cluster housing development may have maximum lot coverage consistent with the requirements of Anchorage Municipal Code 21.50.210.

j. Maximum Height of Structures.

- 1) No portion of a principal residential structure shall exceed 30 feet in height. No accessory building shall exceed 12 feet in height.

k. Standards for Cluster Housing Site Plan Review. Except as otherwise permitted, prohibited or restricted under these development area standards, cluster housing development shall conform with the provisions of Anchorage Municipal Code 21.50.210.

l. Signs. Signs shall be allowed in connection with any permitted use subject to the provisions of Anchorage Municipal Code 21.45.160, except that:

- 1) for single-family or two-family dwellings, the provisions under AMC 21.45.160.F for the R-1A use district shall apply;
- 2) for multiple-family dwellings, the provisions under AMC 21.45.160.F for the R-2M use district shall apply;

m. Parking. Adequate off-street parking shall be provided in connection with any permitted use in accordance with urban use district standards under Anchorage Municipal Code 21.45.080.

n. Loading. Where applicable, off-street loading facilities shall be provided in accordance with Anchorage Municipal Code 21.45.090.

o. Refuse Collection. Where applicable, refuse collection facilities shall be provided in accordance with Anchorage Municipal Code 21.45.080.W.4.f.

p. Landscaping.

- 1) A residential lot shall be subject to the following minimum landscaping requirements:
 - (a) All areas not devoted to buildings, structures, drives, walks, off-street parking facilities, useable yard areas or other authorized installations shall be planted with visual enhancement landscaping in accordance with the standards of AMC 21.45.125.
 - (b) Natural vegetation that is sufficient to meet the intent of these standards may be retained in place of all or part of any required landscaping.
 - (c) All landscaping shall be maintained by the property owner or designee.

q. Preservation of Existing Vegetation.

- 1) The removal of natural vegetation is prohibited except in connection with a permitted use or an approved conditional use.
- 2) Removal of natural vegetation and disturbance of existing ground cover shall be avoided to the maximum extent practicable, and consistent with subparagraph 1.h. of this section, when permitted construction is undertaken.

r. Circulation Elements. All streets and trails shall comply with the principal circulation requirements of the Master Development Plan Standards.

s. Anchorage Municipal Code, Supplementary District Regulations. The provisions of Anchorage Municipal Code, Chapter 21.45 shall apply, except as noted below:

- 1) AMC 21.45.125. Landscaping standards. Applies except as otherwise stated in these development area standards.
- 2) AMC 21.45.160. Signs. Applies except as otherwise stated in these development area standards.
- 3) AMC 21.45.180. Child care services. Applies except as otherwise stated in these development area standards.
- 4) AMC 21.45.200. Transition and buffering standards. Does not apply except with respect to a conditional use application.
- 5) AMC 21.45.255. Bed and breakfast, 4 guest rooms. Does not pertain.
- 6) AMC 21.45.260. Transient lodging facilities. Does not pertain.
- 7) AMC 21.45.275. Zero-lot line subdivisions. Does not pertain.

Section 8. Development Area O consisting of 35± acres shall be restricted to the following uses and development design standards:

1. Development Area O (Office/Institutional/Hotel/Motel/Commercial Retail)

- a. Intent and Use. The development proposed for this area is intended to provide a mix of local/neighborhood-serving and primarily regional-serving uses. The area may include commercial retail uses that are primarily local/neighborhood-serving. The area may also include regional and larger area serving transient lodging facilities, institutional uses, commercial offices and services, and other specified uses.

b. Maximum Limits on Permitted Principal Uses.

Total Gross Floor Area, Office : 30,000 sq. Ft.
Total Gross Floor Area, Hotel/Motel: 100,000 sq. Ft.
Total Gross Floor Area, Institutional: unlimited
Total Gross Floor Area, Commercial Retail: 30,000 sq. ft.

c. Permitted Principal Uses and Structures.

1) Transient lodging facilities:

- (a) hotels, motels and motor lodges;
- (b) rooming, boarding and lodging houses.

2) Institutional:

- (a) nursing homes, convalescent homes, children's homes, rest homes and the like provided that facilities for the treatment of drug addicts or alcoholic patients shall be permitted by conditional use only;
- (b) retirement homes and the like. Retirement homes shall be defined as "housing designed for occupancy by persons 55 years old or older."

3) Offices and services:

- (a) insurance and real estate offices;
- (b) banking and financial institutions;
- (c) business and professional offices;
- (d) medical, health and legal offices.

4) Commercial retail subject to:

- (a) the provisions of Anchorage Municipal Code 21.40.190.B.2. (B-4, Rural Business) except as otherwise provided under this section;
- (b) a public hearing site plan review in conformance with Anchorage Municipal Code 21.15.030, and
- (c) the requirement that the site plan shall incorporate the concept of a traditional neighborhood retail center as opposed to a strip retail development and shall include adequate connections to the proposed trail system.

5) Other Uses:

- (a) parks, playgrounds, play fields and recreation facilities;
- (b) public buildings and uses in keeping with the character and requirements of the PC district;
- (c) churches, to include any place of religious worship along with their accessory uses, including (without limitation) parsonages, meeting rooms and child care services provided during religious functions. Other day care uses or use of church buildings, other than the parsonage, for provision of housing or shelter may be permitted only if approved in accordance with applicable conditional use standards and procedures of the Anchorage

Municipal Code. Churches shall be subject to the provisions of Anchorage Municipal Code 21.45.235;

- (d) day care and 24-hour child care facilities;
- (e) museums, libraries, historic and cultural exhibits and the like;
- (f) academic, vocational and trade schools;
- (g) private clubs and lodges;
- (h) post office;
- (i) commercial recreation facilities;
- (j) off-street parking lots and parking structures of less than 50 spaces.

d. Permitted Accessory Uses and Structures:

- 1) uses and structures customarily accessory and clearly incidental to permitted principal uses and structures;
- 2) a building of at least 5,000 square feet may include dwelling units incidental to the operation of the permitted principal use;
- 3) hotel, motel or motor lodges having 20 or more rental units may include commercial retail, offices and services, and other uses that are clearly accessory and incidental to the operation of the transient lodging facility.

e. Conditional Uses. Subject to the requirements of the conditional use standards and procedures of Anchorage Municipal Code, Chapter 21.50, the following uses may be permitted:

- 1) marquees, overpasses and similar substantial projections into the public airspace, together with any signs to be mounted thereon shall be allowed only in conjunction with transient lodging facilities and institutional uses;
- 2) off-street taxicab stands;
- 3) drive-in banks with sufficient off-street area for maneuvering and waiting vehicles;
- 4) utility substations;
- 5) commercial planned unit development that conforms to the standards of Anchorage Municipal Code 21.50.130;
- 6) liquor stores and restaurants, tearooms, cafes and other places serving food and involving the retail sale, dispensing or service of alcoholic beverages in accordance with Anchorage Municipal Code 21.50.160;
- 7) quasi-institutional houses;
- 8) nursing homes, convalescent homes, rest homes and the like that involve the treatment of drug addicts or alcoholic patients;
- 9) off-street parking lots or structures with more than 50 spaces;
- 10) one transmission tower;
- 11) snow disposal sites.

f. Prohibited Uses and Structures:

- 1) storage or use of mobile homes or quonset huts;
 - 2) any use that causes or may reasonably be expected to cause excessive noise, vibration, odor, smoke, dust, or other particulate matter, toxic or noxious matter, humidity, heat or glare at or beyond any lot line of the property on which the use is located, or as otherwise prohibited in similar use districts in accordance with the most recently adopted provisions of the Anchorage Municipal Code, Title 21;
 - 3) the outdoor storage or display of any scrap, junk, salvaged or secondhand materials.
- g. Minimum Lot Requirements.
- h. Lots shall have the following minimum area and width:
- Lot Area: 8,000 square feet
Lot Width: 60 feet
- i. Minimum Yard Requirements:
- Front: 20 feet
Side: 20 feet adjacent to a residential lot; otherwise, none, provided that all buildings on the lot shall have a wall on the lot line or shall be set back at least 5 feet from the lot line
Rear: 5 feet, except that where the rear lot line adjoins a residential lot, the minimum rear yard shall be 25 feet.
- j. Maximum Lot Coverage: Unrestricted
- k. Maximum Height of Structures. Unrestricted, except that structures shall not interfere with Federal Aviation Administration Regulations on airport approaches.
- l. Signs. Signs shall be allowed in connection with any permitted use subject to the provisions of Anchorage Municipal Code 21.45.160 for the B-3 use district.
- m. Parking. Adequate off-street parking shall be provided in connection with any permitted use in accordance with Anchorage Municipal Code 21.45.080.
- n. Loading. Where applicable, off-street loading facilities shall be provided in accordance with Anchorage Municipal Code 21.45.090.
- o. Refuse Collection. Where applicable, refuse collection facilities shall be provided in accordance with Anchorage Municipal Code 21.45.080.W.4.f.
- p. Landscaping.
- 1) In accordance with the standards of Anchorage Municipal Code 21.45.125:
 - (a) buffer landscaping shall be planted along each lot line abutting a residential lot, except that the average width of the planting bed shall be 25 feet.
 - (b) visual enhancement landscaping shall be planted along the perimeter of all outdoor areas used for vehicle circulation, parking, storage or display.
 - (c) arterial landscaping shall be planted along all collector or arterial streets.

(d) all areas not devoted to buildings, structures, drives, walks, off-street parking facilities, or other authorized installations shall be planted with visual enhancement landscaping.

(e) Natural vegetation that is sufficient to meet the intent of these standards may be retained in place of all or part of any required landscaping.

2) All landscaping shall be maintained by the property owner or designee.

q. Preservation of Existing Vegetation. Removal of natural vegetation and disturbance of existing ground cover shall be avoided to the maximum extent practicable when permitted construction is undertaken.

r. Circulation Elements. All streets and trails shall comply with the principal circulation requirements of the Master Development Plan Standards.

s. Anchorage Municipal Code, Supplementary District Regulations.

The provisions of Anchorage Municipal Code, Chapter 21.45 shall apply, except as noted below:

1) AMC 21.45.125. Landscaping standards. Applies except as otherwise stated in these development area standards.

2) AMC 21.45.150. Home occupation. Does not pertain.

3) AMC 21.45.160. Signs. Applies except as otherwise stated in these development area standards.

4) AMC 21.45.200. Transition and buffering standards. Does not apply except with respect to a conditional use application.

5) AMC 21.45.250. Bed and breakfast, 3 or less guest rooms. Does not pertain.

6) AMC 21.45.255. Bed and breakfast, 4 guest rooms. Does not pertain.

7) AMC 21.45.260. Transient lodging facilities. Does not pertain.

8) AMC 21.45.275. Zero-lot line subdivisions. Does not pertain.

Section 9. The Director of the Department of Community Planning and

Development shall change the zoning map accordingly.

Section 10. This ordinance shall be effective upon passage and approval.

PASSED AND APPROVED by the Anchorage Assembly this 14th day of February,

1995.

ATTEST:


Chairman


Municipal Clerk

(050-043-01, 050-054-01, 051-631-01)

Municipality of Anchorage
MUNICIPAL CLERKS OFFICE
Agenda Document Control Sheet

Ag 2002-9

1	SUBJECT OF AGENDA DOCUMENT An ordinance amending the PC (Planned Community District) zone and the Powder Reserve Master Plan for Development Areas O and P that have been subdivided as Tract 1 and a portion of Tract 7, Powder Ridge Subdivision (Plat 98-80). (Birchwood Community Council: Case No. 2001-103) Planning Case File Number 2001-103	DATE PREPARED 10/4/01 INDICATE DOCUMENTS ATTACHED <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM
2	DEPARTMENT NAME Planning Department	DIRECTOR'S NAME Susan R. Fison, Director
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY M. O'Brien / J. Weaver, Jr.	HIS/HER PHONE NUMBER 343-4267/343-4260
4	COORDINATED WITH AND REVIEWED BY	INITIALS
5	Mayor Heritage Land Bank Merrill Field Airport Municipal Light & Power Port of Anchorage Solid waste services Water & wastewater utility	
4	Municipal Manager Cultural & Recreational Services Employee Relations Finance, Chief Fiscal Officer Fire Health & Human Services Office of Management & Budget Management Information Services Police	12-24-01 12-27-01
2	Planning, Development & Public Works Development Services Facility Management	10/8/01
1	Planning Project Management & Engineering Street Maintenance Traffic Public Transportation Department Purchasing	10-8-01
3.1	Municipal Attorney Municipal Clerk Other	12/21/01
5	SPECIAL INSTRUCTIONS/COMMENT <div style="text-align: center;"> <p>9F Introduction</p> <p>2001 OCT 10 11:33 AM</p> <p>2001 OCT 12 12:30 PM</p> </div>	
6	ASSEMBLY MEETING DATE REQUESTED ASAP	7 PUBLIC HEARING DATE REQUESTED 4 weeks after introduction

