

CLERK'S OFFICE

APPROVED

Date: 11-19-02

Submitted by:

Chair of the Assembly at
the Request of the Mayor

Prepared by:

Planning Department

For reading:

October 15, 2002

Anchorage, Alaska

AO 2002- 152

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 0.84 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 4A; GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DEBARR AVENUE AND LAKE OTIS PARKWAY.

(Airport Heights Community Council) (Planning and Zoning Commission Case 2002-143)

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 4A; consisting of 0.84 acres, as shown on exhibit A attached (Planning and Zoning Commission Case 2002-143).

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. Prior to the issuance of a building permit the property owner shall record a covenant against the property. The Declaration of Covenants and Restrictions shall read: "if a declaration submitting said property to the Horizontal Property Regimes Acts is ever filed for record, said declaration shall contain the requirement that the owners' association shall at all times assess and collect reserves adequate to pay for normal, anticipated repair and maintenance of the roof(s) of the common structure(s), of the exterior (including but not restricted to paint) of the common structures and of asphalt in all common areas."
- c. 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
21.40.060 A.13 that meet the supplementary district regulations.

d. 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
21.40.060 D.18 that do not meet the supplementary district regulations.

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 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.

PASSED AND APPROVED by the Anchorage Assembly this 19th day
of November 2002

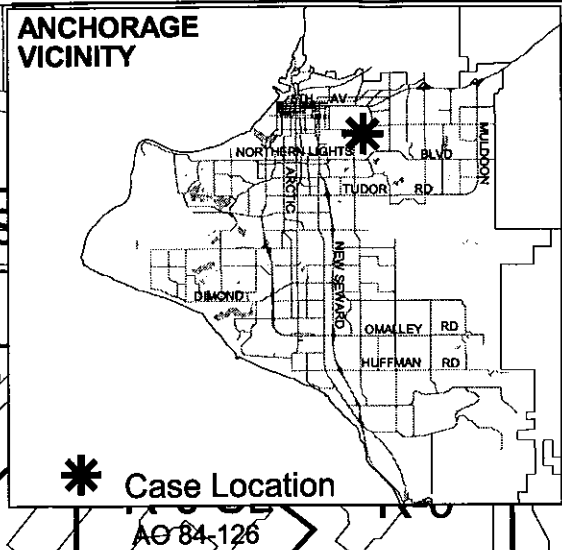
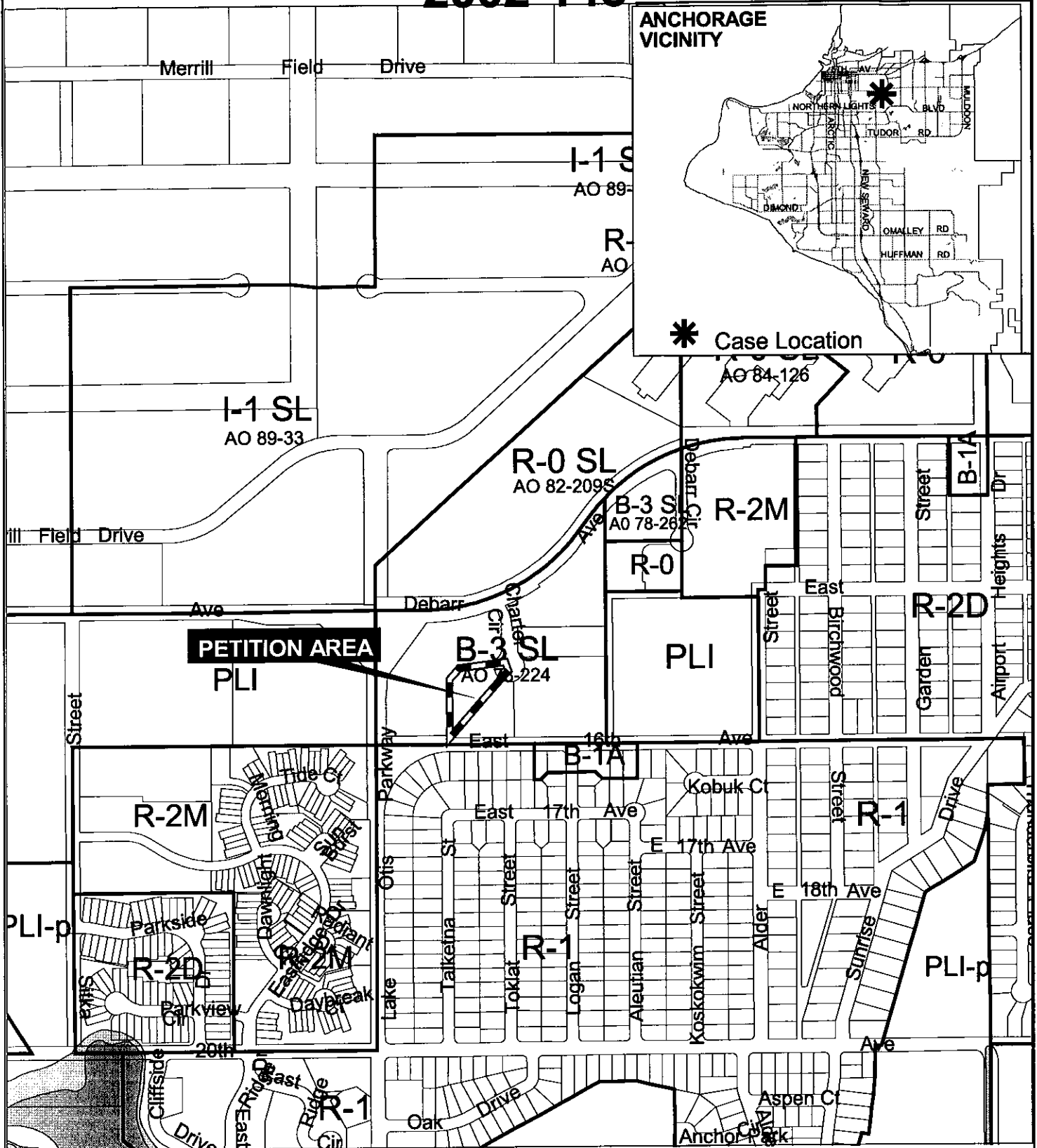
ATTEST:

Chair

Municipal Clerk

(2002-143)
(004-111-16)

REZONING 2002-143



Municipality of Anchorage
Planning Department



Date: JUNE 6, 2002

Flood Limits

- 100 Year Floodplain
- 500 Year Floodplain
- Floodway

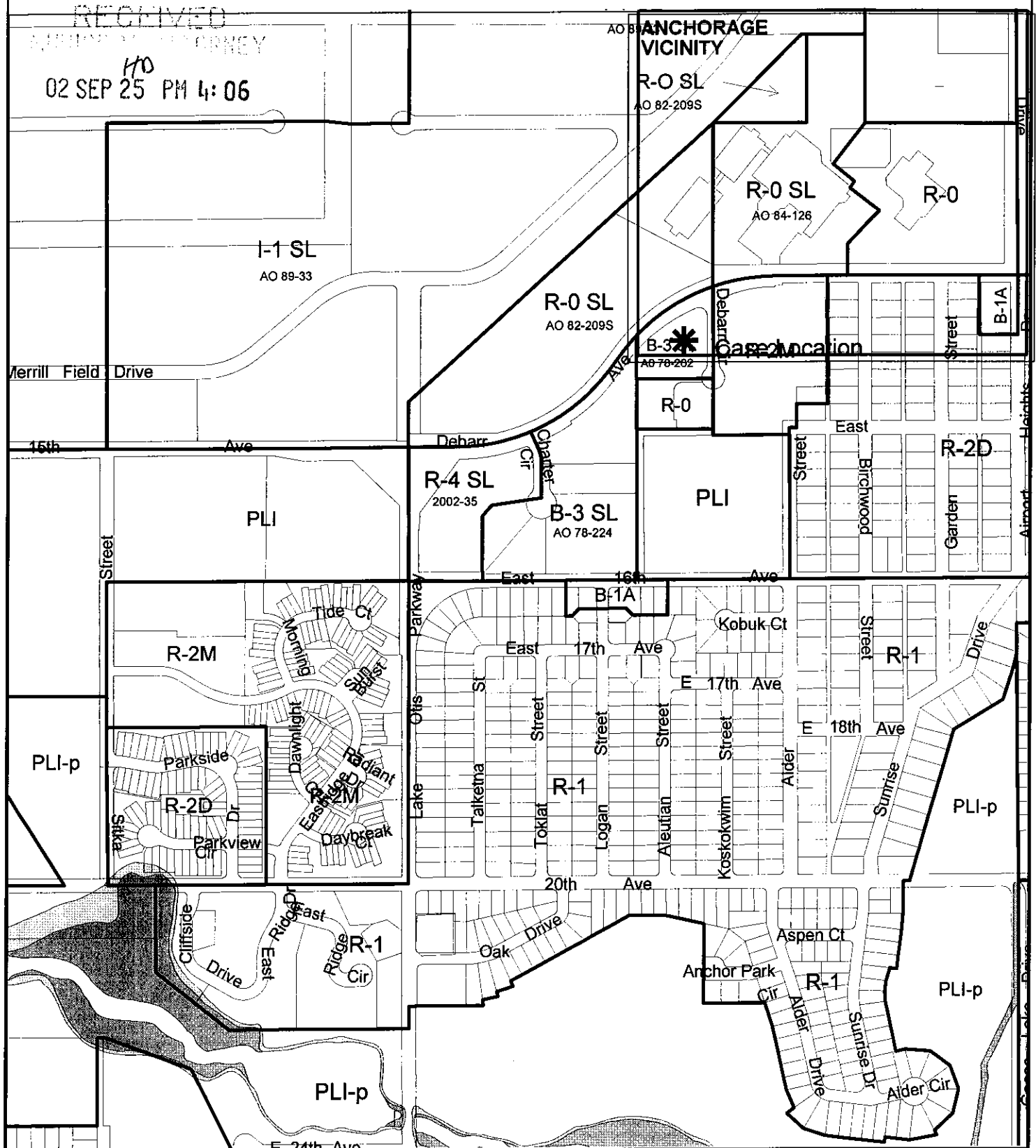


0 500 1000 Feet

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ANCHORAGE VICINITY

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02 SEP 25 PM 4:06



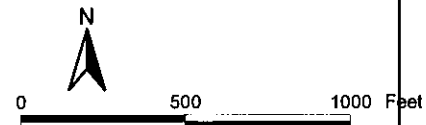
Municipality of Anchorage
Planning Department



Date: SEPTEMBER 25, 2002

Flood Limits

- 100 Year Floodplain
- 500 Year Floodplain
- Floodway



MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2002- 152 Title: Rezoning of approx. 0.84 acres from B-3 SL to R-4 SL for Town Square Subdivision, Lot 4A; generally located on the west side of Charter Circle.

Sponsor: Municipality of Anchorage
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.

PRIVATE SECTOR ECONOMIC EFFECTS:

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

Prepared by: Jerry Weaver Jr., Zoning Mgr.

Telephone: 343-4215

Validated by OMB: *Doreen Fraser*

Date: 10/2/02

Approved By: *[Signature]*
Director, Preparing Agency

Date: 9.20.02



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 892--2002

Meeting Date: October 15, 2002

From: Mayor

Subject: AO 2002- 152

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

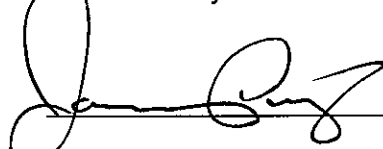
1 On August 12, 2002, the Planning and Zoning Commission approved the rezoning of
2 Lot 4A, Town Square Subdivision, from B-3 SL (General Business District) with
3 special limitations to R-4 SL (Multiple Family District) with special limitations.
4

5 The special limitations establish a height restriction, restrict the uses on the property
6 and require recording a covenant against the property. Permitted principal uses and
7 structures are limited to residential dwellings developed to a minimum eight (8) gross
8 dwelling units per acre, and community interest and local interest towers as allowed
9 by AMC 21.40.060 A.13. Conditional uses are limited to townhouse and row houses
10 built to a common wall at side lot lines, residential planned unit developments, and
11 community interest and local interest towers as allowed by AMC 21.40.060 D.18 that
12 do not meet the supplementary district regulations. The petitioner does not object to
13 the special limitations.
14

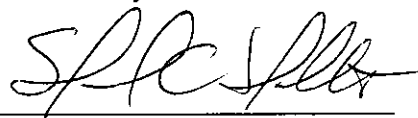
15 This parcel is adjacent to a 3.69 acre parcel that the Assembly rezoned to R-4 SL (AO
16 2002-35) April 9, 2002. Rezoning the subject parcel will allow efficient joint
17 development of the two parcels. The rezoning satisfies the standards of AMC
18 21.20.090 for zoning map amendments. The Planning and Zoning Commission found
19 this to be a housekeeping matter and voted unanimously to recommend approval to
20 R-4 SL to the Assembly.
21

22 Approval of this ordinance is recommended.

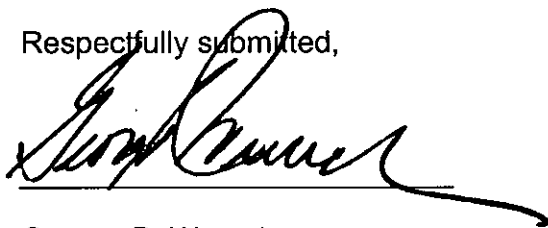
23 Reviewed by:


Harry J. Kielsing, Jr.
Municipal Manager

Reviewed by:

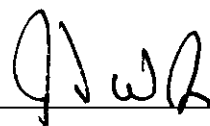

for Craig E. Campbell, Executive Director
Office of Planning, Development, and
Public Works

Respectfully submitted,



George P. Wuerch
Mayor

Prepared by:


for Susan R. Fison, Director
Planning Department

DRAFT

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2002-056

A RESOLUTION APPROVING REZONING 0.84 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 4A; GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DeBARR ROAD AND LAKE OTIS PARKWAY, ON THE WEST SIDE OF CHARTER CIRCLE.

(Case 2002-143; Tax ID. # 004-111-15)

WHEREAS, a petition has been received from Paul & Joyce Palmer, Trustees, to rezone from B-3 SL (General Business Distract) with Special Limitations to R-4 SL (Multiple Family Residential) with Special Limitations, for Town Square Subdivision, Lot 4A; consisting of approximately 0.84 acres; generally located at the southeast corner of DeBarr Road and Lake Otis Parkway, on the west side of Charter Circle, and

WHEREAS, notices were published, posted and 143 public hearing notices mailed and a public hearing was held August 12, 2002.

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

- A. The Commission makes the following findings of fact:
1. The 0.84-acre interior lot is on the west side of Charter Circle, south of DeBarr Road, east of Lake Otis Parkway, and north of East 16th Avenue. 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. Except for North Star Hospital (formerly Charter North Hospital) located at the northeast corner of DeBarr and Charter Circle, all other lots sharing Charter Circle is vacant and zoned B-3 SL.
 2. The petition lot is undeveloped and appears to have been used for gravel extraction prior to the mid-1970's along with the adjoining lots. Most of the lot is level, as shown on MOA topographic maps dated 1973, except for the very tip of the southwest corner of the property adjacent to East 16th Avenue, which is approximately 22-feet higher in elevation, with an overall 30% slope south to north to

street grade at East 16th Avenue. The petitioner is requesting to rezone their property from B-3 SL to match the R-4 SL zoning and special limitations of the adjacent to the west, Lot 5, that was recently zoned to R-4 SL.

3. Rezoning to R-4 SL changes the land use classification from commercial to residential. The special limitations limit uses to only multi-family residential with a minimum density.
4. This rezoning is consistent with the *Anchorage 2020 Bowl Comprehensive Development Plan* policies #5, #34, and strategy #9.
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 have wanted residential development at this location rather than commercial development. The petitioner proposes special limitations regarding height of buildings, density, and restricting permitted use and conditional uses.
7. This parcel is adjacent to a 3.69 acre parcel that was recently rezoned to R-4 SL. Rezoning the subject parcel will make possible efficient joint development of the two parcels. A covenant has been recorded against the property ensuring that any condominium-type development would include a homeowners association that would have responsibility for the grounds and the buildings.
8. Although the Airport Heights Community Council does not meet during the summer, Council did take a long hard look at the adjacent B-3 SL property when it reviewed the 3.69 acre rezone to R-4 SL. Barbara Karl testified it makes good sense for this property to be jointly developed with the 3.69 acre site, and believed the Council would support the rezoning because the developer is willing to incorporate all the special limitations from the other property with the exception of the two that do not apply.
9. The rezoning satisfies the standards of AMC 21.20.090 for zoning map amendments. The Commission found this to be a housekeeping matter. Residential zoning is appropriate in this area. Any traffic issues will be examined and resolved as part of

the joint development.

10. The Commission added a special limitation requiring the property owner to record a similar covenant against the property as shown in the attachment to a letter dated August 6, 2002. The Declaration of Covenants and Restrictions reads *"If a declaration submitting said property to the Horizontal Property Regimes Act is ever filed for record, said declaration shall contain the requirement that the owners' association shall at all times assess and collect reserves adequate to pay for normal, anticipated repair and maintenance of the roof(s) of the common structure(s), of the exterior (including but not restricted to paint) of the common structures and of asphalt in all common areas."*
 11. The motion to recommend approval to the Assembly to rezone the subject property to R-4 SL was unanimous, 7 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. Prior to the issuance of a building permit, the property owner shall record a covenant similar to the attached covenant (to a letter dated August 6, 2002 from Dowl Engineering) against the property.
 3. 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.
 4. 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 12th day of August 2002.

Susan R. Fison
Director

Daphne Brown
Chair

(Case 2002-143)
(Tax ID. 004-111-16)

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AUG 06 2002

MUNICIPALITY OF ANCHORAGE
COMMUNITY PLANNING & DEVELOPMENT

August 6, 2002
W.O. D58076

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

Subject: Case 2002-143, Rezone to R-4 SL
Lot 4A, Town Square Subdivision

Dear Ms. Fison:

Attached is the Declaration of Covenants and Restrictions that was recorded on Lot 5, Town Square Subdivision, when it was rezoned from B-3 SL to R-4 SL (AO 2002-35). These additional restrictions were in direct response to concerns expressed by the Assembly and local neighborhood. The PM & JA Palmer Living Trust (Trust) is offering to record these same covenants and restrictions on Lot 4A, Town Square Subdivision. The Trust would like to develop this property as a residential use in conjunction with the adjoining parcel, Lot 5 referenced above. Applying these covenants and restrictions to Lot 4 A will provide continuity between the two properties.

Please contact me if you have any questions or require additional information.

Sincerely,
DOWL Engineers

A handwritten signature in cursive script that reads 'Erika P. Becker'.

Erika P. Becker, AICP
Planner

Attachment: As stated

D58076.Fison.EPB.080602.kms

2002-022673-0

Recording Dist: 301 - Anchorage
4/5/2002 12:52 PM Pages: 1 of 2

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CC

DECLARATION OF COVENANTS AND RESTRICTIONS FOR LOT 5, TOWN SQUARE

KNOW ALL PERSONS BY THESE PRESENTS, that the undersigned, being
the sole owner of the following real property:

Lot Five (5), TOWN SQUARE, according to the
official plat thereof, filed under Plat No.
90-69, in the records of the Anchorage
Recording District, Third Judicial
District, State of Alaska,

(hereinafter "OWNER" and "PROPERTY," respectively),

HEREBY declares and covenants that henceforth the PROPERTY
shall be restricted in the following manner:

IF A DECLARATION SUBMITTING SAID PROPERTY TO THE
HORIZONTAL PROPERTY REGIMES ACT IS EVER FILED FOR
RECORD, SAID DECLARATION SHALL CONTAIN THE REQUIRE-
MENT THAT THE OWNERS' ASSOCIATION SHALL AT ALL TIMES
ASSESS AND COLLECT RESERVES ADEQUATE TO PAY FOR
NORMAL, ANTICIPATED REPAIR AND MAINTENANCE OF THE
ROOF(S) OF THE COMMON STRUCTURE(S), OF THE EXTERIOR
(INCLUDING BUT NOT RESTRICTED TO PAINT) OF THE COMMON
STRUCTURES, AND OF ASPHALT IN ALL COMMON AREAS.

These covenants and restrictions shall RUN WITH THE LAND
AND BE BINDING UPON ALL PERSONS CLAIMING AN INTEREST IN THE
PROPERTY FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM THE DATE
OF RECORDING HEREOF, and MAY NOT BE MODIFIED OR VACATED without
the consent of the MUNICIPALITY OF ANCHORAGE, which shall be
deemed a third-party beneficiary of the covenants contained
herein.

LAW OFFICES OF RALPH B. CUSHMAN
200 West 34th Avenue, PMB-976
Anchorage, Alaska 99503-3969
Phone: 907-227-5001 / Fax: 345-2991

DRAFT

COMMISSIONER KLEIN supported the motion, noting there would be constant oversight of this operation. He further noted there is substantial investment in this operation and adequate insurance would be required.

COMMISSIONER ADAMS noted that the I-2 district is the only one in which this use can exist and it can exist only as a conditional use. A conditional use can only be approved if there are appropriate conditions to protect the public, which he believed had been done.

CHAIR JONES commented that she would support the motion, but she thought it might be useful to attach the Commission's resolution to notice of zoning actions that are recorded.

COMMISSIONER KLEIN agreed that there is a huge burden on the public to know when it is appropriate to complain about a use. COMMISSIONER COFFEY moved to amend to add a condition to require that a list of the 12 conditions of approval be maintained on-site and be made available to the public by the petitioner.

COMMISSIONER KLEIN seconded.

Amendment

AYE: Starr, Adams, Penney, Jones, Coffey, Knepper, Klein

NAY: None

PASSED

Main Motion

AYE: Starr, Adams, Penney, Jones, Coffey, Knepper, Klein

NAY: None

PASSED

3. 2002-143

Joyce A. Palmer. A request to rezone approximately 0.84 acres from B-3SL (General Business with Special Limitations) to R-4SL (Multiple Family Residential with Special Limitations). Town Square Subdivision, Lot 4A. Located on the southwest side of Charter Circle.

Staff member MARY AUTOR stated 143 public hearing notices were mailed and 2 were returned unclaimed. There was one comment wanting only duplexes and opposing low-income housing or multiple unit housing. The property is located at Lake Otis Parkway and DeBarr Road, fronting onto Charter Circle. The property

is less than one acre in size. The proposal is an identical to an R-4SL zoning approved in April 2002 by the Assembly for the property to the west. MS. AUTOR understood that a common development with that property would be proposed. Staff did not favor a special limitation prohibiting direct vehicular access to or from 16th Avenue, DeBarr Road, or Lake Otis Parkway. This property does not have access to any of those streets. Staff also did not favor a special limitation requiring that the site shall provide pedestrian access to a walkway on Lake Otis or 16th Avenue as resolved with the Planning Department. Both these special limitations were appropriate for the property to the west of this petition site. The Department found this request meets the standards of Anchorage 2020 and the rezoning standards.

COMMISSIONER COFFEY asked for an explanation of the term "gross" as used in department recommendation b.2). MS. AUTOR explained that "gross" refers to the density on a property before rights-of-way or other infrastructure dedications are removed from the total square footage of the site.

COMMISSIONER KLEIN cited an August 7 memorandum from Mr.

_____??????? Referencing the trails plan and calling for a trail easement across the southern portion of the property along East 16th Avenue. MS. AUTOR suggested that Mr. Potter answer this question.

COMMISSIONER KNEPPER assumed the rezoning of the adjacent property was heard by the Planning and Zoning Commission and asked when that case was heard. MS. AUTOR replied that rezoning was heard by the Planning and Zoning Commission in late 2001.

The public hearing was opened.

TIM POTTER, representing the petitioner, stated this is basically a housekeeping measure that will make the development of the corner property more efficient. The rezoning of the other parcel was before the Commission in October/November 2001. The shape of that parcel is difficult and the addition of this parcel will make it easier to work with. He stated the petitioner met numerous times with the Airport Heights Community Council regarding the first rezoning and Barbara Karl, an adjacent neighbor, would testify at this hearing regarding those discussions. He stated the trail would be adjacent to the curb line on 16th Avenue because that is the only flat spot available. The property then drops 22 feet in elevation. He noted there is an existing trail at the top edge of the property within the 16th Avenue right-of-way. He stated an additional letter was submitted explaining that a covenant was recorded against the property ensuring that any condominium-type development would include a homeowners association that would have responsibility for the grounds and the buildings.

COMMISSIONER KNEPPER noted that the intersection of Charter Circle and DeBarr Road is a difficult intersection. She asked what is the plan for traffic control at that point. MR. POTTER replied this was reviewed in the first rezoning and it was seen as a right-in/right-out movement. With the light installed at Alaska Regional, the situation has improved. COMMISSIONER KNEPPER asked if there are plans for a specific style of housing. MR. OTTER replied that the type of housing has yet to be determined.

COMMISSIONER COFFEY asked how much B-3SL property remains on the east side of the property. MR. POTTER replied that, including the Charter North property, there is probably 5 to 6 acres. COMMISSIONER COFFEY asked if 2 to 3 acres is undeveloped. MR. POTTER replied that 3 acres is undeveloped. COMMISSIONER COFFEY asked if that property is under common ownership with this project. MR. POTTER replied it was not to his knowledge. He understood a VFW hall and a church were looking at the property.

COMMISSIONER KLEIN asked if a traffic impact analysis would be required if another use is built on the property. MR. POTTER replied that this would be done as part of the building permit process.

BARBARA KARL, a neighboring property owner and member of the Airport Heights Community Council, explained that the Council does not meet during the summer, but the Council did take a long hard look at the adjacent property when it was rezoned and worked with that property owner and Mr. Potter in order to develop special limitations on it that were appropriate. She stated this rezoning is just a carry-over and it makes good sense for this property to go with the other parcel to the west. The property to the east of the petition site has been built out with an American Legion headquarters. It fits into the property nicely. The walkway on 16th Avenue has existed for many years and it was required when the property was rezoned in the 1970s. MS. KARL indicated that, although she could not speak for the Council, she believed the Council would support the rezoning because of the fact that the developer is willing to incorporate all the special limitations from the other property, with the exception of the two that do not apply. She believed the only parcel that is not developed, to the east of American Legion, is owned by the church on DeBarr, although she was not certain.

The public hearing was closed.

MS. AUTOR noted that part of the supplemental information given to the Commission was a memorandum from DOWL Engineers with the covenants attached.

COMMISSIONER KLEIN moved for approval of a rezoning to R-4 SL subject to the Staff conditions and adding "prior to the issuance of a building permit, the property owner shall record the attached covenant against the property."

COMMISSIONER COFFEY seconded.

COMMISSIONER KLEIN characterized this as a housekeeping matter. He believed that residential zoning is appropriate in this area and noted that any of the traffic issues will be examined and resolved.

COMMISSIONER ADAMS noted on condition b.2) should refer to AMC 21.40.060.B.13 rather than AMC 21.40.060.A.13.

AYE: Starr, Adams, Penney, Jones, Coffey, Knepper, Klein

NAY: None

PASSED

4. **2002-133** Municipality of Anchorage. An Ordinance amending Anchorage Municipal Code Title 21 by adding definitions pertaining to Land Clearing in Subsection 21.35.020.B, Definitions and Rules of Construction; adding a new section to Anchorage Municipal Code Chapter 21.45 to require pre-approval before Clearing Land of Vegetation; and creating exceptions and penalties therefor.

Staff member TOM NELSON noted Staff had distributed the latest comments on this ordinance this evening. This ordinance is intended to amend two sections of Title 21 and a section of Title 14. A land clearing ordinance was initially developed by several municipal departments trying to address a number of issues dealing with compliance with the NPDES permit and air quality issues associated with windblown particulate matter and aesthetics, as well as meeting the policies that were identified in Anchorage 2020 related to preservation of natural vegetation and land clearing practices. That ordinance came forward in March for public hearing before the Commission. An initial hearing was held and action was postponed for one month to get clarification on that draft ordinance. In the intervening time, the Administration more thoroughly reviewed the ordinance, feeling the issues the ordinance was intending to address could be more effectively accomplished through public education, improved permitting and inspection, and enforcement of existing regulations, with the possibility of supplementing with specific ordinances dealing with NPDES water quality compliance. As a result of the Administration's withdrawal of the ordinance, Assemblymember Janice Shamberg re-introduced a new version of the ordinance on May 14, 2002. There is also a more current version dated July 14th. The new ordinance is intended to deal with the issue of land clearing that usually takes place before any development permit applications are made. This has been a concern of the public, the Planning Department, and other municipal departments that are involved in water and air quality controls and measures associated with

PLANNING DEPARTMENT PLANNING STAFF ANALYSIS REZONING

DATE: August 12, 2002

CASE NO.: 2002-143

APPLICANT: Paul M. and Joyce A. Palmer Trustees

REPRESENTATIVE: Dowl Engineers

REQUEST: A request to rezone approximately 0.84 acres from B-3 SL (General Business District) to R-4 SL (Multiple Family Residential) with Special Limitations as defined by AO 2002-35.

LOCATION: Town Square Subdivision, Lot 4A; generally located at the southeast corner of DeBarr Road and Lake Otis Parkway

SITE ADDRESS: NSN Charter Circle

COMMUNITY COUNCIL: Airport Heights

TAX NUMBER: 004-111-16/Grid 1434

ATTACHMENTS:

1. Zoning & Location Maps
2. Departmental Comments
3. Application
4. Posting Affidavit
5. Historical Information

SITE:

Acres: 0.84 acres / 36,571 square feet

Vegetation: Shrubs and alders

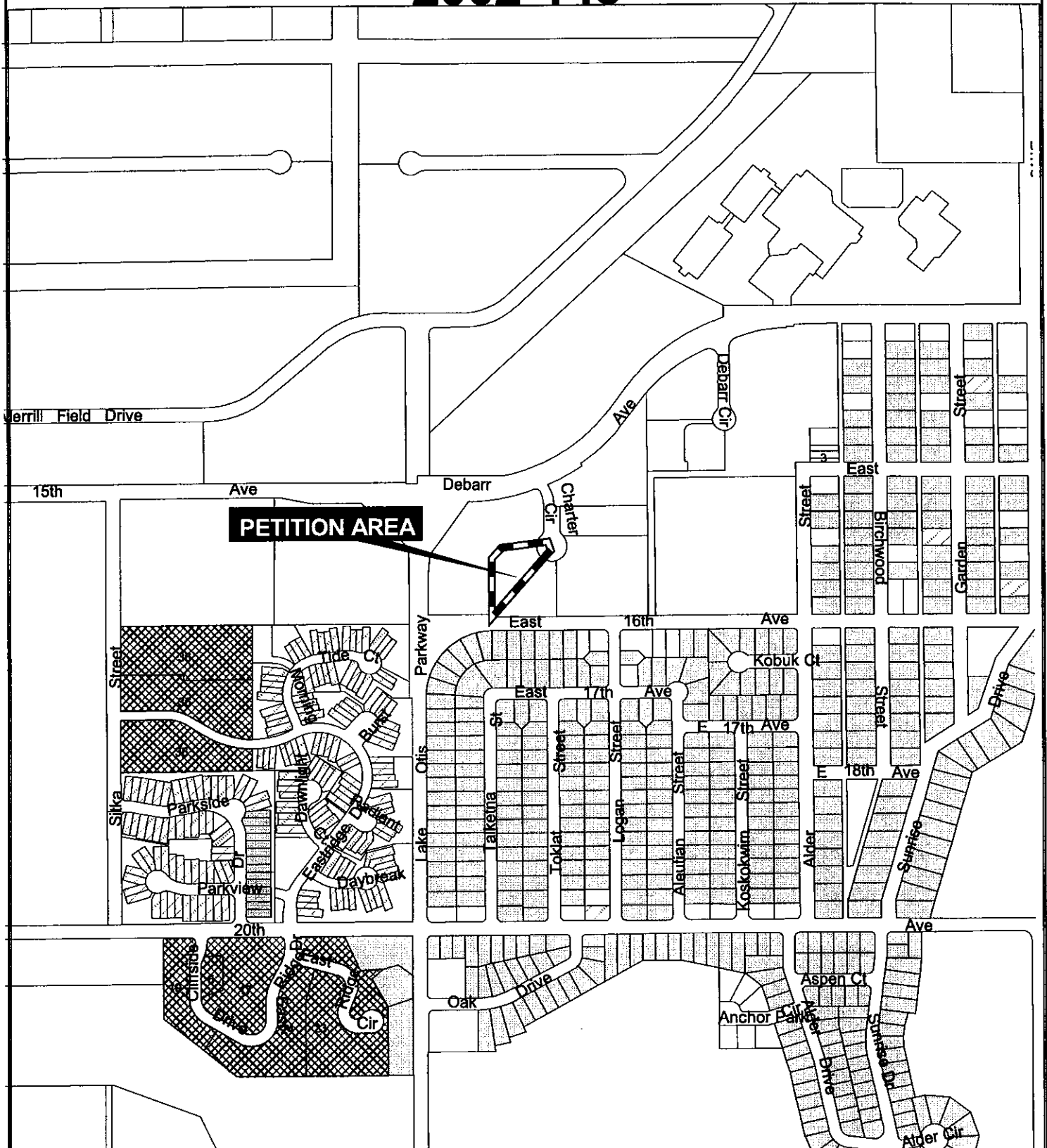
Zoning: B-3 SL (General Business District) AMC 21.40.180

Topography: Generally flat except for tip of SW corner of lot

Existing Use: Undeveloped

● REZONING ●

2002-143



Municipality of Anchorage
Planning Department



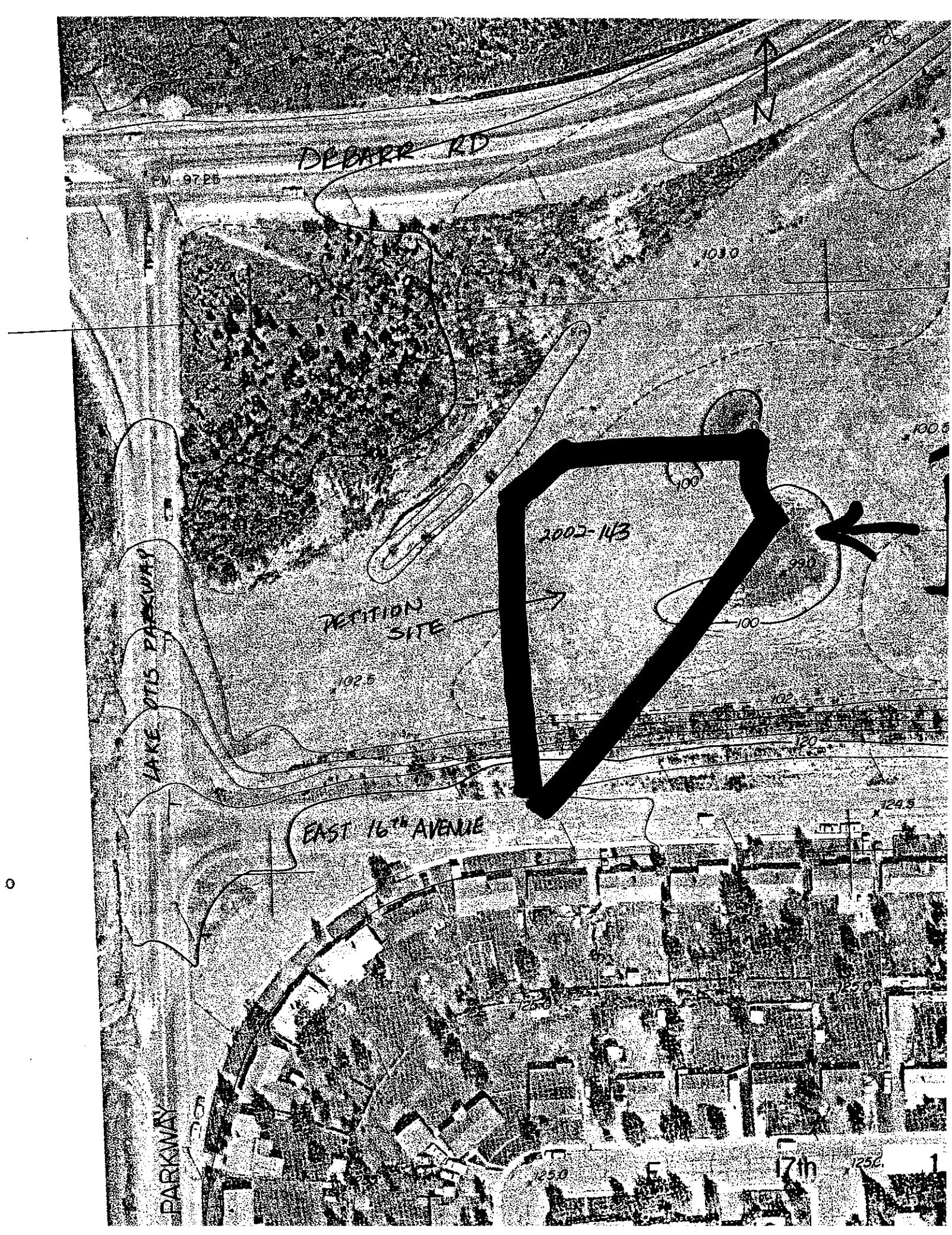
Date: JUNE 6, 2002

- Single Family Detached
- Single Family Attached, Duplex
- Mobile home
- Multi - Family 3 & 4 Plex
- Multi - Family 5+



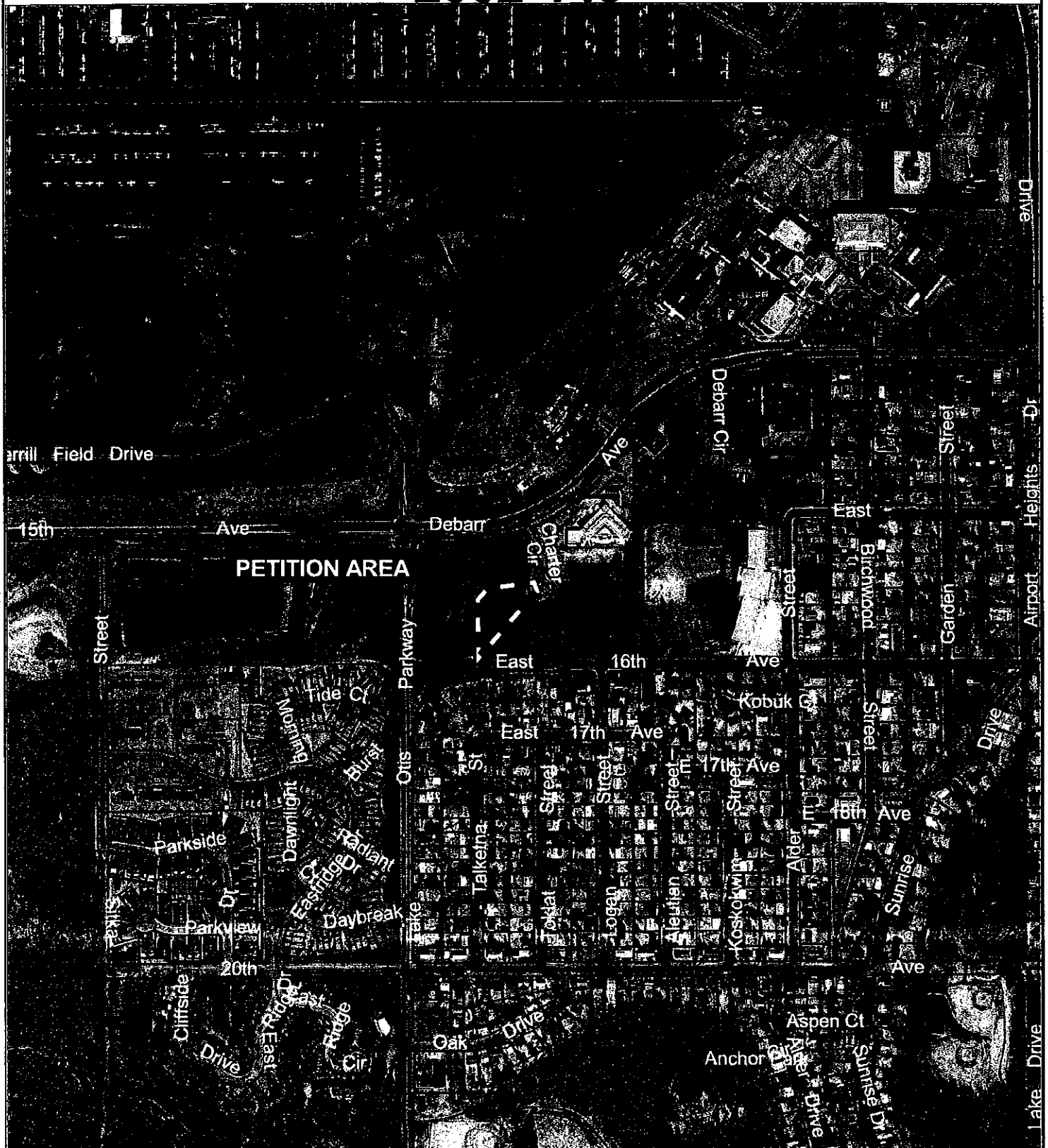
0 500 1000 Feet

Source: Housing Stock based on 1998 Land Use Inventory
Planning Department, MOA



● REZONING ●

2002-143



Municipality of Anchorage
Planning Department



Date: JUNE 6, 2002



0 500 1000 Feet

Date of Aerial Photography: 2001

Soils: Public Sewer and Water available to site

COMPREHENSIVE PLAN:

Classification: Commercial
Density: N/A

APPLICABLE LAND USE REGULATIONS:

| | <u>Proposed R-4 SL Zoning</u> <u>Per AO 2002-35</u> <u>AMC 21.40.060</u> | <u>Current B-3 SL Zoning</u> <u>Per AO 78-224</u> <u>AMC 21.40.180</u> |
|--------------------|--|--|
| Height limitation: | Unrestricted/FAA | Unrestricted/FAA |
| Minimum lot size: | | |
| Single Family | 6,000 SF/50 feet wide | Residential same as |
| Two-Family | 6,000 SF/50 feet wide | 21.40.060.G |
| 3 to 6-plex | 6,000 SF/50 feet wide | |
| 7-family | 8,500 SF/70 feet wide | All other uses 6,000 SF and |
| 8-family | 9,250 SF/75 feet wide | 50 feet wide |
| 9-family | 10,000 SF/75 feet wide | |
| 10-family | 10,700 SF/75 feet wide | |
| 11+-family | 11,500 SF/100 feet wide and Floor Area Ratio ¹ of 2.0 | |
| Lot coverage: | 50% | Residential - 40% |
| Density/acre: | 21-35 | All other uses Unrestricted |
| Yards | | 12 DUA Minimum |
| Front | 10 feet | Residential uses same as |
| Side | 5-feet + 1-foot for each 5-feet in height exceeding 35 feet | 21.40.060.G |
| Rear | 10-feet | All other uses: |
| Multi-Family | 100 SF Usable Yard Area per dwelling unit | Front: 10 feet |
| | | Side: 10-feet adjacent to residential district otherwise none |
| | | Rear: 15-feet adjacent to residential district otherwise none |
| Landscaping | Visual Enhancement | Buffer adjacent to a |

¹ Floor area ratio is defined as the maximum gross floor area of a building on a lot or parcel divided by the area of the lot or parcel (a floor area ratio of 2.0 provides for 23,000 gross square feet of building area on a lot with an area of 11,500 square feet).

Special
Limitations
As defined by AO
2002-35

1. Building height, as defined by AMC 21.45.050 shall not exceed the lesser of 35-feet or a max. of 138 feet above mean sea level based on the GAAB 1972 Post Quake Adjustment.
2. No direct vehicular access to or from 16th Avenue, DeBarr Road or Lake Otis Pkwy from Tract 5 not to preclude emergency access.
3. The site shall provide pedestrian access to a walkway on Lake Otis or 16th Avenue as resolved with the Planning Dept.
4. Permitted principal uses and structures are limited to (1) residential dwellings developed to a minimum of 8 DUA; (2) community interest and local interest towers as allowed by AMC 21.40.060A.13 that meet the supplementary district regulations.
5. Conditional uses are limited to: (1)

residential district
Perimeter landscaping
adjacent to collector or
arterial, Visual
Enhancement

Prohibited Uses:

auditoriums, libraries, museums, historical and cultural exhibits and the like; motion picture theaters; offstreet parking lots, garages; taxicab stands and dispatching offices; hotels, motels and motor lodges, boarding houses; gasoline service stations; Aircraft and marine parts and equipment stores; motor vehicle dealers, new and used; automobile display lots, new and used; mobile home display lots, new and used; aircraft and boat display lots, new and used; motorcycle and snow machine display lots, new and used; automobile, truck and trailer rental agencies; lumberyards and builders supply stores; fuel dealers; automobile car washes, self-service and automatic; drive-in banks; bus terminals and air passenger terminals; amusement arcades, billiard parlors and bowling alleys; veterinary clinics and boarding kennels; **multiple family and high-rise apartments**; heliports, drive-in movie theaters; camper parks.

townhouse and row houses built to a common wall at side lot lines (2) residential PUD (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.

Permitted Conditional Uses:
drive-in banks with sufficient off-street area for maneuvering and waiting automobiles; amusement arcades, billiard parlors and bowling alleys.

Height And Lot Area: no building or structure may exceed 3 stories or 28 feet in height. Maximum coverage of all buildings is 40%.

SURROUNDING AREA:

| | <u>NORTH</u> | <u>EAST</u> | <u>SOUTH</u> | <u>WEST</u> |
|-----------|--------------------------|---|---------------|---|
| Zoning: | R-O SL | B-3 SL | R-1 | R-4 SL/PLI |
| Land Use: | Alaska Regional Hospital | Charter North Hospital, credit union and a church | Single Family | Undeveloped Residential/MO A Snow Dump |

PROPERTY HISTORY:

| | | |
|----------|-------------|--|
| 11-21-78 | B-3 SL | AO 78-224 rezoned property from B-1 (Local and Neighborhood Business) to B-3 SL for Section 29, T13N, R3W, Southeast corner of DeBarr and Lake Otis. See preceding section comparing proposed and existing zoning regulations. |
| 07-16-85 | Plat 85-175 | Plat 85-175 recorded Town Square Subdivision, Lots 4A & 4B, a subdivision of Lot 4, Town Square Subdivision containing 1.8327 acres located within NW4, Section 21, T13N, R3W, S.M., AK. Lot 4B contains a 5-foot walkway is located along the east boundary of Lot 4B, a 15-foot water and stairway easement is located at the south 60-feet of the east boundary of lot 4B; a 10-foot vegetative screening easement is located |

RELATED PROPERTY HISTORY

04-09-02 R-4 SL AO 2002-35 rezoned 3.69 acres from B-3 SL to R-4 SL for Town Square Subdivision, Lot 5. PZC Case 2001-151.

SITE DESCRIPTION AND PROPOSAL:

The 0.84-acre interior lot is on the west side of Charter Circle, south of DeBarr Road, east of Lake Otis Parkway, and north of East 16th Avenue. 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. Except for North Star Hospital (formerly Charter North Hospital) located at the northeast corner of DeBarr and Charter Circle, all other lots sharing Charter Circle are vacant and zoned B-3 SL.

The petition lot is undeveloped and appears to have been used for gravel extraction prior to the mid-1970's along with the adjoining lots. Most of the lot is level, as shown on MOA topographic maps dated 1973, except for the very tip of the southwest corner of the property adjacent to East 16th Avenue, which is approximately 22-feet higher in elevation, with an overall 30% slope south to north to street grade at East 16th Avenue.

The petitioner is requesting to rezone their property from B-3 SL to match the R-4 SL zoning and special limitations of the adjacent to the west, Lot 5, that was recently zoned to R-4 SL. The application did not provide a concept site plan or elevation drawings showing how high density residential can be accommodated at this location.

COMMUNITY COMMENTS:

At the time this report was written, there was one returned public hearing notice (PHN) as unclaimed and one returned PHN opposing the rezoning, received out of 143 PHNs mailed out. No response was received from the Airport Heights Community Council.

FINDINGS:

**21.20.090 Standards for Zoning Map Amendments, and
21.05.080 Implementation – Anchorage Bowl Comprehensive
Development Plan Maps**

A. Conformance to the Comprehensive Plan.

The adopting ordinance² for the Anchorage 2020 plan directs (1) the approving authority may approve an application for an entitlement only if it does not conflict with the goals, policies and objectives of the plan, (2) that until more specific implementation strategies or plans for the Anchorage 2020 Bowl Comprehensive Plan are adopted, review of an application for an entitlement for conformity to the plan will follow a hierarchy and procedure.

Response:

1. The Anchorage 2020 – Anchorage Bowl Comprehensive Plan Policy Map does not show a particular policy area classification or designation for this site. The nearest designated policy area is the Transit-Supportive Development Corridor for DeBarr Road.

The Anchorage 2020 Policy's that relate to Transit-Supportive Development Corridor classifications are:

Policy 3: States the Municipality shall employ development strategies for the Anchorage Bowl to accommodate approximately 31,600 additional dwelling units by the year 2020 with the allocation of dwelling units by planning sections. For the Northeast 6,000 to 8,000 dwelling units. Comment: residential zoning would be compatible with this policy.

Policy 5: States that rezones and variances shall be compatible in scale with adjacent uses and consistent with the Goals and Policies of Anchorage 2020. Comment: higher density residential would be compatible with the goals and policies, and with Eastridge PUD scale.

Policy 12: New higher density residential development, including that within Transit Supportive Development Corridors shall be accompanied by the following: a) building and site design standards; b) access to multi-modal transportation, to include transit and safe pedestrian facilities; and c) adequate public or private open space, parks or other public recreational facilities located on site or in close proximity to

² AO 2000-119(S), adopted February 20, 2001.

the residential developments. Comment: R-4 is higher density. Application did not include proposed building and site design standards; has access to multi-modal transportation; parks are located within ¼-mile of site.

Policy 12 & 34: States average residential densities shall equal 8 DUA or greater within ¼-mile of the major street at the center of the Transit-Supportive Development Corridors. The intent of the corridor is to increase the density so as to increase the rider ship for mass transportation as described on page 53 of Anchorage 2020. Comment: SL required to achieve this.

2. The use of the subject application is classified as commercial in the 1982 *Generalized Land Use Plan*. Although the B-3 District regulations allow multi-family residential at no less than 12 DUA, multi-family residential is specifically prohibited by AO 78-224.

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

1. The effect of development under the amendment, and the cumulative effect of similar development, on the surrounding neighborhood, the general area and the community; including but not limited to the environment, transportation, public services and facilities, and land use patterns, and the degree to which special limitations will mitigate any adverse effects.

Environment

Noise: All uses are subject to AMC 15.70 Noise Ordinance. DHHS Environmental Services objects to any type of residential zoning based on the property's proximity to an existing municipal snow dump at the southwest corner of DeBarr Road and Lake Otis Parkway. "The snow dump receives snow from the Fairview and Downtown Business areas. Noise complaints have been received about operation of this snow dump in the past restricting equipment traffic to Lake Otis Parkway. DHHS and Street Maintenance have received numerous complaints from residents living near municipal snow dumps. In the interest of preserving quality of life in Anchorage it would be best to restrict residential development in the vicinity of this site. Keeping the existing business zoning category for this property would better preserve

this.”

Air: All uses are subject to AMC 15.30 South Central Clean Air Ordinance, and AMC 15.35 South Central Clean Air Ordinance Regulations.

Seismic: The property is within seismic zones 3 (moderate ground failure susceptibility).

Land Use Patterns

See earlier discussion. Properties to the north of DeBarr are classified as Merrill Field/Transportation Related and zoned I-1 SL/R-O SL; to the east as commercial, public lands/institutions and residential and zoned B-3 SL, R-O, PLI and R-2M; to the south as commercial and residential and zoned B-3 SL and R-1, and to the west of the petition site as commercial. However, the property to the west was recently zoned R-4 SL by the Assembly, so the classification now becomes residential. To the southwest of the petition site is developed with a Planned Unit Development zoned R-2M built in townhouse style development.

Transportation/Drainage

Topographically and physically, East 16th Avenue separates this site from the residential to the south. Lake Otis Parkway and DeBarr Road are Class III Major Arterials; East 16th Avenue is a local residential roadway, and Charter Circle – the only legal and physical access to the site -- is a commercial cul-de-sac. Transportation Planning agrees with the narrative submitted by the petitioner regarding the compatibility of the R-4 zoning with the transit supported development corridor along DeBarr Road. Traffic Engineering did not comment on this case and State Department of Transportation had no objection to the proposed zoning. Natural drainage appears to flow to the northwest corner of the site. A drainage plan would be required as part of the development process.

Public Services and Facilities

Roads: The petition site is located within the Anchorage Roads and Drainage Service Area (ARDSA).

Utilities: public sewer, gas and electrical utilities are available to this property. AWWU sanitary sewer and water mains are located within the Charter Circle rights-of way. There is an additional sanitary sewer main located within the DeBarr Road right-of-way.

Schools: The petition site is located in the following attendance boundaries: East High School, Wendler Jr. High School and Airport Heights Elementary School. The school district applies a housing stock multiplier based on the individual school district attendance boundary to forecast new students from a given housing type.³

The intended density is 8 DUA but the housing style is unknown. Even though R-4 allows multi-family uses and R-4 falls within a density range of 21-35, it also allows single-family uses, which typically get developed between 3-6 DUA.

Therefore, assuming single family at 8 DUA, development would be 6 units. This would generate 2 elementary students (.36 multiplier), less than 1 (0.66) junior high student (.11 multiplier) and 1 high school student (.2 multiplier).

Actual school capacity for the 2001-02 school year for East was 95% capacity; Wendler was 133 % and Airport Heights was 84 %. Projected school capacity for the 2006-07 school year for East is 101 %; Wendler is 122 % and Airport Heights is 69 %.

Parks: The 1997 Areawide Trails Plan shows an existing multi-use paved trail along the north side of DeBarr, a planned bicycle route along the east side of Lake Otis. There is also an existing multi-use paved trail along East 16th Avenue. Sitka Street Park (a community park, 17 acres) is located one-quarter mile to the west of the petition site. Lake Otis Park, Tikishla Park (a community park, 105 acres) and Eastchester Park (a neighborhood park 43 acres) are located one-half mile south of the petition site.

Public Safety: The petition site is located within the Police, Fire, Building Safety, Parks and Anchorage Roads and Drainage service areas.

³ Anchorage School District 1992-1993 Housing Stock Multipliers

2. The supply of land in the economically relevant area that is in the use district to be applied by the zoning request or in similar use districts, in relationship to the demand for that land.

The petition site is 0.84 acres of B-3 SL designated land; there is no undeveloped Multiple Family zoning vacant land in the surrounding area (500-1000-foot radius) or general area (1 mile radius) with the exception of the 3.69 acres of R-4 SL zoned land adjacent to the petition site. It was approved April 9, 2002.

3. The time when development probably would occur under the amendment, given the availability of public services and facilities and the relationship of supply to demand found under paragraph 2 above.

Development would occur with the Assembly approval of the rezoning.

4. The effect of the amendment on the distribution of land uses and residential densities specified in the Comprehensive Plan, and whether the proposed amendment furthers the allocation of uses and residential densities in accordance with the goals and policies of the Plan.

Approval of R-4 SL would create 0.84 acres of residential classified property and remove 0.84 acres of commercially classified land.

DISCUSSION

The petitioner is requesting the property be zoned to R-4 SL. No reason is given in support of R-4 SL rezoning or explanation of why B-3 commercial uses can not be developed for this site. The application did not provide a concept site plan or elevation drawings showing how development can be accommodated at this location.

In the past, both the Commission and the Assembly have viewed zoning requests that did not provide a specific development site plan – even in concept – as a speculative rezoning and one that doesn't permit the public to comment on anything other than generalities. A spot zoning is one that benefits an individual owner for a use incompatible with surrounding land uses, has no public benefit or interest, and that does not further the comprehensive zoning plan.

The petition area is with ¼ mile of DeBarr, which is designed as a Transit Supportive Development Corridor. The petitioner is proposing a density special limitation of 8 DUA, in keeping with Policy 34, which encourages higher density residential development with these land use corridors of at least 8 dwelling units per gross acre. 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.”

Rezoning from commercial to residential is consistent with residential and transit corridor goals, policies and objectives, even though the rezoning is not consistent with 1982 Comprehensive Plan Generalized Land Use Plan. Traffic impacts from residential development would not appear to be greater than can already be handled by the adjacent roadways. Physical and legal access is available to Charter Place. Higher density residential appears not to have a long-term impact upon the schools.

The special limitation calling for pedestrian access via a walkway, to be resolved with staff, on Lake Otis or 16th Avenue was required by AO 2002-35 but does not seem applicable to this property. Staff would recommend it be deleted. Similarly the prohibition of direct vehicular access to or from 16th Avenue, DeBarr Road or Lake Otis is not applicable to this property and should be deleted.

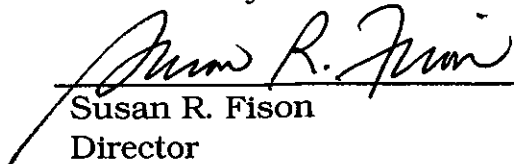
RECOMMENDATION

The Department recommends the R-4 SL as proposed by the petitioner:

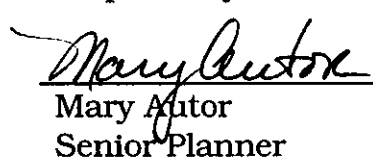
- a. Building height, as defined by AMC 21.45.050 shall not exceed the lesser of 35-feet or a maximum of 138 feet above mean sea level based on the GAAB 1972 Post Quake Adjustment.
- b. Permitted principal uses and structures are limited to:
 - 1) Residential dwellings developed to a minimum eight (8) 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.

- c. 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

Reviewed by:


Susan R. Fison
Director

Prepared by:


Mary Autor
Senior Planner

(004-111-16/Grid 1434)

**DEPARTMENTAL
COMMENTS**

Reviewing Agency Comment Summary Case No.: 2002-143

| Agency | Comments Included in Packet | No Comments and/or Objections | No Response |
|--|-----------------------------|-------------------------------|-------------|
| Alb. Pollution Control | X | | |
| Alaska Dept. | | | X |
| Alaska Department of Health | | | X |
| Alaska Department of Natural Resources | | | X |
| ANWR | X | | |
| Department of Commerce | | | X |
| Department of Education | | | X |
| Department of Fish and Game | | | X |
| Department of Health and Social Services | | | X |
| Department of Labor | | | X |
| Department of Law | | | X |
| Department of Public Safety | | | X |
| Department of Transportation | | X | |
| Department of Wildlife | | | X |
| Department of Youth and Family Services | | | X |
| Division of Environmental Protection | | | X |
| Division of Wildlife | | | X |
| Division of Wildlife Management | | X | |
| Division of Wildlife Management | | | X |
| Division of Wildlife Management | | | X |
| Division of Wildlife Management | | X | |
| Division of Wildlife Management | X | | |

On-site Water/
Wastewater

X

Municipality Of Anchorage
ANCHORAGE WATER & WASTEWATER UTILITY

MEMORANDUM

RECEIVED
JUN 12 2002
MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING

DATE: June 11, 2002
TO: Zoning and Platting Division, OPDPW
FROM: Hallie Stewart, Engineering Technician
SUBJECT: Planning and Zoning Commission Meeting of August 12, 2002
AGENCY COMMENTS DUE July 15, 2002

AWWU has reviewed the case material received June 7, 2002, and has the following comments.

02-143 Town Square, Lot 4A (rezone) Grid 1434

AWWU water and sanitary sewer mains are located within the Charter Circle right-of-way.

AWWU has no objection to the proposed rezone.

If you have any questions, please call me at 343-8009 or the AWWU Planning Section at 564-2739.



MUNICIPALITY OF ANCHORAGE

Department of Health and Human Services



Date: July 17, 2002
To: Rich Cartier, Planning Technician
Thru: Steve Morris P.E., Program Manager
From: Jeffrey Urbanus, Environmental Specialist
Subject: Environmental Services Division Comments Due 07/15/02

RECEIVED
JUL 18 2002
MUNICIPALITY OF ANCHORAGE
PLANNING DIVISION

CASE NO 2002-143: The Environmental Services Division objects to this request for change in zoning category based on the property's proximity to an existing municipal snow dump. The snow dump is located across Lake Otis Pkwy. from the subject property, bordered by Sitka and DeBarr road, and receives snow from the Fairview and Downtown Business areas. Noise complaints have been received about operation of this snow dump in the past, restricting equipment traffic to Lake Otis Parkway. Numerous complaints have been received from residents living near municipal snow dumps by this department and Street Maintenance. In the interest of preserving quality of life in Anchorage it would be best to restrict residential development in the vicinity of this site. This would be better preserved by keeping the existing business zoning category for this property.

within 10 feet of the houses bordering the common access. The common access made sense when both parcels were assumed to be developed as commercial. Now that one of the parcels is going to be developed residential, an alternative access for lot 12A needs to be found.

Case No. 202-131

No comment.

Case No. 2002-133

No comment



Case No. 2002-143

Transportation Planning staff agrees with the narrative submitted by the petitioner regarding the compatibility of the rezoning to R-4 with the transit supported development corridor along DeBarr Road.

Municipality of Anchorage

MEMORANDUM

RECEIVED
JUL 11 2002
MUNICIPALITY OF ANCHORAGE
PLANNING DIVISION

DATE: May 10, 2002
TO: Jerry Weaver, Division Manager, Zoning and Platting Division
THRU:  Tom P. Nelson, Supervisor, Physical Planning Division
FROM:  Nedde Tobish, Senior Planner, Physical Planning
SUBJECT: August 2002, Planning and Zoning Commission Case Review Comments

The Physical Planning Division offers the following comments on cases scheduled for the August 5 & 12, 2002 Planning and Zoning Commission meeting:

Physical Planning has no comments on the following cases:

Case No. 2002-045 Site Plan Review for Public Facility-Denali St. Upgrades
Case No. 2002-124 Master Plan Approval for Centerpoint Subdivision
Case No. 2002-127 Rezoning from R-10 to PLI—Section 36, HLB Parcels
Case No. 2002-128 Rezoning from R-5 to I-1
Case No. 2002-129 Conditional Use for QI Use
Case No. 2002-131 Rezoning from PLI to R-10SL
Case No. 2002-143 Rezoning from B-3SL to R-4SL

Case No. 2002-125 Conditional Use Approval for Thermal Desorption Unit

Physical Planning recommends that the final conditional use approval include any additional conditions required by the relevant State of Alaska permit requirements for this activity. A vegetative screening buffer consistent with applicable sections of the Code is necessary at the site's south border with Minnesota-O'Malley Drive. Physical Planning recommends that the Commission consider adding a condition, which states that if there are more than two air quality permit violations for this site, the conditional use will be terminated for non-compliance.

Case No. 2002-126 Site Plan Review for Brittany Rock Condos

Physical Planning recommends that the landscape retention areas at the site's northern perimeter be identified as permanent arterial buffer landscaping, to be retained in an undisturbed state. The limits of this buffer area shall be staked in the field and not disturbed. Because the Code requires that residential uses in B-3 districts must be multifamily at 12 DUA, the residential section of this site must comply with that density. The current proposal appears to be duplexes at less than 12 DUA.

RECEIVED

JUL 03 2002

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

Pierce, Eileen A

From: Staff, Alton R.
Sent: Wednesday, July 03, 2002 9:11 AM
To: Ayres, Patty R.; Pierce, Eileen A
Cc: Taylor, Gary A.
Subject: Zoning Case Reviews

The Public Transportation Department has no comment on the following cases:

2002-108✓
2002-110✓
2002-112✓
2002-115✓
2002-117✓
2002-118✓
2002-126✓
2002-143✓
2002-125✓
2002-127✓
2002-128✓
2002-129✓
2002-130✓
2002-131✓
2002-133✓
2002-153✓
2002-156✓
2002-160✓
2002-161✓

Thank you for the opportunity to review.

Alton R. Staff, Operations Supervisor
Public Transportation Department, People Mover
3650-A E. Tudor Road
Anchorage, 99507

MA

Development Svcs.

Bldg Safety

On-site Water
& Wastewater

2002 – 131 A request for rezoning to R-10SL Residential alpine/slope district.

Same concerns as S – 10940, Near Point Knoll.

2002 – 133 An Ordinance amending Title 21 pertaining to Land Clearing.

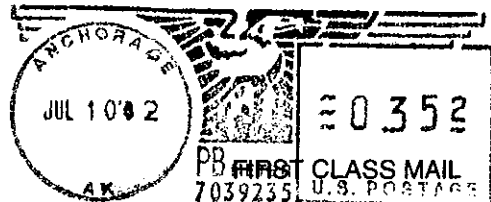
Suggest changing page 3, D.1.a to read: "Documentation of the existing condition for the entire site, to include location of existing and proposed buildings, paved areas, vegetation that is to be retained, and the location of creeks, water bodies, drainage areas and wetlands **within 200 feet of any property boundary;**"

2002 – 143 A request for rezoning to R-4SL, Multiple-family residential district with special limitations.

No objections.

Municipality of Anchorage
P. O. Box 196650
Anchorage, Alaska 99519-6650
(907) 343-4215

PRESORTED
FIRST CLASS



004-145-33-000
TRUMMER LOREEN M
1718 TOKLAT STREET
ANCHORAGE, AK 99508

JUL 18 2002

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION

NOTICE OF PUBLIC HEARING - - Monday, August 12, 2002

Planning Dept Case Number: 2002-143

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2002-143
PETITIONER: PALMER JOYCE A
REQUEST: Rezoning to R-4SL Multiple-family residential district with special limitations
TOTAL AREA: 0.84 acres
SITE ADDRESS: CHARTER CIRCLE
CURRENT ZONE: B-3SL General business district with special limitations
COM COUNCIL: Airport Heights **COM COUNCIL 2:**
LEGAL/DETAILS: A request to rezone approximately 0.84 acres from B-3SL (General Business with Special Limitations) to R-4SL (Multiple Family Residential with Special Limitations). Town Square Subdivision, Lot 4A. Located on the southwest side of Charter Circle.

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30 p.m., Monday, August 12, 2002 in the Assembly Hall of the Z. J. Loussac Library, 3600 Denali Street, Anchorage, Alaska.

The Zoning Ordinance requires that you be sent notice because your property is within the vicinity of the petition area. This will be the only public hearing before the Commission and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Department of Planning, P.O. Box 196650, Anchorage, Alaska 99519-6650. For more information call 343-4215; FAX 343-4220. Case information may be viewed at www.muni.org by selecting Zoning and Platting On-line Notification.

Name: Loreen M Trummer
Address: 1718 Toklat Street
Legal Description: Lot 16, block 2, Subdivision City view #2
Comments: I oppose the rezoning to R-4, Multifamily residential. The corner of Lake Otis and Debar is extremely busy already and becomes backed up with many cars at various times of a normal day. The advent of a multifamily residential building would greatly exacerbate an existing traffic flow problem. The layout of the area is also not conducive to a family housing unit. The area should remain a busi-zoned as a business district. It makes no sense to mix people and businesses on an already busy corner.

REZONING/RESIDENTS--PLANNING COMMISSION
2002-143

Loreen M Trummer

3

APPLICATION

Application for Zoning Map Amendment

Municipality of Anchorage
Planning Department
PO Box 196650
Anchorage, AK 99519-6650



Please fill in the information asked for below.

| PETITIONER* | | PETITIONER REPRESENTATIVE (IF ANY) | |
|--|--|--|--|
| Name (last name first) Palmer, Joyce A. | | Name (last name first) DOWL Engineers | |
| Mailing Address 10505 Maintree Drive | | Mailing Address 4040 B Street | |
| Anchorage, Alaska 99516 | | Anchorage, Alaska 99503 | |
| Contact Phone: Day: 273-7363 Night: 273-7363 | | Contact Phone: Day: 562-2000 Night: 562-2000 | |
| FAX: | | FAX: 563-3953 | |
| E-mail: | | E-mail: ebecker@dowl.com | |

*Report additional petitioners or disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

| PROPERTY INFORMATION | | |
|---|---------------|---------------|
| Property Tax #(000-000-00-000): 004-11-116 | | |
| Site Street Address: Charter Circle | | |
| Current legal description: (use additional sheet if necessary) | | |
| Lot 4A, Town Square Subdivision, located within the NW $\frac{1}{4}$, Section 21, T13N, R3W, S.M., Ak. | | |
| Zoning: B-3SL | Acreage: 0.84 | Grid # 001434 |

I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I petition to rezone it in conformance with Title 21 of the Anchorage Municipal, Code of Ordinances. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, 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, the Planning and Zoning Commission or the Assembly for administrative reasons.

6.05.02

Date

Philip Becker

Signature (Agents must provide written proof of authorization)

Accepted by: AL BARRETT

Poster & Affidavit:

Fee:

\$750.00

Case Number

2002-143

COMPREHENSIVE PLAN INFORMATIONAnchorage 2020 Urban/Rural Services: ☒ Urban ☐ RuralAnchorage 2020 West Anchorage Planning Area: ☐ Inside ☒ Outside

Anchorage 2020 Major Urban Elements: Site is within or abuts:

- ☒ Major Employment Center ☐ Redevelopment/Mixed Use Area ☐ Town Center
☐ Neighborhood Commercial Center ☐ Industrial Center
☒ Transit - Supportive Development Corridor

Eagle River-Chugiak-Peters Creek Land Use Classification:

- ☐ Commercial ☐ Industrial ☐ Parks/opens space ☐ Public Land Institutions
☐ Marginal land ☐ Alpine/Slope Affected ☐ Special Study
☐ Residential at _____ dwelling units per acre

Girdwood- Turnagain Arm

- ☐ Commercial ☐ Industrial ☐ Parks/opens space ☐ Public Land Institutions
☐ Marginal land ☐ Alpine/Slope Affected ☐ Special Study
☐ Residential at _____ dwelling units per acre

ENVIRONMENTAL INFORMATION (All or portion of site affected)

- Wetland Classification: ☐ None ☐ "C" ☐ "B" ☐ "A"
 Avalanche Zone: ☐ None ☐ Blue Zone ☐ Red Zone
 Floodplain: ☐ None ☐ 100 year ☐ 500 year
 Seismic Zone (Harding/Lawson): ☐ "1" ☐ "2" ☒ "3" ☐ "4" ☐ "5"

RECENT REGULATORY INFORMATION (Events that have occurred in last 5 years for all or portion of site)

- ☐ Rezoning - Case Number:
☐ Preliminary Plat ☐ Final Plat - Case Number(s):
☐ Conditional Use - Case Number(s):
☐ Zoning variance - Case Number(s):
☐ Land Use Enforcement Action for
☐ Building or Land Use Permit for
☐ Wetland permit: ☐ Army Corp of Engineers ☐ Municipality of Anchorage

APPLICATION ATTACHMENTS

- Required: ☒ Area to be rezoned location map ☐ Signatures of other petitioners (if any)
☒ Narrative statement explaining need and justification for the rezoning; the proposed land use and development; and the probable timeframe for development.
☒ Draft Assembly ordinance to effect rezoning.
- Optional: ☐ Building floor plans to scale ☐ Site plans to scale ☐ Building elevations
☐ Special limitations ☐ Traffic impact analysis ☐ Site soils analysis
☐ Photographs

APPLICATION CHECKLIST

1. Zoning map amendments require a minimum of 1.75 acres of land excluding right-of-way or a boundary common to the requested zone district.
2. The petitioning property owner(s) must have ownership in at least 51% of property to be rezoned.



May 24, 2002
D58076

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

Subject: Application to Amend Zoning Map
 Lot 4A, Town Square Subdivision

Dear Ms. Fison:

DOWL Engineers (DOWL), on behalf of Joyce A. Palmer respectfully submits the attached Zoning Map Amendment application for approval. Ms. Palmer is requesting that Lot 4A, Town Square Subdivision be rezoned from B-3 SL to R-4 SL as defined by AO 2002-35. This request is being made because the owner would like to develop this property as a residential use in conjunction with the adjoining parcel, (Lot 5, Town Square Subdivision), located directly north and west of the site. It should be noted that Lot 5 was rezoned from B-3 SL to the requested R-4 SL AO 2002-35 on April 9, 2002. Developing Lot 4A and Lot 5 as a combined residential use will serve to enhance the overall shape and configuration of each property by "squaring off" the development as a whole. In addition, coordinating the residential development of these two lots will enhance traffic and pedestrian circulation and provide for a contiguously zoned area that will foster growth needs in a location that is consistent with the Anchorage 2020 Comprehensive Plan

We trust that the enclosed application provides sufficient information for you to move forward with this request. Please contact me if you have any questions or require additional information.

Sincerely,
DOWL Engineers

A handwritten signature in black ink, reading 'Erika P. Becker'.

Erika P. Becker, AICP
Planner

D58076.Fison.EPB.052402.seh



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: | ATB |
| Verify Own: | ATB |
| Poster and Affidavit: | ATB |
| Fee \$ | 150 |
| Tentative | |
| Hearing Date | sep 19 02 |

Case Number: 2002-143

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:

R - 4 S L M U L T I - F A M I L Y R E S I D E N T I A L

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

L O T 4 A T O W N S Q U A R E S U B D I V I S I O N

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

C H A R T E R C I R C L E

4. Petitioner's Name (Last - First)

J O Y C E A P A L M E R

Address:

10505 Maintree Drive

City

Anchorage

State:

Alaska

Day Phone

Number: 273-7363

Zip:

99516

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: 562-2000

Zip:

99503

6. Current Zoning:

B - 3 S L

7. Petition Acreage:

0 . 8 4

8. Grid Number:

0 0 1 4 3 4

9. Principal Tax Number:

0 0 4 1 1 1 1 6

10. No. of Tax Parcels:

1

11. Community Council: Airport Heights Community Council

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: 5.24.02

Signature:

Chela Becker

Agents must provide written proof or authorization

40

C. Please check or fill in the following

1. Comprehensive Plan – Land Use Classification

- | | | |
|--|--|---|
| <input type="checkbox"/> Alpine/Slope Affected | <input type="checkbox"/> Marginal Land | <input type="checkbox"/> Residential |
| <input checked="" 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

- | | | |
|--|--|--|
| <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 checked="" type="checkbox"/> d. Seismic Zone (Harding/Larson) – Zone 3 |
| <input type="checkbox"/> Preservation | |

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

- | | | |
|--|---------------|-------------------|
| <input type="checkbox"/> Rezoning | Case Number | _____ |
| <input checked="" type="checkbox"/> Subdivision action | Case Number | <u>Plat 84124</u> |
| <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)

2. _____

3. _____

4. _____

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

1. See Attachment

2. _____

3. _____

4. _____

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

Lot 4A, Town Square Subdivision, located within the NW 1/4, Section 21, T 13 N,
R3W, SM, AK



STANDARDS FOR ZONING MAP AMENDMENTS

The petitioner must provide a written narrative which addresses the following standards. Zoning map amendment applications which do not address these items will be considered invalid and will not be accepted for public hearing by the Department of Community Planning and Development. (Use additional paper if necessary).

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

See Attachment

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:

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

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

See Attachment

- 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.

See Attachment

- 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.

See Attachment

- ### B. A zoning map amendment may be approved only if it is in 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;

See Attachment

b. Transportation;

See Attachment

c. Public Services and Facilities;

See Attachment

d. Land Use Patterns;

See Attachment

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?

See Attachment

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?

See Attachment

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

See Attachment

STANDARDS FOR ZONING MAP AMENDMENTS
Rezone from B-3 SL to R-4 SL for Lot 4A, Town Square Subdivision

A. Conformance to Comprehensive Plan.

- 1. If the proposed zoning map amendment does not conform to the land use classification map contained in 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;**

A mixture of uses surrounds this site. To the south the development is R-1, single family residential. To the north and to the west is a vacant property that was recently rezoned to an R-4 SL use. To the east the property is zoned B-3 SL and is being developed as the headquarters for the American Legion. Development of this site as high density residential is supported by the Anchorage 2020 Comprehensive Plan. The site is very near Lake Otis Parkway and East 15th Avenue, both of which have been identified as Transit-Supportive Development Corridors. The intent of these corridors is to increase the residential density so as to increase the ridership for mass transportation as described on page 53 of the 2020 Plan.

- 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 planning; or**

We are proposing that this property be zoned with the same special limitations as the adjoining parcel per AO 2002-35

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

Generalized Land Use Policy #3 states, "The Municipality shall employ development strategies for the Anchorage Bowl to accommodate approximately 31,600 additional dwelling units by the year 2020 with the allocation of dwelling units by planning sectors as follows; Northeast 6,000 to 8,000." This rezoning will help the Municipality meet this goal.

Residential Policy #9 requires residential densities of 8 dwelling units per acre or greater to locate within a .25 mile walking distance of major transit-supportive development corridors. As previously stated, this site is very close to the Lake Otis Parkway and East 15th Avenue Transit-Supportive Development Corridors.

-
-

STANDARDS FOR ZONING MAP AMENDMENTS
Rezone from B-3 SL to R-4 SL for Lot 4A, Town Square Subdivision

Residential Policy #16 requires new residential development to provide for a variety of lot sizes and housing types for a range of households and age groups. The proposed zoning district permits the flexibility to provide a mix of development styles and densities in close proximity to a major employment center.

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:

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

The site is very close to the Lake Otis Parkway and East 15th Avenue Transit-Supportive Development Corridors.

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 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 general area.

Not Applicable.

B. A zoning map amendment may be approved only if it is in 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

STANDARDS FOR ZONING MAP AMENDMENTS
Rezone from B-3 SL to R-4 SL for Lot 4A, Town Square Subdivision

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 effects.):

a. Environment;

There will be few environmental concerns with this rezoning. All public facilities and infrastructure are in place at this time. Sewer, water, gas, electrical and storm drainage are available to the site.

b. Transportation;

Both Lake Otis Parkway and East 15th Avenue are designated as class III Major Arterials in the Official Streets and Highways Plan. Both streets are designated as Transit-Supportive Development Corridors in the Anchorage 2020 Comprehensive Plan.

c. Public Services and Facilities;

All public services and facilities are available to the site at this time. No extensions are required.

d. Land Use Patterns;

| | |
|--------|--------------------------------|
| North: | R-4 SL, Vacant Land |
| South: | R-1, Single Family Development |
| West: | R-4 SL, Vacant Land |
| East: | B-3 SL, Vacant Land |

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 no undeveloped Multiple Family zoned vacant land in the neighborhood or the general area. The site will be a step forward in meeting the goals set forth in the 2020 Anchorage Bowl Comprehensive Plan for housing in the northeast quadrant of Anchorage.

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?**

STANDARDS FOR ZONING MAP AMENDMENTS
Rezone from B-3 SL to R-4 SL for Lot 4A, Town Square Subdivision

Development could occur with the approval of the rezoning by the Municipal Assembly. Development of the site will not be hindered by public service extensions. All public services and facilities are available to the site at this time.

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

Although the subarea plan has not been developed for this area. The Anchorage 2020 Comprehensive Plan indicates that a subarea plan would probably recognize that this site has strong potential for being reclassified due to its location.

Paul Palmer

Memo

RECEIVED

JUL 18 2002

MUNICIPALITY OF ANCHORAGE
COMMUNITY PLANNING & DEVELOPMENT



To: Municipality of Anchorage

From: Paul M. Palmer

CC:

Date: 7/18/2002

Re: Lot 4A Town Square

This is authorization for DOWL Engineers to process this rezone request for Lot 4A Town Square Sub. on behalf of our trust, Paul M. and Joyce. A. Palmer, Trustees under the Paul M. and Joyce A. Palmer Living Trust, dated June 15, 1999.

Sincerely,

Paul M. Palmer

Paul M. Palmer

A
L
A
S
K
A*STATUTORY WARRANTY DEED

CC

PNT58001SC
The Grantors, CALVIN WEST, a Married person, JORDAN SUHR, a Married person, and JEROME SARGENT, a Married person, of 4510 - Montrose Circle, Anchorage, AK 99502, pursuant to *Sec. 34.15.030, Alaska Statutes, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other valuable consideration in hand paid, and as part of an IRC Section 1031 Tax Deferred Exchange, the receipt and sufficiency of which is hereby acknowledged, do hereby grant, convey and warrant to Grantees, PAUL M. PALMER or JOYCE A. PALMER, Trustees under the PAUL M. AND JOYCE A. PALMER LIVING TRUST, dated June 15, 1999, of 10505 Maintree Drive, Anchorage, Alaska 99516, the following described real property, together with all tenements, hereditaments and appurtenances located in the Anchorage Recording District, Third Judicial District, State of Alaska:

Lot Four "A" (4A), of TOWN SQUARE, according to Plat 85-175, filed in the Anchorage Recording District, Third Judicial District, State of Alaska.

SUBJECT to reservations and exceptions as contained in U.S. Patent and/or in Acts authorizing the issuance thereof; real property taxes, if any due; and easements, reservations and notes on plat.

DATED this 22nd day of APRIL, 2002.


CALVIN WEST

JORDAN SUHR

JEROME SARGENT

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the 26 day of APRIL, 2002, before me the undersigned Notary Public personally appeared CALVIN WEST, who is known to me and to me known to be

***STATUTORY WARRANTY DEED**

The Grantors, CALVIN WEST, a _____ person, JORDAN SUHR, a _____ person, and JEROME SARGENT, a _____ person, of _____

_____, pursuant to *Sec. 34.15.030, Alaska Statutes, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other valuable consideration in hand paid, and as part of an IRC Section 1031 Tax Deferred Exchange, the receipt and sufficiency of which is hereby acknowledged, do hereby grant, convey and warrant to Grantees, PAUL M. PALMER or JOYCE A. PALMER, Trustees under the PAUL M. AND JOYCE A. PALMER LIVING TRUST, dated June 15, 1999, of 10505 Maintree Drive, Anchorage, Alaska 99516, the following described real property, together with all tenements, hereditaments and appurtenances located in the Anchorage Recording District, Third Judicial District, State of Alaska:

Lot Four "A" (4A), of TOWN SQUARE, according to Plat 85-175, filed in the Anchorage Recording District, Third Judicial District, State of Alaska.

SUBJECT to reservations and exceptions as contained in U.S. Patent and/or in Acts authorizing the issuance thereof; real property taxes, if any due; and easements, reservations and notes on plat.

DATED this 22nd day of APRIL , 2002.

CALVIN WEST

Jordan Suhr
JORDAN SUHR

JEROME SARGENT

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the ____ day of APRIL, 2002, before me the undersigned Notary Public personally appeared CALVIN WEST, who is known to me and to me known to be

Page 1 of 2

FRANCIS J. NOSEK, JR., A Professional Corporation
310 K Street, Suite 601, Anchorage, Alaska 99501
(907) 274-2602



2 of 4
2002-028157-0

the person named in and who executed the above and foregoing, and he acknowledged to me that he signed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal.



Sandy Carter
Notary Public in and for Alaska
My Commission expires: 1-8-05

STATE OF OREGON

)
) ss.
)

COUNTY OF

THIS IS TO CERTIFY that on the _____ day of _____, 2002, before me the undersigned Notary Public personally appeared JORDAN SUHR, who is known to me and to me known to be the person named in and who executed the above and foregoing, and he acknowledged to me that he signed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

Notary Public in and for Oregon
My Commission expires: _____

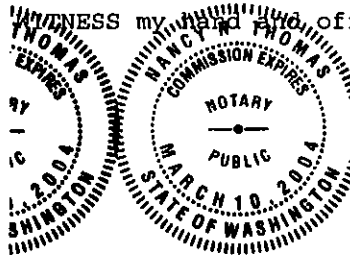
STATE OF WASHINGTON

)
) ss.
)

COUNTY OF

THIS IS TO CERTIFY that on the 24 day of April, 2002, before me the undersigned Notary Public personally appeared JEROME SARGENT, who is known to me and to me known to be the person named in and who executed the above and foregoing, and he acknowledged to me that he signed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal.



Nancy Thomas
Notary Public in and for Washington
My Commission expires: March 2004

READ & APPROVED

AFTER RECORDING RETURN TO GRANTEEES

the person named in and who executed the above and foregoing,
and he acknowledged to me that he signed the same freely and
voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

Notary Public in and for Alaska
My Commission expires: _____

STATE OF OREGON)
COUNTY OF Yamhill) ss.

THIS IS TO CERTIFY that on the 24th day of April,
2002, before me the undersigned Notary Public personally
appeared JORDAN SUHR, who is known to me and to me known to be
the person named in and who executed the above and foregoing,
and he acknowledged to me that he signed the same freely and
voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal.



Marcia L. Cobb
Notary Public in and for Oregon
My Commission expires: Aug 19, 2005

STATE OF WASHINGTON)
COUNTY OF) ss.

THIS IS TO CERTIFY that on the _____ day of _____,
2002, before me the undersigned Notary Public personally
appeared JEROME SARGENT, who is known to me and to me known to
be the person named in and who executed the above and foregoing,
and he acknowledged to me that he signed the same freely and
voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

Notary Public in and for Washington
My Commission expires: _____

READ & APPROVED

AFTER RECORDING RETURN TO GRANTEEES



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 16th Avenue from Tract 5, *not to preclude*
emergency access.

- c. The site shall provide pedestrian access to a walkway on Lake Otis or 16th
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

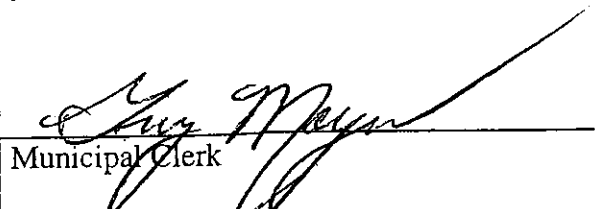
Section 3. The special limitations set forth in this ordinance prevail over any inconsistent provisions of Title 21 of the Anchorage Municipal Code, unless specifically provided for otherwise. All provisions of Title 21 of the Anchorage Municipal Code not specifically affected by the Special Limitations 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.

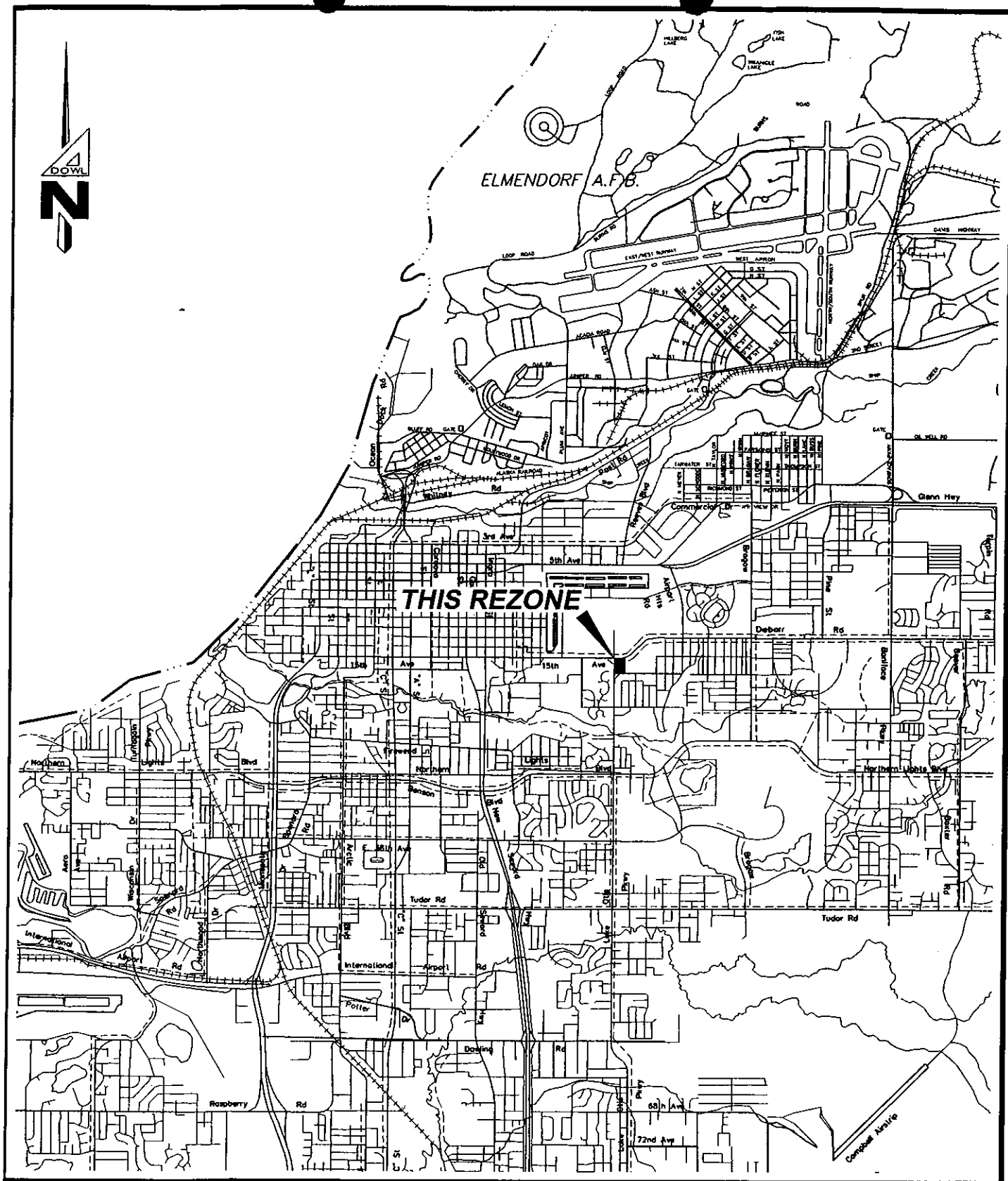
PASSED AND APPROVED by the Anchorage Assembly this 9th day of April, 2002.

ATTEST:


Chair


Municipal Clerk

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

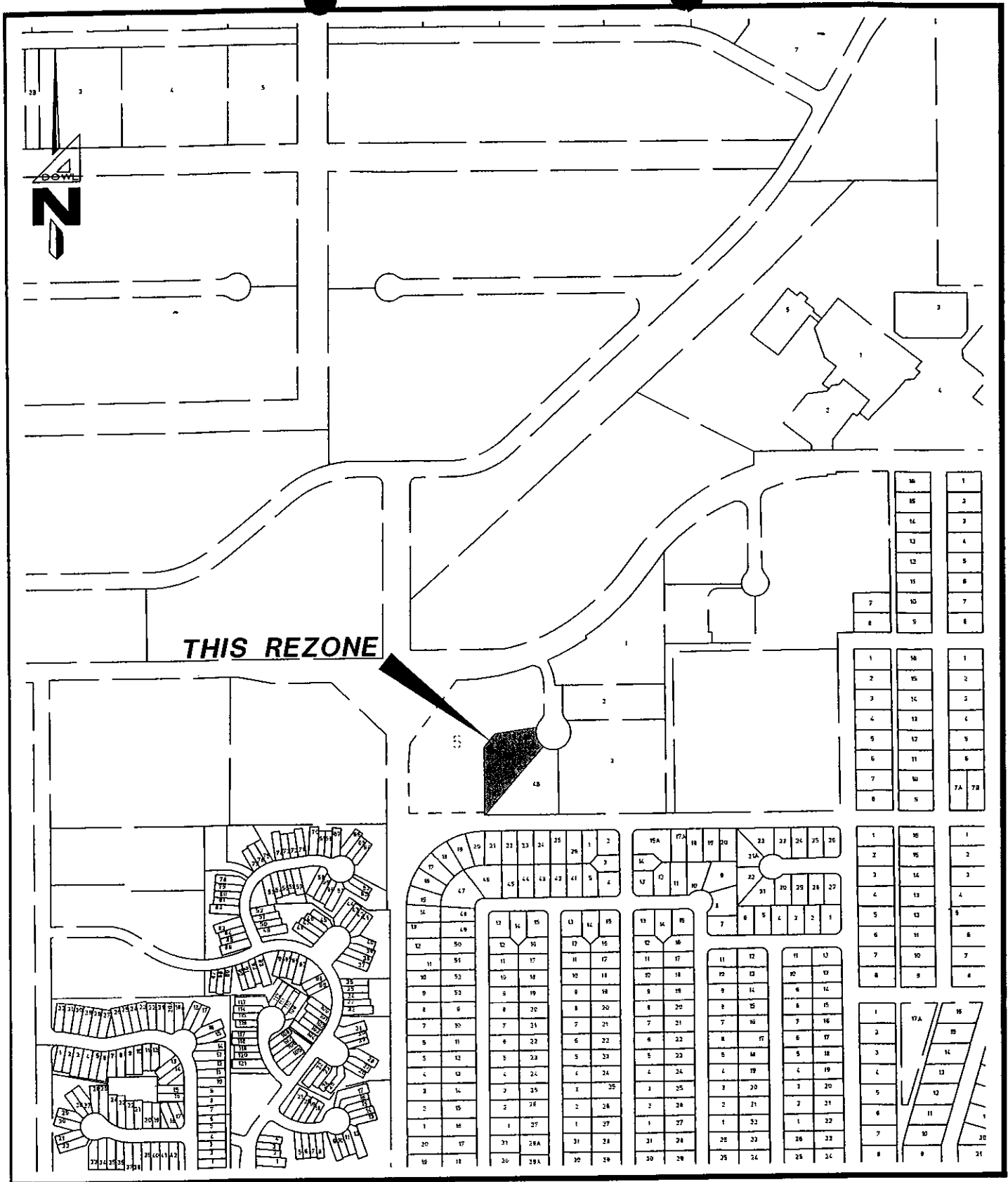


SCALE: 1"=1 mi

D58076



VICINITY MAP
REZONE B-3SL TO R-4SL
ANCHORAGE, ALASKA



D58076



**LOCATION MAP
REZONE B-3SL TO R-4SL
ANCHORAGE, ALASKA**

4

POSTING

AFFIDAVIT



RECEIVED
JUL 24 2002
MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DEPARTMENT

AFFIDAVIT OF POSTING

CASE NUMBER: 2002-143

I, CHRIS HARRINGTON 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 22 Jul 02 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 23 day of JUL, 2002


Signature

LEGAL DESCRIPTION

Tract or Lot LOT 4A

Block _____

Subdivision TOWN SQUARE SUB.

HISTORICAL INFORMATION

F.
Submitted by: Chairman of Assembly
at the request of the Mayor
A.T. Prepared by: Department of Law
For Reading: October 31, 1978

ANCHORAGE, ALASKA
AO NO. 78-224

AMENDED AND APPROVED

Date: 11-21-78

AN ORDINANCE REZONING CERTAIN DESCRIBED PROPERTY FROM B-1 (LOCAL AND NEIGHBORHOOD BUSINESS DISTRICT) TO B-35L (GENERAL AND STRIP COMMERCIAL BUSINESS DISTRICT WITH SPECIAL LIMITATIONS) FOR SECTION 29, T13N-R3W; SOUTHEAST OF DEBARR AND LAKE OTIS.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The Anchorage Municipal Zoning Map shall be amended to change the zoning district classification of a portion of Section 29-T13N-R3W as shown on the attached map from B-1 (local and neighborhood business district) to B-35L (general and strip commercial business district with special limitations) subject to the special limitations set forth in Section 2.

Section 2. Notwithstanding AMC 21.40.180B(1)(a), commercial-wholesale uses and structures shall not be permitted.

Notwithstanding AMC 21.40.180B(2), the following uses shall not be permitted:

Auditoriums, libraries, museums, historical and cultural exhibits, and the like;

Motion picture theaters;

Offstreet parking lots, garages;

Taxicab stands and dispatching offices;

Hotels, motels and motor lodges, boarding houses;

Gasoline service stations;

0001

60

Aircraft and marine parts and equipment stores;
Motor vehicle dealers, new and used;
Automobile display lots, new and used;
Mobile home display lots, new and used;
Aircraft and boat display lots, new and used;
Motorcycle and snow machine display lots, new and used;
Automobile, truck and trailer rental agencies;
Lumberyards and builders supply stores;
Fuel dealers;
Automobile car washes, self-service and automatic;
Drive-in banks;
Bus terminals and air passenger terminals;
Amusement arcades, billiard parlors and bowling alleys;
Veterinary clinics and boarding kennels.

Notwithstanding AMC 21.40.180B(3), multiple family and highrise apartments shall not be permitted.

Notwithstanding AMC 21.40.180D, the following uses shall not be permitted:

Heliports;
Drive-in movie theaters;
Camper parks.

Notwithstanding AMC 21.40.180D, subject to the requirements of the special exception standards and procedures of this title, the following uses may be permitted:

Drive-in banks with sufficient offstreet area for maneuvering and waiting automobiles;

Amusement arcades, billiard parlors and bowling alleys.

Notwithstanding AMC 21.40.1801, except as otherwise provided in Title 21, no building or structure may exceed three stories or 28 feet in height. Maximum coverage of all buildings shall not exceed 40%.


Section 3. In accordance with AMC 21.20.045 all district and supplementary district regulations applicable to a B-3 zoning district which are not specifically affected by the restrictions, standards and design criteria set forth herein, shall apply to the subject property in the same manner as if the district were not subject to a special limitation.

Section 4. The Planning Director shall change the Anchorage Municipal Zoning Map accordingly.

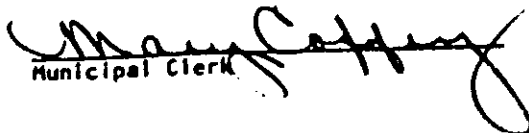
Section 5. This ordinance shall be effective upon passage and approval.

PASSED AND APPROVED by the Anchorage Assembly this 28th day of

Mar, 1978.


Chairman

ATTEST:


Municipal Clerk

Retyped 11/29/78

009952

August 3, 1999

Dean C. Hill
The American Legion
Department of Alaska
519 West 8th Avenue, Suite 208
Anchorage, AK 99501

Re: Use determination on Lot 4A, Town Square Subdivision

Dear Mr. Hill:

As you described in your letter dated July 13, 1999:

- The above property is located within the B-3SL, General Business District with Special Limitations, as designated by the Anchorage Municipal Code (AMC). The special limitations and plat notes that were found in this municipal office are attached.
- The use of the property for a "single story, 2800 square foot office building to house the state headquarters staff for the American Legion, Department of Alaska" is a permitted principal use within the B-3 district, per AMC 21.40.180.
- Landscaping and off-street parking must be provided in accordance with AMC 21.40.180; 21.45.080 and 21.45.125.

This determination only addresses the regulations contained in Title 21 of the Anchorage Municipal Code. You may also be required to conform to other municipal or state ordinances. For your convenience, I have attached a copy of AMC 21.40.180, the section that governs the B-3 district; AMC 21.45.080, the section that governs off-street parking; AMC 21.45.125, the section that governs landscaping and the special limitations and plat notes that were located in our files. If you have any further questions or concerns, please do not hesitate to call me at 343-8380.

Sincerely,

Deb Agler
Code Enforcement Officer

attachments

| | | | |
|--------------------|---|-----------------------|-------------------------------|
| ----- | | | |
| Reference number : | | 005672 | |
| Reference coment : | | BZAP - TEXT REFERENCE | |
| ----- | | | |
| Print date | : | 12/08/99 | Date TEXT created: 04/03/92 |
| Requested by | : | RAK | Executed from : BZAP/BZ20 |
| Action number | : | 90-69 | |
| Action date | : | 08/31/90 | Expiration date : / / |
| Reference type | : | PN | Description : PLAT NOTES |
| Reference status | : | APR | Description : RULING APPROVED |
| ----- | | | |

- 1 page follows -

Case #s-6944 town square subdivision

1. Direct vehicular access to debarr road is prohibited for lot 5
2. 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 traffic engineering.

| | | | |
|---------------------------|------------|--|-------------------|
| Reference number : 002907 | | Reference coment : BZAP - TEXT REFERENCE | |
| Print date | : 12/07/99 | Date TEXT created: | 04/03/92 |
| Requested by | : RAK | Executed from | : BZAP/BZ20 |
| Action number | : S 8011 | | |
| Action date | : 07/16/85 | Expiration date | : / / |
| Reference type | : PN | Description | : PLAT NOTES |
| Reference status | : APR | Description | : RULING APPROVED |

- 1 page follows -

85-175
grid:1434
town square lots 4a and 4b

no direct vehicular access to e 16th avenue.

A 5 foot walkway is located along the east boundary of lot 4b.

A 15 foot water and stairway easement is located at the south 60 feet of the east boundary of lot 4b.

A 10 foot vegetative screening easement is located along the south boundary of lot 4b.

| | | | |
|---------------------------|------------|--|----------------------|
| Reference number : 000425 | | Reference coment : BZAP - TEXT REFERENCE | |
| Print date | : 11/18/99 | Date TEXT created: | 04/03/92 |
| Requested by | : RAK | Executed from | : BZAP/BZ20 |
| Action number | : 78-224 | | |
| Action date | : 11/21/78 | Expiration date | : / / |
| Reference type | : SL | Description | : SPECIAL LIMITATION |
| Reference status | : APR | Description | : RULING APPROVED |

- 1 page follows -

Case #78-49

ordinance rezoning certain described property from b-1(local and neighborhood business district) to b-3sl(general and strip commercial business district with special limitations) for section 29, t12n-r3w, southeast of debarr and lake otis.

Notwithstanding amc 21.40.180b(1)(a), commercial-wholesale uses and structures shall not be permitted.

Notwithstanding amc 21.40.180b(2), the following uses shall not be permitted:

auditoriums, libraries, museums, historical and cultural exhibits, and the like
motion picture theatres.

Offstreet parking lots, garages

taxicab stands and dispatching offices

hotels, motels and motor lodges, boarding houses

gasoline service stations

aircraft and marine parts and equipment stores

motor vehicles dealers, new and used

automobile display lots, new and used

mobile home display lots, new and used

aircraft and boat display lots, new and used

motorcycle and snow machine display lots, new and used

automobile, truck and trailer rental agencies

lumberyards and builders supply stores

fuel dealers

automobile car washes, self-service and automatic

drive-in banks

bus terminals and air passenger terminals

amusement arcades, billiard parlors and bowling alleys

veterinary clinics and boarding kennels

notwithstanding amc 21.40.180b(3), multiple family and highrise apartments shall not be permitted.

Notwithstanding amc 21.40.180d, the following uses shall not be permitted:

- heliports

- drive-in movie theatres

- camper parks

notwithstanding amc 21.40.180d, subject to requirements of the special exception standards and procedures of this title, the following uses may be permitted:

- drive-in banks with sufficient offstreet area for maneuvering and waiting automobiles

- amusement arcades, billiard parlors and bowling alleys

notwithstanding amc 21.40.180i, except as otherwise provided in title 21, no building or structure may exceed three stories or 28 feet in height. Maximum coverage of all buildings shall not exceed 40%.

| | | | |
|---------------------------|------------|--|----------------------|
| Reference number : 002665 | | Reference coment : BZAP - TEXT REFERENCE | |
| Print date | : 12/07/99 | Date TEXT created: | 04/03/92 |
| Requested by | : RAK | Executed from | : BZAP/BZ20 |
| Action number | : 78-224 | | |
| Action date | : 11/28/78 | Expiration date | : / / |
| Reference type | : SL | Description | : SPECIAL LIMITATION |
| Reference status | : APR | Description | : RULING APPROVED |

- 1 page follows -

An ordinance rezoning certain described property from b-1 (local and neighborhood business district) to b-3sl (general and strip commercial business district with special limitation) for section 29 t13n r3w , southeast of debarr and lake otis.

Notwithstanding amc 21.40.180b(1)(a), commercial-wholesale uses and structures shall not be permitted:

- auditoriums, libraries, museums, historical and cultural exhibits, and the like;
- motion picture theaters;
- offstreet parking lots, garages;
- taxicab stands and dispatching offices;
- hotels, motels and motor lodges, boarding houses;
- gasoline service stations;
- aircraft and marine parts and equipment stores;
- motor vehicle dealers, new and used;
- automobile display lots, new and used;
- mobile home display lots new and used;
- aircraft and boat display lots, new and used;
- motorcycle and snow machine display lots, new and used;
- automobile, truck and trailer rental agencies;
- lumberyards and builders supply stores;
- fuel dealers;
- automobile car washes, self-service and automatic;
- drive-in banks;
- bus terminals and air passenger terminals;
- amusement arcades, billiard parlors and bowling alleys;
- veterinary clinics and boarding kennels.

Notwithstanding amc 21.40.180b(3), miltiple family and high-rise apartments shall not be permitted.

Notwithstanding amc 21.40.180d, the following uses shall not be permitted:

- heliports;
- drive-in movie theaters;
- camper parks.

Notwithstanding amc 21.40.180d, subject to the requirements of the special exception standards and procedures of this title, the following uses may be permitted:

- drive-in banks with sufficient offstreet area for maneuvering and waiting automobiles;
- amusement arcades, billiard parlors and bowling alleys.

Notwithstanding amc 21.40.180i, except as otherwise provided in title 21, no building or structure may exceed three stories or 28 feet in height. Maximum coverage of all buildings shall not exceed 40%.

**PLANNING & ZONING
COMMISSION PUBLIC HEARING
August 12, 2002**

**SUPPLEMENTAL INFORMATION
G.3. Case 2002-143
Rezone to R-4SL**



RECEIVED

AUG 06 2002

**MUNICIPALITY OF ANCHORAGE
COMMUNITY PLANNING & DEVELOPMENT**

August 6, 2002
W.O. D58076

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

Subject: Case 2002-143, Rezone to R-4 SL
Lot 4A, Town Square Subdivision

Dear Ms. Fison:

Attached is the Declaration of Covenants and Restrictions that was recorded on Lot 5, Town Square Subdivision, when it was rezoned from B-3 SL to R-4 SL (AO 2002-35). These additional restrictions were in direct response to concerns expressed by the Assembly and local neighborhood. The PM & JA Palmer Living Trust (Trust) is offering to record these same covenants and restrictions on Lot 4A, Town Square Subdivision. The Trust would like to develop this property as a residential use in conjunction with the adjoining parcel, Lot 5 referenced above. Applying these covenants and restrictions to Lot 4 A will provide continuity between the two properties.

Please contact me if you have any questions or require additional information.

Sincerely,
DOWL Engineers

A handwritten signature in cursive script, appearing to read 'Erika P. Becker'.

Erika P. Becker, AICP
Planner

Attachment: As stated

D58076.Fison.EPB.080602.kms

2002-022673-0

Recording Dist: 301 - Anchorage
4/5/2002 12:52 PM Pages: 1 of 2

A
L
A
S
K
A



CC

DECLARATION OF COVENANTS AND RESTRICTIONS FOR LOT 5, TOWN SQUARE

KNOW ALL PERSONS BY THESE PRESENTS, that the undersigned, being the sole owner of the following real property:

Lot Five (5), TOWN SQUARE, according to the official plat thereof, filed under Plat No. 90-69, in the records of the Anchorage Recording District, Third Judicial District, State of Alaska,

(hereinafter "OWNER" and "PROPERTY," respectively),

HEREBY declares and covenants that henceforth the PROPERTY shall be restricted in the following manner:

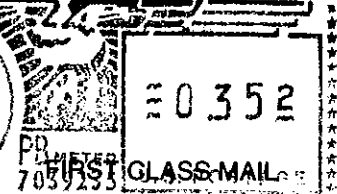
IF A DECLARATION SUBMITTING SAID PROPERTY TO THE HORIZONTAL PROPERTY REGIMES ACT IS EVER FILED FOR RECORD, SAID DECLARATION SHALL CONTAIN THE REQUIREMENT THAT THE OWNERS' ASSOCIATION SHALL AT ALL TIMES ASSESS AND COLLECT RESERVES ADEQUATE TO PAY FOR NORMAL, ANTICIPATED REPAIR AND MAINTENANCE OF THE ROOF(S) OF THE COMMON STRUCTURE(S), OF THE EXTERIOR (INCLUDING BUT NOT RESTRICTED TO PAINT) OF THE COMMON STRUCTURES, AND OF ASPHALT IN ALL COMMON AREAS.

These covenants and restrictions shall RUN WITH THE LAND AND BE BINDING UPON ALL PERSONS CLAIMING AN INTEREST IN THE PROPERTY FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM THE DATE OF RECORDING HEREOF, and MAY NOT BE MODIFIED OR VACATED without the consent of the MUNICIPALITY OF ANCHORAGE, which shall be deemed a third-party beneficiary of the covenants contained herein.

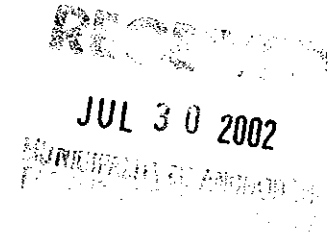
LAW OFFICES OF RALPH B. CUSHMAN
200 West 34th Avenue, PMB-976
Anchorage, Alaska 99503-3969
Phone: 907-227-5001 / Fax: 345-2991

Municipality of Anchorage
P. O. Box 196650
Anchorage, Alaska 99519-6650
(907) 343-4215

PRESORTED
FIRST CLASS



004-145-32-000
CRAIG WALTER J &
MARSH-CRAIG CLAUDIA
1700 TOKLAT STREET
ANCHORAGE, AK 99508



NOTICE OF PUBLIC HEARING - - Monday, August 12, 2002

Planning Dept Case Number: 2002-143

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2002-143
PETITIONER: PALMER JOYCE A
REQUEST: Rezoning to R-4SL Multiple-family residential district with special limitations
TOTAL AREA: 0.84 acres
SITE ADDRESS: CHARTER CIRCLE
CURRENT ZONE: B-3SL General business district with special limitations
COM COUNCIL: Airport Heights COM COUNCIL 2:
LEGAL/DETAILS: A request to rezone approximately 0.84 acres from B-3SL (General Business with Special Limitations) to R-4SL (Multiple Family Residential with Special Limitations). Town Square Subdivision, Lot 4A. Located on the southwest side of Charter Circle.

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30 p.m., Monday, August 12, 2002 in the Assembly Hall of the Z. J. Loussac Library, 3600 Denali Street, Anchorage, Alaska.

The Zoning Ordinance requires that you be sent notice because your property is within the vicinity of the petition area. This will be the only public hearing before the Commission and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Department of Planning, P.O. Box 196650, Anchorage, Alaska 99519-6650. For more information call 343-4215; FAX 343-4220. Case information may be viewed at www.muni.org by selecting Zoning and Platting On-line Notification.

Name: Claudia and Walter Craig

Address: 1700 TOKLAT ST. # 1740

Legal Description: _____

Comments: We do not want low income housing - or

multiple housing - Only duplexes.

MUNICIPALITY OF ANCHORAGE
DEPARTMENT OF CULTURAL & RECREATIONAL SERVICES
PARKS & RECREATION DIVISION
MEMORANDUM

RECEIVED

AUG 07 2002

DATE: August 2, 2002
TO: Jerry T. Weaver, Supervisor, Zoning and Platting Division, Planning Department
THRU: John Rodda, Manager *[Signature]*
FROM: *[Signature]* Tom Korosei, Park Planner
SUBJECT: Planning and Zoning Case Reviews—Anchorage Parks and Recreation Service Area

**MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION**

Parks and Recreation has the following comments:

| <u>CASE NO.</u> | <u>CASE</u> |
|-----------------|---|
| 2002-129 | Conditional use permit for a quasi-institutional use (addition and site changes to Anchorage Rescue Mission, 2823 E. Tudor Rd.). The <i>Areawide Trails Plan</i> shows multi-use paved trails and planned bicycle route along adjoining Tudor Rd. |
| 2002-130 | Site plan review for a private development (Lot 12B, Chester Lloyd Subd., 3751 Dimond Blvd.). The <i>Areawide Trails Plan</i> shows a multi-use paved trail along adjoining Dimond Blvd. Parks and Recreation recommends the developer verify the location of the trail and provide appropriate easement as necessary to accommodate a standard trail. |
| 2002-131 | Rezoning approx. 2.15 acres from PLI public land and institutions district, to R-10SL residential alpine/slope district with special limitations (for single-fam. res., Lot 17A Blk. 2 Near Point Knoll Subd., 6201 Kalmia Dr.). No comment. |
| 2002-133 | Ordinance amending Title 21 pertaining to land clearing. Parks and Recreation generally supports the intent of this ordinance. |
| 2002-143 | Rezoning approx. .84 acres from B-3SL general business with special limitations to R4AL multiple-family residential with special limitations (Lot 4A Town Square Subd., Charter Circle). The <i>Areawide Trails Plan</i> shows a multi-use paved trail along E. 16th Ave., at the southerly corner of the subject property. Parks and Recreation recommends the developer verify the location of the trail and provide appropriate easement as necessary to accommodate a standard trail. |
| 2002-156 | Conditional use permit for a restaurant serving alcohol (Wayne's Orig. Texas BBQ, 3400 C St.). No comment. |

RECEIVED

JUL 22 2002

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION

RETURN COMMENTS TO:

DEPARTMENT OF PLANNING
Zoning and Platting Division
P.O. Box 196650
Anchorage, Alaska 99519-6650
Phone 343-4215

Case No. 2002-143

Rich Carter
FA 343-4220

Request: Rezoning to R-4SL Multiple-family residential district with special limitations
0.84 acre(s)

B-3SL General business district with special limitations

to:

R-4SL Multiple-family residential district with special limitations

COMMENTS AND MEETING SCHEDULE:

Planning and Zoning Commission Public hearing

Hearing Date: Monday, August 12, 2002

Agency Comments Due: Monday, July 15, 2002

Council Comments Due: Friday, August 02, 2002

DISTRIBUTION: STANDARD DISTRIBUTION

Airport Heights Community Council

FIRE Comments : No objection

Jul 5 2002
Fire Plan Review
7-22-02

PLANNING AND ZONING COMMISSION
Assembly Hall, Z. J. Loussac Library
3600 Denali Street, Anchorage, Alaska
Monday, August 12, 2002 6:30 p.m.

AO 2002-152

2002 OCT -3/ P11 2:08 02 SEP 24 P11 3:46