

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 12-17-02

Submitted by:

Chair of the Assembly at the
Request of the Mayor

Prepared by:

Planning Department

For reading:

October 15, 2002

Anchorage, Alaska

AO 2002-153

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 3.8 ACRES FROM PLI-SL (PUBLIC LANDS AND INSTITUTIONS DISTRICT) WITH SPECIAL LIMITATIONS AND B-1A SL (LOCAL & NEIGHBORHOOD BUSINESS) WITH SPECIAL LIMITATIONS TO R-10 SL (RESIDENTIAL ALPINE/SLOPE DISTRICT) WITH SPECIAL LIMITATIONS FOR LOT 18 AND A PORTION OF LOT 17, BLOCK 2, NEAR POINT KNOLL SUBDIVISION (PROPOSED NEAR POINT KNOLL SUBDIVISION, BLOCK 2, LOTS 17A AND 18A PER PRELIMINARY PLAT S-10940, A SUBDIVISION OF LOTS 17 & 18, BLOCK 2, NEAR POINT KNOLL SUBDIVISION PER PLAT NO. 99-78), AND THE REZONING OF APPROXIMATELY 15,007 SF FROM PLI-SL (PUBLIC LANDS AND INSTITUTIONS DISTRICT) WITH SPECIAL LIMITATIONS TO PLI-SL FOR A PORTION OF LOT 17, BLOCK 2, NEAR POINT KNOLL SUBDIVISION (PROPOSED NEAR POINT KNOLL SUBDIVISION, BLOCK 2, LOTS 17B PER PRELIMINARY PLAT S-10940, A SUBDIVISION OF LOTS 17 & 18, BLOCK 2, NEAR POINT KNOLL SUBDIVISION PER PLAT NO. 99-78); GENERALLY LOCATED TO THE EAST OF BASHER DRIVE AND NORTH OF NEARPOINT DRIVE.

(Basher Community Council) (Planning and Zoning Commission Case 2002-131)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The zoning map shall be amended by designating the following described property as R-10 SL (Residential Alpine/Slope District) with special limitations zone:

Lots 18 and a portion of Lot 17, Block 2, Near Point Knoll Subdivision (Proposed Near Point Knoll Subdivision, Block 2, Lots 17A and 18A per Preliminary Plat S-10940, a subdivision of Lots 17 & 18, Block 2, Near Point Knoll Subdivision, per Plat No. 99-78 as shown on Exhibit B attached), consisting of approximately 3.8 acres, as shown on Exhibit A attached (Planning and Zoning Commission Case 2002-131).

Section 2. The zoning map shall be amended by designating the following described property as PLI- SL (Public Lands and Institutions District) with special limitations zone:

A portion of Lot 17, Block 2, Near Point Knoll Subdivision (proposed Near Point Knoll Subdivision, Block 2, Lot 17B per Preliminary Plat S-10940, a subdivision

of Lots 17 & 18, Block 2, Near Point Knoll Subdivision, per Plat No. 99-78), as shown on Exhibit B attached), consisting of approximately 15,007 square feet, as shown on Exhibit A attached (Planning and Zoning Commission Case 2002-131).

Section 3. The zoning map amendment described in Section above shall be subject to the following listed special limitations and design standards:

- a. The lots, excepting proposed Lot 17B, shall have a minimum area of 54,450 square feet (1-1/4 acres); except where development occurs under the cluster housing standards, ~~there shall be no minimum lot size and maximum density shall be 0.8 dwelling units per acre.~~ *in which event*
- b. Residential development shall be limited to single-family detached dwelling as the principal permitted structure.
- c. Electrical, communications, signal control, or other utility distribution lines shall be placed underground.
- d. Prior to the issuance of a land use permit, the petitioner shall submit a fire safety plan for review by the Fire Prevention Division of the Anchorage Fire Department.

Section 4. The zoning map amendment described in Section 2 above shall be subject to the following listed special limitations and design standards:

- a. The only permitted use of this lot is that of a Conditional Use for a Utility Facility, and that houses an existing private Class "A" well serving the Near Point Knoll Subdivision. An on-site septic system is prohibited.

Section 5. The zoning map amendment described in Section 1 and Section 2 above shall be subject to the following effective clauses regarding the uses of the property:

- a. The rezone to R-10 SL shall not become effective until the final plat for S-10940 creating Lots 17A, 17B and 18A, Block 2, Near Point Knoll Subdivision, has been recorded.
- b. All transmission towers, antennas and the transmission shed shall be removed from Lot 17 prior to the zoning map amendments becoming effective. Proof of such shall be provided to the Planning Department.

Section 6. The Director of the Planning Department shall change the zoning map accordingly.

Section 7. This ordinance shall become effective within 10 days after the Director of the Planning Department has (1) received confirmation that a plat has been recorded with the State District Recorder's Office, and (2) has received the written consent of the owners of the property


1 within the area described in Sections 1 and 2 above to the special limitations contained herein.
2 The rezone approval contained herein shall automatically expire and be null and void (1) unless a
3 plat has been recorded within two years after the date on which this ordinance is passed and
4 approved, and (2) if the written consent is not received within 120 days after the date on which
5 this ordinance is passed and approved.

6
7 PASSED AND APPROVED by the Anchorage Assembly this 17th day of

8 December 2002
9
10
11

ATTEST:


Chair


Municipal Clerk

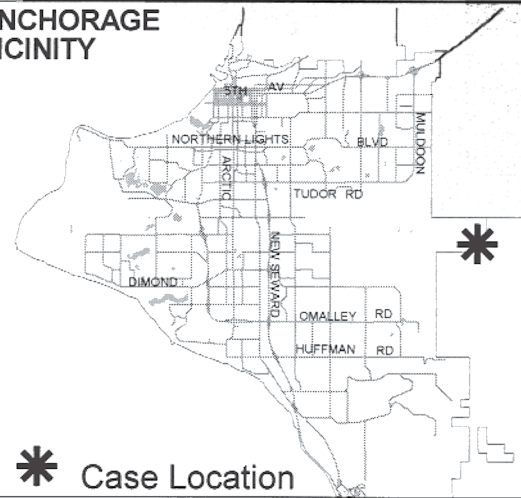
(2002-131)
(041-021-58; -59)

EXHIBIT - A

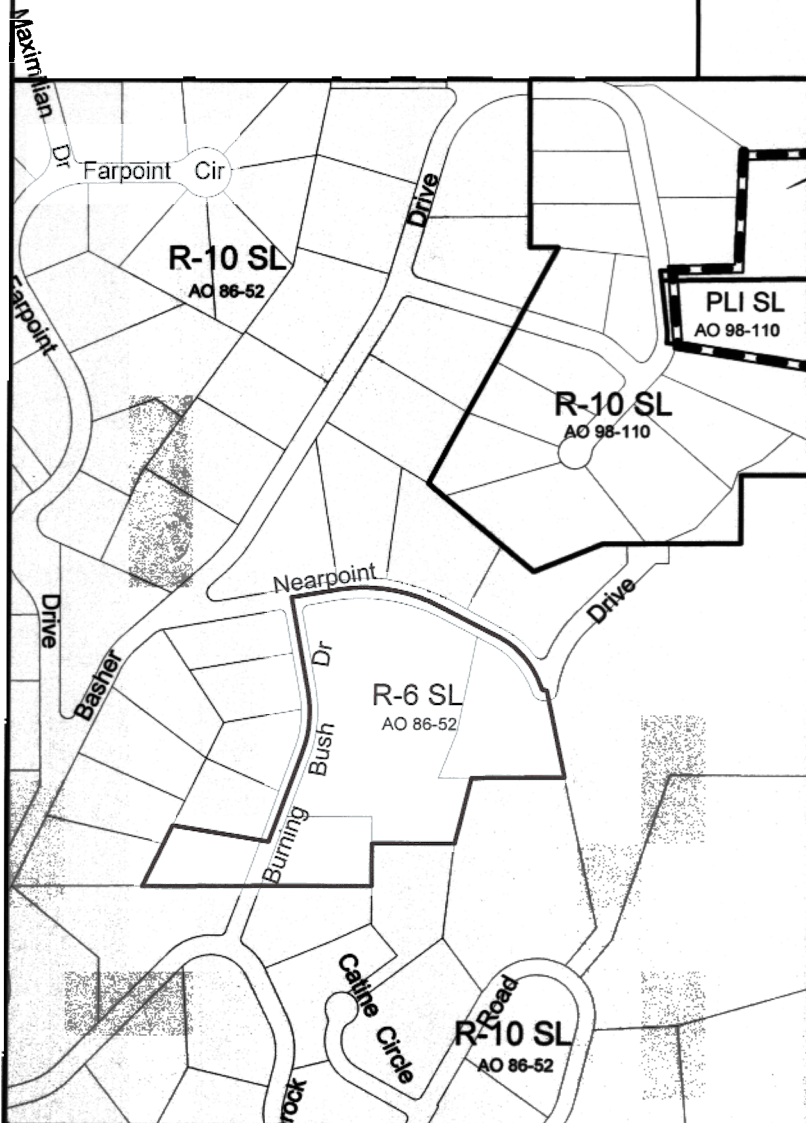
2002-131

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ANCHORAGE VICINITY



* Case Location



PETITION AREA

B-1A SL
AO 98-110

PLI SL
AO 98-110

R-10 SL
AO 98-110

R-6 SL
AO 86-52

R-10 SL
AO 86-52

R-10 SL
AO 86-52

Municipality of Anchorage
Planning Department



Date: SEPTEMBER 20, 2002

Flood Limits

- 100 Year Floodplain
- 500 Year Floodplain
- Floodway



0 500 1000 Feet

EXHIBIT B

REZONING

2002-131

LINE TABLE		
COURSE	BEARING	DISTANCE
L1	S 08°42'08"E	30.00'
L2	S 08°42'08"E	30.00'
L3	N 89°58'32"E	30.14'

I, JERRY A. GASTALDI, PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THE PLAT OF _____ IS A TRUE AND CORRECT REPRESENTATION OF LANDS ACTUALLY SURVEYED AND THAT THE DISTANCES AND BEARINGS ARE SHOWN CORRECTLY, AND THAT ALL PERMANENT MONUMENTS, ALL OTHER MONUMENTS, AND LOT CORNERS HAVE BEEN SET AND STAKED, OR IF FINAL COMPLETION IS ASSURED BY SUBDIVISION AGREEMENT, THEY WILL BE SET AS SPECIFIED IN SAID SUBDIVISION AGREEMENT. LOT CORNERS TO BE SET BY _____ MONUMENTS TO BE SET BY _____

PLAT APPROVAL

PLAT APPROVED BY THE MUNICIPAL PLANNING AUTHORITY
THIS _____ DAY OF _____ 20____

AUTHORIZED OFFICIAL



ACCEPTANCE OF DEDICATION

THE MUNICIPALITY OF ANCHORAGE HEREBY ACCEPTS FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY DESCRIBED ON THIS PLAT INCLUDING, BUT NOT LIMITED TO THE EASEMENTS, RIGHTS-OF-WAY, ALLEYS, ROWWAYS, THOROUGHFARES AND PAVES SHOWN HEREON.

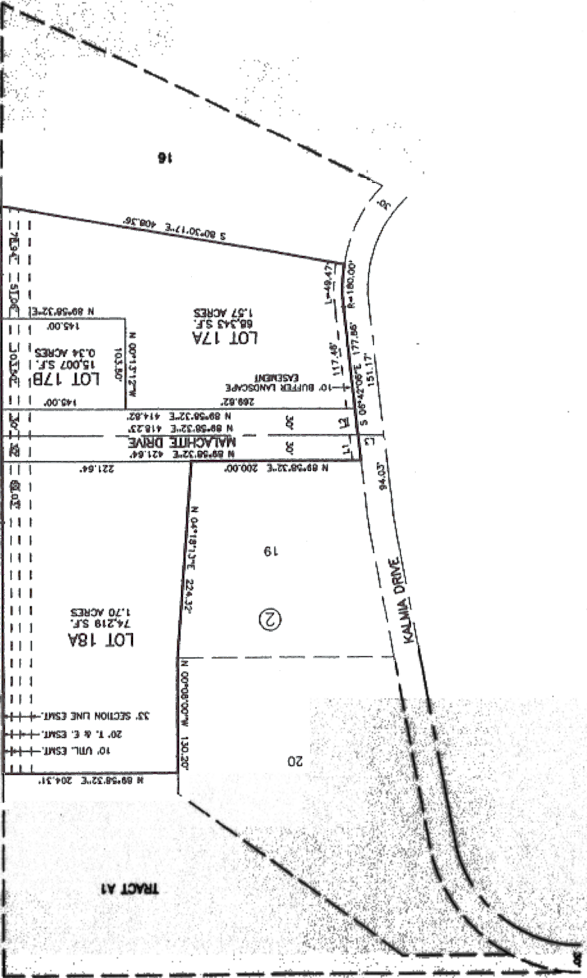
ATTEST:

MUNICIPAL CLERK

MAYOR OF ANCHORAGE

TAX CERTIFICATION

ALL REAL PROPERTY TAXES DUE BY THE MUNICIPALITY TO PAY REAL PROPERTY TAX FOR THE CURRENT YEAR.



UNSUBDIVIDED

OWNERS

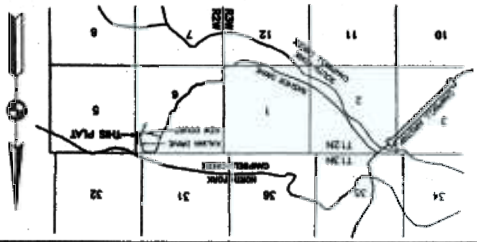
I (WE), HEREBY CERTIFY THAT I (WE) HOLD THE HEREIN SPECIFIED PROPERTY INTEREST IN THE PROPERTY DESCRIBED HEREON. I (WE) HEREBY DEDICATE TO THE MUNICIPALITY OF ANCHORAGE ALL AREAS DEDICATED FOR USE AS PUBLIC UTILITY EASEMENTS, STREETS, ALLEYS, THOROUGHFARES, PARKS, AND OTHER PUBLIC AREAS SHOWN HEREON. THERE SHALL BE RESERVED ADJACENT TO THE DEDICATED STREETS SHOWN HEREON A SLOPE RESERVATION EASEMENT SUFFICIENT TO CONTAIN CUT AND FILL SLOPES OF 1.5 FEET HORIZONTAL FOR EACH 1 FOOT VERTICAL (1.5 TO 1) OF CUT OR FILL FOR THE PURPOSE OF PROVIDING AND MAINTAINING THE LATERAL SUPPORT OF THE CONSTRUCTED STREETS. THERE IS RESERVED TO THE GRANTORS, THEIR HEIRS, SUCCESSORS AND ASSIGNS, THE RIGHT TO USE SUCH AREAS AT ANY TIME UPON PROVIDING AND MAINTAINING OTHER ADEQUATE LATERAL SUPPORT, AS APPROVED BY THE MUNICIPALITY.

CERTIFICATE OF OWNERSHIP AND DEDICATION

SOUTH-CENTRAL TUBER DEVELOPMENT, INC. FOR LOTS 17A & 17B
255 EAST FREEDOM LANE, #104
ANCHORAGE, AK 99503

INSHA & ASHOK RAI FOR LOT 18A
3316 DISCOVERY BAY DRIVE
ANCHORAGE, AK 99515

\$10940 JUN 10 2002



NEAR POINT KNOLL SUBDIVISION
LOTS 17A, 17B, & 18A, BLOCK 2
PRELIMINARY PLAT OF
4725 WEST 86TH AVE.
ANCHORAGE, ALASKA 99502
807-249-0494

DATE: 4/29/2002	CHECKED BY: J.A.G.	CASE NO.:
SCALE: 1"=100'	FILE NO. 1899140	
DATE: 4/29/2002	BY: PG.	

ORDER: 2043
DRAWN BY: J.A.G.
DATE: 4/29/2002

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 2002-153 Title: Rezoning 3.8 acres from PLI-SL and B-1A-SL to R-10-SL for Lot 18 and a portion of Lot 17, Block 2, Near Point Knoll Subdivision (Proposed Near Point Knoll Subdivision, Block 2, Lots 17A and 18A per preliminary Plat S-10940), and rezoning 15,007 square feet of Lot 17 from PLI-SL to PLI-SL (proposed Lot 17B per Preliminary Plat S-10940) generally located to the east of Basher Drive and north of Nearpoint Drive.

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.

Validated by OMB:

Maryl Grasc

Approved By:

for Director, Preparing Agency

Telephone: 343-4215

Date:

10/2/02

Date:

9-23-02



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 893-2002

Meeting Date: October 15, 2002

From: Mayor

Subject: AO 2002- 153

Planning and Zoning Commission
Recommendation to Rezone Approximately
3.8 acres from PLI-SL (Public Lands and
Institutions District) with Special Limitations
and B-1A SL (Local & Neighborhood
Business) with Special Limitations to R-10
SL (Residential Alpine/Slope District) with
Special Limitations for Lots 18 and a Portion
of Lot 17, Block 2, Near Point Knoll
Subdivision (Proposed Near Point Knoll
Subdivision, Block 2, Lots 17A and 18A.),
and Amending the PLI-SL Special
Limitations for Proposed Lot 17B, Block 2,
Near Point Knoll Subdivision

1 On August 12, 2002, the Planning and Zoning Commission unanimously voted to
2 recommend approval of a rezoning application submitted by Joseph R. Henri to
3 rezone 3.8 acres out of the 4.14 acres of the subject property from PLI-SL and B-1A
4 SL to R-10 SL.

5
6 The subject property consists of two platted existing lots, Lot 17 and Lot 18, Block
7 2, Near Point Knoll, containing 4.14 acres. Lot 17 contains a 120-foot transmission
8 tower with antennas for KASH Radio and Channel 33 TV, and a transmission shed
9 with an attached 15-20 foot antenna and small satellite dish. It also contains the
10 pump house for the Near Point Knoll Subdivision. Lot 18 has the remaining
11 foundation of the former Stuckagain Heights Restaurant. Preliminary plat case S-
12 10940 that will create three lots out of the two existing lots has been approved. S-
13 10940 will create Lots 18A, 17A and 17B. The property owners wish to rezone Lots
14 17 A and 18A (3.8 acres) to R-10 SL. Lot 17B will remain zoned PLI-SL since it
15 contains the community well serving Near Point Subdivision. The Platting Officer
16 and the On-site Water and Wastewater Supervisor have accepted the wording of a
17 plat note limitation to reduce the 40,000 square foot lot size requirement for on-site
18 septic by Title 15 for Lot 17B. The development of Lot 17B will be limited to the
19 well house and no residential development will be allowed which would require an
20 on-site wastewater disposal system.

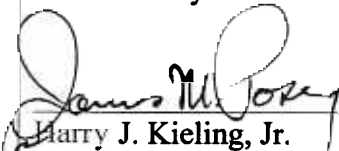
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Prior to the R-10 SL zoning becoming effective a final plat (in accordance with S-10940) must be recorded, and all transmission towers, antennas and transmission shed must be removed from proposed Lot 17A. The recommended special limitations are similar to those approved for the surrounding R-10 SL zoning per AO 98-110.


R-10 SL zoning is consistent with *Anchorage 2020* policies (#3, #5, #48, #48, #49, #50 and #52), and generally meets the standards for zoning map amendments AMC 21.20.090, and Implementation of the Anchorage Bowl Comprehensive Development Plan Maps, AMC 21.05.080.

Approval of this rezoning is recommended.

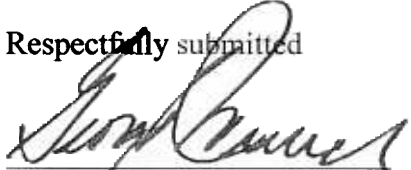
Reviewed by:


Harry J. Kieling, Jr.
Municipal Manager


Reviewed by:


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

Respectfully submitted


George P. Wuerch
Mayor

Prepared by:


Susan R. Fison, Director
Planning Department

Ad 2002-153

00-002(7/98)