

CLERK'S OFFICE
AMENDED AND APPROVED

Date: 1-25-05

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Planning Department
For Reading: December 14, 2004

Anchorage, Alaska
AO No. 2004-175 *As Amended*

1 AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR
2 REZONING OF TRACT B2, TURNAGAIN VIEW EAST, FROM R-1 SL (SINGLE-
3 FAMILY RESIDENTIAL) WITH SPECIAL LIMITATIONS TO PLI SL (PUBLIC
4 LANDS AND INSTITUTIONS) WITH SPECIAL LIMITATIONS, GENERALLY
5 LOCATED TO THE WEST OF ELMORE ROAD, BETWEEN EAST 135TH AVENUE
6 (EXTENDED) AND NORTH OF DEARMOUN ROAD.

7
8 (Huffman-O'Malley Community Council) (Planning and Zoning Commission Case 2004-130)

9
10 THE ANCHORAGE MUNICIPAL ASSEMBLY ORDAINS:

11
12 **Section 1.** The zoning map shall be amended by designating the following described
13 property as PLI SL (Public Lands and Institutions) with special limitations zone:

14
15 Tract B2, Turnagain View East Subdivision, consisting of approximately 2.77 acres
16 as shown on Exhibit A.

17
18 **Section 2.** This zoning map amendment is subject to the following special limitation:


19
20 A. A 40-foot deep, undisturbed vegetative buffer yard, ~~and a six-foot high sight~~
21 ~~obscuring fence inside the buffer landscaping, and not along the eastern~~
22 ~~property boundary (excluding the Ervin Street driveway), shall be~~
23 ~~maintained at the south and east boundaries of the property and a six-foot~~
24 **high non-sight obscuring fence 40 feet inside the east property line.**

25 **B. The vegetative buffers and fencing shall be maintained by the property**
26 **owner.**

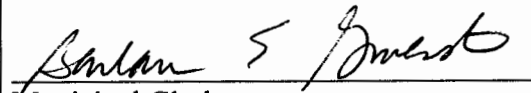
27
28 **Section 3.** This ordinance shall become effective within 10 days after the Director of
29 the Planning Department has received the written consent of the owners of the property
30 within the area described in Section 1 above to the special limitations contained herein.
31 The rezone approval contained herein shall automatically expire, and be null and void if
32 the written consent is not received within 120 days after the date on which this ordinance is
33 passed and approved. In the event no special limitations are contained herein, this

1 ordinance is effective immediately upon passage and approval. The Director of the
2 Planning Department shall change the zoning map accordingly.

3
4 PASSED AND APPROVED by the Anchorage Assembly this 25th day of
5 January 2005.

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Chair

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11 ATTEST:

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14 
15
16 Municipal Clerk

17
18 (Planning Case Number 2004-130)
19 (Tax ID 018-411-76)

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2004-175

Title: Planning and Zoning Commission, Case 2004-130;
recommendation for approval of a rezoning from R-1 SL
to PLI SL

Sponsor:

Preparing Agency: Planning Department

Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)			
	<u>FY05</u>	<u>FY06</u>	<u>FY07</u>	<u>FY08</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 rezone should have no significant impact on the public sector.

Property Appraisal does note any significant impacts to the proposed re-zone of the property.

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></u> (Director, Preparing Agency)	Date: <u></u>
Concurred by:	<u></u> (Director, Impacted Agency)	Date: <u></u>
Approved by:	<u></u> (Municipal Manager)	Date: <u></u>



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM 916-2004

Meeting Date: December 14, 2004

From: Mayor

Subject: Planning and Zoning Commission Recommendation of Approval to rezone 2.77 acres from R-1 SL to PLI SL for Tract B2, Turnagain View East; generally located to the west of Elmore Road, between East 135th Avenue (Extended) and north of DeArmoun Road.

1 Anchorage Water Wastewater Utility petitioned to rezone approximately 2.77 acres from R-1 SL
2 (Single-Family Residential District) to PLI SL (Public Lands and Institutions District) with
3 special limitations. The Planning and Zoning Commission found PLI zoning met the standards
4 for a zoning map amendment as required by AMC 21.20.090, and is consistent with the
5 *Anchorage 2020 Anchorage Bowl Comprehensive Plan*.
6

7 The petition site contains a pump station and is located south of the new South Anchorage High
8 School. PLI zoning is requested to be consistent with Municipal policy that all municipally
9 owned lands and facilities be zoned PLI.
10

11 The Huffman-O'Malley Community Council favors PLI zoning and supports the special
12 limitation regarding retention of a vegetative buffer and fencing. The Council also agrees with
13 the Commission that rezoning to PLI is a housekeeping matter. The Commission believed it
14 appropriate to continue the existing R-1 special limitation to maintain an undisturbed vegetative
15 40 foot buffer yard along the south and east boundary of the property adjacent to residential
16 (excluding the Ervin Street driveway) along with a six-foot high sight obscuring fence not to be
17 located on the property line, but inside of the buffer landscaping. The Commission voted
18 unanimously in favor of PLI SL zoning.
19

20 **THE ADMINISTRATION SUPPORTS THE RECOMMENDED PLI SL ZONING.**
21
22

23 Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning Department
24 Concur: Tom Nelson, Director, Planning Department
25 Concur: Mary Jane Michaels, Executive Director, Office of Economic and
26 Community Development
27 Concur: Denis C. LeBlanc, Municipal Manager
28 Respectively Submitted: Mark Begich, Mayor

2004-130



**MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2004-060**

A RESOLUTION APPROVING THE REZONING OF 2.77 ACRES FROM R-1 SL (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT WITH SPECIAL LIMITATIONS TO PLI (PUBLIC LANDS AND INSTITUTIONS) FOR TRACT B-2, TURNAGAIN VIEW EAST; GENERALLY LOCATED ON THE EAST SIDE OF ELMORE ROAD, BETWEEN EAST 135TH AVENUE (EXTENDED) AND NORTH OF DEARMOUN ROAD.

(Case: 2004-130; Tax ID 018-411-76)

WHEREAS, a petition has been received from the Anchorage Water and Wastewater Utility, requesting to rezone 2.77 acres from R-1 SL (Single-Family Residential) with special limitations to PLI (Public Lands and Institutions) for Tract B-2, Turnagain View East, generally located on the east side of Elmore Road, between East 135th Avenue (extended) and north of DeArmoun Road,

WHEREAS, notices were published, posted and public hearing notices were mailed and a public hearing was held on September 13, 2004.

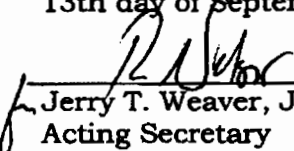
NOW THEREFORE BE IT RESOLVED, by the Municipal Planning and Zoning Commission that:

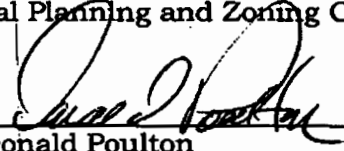
A. The Commission makes the following findings of fact:

1. The petition site is adjacent to the new South Anchorage High School. Both parcels were part of a 105 acre area that was zoned R-1 SL in 1984. The special limitations addressed both the buffering and transition landscaping requirements found in the Hillside Wastewater Management Plan. They included design standards intended to buffer the surrounding large-lots, low density residential.
2. AWWU is requesting that the property, containing a pump station, be rezoned to PLI without special limitations. PLI is requested in order to be consistent with municipal policy that all municipally owned land and facilities be zoned PLI. No new development is being proposed for this site at this time. AWWU indicated they had no objection to the fencing special limitation as worded. AWWU has no current plan to install a water tank since it is not currently needed but would not agree to prohibit that as a future use.
3. Ryan Stencel, representing the Huffman/O'Malley Community Council, stated the council is in favor of PLI zoning. Some residents have been waiting many years for this housekeeping measure to be completed. The Council also supports staff proposed special limitation regarding the vegetative buffer and fencing, which addresses the community's concerns.
4. Andy Woolcox testified that fencing is currently being installed along the walkway to the east and the south and it is on the outside of the buffer, contrary to the department's special limitation that calls for the fencing to be located inside the 40-foot buffer landscaping and not along the property boundaries (excluding the Ervin Street driveway.)

5. The Commission finds that PLI SL zoning is appropriate for this site. They also found this to be a housekeeping measure, noting that the property has been used for PLI purposes for several years. The request is consistent with the Anchorage 2020 plan policies and goals, and meets the requirements of AMC 21.05.080 and AMC 21.20.090 rezoning standards.
 6. The Commission voted unanimously in favor of the rezoning to PLI SL.
- B. The Commission recommends the above rezoning be APPROVED by the Anchorage Assembly subject to the following special limitation:
- C. At the south and east boundaries of the property there shall be maintained a 40-foot deep undisturbed vegetative buffer yard and a 6-foot high sight obscuring fence inside the buffer landscaping and not along the property boundary (excluding the Ervin Street driveway).

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


Jerry T. Weaver, Jr.
Acting Secretary


Donald Poulton
Chair

(Case No. 2004-130)
(Tax I.D. No. 018-411-76)

ma

Located on the north side of DeArmoun Road
east of Cange Street.

POSTPONED TO OCTOBER 4, 2004

6. 2004-130

AWWU. A request to rezone approximately 2.77 acres from R-1SL (single family residential with special limitations) to PLI (public lands and institutions). Turnagain View Subdivision, Tract B2. Located at 13541 Ervin Road.

Staff member MARY AUTOR stated 68 public hearing notices were mailed, 1 was returned as undeliverable, 1 was returned in opposition, and 1 was returned and characterized as "other." This property is located adjacent to the South Anchorage High School. It contains a pump station that was installed, in part, in preparation for the school. The existing special limitations concern design standards for buffers against surrounding large lot, low-density residential areas. The buffer area was to remain undisturbed. The buffer area was maintained through a plat note on a 1995 plat that required 40-foot buffer yards. It also prohibited vehicular access from Leyden Drive, but did allow multiple access points from Elmore. The petition site does not access Leyden or Elmore, but instead takes access from Ervin Street to the south, which is a local residential roadway. The petitioner proposes no special limitations on this rezoning. The rezoning is desired in order to be consistent with municipal policy that all municipally owned land and facilities be zoned PLI. This zoning is consistent with Anchorage 2020 and with the standards for rezoning. The Department suggests a special limitation that would maintain a buffer area that would state "The south and east boundaries of the property shall maintain a 40-foot deep undisturbed vegetative buffer yard and a 6-foot high sight obscuring fence inside of the buffer landscaping and not along the property boundary (excluding the driveway from Ervin Street."

COMMISSIONER G. JONES understood that no new development is planned for this property. MS. AUTOR stated that no new development is planned. The property is developed.

The public hearing was opened.

JOHN ELLINWOOD, representing the petitioner, stated this is a housekeeping matter for AWWU to be consistent with municipal policy. No new development is planned on this property. The property is currently being fenced.

CHAIR POULTON asked if the petitioner had any concern with the change to the language Ms. Autor suggested. MR. ELLINWOOD replied that he did not object to the language change.

RYAN STENCEL, representing the Huffman/O'Malley, stated the Council is in favor of the rezone. Some residents have been waiting many years for this housekeeping measure to be completed. She noted that the Council did submit comments, but they are not in the packet. The Council supports the special limitation regarding vegetative buffer and fencing, which addresses the community's concerns. She stated the Council is thankful to Mr. Dokoozian and associates for working with the Council to achieve a workable plan.

ANDY WOOLCOX stated fencing is currently being installed along the walkway to the east and the south and it is on the outside of the buffer, contrary to the special limitation language that Ms. Autor suggested. He stated in 1996 the installation of a substation on this property was approved and a 5 million gallon water tank was omitted. He hoped there would be no construction on this property in the future and indicated he would like to have that restriction on this property.

In rebuttal, MR. ELLINWOOD stated that the posts for the fence were installed one foot inside the property boundary along Elmore Road. He indicated the petitioner is amenable to moving the fence inward from the property line, which is why construction of the fence has not been completed. There are currently no plans to install the water tank; it not currently needed. However, he did not agree to prohibiting that use; that could be dealt with at such time it might become a possibility.

CHAIR POULTON reiterated his question whether the petitioner agrees to the special limitation language stated by Ms. Autor. MR. ELLINWOOD indicated the petitioner would comply with that language.

The public hearing was closed.

COMMISSIONER PEASE moved for approval of the request to rezone from R-1SL to PLI subject to the condition proposed by Staff to state "The south and east boundaries of the property shall maintain a 40-foot deep undisturbed vegetative buffer yard and a 6-foot high sight obscuring fence inside of the buffer landscaping and not along the property lines (excluding the driveway from Ervin Street."

COMMISSIONER WEILECHOWSKI seconded.

COMMISSIONER PEASE found this to be a housekeeping measure, noting that the property has been used for PLI purposes for several years. It appears that

the manager of the site has discussed this rezoning with the Community Council and met their screening desires.

CHAIR POULTON noted that this rezoning brings this piece of property into compliance with municipal policy on municipally owned properties.

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

NAY: None

PASSED

7. **2004-133** Colony Builders. A request to rezone approximately 9.54 acres from R-6 (suburban residential) to R-1A (single family residential). Gregory Subdivision, Tract 5. Located at 11850 Gregory Road.

Staff member AL BARRETT stated 56 public hearing notices had been mailed and no responses were received from the public or the community council. He explained that the properties are a "square with a square" and the square surrounding that. Both properties are zoned R-6 and he understood that both properties are family-owned. He also heard from the staff member who analyzed this case that there might be some opposition from the owners of the inner square. Staff is recommending approval of the rezoning to R-1A that would allow 8,400 square foot lots. The proposal is consistent with the Comprehensive Plan. The rezoning is supported by Policies in the Comprehensive Plan regarding a Transit Supportive Corridor to the northeast on Lake Otis, bike trails, density and infill policies, and a general increase in density. The 1982 Comprehensive Plan calls for this area to be 3-6 dwelling units per acre (DUA) and it allows rezoning to a density of up to 10 DUA provided the development is clustered with a site plan that addresses water and sewer, transition buffering design, and internal roadway circulation. The proposal is also consistent with the zonings and uses surrounding the subject property; that is, single-family homes in relatively low density R-1, R-1A and R-6. A proposed trail on the western boundary of the large outer square portion of the property will be dealt with during platting.

The public hearing was opened.

TONY HOFFMAN, representing the petitioner, expressed appreciation for the Staff recommendations and report. He concurred with the Staff analysis.

COMMISSIONER G. JONES asked if Mr. Hoffman represented the owners of both parcels. MR. HOFFMAN replied that the request is for both parcels because

**PLANNING DEPARTMENT
PLANNING STAFF ANALYSIS
REZONING**

DATE: September 13, 2004

CASE NO.: 2004-130

APPLICANT: Anchorage

REPRESENTATIVE: Locher, LLC: John Ellinwood or Jim Dokoozian

REQUEST: A request to rezone approximately 2.77 acres from R-1-SL (Single Family) with special limitations to PLI.

LOCATION: Turnagain View East, Tract B-2; generally located east side of Elmore Road, between East 135th Avenue (extended) and north of DeArmoun Road

SITE ADDRESS: N/A

COMMUNITY COUNCIL: Huffman-O'Malley / Grid SW2935

TAX NUMBER: 018-411-76

ATTACHMENTS:

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

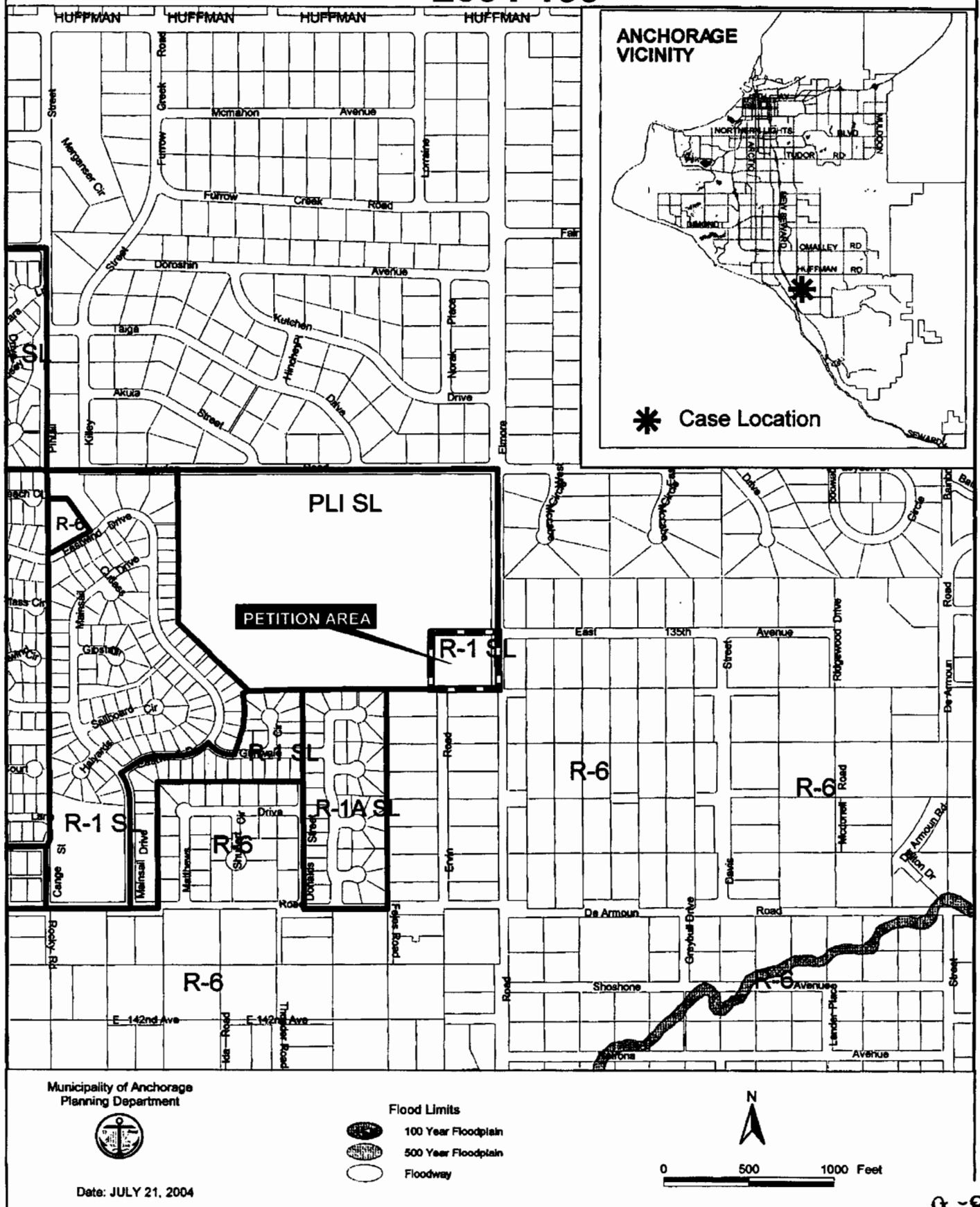
RECOMMENDATION SUMMARY: Approval.

SITE:

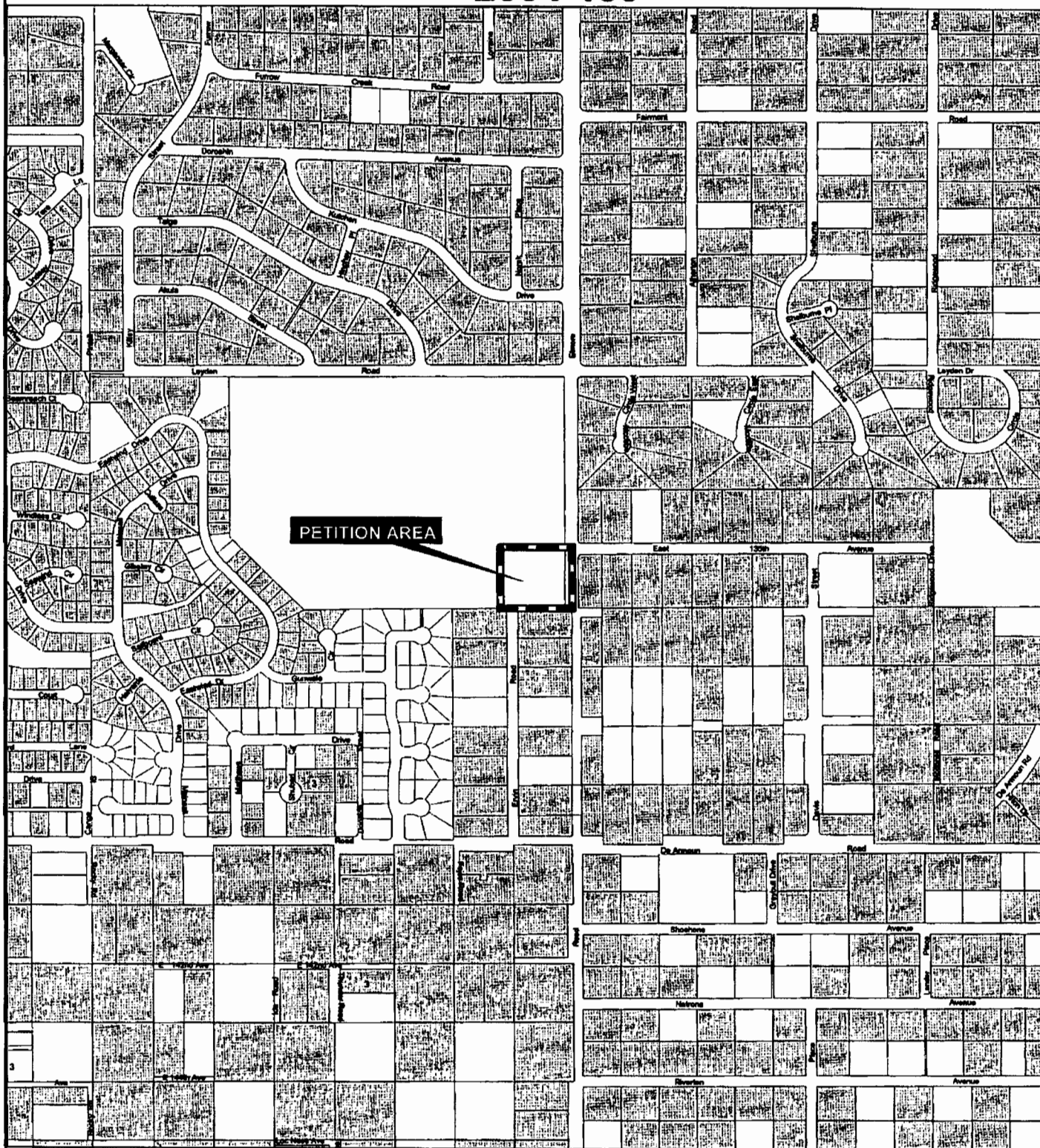
Acres: 2.77 Acres
Vegetation: Spruce and birch
Zoning: R-1 SL
Topography: Varied
Existing Use: Booster pump
Soils: Inside the Hillside Wastewater Management Plan perimeter of public sewerage; recommended for public sewerage

REZONING

2004-130



REZONING 2004-130



Municipality of Anchorage
Planning Department



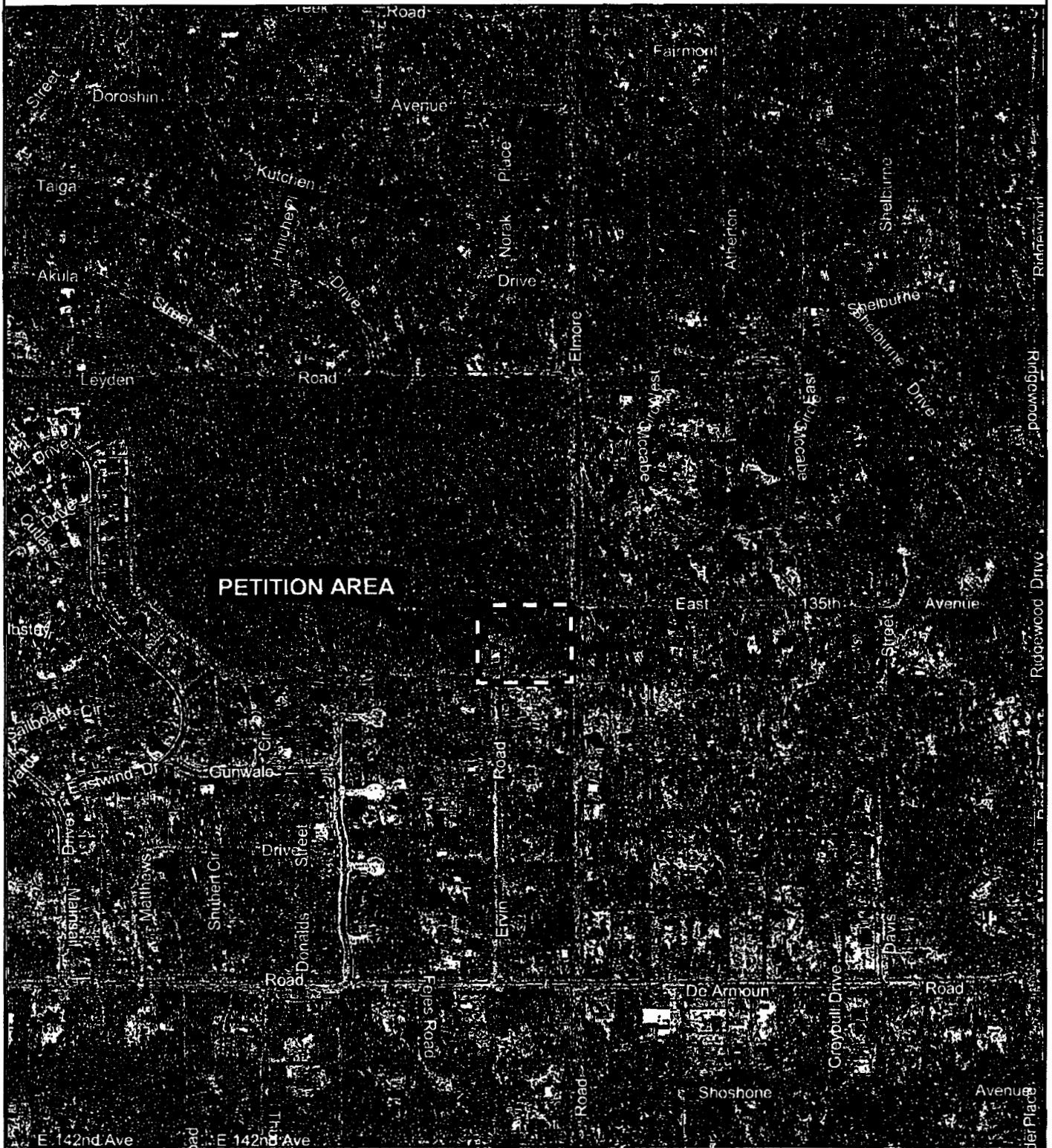
Date: JULY 21, 2004

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



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

REZONING 2004-130



Municipality of Anchorage
Planning Department



Date: JULY 21, 2004



0 500 1000 Feet

Date of Aerial Photography: 1996

COMPREHENSIVE PLAN:

Classification: 1982 Plan – Residential; Anchorage 2020 – not in a specific policy area
Density 3-6 DUA

APPLICABLE LAND USE REGULATIONS:

	<u>Proposed PLI Zoning</u>	<u>Current R-1 SL Residential Zoning</u>
Height limitation:	Unrestricted/FAA	30 feet
Minimum lot size:	15,000 SF/100 feet	6,000 SF/50 feet
Lot coverage:	Unrestricted	30 %
Yards		
Front	25 feet or that of the abutting district if residential, whichever is greater	20 feet
Side & Rear	25 foot side and 30 foot rear, or that of the abutting district if residential, whichever is greater	5 foot side 10 foot rear
Landscaping		
Visual Enhancement	Visual Enhancement shall be planted along each lot line adjoining a right of way designated for collector or greater	n/a
Special Limitations	NA	AO 84-75

SURROUNDING AREA:

	<u>NORTH</u>	<u>EAST</u>	<u>SOUTH</u>	<u>WEST</u>
Zoning:	PLI SL	R-6	R-6	PLI SL
Land Use:	South Anchorage High School	Residential	Residential	South Anchorage High School

PROPERTY HISTORY

07-03-84	AO 84-75	Petition site zoned R-1 SL (Single Family Residential) with Special Limitations
09-23-85	Plat 85-234	Final plat recorded for Turnagain View East Subdivision, Tracts A & B, a resubdivision of Parcel 2, Water Reservoir Sub. (Plat 77-92), Tract B, DeArmoun Sub. Add. No. 2 (Plat 70-75) and the NE4, SE4, Section 28, T12N, R3W, S.M., Alaska.
05-28-87		AWWU acquired management authority from the Anchorage School District for a 2.81 acre site located at the SE corner of Tract B, Turnagain View East Subdivision.
01-2-2-95	UDC Case 002-96	The Urban Design Commission granted preliminary approval for a booster station located on the SE corner of Tract B, Turnagain View East Subdivision subject to 18 conditions of approval.
02-05-96	PZC Case 96-020	The Planning and Zoning Commission granted final approval of a final conditional use permit for a utility substation (pump house) located on Tract B, Turnagain View East Subdivision. Resolution 96-009.

BACKGROUND

In 1996 the Anchorage School District (ASD) constructed a water pump station to serve the Southeast Anchorage Middle School located at Golden View Drive and 160th Street. A 24" water line was extended from the eastern boundary of Turnagain View Estates Subdivision and followed the boundary of Tract B south-southeast-east to the petition site. From the booster station site a 12" water line was extended two miles down Elmore Road and Longbow Drive crossing Rabbit Creek Road and through the Goldenview Tract to the middle school site. The substation was handed over to AWWU after construction was completed.

The 20' x 24' pump house was designed to resemble residential construction, and is constructed of wood, has a pitched roof and is 12 foot high at the highest point of the peak. Surrounding the structure is a chain link fence with vinyl slats with a gate to prohibit casual access. Natural vegetation was retained on the site with replanting along the western edge of a 10 foot wide driveway access. The structure is set back from the driveway access so as not to be visible. Access to the petition site is from Ervin Street.

The petition site (2.77 acres) and what is now the South Anchorage High School tract (54 acres) were part of a 105 acre area that was zoned R-1 SL on July 3, 1984 (AO 84-75). The special limitations addressed both the buffering and transition landscaping requirements found in the Hillside Wastewater Management Plan. They include design standards intended to buffer the surrounding large-lot, low density residential and established a maximum 385 units on the 108 acre site. At the time the conditional use was approved it was determined that the special limitations may no longer be appropriate for the changed use. The high school tract was rezoned to PLI SL on February 13, 2001 (AO 2001-1). The special limitations maintained undisturbed vegetative buffer yards, maintained the plat note requiring 40-foot buffer yards from Plat 98-35, limited structures in the buffer yards to Commission approved screening structures or pedestrian-path improvements, prohibited vehicular access from Leyden Drive but allowed multiple access points from Elmore Road.

SITE DESCRIPTION AND REQUEST:

AWWU is requesting that the subject property be rezoned to PLI. There are no proposed special limitations.

AWWU has the responsibility to provide the highest possible level of service to its customers, and to maximize efficient use of its resources. PLI will allow AWWU to maximize the way in which the land is used to best serve the Public's interest. This extends beyond providing water and wastewater services. It may also include the provision of other public services that may make arrangements to use this tract to the benefit of the public (i.e. ML&P, Enstar, ASD, PM&E, etc.) The use of the property will remain as a utility substation.

COMMUNITY COMMENTS:

At the time this report was written, there were two returned public hearing notices (PHN) received out of 68 public hearing notices mailed out 8/19/04. No response was received from the Huffman-O'Malley Community Council.

One response opposed it as having no public need. The other took no position on the rezoning, although both requested retention of the vegetative buffers surrounding the site to make it compatible with the surrounding R-6 lots.

FINDINGS:

Map Amendments, and 21.05.080 Implementation – Anchorage Bowl Comprehensive Development Plan Maps

A. Conformance to the Comprehensive Plan.

The petition site is not shown in a specific policy area on the Land Use Policy Map, in the Anchorage 2020 Comprehensive Plan (page 50) except that it is to the west of the conceptual boundary between Urban/rural services areas. These boundaries will be determined through a future Hillside District Plan. (To date this is an unfunded project.)

The subject property is located within the recommended maximum perimeter of public sewerage boundaries of the 1982 Hillside Wastewater Management Plan (HWMP) for Sewerage Service Areas. This is an adopted element of the Comprehensive Plan (AMC 21.05.030.A.D.4).

Rezoning to PLI is consistent with the general goal to provide an integrated, efficient, and cost-effective network of utilities and public improvement to meet community needs.

Policy 14 provides “no regulatory action under Title 21 shall result in a conversion of dwelling units or residentially zoned property into commercial or industrial uses unless consistent with an adopted plan.” Although this proposal requests the loss of a parcel to residential use, which appears on its face to be against Policy 14, this site is (1) not proposed to change the land use classification to either commercial or industrial, (2) was effectively lost to residential use through the 17 years of management authority by AWWU of this parcel, and (3) the establishment of a utility substation (pump house) in 1996 to serve the middle school and now the new high school.

This rezoning is consistent with (1) Policy 73, “public facilities and services shall meet adopted level of service standards”, (2) Policy 76 “optimize existing transportation and utility infrastructure before extending these facilities to undeveloped areas, (3) Policy #80 “utilities shall be located and designed with balanced regard for the environment,

energy conservation, reliability, visual impacts, natural hazards survivability, and cost.

As noted during the conditional use process for the utility substation "Utilities are an essential component of development. Without the booster station, water can not be provided to the school. This site is the closest source of water for the new middle school." It was also noted that it was also needed to provide a source of water for fire fighting on the Hillside.

Rezoning to PLI is also in keeping with Municipal policy that municipally owned land be zoned PLI. This is at its essence, a housekeeping matter.

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. The abutting land uses are residential, park and airport, and are subject to the same noise limits regardless of zoning.

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

Land Use Patterns

See earlier discussion. This property borders land classified as residential, and zoned R-6 to the east and south, and PLI SL to the north and west. This rezone is compatible with the surrounding uses, as it provides a necessary infrastructure to the nearby schools, without which it is likely that neither could have been constructed.

Transportation/Drainage

Transportation Planning, Traffic Engineering and the State Department of Transportation and Public Facilities had no comment or objection on this rezone request. The subject parcel is adjacent to Elmore Road but has no access to it. Elmore Road is designated as a Class I Residential Collector in the Official Streets and Highways Plan. Access to the petition site is from Ervin Street via DeArmoun Road. Ervin is a residential roadway. Drainage issues were addressed at the time of construction of the pump house.

Public Services and Facilities

Roads: See above.

Utilities: public sewer is not available to the site; public water is available within an easement located on the south portion of the site; gas and electrical utilities are available.

Schools: There will be no change in the impact to the affected schools as a result of a change in zoning to PLI-p as the property has been and will remain a public utility use.

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

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.

Typically, park and school land are zoned PLI. The largest amount of PLI zoned land are the South Anchorage High School, Goldenview Middle School and possibly the supporting feeder elementary schools.

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.

No new development is planned for this site. This site is intended for public utility use.

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.

For years this site has been lost to residential development due to the nature of the public utility use and ownership.

DISCUSSION:

This parcel has been owned by the Municipality for many years: first by the Anchorage School District and now by the Anchorage Water and Wastewater Utility. Use of the parcel and its ownership is not proposed to change. This rezoning proposal is intended to zone the property consistent with government ownership and use. In keeping with Municipal policy that municipally owned land is zoned PLI, this is a housekeeping matter.

When this property was zoned R-1 SL in 1984 there were seven special limitations. For reference, a full copy of the ordinance is appended and found under historical information. As previously mentioned these special limitations addressed three things, residential density, restricting access to Leyden and Elmore Road, and prescribing the depth of vegetative buffer yards. Of these, the only special limitation which may still be relevant is Special Limitation #3: "Along the southerly and easterly boundaries of the property there shall be a 40 foot deep (north/south dimension) buffer yard . . . and a 6-foot high wood sight obscuring fence."

There is R-6 zoned residential to the east and south of the petition site, and this special limitation should be maintained with this rezoning.

RECOMMENDATION:

The Department finds that the requested rezoning from R-1 SL to PLI meets with the standards of the Comprehensive Plan and AMC 21.20.090 rezoning standards and therefore recommends APPROVAL of rezoning this property to PLI SL subject to the following special limitation:

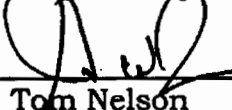
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The south and east boundaries of the property there shall maintain a 40 foot deep undisturbed vegetative buffer yard and a 6-foot high sight obscuring fence inside of the buffer landscaping and not along the property boundary (excluding the driveway from Ervin Street).

Reviewed by:


Tom Nelson
Acting Director

Prepared by:


Mary Autor
Senior Planner

(Case 2004-130, Tax ID 018-411-76)

Content Information

Content ID : 002374

Title: Planning and Zoning Commission Recommendation of Approval to rezone 2.77 acres from R-1 SL to PLI SL for Tract B2, Turnagain View East; generally located to the east of Elmore Road, between East 135th Avenue (Extended) and north of DeArmoun Road.

Author: weaverjt

Initiating Dept: Planning

Date Prepared: 11/10/04 1:56 PM

Director Name: Tom Nelson

Assembly

Meeting Date 12/14/04

MM/DD/YY:

Public Hearing 1/25/05

Date MM/DD/YY:

2004 DEC -6 PM 12:30
CLERK'S OFFICE

Workflow History

Workflow Name	Action Date	Action	User	Security Group	Content ID
AllOrdinanceWorkflow	11/10/04 1:57 PM	Checkin	weaverjt	Public	002374
Planning_SubWorkflow	11/11/04 1:16 PM	Approve	nelsontp	Public	002374
ECD_SubWorkflow	11/12/04 9:50 AM	Approve	thomasm	Public	002374
OMB_SubWorkflow	11/16/04 10:38 AM	Approve	pearcydl	Public	002374
AllOrdinanceWorkflow	11/16/04 4:09 PM	Reject	gatesdt	Public	002374
AllOrdinanceWorkflow	11/16/04 4:47 PM	Checkin	weaverjt	Public	002374
Planning_SubWorkflow	11/18/04 12:57 PM	Approve	nelsontp	Public	002374
ECD_SubWorkflow	11/19/04 1:53 PM	Approve	thomasm	Public	002374
OMB_SubWorkflow	11/29/04 5:22 PM	Approve	pearcydl	Public	002374
Legal_SubWorkflow	11/30/04 10:46 AM	Approve	gatesdt	Public	002374
MuniManager_SubWorkflow	12/2/04 7:57 AM	Approve	leblancdc	Public	002374
MuniMgrCoord_SubWorkflow	12/6/04 7:42 AM	Approve	abbottmk	Public	002374