

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Planning Department
For reading: November 16, 2004

CLERK'S OFFICE

APPROVED

Date:

12-14-04

Anchorage, Alaska

AO 2004- 161

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR
THE REZONING OF APPROXIMATELY 4.6 ACRES, FROM R-6 (SUBURBAN
RESIDENTIAL DISTRICT, LARGE LOT) TO R-1 (SINGLE FAMILY
RESIDENTIAL DISTRICT), FOR LOTS 1 AND 2, STOVER SUBDIVISION,
GENERALLY LOCATED AT 2201 AND 2237 HUFFMAN ROAD.

(Huffman O'Malley Community Council) (Planning and Zoning Commission Case 2004-132)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The zoning map shall be amended by designating the following described
property as R-1 (Single Family Residential):

Lots 1 and 2, Stover Subdivision, containing approximately 4.6 acres,
as shown on Exhibit "A" attached (Planning and Zoning Commission
Case 2004-132).

Section 2. 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
14th day of December, 2004.

ATTEST:

Chair

Municipal Clerk

(2004-132)
(016-181-04; 016-181-37)

MUNICIPALITY OF ANCHORAGE

Summary of Economic Effects -- General Government

AO Number: 2004- 161

Title: Planning and Zoning Commission, Case 2004-132; recommendation for approval of a rezoning from R-6 to R-1 for Lots 1 and 2 Stover Subdivision, generally located at 2201 and 2237 Huffman Road.

Sponsor:

Preparing Agency: Planning Department

Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)			
	FY05	FY06	FY07	FY08	
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 rezone should have no significant impact on the public sector. A rezone from R-6 to R-1 could add twenty lots to the tax base, but this would be offset by increased police, fire, snow removal and road maintenance costs.

Property Appraisal foresees no significant impacts, negative or positive, as a result of this zoning change. Due to surrounding development and infrastructure, the subject properties are currently appraised using R-1 criteria.

PRIVATE SECTOR ECONOMIC EFFECTS:

Approval of the rezoning should have no significant economic impact on the private sector. As R-6, only three or four lots could be platted. R-1 zoning will allow approximately 20 to 25 platted lots and as many as 30-40 dwellings with a cluster development.

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

Telephone: 343-7939

Validated by OMB:

Date:

Approved by: _____

Date:

(Director, Preparing Agency)

Concurred by:

Date:

(Director, Impacted Agency)

Approved by: _____

Date: _____

(Municipal Manager)



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 854-2004

Meeting Date: November 16, 2004

From: Mayor

Subject: Planning and Zoning Commission, Case 2004-132; recommendation for approval of a rezoning from R-6 (Suburban Residential District, Large Lot) to R-1 (Single Family Residential District) for Lots 1 and 2 Stover Subdivision, generally located at 2201 and 2237 Huffman Road.

1
2 This is a request by Skyline Investments to rezone two lots from R-6 to R-1. Each lot
3 is approximately 2.3 acres, and there is a mobile home on one lot and a duplex on the
4 other. Each lot has a private driveway on Huffman. The lots contain mature, natural
5 vegetation and there are class C wetlands on the property. Lot 2 is especially
6 impacted with the north branch of Furrow Creek running along the north property
7 line.

8
9 There is no development plan at this time. The surrounding area is developed as low
10 to moderate density single family residential: R-1, R1A, and R-6. Lot sizes range
11 from 7,000 to 20,000 square feet. The R-1 district allows lots of 6,000 square feet,
12 but the 1982 Comprehensive Development Plan gives the applicant the option to
13 develop as a cluster which allows a density of up to 10 units per acre. Allowing for
14 the creek setback, wetlands soil limitations, yard setbacks, etc, development as
15 traditional R-1 might accommodate 20 to 25 individual lots. Clustering type
16 development would allow up to 30 to 40 dwelling units based on total acreage and
17 overall design.

18
19 The Planning staff had recommended approval with several special limitations
20 regarding lot size and density, natural vegetation, buffers, trails and driveways.
21 These special limitations are similar to other subdivisions in the area of Lake Otis
22 and Huffman. One letter of objection was received citing density issues. The
23 Community Council and four individuals spoke at the public hearing. Generally, all
24 expressed concerns about density, wetlands and the creek. The Planning and Zoning
25 Commission believed the concerns of staff and public could all be best addressed
26 during platting and recommends approval without any special limitations. The vote
27 was five ayes and two nays.

1
2 The Administration concurs with the Planning and Zoning Commission
3 recommendation for the rezoning of Lots 1 and 2 Stover Subdivision.
4

5 Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning Department

6 Concur: Tom Nelson, Director, Planning Department

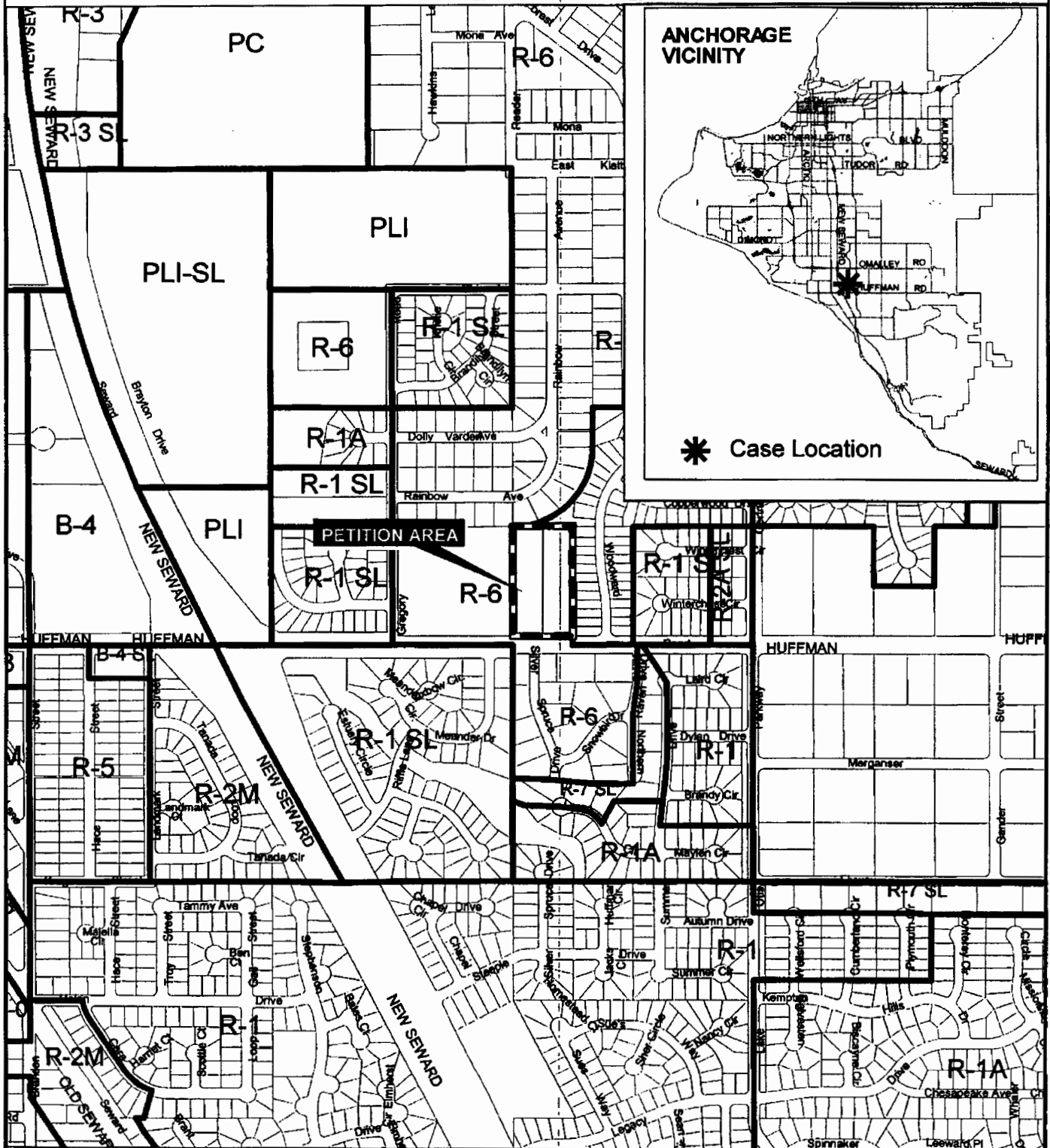
7 Concur: Mary Jane Michael, Executive Director, Office of Economic and
8 Community Development

9 Concur: Denis C. LeBlanc, Municipal Manager

10 Respectfully submitted, Mark Begich, Mayor
11
12

REZONING 2004-132

EXHIBIT "A"



Municipality of Anchorage
Planning Department



Date: JULY 21, 2004

Flood Limits

- 100 Year Floodplain
- 500 Year Floodplain
- Floodway



0 500 1000 Feet



**MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION**

A RESOLUTION APPROVING A REZONING FROM R-6 (SUBURBAN DISTRICT LARGE LOT) TO R-1 (SINGLE FAMILY RESIDENTIAL) LOTS 1 AND 2, STOVER SUBDIVISION; GENERALLY LOCATED ON SILVER SPRUCE DRIVE AND SILVER SPRUCE DRIVE.

(Case 2004-132, Tax I.D. No. 016-181-04, -37)

WHEREAS, a request has been received from Skyline Homes, Inc. for lots 1 and 2, to rezone the property totaling approximately 200,942 square feet to R-1 for Lots 1 and 2, Stover Subdivision, generally located on Silver Spruce Drive, and

WHEREAS, notices were published, posted and 172 copies were mailed and a public hearing was held on September 1, 2004,

NOW, THEREFORE, BE IT RESOLVED, by the Municipality of Anchorage Planning and Zoning Commission that:


- A. The Commission makes the following findings of fact:
1. The petition site is two lots of approximately equal size (200,942 square feet). There are class C wetlands on the site. Furrow Creek runs along the north property boundary and the northwest corner of the property.
 2. The Anchorage 2020 plan does not specifically designate the property is about one-half mile from a designated wetland. The 1982 plan lists the area as low to moderate density residential per acre. However, the 1982 plan also indicates that the property acre may be allowed under controlled development with structures, internal circulation, water and sewer service, and buffering design, and site plan review.
 3. The properties to the north and south are developed for single family residential and zoned R-6. Lots range from 7,000 to 10,000 square feet. Property to the east is R-1SL. One of the lot sizes in the subdivision average 7,000 square feet. To the west is an un-subdivided, nine acre R-6 parcel with

The proposal for rezoning to R-1 is consistent with the Anchorage 2020 plan.

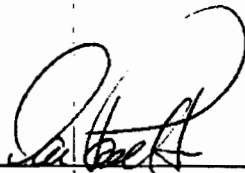
4. The issues of density, lot size, wetlands protection, creek setbacks, buffers, etc. can best be addressed during platting.

B. The Commission recommends the above rezoning be APPROVED by the Anchorage Assembly.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 13th day of September 2004.



Jerry T. Weaver, Jr.
Acting Secretary



Don Poulton
Chair
(04-132)
(016-181-04, -37)

Draft

PLANNING AND ZONING COMMISSION MEETING

**Assembly Chambers
Z.J. Loussac Library
3600 Denali Street
Anchorage, Alaska**

**MINUTES OF
September 13, 2004
6:30 PM**

A. ROLL CALL

Present Don Poulton, Chair
Toni Jones
Johnny Gibbons
Greg Jones, Vice Chair
Nancy Pease
Jim Lottsfeldt
Bill Wielechowski

Excused Art Isham
Megan Simonian

Staff Al Barrett
Mary Autor
Gloria Bartels

8. 2004-132

Skyline Investments LLC. A request to rezone approximately 4.62 acres from R-6 (suburban residential) to R-1 (single family residential). Stover Subdivision, Lots 1 and 2. Located at 2201 and 2237 Huffman Road.

Staff member AL BARRETT stated 172 public hearing notices were mailed, 1 letter of objection was received citing the possibility of small lots and high density relative to development in the area. No response was received from the community council. The request is for R-1 and Staff has added special limitations. Staff finds that rezoning to a higher density is appropriate in this area. As in the previous case, the rezoning to a higher density is consistent with several Comprehensive Plan policies concerning density, transit supportive corridor, trails, etc. As conditioned, Staff believes the property would be compatible with surrounding zonings and uses. Special limitations 2, 3 and 4 are recommended because properties to the east, north and west had similar conditions regarding minimum lot size, a vegetative buffer, or some combination of both. The special limitations for the natural vegetative easement on the north and west side of the property are primarily for the presence of Furrow Creek, which runs across the northwest corner of the property for the upper quarter of the property and then goes onto the adjacent property to the west and then to Huffman Road. Special limitation 4 for a landscape buffer along Huffman Road is similar to other rezonings to the west, east and northeast of the subject property.

COMMISSIONER PEASE stated she had earlier discussions with Mr. Barrett and municipal Wetlands Coordinator Thede Tobish to better understand the location of Furrow Creek on the site. She believed Mr. Barrett had a map showing the exact location of the creek. It appears the creek goes along the northern property line. She also spoke to Mr. Tobish about the specification in the Anchorage Wetlands Plan that the wetlands in the northwest corner of this tract should be given a 65-foot setback. His field investigation gave him to think that had been a typographical error.

The public hearing was opened.

TONY HOFFMAN, representing the petitioner, stated objection to the first three special limitations being recommended. The language of special limitation 1 makes it difficult to accept. Replatting can be a fairly lengthy process and imposing an 18-month timeframe on the rezoning could be problematic. The timeline in this language is also unclear as it references both the Assembly approval of the rezone and the replatting of the property. Special limitation 2 imposes a 7,000 square foot lot size, but AMC 21.40.030 states the minimum lot size is 6,000 square feet and the lots planned for this subdivision would be

consistent with the subdivision to the east. He displayed a graphic from the 1982 Comprehensive Plan map and located the area of the petition site, which is shown at a density of 10 DUA. The map clearly shows this area along Huffman Road and along Furrow Creek at 10 DUA. This rezoning request conforms to that Plan. The petitioner also objects to special limitation 3 requiring undisturbed natural vegetation with respect to the west property line, but agrees to providing a buffer easement along the north property line. He displayed a drawing of the parcel with Furrow Creek depicted in blue traveling across the northwest corner of the property. On the south end of the property is a driveway with an access in and an egress out. That driveway borders the west side of the site. There is no vegetation in that location at this time because of the driveway. There is also going to be a need for utility easements to develop the lots and those, combined with a 20-foot vegetation easement, leaves little area to site a house. The petitioner does not object to special limitations 4, 5, or 6.

PAUL BENSON, owner of Lot 7 in Brookwood abutting the northern end of the petition site, stated the wetlands in this area are Class C and they are impacted, especially on Lot 2. There are ducks in that area. Creating 6,000 square foot lots is not going to fit with the neighborhood. He felt this development should have undisturbed natural vegetation on the west side and the front in order to keep noise from coming into his property.

COMMISSIONER G. JONES asked on which lot Mr. Benson resides. MR. BENSON replied that he owns Lot 7 in Brookwood. COMMISSIONER G. JONES noted Tract A1 behind his lot is strangely shaped and asked if that is a lot or a tract. MR. BENSON replied that is a tract. Furrow Creek comes down that tract and cuts across the north corner.

RYAN STENCEL, representing the Huffman/O'Malley Community Council, requested a special limitation specifically protecting the wetlands and creek with adequate setbacks and fill limitations. She noted that a regular 20-foot setback might not be adequate for the site. Because of these concerns, the Council would have rather seen a request to rezone to R-1A with a minimum lot size of 8,000 square feet. This property abuts R-6 and should provide a buffer to that property. The Council also asked for a traffic impact analysis if the petitioner is going to create lots that are less than 7,000 square feet in size. This property also contains a natural collection area for Furrow Creek that is adjacent to Huffman Road. That area is of great importance and must be protected. The adjacent subdivision experiences significant flooding. She suggested that final approval should be made contingent on ADOT approval for the Huffman Road right-of-way.

SHERRY ROBERTS represented the owners of Tract 14 immediately west of the petition site. Her concerns were primarily with respect to wetlands. She stated Tract 14 was determined in 2004 to have undevelopable wetlands, so it is hard to believe that the property immediately west of it does not have undevelopable

wetlands. There was also extensive review of wetlands on Lot 14 in 2000 and a map of wetlands indicated a large swath of wetlands through the middle of the site. For these reasons, she questioned whether the wetlands have been thoroughly examined. She explained that the Corps of Engineers determined there were undevelopable wetlands on Lot 14. She stated the owners of Lot 14 are not against the rezoning, but want to be sure that the natural vegetation and consideration of wetlands are fully addressed. They disagree with the petitioner's request to not provide buffer to the west because of the wetlands. She remarked that there are photographs in the packet indicating that Furrow Creek is dry, but that is not the case in this area. Furrow Creek has been relocated through the years and continues to survive. Page 3 of the packet, item D.2, indicates the petitioner attempted to incorporate the parcel to the west and was unsuccessful, and she was not sure what that implies or means because the owners of Lot 14 had not been contacted about this development prior to the notification of this public hearing.

COMMISSIONER PEASE asked if Ms. Roberts is owner of the parcel immediately adjacent to the west. MS. ROBERTS replied that her mother owns Tract 14 to the west.

CHERYL BENSON, owner of Lot 1, Block 7 in Brookwood Subdivision behind the petition site north boundary, stated the area around her lot is very swampy. She stated she would like to have extensive limitations on the petition site. She supported the special limitations proposed by Staff. She noted that the creek has gone further south. She has lived on her property 26 years and she has seen the creek change its course.

In rebuttal, MR. HOFFMAN stated that the northwest corner of the site would become an open space tract that will be similar to one that exists adjacent to Lot 7 to the north. This will be an open space tract that will extend the wetlands through the northwest corner of the petition site, abutting Lot 7 of Brookwood Subdivision. He noted that the petitioner must follow all regulations with respect to wetlands.

COMMISSIONER PEASE asked whether the petitioner would agree to a condition to resolve the area for wetlands protection in consultation with the municipal Wetlands Coordinator. MR. HOFFMAN expected this would be a condition of the platting.

CHAIR POULTON asked if any of the concerns that have been discussed would be addressed during platting, including Ms. Pease's concern and the special limitations recommended. MR. BARRETT replied that all of these concerns could be dealt with through platting.

MR. BARRETT added that Mr. Weaver proposed special limitation 1; preliminary plats do expire within 18 months unless an extension is obtained. Special

limitation 2 is recommended to ensure development is more in keeping with the way the surrounding area is developed. Properties to the north and south are zoned R-6 and range in size from 14,000 to 20,000 square feet, while the properties to the east have a special limitation requiring an average lot size of 7,000 square feet. Regarding the discussion on special limitation 3, he noted that, at the time he recommended this wording, he did not have specific information on the stream location or the wetlands location. These matters can be resolved during the platting process, but the special limitations are also appropriate as part of the rezoning. He believed the 20-foot buffer easement along the west boundary line is appropriate because this property abuts lower density R-6, there are wetlands and a creek in the area, and he expected the present driveway location to be eliminated and one driveway cut allowed in the center of the property aligning with Silver Spruce. This property has approximately the same frontage as the property to the east that has one driveway cut.

COMMISSIONER WIELECHOWSKI asked for response to the remark about rezoning to R-1A, requiring a traffic impact analysis, and obtaining ADOT's approval for Huffman Road. MR. BARRETT stated Huffman Road is a State-owned street and comments were received from both Traffic and ADOT. ADOT will have control of the approach and the driveway. Neither ADOT nor Traffic requested a traffic impact analysis and he suspected that is because the proposed widening of Huffman Road would more than adequately handle the traffic impacts of this general area. Staff did discuss R-1A zoning with an 8,400 square foot lot size minimum. Given that most of the properties along Huffman Road are zoned R-1 and at least one has a requirement for 7,000 square foot average lot size, Staff felt R-1 with a special limitation requiring 7,000 square feet minimum lot size was more appropriate.

COMMISSIONER G. JONES asked if special limitation 2 is asking for a minimum or an average of 7000 square feet. MR. BARRETT stated the special limitation is worded as minimum. The requirement could be an average of 7000 square feet, but the minimum is easier to calculate.

TOM DREYER, also representing the petitioner, noted that special limitation 1 refers to an 18-month period for the plat, but that period is updated if the plat is appealed, so it is not finite. Special limitation 2 is objectionable because if there is a large open space area in this subdivision design, this 7,000 square foot minimum would limit what could be done in terms of clustering. Clustering is permitted and the Comprehensive Plan indicates a density of up to 10 DUA is appropriate. He indicated that a 6,000 square foot lot size is appropriate for the area.

MR. BARRETT noted that Mr. Dreyer's reference to the 1982 Comprehensive Plan allowing a density of up to 10 DUA is correct, but in order to do that the zoning would have to be other than R-1 or R-1A. If that had been the request, it

might have received a negative recommendation from the Staff because of inconsistency with other zonings and densities in the area. MR. DREYER stated that comes up at the platting level, not the zoning level.

The public hearing was closed.

COMMISSIONER G. JONES moved for approval of a rezoning from R-6 to R-1 without special limitations.

COMMISSIONER T. JONES seconded.

COMMISSIONER G. JONES stated that the issue before the Commission is land use. He stated he has never served on the Platting Board, but other Commissioners have, and he thought the special limitations proposed by Staff are the type of issues addressed by the Platting Board through the platting process. He felt it was not possible to apply these types of restrictions without the plat being before the body. He thought that adding the special limitations at this point without knowing the type of subdivision proposed creates the possibility of applying inappropriate restrictions on the development of the property. He agreed that the Platting Board would address issues of density, wetlands, and access to Huffman Road.

COMMISSIONER T. JONES stated she served on the Platting Board and she recalled the issues addressed by the special limitations are the very types of issues the Platting Board has to examine. She did not think it was overly burdensome for the Platting Board to calculate lot sizes. Utility locations, easements, buffers, and access determine the layout of lots within the subdivision. She was sure that ADOT would weigh in heavily about the access from this subdivision and traffic impacts in the area. She expressed disappointment with special limitation 1 because she did not believe it was necessary. She indicated that very seldom is there a requirement that results in the zoning approval expiring when something else does not occur. She did not support an artificial time deadline.

COMMISSIONER PEASE was inclined to not support the motion. She believed in her review of the Comprehensive Plan there are certain decisions that can be made either through a rezone or platting, such as Policy 5 that rezones and variances shall be compatible in scale with adjacent uses. She thought the Commission could deal appropriately with both lot size and peripheral buffering. She was comfortable with the need for and public benefit of the buffers along the north and west property lines. Policy 69 of Anchorage 2020 speaks to the Municipality preserving the functions and values of important wetlands and managing low value wetlands as delineated in the Anchorage Wetlands Management Plan. The Management Plan identifies these wetlands as Class C and further specifies a 65-foot setback should be set for the wetlands in the northwest corner. She stated she would feel more comfortable noting the

responsibility to have setbacks and protect the wetlands through consultation with the municipal Wetlands Coordinator.

COMMISSIONER WIELECHOWSKI stated he placed a great deal of reliance on the Department's recommendations. He believed the special limitations proposed by the Department address the concerns of neighbors and were recommended after assessing the area. He did not support a rezoning without special limitations.

COMMISSIONER T. JONES recalled cases when she served on the Platting Board where the underlying zoning was restrictive and that created difficulties in developing the land. She expressed a high level of confidence in the Platting Board's technical expertise to apply the Comprehensive Plan. She felt it was appropriate that the Platting Board implement the next phase of this development. She agreed with the need for buffers and protection, but did not have sufficient information to feel comfortable making decisions regarding those issues.

CHAIR POULTON stated special limitation 1 should not be recommended and special limitations 2 through 5 would tie the Platting Board's hands because they cannot change zoning. Having also served on the Platting Board, he was sure that body would address these issues with an entire package before it.

COMMISSIONER PEASE was also concerned that the Commission not create an expectation of a minimum number of lots or a density that could be accommodated on this parcel without acknowledging the need for wetlands and other setbacks. COMMISSIONER T. JONES stated under the proposed underlying zoning a minimum lot size of 6,000 square feet is set, but that is a minimum and she has acted on many plats where the smallest lot was much larger than the minimum allowed by the zoning.

AYE: T. Jones, Gibbons, Poulton, G. Jones, Lottsfeldt

NAY: Pease, Wielechowski

PASSED

PLANNING DEPARTMENT
PLANNING STAFF ANALYSIS
REZONING

DATE: September 13, 2004

CASE NO.: 2004-132

APPLICANT: Skyline Investments

**PETITIONER'S
REPRESENTATIVE:** Lantech Inc.

REQUEST: Rezoning from R-6 (suburban residential, large lot) to R-1 (Single Family Residential).

LOCATION: Stover Subdivision, Lots 1 and 2

SITE ADDRESS: 2201 and 2237 Huffman Road

**COMMUNITY
COUNCIL:** Huffman O'Malley

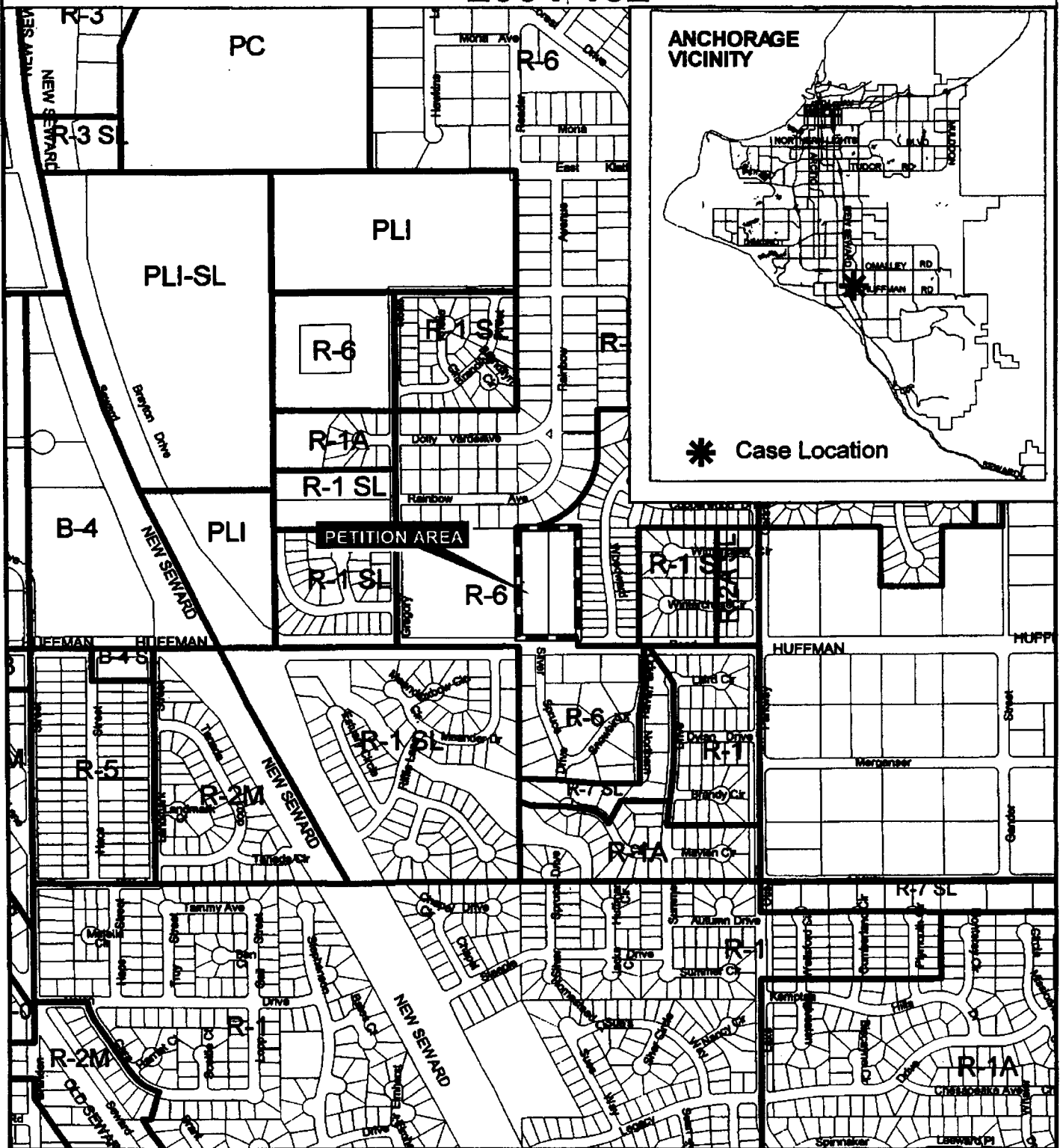
TAX NUMBER: 016-181-04, -37

ATTACHMENTS:

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

RECOMMENDATION SUMMARY: **APPROVAL with Special Limitations.** The proposed rezoning meets the general standards of the Comprehensive Plan.

REZONING 2004-132



Municipality of Anchorage
Planning Department



Date: JULY 21, 2004

Flood Limits

- 100 Year Floodplain
- 500 Year Floodplain
- Floodway



0 500 1000 Feet

SITE:

Acres: The lots are 100,465 and 100, 477 square feet, respectively; total 4.6 acres.

Vegetation: Lots contain mature, natural vegetation. There are class C wetlands on both lots, lot 2 is especially impacted.

Zoning: R-6 suburban residential, large lot

Topography: Level

Existing Use: There is a duplex on one lot and a mobile home on the other.

Soils: Public water lines are about 150 feet east and public sewer is available at the north property line.

COMPREHENSIVE PLAN:

Classification: Not specifically designated in Anchorage 2020. The 1982 Comprehensive Plan lists the property as residential.

Density: 3-6 du/a according to the 1982 plan.

SURROUNDING AREA

	<u>NORTH</u>	<u>EAST</u>	<u>SOUTH</u>	<u>WEST</u>
Zoning:	R-1SL and R-6	R-1SL	R-6	R-6
Land Use:	Single family & greenbelt	Single family	Huffman Road, then single family	Single family

PROPERTY HISTORY

1-31-74	Zoning	Area-wide rezone R-6
2-15-72	Platting	earliest plat on record, Stover SD

Applicable Zoning Regulations:

TABLE 1 SUMMARY COMPARISON OF R-1 and R-6		
	R-1 District AMC 21.40.030	R-6 District AMC 21.40.080
Intent:	Intended as urban and suburban single family residential areas with low population densities. Structures and uses required to serve governmental, educational, religious, noncommercial, recreational and other needs of such areas are permitted within the district or are permissible as conditional uses subject to restrictions intended to preserve and protect the single family residential character.	Intended for those lands where large lot or acreage development is desirable as an adjunct to more typical urban and suburban residential zoning. R-6 is intended to encourage low density residential development while protecting and enhancing physical and environmental features.
Permitted Uses and permitted accessory uses	Single family dwellings only a single principal structure per lot or tract. Public, private, parochial academic elementary schools. High schools if on a class I street, parks/playgrounds, municipal buildings in keeping with the character and requirements of the district, public branch libraries, family residential care, churches, antennas without towers type 1, 2, 3 and type 4 tower structures and antennas. Home occupations, noncommercial greenhouses family care, bed and breakfast.	Single family, two family, multifamily, mobile homes are allowed for 18 months while the dwelling is being constructed. Only one principal structure is allowed. Public, private, parochial elementary and secondary schools, family residential care, with a permitted nonresidential use type 1 and 3 local interest towers and type 4 tower structures and antennas. Family care, bed & breakfast with 3 or fewer guestrooms, bed & breakfast with 4 guestrooms by administrative site plan review.

TABLE 1 SUMMARY COMPARISON OF R-1 and R-6		
	R-1 District AMC 21.40.030	R-6 District AMC 21.40.080
Conditional Uses:	Commercial greenhouses, airstrips, utility substations, nursing homes, art schools, music schools, natural resource extraction on 5 acre minimum, QI houses, day care, snow disposal.	Natural resource extraction on tracts of not less than five acres, quasi institutional uses, heliports, snow disposal, 24 hour child care and day care, bed and breakfast with 5 guestrooms, roominghouses, commercial greenhouses.
Prohibited Uses	Storage or use of mobile homes, any use which causes or may reasonably be expected to cause excessive noise, vibration, smoke, dust, etc.	Storage in connection with trade, service or manufacturing; Quonset huts, uses which may be expected to cause excessive noise, vibration, dust, smoke...
Height limitation:	Principal structure 30 ft., detached garage 20 ft., accessory buildings 12 ft.	Unrestricted (except FAA)
Minimum lot size:	6,000 square feet	54,450 square feet
Yards:		
Front	20 feet	50 feet
Side	5 feet	25 feet
Rear	10 feet	50 feet
Lot Coverage:	30 %	30%
Landscaping	No requirement except for conditional uses.	No requirement except for conditional uses.

SITE DESCRIPTION AND PROPOSAL:

The applicant owns two legal R-6 lots. The lots are rectangles approximately 165'x659'. The property fronts on Huffman Road mid-way between Lake Otis Blvd. and the New Seward Hwy. The surrounding area is R-1 and R-6 and is developed as single family. The minimum required lot size in R-6 is 54,450 square feet; although R-6 allows multifamily, the size of the property, when replatted, would allow only a duplex on the subject property. Regardless, R-6 is no longer an appropriate district in this location: municipal water and sewer are available, nearby lots (including most of the adjacent R-6 properties) are no larger than 25,000 sq. ft., the property is near three major roads and cannot be considered

adjunct to typical urban and suburban, it has actually become a typical urban/suburban area: it is less than ¼ mile from a designated town center location, and the Comprehensive Plan calls for low to moderate density.

The north branch of Furrow Creek runs along the north property boundary and cuts across the northwest corner of the property. There is a 25 foot setback required.

The applicant is requesting R-1 (no special limitations have been offered) and will replat the property to be developed in one phase over approximately three years. Based on the minimum R-1 lot size of 6,000 square feet and allowing for rights of way and easements, approximately 20 to 25 lots could be platted. The 1982 Comprehensive Plan calls for a density of 3 to 6 units per acre. A development of 20 to 25 lots would be toward the high end of the range, but is consistent with the Plan. No proposed plat has submitted with the rezone application. Staff will recommend SL's for minimum lot size, buffering, etc., in order to have the proposed development consistent with existing rezonings, uses and replats in the immediate area.

In order to develop the lots the applicant will need an agreement with AWWU to extend the water and sewer lines to each property. Huffman Road is a State owned and maintained class II minor arterial at this location, driveway access will be determined by AK-DOT. There is an existing 100 ft right of way, the road and sidewalk are currently constructed to about 48 feet in width consisting of two breakdown lanes, two travel lanes and a sidewalk. The applicant will need to keep in mind that setbacks will be measured from the future right of way. Driveway access and water/sewer and street construction issues will be addressed during the platting process.

FINDINGS:

21.20.090 Standards for Approval – Zoning map Amendments.

A. Conformance to the Comprehensive Plan.

The standard is met.

The area is not specifically designated in Anchorage 2020. In the 1982 comprehensive plan, the property is designated residential with a density

of 3 to 6 dwelling units per acre. The subject property and many nearby lots are mostly vacant. The overall development pattern in the area is single family residential. The R-1 properties to east have lot sizes ranging from 6,500 to 8,000 sq ft.; the density is 5 units per acre. The R-6 lots to the north and west are between 14,000 and 16,000 sq ft. The R-6 lots to the south are 15,000 to 43,000 sq ft. The R-6 properties are 2 to 3 units per acre.

Policy 5, General land use. Rezones shall be compatible in scale with adjacent uses and consistent with the goals and policies of Anchorage 2020.

A single family home development would be compatible with adjacent uses. If the applicant were to maximize the density with 6,000 square foot lots, there could be a slight density compatibility issue. The smallest R-1 lot in the area is 6,100 square feet, but the average is about 7,000 sq ft. with a density of 5 dua. The R-6 lots in the area have a density of 2 to 3 dua.

The point is, maximum possible allowed density under R-1 might be slightly out of character with existing scale of development. Without a preliminary plat there is no way to exactly calculate this. The subject properties should be limited to a 7,000 sq ft minimum lot size. This is consistent with R-1 to the east.

Policy 8, Residential. Urban residential density (>1dua) is the optimum standard in the urban services area.

The subject properties are within the sewer service area boundary of the Hillside Wastewater Management Plan. The applicant will need to extend road, water and sewer prior to development. If the rezoning is approved, the density with 24 lots will be 5units per acre. The R-1 zoning district density equivalent allows 6 to 7 units per acre; the 1982 comprehensive plan calls for 3 to 6 units per acre. Title 21 R-6 lot size is 1.25 units per acre.

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 and Land Use Patterns

The Standard is met.

The surrounding area is developed as low to medium density single family residential. The proposed rezoning will be at a slightly higher density than most of the other development, especially to the north, west and south, but the use is not out of character.

The subject lots are not developed and contain natural vegetation; staff will recommend preservation of some of this vegetation to buffer the lower density R-6 and to provide highway screening. Similar vegetation buffers are required on nearby developments.

Furrow Creek runs along the north property line, there is a 25 foot development setback. The lots contain class C wetlands, a general permit from the Muni is required.

All uses are subject to AMC Noise and Air Quality ordinances

Transportation

This Standard is met.

Huffman Road is platted to 100' row, constructed to a width of 48 feet. The road is State owned, access will be determined during platting. The Applicant is advised to contact AK-DOT at this time to begin the process for a right of way approach. Details can be obtained from Muni staff.

Public Services and Facilities

This Standard is not currently met.

Public sewer and water are at or near the subject properties but not currently available interior to the property. Mains are located along the north property line and to the east. The applicant will need to extend these

services to the individual lots. This will be done as part of the platting process. Extension agreements with AWWU will be needed.

There is a planned multi-use paved trail along the north side of Huffman adjacent to the property. There is an existing multi use trail on the south side of Huffman. Existing AK-DOT right of way includes the future trail as well as lighting, intersection improvements, and some landscaping.

Special Limitations

At the time this report was written, no Special Limitations have been offered by the applicant.

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.

There is both vacant and developed R-6 and R-1 property in the area, the overall nature of the area is residential. The rezoning of this property to R-1 represents an increase in density. The loss of R-6 property in this area is not significant. The property has been zoned R-6 since the 1974 areawides with no development activity occurring. The comprehensive plan calls for a density of greater than 1 unit per acre. R-6 is no longer an appropriate district for this area.

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.

Services and roads will be extended during the platting process and as the development of the properties occurs. The applicant estimates total development could take up to three years.

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.

The proposed development is at a slightly greater density than exists in the surrounding areas. However, the single family uses are consistent with the residential nature of the area, and the density is within the range called for in Anchorage 2020.

COMMUNITY AND COMMUNITY COUNCIL COMMENTS

On August 19, 2004, 172 public hearing notices were mailed. As of Aug. 31, one negative comment regarding small lots/high density had been received. The Community Council had not commented.

DEPARTMENT RECOMMENDATION:

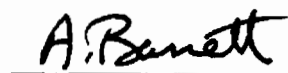
The Department recommends that the proposed rezoning is in conformance with the Comprehensive Plan and should be approved, subject to the following special limitations.

1. No building permits shall be issued until the final plat has been recorded and the rezoning shall expire 18 months from Assembly approval if the property has not been replatted within 18 months.
2. Lots shall be a minimum of 7,000 square feet.
3. There shall be an undisturbed natural vegetation easement 20 feet in width, exclusive of any utility easements, along the north and west boundary property lines.
4. There shall a 20 ft wide landscaped buffer along the south property line (Huffman Rd), except at entry ways.
5. All lots shall have driveway access from the internal road network and no lot shall have direct vehicle access to Huffman Road.
6. The need for a trail easement along the south property boundary shall be resolved during the platting process.

Reviewed by:


Tom Nelson
Acting Director

Prepared by:


Alfred Barrett
Senior Planner

(Case No. 2004-132) (Tax Parcel #016-181-04, -37)

Content Information**Content ID :** 002293

Title: Planning and Zoning Commission, Case 2004-132; recommendation for approval of a rezoning from R-6 (Suburban Residential District, Large Lot) to R-1 (Single Family Residential District) for Lots 1 and 2 Stover Subdivision

Author: weaverjt**Initiating Dept:** Planning

Description: Planning and Zoning Commission, Case 2004-132; recommendation for approval of a rezoning from R-6 (Suburban Residential District, Large Lot) to R-1 (Single Family Residential District) for Lots 1 and 2 Stover Subdivision.

Date Prepared: 10/20/04 12:45 PM**Director Name:** Tom Nelson**Assembly****Meeting Date** 11/16/04**MM/DD/YY:**

Public Hearing
Date MM/DD/YY: 12/14/04

Workflow History

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
AllOrdinanceWorkflow	10/20/04 12:48 PM	Checkin	weaverjt	Public	002293
Planning_SubWorkflow	10/20/04 4:52 PM	Approve	nelsontp	Public	002293
ECD_SubWorkflow	10/20/04 5:04 PM	Approve	thomasm	Public	002293
AllOrdinanceWorkflow	10/21/04 8:43 AM	Reject	pearcydl	Public	002293
AllOrdinanceWorkflow	10/21/04 9:02 AM	Checkin	weaverjt	Public	002293
Planning_SubWorkflow	10/21/04 10:07 AM	Approve	nelsontp	Public	002293
ECD_SubWorkflow	10/28/04 9:55 AM	Approve	thomasm	Public	002293
OMB_SubWorkflow	10/28/04 4:37 PM	Approve	pearcydl	Public	002293
Legal_SubWorkflow	11/1/04 3:12 PM	Approve	gatesdt	Public	002293
MuniManager_SubWorkflow	11/4/04 9:32 PM	Approve	leblancdc	Public	002293
MuniMgrCoord_SubWorkflow	11/8/04 8:06 AM	Approve	katkusja	Public	002293

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11/16/04