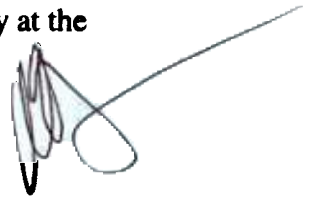


CLERK'S OFFICE  
**AMENDED AND APPROVED**  
Date: 4-9-02

Submitted by: Chair of the Assembly at the  
Request of the Mayor  
Prepared by: Planning Department  
For reading: February 12, 2002



Anchorage, Alaska  
AO 2002-35

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE  
REZONING OF APPROXIMATELY 3.69 ACRES FROM B-3 SL (GENERAL BUSINESS  
DISTRICT WITH SPECIAL LIMITATIONS) TO R-4 SL (MULTIPLE FAMILY DISTRICT)  
WITH SPECIAL LIMITATIONS FOR TOWN SQUARE SUBDIVISION, LOT 5;  
GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DeBARR AND LAKE OTIS  
PARKWAY.

(Airport Heights Community Council) (Planning and Zoning Commission Case 2001-151)

#### THE ANCHORAGE ASSEMBLY ORDAINS

**Section 1.** The zoning map shall ~~be~~ amended by designating the following described property as  
R-4 SL (Multiple Family District) with Special Limitations zone:

Town Square Subdivision, Lot 5; consisting of 3.69 acres, as shown on exhibit A  
attached (Planning and Zoning Commission Case 2001-151).

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

a. Building height, as defined by AMC 21.45.050 shall not exceed the lesser of 35-  
feet or a maximum of 138 feet above mean sea level based on the GAAB 1972  
Post Quake Adjustment.

b. No direct vehicular access to or from 16<sup>th</sup> Avenue from Tract 5, *Debarr Road, or Lake Otis Parkway*  
*emergency access.* <sup>A</sup> *not to preclude*

c. The site shall provide pedestrian access to a walkway on Lake Otis or 16<sup>th</sup>  
Avenue as resolved with the Department of Planning.

d. Permitted principal uses and structures are limited to:

- 1) Residential dwellings developed to a minimum eight (8) gross dwelling  
units per acre.
- 2) Community interest and local interest towers as allowed by AMC  
21.40.060A.13 that meet the supplementary district regulations.

e Conditional uses are limited to:

- 1) Townhouse and row houses built to a common wall at side lot lines.
- 2) Residential planned unit developments.
- 3) Community interest and local interest towers as allowed by AMC 21.40.060D.18 that do not meet the supplementary district regulations.
- 4) *Hotel*

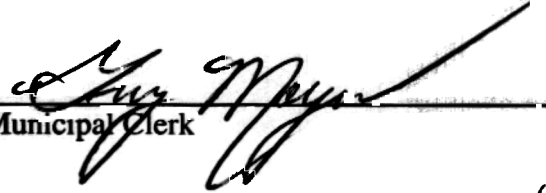
**Section 3.** The special limitations set forth in this ordinance prevail over any inconsistent provisions of Title 21 of the Anchorage Municipal Code, unless specifically provided for otherwise. All provisions of Title 21 of the Anchorage Municipal Code not specifically affected by the Special Limitations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

**Section 4.** This ordinance shall become effective within 10 days after the Director of the Planning Department has received the written consent of the owners of the property within the area described in Section 1 above to the special limitations contained herein. The rezone approval contained herein shall automatically expire and be null and void if the written consent is not received within 120 days after the date on which this ordinance is passed and approved. In the event no special limitations are contained herein, this ordinance is effective immediately upon passage and approval. The Director of the Planning Department shall change the zoning map accordingly.

PASSED AND APPROVED by the Anchorage Assembly this 9<sup>th</sup> day of April, 2002.

ATTEST

  
Chair

  
Municipal Clerk

(2001-151)  
(004-111-15)

**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects - General Government**

2002-35

AO Number: 2001- / Title: The rezoning of 3.69 acres from B-3 SL to R-4 SL for Town  
Square Subdivision, Lot 5

Sponsor: Jack White Company Equity #17

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 this rezoning should have no significant economic impact on the public sector. Development of this property, depending upon the type of housing style will generate the following students. Assuming zero lot or duplex development and not apartment style development will generate 21 to 35 elementary students, 3 to 5 junior high students and 6 to 9 high school students. Actual school capacity for the 2000-2001 school year for East is 92% capacity; Wendler is 97% and Airport Heights is 81%. Projected school capacity for the 2006-2007 school year for East is 94%; Wendler is 83% and Airport Heights is 65%.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

Approval of this rezoning should have no significant economic impact on the private sector.

Prepared by: Jerry Weaver Jr., Planning Supervisor

Validated by OMB: Cheryl Franco

Approved By: DR Harris  
Director, Preparing Agency

Telephone: 343-4215

Date: 1/28/02

Date: 6-23-01

# EXHIBIT A



**\* Case Location**

11/02/2003

**R-0 SL**  
AG 84-126

**R-0 SL**  
AO 82-209S

B-3 S  
A0 78-26

**R-2M**

B-3 SL  
AO 78-224

PLI

## PETITION AREA

PLI

## R-2M

PLI-p

R-2D

**B-1A**

Kobuk Ct

East 17th Av

E 17th Ave

E	18th

R-1

**Index**

### Flood Limits

### 100 Year Floodplain

### 500 Year Floodplain

## Floodway



0 500 1000 Feet







# MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 189-2002

Meeting Date: February 12, 2002

From: Mayor

Subject: AO 2001-<sup>2002-35</sup>

Planning and Zoning Commission  
Recommendation on a Rezoning From B-3 SL  
to R-4 SL for Town Square Subdivision, Lot 5.

On October 1, 2001, the Planning and Zoning Commission approved the rezoning of Lot 5, Town Square Subdivision, from B03 SL (General Business District) with special limitations to R-4 SL (Multiple Family District) with special limitations.

The special limitations establish a height restriction, prohibit direct vehicular access to or from East 16<sup>th</sup> Avenue, provide for a pedestrian access walkway to either Lake Otis Parkway or to 16<sup>th</sup> Avenue, and restrict the uses on the property. Permitted principal uses and structures are limited to residential dwellings developed to a minimum eight (8) gross dwelling units per acre, and community interest and local interest towers as allowed by AMC 21.40.060A.13. Conditional uses are limited to townhouse and row houses built to a common wall at side lot lines, residential planned unit developments and community interest and local interest towers as allowed by AMC 21.40.060.D.18 that do not meet the supplementary district regulations. The petitioner does not object to the special limitations.

The rezoning has the support of the Airport Height Community Council.

Approval of this ordinance is recommended.

Reviewed by:

Harry J. Kieling, 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

AO 2002-35

**MUNICIPALITY OF ANCHORAGE  
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2001-091**

**A RESOLUTION APPROVING REZONING 3.69 ACRES FROM B-3 SL (GENERAL BUSINESS) WITH SPECIAL LIMITATIONS TO R-4 SL (MULTIPLE FAMILY RESIDENTIAL) WITH SPECIAL LIMITATIONS FOR TOWN SQUARE SUBDIVISION, LOT 5; GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DeBARR ROAD AND LAKE OTIS PARKWAY.**

**(Case 2001-151; Tax ID. # 004-111-15)**

---

WHEREAS, a petition has been received from Jack White Company Equity #17 to rezone from B-3 SL (General Business District) with Special Limitations to R-4 SL (Multiple Family Residential) with Special Limitations, for Town Square Subdivision, Lot 5; consisting of approximately 3.69 acres; generally located at the southeast corner of DeBarr Road and Lake Otis Parkway, and

WHEREAS, notices were published, posted and mailed and a public hearing was held October 1, 2001.

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

**A. The Commission makes the following findings of fact:**

1. The 3.69-acre property by definition is a corner lot having more than two frontages, situated at the southeast corner of DeBarr Road and Lake Otis Parkway, and East 16<sup>th</sup> Avenue as its south boundary and Charter Circle as a portion of its east boundary. DeBarr and Lake Otis are classified as a Class III Major Arterial. Access to the property is via Charter Circle, a local roadway cul-de-sac.
2. The lot is undeveloped and appears to have been used for gravel extraction prior to the mid-1970's. As shown on MOA topographic maps dated 1973, the southern boundary of the property adjacent to East 16<sup>th</sup> Avenue is approximately 16-feet higher in elevation, with an overall 3.9% slope south to north to street grade at the intersection of DeBarr and Lake Otis. There is no road access from East 16<sup>th</sup> Avenue. Plat 84-124 includes plat notes prohibiting direct vehicular access to DeBarr Road for Lot 5, and no direct vehicular access to Lake Otis Parkway unless a median is constructed at the owner's expense on Lake Otis and resolving access to Lake Otis with the Traffic Engineering. There are no legal nonconformities established with Land Use Enforcement.
3. Rezoning to R-4 to change the land use classification from commercial to residential, special limitations limiting uses to only multi-family residential and a minimum density are required.
4. The *Anchorage 2020 Bowl Comprehensive Development Plan* shows the petition area fronts on to DeBarr Road, which is designed as a Transit Supportive Development Corridor. Policy 34 encourages higher density residential development with these land use corridors of at least 8 dwelling units per

gross acre, as well as Policy 5. This is the level of higher residential density key to increasing transit ridership along these corridors. Strategy #9 states "new residential development located within ¼ mile of the major street at center of a transit supportive development corridor shall achieve an overall average of equal to or greater than 8 dwelling units per acre." To be consistent with this strategy, any rezoning should be subject to a minimum 8 gross DUA. In this case that would result in a minimum of 30 units. Development can occur through common interest community development, as a planned unit development, or normal platting as multi-family.

5. The current B-3 SL zoning has limited uses which have prevented the development of the property over the last 23 years.
  6. The neighborhood and community council has wanted residential development at this location rather than commercial development. The petitioner proposes two special limitations regarding height of buildings and prohibiting access to 16<sup>th</sup> Avenue, that has the support of the community council. Road access from 16<sup>th</sup> Avenue is not possible because of the steep bluff at 16<sup>th</sup> Avenue, although it does not preclude pedestrian steps from the property to 16<sup>th</sup> Avenue.
  7. The petitioner did not object to the special limitations establishing a minimum density to 8 DUA or the limitation on uses and conditional uses but would like to eliminate multi-family from the type of permitted residential uses noting that a minimum density of 8 DUA was possible with single-family and two-family dwellings. The site can be developed as a condominium project, in which case it does not require a replat.
  8. There has been a significant level of work with the community on this approval.
  9. The rezoning satisfies the standards of AMC 21.20.090 for zoning map amendments.
  10. The motion to recommend approval to the Assembly to rezone the subject property to R-2M SL was unanimous, 8 in favor, 0 opposed.
- B. The Commission recommends the Assembly rezone the subject property to R-4 SL subject to the following Special Limitations:
1. Building height, as defined by AMC 21.45.050 shall not exceed the lesser of 35-feet and a maximum elevation of 138 feet above mean sea level based on the GAAB 1972 Post Quake Adjustment.
  2. No direct vehicular access to or from 16<sup>th</sup> Avenue from Tract 5.




Planning and Zoning Commission  
Resolution # 2001-091  
Page 3

3. The site shall provide pedestrian access to a walkway on Lake Otis or 16<sup>th</sup> Avenue as resolved with the Department of Planning.
4. Permitted principal uses and structures are limited to
  - a. Residential dwellings developed to a minimum 8 gross dwelling units per acre;
  - b. Community interest and local interest towers as allowed by 21.40.060A.13 that meet the supplementary district regulations.
5. Conditional uses are limited to
  - a. Townhouse and row houses built to a common wall at side lot lines,
  - b. Residential planned unit developments,
  - c. Community interest and local interest towers as allowed by 21.40.060.D. 18 that do not meet the supplementary district regulations.

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission this 1st day of October 2001.

  
\_\_\_\_\_  
Susan R. Fison  
Director

  
\_\_\_\_\_  
Daphne Brown  
Chair

(Case 2001-151)  
(Tax ID. 004-111-15)

moa

Municipality of Anchorage  
MUNICIPAL CLERKS OFFICE  
Agenda Document Control Sheet

*As* 2002-35

<b>1</b>	SUBJECT OF AGENDA DOCUMENT  Rezoning from B-3 SL to R-4 SL, approximately 3.69 acres, Town Square Subdivision, Lot 5.  Airport Heights Community Council Case 2001-151	DATE PREPARED 10-15-01  INDICATE DOCUMENTS ATTACHED <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM
<b>2</b>	DEPARTMENT NAME Planning Department	DIRECTOR'S NAME Susan R. Fison, Director
<b>3</b>	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY Jerry Weaver	HIS/HER PHONE NUMBER 343-4215
<b>4</b>	<b>COORDINATED WITH AND REVIEWED BY</b>	<b>INITIALS</b>
<b>6</b>	<b>Mayor</b>	<b>DATE</b>
	Heritage Land Bank	
	Merrill Field Airport	
	Municipal Light & Power	
	Port of Anchorage	
	Solid waste services	
	Water & wastewater utility	
<b>5</b>	<b>Municipal Manager</b>	<b>2/4</b>
	Cultural & Recreational Services	
	Employee Relations	
	Finance, Chief Fiscal Officer	
	Fire	
	Health & Human Services	
<b>4</b>	<b>Office of Management &amp; Budget</b>	<b>1/28/02</b>
	Management Information Services	
	Police	
<b>2</b>	<b>Planning, Development &amp; Public Works</b>	<b>10-23-01</b>
	Development Services	
	Facility Management	
<b>1</b>	<b>Planning</b>	<b>10-23-01</b>
	Project Management & Engineering	
	Street Maintenance	
	Traffic	
	Public Transportation Department	
	Purchasing	
<b>3</b>	<b>Municipal Attorney</b>	<b>1/22/02</b>
	Municipal Clerk	
	Other	
<b>5</b>	<b>SPECIAL INSTRUCTIONS/COMMENT</b>  <div style="text-align: right; font-size: small;">             2001 FEB -4 AM 9:58              M.O.A.              CLERK'S OFFICE           </div>	
<b>6</b>	ASSEMBLY MEETING DATE REQUESTED ASAP	PUBLIC HEARING DATE REQUESTED 4 weeks after introduction