

CLERK'S OFFICE
APPROVED
Date: 9-23-03

Submitted by:
Prepared by:
For reading

Chair of the Assembly at
the Request of the Mayor
Planning Department
August 19, 2003

Anchorage, Alaska
AO 2003-123

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 1.75 ACRES FROM R-7 (INTERMEDIATE RURAL RESIDENTIAL) TO R-O (RESIDENTIAL OFFICE DISTRICT) FOR A PORTION OF THE SE ¼ OF THE SE ¼ OF SECTION 24, TOWNSHIP 16 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, AK, GENERALLY LOCATED ALONG THE WESTERN SIDE OF THE NEW GLENN HIGHWAY NORTH OF RUSTICATE DRIVE IN EKLUTNA.

(Chugiak Community Council) (Planning and Zoning Commission Case 2003-042)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The zoning map shall be amended by designating the following described property as R-O (Residential Office District) zone:

A portion of the Southeast ¼ of the Southeast ¼ of Section 24, Township 16 North, Range 1 West, Seward Meridian, AK, as shown on Exhibit "A" (Planning and Zoning Commission Case 2003-042).

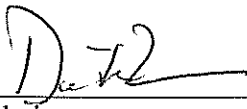
Section 2. The special limitations set forth in this ordinance prevail over any inconsistent provisions of Title 21 of the Anchorage Municipal Code, unless specifically provided for otherwise. All provisions of Title 21 of the Anchorage Municipal Code not specifically affected by the Special Limitations 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 3. The Director of the Planning Department shall change the zoning map accordingly.

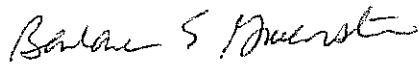
Section 4. This ordinance shall become effective within ten (10) days after the Director of the Planning Department has received written consent of the owners of the property within the area described in Section 1 above to the Special Limitations contained herein. The rezone approval contained herein shall automatically expire,

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

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7 PASSED AND APPROVED by the Anchorage Assembly this 23rd day of
8 September 2003.
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16 Chair

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18 ATTEST:

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22 Municipal Clerk
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MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2003-123

Title: Rezoning of approx. 1.75-acres from R-7 to R-O for the SE ¼ of the SE ¼ of Section 24, T16N, R1W, S.M. AK; generally located along the western side of the New Glenn Highway north of Rusticate Drive in Eklutna.

Sponsor:

Preparing Agency: Planning Department

Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)				
	FY03	FY04	FY05	FY06	FY07	
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 will remove 1.75 acres of residentially-zoned land from the available supply of residential classified land.

PRIVATE SECTOR ECONOMIC EFFECTS:

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

Prepared by:	<u>Jerry T. Weaver Jr., Zoning Administrator</u>	Telephone: <u>343-7939</u>
Validated by OMB:	<u></u>	Date: <u></u>
Approved by:	<u>(Director, Preparing Agency)</u>	Date: <u></u>
Concurred by:	<u>(Director, Impacted Agency)</u>	Date: <u></u>
Approved by:	<u>(Municipal Manager)</u>	Date: <u></u>



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM 674-2003

Meeting Date: August 19, 2003

From: Mayor

Subject: AO 2003-123

Planning and Zoning Commission
Recommendation of Approval to Rezone 1.75 acres
from R-7 to R-O for a portion of the SE ¼ of the SE
¼ of Section 24, T16 N., R1 W., S.M. AK; generally
located along the western side of the New Glenn
Highway north of Rusticate Drive in Eklutna.

1 The Native Village of Eklutna petitioned to rezone approximately 1.75 acres from R-7
2 (Intermediate Rural Residential District) to R-O (Residential Office District). The
3 Planning and Zoning Commission found that the R-O zoning met the standards for a
4 zoning map amendment as required by AMC 21.20.090, and is consistent with the
5 requirements for implementation of the January 12, 1993 adopted Chugiak-Eagle River
6 Comprehensive Plan.

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8 The Birchwood Community Council, Chugiak Community Council and the Eklutna
9 Village Community Council all provided letters of support for the R-O zoning.

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11 The Native Village of Eklutna is in the process of seeking funding to construct a health
12 clinic to serve all the residents living in Eklutna. As currently zoned, this use is prohibited
13 in the R-7 district. Health Clinics are a permitted use in the R-O district.

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15 The Commission voted unanimously to recommend approval to rezone the subject
16 property to R-O. The Administration concurs with the proposed R-O zoning for the
17 subject property.

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20 Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning Department
21 Concur: Susan R. Fison, Acting Director, Planning Department
22 Concur: Howard C. Holtan, Acting Executive Director, Office of Planning and
23 Development and Public Works
24 Concur: Denis C. LeBlanc, Municipal Manager
25 Respectfully submitted: Mark Begich, Mayor

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2003-031

A RESOLUTION APPROVING A REZONING FROM R-7 (INTERMEDIATE RURAL RESIDENTIAL) TO R-O (RESIDENTIAL OFFICE DISTRICT) FOR THE SE ¼ OF THE SE ¼ OF SECTION 24, T16N R1W, S.M., AK, CONSISTING OF 1.75 ACRES; GENERALLY LOCATED ALONG THE WESTERN SIDE OF THE NEW GLENN HIGHWAY NORTH OF RUSTICATE DRIVE IN EKLUTNA.

(Case 2003-042, Tax I.D. No. 051-761-07)

WHEREAS, a request has been received from the Native Village of Eklutna, petitioner, to rezone approximately 1.75 acres of land from R-7 to R-O for the SE ¼ of the SE ¼ of Section 24, T16N R1W, S.M., AK; generally located along the western side of the New Glenn Highway north of Rusticate Drive in Eklutna.

WHEREAS, notices were published, posted and 26 public hearing notices were mailed and a public hearing was held on May 5, 2003.

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

A. The Commission makes the following findings of fact:

1. The Birchwood Community Council, Chugiak Community Council and the Eklutna Valley Community provided letters of support to rezone the property to R-O.
2. The petition site consists of approximately 1.75 acres, located within the Eklutna Village, on the west side of Eklutna Village Road and north of the New Glenn Highway (a remnant of a 5-acre parcel that was taken for the upgrade of the New Glenn Highway). The property has a small cabin structure, but for the most part, the parcel is vacant. The parcel is irregularly shaped having four lot lines, and by definition is a corner lot. Rusticate Drive is along the south lot line and the Frontage Road-New Glenn Highway is along the southeast lot line. At its narrowest point, along Rusticate Drive, the lot measures 56.81-feet; and at its widest point, the northeast lot line, measures 79.6-feet.
3. The Native Village of Eklutna is in the process of seeking funding to construct a health clinic to serve the all residents living in Eklutna and have an open-door policy. As currently zoned this use is prohibited in the R-7. The purpose of this application is to rezone the property to R-O in which a health clinic is a permitted use.

4. The *Chugiak-Eagle River Comprehensive Plan*, adopted by the Municipality of Anchorage on January 12, 1993) is the applicable governing planning document for the subject property. As shown on the Recommended Land Use Plan the petition site is classified as "commercial recreation" but borders the land designated "commercial." Land directly across the Glenn Highway from the subject parcel is classified as "commercial" and is zoned B-3 SL.
5. Page 68 of the *Chugiak-Eagle River Comprehensive Plan* states "as (the) population grows, there will be an increase in the number of people needing services and the types of services needed. In turn, this will require increases in the number of health care personnel, services and, probably, facilities."
6. Rezoning to R-O generally meets the goals and objectives of the *Chugiak-Eagle River Comprehensive Plan*, and the standards for approval per AMC 21.20.090.
7. The Board finds the proposal meets the standards for rezoning at this location, is consistent with the applicable sections of the Comprehensive Plan, and will facilitate a proposed project that will be a value to this community. The alternative of imposing special limitations did not seem appropriate because no testimony or other indication has been given that those are needed to make the zoning appropriate or permissible.
8. The Commission voted unanimously (8-0) to approve R-O zoning.

B. The Commission recommends the above rezoning be APPROVED.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 5th day of May 2003.

Susan R. Fison
Secretary

Toni Jones
Chair

(Case 2002-150, Tax I.D. No. 010-195-46)

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Content Information

AO 2003-123

Content ID : 000958

Revision: 0

Type: Ordinance - AO

Title: Rezone 1.75 acres from R-7 to R-O for a portion of the SE ¼ of the SE ¼ of Section 24, T16 N., R1W., S.M. AK

Author: weaverjt

Initiating Dept: Planning

Review Depts:

Description: Rezone 1.75 acres from R-7 to R-O for a portion of the SE ¼ of the SE ¼ of Section 24, T16 N., R1W., S.M. AK

Keywords: Rezone from R-7 to R-O

Date Prepared: 7/2/03 12:28 PM

Director Name: Susan R. Fison

Workflow History

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>	<u>Revision</u>
AllOrdinanceWorkflow	7/2/03 12:36 PM	Checkin	weaverjt	Public	000958	0
Planning_SubWorkflow	7/2/03 1:12 PM	Approve	fisonsr	Public	000958	0
AllOrdinanceWorkflow	7/2/03 2:58 PM	Reject	holtanhc	Public	000958	0
AllOrdinanceWorkflow	7/2/03 3:04 PM	Checkin	weaverjt	Public	000958	0
AllOrdinanceWorkflow	7/2/03 3:14 PM	Checkin	weaverjt	Public	000958	0
Planning_SubWorkflow	7/2/03 3:39 PM	Approve	fisonsr	Public	000958	0
PDPW_SubWorkflow	7/2/03 4:48 PM	Approve	holtanhc	Public	000958	0
AllOrdinanceWorkflow	7/3/03 12:03 PM	Reject	leblancdc	Public	000958	0
AllOrdinanceWorkflow	7/3/03 12:08 PM	Checkin	weaverjt	Public	000958	0
Planning_SubWorkflow	7/3/03 12:35 PM	Approve	fisonsr	Public	000958	0
PDPW_SubWorkflow	7/7/03 8:10 AM	Approve	holtanhc	Public	000958	0
OMB_SubWorkflow	7/23/03 10:23 AM	Approve	wiltsep	Public	000958	0
AllOrdinanceWorkflow	7/24/03 3:29	Reject	fehlenrl	Public	000958	0

	PM					
AllOrdinanceWorkflow	7/24/03 3:43 PM	Checkin	weaverjt	Public	000958	0
Planning_SubWorkflow	7/24/03 4:16 PM	Approve	fisonsr	Public	000958	0
PDPW_SubWorkflow	7/30/03 9:21 AM	Approve	holtanhc	Public	000958	0
OMB_SubWorkflow	8/4/03 2:19 PM	Approve	wiltsep	Public	000958	0
Legal_SubWorkflow	8/4/03 3:31 PM	Approve	fehlenrl	Public	000958	0
MuniManager_SubWorkflow	8/10/03 5:20 PM	Approve	leblancdc	Public	000958	0
MuniMgrCoord_SubWorkflow	8/11/03 11:33 AM	Approve	katkusja	Public	000958	0