

CLERK'S OFFICE

APPROVED

Date: 11-14-03

Submitted by:

Chair of the Assembly at  
the Request of the Mayor

Prepared by:

Planning Department

For reading:

November 19, 2002

Anchorage, Alaska

AO 2002-167

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE  
REZONING OF APPROXIMATELY 2.19 ACRES FROM PLI (PUBLIC LANDS AND  
INSTITUTIONS DISTRICT) TO R-1 (ONE-FAMILY DISTRICT) FOR BLM LOT 46,  
SECTION 11, TOWNSHIP 14 NORTH, RANGE 2 WEST, S.M., ALASKA; GENERALLY  
LOCATED AT 10500 OLD EAGLE RIVER ROAD.

(Eagle River Community Council) (Planning and Zoning Commission Case 2002-141)

THE ANCHORAGE ASSEMBLY ORDAINS

**Section 1.** The zoning map shall be amended by designating the following described property  
as R-1 (One-Family District) zone:

BLM Lot 46, Section 11, Township 14 North, Range 2 West, S.M., Alaska; consisting  
of 2.19 acres, as shown on exhibit A attached (Planning and Zoning Commission Case  
2002-141).

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

No land use permits for accessory structures on lot 46 shall be issued until the final  
plat (S-10608) has been recorded.

**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.

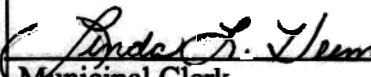
**Section 5.** This ordinance shall become effective within 10 days after the Director of the  
Planning Department has received the written consent of the owners of the property within the  
area described in Section 1 above to the special limitations contained herein. The rezone

1 approval contained herein shall automatically expire and be null and void if the written  
2 consent is not received within 120 days after the date on which this ordinance is passed and  
3 approved. In the event no special limitations are contained herein, this ordinance is effective  
4 immediately upon passage and approval.

5  
6 PASSED AND APPROVED by the Anchorage Assembly this 14<sup>th</sup> day  
7 of January 2003

8  
9 ATTEST:

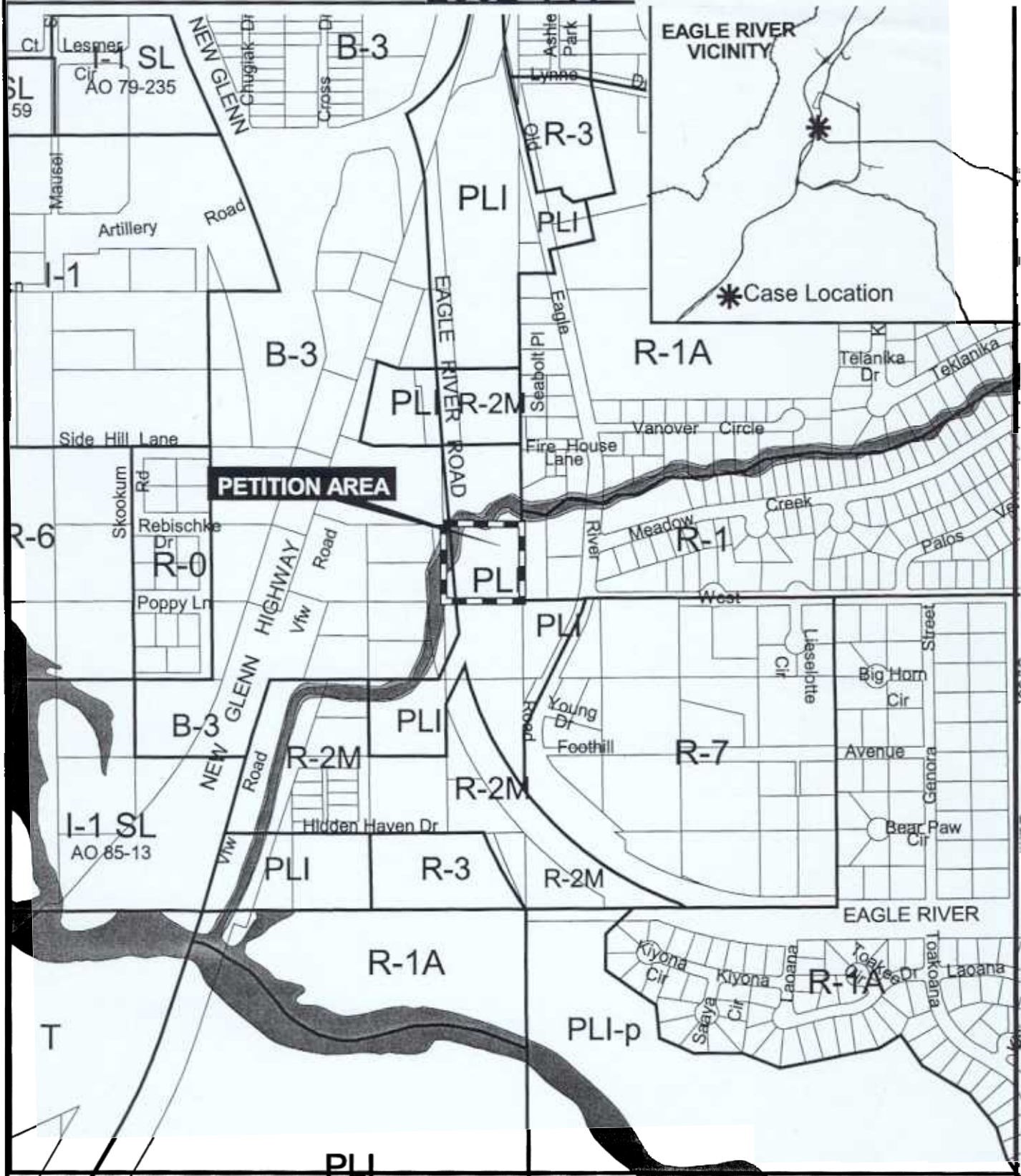
  
Chair

  
Municipal Clerk  
*Acting*

(2002-141)  
(050-251-01)

# REZONING 2002-141

EXHIBIT A



Municipality of Anchorage  
Planning Department



Date: JULY 18, 2002

Flood Limits

-  100 Year Floodplain
-  500 Year Floodplain
-  Floodway



0 500 1000 Feet

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

AO Number: 2002-167

Title:

Sponsor:

Preparing Agency:

Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)			
	<u>FY02</u>	<u>FY03</u>	<u>FY04</u>	<u>FY05</u>	<u>FY06</u>
Operating Expenditures					
1000 Personal Services					
2000 Non-Labor					
3900 Contributions					
4000 Debt Service					
TOTAL DIRECT COSTS:	\$	\$	\$	\$	\$
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
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. The parcel has been zoned PLI since 1974, but there is no indication in the record as to a specific purpose for the property. The rezone to R-1 will allow the applicant to replat the subject lot with his existing R-1 lot on the east. He will then be able to build a garage on the property. No public agencies expressed an interest or need for the property to remain PLI.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

Approval of the rezoning should have no significant impact on the private sector. The rezoning will make the property more functional for the owner by allowing him to build a garage next to his existing home.

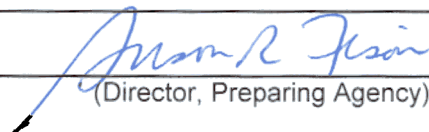
Prepared by: Jerry T. Weaver Jr., Zoning Administrator

Telephone: 343-4260

Validated by OMB \_\_\_\_\_

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_

  
(Director, Preparing Agency)

Date: 10-31-02

Concurred by: \_\_\_\_\_

(Director, Imp \_\_\_\_\_ ed Agency)

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_

  
(Municipal Manager)

Date: 11/12/2



## MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 943-2002

Meeting Date: November 19, 2002

From: Mayor

Subject: AO 2002- 167

Planning and Zoning Commission recommendation on a rezoning from PLI (Public Lands and Institutions District) to R-1 (One-Family Residential District) for BLM lot 46, 10500 Old Eagle River Road.

George Rhyneer and Marilyn McKay have submitted an application to rezone a 2.19 acre parcel from PLI to R-1. The applicants wish to construct a large garage on the property. The PLI district does not allow garages. If the rezone request is approved, the applicants will replat BLM Lot 46 to combine it with their adjacent lot on the east side of the subject property to allow the construction of a garage.

The property has been zoned Public Lands and Institutions since 1974 and the Chugiak Eagle River Comprehensive Plan map identifies the area as PLI. The parcel may have been in public ownership at one time. There are a number of public facilities (police station, fire department, school) located on PLI parcels immediately to the north. However, most of the area to the east and south is developed as large lot, single family in R-1 and R-7 zoning districts. Dr. Rhyneer has owned the property for more than 15 years. No agency reviewing the application expressed an interest or need for the property to remain PLI. The Community Council did not take a position on the request.

Approval of the ordinance is recommended

Reviewed by:

Harry J. Kieling Jr.  
Municipal Manager

Reviewed by:

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

Respectfully submitted

George P. Wuerch  
Mayor

Prepared by

Susan R. Fison, Director  
Planning Department

**MUNICIPALITY OF ANCHORAGE  
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2002-061**

**A RESOLUTION APPROVING A REZONING FROM PLI (PUBLIC LANDS AND INSTITUTIONS) TO R-1(SINGLE FAMILY RESIDENTIAL) FOR BLM LOT 46, S11, T14N, R2W, GENERALLY LOCATED AT 10500 OLD EAGLE RIVER ROAD.**

**(Case 2002-141, Tax I.D. No. 050-251-01**

**DRAFT**

WHEREAS, a request has been received from George Rhyneer and Martha McKay to rezone 2.19 acres of land from PLI to R-1 for BLM lot 46, S11, T14N, R2W, generally located at 10500 Old Eagle River Road, and

WHEREAS, notices were published, posted and 73 public hearing notices were mailed and a public hearing was held on September 9, 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 petition site is a 2.19 unsubdivided BLM lot.
- 2 The Chugiak-Eagle River Plan designates the property as PLI. The area is generally developed as single family residential.
3. There is adequate PLI zoned property in the area to address public needs  
The proposal is consistent with the comprehensive plan and compatible with existing zoning districts and uses.
4. The applicant wishes to construct a detached garage on the parcel. Garages are not allowed in PLI so the applicant wishes to rezone to R-1. Garages are accessory uses and not allowed as the only use on the lot. The applicant will be required to replat lot 46 to combine with his adjacent lot where his house is located
- 5 The applicant has agreed with the proposed Special Limitations and conditions.

B. The Commission recommends the above rezoning be APPROVED by the Anchorage Assembly subject to the following conditions:

No land use permits for accessory structures on lot 46 shall be issued until the final plat (S-10608) has been recorded.

2. A notice of zoning action and the resolution shall be filed with the State of Alaska District Records Office. Proof of such shall be submitted to the Planning Department.

**PASSED AND APPROVED** by the Municipal Planning and Zoning Commission on the 9th day of September, 2002.

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Susan R. Fison  
Secretary

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Toni Jones  
Chair

(2002-141)  
(050-251-01)



Municipality of Anchorage  
MUNICIPAL CLERKS OFFICE  
Agenda Document Control Sheet

102002-167

<b>1</b>	<b>SUBJECT OF AGENDA DOCUMENT</b>  Rezoning of approximately 2.19 acres from PLI to R-1 for BLM lot 46, 10500 Old Eagle River Road.	<b>DATE PREPARED</b> October 30, 2002  <b>INDICATE DOCUMENTS ATTACHED</b> <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM  <b>DIRECTOR'S NAME</b> Susan R. Fison, Director <b>HIS/HER PHONE NUMBER</b> 343-4260
<b>2</b>		
<b>3</b>		
<b>4</b>	<b>COORDINATED WITH AND REVIEWED BY</b>	<b>INITIALS</b>
<b>5</b>	<b>Mayor</b>	<b>DATE</b>
	Heritage Land Bank	
	Merrill Field Airport	
	Municipal Light & Power	
	Port of Anchorage	
	Solid waste services	
	Water & wastewater utility	
<b>4</b>	<b>Municipal Manager</b>	<b>11/12</b>
	Cultural & Recreational Services	
	Employee Relations	
	Finance, Chief Fiscal Officer	
	Fire	
	Health & Human Services	
	Office of Management & Budget	
	Management Information Services	
	Police	
<b>2</b>	<b>Planning, Development &amp; Public Works</b>	<b>11/4/02</b>
	Development Services	
	Facility Management	
<b>1</b>	<b>Planning</b>	<b>10-31-02</b>
	Project Management & Engineering	
	Street Maintenance	
	Traffic	
	Public Transportation Department	
	Purchasing	
<b>3</b>	<b>Municipal Attorney 1433</b>	<b>11-7-02</b>
	Municipal Clerk	
	Other	
<b>5</b>	<b>SPECIAL INSTRUCTIONS/COMMENT</b>	
<b>6</b>	<b>ASSEMBLY MEETING DATE REQUESTED</b> ASAP 11/19/02	<b>7</b>
		<b>PUBLIC HEARING DATE REQUESTED</b> 4 weeks after introduction 1/7/03

M.O.A.  
 2002 NOV 12 PM 3:43  
 CLERKS OFFICE

**FULL TEXT OF  
DOCUMENT CAN BE  
OBTAINED AT MUNI  
CLERK'S OFFICE**