

CLERK'S OFFICE

APPROVED

Date: 9-24-02

Submitted by: Chair of the Assembly  
at the Request of the  
Mayor

Prepared by: Planning Department  
For reading: August 20, 2002

Anchorage, Alaska  
AO 2002-129

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY  
AMENDING THE ZONING MAP AND PROVIDING FOR THE  
REZONING OF APPROXIMATELY 1.04 ACRES FROM R-O SL TO B-3  
SL FOR LOT 1, BLOCK 3, SCHROEDER EAST SUBDIVISION,  
GENERALLY LOCATED AT THE OLD GLENN HIGHWAY AND SANTA  
MARIA DRIVE INTERSECTION, EAGLE RIVER.

(Eagle River Community Council) (Planning and Zoning Commission Case 2002-088)

THE ANCHORAGE ASSEMBLY RESOLVES:

**Section 1.** The zoning map shall be amended by designating the following described property as B-3 SL (general business with special limitations):

Lot 1, Block 3, Schroeder East Subdivision; consisting of 1.04 acres as shown on Exhibit "A" attached (Planning and Zoning Commission case 2002-088).

**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:

- 1 The yard setback from the northeast and east lot lines (areas adjacent to R-O zone) shall be 20 feet. Within the 20 foot setback the applicant shall construct sight obscuring fence, made of wood and six feet in height, running the length of the property lines and planted with buffer landscaping.
2. Loading bays and parking areas for non-residential uses are not allowed within 50 feet of the adjacent residential lots to the northeast and east.
3. The property is limited to one driveway access.
4. Structure heights are limited to 30 feet.
5. Prior to the issuance of any land use permits, the applicant shall submit a drainage plan to Project Management and Engineering for review and approval.

- 1 6. Prior to the issuance of any land use permits the applicant shall submit site plans  
2 for administrative site plan review.
- 3 7. Permitted principal uses:
  - 4 a. multi-family at density of not less than 12 units per acre
  - 5 b. commercial greenhouse/tree nursery/plant nursery
  - 6 c. clothing store/shoe store
  - 7 d. jewelry store
  - 8 e. appliance store
  - 9 f. hardware/variety store
  - 10 g. bookstore
  - 11 h. florist
  - 12 i. news dealer/newsstand
  - 13 j. camera/photographic shop
  - 14 k. barber/beauty shop
  - 15 l. fur repair and storage
  - 16 m. day care
  - 17 n. offices of doctors, dentists, osteopaths and other healing arts
  - 18 o. accounting, auditing, bookkeeping services
  - 19 p. engineering, surveying, architectural services
  - 20 q. attorneys and legal services
  - 21 r. real estate services
- 22 8. Permitted accessory uses and structures – any accessory uses incidental to any  
23 principal use listed above.
- 24 9. Conditional uses – None.

10. Signs: Pole mounted signs are prohibited.

11. Prohibited uses and structures. The following uses and structures are prohibited:

a. The outdoor storage or display of any scrap, junk, salvaged or secondhand materials, or any salvage yard or salvage operation.

b. Any use which causes or may reasonably be expected to cause excessive noise, vibration, smoke, dust or other particulate matter, toxic or noxious matter, humidity, heat or glare at or beyond any lot line of the lot on which it is located. The term "excessive" is defined for the purpose of this subsection as to a degree exceeding that generated by uses permitted in the district in their customary manner of operation, or to a degree injurious to the public health, safety, welfare or convenience.

c. Storage or use of mobile homes.

d. Truck and heavy equipment repair, service and storage.

e. Open storage of cinders, coal, feed, grain, gravel, manure, muck, peat, sand or topsoil.

**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.** The Director of the Planning Department shall change the zoning map accordingly.

**Section 5.** This ordinance shall become effective within ten (10) days after the Director of the Planning Department has received 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 that no special limitations are contained herein, this ordinance is effective immediately upon passage and approval.

PASSED AND APPROVED by the Anchorage Assembly this

2 24<sup>th</sup> day of September 2002.

3

  
Chair

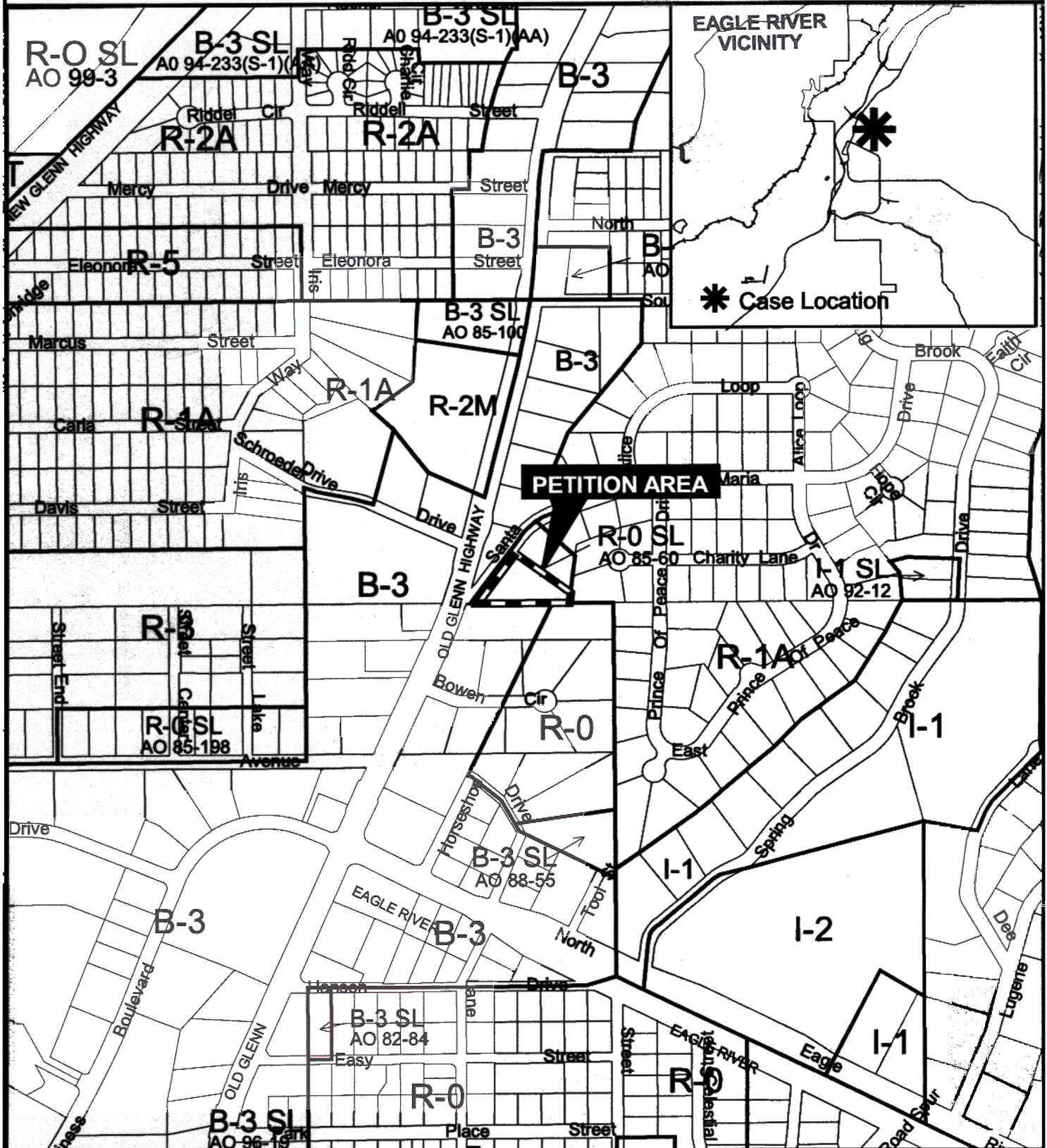
ATTEST:

  
Municipal Clerk

(2002-088  
(050-062-01)

# REZONING

## 2002 - 088 EXHIBIT A



Municipality of Anchorage  
Planning Department



Date: APRIL 30, 2002

### Flood Limits

- 100 Year Floodplain
- 500 Year Floodplain
- Floodway

0



1000 Feet

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

AO Number: 2002-129 Title: Rezoning from R-O SL to B-3 SL for a 1.04 acre parcel, Lot 1, Block 3, Schroeder East Subdivision, Eagle River.

Sponsor: Dale Wahlberg

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:**

Facilities (water, sewer, electric) are currently available to the affected lot. Drainage is an issue due to the sloped nature of the area. The applicant is required to submit a drainage plan to Project Management and Engineering prior to a land use permit being issued. The Trails plan indicates a multi-use paved trail along the Old Glenn Highway at this location. There does not appear to be any significant public sector impact.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

The property consists of one lot zoned R-O with Special Limitations. The applicant purchased the property which was mistakenly identified as B-3. Since R-O does not allow commercial greenhouses, the property had to be rezoned for commercial use. Because the lot is steeply sloped, the applicant will have to address drainage, access, parking and other site design issues before development. There does not appear to be any significant private sector impact.

Prepared by: Jerry Weaver Jr., Planning Supervisor

Telephone: 343-4215

Validated by OMB: 

Date: 7/30/02

Approved By: 

Date: 7-25-02

Director, Preparing Agency





# MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

**No.** AM 741-2002

**Meeting Date:** August 20, 2002

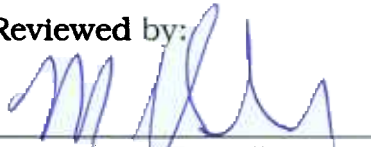
**From:** Mayor

**Subject:** AO 2002- 129      Planning and Zoning Commission  
recommendation on a rezoning from  
R-O SL to B-3 SL, Lot 1, Block 3,  
Schroeder East Subdivision, Eagle  
River.

- 1 Mr. Dale Wahlberg submitted an application for rezoning to B-3 SL  
2 (general business) to allow construction of a commercial greenhouse.  
3 Mr. Wahlberg purchased the property which was incorrectly  
4 identified as B-3 in the multiple listing real estate service and in  
5 some Municipal property appraiser records. The property is actually  
6 R-O SL (residential-office). No one had checked the official zoning  
7 maps until Mr. Wahlberg applied for a building permit.
- 8 The Chugiak-Eagle River Comprehensive Plan identifies the area as  
9 commercial and this area along the Old Glenn Highway is  
10 commercially developed. On May 20, 2002, the Planning and Zoning  
11 Commission recommended approval of the rezoning.
- 12 The applicant has agreed to a list of conditions and Special  
13 Limitations to limit potential impacts on the residential areas to the  
14 east and to minimize traffic impact on Santa Maria Drive. The uses to  
15 which he has agreed to are typically low traffic generation, low impact  
16 commercial uses of B-3. The applicant is also considering adding  
17 some residential units.
- 18 The applicant will be required to submit a site plan for administrative  
19 review prior to obtaining land use permits. The site plan will address  
20 such issues as drainage, traffic access, parking, buffers and  
21 landscaping.
- 22 The Community Council did not take a position on the rezoning  
23 request.
- 24 Approval of this ordinance is recommended.

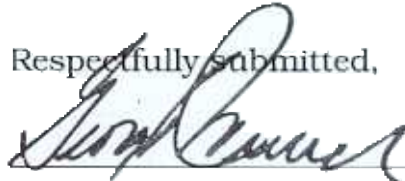


Reviewed by:



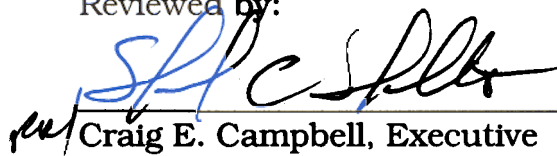
Harry J. Kieling Jr.  
Municipal Manager

Respectfully submitted,



George P. Wuerch  
Mayor

Reviewed by:



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

Prepared by:



Susan R. Fison, Director  
Department of Planning

Municipality of Anchorage  
MUNICIPAL CLERKS OFFICE  
Agenda Document Control Sheet

Ad 2002 - 129

<b>1</b>	<b>SUBJECT OF AGENDA DOCUMENT</b>  Rezoning from R-0 SL to B-3 SL for a 1.04 acre parcel, Lot 1, Block 3, Schroeder East Subdivision, Eagle River.  (Eagle River Community Council) (Case 2002-088)	<b>DATE PREPARED</b> 07/24/02  <b>INDICATE DOCUMENTS ATTACHED</b> <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM		
<b>2</b>	<b>DEPARTMENT NAME</b> Planning Department	<b>DIRECTOR'S NAME</b> Susan R. Fison, Director		
<b>3</b>	<b>THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY</b> J. Weaver Jr.	<b>HIS/HER PHONE NUMBER</b> 343-4215		
<b>4</b>	<b>COORDINATED WITH AND REVIEWED BY</b>	<table style="width: 100%;"> <tr> <th style="width: 50%;">INITIALS</th> <th style="width: 50%;">DATE</th> </tr> </table>	INITIALS	DATE
INITIALS	DATE			
5	Mayor			
	Heritage Land Bank			
	Merrill Field Airport			
	Municipal Light & Power			
	Port of Anchorage			
	Solid Waste Services			
	Water & Wastewater Utility			
4	Municipal Manager	<div style="display: flex; justify-content: space-between;"> <span><i>m</i></span> <span><i>e/s</i></span> </div>		
	Cultural & Recreational Services			
	Employee Relations			
	Finance, Chief Fiscal Officer			
	Fire			
	Health & Human Services			
3.2	Office of Management and Budget	<div style="display: flex; justify-content: space-between;"> <span><i>CF</i></span> <span><i>7/30/02</i></span> </div>		
	Management Information Services			
	Police			
2	Office of Planning, Development, & Public Works	<div style="display: flex; justify-content: space-between;"> <span><i>AF</i></span> <span><i>7/25/02</i></span> </div>		
	Development Services			
	Facility Management			
1	Planning	<div style="display: flex; justify-content: space-between;"> <span><i>AND</i></span> <span><i>7-25-02</i></span> </div>		
	Project Management & Engineering			
	Street Maintenance			
	Traffic			
	Public Transportation Department			
	Purchasing			
3.1	Municipal Attorney <i>1331</i>	<div style="display: flex; justify-content: space-between;"> <span><i>JD</i></span> <span><i>7-21-02</i></span> </div>		
	Municipal Clerk			
<b>5</b>	<b>SPECIAL INSTRUCTIONS/COMMENT</b>  <div style="text-align: center; font-size: 1.5em; color: purple;"> <i>introductory</i> </div>			
<b>6</b>	<b>ASSEMBLY MEETING DATE REQUESTED</b> next available meeting <i>08/20/02</i>	<b>PUBLIC HEARING DATE REQUESTED</b> 4 weeks after introduction		

10  
 2002 AUG -8 PM 2:55  
 CLERK'S OFFICE  
 M.O.