

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 6-20-06

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Planning Department
For reading: May 16, 2006

Anchorage, Alaska
AO 2006-78

AN ORDINANCE REPEALING ORDINANCE 80-161 CONCERNING REMNANT PARCEL 32A OF T12N, R3W, SECTION 8, S.M., AK, AND AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 6.025 ACRES FROM I-1 SL (LIGHT INDUSTRIAL) WITH SPECIAL LIMITATIONS TO I-1 SL (LIGHT INDUSTRIAL) WITH SPECIAL LIMITATIONS FOR REMNANT PARCEL 32A, LOCATED WITHIN T12N, R3W, SECTION 8, S.M., AK; GENERALLY LOCATED ON THE EAST SIDE OF THE NEW SEWARD HIGHWAY BETWEEN ABBOTT ROAD TO THE NORTH AND OTIS PLACE (EXTENDED) ON THE SOUTH.

(Abbott Loop Community Council) (Planning and Zoning Commission Case 2006-002)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. That Anchorage Ordinance 80-161 concerning Remnant Parcel 32A of T12N, R3W, Section 8, S.M., AK. is hereby repealed.

Section 2. The zoning map shall be amended by designating the following described property as I-1 SL (Light Industrial District with Special Limitations):

Remnant Parcel 32A located within T12N, R3W, Section 8, S.M., AK; generally located on the east side of the New Seward Highway between Abbott Road to the north and Otis Place (extended) on the south, containing approximately 6.025 acres, as shown on Exhibit A.

Section 3. This zoning map amendment is subject to the following special limitations:

A. Subsection 21.40.200(B)(1). Permitted Principal uses – Commercial.
Delete the following uses:

1. (ii.) automobile display lots, new and used;
2. (jj.) mobile home display lots, new and used;

1 3. (rr.) bus terminals, air passenger terminals.

2
3 B. Subsection 21.40.200(B) (2). Permitted Principal Uses – industrial. Delete the following
4 uses:

- 5
6 1. (b). beverage manufacture, including breweries;
7 2. (e). cleaning, laundry or dyeing plants;
8 3. (k). steel fabrication shops or yards;
9 4. (m). utility installations.

10
11 C. Subsection 21.40.200(B)(2). Permitted Principal Uses – industrial. Replacing n.(1) with:

- 12
13 (1) warehousing, including open storage, shall be permitted for
14 principal uses, and those uses which are incidental and subordinate to the
15 principal use. The required fencing shall be entirely enclosed with a fence
16 of at least eight feet in height. The fence shall be chain link, concrete
17 block, or other appropriate construction approved by the administrative
18 official. The fence shall be maintained in a sound and orderly condition
19 and shall be kept free of any advertising matter other than signs permitted
20 by this title. The fence for such outdoor storage shall be opaque. Outdoor
21 open storage of items for sale or distribution shall not exceed 12 feet
22 above grade.

23
24 D. Subsection 21.40.200(D). Conditional Uses. Delete the following uses:

- 25
26 1. (2.) airstrips and heliports;
27 2. (4.) natural resource extraction on tracts of not less than five acres.
28 3. (5.) camper parks.

29
30 E. Subsection 21.40.200(G). Minimum yard requirements. Include the following to the
31 existing yard requirements:

- 32
33 1. 50-foot building setback to be provided along the New Seward Highway Frontage
34 Road property line.
35
36 2. 25-foot building setback line to be provided to the south along the northern
37 easement line for Otis Place extended (55 foot actual depth from current southern
38 boundary line) as long as the adjacent property to the south is residentially zoned.
39
40 3. 10-foot vegetated screening easement (to be reviewed and approved by the
41 Zoning Staff) to be provided to the south along the northern easement line for Otis
42 Place extended.
43

F. Subsection 21.40.200(I). Maximum height of structures. Replace existing requirements with:

Maximum height of structures is four stories to a maximum of 50 feet.

Section 4. Prior to any development upon the site, the developer shall dedicate by document, a 30-foot wide Public Use Easement along the south boundary, and enter into an Improvement of Public Place agreement with Project Management and Engineering (PM&E) for the construction of the road and related drainage improvements for the full length of the southern property boundary. Construction shall be to peripheral standards of a roadway as approved by PM&E.

Section 5. All other provisions of AMC 21.40.200 shall remain in effect except as amended herein.

Section 6. 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 4 3 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 20th day of June 2006.

ATTEST:

Daniel A. Sullivan
Chair

Barbara S. Gruenke
Municipal Clerk

(Planning Case Number 2006-002)
(Tax Identification 014-271-05)

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2006- 78

Title: An Ordinance for Parcel 32A, located Within Section 8, T12N, R3W, S.M. AK, and amending the Zoning Map and providing for the rezoning of approximately 6.025 Acres From I-1 SL (Light Industrial) with Special Limitations to I-1 SL (Light Industrial) with Special Limitations for Remnant Parcel 32A Located within Section 8,T12N, R3W, S.M., AK.

Sponsor:

Preparing Agency: Planning Department

Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)			
	<u>FY06</u>	<u>FY07</u>	<u>FY08</u>	<u>FY09</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. A rezone from I-1 SL to I-1 SL will allow development of a commercial building for a retail recreational vehicle distributorship.

PRIVATE SECTOR ECONOMIC EFFECTS:

Approval of the rezoning should have no significant economic impact on the private sector. If approved, the owner will be responsible for construction of a median along Brayton Drive lot frontage and construction of a road and related drainage improvements along the south side of the property between Brayton Drive and Otis Place to Municipal standards.

Property Appraisal notes: Approval of the rezoning should have minimal impact to future assessed valuations.

Prepared by: Jerry T. Weaver Jr. 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 343 -2006

Meeting Date: May 16, 2006

From: Mayor

Subject: AN ORDINANCE REPEALING ORDINANCE 80-161 FOR PARCEL 32A LOCATED WITHIN T12N, R3W, SECTION 8, S.M., AK, AND AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 6.025 ACRES FROM I-1 SL (LIGHT INDUSTRIAL) WITH SPECIAL LIMITATIONS TO I-1 SL (LIGHT INDUSTRIAL) WITH SPECIAL LIMITATIONS FOR REMNANT PARCEL 32A LOCATED WITHIN T12N, R3W, SECTION 8, S.M., AK; GENERALLY LOCATED ON THE EAST SIDE OF THE NEW SEWARD HIGHWAY BETWEEN ABBOTT ROAD TO THE NORTH AND OTIS PLACE EXTENDED ON THE SOUTH.

1 The Dennis and Florence Dunham Living Trust, on behalf of Arctic Recreational
2 Distributors, made the request to eliminate Assembly Ordinance 80-161 and all of the
3 existing special limitations. They plan to construct a commercial building for a retail
4 recreational vehicle distributorship. They will sell and service four-wheelers, snowmobiles,
5 motorcycles, watercraft and accessories. These are permitted principal uses in the I-1
6 zone, AMC 21.40.200 B.1.kk and ll.

7
8 Currently, outdoor storage is prohibited in AO 80-161. Certain other uses were proposed
9 to be deleted from the list of permitted principal uses and structures and condition uses as
10 being too intense for the property. It was thought that the deleted uses would create
11 incompatible traffic circulation because of proximity of the subject property to the New
12 Seward Highway and the frontage road, Brayton Drive.

13
14 The subject parcel is a remnant parcel resulting from a right-of-way take by the State of
15 Alaska Department of Transportation and Public Facilities (ADOTPF) upgrade and
16 improvements of Abbott Road in the late 1970's. The property was zoned I-1 SL in 1980
17 and remains undeveloped. It is bounded on the west by the New Seward Highway
18 frontage road, Brayton Drive. Single-Family Residential development is located to the
19 south, and industrial uses to the east. Topographically, the property is generally level but
20 at a lower elevation than the New Seward Highway. The southern two-thirds of the
21 property are classified as class "C" wetlands, which is where development is proposed.
22 Access is possible from Brayton Drive and Otis Place.

ADOTPF will allow an access to Brayton Drive provided the curb cut is located as far south as possible on the lot, and the developer will be required to construct a medium at the "gore" for the permit to be issued. The Planning Department, Traffic Engineering and Project Management & Engineering (PM&E) met several times with the developer to discuss the need to retain or modify the Special Limitation for a 30-foot right-of-way easement along the south lot line. Discussion also focused on the construction of the road from Otis Place to Brayton Drive and related drainage improvements. Instead of the special limitation being removed, the consensus was for the developer to enter into an Improvement of Public Place Agreement with PM&E for the construction of the PUE access road, and related drainage improvements for the full length of the southern property boundary.

The Commission found that staff worked with the petitioner to develop a creative solution to meet the petitioner's needs and those of the community, and conform to the goals and objectives of the *Anchorage 2020, Anchorage Bowls Comprehensive Plan*.

The Commission voted unanimously to recommend approval of the new I-1 SL by a vote of six ayes and zero nays.

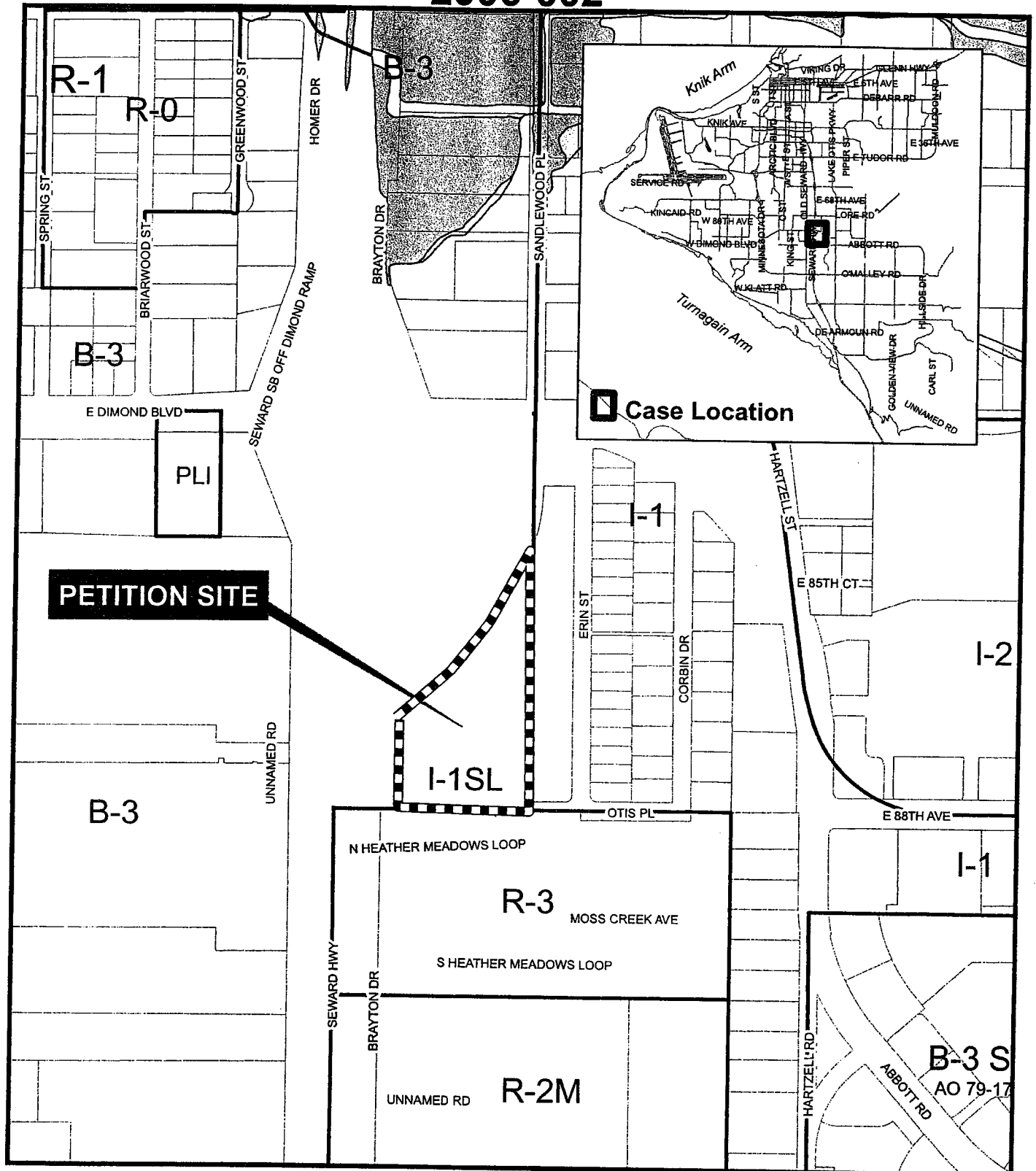
THE ADMINISTRATION CONCURS WITH THE PLANNING AND ZONING COMMISSION RECOMMENDATION FOR THE SUBJECT REZONING REQUEST.

Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning Department
Concur: Tom Nelson, Director, Planning Department
Concur: Mary Jane Michael, Executive Director, Office of Economic & Community Development
Concur: Denis C. LeBlanc, Municipal Manager
Respectfully submitted: Mark Begich, Mayor

(Tax Parcel #014-271-05; Case 2006-002)

EXHIBIT A

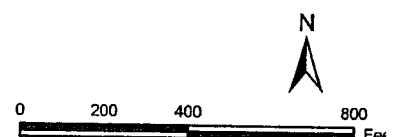
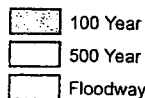
REZONE 2006-002



Municipality of Anchorage
Planning Department

Date: December 20, 2005

Flood Limits



001

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2006- 78 Title: An Ordinance for Parcel 32A, located Within Section 8, T12N, R3W, S.M. AK, and amending the Zoning Map and providing for the rezoning of approximately 6.025 Acres From I-1 SL (Light Industrial) with Special Limitations to I-1 SL (Light Industrial) with Special Limitations for Remnant Parcel 32A Located within Section 8, T12N, R3W, S.M., AK.

Sponsor:
Preparing Agency: Planning Department
Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)			
	<u>FY06</u>	<u>FY07</u>	<u>FY08</u>	<u>FY09</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. A rezone from I-1 SL to I-1 SL will allow development of a commercial building for a retail recreational vehicle distributorship.

PRIVATE SECTOR ECONOMIC EFFECTS:

Approval of the rezoning should have no significant economic impact on the private sector. If approved, the owner will be responsible for construction of a median along Brayton Drive lot frontage and construction of a road and related drainage improvements along the south side of the property between Brayton Drive and Otis Place to Municipal standards.

Property Appraisal notes: Approval of the rezoning should have minimal impact to future assessed valuations.

Prepared by:	<u>Jerry T. Weaver Jr.</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
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2006-011

A RESOLUTION APPROVING THE REZONING OF APPROXIMATELY 6.025 ACRES FROM I-1 SL (LIGHT INDUSTRIAL DISTRICT) WITH SPECIAL LIMITATIONS TO I-1 SL (LIGHT INDUSTRIAL DISTRICT) WITH SPECIAL LIMITATIONS FOR REMNANT PARCEL 32A LOCATED WITHIN SECTION 8, T12N, R3W, S.M. AK; GENERALLY LOCATED ON THE EAST SIDE OF THE NEW SEWARD HIGHWAY BETWEEN ABBOTT ROAD TO THE NORTH AND OTIS PLACE (EXTENDED) ON THE SOUTH.

(Case: 2006-002; Tax ID No. 014-271-05)

WHEREAS, a petition has been received from the Dennis & Florence Dunham Living Trust, requesting to delete the I-1 Special Limitations, a rezone of approximately 6.025 acres from I-1 SL (Light Industrial) Zoning District with special limitations to I-1 (Light Industrial) Zoning District, for Remnant Parcel 32A located within Section 8, T12N, R3W, S.M. AK; generally located on the east side of the New Seward Highway between Abbott Road to the north and Otis Place (extended) on the south, and

WHEREAS, notices were published, posted and 116 public hearing notices were mailed and a public hearing was held on February 13, 2006.

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

A. The Commission makes the following findings of fact:

1. The purpose of this rezoning was to delete the existing special limitations of AO 80-161, to allow outdoor storage for a new business. Arctic Recreational Distributors plans to construct a commercial building that will contain a recreational vehicle distributorship to sell and service four-wheelers, snowmobiles, motorcycles, watercraft and accessories. These are permitted principal uses in the I-1 and are listed as AMC 21.40.180(B) (1) (kk) aircraft & boat display lots new and used) and (ll.) motorcycle and snow machine display lots, new and used.
2. Under the terms of AO 80-161, certain uses were deleted from the list of permitted principal uses and structures and conditional use as being too intense, creating incompatible traffic volumes, or not appropriate to the location because of visibility. The parcel sits below the highway road bed elevation, for example, outdoor storage is permitted only within the eastern half of the parcel, away from the frontage road.
3. The subject parcel is a remnant parcel resulting from a Right-of-Way take by the State of Alaska Department of Transportation & Public Facilities upgrade and improvements of Abbott Road, New Seward Highway to E. 88th Avenue in the 1970's and 1980's. The property was zoned I-1 SL in 1980 and is undeveloped. It is bounded on the west by the New Seward Highway frontage road, Brayton Drive. Single Family Residential is located to the south, industrial to the east. Topographically the property is generally level but at a lower elevation than the highway. The southern two-thirds of the property are

classified as class "C" wetlands, which is where development is proposed. Access is possible from Brayton Drive and Otis Place.

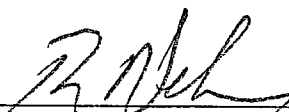
4. ADOT will allow an access to Brayton provided the curb cut is located as far south as possible on the lot, and that the developer construct a median at the gore for the permit to be issued.
5. The Planning Department, Traffic Engineering and Project Management & Engineering met several times with the developer to discuss the need to retain or modify the Special Limitation A, for a 30-foot right-of-way easement along the south lot line, construction of the road from Otis Place to Brayton plus related drainage improvements. Instead of the special limitation being removed, the consensus was for the developer to enter into an Improvement of Public Place agreement with PM&E for the construction of the PUE access road and related drainage improvements for the full length of the southern property boundary. Construction shall be to peripheral standards of a roadway as resolved with PM&E. Standards are required in order to provide secondary fire access from Otis Place. The easement is sufficiently wide to accommodate drainage needs and to serve as a driveway.
6. A revised request to modify the special limitations (summarized on page 4 of the Revised Recommendation Memo, was submitted. They propose to retain special limitation A, E, F, and delete B, D, G, H, I. Special limitation C would be modified to delete warehousing.
7. The Department believes it would be inappropriate to remove all special limitations because of the location, size, and relationship of this property to the frontage road and the single family subdivision to the south. The Department recommends Special Limitation A, B, D, E, F be retained, and Special Limitation C, H be modified, and Special Limitation G, I be deleted.
8. Special Limitation I is satisfied and can be deleted. Preliminary approval for a 30-foot highway screening landscape plan along the frontage road has already been approved by the Urban Design Commission. The petitioner agreed to keep the 50-foot building setback special limitation.
9. The Department recommended Special Limitation H be amended to read: Prior to any development upon the site, the developer shall dedicate by document, a 30-foot wide public use easement, and enter into an Improvement of Public Place agreement with PM&E for the construction of the road and related drainage improvements for the full length of the southern property boundary. Construction shall be to peripheral standards of a roadway as approved by PM&E.
10. The Department recommended Special Limitation C be modified to read: Section 21.40.200 (B) (2). Permitted principal uses – Industrial. (B)(2)(n.1) warehousing, including open storage, shall be permitted for principal uses and those uses which are incidental and subordinate to the principal use. The required fencing shall be entirely enclosed with a fence of at least 8 feet in height. The fence shall be chain link, concrete block, or other appropriate construction approved by the administrative official. The fence shall be

maintained in a sound and orderly condition and shall be kept free of any advertising matter other than signs permitted by this title. The fence for such outdoor storage shall be opaque. Outdoor open storage of items for sale or distribution shall not exceed 12 feet above grade.

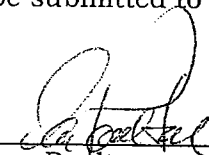
11. The developer had no objection to the staff recommendations.
 12. The Commission finds that staff worked with the petitioner to develop a creative solution to meet the petitioner's needs and those of the community, as well as the goals of the Anchorage 2020. The Commission agreed with the findings set forth in the staff analysis.
 13. The Commission voted 6 in favor, 0 opposed: the motion passed.
- B. The Commission recommends the above staff modifications to the special limitations and that rezoning to I-1 SL be APPROVED by the Anchorage Assembly.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 13th day of February, 2006.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 3rd day of April 2006. If the Planning and Zoning Commission recommends that the Assembly disapprove a zoning map amendment, that action is final unless within 20 days of the Commission's written resolution recommending disapproval, the applicant files a written statement with the Municipal Clerk requesting that an ordinance amending the zoning map in accordance with the application be submitted to the Assembly.



Tom Nelson
Secretary



Don Poulton
Chair

(Case No. 2006-002)
(Tax I.D. No. 014-271-05)

ma

VICE CHAIR JONES recalled when the first Coastal Management Plan was adopted and the months of work that went into the preparation of that document. She thanked Staff for giving the Commission this document so far in advance for review. She looked forward to future review of the Plan.

Main Motion

AYE: Isham, Pease, T. Jones, Poulton, Wielechowski, Debenham

NAY: None

PASSED

2. **2005-152** Municipality of Anchorage. An Ordinance of the Municipal Assembly amending Anchorage Municipal Code Chapter 21.47, sign standards, regulating nonconforming signs and other minor revisions.

POSTPONED TO MARCH 13, 2006

3. **2006-003** Ada Ellen Stephens. A request to rezone approximately 0.57 acres from B-3 (General Business) to R-7 (Intermediate Rural Residential). Stephens Subdivision, Lots 3 and 4. Located at 23107 and 23108 Barbara Street in Peters Creek.

POSTPONED TO MARCH 13, 2006

4. **2006-002** Dennis & Florence Dunham. A request to rezone approximately 6.025 acres from I-1SL (Light Industrial with Special Limitations) to I-1 (Light Industrial). T12N R3W, Section 8, Parcel 32A REM, S.M., AK. Located east of Brayton Drive, west of Erin Street and south of Dimond Blvd.

Staff member MARY AUTOR stated 116 public hearing notices were mailed, one was returned, and no comment was received from the community council. This request is a rezone of approximately 6 acres of land that is a remnant parcel. The land was taken to provide a frontage road and off-ramp for the Seward Highway. The property was zoned I-1SL in 1980. At that time there were few developed parcels in the area, but the Planning and Zoning Commission and the Assembly anticipated that this area would develop industrially, as opposed to residentially. Access to the site is from Otis Street and Brayton Drive (Seward Highway frontage road). The land to the east is zoned industrial and is developed industrially. The land to the south is zoned R-3 and is developed as single-family residential. She believed there is

a fence between the residential and the petition site. When this matter was originally before the Commission there was strong opposition from the Traffic Engineer and PM&E to provide access onto Brayton Drive; access was desired from Corbin or Erin Street, Abbott Road to Otis Place. At that time, the ADOT had entered into discussions with the previous property owner and agreed to an access to Brayton Drive provided that it was located as far south as possible on the parcel. The petitioner originally asked that all special limitations be eliminated, so the original Staff analysis focused on the use of the property adjacent to the frontage road and the opposition of Traffic Engineering and PM&E. The southern two-thirds of the property is in developable wetlands. A conceptual site plan of the development of that property was provided with this site plan; all development is in this southern two-thirds of the property. In 1980 when this was under public hearing before the Commission and Assembly, there was expectation about this area developing with high density residential to the south and industrial to the east, which has occurred. The petitioner met with the Urban Design Commission (UDC) in July 2005 and has an approved preliminary landscape plan for highway screening. Since the writing of the Staff report, the petitioner asked to meet with the Department and it came to light that the petitioner has been working with ADOT and that ADOT asked for a median to be constructed at the southern end of the property to prevent left-hand turns onto Brayton Drive. The petitioner has indicated they intend to construct this median, as require by ADOT. There were several meetings with Traffic Engineering and PM&E. They are asking for a 30-foot right-of-way to be dedicated through a plat or a 30-foot public use easement recorded by document, in which case the special limitation would need to be retained for possible connection to Otis Place and to address drainage associated with the wetland and residential development to the south. After discussion, the petitioner modified the request as outlined in the table on page 003 of the packet to keep the first special limitation relating to the 30-foot right-of-way easement along the southern boundary. They still wish to delete certain permitted commercial uses and industrial uses. The Department feels these special limitations should be retained and also that special limitation C read "warehousing, including open storage, shall be permitted for principal uses and those uses which are incidental and subordinate to the principal use. The required fencing shall be entirely enclosed with a fence of at least 8 feet in height the fence shall be chain link, concrete block or other appropriate construction approved by the administrative official. The fence shall be maintained in a sound and orderly condition and shall be kept free of any advertising matter other than signs permitted by this title. The fence for such outdoor storage shall be opaque. Outdoor open storage of items for sale or distribution shall not exceed 12 feet above grade." Staff disagreed with the petitioner's request to amend special limitation D to delete certain conditional uses. The petitioner agrees to retain special limitations E and F and

Staff agrees as well. Staff agrees to deleting special limitation G and to resolve with ADOT. Special limitation H deals with the replat. The record indicates the original intent of the replat was to get drainage and road dedications and other improvements. Staff is recommending modifying this special limitation to read "Prior to any development upon the site, the developer shall dedicate by document, a 30-foot wide public use easement, and enter into an Improvement of Public Place agreement with Project Management & Engineering for the construction of the road and related drainage improvements for the full length of the southern property boundary. Construction shall be to peripheral standards of a roadway as approved by PM&E." Standards are required in order to provide secondary fire access from Otis Place. No comments have been received from the Fire Department, although they were requested. Special limitation I has been satisfied through the highway screening landscape plan approved by the UDC. The Department feels it is inappropriate to remove all special limitations because of the location, size, and relationship of this property to the frontage road.

COMMISSIONER PEASE asked for discussion of the requirement in special limitation C that no outdoor items should exceed above 12 feet above grade. MS. AUTOR explained this is to avoid stacking of crates so that they are visible above the fencing.

COMMISSIONER DEBENHAM asked what is the rationale for keeping special limitation B, C, and D if the adjacent land is zoned I-1. MS. AUTOR replied that in a review of the public record on the original rezoning, there was tremendous concern that this area not develop into something that would generate high volumes of traffic, or that uses would be incompatible with what is developed to the east and to the south. It would be incompatible, in the judgment of the Department, to allow an automobile display lot, for example, or a beverage manufacturer. The road system is also not compatible with such uses. COMMISSIONER DEBENHAM understood it is the Department's opinion that an auto display lot would generate more road travel than a warehouse or similar use. MS. AUTOR replied in the affirmative. COMMISSIONER DEBENHAM asked if that is the sole reason for keeping the special limitation. MS. AUTOR responded that the reason is that and the visibility of this property at this corner. She further noted that this site sits below the highway.

COMMISSIONER PEASE asked whether, if the Corps of Engineers permit has not been issued for development of the Class C wetlands, there assurance that special limitation H for a 30-foot road easement is adequate for road and drainage. MS. AUTOR replied in the affirmative, based on the comments of Traffic Engineering and PM&E. The easement is sufficiently wide to accommodate drainage needs and to serve as a driveway. Connecting to Otis Place and constructing to

peripheral standards allows for Fire Department access. COMMISSIONER PEASE asked for explanation of the requirement for construction to peripheral road standards. MS. AUTOR explained this standard is what Traffic Engineering and P&ME agreed to at the last meeting with the petitioner.

The public hearing was opened.

DAVE BAYOU with R&M consultants, representing the petitioner, had no objection to the Staff recommendations. He stated a fence is built on the private property to the south that is on the property line.

The public hearing was closed.

COMMISSIONER WIELECHOWSKI moved for approval of the rezoning subject to the special limitations delineated on pages 003 and 004 of the memorandum, with the exception of special limitation C, which should read "Warehousing, including open storage, shall be permitted for principal uses and those uses which are incidental and subordinate to the principal use. The required fencing shall be entirely enclosed with a fence of at least 8 feet in height the fence shall be chain link, concrete block or other appropriate construction approved by the administrative official. The fence shall be maintained in a sound and orderly condition and shall be kept free of any advertising matter other than signs permitted by this title. The fence for such outdoor storage shall be opaque. Outdoor open storage of items for sale or distribution shall not exceed 12 feet above grade." COMMISSIONER ISHAM seconded.

COMMISSIONER WIELECHOWSKI believed Staff had worked with the petitioner to develop a creative solution to meet the petitioner's needs and those of the community, as well as the goals of Anchorage 2020. He agreed with the findings set forth in the Staff analysis.

AYE: Isham, Pease, T. Jones, Poulton, Wielechowski, Debenham
NAY: None

PASSED

- | | |
|------------------|--|
| 5. 2005-140 | Dale & Fabiana Wanner. A request to rezone approximately 2.33 acres from R-2M (Multiple Family Residential) to R-3 (Multiple Family Residential). Eastview Estates, Tract A. Located on the southwest corner of Wanner Circle and Peck Avenue. |
|------------------|--|

POSTPONED TO MARCH 13, 2006



R&M CONSULTANTS, INC.
8101 Vanguard Drive, Anchorage, Alaska 99507

(907) 522-1707, FAX (907) 522-3403, www.rmoonsult.com

03-03-06

R&M No. 1215.01

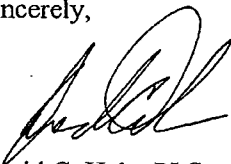
Mary Autor, Senior Planner
Planning Department
Zoning Division
4700 Bragaw Street, Room 153
PO Box 196650
Anchorage, AK 99519-6650

RE: Case No. 2006-002, Amended Department Recommendations

Dear Ms. Autor:

Thank you for your attention and input regarding the modification of the special limitations for Case No. 2006-002, the proposed re-zoning of a portion of the west 450 feet of the east 1,110 feet of the north ½ of the southwest ¼ of section 8, T12N, R3W, Seward Meridian. We accept the amended special limitations as approved by the Planning and Zoning Commission at the public hearing dated February 13, 2006. I understand that the assembly packet and zoning ordinance will be presented at a final public hearing for formal adoption of the ordinance. Please forward the date and time of the scheduled public meeting if my presence is needed or required.

Sincerely,



3/3/06

David C. Hale, PLS
R&M CONSULTANTS, INC.

**MUNICIPALITY OF ANCHORAGE
PLANNING DEPARTMENT**

G.4.

MEMORANDUM

DATE: February 13, 2006

TO: Planning and Zoning Commission

THRU: Tom Nelson, Director *TN*

FROM: Mary Autor, Senior Planner *M. Autor*

CASE: Case 2006-002 **Amended Department Recommendation**

APPLICANT: Dennis & Florence Dunham Living Trust

REPRESENTATIVE: R & M Consultants, Scott Nations

REQUEST: A request to rezone approximately 6.025 acres from I-1 SL (Light Industrial District with Special Limitations) to I-1 (Light Industrial District) and removal of all special limitations

LOCATION: Remnant Parcel 32A located within Section 8, T12N, R3W, S.M. AK; generally located on the east side of the New Seward Highway between Abbott Road to the north and Academy Drive on the south.

SITE ADDRESS: NSA

COMMUNITY COUNCIL: Abbott Loop

TAX NUMBER: 014-271-05/ SW2332

This rezone case was originally scheduled for public hearing on January 9, 2006. Based on the planning staff analysis Case 2006-002 recommendation, the petitioner requested a postponement to February 13, 2006 to allow time to meet with Project Management & Engineering (PM&E), Traffic Engineering and Planning staff to discuss the issues raised in the analysis and to the extent possible, retain or modify certain special limitations.

Staff met with the petitioner on January 13, 2006. ADOT/PF had faxed documents to Traffic Engineering December 28, 2005, that established that access was permissible

011

with the former property owner¹. They also included a letter dated July 29, 2005 to Mr. Dunham that forwarded an original driveway permit for Mr. Dunham to sign and return. The letter noted a special condition had been placed on the permit requiring the owner to extend the median at the gore in order for the permit to be approved. A detail overlay of an aerial showing the location for the median, was also enclosed. This guardrail will preclude left turns from the exit ramp to the subject property. To date, Mr. Dunham has not signed the driveway permit.

PM& E and Traffic explained their concerns of drainage, traffic circulation, and the need for an access from Otis Place as the basis for their opposition to the removal of a 30-foot right-of-way. Traffic also raised the need for a second access for Fire. At the conclusion of the meeting it was agreed that the petitioner would prepare revised special limitations for review, and they were directed to meet with Fire concerning their need of a secondary access.

Written comments from ADOT/PF on this rezoning were received January 17, 2006. They want the entrance to the parcel be redesigned to be a far south access as possible per the above discussion. ADOT/PF reiterated that the applicant is required to have a current valid driveway permit to access Brayton Drive. They recommend against eliminating (1) the 30-foot wide right-of-way easement along the southern boundary line for future expansion of Otis Place; and (2) the 50-foot building setback along the frontage road property line.

The petitioner submitted a revised request for modification of special limitations for Case 2006-002, dated January 19, 2006. See summary table on page 3. A second meeting was held January 30, 2006 to discuss the revised special limitations.

- PM&E and Traffic Engineering still object to removal of a 30-foot right-of-way easement, but did agree that instead of platting the ROW the petitioner could dedicate by document, a 30-foot wide public use easement (PUE), on the condition the petitioner enter into an Improvement of Public Place agreement with PM &E for the construction of the PUE access road and related drainage improvement for the full length of the southern property boundary. Construction shall be to peripheral standards of a roadway, details to be resolved with PM&E. Traffic recommends the ADOT/PF driveway permit at the SW corner access to Brayton Drive within the 30-foot PUE.
- The developer would like to construct warehouse structure(s) for storing product on the entire parcel, not just the east 185-feet, and argued that the parcel has already received preliminary approval of a 30-foot highway screening landscape plan by the Urban Design Commission, and they have agreed to keep the 50-foot building setback special limitation. Based on this the Planning Department agrees that both of these requirements would help mitigate the visual impact of warehouse on the west half of the property. The Department does not support deleting the special limitation but would agree the special limitation be modified

¹ May 8, 1996 ADOT/PF Amended Declaration of Taking, Case 3AN-96-1111 Civ, Project # FM-0506(2)/59397 Abbot Road, New Seward to E. 88th, Parcel #2A.,

to acknowledge that any outdoor storage will be incidental and subordinate to the principal use, and that any outdoor storage comply with the opaque fencing requirement.

See pages 2-3 of staff report for full wording of ordinance AO 80-161.

AO 80-161 Special Limitations	Petitioner Proposed Modifications	Staff Recommendation
A	Retain SL	Agree
B	Delete Permitted Principal Commercial uses	Disagree
C	Retain Permitted Principal Industrial uses as listed <u>except delete n) warehousing</u>	Agree, except create new SL re warehousing and outdoor storage only incidental and subordinate to the principal use
D	Delete Conditional uses	Disagree
E	Retain SL	Agree
F	Retain SL	Agree
G	Delete; resolved with ADOT/PF	Agree
H	Delete	Modify
I	Delete: UDC already approved Hwy Screening	Agree

Staff recommends approval subject to the following AO 86-161 special limitations as noted above.

Special Limitation A. same, no change

Special Limitation B. same, no change

Special Limitation C. add warehousing language as permitted; items 1 through 4, no change

- C. Section 21.40.200(B) (2). Permitted Principal Uses – industrial.
(B)(2)(n.1) warehousing, including open storage (OR REPAIR YARDS), shall be permitted (ONLY WITHIN THE EASTERN HALF OF THE SUBJECT PROPERTY, (TOWARD ERIN STREET, SPECIFICALLY WITH AN AREA DIMENSIONED AS FOLLOWS: EAST OF A VERTICAL LINE DRAWN 185 FEET IN FROM THE WESTERN PROPERTY LINE AND EXTENDING FROM NORTHERN TO SOUTHERN PROPERTY LINES) The required fencing shall be entirely enclosed within a fence at least eight feet high. The fence shall be of chain link, concrete block or other

appropriate construction approved by the administrative official. The fence shall be maintained in a sound and orderly condition, and shall be kept free of any advertising matter other than signs permitted by this title. The fence for such warehousing shall be opaque.)

Delete the following:

1. (b.) beverage manufacture, including breweries
2. (e.) cleaning laundry or dyeing plants;
3. (k.) steel fabrication shops or yards
4. (m.) utility installations.

Special Limitation D. Do not delete, keep

Special Limitation E. Keep, no change.

Special Limitation F. Keep, no change.

Special Limitation G. Delete

Special Limitation H. Substitute

Prior to any development upon the site, the developer shall dedicate by document, a 30-foot wide public use easement, and enter into an Improvement of Public Place agreement with Project Management & Engineering for the construction of the road and related drainage improvements for the full length of the southern property boundary. Construction shall be to peripheral standards of a roadway as approved by PM&E.

Special Limitation I. Delete



R&M CONSULTANTS, INC.
9101 Vanguard Drive, Anchorage, Alaska 99507

(907) 522-1707, FAX (907) 522-3403, www.rmconsult.com

January 19, 2006

R&M No. 1215.01

Mary Autor, Senior Planner
Planning Department
Zoning Division
4700 Bragaw Street, Room 153
PO Box 196650
Anchorage, AK 99519-6650

RE: Revised request for modification of special limitations for Case No. 2006-002.

Dear Ms. Autor:

Per your request, and in light of our recent meeting, we would like to revise our request for eliminating the special limitations for the west 450 feet of the east 1,110 feet of the north ½ of the southwest ¼ of section 8, T12N, R3W, Seward Meridian, as outlined in Case No. 2006-002. We understand that the Municipality of Anchorage Planning Department has reservations about removing some of the special limitations for the subject parcel, and that the Alaska DOT&PF is also interested in providing an access to the parcel that will be in harmony with existing conditions along Brayton Drive. They also would like to keep certain special limitations attached to the parcel.

We believe that we can satisfy all parties by modifying our request to keep special limitations of concern to both agencies, and provide access to the property that would be in harmony with existing and future traffic flow.

We propose to eliminate all of the existing special limitations and attach the following special limitations to the subject parcel:

- A. A 30-foot wide right-of-way easement shall be reserved along southern boundary of subject property for future expansion of Otis Place.*
- B. Section 21.40.200(b)(1). Permitted principal uses – Commercial. Delete paragraphs.*
 - ii: "automobile display lots, new and used"*
 - jj: "mobile home display lots, new and used"*
 - rr: "bus terminals, air passenger terminals"*
- C. Section 21.40.200(b)(2). Permitted principal uses – Industrial. Delete following paragraphs:*
 - b: Beverage manufacture, including breweries*
 - c: Cleaning laundry or dyeing plants*

- *k: Steel fabrication shops or yards*
 - *m: Utility installations*
- D. *Section 22.40.200(d). Conditional uses. Delete following paragraphs:*
- *2. Airstrips and heliports*
 - *4. Natural resource extraction on tracts of not less than five acres*
 - *5. Camper parks*
- E. *Section 21.40.200(g). Minimum yard requirements.*
- *50-foot building setback line to be provided along New Seward Highway frontage road property line.*
 - *25-foot building setback line to be provided to south along the northern easement line for Otis Place extended (55-foot actual depth from current southern boundary line) as long as adjacent property to south is residentially zoned.*
 - *10-foot vegetated screening easement (to be reviewed and approved by Zoning Staff) to be provided to south along northern easement line for Otis Place extended.*
- F. *Section 21.40.200(i). Maximum height of structures. Four stories to a maximum of 50 feet.*
- I. *As specified in Zoning Ordinance (Section 21.45.130), a 30-foot wide screening easement shall be provided and maintained along western boundary of petition area adjacent to New Seward Highway frontage road. Preference shall be given to original undisturbed natural vegetation if this is determined to be of sufficient quality to provide visual screening. The Planning and Zoning Commission has site plan review power over this screening buffer to ensure its appropriateness.*

We propose to exclude the following special limitations from the property:

- C. *Section 21.40.200(b)(2). Permitted principal uses – Industrial. Delete following paragraphs:*
- *n: Warehousing, including open storage or repair yards, shall be permitted only within eastern half of subject property (toward Erin Street) specifically within area dimensioned as follows: east of a vertical line drawn 185 feet in from eastern property line and extending from northern to southern property lines. The required fencing for such warehousing shall be opaque.*

We believe that special limitation C should be omitted to allow the property to be used for its original purpose. The original parcel was modified by the ADOT&PF in the upgrade of the frontage road and off-ramp in 1996, under project No. FM-0506(2)/59397. The remaining parcel is substantially smaller than the original, but contains the same limitations in regards to building

Mary Autor
January 19, 2006
Page 3 of 3

warehouses. Eliminating this limitation will once again allow the parcel to be used for the purpose in which it is zoned.

G. Future access to parcel shall be resolved with Municipal Traffic Engineering Department and the Alaska Department of Transportation.

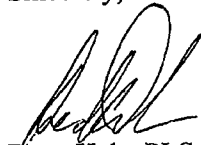
We have secured a driveway permit from the ADOT&PF and have agreed to reserve a 30' right-of-way easement along the southern boundary of said parcel.

H. Prior to any development upon site, land shall be replatted to resolve access and provide circulation. Any proposed construction plans shall also be reviewed by Public Works Engineering for drainage related problems.

Special Limitation H is not required since there will not be a dedication or vacation of right of way, and access issues can be resolved without a platting action.

We request that you take our suggestions to mentioned items under advisement, and permit the subject parcel to be utilized in the manner for which it is zoned. Thank you very much for your time and input into this matter, and please contact me with any questions or concerns that you may have.

Sincerely,



Dave Hale, PLS
R&M CONSULTANTS, INC.

Z:\project\1215.01\Documents\1215.01.Special Limitations Modification revised 01-19-06.doc



Municipality of Anchorage
Office of Planning, Development, & Public Works
Project Management & Engineering Department



PZC Case Comments

DATE: 2/1/2006
TO: Eileen Pierce, P&Z
FROM: Anastasia Taylor, PM&E
SUBJECT: Comments for hearing date: **2/13/06**

Case No. 2006-002 Dunham Rezone

Department Recommendations:

Special Limitation Number One:

Project management and engineering approved removing special limitations number one, three and four under the condition that the petitioner dedicate a 30-foot wide PUE along the southern property line and enter into an Improvement of Public Place agreement with PM&E for the construction of the PUE access road and related drainage improvements.

PUE road and drainage improvements will be required the full length of the southern property boundary. Resolve the construction details with PM&E.

Special Limitation Number Two:

No comment.

Case No. 2006-003 Chugiak Rezone B3 to R7

No comment.

Autor, Mary P.

From: Kniefel, Robert E.
Sent: Tuesday, January 31, 2006 1:35 PM
To: Autor, Mary P.
Cc: Angell, Mada M.
Subject: 2006-002 - Rezoning Lithe Industrial

Based upon our discussions today, we would recommend approval subject to the following:

- Providing a 30' wide PUE along the south property line
- Obtaining an ADOTPF driveway permit at the SW corner access to Brayton Drive within the 30' PUE
- Constructing to peripheral standards a roadway for the length of the 30' PUE

Thanks

Bob Kniefel
MOA Traffic Engineer
343-8410

Autor, Mary P.

From: Mike Hartman [mike_hartman@dot.state.ak.us]
Sent: Wednesday, December 28, 2005 2:08 PM
To: Autor, Mary P.
Subject: [Fwd: Dimond and Seward SE Quadrant Access]

----- Original Message -----

Subject: Dimond and Seward SE Quadrant Access
Date: Fri, 23 Dec 2005 14:58:43 -0900
From: Scott Thomas <scott_thomas@dot.state.ak.us>
Organization: State of Alaska, Department of Transportation
To: Bob Knieffel <kniefelre@ci.anchorage.ak.us>
CC: Mike Hartman <mike_hartman@dot.state.ak.us>, Paula Brault
<paula_brault@dot.state.ak.us>

Bob,

I revisited our ROW file on property access to Brayton Drive just off the Dimond Blvd NB exit ramp. Attached you will see how our Department ended up settling with the previous owner to allow access to Brayton on the southerly 100 feet of property fronting Brayton Drive.

We have since reviewed an application by the new owner for access to Brayton. My previous supervisors determined our previous records showed access was permissible with our project planning. A letter was sent out offering an access permit, which the applicant has not signed yet. Since the area within 100 feet of the gore is an area of concern and always has been, I added the stipulation that the only way access would work is if we preclude any turning traffic in the gore area. This basically means I must have them put in guardrail to ensure we don't get traffic stopped or turning from the ramp. I have taken a call from R&M Consultants for the landowner and told them the same thing, that guardrail is required. We are still trying to make this clear that this is a condition of access before we sign it.

We can talk about what is enclosed here Tuesday next week.

Scott

12/28/2005

020

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

STATEWIDE DESIGN & ENGINEERING SERVICES DIVISION
CENTRAL REGION - RIGHT OF WAY SECTION

FRANK H. MURKOWSKI, GOVERNOR

4111 AVIATION AVENUE
P.O. BOX 196900
ANCHORAGE, ALASKA 99519-6900
(907) 269-0700 (FAX 248-9456)
(TTY 269-0473) 1-800-770-5263

July 29, 2005

Arctic Recreational Distributors, Inc.
Mr. Dennis Dunham
3074 Commercial Drive
Anchorage, AK 99501

Re: Driveway Permit #16706
Desc: Brayton Drive
Signature & Return of Permit

Dear Mr. Dunham:

Enclosed is your original driveway Permit. Please sign and return to this office. We will then have our Chief of Right of Way sign the Permit and issue your approval to construct.

Please note the special condition that has been placed on this permit (page 6). It states that the owner will be responsible for extending the median at the gore in order for this permit to be approved. I have also enclosed a detail of how this extension should be done. This guardrail will preclude left turns from the exit ramp to your property.

This driveway may not be constructed or used until the median is extended.

Please call me if you have any questions at 269-0698.

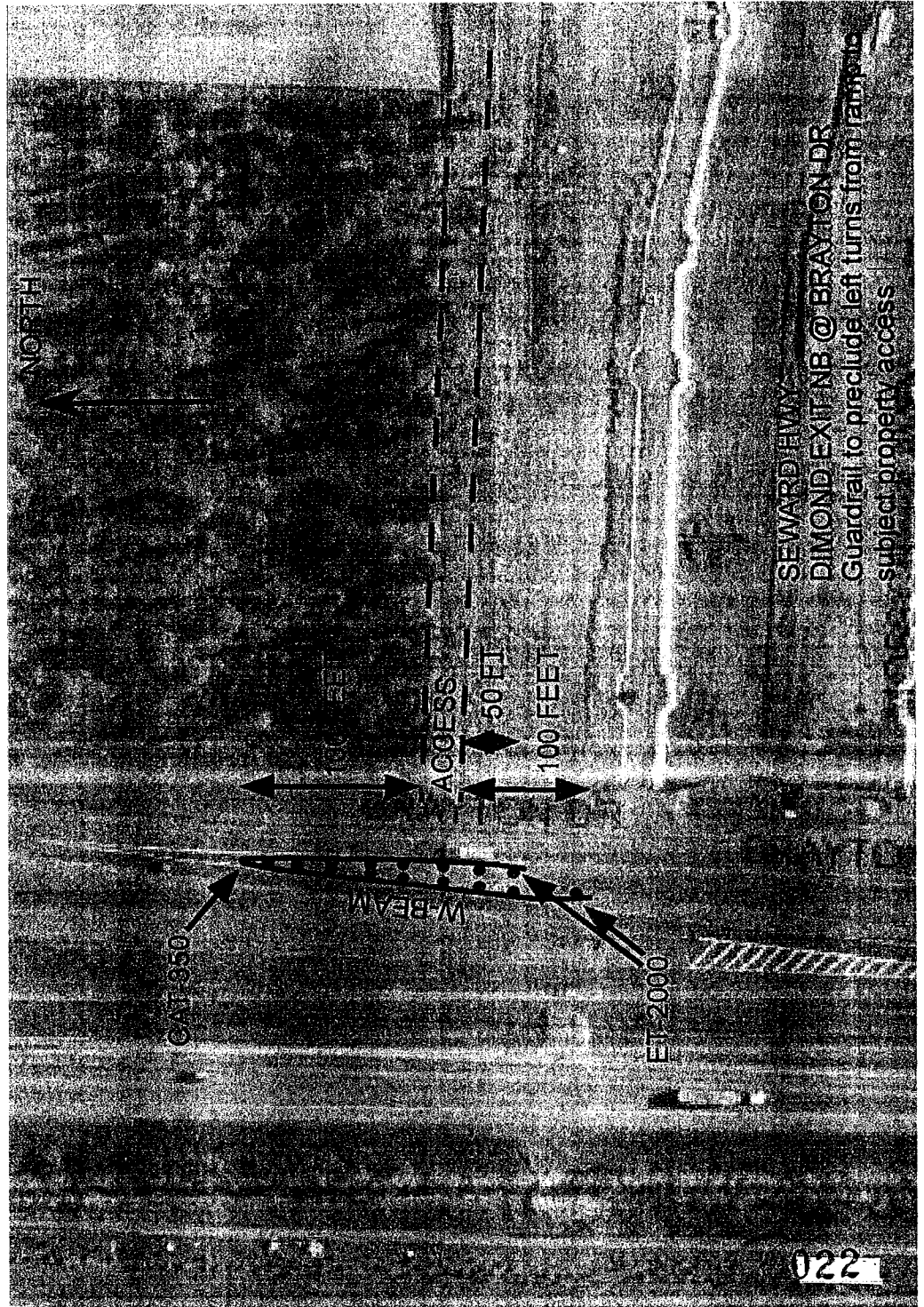
Regards,



Lynda Hummel
Right of Way Agent

Enclosure

Cc: Dave Heier, Property Management Supervisor
WR William R. Strickler, P.E., Chief of Right of Way



IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

STATE OF ALASKA, DEPARTMENT
OF TRANSPORTATION & PUBLIC
FACILITIES,

Plaintiff,

vs.

JOE L. GIELAROWSKI REVOCABLE
TRUST, JOE L. GIELAROWSKI,
SHIRLEY J. GIELAROWSKI, KIMBERLY
M. GIELAROWSKI, as trustees;
THOMAS L. GIELAROWSKI REVOCABLE
TRUST, THOMAS GIELAROWSKI as
Trustee; JOHN H. GIELAROWSKI and
JACQUELINE GIELAROWSKI;
MUNICIPALITY OF ANCHORAGE;
CHUGACH ELECTRICAL ASSOCIATION;
ANCHORAGE TELEPHONE UTILITY
UTILITY; STATE OF ALASKA,
DEPARTMENT OF REVENUE, CHILD
SUPPORT ENFORCEMENT DIVISION;
and FINNING, INC.;

294,969 sq. ft. more or less,

Defendants.

RECEIVED

MAY 08 '96

RIGHT OF WAY CENTRAL REGION	
Chief	
Asst. Chief	SP
Pre-Audit	
Engineering	
Appr./Encroachment	
Reloc./Prop. Mgmt.	
Acquisitions	
Airports	
File	

Case No. 3AN-96-1111 Civ
Project No. FM-0506(2)/59397
Abbot Road,
New Seward to E. 88th
Parcel No. 2A

AMENDED DECLARATION OF TAKING

I, John D. Horn, Regional Director, Central Region,
Department of Transportation and Public Facilities, State of
Alaska, declare that:

1. An estate in fee simple was taken pursuant to Alaska
Statutes 09.55, 19.05, 19.10, and 19.20 in the property designated
as Parcel 2A described in Schedule A, attached here as Exhibit A,
and depicted on Schedules B and C, attached here as Exhibits B and
C, and by this reference made a part of this Declaration.

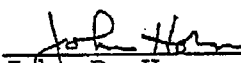
2. The property is taken for use for the Abbott Road,
New Seward Highway to East 88th Avenue Project designated as

1 Project No. FM-0506(2)/59397. The location of the project is shown
 2 on Schedules B and C. Exhibit B was revised in March, 1996,
 3 pursuant to a stipulation between the State and defendant property
 4 owners, to amend the project design so that the southern end of the
 5 Project controlled access is 100 feet north of the southwest corner
 6 of Parcel 2A.

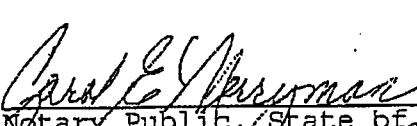
7 3. The property is taken by necessity for a project
 8 located in a manner which is most compatible with the greatest
 9 public good and least private injury.

10 4. The State has previously deposited into the registry
 11 of the court for the benefit of the persons entitled thereto the
 12 amount of \$885,000.00.

13 IN WITNESS THEREOF, the Department of Transportation and
 14 Public Facilities has caused this Declaration to be signed by its
 15 Regional Director, Central Region, John D. Horn, a designee of the
 16 Commissioner, this 10th day of April, 1996 in Anchorage, Alaska.

17
 18 
 19 John D. Horn

20 SUBSCRIBED AND SWORN TO before me this 10th day of
 21 April, 1996.

22
 23 
 24 Notary Public, State of Alaska
 25 My commission expires: Apr 17, 1997
 26

DEPARTMENT OF LAW
 OFFICE OF THE ATTORNEY GENERAL
 ANCHORAGE BRANCH
 1031 W. FOURTH AVENUE, SUITE 200
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 288-5100

Proj. No. FM-0506(2)/59397
Abbott Road
New Seward to East 88th
Parcel No. 2A

TRACT DESCRIPTION

A portion of the west half of the northeast quarter of the southwest quarter, Section 8, Township 12 North, Range 3 West, Seward Meridian, as described in Book 202, Page 345, Anchorage Recording District, Third Judicial District, State of Alaska, more particularly described as follows:

Commencing at the found center-south one-sixteenth corner of Section 8;

Thence S $89^{\circ}50'35''$ W along the south one-sixteenth line a distance of 1110.00 feet;

Thence N $00^{\circ}16'36''$ W along the west property line a distance of 290.57 feet to the point of intersection with the southeasterly right of way line for Alaska Project No. FM-0506(2), Abbott Road and the True Point of Beginning;

Thence continuing N $00^{\circ}16'36''$ W along said westerly property line a distance of 709.54 feet to the point of intersection with the easterly existing right of way line of the Seward Highway;

SCHEDULE "A"

Thence N $21^{\circ}20'18''$ E along said easterly right of way line a distance of 290.87 feet to the point of intersection with the southerly existing right of way line of Dimond Boulevard;

Thence N $89^{\circ}47'45''$ E along said southerly right of way line a distance of 342.84 feet to the northeast corner of the herein described parcel;

Thence S $00^{\circ}16'36''$ E along the east property line a distance of 389.75 feet to the point of intersection with the southeasterly right of way line for Alaska Project No. FM-0506(2), a point of curvature;

Thence southwesterly along said right of way line on a curve to the right having a central angle of $25^{\circ}28'22''$; a radius of 550.00 feet, an arc length of 244.52 feet and a chord that bears S $32^{\circ}04'55''$ W, a distance of 242.51 feet to a point of tangency;

Thence S $44^{\circ}49'06''$ W a distance of 298.80 feet to a point of curvature;

Thence southwesterly on a curve to the left having a central angle of $26^{\circ}23'39''$, a radius

SCHEDULE "A"

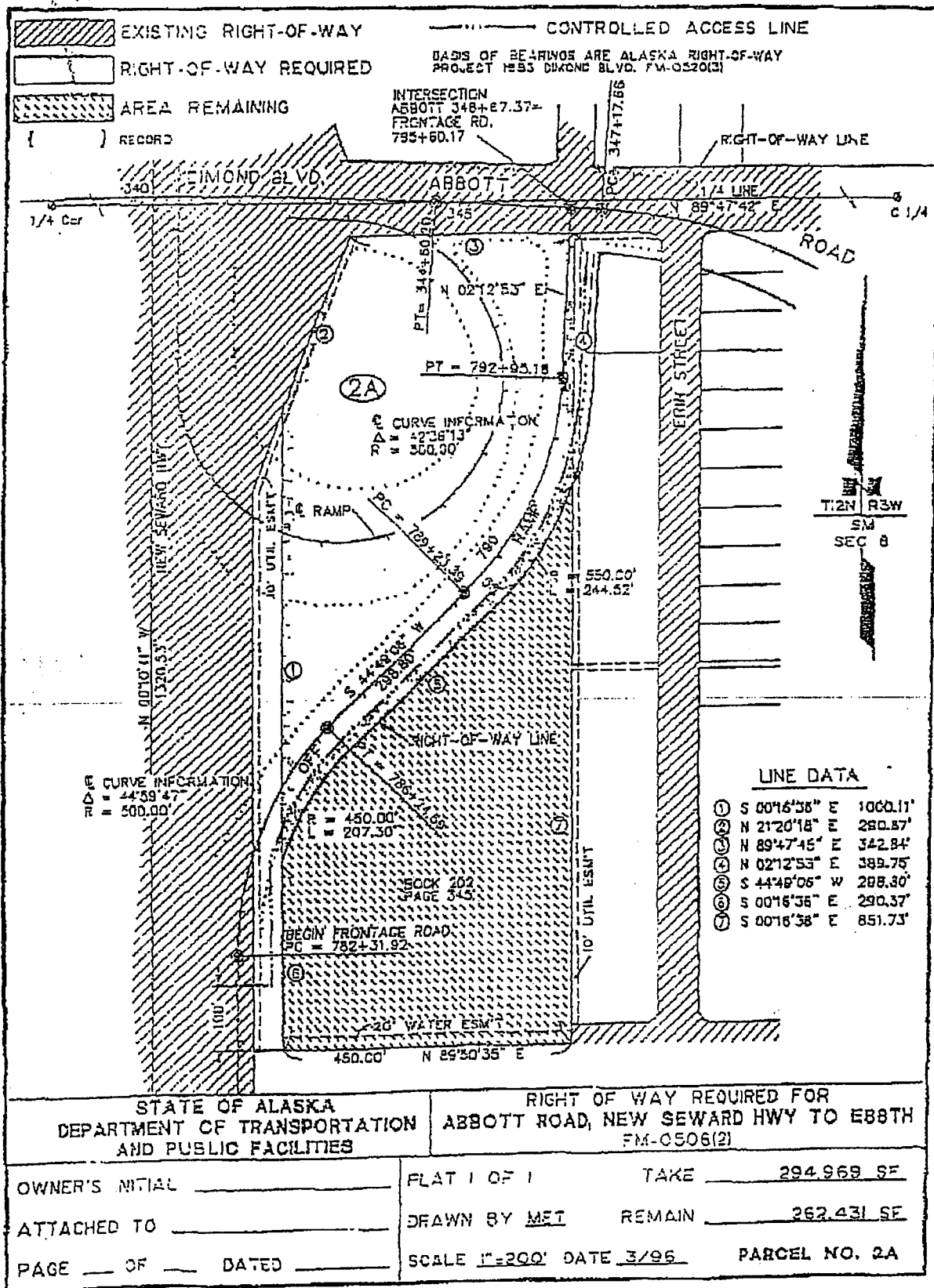
of 450.00 feet, an arc length of 207.30 feet,
and a chord that bears S 31°37'17"W a distance
of 205.47 feet, to the True Point of
Beginning;

bioRxiv preprint doi: <https://doi.org/10.1101/000000>; this version posted November 1, 2014. The copyright holder for this preprint (which was not certified by peer review) is the author/funder, who has granted bioRxiv a license to display the preprint in perpetuity. It is made available under aCC-BY-NC-ND 4.0 International license.

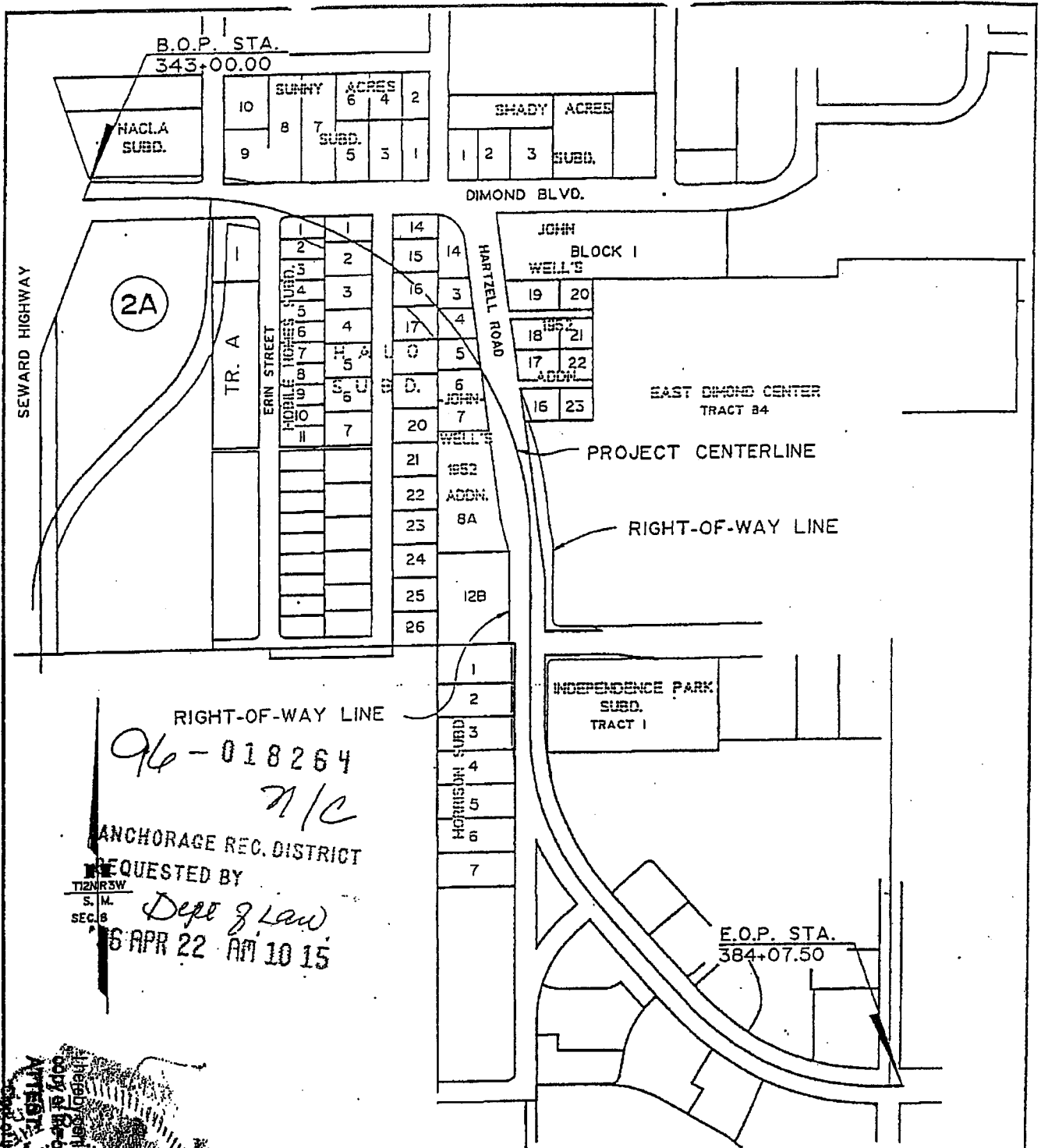
[illegible]

Exhibit A
Page 3 of 3

027



BK 0291476621



RIGHT-OF-WAY LINE
 96-018264
 n/c
 ANCHORAGE REC. DISTRICT
 REQUESTED BY
 TIZNR3W
 S. M.
 SEC. 18
 Dept of Law
 16 APR 22 AM 10 15

STATE OF ALASKA
 DEPARTMENT OF TRANSPORTATION
 AND PUBLIC FACILITIES

RIGHT OF WAY REQUIRED FOR
 ABBOT ROAD - NEW SEWARD TO E. 88TH
 FM-0506(2)

DRAWN BY RK

SCHEDULE "C"

SCALE 1"=400' DATE 1/9/96

PARCEL NO. 2A

Exhibit C

029

**PLANNING & ZONING
COMMISSION
PUBLIC HEARING
February 13, 2006**

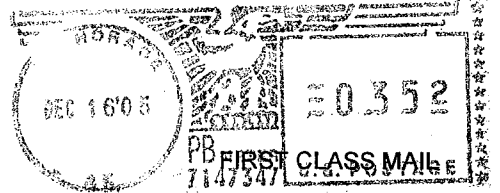
Supplemental Comments

**G.4. Case 2006-002
Rezone to I-1**

Double-sided

Municipality of Anchorage
P. O. Box 196650
Anchorage, Alaska 99519-6650
(907) 343-7943

RECEIVED
JAN 12 2006



014-272-16-000
ALLSUP ANDREW E
8707 CORBIN DRIVE
ANCHORAGE, AK 99507

RECEIVED

JAN 12 2006

Municipality of Anchorage
Zoning Division

NOTICE OF PUBLIC HEARING - - Monday, January 09, 2006

Planning Dept Case Number: 2006-002

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2006-002
PETITIONER: Dennis & Florence Dunham
REQUEST: Rezoning to I-1 Light industrial district
TOTAL AREA: 6.020 acres
SITE ADDRESS: EAST OF BRAYTON DR, SOUTH OF DIMOND BLVD
CURRENT ZONE: I-1SL Light industrial district with special limitations
COM COUNCIL(S): 1---Abbott Loop

LEGAL/DETAILS: A request to rezone approximately 6.025 acres from I-1SL (Light Industrial with Special Limitations) to I-1 (Light Industrial). T12N R3W, Section 8, Parcel 32A REM, S.M., AK. Located east of Brayton Drive, west of Erin Street and south of Dimond Blvd.

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30 p.m., Monday, January 09, 2006 in the Assembly Hall of the Z. J. Loussac Library, 3600 Denali Street, Anchorage, Alaska.

The Zoning Ordinance requires that you be sent notice because your property is within the vicinity of the petition area. This will be the only public hearing before the Commission and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition this form may be used. Mailing Address: Municipality of Anchorage, Department of Planning, P.O. Box 196650, Anchorage, Alaska 99519-6650. For more information call 343-7943; FAX 343-7927. Case information may be viewed at www.muni.org by selecting Departments/Planning/Zoning and Platting Cases.

Name: Andrew E Allsup (907) 349-4422
Address: 8707 Corbin Dr Anch AK 99507
Legal Description: Halo Blk 2 Lots 24-25-26
Comments: The condition of Erin St and Corbin Dr is very poor and can not handle more traffic. The drainage for these streets is non existent. With out much improvement the extra traffic will be a huge problem.

REZONING/RESIDENTS--PLANNING COMMISSION

2006-002

031

**MUNICIPALITY OF ANCHORAGE
PLANNING DEPARTMENT**

MEMORANDUM

DATE: January 6, 2006
TO: Planning and Zoning Commission
THRU: Tom Nelson, Director *TN*
THRU: *JW* Jerry T. Weaver, Jr., Zoning Division Administrator
FROM: Mary Autor, Senior Planner *MAutor*
SUBJECT: 2006-002 Postponement Request

This memorandum is to advise the Commission that the Dennis & Florence Dunham Living Trust has requested a postponement of the public hearing for Case 2006-002 to meet with Municipal agencies to discuss their concerns. If approved by the Commission, the case will be rescheduled for February 13, 2006.



R&M CONSULTANTS, INC.
9101 Vanguard Drive, Anchorage, Alaska 99507

(907) 522-1707, FAX (907) 522-3403, www.rmconsult.com

01-06-06

R&M No. 1215.01

Mary Autor, Senior Planner
Planning Department
Zoning Division
4700 Bragaw Street, Room 153
PO Box 196650
Anchorage, AK 99519-6650

RE: Postponement of re-zoning hearing for Case No. 2006-002

Dear Ms. Autor:

We respectfully request a postponement of the public hearing for Case No. 2006-002, the proposed re-zoning of a portion of the west 450 feet of the east 1,110 feet of the north ½ of the southwest ¼ of section 8, T12N, R3W, Seward Meridian. We understand that the Municipality has some concerns with the request for re-zone, and we would appreciate the opportunity to meet with you and other interested parties to discuss the issues prior to the public hearing.

Thank you for your attention to this matter,

R&M CONSULTANTS, INC.

David C. Hale, PLS

**PLANNING DEPARTMENT
PLANNING STAFF ANALYSIS
REZONING**

G.3.

DATE: January 9, 2006

CASE NO.: 2006-002

APPLICANT: Dennis & Florence Dunham Living Trust

REPRESENTATIVE: R & M Consultants, Scott Nations

REQUEST: A request to rezone approximately 6.025 acres from I-1 SL (Light Industrial District with Special Limitations) to I-1(Light Industrial District) and removal of all special limitations

LOCATION: Remnant Parcel 32A located within Section 8, T12N, R3W, S.M. AK; generally located on the east side of the New Seward Highway between Abbott Road to the north and Academy Drive on the south.

SITE ADDRESS: NSA

COMMUNITY COUNCIL: Abbott Loop

TAX NUMBER: 014-271-05/ SW2332

ATTACHMENTS:

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

SITE:

Acres: 6.025 acres

Vegetation: Natural vegetation; Class "C" Wetlands

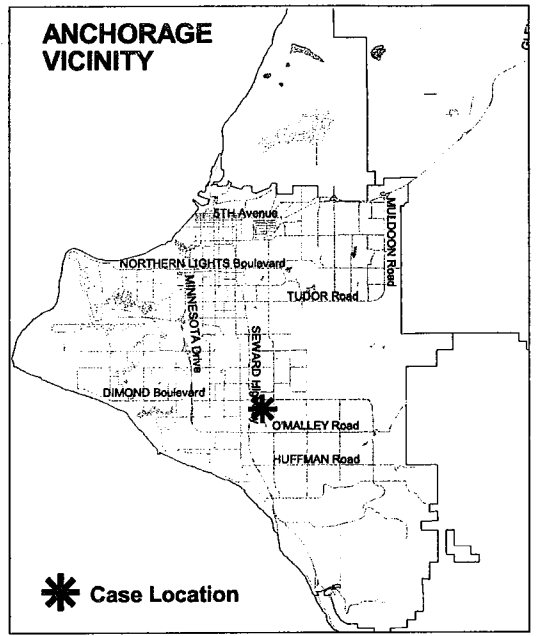
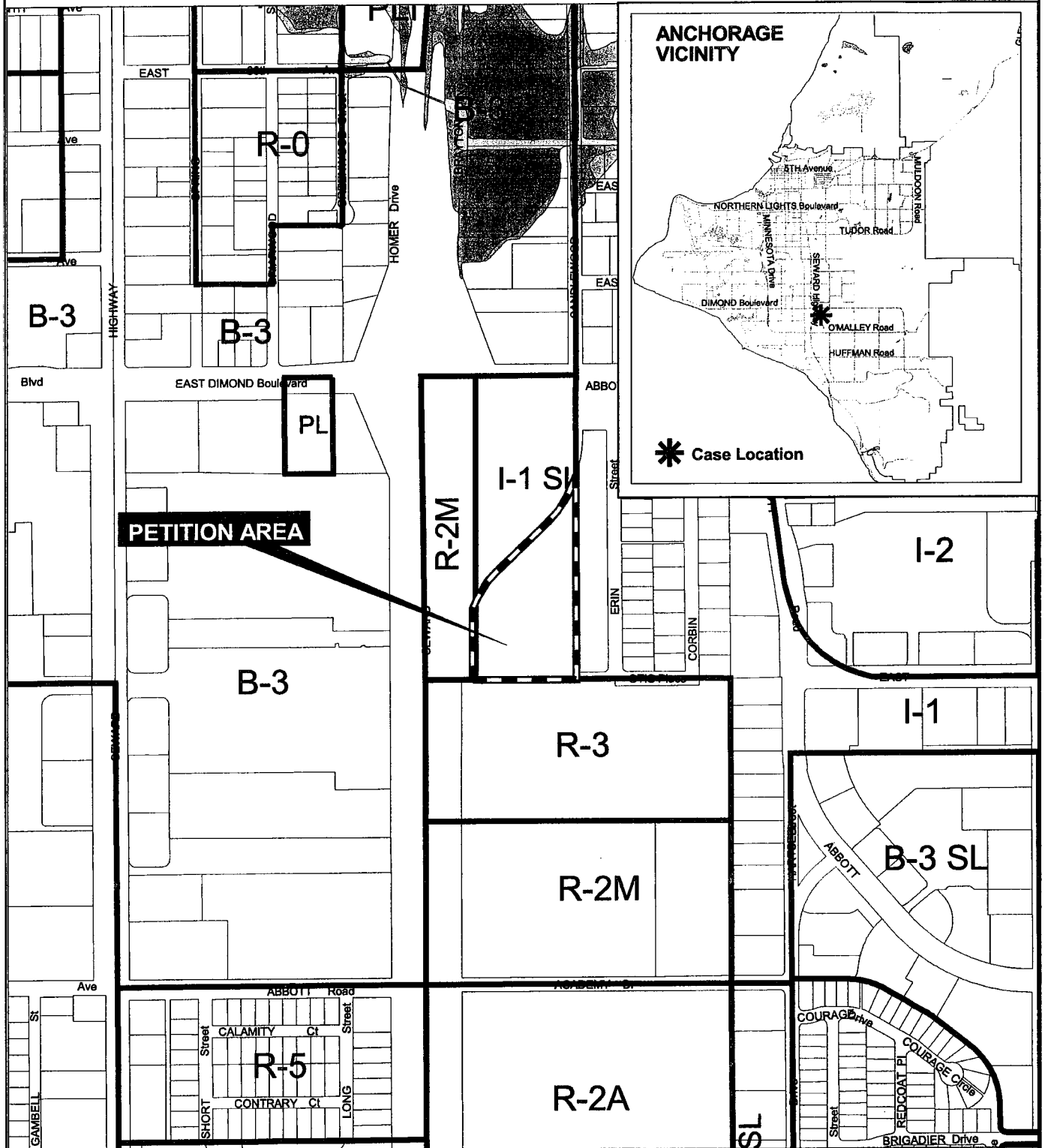
Zoning: I-1 SL (Light Industrial) AMC 21.40.200

Topography: Generally level

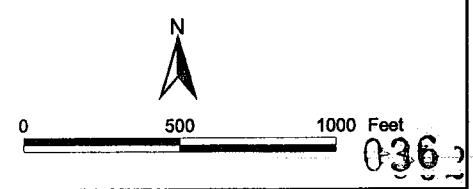
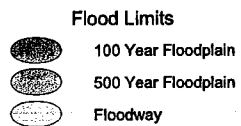
Existing Use: Vacant

Soils: Public Sewer and Water available to site

REZONE 2006-002

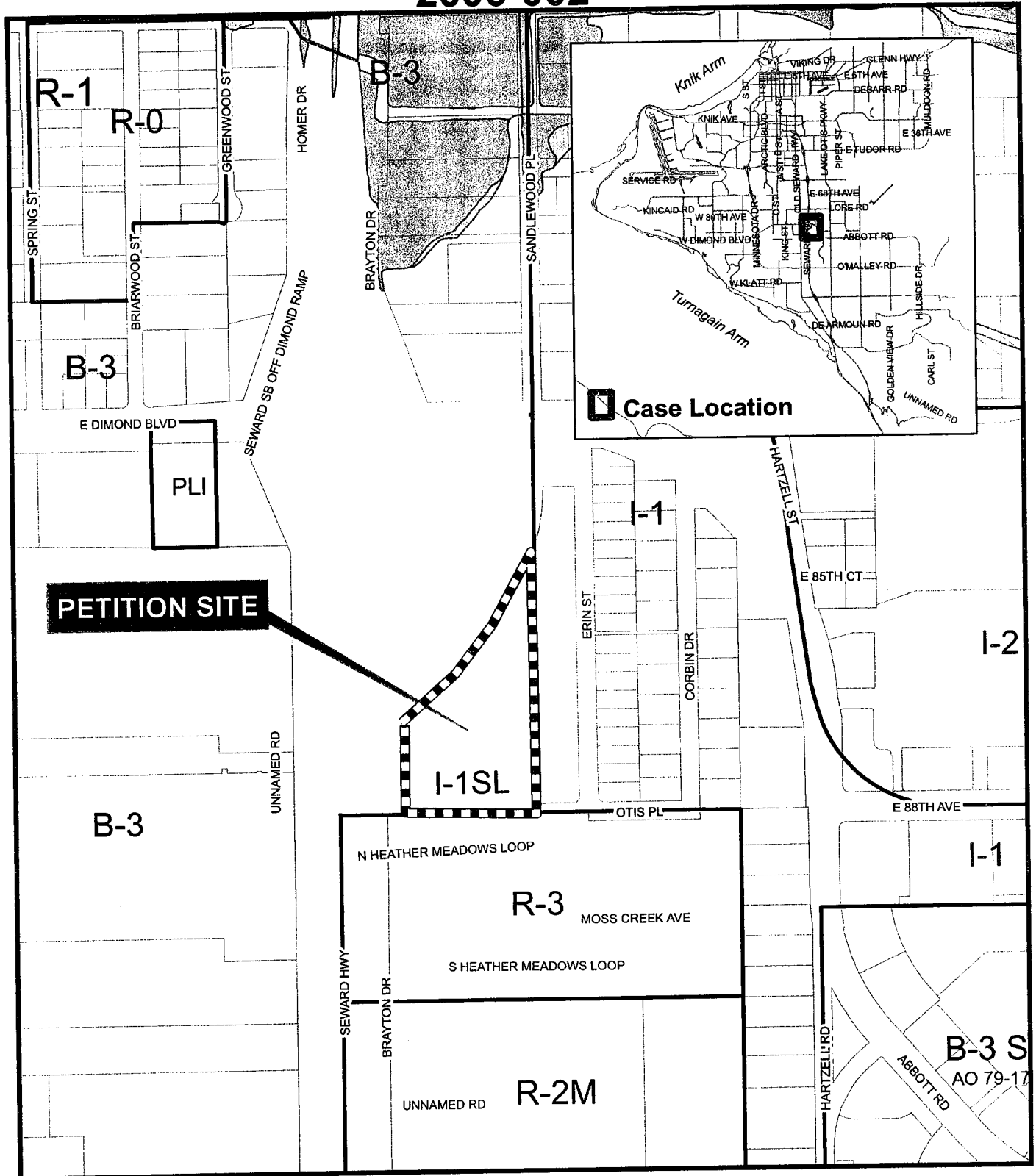


Municipality of Anchorage
Planning Department



Date: November 15, 2005

REZONE 2006-002

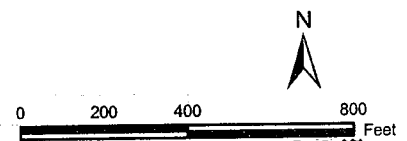


Municipality of Anchorage
Planning Department

Date: December 20, 2005

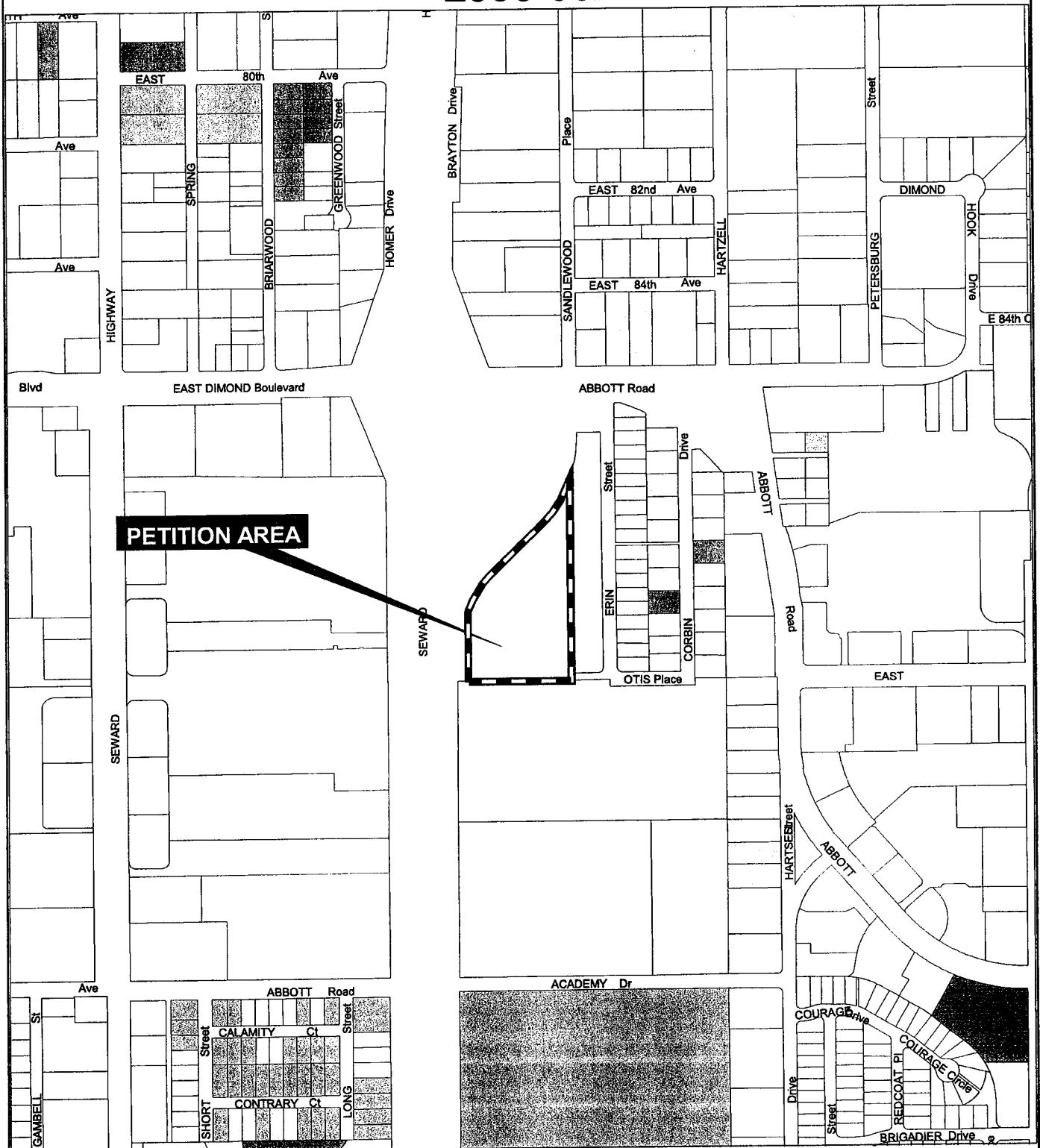
Flood Limits

 100 Year
 500 Year
 Floodway








037

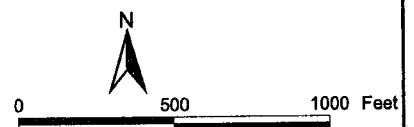
REZONE 2006-002



Municipality of Anchorage
Planning Department

Date: November 15, 2005

-  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

COMPREHENSIVE PLAN:

Classification: Anchorage 2020: no classification
1982 Plan: Commercial
Density: N/A

APPLICABLE LAND USE REGULATIONS:

AO 80-161 – I-1 SL: Special Limitations:

- A. A 30-foot wide right-of-way easement shall be provided along the southern boundary line of the subject property for the future extension of Otis Road.
- B. Section 21.40.200(B) (1). Permitted Principal uses – Commercial.
Delete paragraphs:
 - 1. (ii.) automobile display lots, new and used;
 - 2. (jj.) mobile home display lots, new and used;
 - 3. (rr.) bus terminals, air passenger terminals.
- C. Section 21.40.200(B)(2). Permitted Principal Uses – industrial.
Delete following paragraphs:
 - 1. (b.) beverage manufacture, including breweries
 - 2. (e.) cleaning laundry or dyeing plants;
 - 3. (k.) steel fabrication shops or yards
 - 4. (m.) utility installations.
 - 5. (n.) warehousing, including open storage or repair yards, shall be permitted only within the eastern half of the subject property, (toward Erin Street, specifically with an area dimensioned as follows: East of a vertical line drawn 185 feet in from the western property line and extending from northern to southern property lines. The required fencing for such warehousing shall be opaque.)
- D. Section 21.40.200(D). Conditional Uses. *Delete* the following paragraphs:
 - 1. (2.) airstrips and heliports;
 - 2. (4.) natural resource extraction on tracts of not less than five acres.
 - 3. (5.) camper parks.

- E. Section 21.40.200(G). Minimum yard requirements.
1. 50-foot building setback to be provided along the New Seward Highway Frontage Road property line.
 2. 25-foot building setback line to be provided to the south along the northern easement line for Otis Place extended (55 foot actual depth from current southern boundary line) as long as the adjacent property to the south is residentially zoned.
 3. 10-foot vegetated screening easement (to be reviewed and approved by the Zoning Staff) to be provided to the south along the northern easement line for Otis Place extended.
- F. Section 21.40.200(I). Maximum height of structures: four stories to a maximum of 50-feet.
- G. Future access to the parcel shall be resolved with the Department of Transportation.
- H. Prior to any development upon the site, the land shall be replatted to resolve access and provide circulation. Any proposed construction plans shall also be reviewed by Public Works Engineering for drainage related problems.
- I. As specified in the Zoning Ordinance (Section 21.45.130), a 30-foot wide screening easement shall be provided and maintained along the western boundary of the petition area adjacent to the New Seward Highway Frontage Road. Preference shall be given to the original undisturbed natural vegetation if this is determined to be of sufficient quality to provide visual screening. The Planning and Zoning Commission has site plan review power over this screening buffer to ensure its appropriateness.

- this area intended to be blank -

Current I-1 Zoning
AMC 21.40.200

Height limitation: Unrestricted, FAA requirements apply; where within 50 feet of a residential district, cannot exceed the height allowed in said residential district

Minimum lot size: 6,000 SF/50 feet wide

Lot coverage: Unrestricted

Yards

Front	10
Side and Rear	None, except where a lot adjoins a residential district, it must be provide equal to twice that required in the adjoining residential district; if a side or rear yard is provided elsewhere, it shall be not less than 5 feet in width

Landscaping Visual enhancement; buffer landscaping where adjacent to residential

SURROUNDING AREA:

	<u>NORTH</u>	<u>EAST</u>	<u>SOUTH</u>	<u>WEST</u>
Zoning:	B-3	I-1	R-3	I-1
Land Use:	Commercial	Best Storage; Warehousing, Some Manufacturing	Single family residential	New Seward Highway & Frontage Road; Shopping Mall

PROPERTY HISTORY:

10-28-80 Zoning Petition area zoned I-1SL (AO 80-161; PZC Case 80-41; Resolution 53-80) Special limitations are listed on pages 2 and 3 of this report.

06-10-92 S-9244 S Platting Board approved a preliminary plat to create two parcels: Sunshine Subdivision Tracts A and B. Conditions of approval include (1) dedication of 30- of right-of-way for Otis Place on

the southern boundary and resolving the need for a temporary turnaround with Public Works Engineer, (2) enter into a subdivision agreement to construct Otis Place to urban half street standards, street name signs, street lights, and traffic control devices, (3) provide a TIA to MOA and State DOT and resolve need for internal circulation and access; (4) drainage impact analysis, (5) resolve need for drainage improvements and drainage easements with Public Works Engineering; (6) resolve need for footing drains and footing drain stub outs with Public Works Engineering; (7) provide a 25 foot building setback along the southern boundary of Tract B (AO 80-161), (8) provide a 10 foot vegetated screening easement along the southern boundary of Tract B (north of Otis Place), with an appropriate financial guarantee, (9) provide a 30 foot vegetated screening easement along New Seward Highway to be approved by UDC with an appropriate financial guarantee, (10) resolve water and sewer connects with AWWU.

Preliminary plat expired.

06-15-01	ROW Plat 2001-79	Plat of Right of Way Map for Abbott Road, New Seward to E. 88 th Avenue Project FM-0506(2)
07-27-05	UCD 05-107	Urban Design Commission approved Highway Screening landscaping for Arctic Recreational Distributors for the subject property.

SITE DESCRIPTION:

At the time this property was zoned I-1 SL in 1980, Tract 32A contained approximately 12.57 acres. The subject property is a remnant parcel consisting of 6.025 acres, resulting from a Right-of-Way take by the State of Alaska Department of Transportation & Public Facilities (ADOT & PF) upgrade and improvement of Abbott Road, New Seward Highway to E. 88th Avenue. Plat 2001-79 was filed in 2001, several years after the improvements were completed. In addition to reconfiguring the boundaries and lot size of the subject parcel, the ROW take eliminated an entire tract of R-2M to the west of

this property and removed approximately half of the northern portion of the subject I-1 SL property. It should be noted that Municipal Zoning Maps are in the process of being corrected to reflect these changes.

The subject property was zoned I-1 SL in 1980 and has remained undeveloped since then. It is bounded on the west by the New Seward Highway frontage road, Brayton Drive, and E. 88th Avenue to the north. Access to Brayton Drive is state controlled. Best Storage, a self storage business, is adjacent to the subject property to the east with access to Erin Street. Property east of Best Storage, between Erin and Corbin Streets, is manufacturing, storage and warehouses with an occasional residence. A new single family residential development is being constructed to the south. There is a platted 20-foot water utility easement along the south lot line. Legal and physical access is from Otis Place located at the southeast corner of the lot and accessed by Erin Street and Corbin Street via E. 88th Avenue. If driveway access is permitted by ADOT & PF, access from the frontage road/off ramp (Brayton Drive). Topographically, the property is somewhat level but is at a lower elevation than the highway.

The New Seward Highway is classified as a Freeway V, according to the *Official Streets and Highways Plan* (OS&HP), requiring a minimum 150' wide right-of-way. Abbott Road is classified as a Class III Major Arterials, requiring a 100' wide right-of-way (ROW). Both roads are State owned and maintained. Otis Place is a local roadway.

The southern two-thirds of the subject property are classified as "C" Wetlands.

The Urban Design Commission approved a highway screening landscape plan July 27, 2005, which satisfies special limitation "I." as listed on page 3.

Proposal:

The purpose of this rezoning is to delete all of the special limitations of the current I-1 SL zoning (AO 80-161) as described on pages 2 & 3. Arctic Recreational Distributors, currently located on Commercial Drive, plans to construct a commercial building that will contain a recreational vehicle distributorship. They will sell and service four-wheelers, snowmobiles, motorcycles, watercraft and accessories. These are permitted principal uses in the I-1 and are listed as AMC 21.40.180(B)(1)(kk) aircraft & boat display lots (new and used) and (ll.) motorcycle and snow machine display lots, new and used. However, under the terms of AO 80-161 special limitations, certain uses were deleted from the list of permitted principal uses and structures and conditional use. Specifically, outdoor storage is permitted only within the

eastern half of the parcel (toward Erin Street, specifically with an area dimensioned as follows: east of a vertical line drawn 185 feet in from the western property line and extending from northern to southern property lines; requires opaque fencing.) (Ref. page 2 of this report, Item C (5)).

COMMUNITY COMMENTS:

One hundred sixteen (116) public hearing notices (PHN) were mailed out on December 16, 2005. As of the time this report was written, no responses have been received. There was no response from the Community Council.

FINDINGS:

21.20.090 Standards for Zoning Map Amendments, and 21.05.080 Implementation – Anchorage Bowl Comprehensive Development Plan Maps

A. Conformance to the Comprehensive Plan.

As shown on the *2020 Comp Plan Land Use Policy Map*, this site has no particular designation. The *1982 Anchorage Bowl Comprehensive Development Plan* generalized land use plan identifies the area as commercial. At the time the Assembly approved the current zoning, they determined that this location and parcel were not suitable for residential development since land along Erin Street had previously been zoned as I-1. The special limitations were added to mitigate industrial impacts upon the residential land to the south, and to resolve future access and drainage prior to development.

Policy #27 states: “Commercial/light industrial parks: shall integrate safe and efficient customer and freight access to and from the industrial site; may include complementary uses that are compatible with surrounding uses and areas; and shall include design features such as pedestrian facilities, landscaping and compatible signage.

The Planning Department concurs with comments from Traffic and Project Management Engineering, and finds that this rezoning is not consistent with Policy #27. Drainage issues and vehicular access issues surrounding this parcel require that these Special Limitations remain in place.

The Traffic Department objects to future driveway access from this parcel to Brayton Drive, noting it is a safety concern for Project Management

Engineering, Traffic and the State of Alaska Department of Transportation. ADOT and the Municipal Traffic Engineer agree that to construct an access from this parcel to the State rights of way would compromise the safety of vehicles traveling the Seward Highway and Brayton Drive off-ramp.

Special limitation #A continues to be a relevant requirement to development. Although it is not desirable to extend Otis Place west to the State owned Seward Highway, it is desirable to have at least 30 feet of Municipal owned right of way long the south boundary of this parcel. There are drainage problems in the immediate area and the right of way will be used by the Municipality for mitigation of the drainage problems.

In light of the existing residential development to the south, the special limitation #E.2 is necessary (55 feet actual depth from the southern boundary line: 25 foot building setback along the northern easement line for Otis Place extended. #E.3 requires a 10-foot vegetated screening easement along the northern easement line for Otis extended, instead of the more restrictive current Transition and Buffering requirement for Industrial uses adjacent to Residential uses is 30-foot screening easement.

The requirement that the property be replatted prior to development to resolve access, circulation and drainage issues continues to be a necessary requirement. Special limitation #H should not be deleted. In the event that the special limitation for a replat is not required, there should be an effective clause which resolves access, circulation with PM&E and Traffic Engineering.

Physical Planning Division does not support removal of the I-1 special limitations. The special limitations for right-of-way dedication and screening are particularly relevant in development of this site. The 'C' wetlands located toward the south portion of the site have been recently delineated and cover a larger area than previously shown. The property drains via pipe to Campbell Creek. Wetlands and hydrology need to be addressed in the development of this site.

The concept site plan provided by the petitioner places all of the development (roads, parking and structures) in the wetland area. Development will require an Individual Permit with the Corps of Engineers.

I-1SL is compatible with the existing I-1 zoning area located to the east due to the industrial nature of the area, as well as the manufacturing, processing, and warehousing uses in the area.

The Department finds that existing surrounding conditions have not changed with regard to land use development since 1980. Property to the south has developed as predicted, residential. Land to the east has continued to develop and be used as industrial. The upgrade to the New Seward Highway off-ramps, frontage road and signalization at Brayton and Abbott has occurred. The only significant change is the increased volume of traffic utilizing the frontage road and off-ramp. The majority of traffic at the off-ramp turns west towards the Dimond Mall and other surrounding shopping malls.

- 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.

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

Seismic: The property is within seismic zone 3 (moderate ground failure susceptibility).

Wetlands: Approximately two-thirds of the property are Class "C" Wetlands and require an individual permit from the Corps of Engineers.

Land Use Patterns

See earlier discussion. The general land use pattern is industrial manufacturing, processing, and warehousing to the east: south of

Abbott to Otis Place. South of Otis Place extended, between Brayton Drive and Corbin Street, the property is zoned R-3 and developed residentially. The north-south New Seward Highway and frontage roads separate the subject property and B-3, developed with commercial-retail shopping malls.

AMC 21.45.200 requires a 30 foot wide transition and buffering area between industrial uses and residential uses, to be planted to screening landscape standards. This is the largest buffer required by the land use code. However, the existing special limitation #E.2 and #E.3 call for something less but none-the-less comparable.

According to the vicinity map, there appear to be no vacant I-1 parcels in the area, with the exception of small lots on the order of 6,000 square feet.

Transportation/Drainage

The area is generally developed.

The road circulation system is in place, but not fully constructed. Erin, Corbin Streets and Otis Place exist as substandard roads. See discussions above.

The *1997 Areawide Trails Plan* shows planned bike trail and multi-use pedestrian trail along the east side of Brayton Drive to the off-ramp intersection with Abbott Road. There is an existing multi use trail along the south side of Abbott Road at the intersection.

Public Services and Facilities

Roads: The petition site is located within the Anchorage Roads and Drainage Service Area (ARDSA). Brayton Drive is a frontage road for the New Seward Highway, which is classified as a Freeway V.

Utilities: water, sewer, gas and electrical utilities are available to this property.

Schools: There is no impact to schools. This is an industrial to industrial rezone request.

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.

According to the vicinity map, there appear to be no vacant I-1 parcels of this size in the area. There are a few individual small vacant or underdeveloped I-1 parcels.

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.

Work could begin after review and approval by the Assembly.

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.

Removal of the I-1 special limitations would allow straight I-1 zoning development and would not promote or be compatible with Policy #27. As discussed earlier, regardless of the industrial use, access to Brayton Drive is detrimental to the traffic public safety. Keeping the special limitations allows mitigation of off-site traffic circulation, as well as drainage problems attendant to the site area.

Special Limitations

None are proposed by the petitioner

RECOMMENDATION:

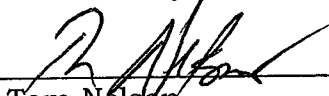
The Planning Department, Traffic Department and Project Management Engineering are all opposed to eliminating any of the existing special limitations outlined above. Any development of the site is highly visible from the frontage road and should not be dependent upon driveway access to the

frontage road. For example, there are two snow machine retail sales and repair businesses located next to the New Glenn Highway near the North Eagle River access. They are highly visible from the New Glenn Highway but their access is from a single common driveway from the Old Glenn Highway through a commercial development. The special limitations are needed to mitigate negative traffic and drainage impacts to the surrounding area as identified in this report. The rezoning proposal does not meet the requirements of AMC 21.20.090, 21.05.050 and 21.05.080.

RECOMMENDATION:

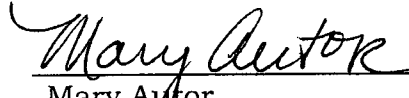
The Department does not support elimination of the special limitations as requested and recommend the rezone request be denied.

Reviewed by:



Tom Nelson
Director

Prepared by:



Mary Autor
Senior Planner

(Case 2006-002)
(Tax ID No. 014-271-05)

1-12-81
Submitted by: Chairman of the
Assembly at the Request
of the Mayor
Prepared by: Planning Department
For Reading: September 30, 1980

ANCHORAGE, ALASKA
AO NO. 80-161

Disposed from: 10/28/80

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE
REZONING FROM R-2 (RESIDENTIAL DISTRICT UP TO EIGHT UNITS ON
20,000 SQUARE FOOT LOTS) TO I-1 (LIGHT INDUSTRIAL DISTRICT)
FOR PARCEL 32A OF SECTION 8, T12N, R3W, S.M. (ABBOTT LOOP
COMMUNITY COUNCIL)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1: That the Zoning Map be amended by
designating the following described property as an I-1
(Light Industrial District) zone:

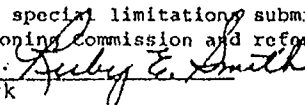
Parcel 32A of Section 8, T12N, R3W, S.M.

The Planning Director is hereby directed to change
the zoning map accordingly.

PASSED AND APPROVED by the Anchorage Municipal
Assembly this 13th day of January, 1981.


Chairman

ATTEST:

AO 80-161 to add special limitations submitted by the petitioner to
the Planning & Zoning Commission and referred to in Planning and Zoning
Resolution 53-80.
Municipal Clerk 

JS/psl

(P80-41)

Am 686-80

Am 686-80A

Submitted by: Chairman of the Assembly
At the Request of: Mayor
Prepared by: Department of Law
For Reading: September 30, 1980

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 53-80

A RESOLUTION DENYING THE REZONING FROM R-2 (TWO-FAMILY RESIDENTIAL DISTRICT) TO I-1 (LIGHT INDUSTRIAL DISTRICT) FOR PROPERTY LOCATED ON THE SOUTHEAST CORNER OF EAST DIMOND BLVD. AND THE NEW SEWARD HIGHWAY.

WHEREAS, a petition has been received from John W. and Joe L. Gielarowski for rezoning from R-2 (Two Family Residential District) to I-1 (Light Industrial District) for Parcel 32A of Section 8, T12N, R3W, containing approximately 12.57 acres, and

WHEREAS, notices were published, posted and mailed and a public hearing was held, and

WHEREAS, during the initial hearing, the Commission requested the petitioner and staff to come up with special limitations to mitigate the impact of the requested rezoning, and

WHEREAS, the petitioner submitted limitations at a subsequent meeting which had been designed to hopefully mitigate the impact, and

WHEREAS, even with the limitations proposed, the Commission can not justify the rezoning, and

WHEREAS, the Commission has consistently recommended denial of the expansion of the industrial district in this area, and


WHEREAS, there is ample vacant Industrial -1 zoned land in close proximity to the petition site, and

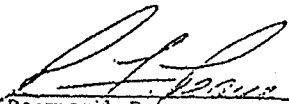
WHEREAS, the rezoning request is not supported by the Comprehensive Plan which designates this area as residential, and

WHEREAS, the petitioner is unable to prove a public need for the rezoning.

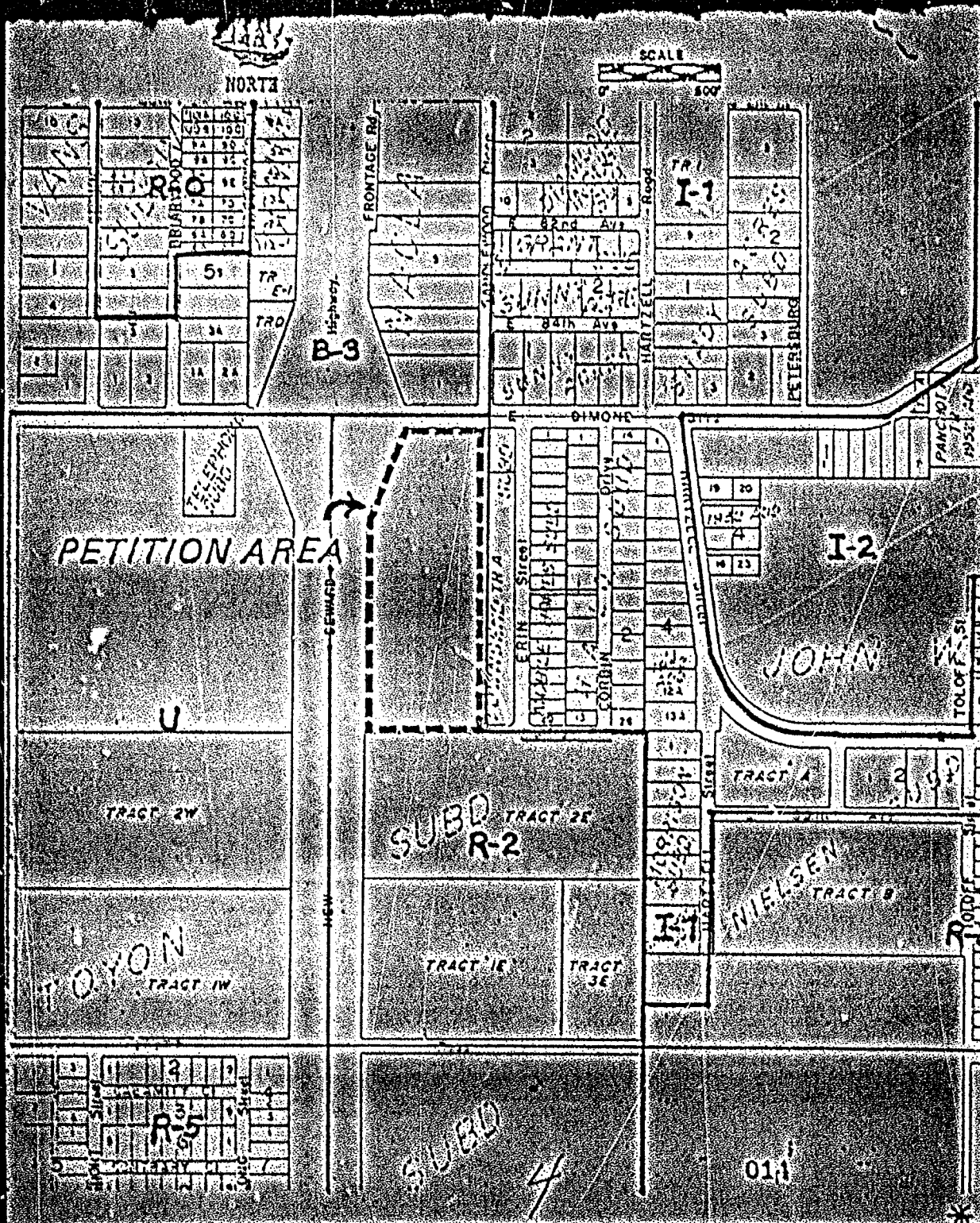
NOW, THEREFORE, BE IT RESOLVED by the Municipal Planning and Zoning Commission that the rezoning from R-2 to I-1 on the above described property be denied.

ADOPTED by the Municipal Planning and Zoning Commission this 14th day of July, 1980.


Michael J. Meehan
Secretary


Raymond Pearce
Chairman

(P80-41)



1-12-81

Submitted by: Chairman of the
Assembly at the Request
of the Mayor
Prepared by: Planning Department
For Reading: September 30, 1980

ANCHORAGE, ALASKA
AO NO. 80-161

Responsible Date: 10/28/80

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE
REZONING FROM R-2 (RESIDENTIAL DISTRICT UP TO EIGHT UNITS ON
20,000 SQUARE FOOT LOTS) TO I-1 (LIGHT INDUSTRIAL DISTRICT)
FOR PARCEL 32A OF SECTION 8, T12N, R3W, S.M. (ABBOTT LOOP
COMMUNITY COUNCIL)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1: That the Zoning Map be amended by
designating the following described property as an I-1
(Light Industrial District) zone:

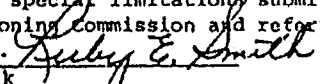
Parcel 32A of Section 8, T12N, R3W, S.M.

The Planning Director is hereby directed to change
the zoning map accordingly.

PASSED AND APPROVED by the Anchorage Municipal
Assembly this 13th day of January, 1981.


Chairman

ATTEST:

AO 80-161 to add special limitations submitted by the petitioner to
the Planning & Zoning Commission and referred to in Planning and Zoning
Resolution 53-80. 
Municipal Clerk

JS/psl

(P80-41)

Am 686-80 Am 686-80A

Submitted by: Chairman of the Assembly
At the Request of: Mayor
Prepared by: Department of Law
For Reading: September 30, 1980

053

Municipality of Anchorage

MEMORANDUM

DATE: July 9, 1980

TO: Planning and Zoning Commission

FROM: Zoning Staff

SUBJECT: P80-41: Proposed Special Limitations for zone change request from R-2 to I-1 on the SE corner of Dimond Blvd. land the New Seward Highway.

On May 12, 1980, a Public Hearing was held before the Planning and Zoning Commission on the above noted case. At the Public Hearing it was the consensus of the Commission that the applicant should consider Special Limitations for the requested zone change prior to the Planning Commission making its' decision.

The petitioner is proposing the following Special Limitations:

1. A 30 foot wide right-of-way easement shall be provided along the southern boundary line of the subject property for the future extension of Otis Place.

2. Section 21.40.200(B)(1). Permitted Principal Uses - Commercial. Delete paragraphs.

- ii: "automobile display lots, new and used;"
- jj: "mobile home display lots, new and used;" and
- rr: "bus terminals, air passenger terminals."

Section 21.40.200(B)(2). Permitted Principal Uses - Industrial. Delete following paragraphs:

- b. beverage manufacture, including breweries;
- e. cleaning laundry or dyeing plants;
- k. steel fabrication shops or yards;
- m. utility installations.
- n. warehousing, including open storage or repair yards, shall be permitted only within the eastern half of the subject property, (toward Erin Street) specifically within an area dimensioned as follows:

East of a vertical line drawn 185 feet in from the Western property line and extending from northern to the southern property lines.

APPROVED

DATE: 1/13/81

By: Assemblyman

006

054

The required fencing for such warehousing shall be opaque.

Section 21.40.200(D). Conditional Uses. Delete the following paragraphs:

- 2. airstrips and heliports;
- 4. Natural resource extraction on tracts of not less than five acres;
- 5. camper parks.

Section 21.40.200(G). Minimum yard requirements:

- 50 foot building setback to be provided along the New Seward Highway Frontage Road property line.
- 25 foot building setback line to be provided to the south along the northern easement line for Otis Place extended (55 foot actual depth from current southern boundary line) as long as the adjacent property to the south is residentially zoned.
- 10 foot vegetated screening easement (to be reviewed and approved by the Zoning Staff) to be provided to the south along the northern easement line for Otis Place extended.

Section 21.40.200(I). Maximum Height of Structures. Four stories to a maximum of 50 feet.

3. Future access to the parcel shall be resolved with the Municipal Traffic Engineering Dept. and the Alaska Department of Transportation.
4. Prior to any development upon the site, the land shall be replatted to resolve access and provide circulation. Any proposed construction plans shall also be reviewed by Public Works Engineering for drainage related problems.
5. As specified in the Zoning Ordinance (Section 21.45.130), a 30 foot wide screening easement shall be provided and maintained along the western boundary of the petition area adjacent to the New Seward Highway Frontage Road. Preference shall be given to the original undisturbed natural vegetation if this is determined to be of sufficient quality to provide visual screening. The Planning and Zoning Commission has site plan review power over this screening buffer to ensure its appropriateness.

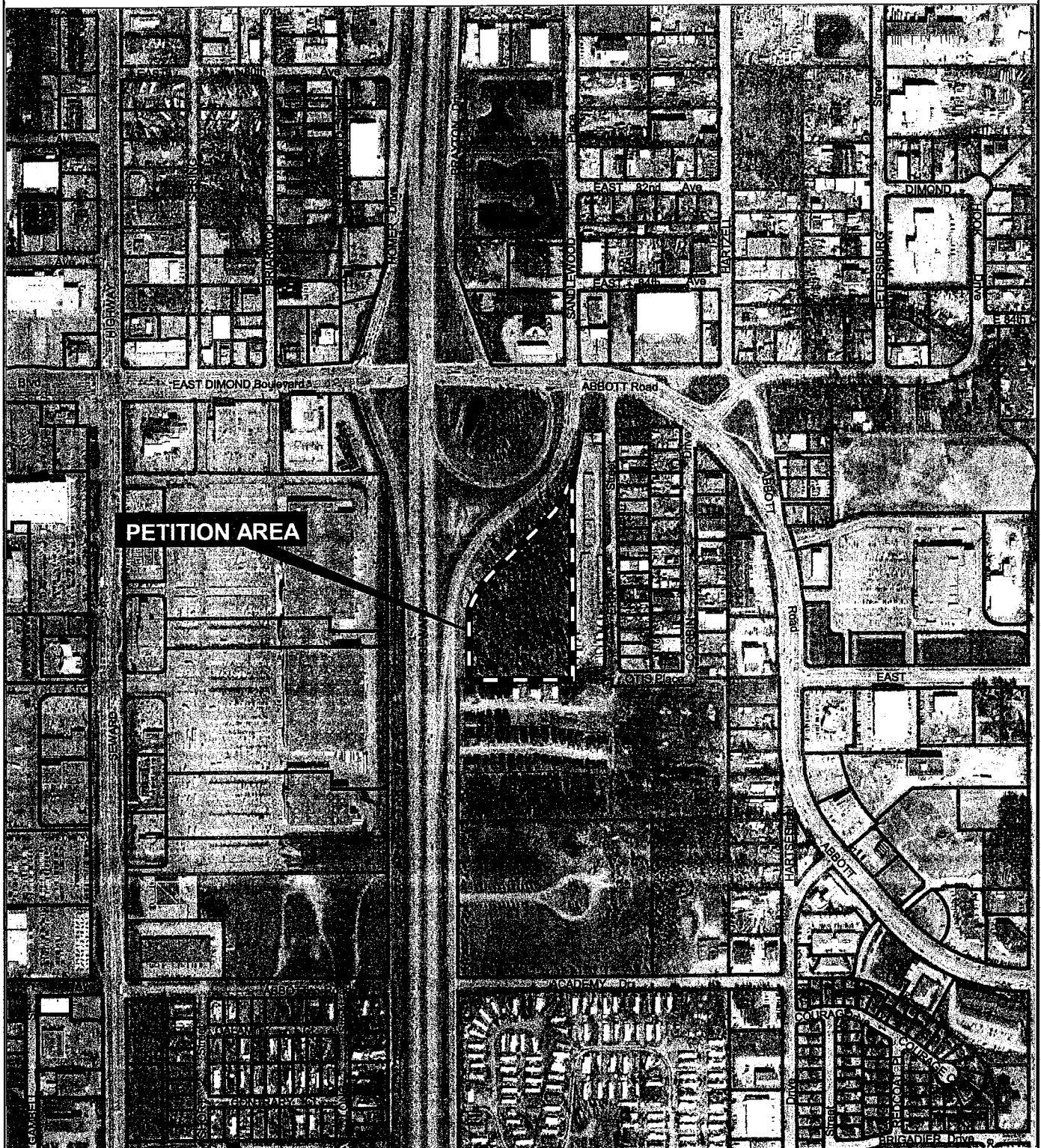
Staff has reviewed the above Special Limitations with the applicant's attorney and staff finds they are workable should the Commission decide to approve the requested zone change.

APPROVED

DATE 1/13/81
By Assembly Mr. A.

007

REZONE
2006-002



**Municipality of Anchorage
Planning Department**



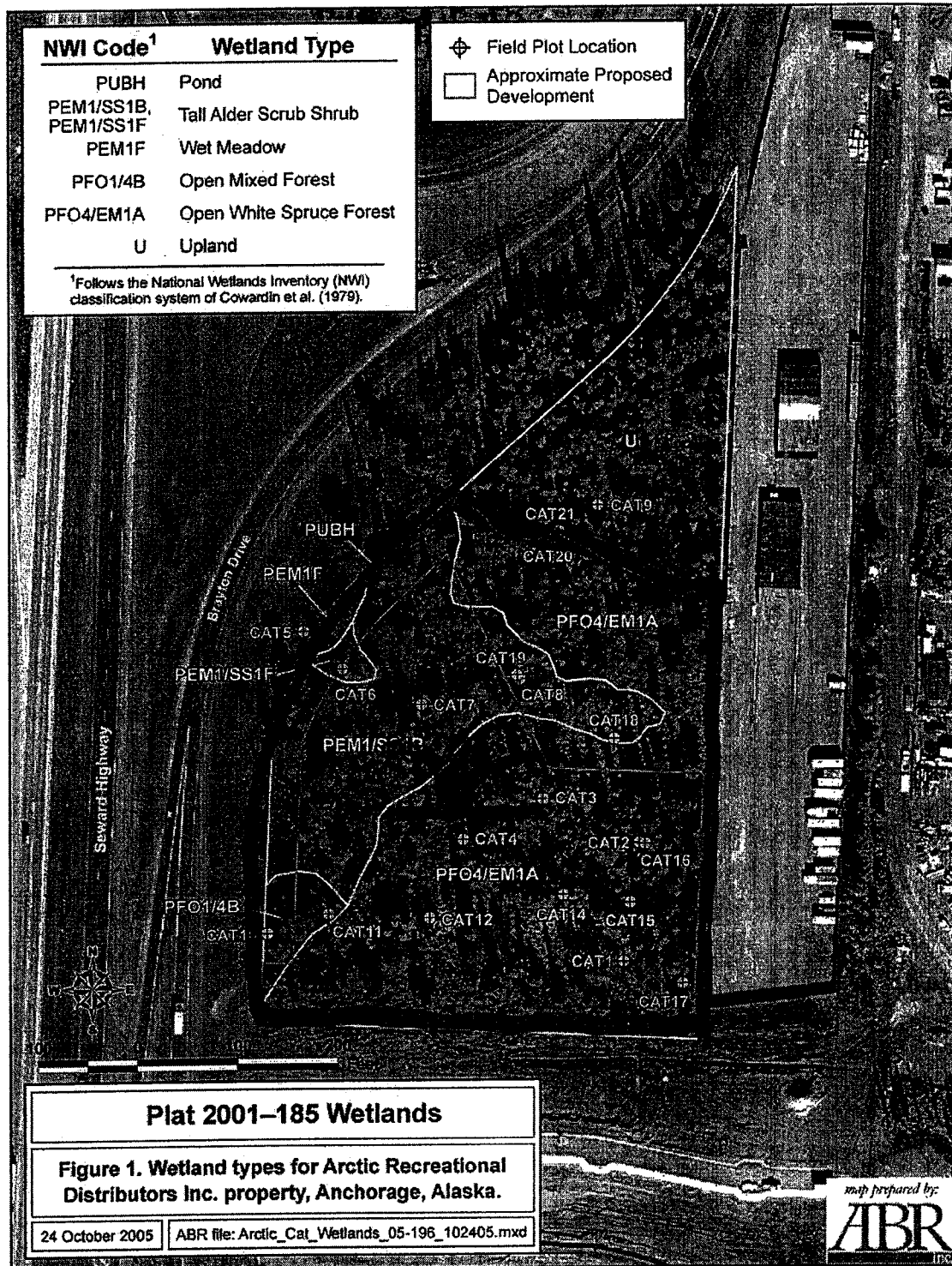
0 500 1000 Feet

Date: November 15, 2005

Date of Aerial Photography: 2001

056

Figure 1. Wetland types for Tract A1, Plat No. 2001-85, Anchorage Alaska, 2005.



**DEPARTMENTAL
COMMENTS**

Reviewing Agency Comment Summary Case No.: 2006-002

Agency	Comments Included in Packet	No Comments and/or Objections	No Response
Air Pollution Control			
Alaska DDC			
Alaska Division of Recreation			
Alaska DOT/AD			
Anchorage Police Department			
AWWA	X		
Conf. Director General	X		
Development Services			
DHS			
Environmental			
DHS Social Services			
Community Council			
Fire Prevention		X	
Flood Hazard		X	
MUR			
On-Site Water & Wastewater		X	
Parks and Recreation			
Physical Planning	X		
Project Mgt & Engineering	X		
Right-of-Way		X	
School District			
Transit		X	
Utility			
Urban & Transportation Planning	X		

MUNICIPALITY OF ANCHORAGE
Anchorage Water & Wastewater Utility

M E M O R A N D U M

RECEIVED

NOV 22 2005

Municipality of Anchorage
Zoning Division

DATE: November 21, 2005
TO: Zoning and Platting Division, OPDPW
FROM: Hallie Stewart, Engineering Technician, AWWU *H Stewart*
SUBJECT: Planning & Zoning Commission Hearing January 9, 2006
AGENCY COMMENTS DUE December 12, 2006

AWWU has reviewed the case material and has the following comments.

06-001 Providence Chester Creek, Tract A (conditional use) Grid 1735

1. AWWU has no objection to the proposed conditional use.
2. All changes, additions and deletions to water and sanitary sewer mains and service lines must be reviewed and approved by AWWU prior to any excavation.

06-002 Parcel of land located at the SE corner of Abbott Road and New Seward Highway and described in Warranty Deed recorded at the Anchorage Recording District and identified as document number 2005-034742-0. (rezone) Grid 2332

1. Water and sanitary sewer availability must be resolved with AWWU.
2. AWWU has no objection to the proposed rezone.

06-003 Stephens, Tracts 3 & 4 (rezone) Grid NW1359

1. AWWU water and sanitary sewer mains are not available to the referenced parcel.
2. AWWU has no comments on the proposed rezone.

06-004 T13N, R3W, Sec 22, NW4SW4, Parcel 4 (site plan review) Grid 1536

1. AWWU water and sanitary sewer are available to the referenced parcel.
2. Existing water and sanitary sewer lines should be taken into consideration when placing relocatables.

If you have any questions, call me at 343-8009 or the AWWU Planning at 564-2739.

RECEIVED

DEC 13 2005

Municipality of Anchorage
Zoning Division

**Municipality of Anchorage
MEMORANDUM**

DATE: December 13, 2005
TO: Jerry Weaver, Manager, Zoning and Platting Division
FROM: Brian Dean, Code Enforcement Manager
SUBJECT: Land Use Enforcement Review Comments, Planning and Zoning Commission case for the meeting of January 9, 2006

Case #: 2005-002
Type: Rezoning from I-1SL to I-1
Subdivision: T12N R3W Sec 8 Parcel 32A REM
Grid: 2332
Tax ID #: 014-271-05
Zoning: I-1

Platting: BLM plat, accepted August 7, 1917

Lot area and width: AMC 21.40.200.F: "Minimum lot requirements are as follows:

1. Area: 6,000 square feet;
2. Width: 50 feet."

The lot meets the minimum area and width requirements.

Minimum lot dimensions: The depth of a lot shall be at least 100 feet. The width of a corner lot shall be at least 50 feet. The width of a lot shall be at least one-third the depth of the lot.

The lot meets the width, depth, and width-to-depth ratio requirements of AMC 21.80.300.

Width of driveways: The site plan meets the requirements of AMC 21.80.330.D: "The total width of driveway entrances to a lot from a street shall not exceed two-fifths of the frontage of that lot on that street, or one-third of the frontage if the platting authority finds that conditions warrant it, unless the subdivider provides for snow storage in a manner approved by the platting authority." If the platting authority finds that snow storage has been provided in an acceptable manner (and the two-fifths limitation therefore does not apply,) it should so indicate in a plat note. If the platting authority finds that conditions warrant limiting driveways to one-third of lot width, it should so indicate in a plat note.

OS&HP setbacks: The property does not adjoin any classified street.

Yard requirements: AMC 21.40.200.G: "Minimum yard requirements are as follows:

1. Front yard: Ten feet.
2. Side and rear yard: None, except that, where a lot adjoins a residential district, a side or rear yard shall be provided equal to that required in the adjoining residential district. If a side or rear yard is provided elsewhere, it shall be not less than five feet in width."

Yard requirements will be addressed during the building permit process when the property is developed.

Lot coverage: AMC 21.40.200.H: "Maximum lot coverage by all buildings is unrestricted."

Lot coverage requirements will be addressed during the building permit process when the property is developed.

Separation between buildings: AMC 21.45.030.B requires ten feet of separation between principal and detached accessory buildings.

Clear vision area: A clear vision area, as defined in AMC 21.45.020.A, applies to this property.

Legal nonconformities: None have been established with Land Use Enforcement.

Enforcement actions: No land use cases are listed in CETS.

Use determination: Property tax records indicate vacant land.

Ownership history: Property tax records indicate the current owner acquired the property May 25, 2005.

Permits: No Building permits were found.

Building height: AMC 21.40.200.I: "Maximum height of structures is unrestricted, except that structures shall not interfere with Federal Aviation Administration regulations on airport approaches, and provided further that, within 50 feet of any residential district boundary, no portion of any structure shall exceed the pertinent height limitations of the residential district."

Building height will be addressed during the building permit process when the property is developed.

Off-street parking: AMC 21.45.080.X.7: "The off-street parking area, including all points of ingress and egress, shall be constructed in accordance with the following standards:
a. A parking area related to any use within an urban or suburban use district, as defined in section 21.85.020, shall be paved with a concrete or asphalt compound to standards prescribed by the traffic engineer."

b. A parking area related to any use within a rural use district, as defined in section 21.85.020, shall be paved with a concrete or asphalt compound to standards prescribed by the traffic engineer or shall be covered with a layer of crushed rock of no more than one inch in diameter to a minimum depth of three inches."

Parking requirements will be addressed during the building permit process when the property is developed.

Off-street loading: Loading requirements will be addressed during the building permit process when the property is developed.

Landscaping requirements: AMC 21.40.200.M: "Landscaping.

1. Buffer landscaping. Buffer landscaping shall be planted or a screening structure placed and visual enhancement landscaping planted along each lot line adjoining a residential district.
2. Visual enhancement landscaping. Visual enhancement landscaping shall be planted along each lot line adjoining a right-of-way designated for collector or greater capacity on the official streets and highways plan.
3. Maintenance. All landscaping shall be maintained by the property owner or his designee."

AMC 21.40.200.B.2.n.1: "Any open storage or repair yard, excluding yards for orderly display of new or reconditioned heavy equipment, shall be entirely enclosed within a fence at least eight feet high. The fence shall be of chain link, concrete block or other appropriate construction approved by the administrative official. The fence shall be maintained in a sound and orderly condition, and shall be kept free of any advertising matter other than signs permitted by this title."

Screening along major highways: This property is subject to the provisions of AMC 21.45.130.A.2: "Except as provided in subsection 3 of this subsection, the requirements in this section apply to all lots in the PLI, R-3, R-4, R-O, PC, B-1A, B-3, B-4, I-1, I-2, I-3 and T use districts:

- a. Adjacent to the right-of-way of the New Seward Highway, or to streets serving as its frontage roads, south of 44th Avenue and north of Potter Road ..."

Fences: AMC 21.45.110.A: "A fence may be constructed at the lot line, provided, however, that front yard fences in residential zoning districts shall not exceed four feet in height"

Signs: All signs shall conform to the requirements of AMC 21.47.

Access: Access is shown to Brayton Drive, which complies with the requirements of AMC 21.45.040.

Stream protection setbacks: The property does not adjoin any stream protected by AMC 21.45.210.

Wetlands: Map 69 shows the property is affected by class C wetlands. An opinion of compliance from the Planning Department is required for work on the property.

Seismic hazard: The property is not within an area of high ground failure susceptibility.

Storm drainage: AMC 21.45.230: "Prior to the issuance of a building or land use permit, the applicant shall provide a site drainage plan for the area affected by the application, including an appropriate drainage outfall for surface water and roof drainage. The drainage plan shall also indicate effects if any, on adjacent properties."

Recommendations: If approval of this case is granted, Land Use Enforcement recommends the following:

Land Use Enforcement has no adverse comment regarding this case.

(Reviewer: Jillanne Inglis)

District Development. Guidelines are provided for a mix and arrangement of uses, building mass, building orientation, building articulation, public art, and materials and signage.

District Open Space. The use of landscape buffers, native landscapes, habitat protection and other open space issues are addressed.

District Access, Circulation and Parking. General standards are listed for roadway design, transportation management, transit, pedestrian and bicycle access, service access, and parking facilities.

Recommendation: An effective clause or special limitation for an Administrative Review incorporating design guidelines from the *U-Med Plan*, pgs. 40-44. The final building and amenities configurations must reflect conditions and restrictions from the Corps permit.

2006-002

Rezoning to I-1 Light Industrial District

Physical Planning Division does not support removal of the I-1 special limitations. The special limitations for right-of-way dedication and screening are particularly relevant in development of this site. The 'C' wetlands located toward the ~~northwest~~^{southern} portion of the site have been recently delineated and cover a larger area than previously shown. The property drains via pipe to Campbell Creek. Wetlands and hydrology need to be addressed in the development of this site.

In the event that a replat is not required, there should be a special limitation added that resolves access and drainage through a documented easement or public use easement. This should be resolved with PM&E and Traffic Engineering.

2006-003 Rezoning to R-7 Intermediate Rural Residential District (Eagle River)

This item will be addressed under separate cover.

2006-006 Ordinance Amendment for land clearing of undeveloped contiguous lots

Physical Planning Division supports the ordinance amendment.

Case No. 2006-002 Dunham Rezone

Department Recommendations:

Special Limitation Number One:

Project management and engineering opposes removing special limitation number one.

PM&E will require the dedication of ROW along the southern 30 feet of the subject parcel during the replat. Existing roads in this area are quite primitive and are incapable of safely supporting the increased traffic the site would generate. Drainage problems in this area are exacerbated by the lack of a piped storm drain system. Replat will provide the opportunity to require access and drainage improvements.

Future driveway access from this parcel to Brayton Drive is a safety concern for PM&E, Traffic, and ADOT. Dedicating ROW would permit driveway access to the south onto Otis Place instead of to the west onto Brayton.

Special Limitation Number Two:

No comment.

Special Limitation Numbers Three and Four:

Project management and engineering opposes removing both of these SL's for the reasons given above.

Case No. 2006-003

Additional Right of Way Dedication Requirements:

The petitioner shall dedicate a temporary public use easement for an emergency access turnaround designed in accordance with approved Fire Department turnaround requirements. This temporary easement shall be automatically vacated upon the extension of Barbara Street.

Department Recommendations:

Project management and engineering recommends approval of this case subject to the above condition.

Case No. 2006-006

No comment.

Pierce, Eileen A

*Jire***RECEIVED**

From: Schwan, Martin K.

Sent: Monday, November 21, 2005 11:13 AM

To: Stewart, Gloria I.; Pierce, Eileen A

NOV 21 2005

Municipality of Anchorage
Zoning Division

Permit #	Subdivision	Comments
2006-001	Tract A Providence Chester Creek	No Objection
<u>2006-002</u>		No Objection
2006-003	Stephens Sub., Lot 3&4	No Objection
2006-004	T13N R3W Sec 22 NW4SW4 Par 4	No Objection
S11437-1	Cornerstone	No Objection
S10763-5	Little Campbell Creek Est. aka. Ros Hts	No Objection
S11082-2	Bear Ridge Sub.	No Objection
S11230-2	Lilleston Sub.	No Objection
S11438-1	Simonson tracts Sub.	No Objection
S11439-1	Hillcrest Plaza	No Objection
S11384-2	Galatea Estates	No Objection
S11434-1	Kerby Addn to College Village #3	No Objection
S11435-1	A&A Anderson Sub.	No Objection
S10880-2	Olympic Terrace Sub.	No Objection
S11436-1	Chase Sub.	No Objection

S11440-1 Cross Estates Sub.**Comment**

- 1) Object vacation of Our Road.
- 2) Emergency Access Gate shall meet requirements of Section D103.5, IFC
- 3) Un-named Road accessing Hoffman and Birch Road shall be posted both sides as a FIRE LANE per IFC D103.6.
- 4) Cul-De-Sac greater than 150' in length shall have minimum 40' inside turning radius and minimum 60' outside turning radius per 503.2.4, IFC
- 5) Require water supply shall be per IFC 508.1 or all structures >120 sq. ft. shall be sprinklered.

068



RECEIVED

DEC 12 2005

Municipality of Anchorage
Zoning Division

FLOOD HAZARD REVIEW SHEET for PLATS

Date: 12-09-05

Case: 2006-002

Flood Hazard Zone: C

Map Number: 0243

☐ Portions of this lot are located in the floodplain as determined by the Federal Emergency Management Agency.

☐ AMC 21.15.020 requires that the following note be placed on the plat:

"Portions of this subdivision are situated within the flood hazard district as it exists on the date hereof. The boundaries of the flood hazard district may be altered from time to time in accordance with the provisions of Section 21.60.020 (Anchorage Municipal Code). All construction activities and any land use within the flood hazard district shall conform to the requirements of Chapter 21.60 (Anchorage Municipal Code)."

☐ A Flood Hazard permit is required for any construction in the floodplain.

☒ I have no comments on this case.

Reviewer: Jack Puff



**Municipality of Anchorage
Development Services Department
Building Safety Division**



RECEIVED

MEMORANDUM

DEC 06 2005

DATE: December 6, 2005

TO: Jerry Weaver, Jr., Platting Officer, CPD

**Municipality of Anchorage
Zoning Division**

FROM: *DR* Daniel Roth, Program Manager, On-Site Water and Wastewater Program

SUBJECT: Comments on Cases due December 12, 2005

The On-Site Water & Wastewater Program has reviewed the following cases and has these comments:

2006 - 001 Zoning conditional use for a master plan approval and medical buildings to a master plan approval and medical buildings

No objection

2006 - 002 Rezoning to I-1 Light Industrial district to I-1 Light industrial district with special limitations

No objection

2006 - 003 Rezoning to R-7 Intermediate rural residential district

The On-Site Program has an inspection report for the wastewater system for lot 3. No water well log exists for lot 3. No wastewater disposal system information or a well log exists in our files for lot 4.

The petitioner should hire a professional engineer to coordinate with this office to provide the required information to document these systems.



MUNICIPALITY OF ANCHORAGE

Development Services Department
Right of Way Division



RECEIVED

MEMORANDUM

DEC 13 2005

DATE: December 13, 2005
TO: Planning Department, Zoning and Platting Division
THRU: Jack L. Frost, Jr., Right of Way Supervisor *L*
FROM: Lynn McGee, Senior Plan Reviewer *L*
SUBJ: Request for Comments on Planning and Zoning Commission case(s) for the Meeting of January 9, 2006.

Municipality of Anchorage
Zoning Division

Right of Way has reviewed the following case(s) due December 12, 2005.

06-001 **Providence Chester Creek, Tract A, grid 1735**
(Conditional Use, Master Plan Approval for Medical Buildings)
Right of Way Division has no comments at this time.
Review time 15 minutes.

06-002 **Section 8 T12N R3W, West 450' of the East 1110', grid 2332**
(Rezoning Request, I-1SI to I-1)
Right of Way Division has no comments at this time.
Review time 15 minutes.

06-003 **Stephens, Lots 3&4, grid NW 1359**
(Rezoning Request, B-3 to R-7)
Right of Way Division has no comments at this time.
Review time 15 minutes.

06-006 **Ordinance Amendment**
(Title 21 for Land Clearing of Undeveloped Contiguous Lots)
Right of Way Division has no comments at this time.
Review time 15 minutes.

Pierce, Eileen A

RECEIVED

From: Staff, Alton R.
Sent: Friday, December 16, 2005 4:55 PM
To: Pierce, Eileen A; Stewart, Gloria I.
Cc: Taylor, Gary A.
Subject: Plat and Zoning Case Reviews

DEC 19 2005
Municipality of Anchorage
Zoning Division

S11439-1 People Mover has bus stops on the Old Seward Highway far-side of Lakewood Court adjacent to the plat and far-side of Abbott Road.

S11440-1 This new subdivision is in our DART service area and may be served with 30 foot buses.

The Public Transportation Department has no comment on the following Plats:

S10763-5
S10880-2
S11082-2
S11230-2
S10388-4
S10436-1
S11437
S11438-1
S11442-1
S11443-1
S11444-1
S11445-1

The Public Transportation Department has no comment on the following zoning cases:

2006-003

2006-002

Thank you for the opportunity to review.

Alton Staff, Operations Supervisor
Public Transportation Department
People Mover
907-343-8230
Right Fax 907-249-7492

3

APPLICATION

Application for Zoning Map Amendment

Municipality of Anchorage
Planning Department
PO Box 196650
Anchorage, AK 99519-6650

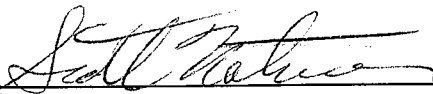
Please fill in the information asked for below.

PETITIONER*	PETITIONER REPRESENTATIVE (IF ANY)
Name (last name first) Dunham, Dennis & Florence (Owners)	Name (last name first) Nations, Scott (R&M Consultants, Inc.)
Mailing Address PO Box 90062	Mailing Address 9101 Vanguard Drive
Anchorage, Alaska 99509	Anchorage, Alaska 99507
Contact Phone: Day: 272-5351 Night:	Contact Phone: Day: 646-9636 Night:
FAX:	FAX: 522-3403
E-mail:	E-mail: snations@rmconsult.com

*Report additional petitioners or disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

PROPERTY INFORMATION
Property Tax #(000-000-00-000): 014-271-05-00-06
Site Street Address: None
Current legal description: (use additional sheet if necessary) See attached warranty deed REZONE FROM I-1 SL TO I-2
Zoning: I-1SL Acreage: 6.025 Grid # SW2332

I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I petition to rezone it in conformance with Title 21 of the Anchorage Municipal, Code of Ordinances. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the rezoning. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff, the Planning and Zoning Commission or the Assembly for administrative reasons.

Date 9/27/2005	Signature (Agents must provide written proof of authorization) 
--------------------------	---

Accepted by: AC	Poster & Affidavit: AC	Fees: \$8,000	Case Number: 2005-0002
------------------------	-------------------------------	----------------------	-------------------------------

Application for Zoning Map Amendment continued

COMPREHENSIVE PLAN INFORMATIONAnchorage 2020 Urban/Rural Services: ☒ Urban ☐ RuralAnchorage 2020 West Anchorage Planning Area: ☐ Inside ☒ Outside

Anchorage 2020 Major Urban Elements: Site is within or abuts:

- ☐ Major Employment Center ☐ Redevelopment/Mixed Use Area ☐ Town Center
☐ Neighborhood Commercial Center ☐ Industrial Center
☐ Transit - Supportive Development Corridor

Eagle River-Chugiak-Peters Creek Land Use Classification:

- ☐ Commercial ☐ Industrial ☐ Parks/opens space ☐ Public Land Institutions
☐ Marginal land ☐ Alpine/Slope Affected ☐ Special Study
☐ Residential at _____ dwelling units per acre

Girdwood- Turnagain Arm

- ☐ Commercial ☐ Industrial ☐ Parks/opens space ☐ Public Land Institutions
☐ Marginal land ☐ Alpine/Slope Affected ☐ Special Study
☐ Residential at _____ dwelling units per acre

ENVIRONMENTAL INFORMATION (All or portion of site affected)

- Wetland Classification: ☐ None ☐ "C" ☐ "B" ☐ "A"
 Avalanche Zone: ☒ None ☐ Blue Zone ☐ Red Zone
 Floodplain: ☒ None ☐ 100 year ☐ 500 year
 Seismic Zone (Harding/Lawson): ☐ "1" ☐ "2" ☒ "3" ☐ "4" ☐ "5"

RECENT REGULATORY INFORMATION (Events that have occurred in last 5 years for all or portion of site)

- ☐ Rezoning - Case Number:
☐ Preliminary Plat ☐ Final Plat - Case Number(s):
☐ Conditional Use - Case Number(s):
☐ Zoning variance - Case Number(s):
☐ Land Use Enforcement Action for
☐ Building or Land Use Permit for
☐ Wetland permit: ☐ Army Corp of Engineers ☐ Municipality of Anchorage

APPLICATION ATTACHMENTS

- Required: ☒ Area to be rezoned location map ☐ Signatures of other petitioners (if any)
☒ Narrative statement explaining need and justification for the rezoning; the proposed land use and development; and the probable timeframe for development.
☐ Draft Assembly ordinance to effect rezoning.
- Optional: ☐ Building floor plans to scale ☐ Site plans to scale ☐ Building elevations
☐ Special limitations ☐ Traffic impact analysis ☐ Site soils analysis
☐ Photographs

APPLICATION CHECKLIST

1. Zoning map amendments require a minimum of 1.75 acres of land excluding right-of-way or a boundary common to the requested zone district.
2. The petitioning property owner(s) must have ownership in at least 51% of property to be rezoned.



Municipality of Anchorage
Department of Community Planning and Development
P.O. Box 196650
Anchorage, Alaska 99519-6650

STANDARDS FOR ZONING MAP AMENDMENTS

The petitioner must provide a written narrative which addresses the following standards. Zoning map amendment applications which do not address these items will be considered invalid and will not be accepted for public hearing by the Department of Community Planning and Development. (Use additional paper if necessary).

A. Conformance to Comprehensive Plan.

1. If the proposed zoning map amendment does not conform to the land use classification map contained in the applicable Comprehensive Plan, explain how the proposed rezoning meets one or more of the following standards:
 - a. The proposed use is compatible because of the diversity of uses within the surrounding neighborhood or general area;
 - b. The proposed use may be made compatible with conforming uses by special limitations or conditions of approval concerning such matters as access, landscaping, screening, design standards and site planning; or
 - c. The proposed use does not conflict with the applicable Comprehensive Development Plan goals and policies.

THIS PROPERTY CONFORMS TO THE LAND USE CLASSIFICATION
MAP. THE ATTACHED SITE PLAN CONFORMS TO THE POLICY
27.

2. If the proposed zoning map amendment does not conform to the generalized intensity (density) of the applicable Comprehensive Plan map, explain how the proposed rezoning meets the following standards:
 - a. In cases where the proposed rezoning would result in a greater residential intensity (density), explain how the rezoning does not alter the plan for the surrounding neighborhood or general area, utilizing one of the following criteria:
 - i. The area is adjacent to a neighborhood shopping center, other major high density mode, or principal transit corridor.
 - ii. Development is governed by a Cluster Housing or Planned Unit Development site plan.

N/A

- b. In cases where the proposed rezoning would result in a lesser residential intensity (density), explain how the rezoning would provide a clear and overriding benefit to the surrounding neighborhood.

N/A

- c. Explain how the proposed residential density conforms with the applicable Comprehensive Development Plan goals and policies pertaining to the surrounding neighborhood or the general area.

N/A

- B. A zoning map amendment may be approved only if it is in the best interest of the public, considering the following factors:

1. Describe the effect of development under the amendment and the cumulative effect of similar development on (a) the surrounding neighborhood, (b) the general area, and (c) the community with respect to the following (The discussion should include the degree to which proposed special limitations will mitigate any adverse effect.):

a. Environment;

THIS PROPERTY HAS BEEN INDUSTRIAL ZONED FOR MANY YEARS AND WILL BE USED FOR LIGHT INDUSTRIAL AND RETAIL SALES AND WILL HAVE VERY LIGHT IMPACT.

b. Transportation;

SEE ATTACHED NARRATIVE -

c. Public Services and Facilities;

ALL PUBLIC SERVICES AND FACILITIES ARE AVAILABLE TO THIS SITE.

d. Land Use Patterns;

MUCH OF THE INDUSTRIAL PROPERTY IN THE AREA HAS BEEN DEVELOPED. THIS REQUEST IS NOT TO CHANGE THE CLASSIFICATION IT IS TO CLEAN UP THE SPECIAL LIMITATIONS THAT CURRENTLY EXIST.

Note: Surrounding neighborhood = 500 - 1000' radius
General Area = 1 Mile radius
Community = Anchorage as a whole

2. Quantify the amount of undeveloped (vacant) land in the general area having the same zoning or similar zoning requested by this application. Explain why you feel the existing land is not sufficient or is not adequate to meet the need for land in this zoning category?

SEE "D" ABOVE. SITE IS PROPERLY ZONED WITH THE EXCEPTION OF THE SPECIAL LIMITATION WHICH ARE NO LONGER RELEVANT.

3. When would development occur under the processed zoning? Are public services (i.e., water, sewer, street, electric, gas, etc.) available to the petition site? If not, when do you expect that it will be made available and how would this affect your development plans under this rezoning?

THE ESTIMATE OF CONSTRUCTION WILL FOLLOW THE APPROVAL OF THE REZONING REQUEST.

4. If the proposed rezoning alters the use of the property from that which is indicated in the applicable Comprehensive Plan, explain how the loss of land from this use category (i.e., residential, commercial, industrial) might be regained elsewhere in the community?

THERE WILL BE NO CHANGE TO THE LAND USE CATEGORY.

**NARRATIVE STATEMENT FOR REZONING OF
DENNIS & FLORENCE DUNHAM LIVING TRUST PROPERTY
PROPERTY TAX No. 014-271-05-000-06**

Project Description

The subject property is approximately 6 acres of gently sloping, forested land located near the intersection of East Dimond Boulevard and the New Seward Highway. The current zoning is I-1 SL. The property is bounded on the north by the New Seward Highway northbound off ramp, on the east by I-1 zoned land, on the south by R-3 zoned land, and on the west by Brayton Drive and the New Seward Highway northbound off ramp. Current access to the property is from Brayton Drive.

The proposed development of the site is for a snow machine and all-terrain vehicle dealership within a 100 foot by 115 foot show room located on the westerly half of the property. Future plans include facilities for storage of snow machines and all-terrain vehicle along the east boundary of the property.

The adjacent properties have been developed as follows: on the north and west sides by the New Seward Highway, on the east side by a storage rental facility, and on the south side by a single family condominium project.

Purpose of Request

The purpose of the rezoning request is to remove Items 1 through 4 of the special limitations placed on the property in 1980 by Anchorage Ordinance AO No. 80-161. The limitations of AO No. 80-161 (*italicized*) are listed below:

1. *A 30 foot wide right-of-way easement shall be provided along the southern boundary line of the subject property for future expansion of Otis Place.*
2. *Section 21.40.200 B. 1. Permitted principal uses – commercial*
Delete paragraphs
 - ii. *“Automobile display lots, new and used”*
 - jj. *“Mobile home display lots, new and used”*
 - rr. *“bus terminals and air passenger terminals”*

Section 21.40.200 B. 2. Permitted principal uses – industrial
Delete paragraphs

- b. Beverage manufacture, including breweries*
- c. Cleaning, laundry, or dyeing plants*
- k. Steel fabrication shops or yards*
- m. Utility installations*
- n. Warehousing, including open storage or repair yards, shall be permitted only within eastern half of subject property (toward Erin Street) specifically within area dimensioned as follows: east of a vertical line drawn 185 feet in from eastern property line and extending from northern to southern property lines. The required fencing for such warehousing shall be opaque.*

Traffic

access to the site from Dimond Blvd exists, but is not constructed to a standard that will support the added traffic generated by the new development.

Second, it is a necessary requirement to have Public Works Engineering review development construction plans for drainage related problems. There are existing drainage problems in the immediate area.

06-003 Stephens; Rezone from B3 to S7

Traffic has no comment.

06-006 Ordinance Amending Title 21

Traffic has no comment.



MUNICIPALITY OF ANCHORAGE
Traffic Department



MEMORANDUM

DEC 12 2005

Municipality of Anchorage
Zoning Division

DATE: December 12, 2006
TO: Jerry T. Weaver, Platting Supervisor, Planning Department
THRU: Leland R. Coop, Associate Traffic Engineer
FROM: Mada Angell, Assistant Traffic Engineer
SUBJECT: Comments, January 9, 2006 Planning & Zoning commission

06-001 Providence Chester Creek; Conditional Use for a Master Plan; Grid 1735

Requires a current Traffic Impact Analysis approved by the Municipal Traffic Engineer

06-002 Portions of Sec 8; Rezone from I-1SL to I-1; Grid 2332

- Traffic Department does not support the removal of the Special Limitations for this Deeded Parcel. Drainage issues and vehicular access issues surrounding this parcel require that these Special Limitations remain in place...
- Special Limitation Number 1 continues to be a relevant requirement to development. Although it is not desirable to extend Otis Place West to the State DOT owned Seward Highway, it is desirable to have at least 30' of Municipal owned right of way along the south boundary of this parcel. There are drainage problems in the immediate area and the right of way will be used by the Municipality for mitigation of the drainage problems.
- Special Limitation Number 3 continues to be a relevant requirement to development. Both the Municipality and the State DOT have issues and concerns with how this development gets its access. Access to the parcel from the Seward Highway off-ramp should not be approved. The State DOT and the Municipal Traffic Engineer agree that to construct an access from this parcel to the State rights of way would compromise the safety of vehicles traveling on the Seward Highway.
- Special Limitation Number 4 continues to be a relevant requirement to development. Number 4 is actually a 2-pronged requirement.

First, the requirement to replat would allow the Municipality to have access, constructed to Municipal Standards, to the site from Dimond Blvd. At this time

NARRATIVE STATEMENT FOR REZONING
(continued)

Section 21.40.200 D. Conditional uses. Delete the following paragraphs:

- 2. Airstrips and heliports*
- 4. Natural resource extraction on tracts not less than five acres*
- 5. Camper parks*

Section 21.40.200 G. Minimum yard requirements.

50 foot building setback to be provided along New Seward Highway frontage road property line.

25 foot building setback to be provided along the northern easement line for Otis Place extended. (55 foot actual depth from current southern boundary line) as long as adjacent property to south is residentially zoned.

10 foot vegetated screening easement (to be reviewed and approved by zoning staff) to be provided to south along northern easement line of Otis Place extended.

Section 21.40.200 I. Maximum height of structures.

Four storied to a maximum of 50 feet.

- 3. Future access to parcel shall be resolved with Municipal Traffic Engineering Department and the Alaska Department of Transportation*
- 4. Prior to any development upon site, land shall be replatted to resolve access and provide circulation. Any proposed construction plans shall be reviewed by Public Works Engineering for drainage related problems.*

Justification for Request

Item numbers below correspond to those given in AO 81-161 above.

- 1. Given the present configuration of the Dimond – New Seward Highway interchange it seems unlikely that ADOT&PF would approve a major extension of Otis Place onto Brayton Drive. Meeting current requirements for road width standards would likely involve acquisition of an additional 30 feet from the property on the south, an unlikely prospect given the development of that site for residential housing. At this time, businesses located in the subdivision to the east have access to Dimond Boulevard via Corbin Drive and Erin Street. The single family condominiums to the south access the New Seward Highway & Dimond Boulevard via Brayton Drive.
- 2. Rezoning the parcel to I-1 without special restrictions is consistent with development which has occurred on the east and south sides of the parcel since 1980. The residential community to the south is bounded by I-1 zoned lands to its east and a portion of its north sides. Given these

NARRATIVE STATEMENT FOR REZONING
(continued)

circumstances, there is no compelling reason to maintain the ordinance limitations on this property.

3. Access to the parcel from Brayton Drive presently exists near the southwest corner of the property. The proposed development would utilize this existing access.
4. As outlined in items 1 & 3 above, access and circulation issues are moot. Therefore, re-platting serves no useful purpose.



2. 05-034742-0

Recording Dist: 301 - Anchorage
5/25/2005 2:01 PM Pages: 1 of 2

A
L
A
S
K
A



CC

STATE OF ALASKA
Anchorage Recording District
WARRANTY DEED

The Grantors, Dennis N. Dunham and Florence M. Dunham, husband and wife, whose current address is P.O. Box 90062, Anchorage, Alaska 99509, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, convey and warrant to Grantee, "Dennis and Florence Dunham Living Trust, dated June 27, 2001", whose current address is P.O. Box 90062, Anchorage, Alaska 99509, and to its heirs and assigns forever, all his right, title and interest in that certain real estate situated in the Anchorage Recording District, Third Judicial District, State of Alaska, and more particularly described as follows:

The West 450 feet of the East 1,110 feet of the North ½ of the Southwest ¼ of Section 8, Township 12 North, Range 3 West, Seward Meridian, Alaska, Records of the Anchorage Recording District, Third Judicial District, State of Alaska.

EXCEPTING THEREFROM that portion of said premises taken by the State of Alaska for highway purposes by Declaration of Taking, recorded April 22, 1969 in Miscellaneous Records, Book 171 at Page 448.

AND

~~EXCEPTING THEREFROM~~ that portion of said premises taken by the State of Alaska for highway purposes by Declaration of Taking, recorded February 15, 1996 in Book 2888 at Page 396.

SUBJECT TO reservations, exceptions, easements, covenants, conditions and restrictions of record, if any.

GRANTORS assume all responsibility for the accurateness of the legal description and stated title owner contained herein.

Dated this 17 day of May, 2005.

Dennis N. Dunham
Dennis N. Dunham

Florence M. Dunham
Florence M. Dunham

ACKNOWLEDGEMENT

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

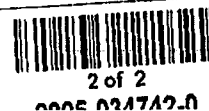
THIS IS TO CERTIFY that on the 17 day of May, 2005, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Dennis N. Dunham and Florence M. Dunham, to me known and known to me to be the identical individuals described in and who executed the within and foregoing Warranty Deed and acknowledged to me that it is being signed freely and voluntarily for the uses and purposes therein mentioned.

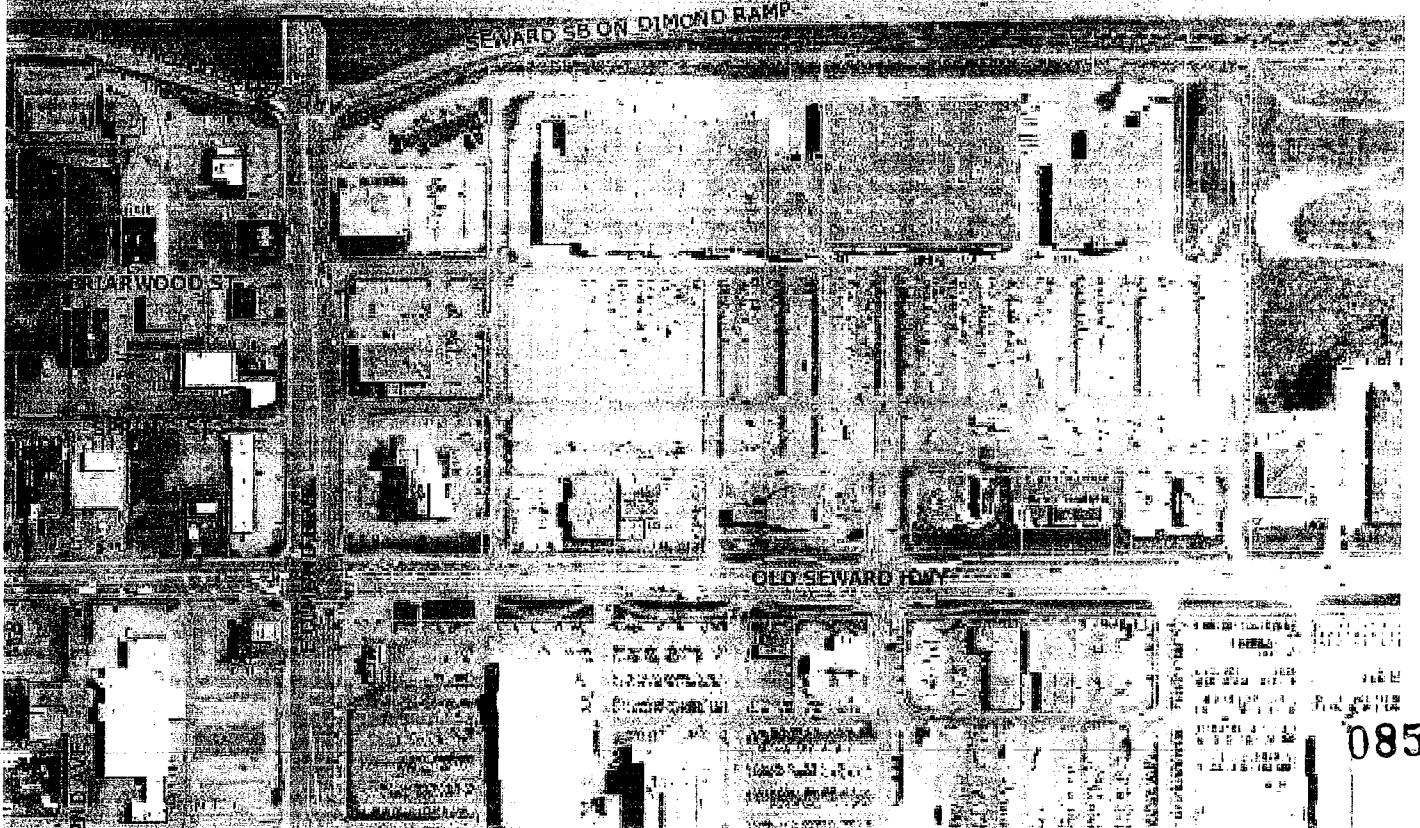
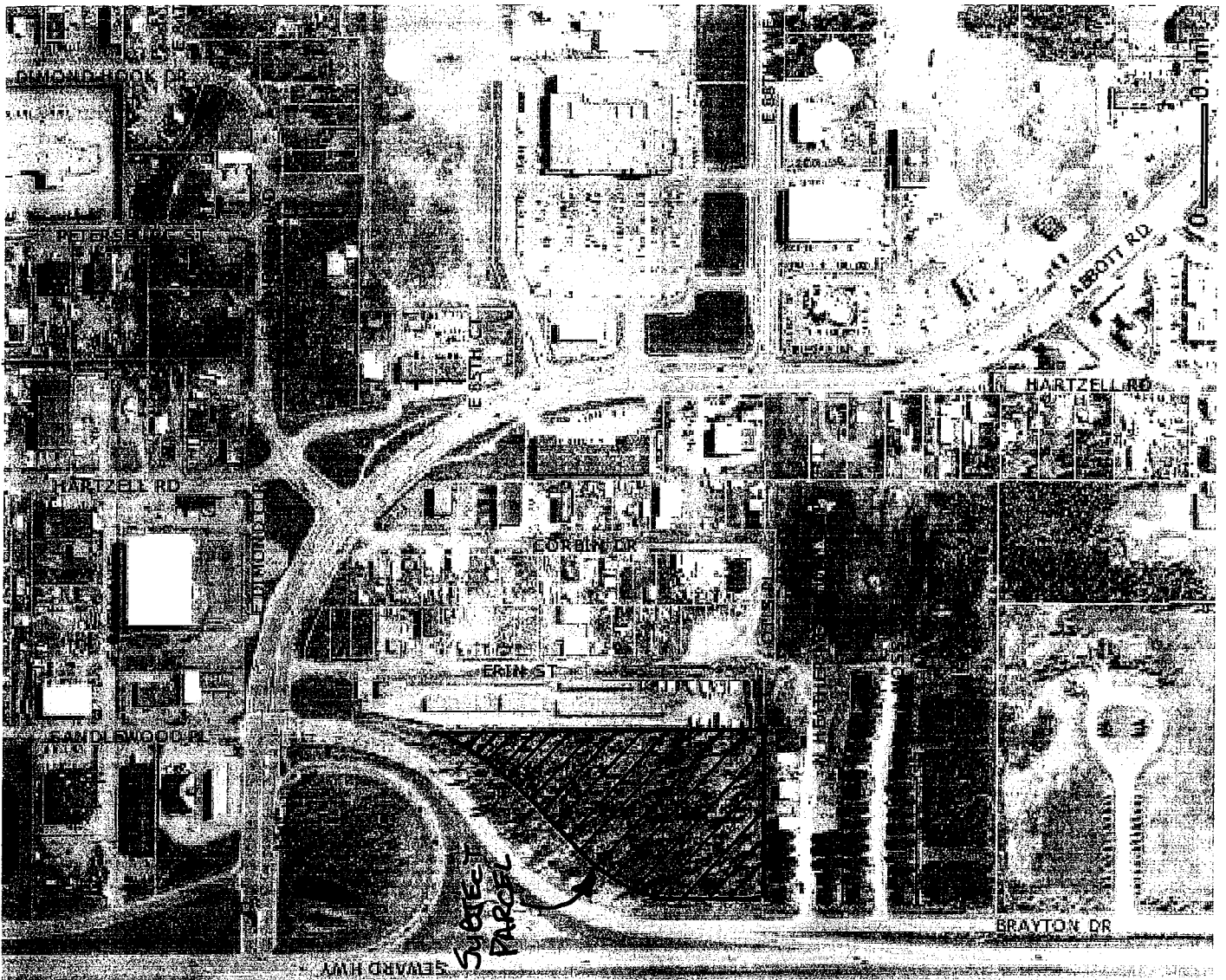
GIVEN UNDER MY HAND and official seal the day and year last above written.

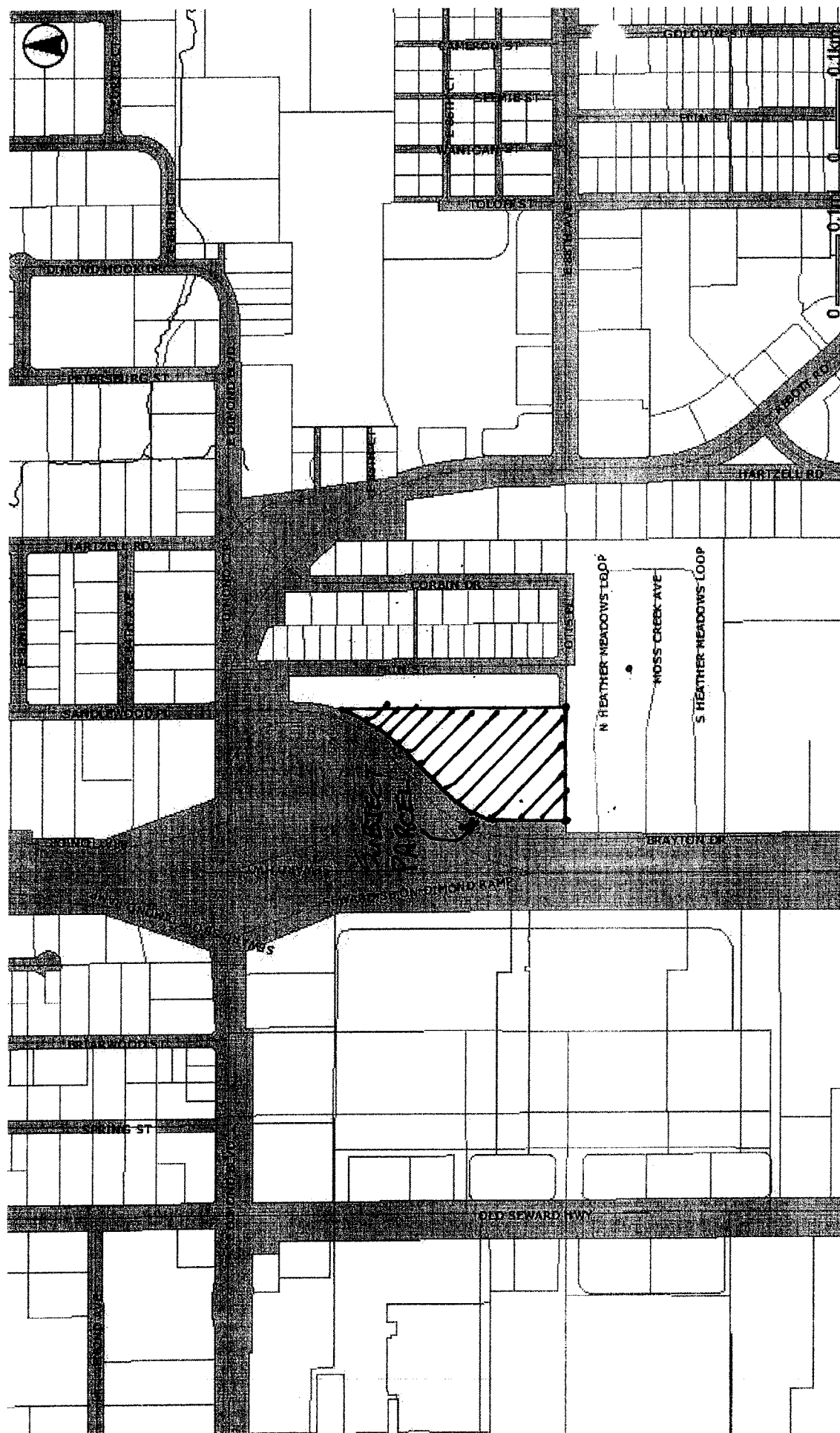


Kerry O'Connor
Notary Public in and for Alaska
My Commission Expires: *4/12/07*

After Recording Please Return To:
Dennis N. Dunham
P.O. Box 90062
Anchorage, AK 99509







087



4

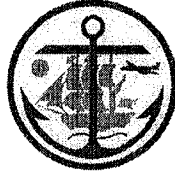
POSTING

AFFIDAVIT

RECEIVED

DEC 01 2005

PLANNING DEPARTMENT



AFFIDAVIT OF POSTING

CASE NUMBER: 2006-002

I, LENDE C. STORY hereby certify that I have posted a **Notice of Public Hearing** as prescribed by Anchorage Municipal Code 21.15.005 on the property that I have petitioned for _____. The notice was posted on 10/31/05 which is at least 21 days prior to the public hearing on this petition. I acknowledge this Notice(s) must be posted in plain sight and displayed until all public hearings have been completed.

Affirmed and signed this 29 day of NOVEMBER, 2005

Lenelle C. Story
Signature

LEGAL DESCRIPTION

Tract or Lot _____

Block _____

Subdivision _____

HISTORICAL INFORMATION

appropriate dimensions; h) details shall show appropriate mulch and application. COMMISSIONER MITCHELL seconded.

COMMISSIONER PUCKETT supported the motion, feeling that the conditions as stated appropriately cover all the items.

AYE: Ania, Mitchell, Burkhart, Joyner, Urfer, Puckett, Kemplen

NAY: None

ABSTAIN: Cyra-Korsgaard

PASSED

- b. 2005-107 Arctic Recreational Distributors Inc. An Urban Design Commission Landscape Review for Highway Screening. T12N R3W, S.M., AK, West 450 feet, East 1110 feet, N1/2, SW1/4, Section 8, Parcel 32A. Located at 3074 Commercial Drive.

Staff member SHARON FERGUSON The project site is located on the east side of the New Seward Highway between Abbott Road to the north and Academy Drive on the south. This proposal concerns the construction of a building for a recreational vehicle distributorship. The business will sell and service four-wheelers, snowmobiles, motorcycles, watercraft, and accessories. The Planting Schedule should be revised to show shrub height a minimum of 2.5 feet rather than the 24" shown. Staff asked for a note regarding the ratio of height to spread for the White Spruce.

The public hearing was opened.

DEBRA with Earthscape, representing the petitioner, accepted the Staff conditions.

COMMISSIONER URFER asked what are the zoning special limitations on the property. MS. FERGUSON stated she reviewed those special limitations and talked to the project manager and it seems there had been a narrow parcel along the frontage road to which those special limitations applied, but it has been taken as right-of-way so that parcel no longer exists.

The public hearing was closed.

COMMISSIONER CYRA-KORSGAARD moved to accept UDC case 2005-106 as satisfying the requirements for Screening Provisions for Major Highways, subject to Staff conditions 1 through 5. COMMISSIONER seconded. COMMISSIONER PUCKETT seconded.

COMMISSIONER CYRA-KORSGAARD supported her motion, noting that the submittal meets all requirements for highway screening landscaping and, with the 5 conditions recommended by Staff, she felt it should go forward.

AYE: Ania, Mitchell, Cyra-Korsgaard, Burkhart, Joyner, Urfer,
Puckett, Kemplen

NAY: None

PASSED

- c. **2005-111** Land Design North. An Urban Design
Commission Landscape Plan Review for
Bayshore Drive from W.100th Avenue to
Discovery Bay Drive.

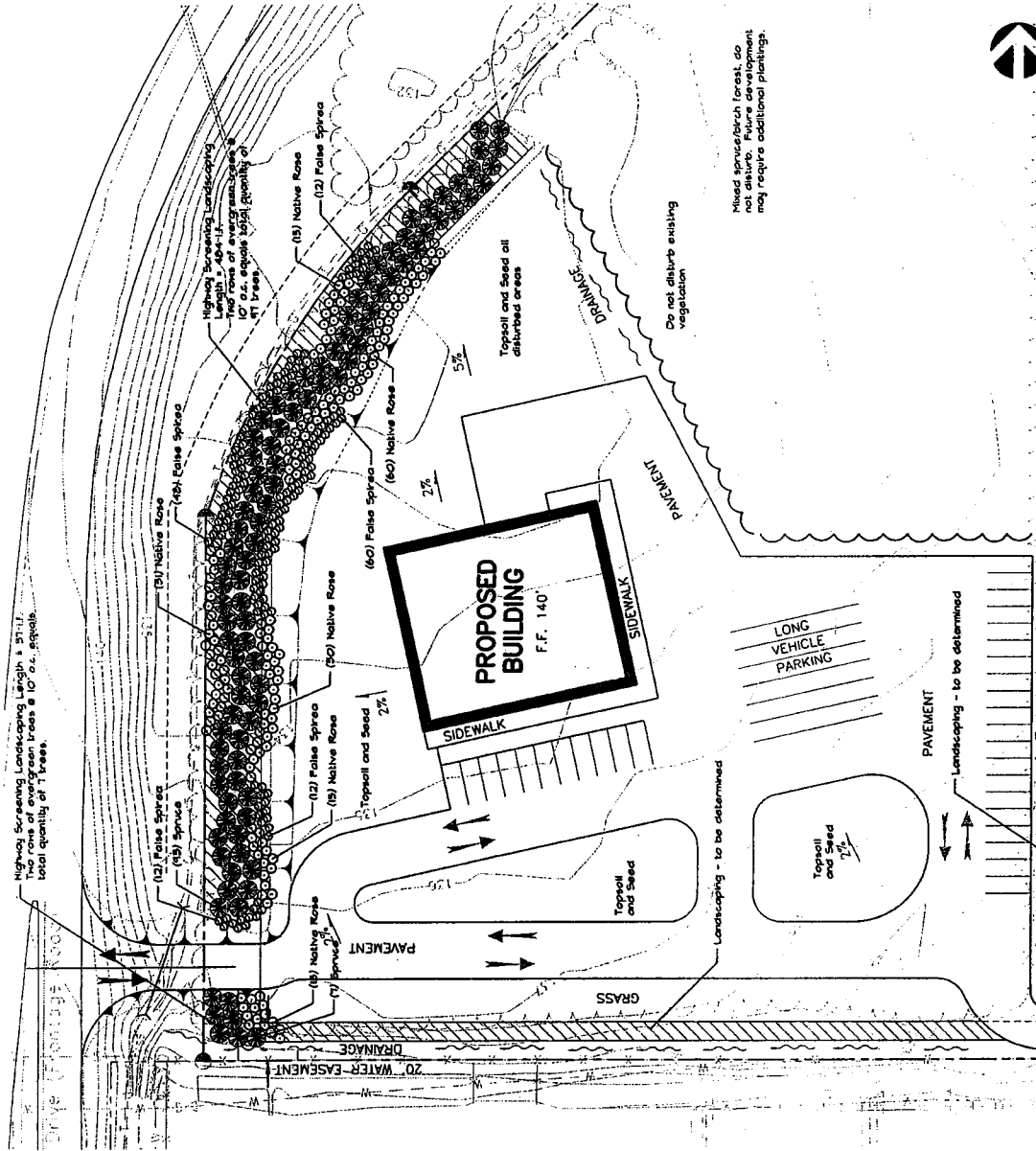
Staff member SHARON FERGUSON stated this project pertains to Bayshore Drive, a 0.8-mile north/south street located in south Anchorage. Project improvements occur between 100th Avenue and Discovery Bay Drive. Road rehabilitation limits extend from West 100th Avenue to 150 feet south of Marathon Circle. Pedestrian improvements extend slightly further, from West 100th Avenue to Discovery Bay Drive. The purpose of the project is to upgrade the street facilities to current neighborhood collector standards while also reducing existing pedestrian and vehicular conflicts at Bayshore Elementary School. Improvements include a sidewalk and pathway, landscaping, traffic calming, street lighting upgrades, and pedestrian crosswalks at two locations. Staff has asked for additional details regarding the screening fence and retaining walls.

The public hearing was opened.

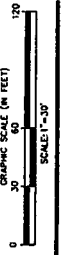
TERRY SCHOENTHAL with Land Design North, representing the petitioner, stated this project is an improvement for the Bayshore neighborhood, which is limited in terms of pedestrian amenities. Many of the roadways in Bayshore have no sidewalks and there is a great deal of pedestrian activity in the area. Bayshore Drive services the neighborhood, as well as Bayshore Elementary School and Mears Junior High. Within this neighborhood there are a fair number of children who walk to both schools and this project will provide enhancements for that pedestrian movement. The project runs north/south beginning at 100th Avenue and proceeds south to Discovery Bay Drive. At the 100th Avenue end of the project, the travel lane width will be reduced as a means of traffic calming. This will allow for a separated pathway on the east side of the roadway where there is currently no pathway. The separation between the roadway and pathway varies from 6.5 to 9 feet. Throughout the entire course, the separated pathway will remain on the east side of the roadway. On the east side of the roadway is KFQD Park and there is coordination with the Parks Department to bring

Plant Schedule - Highway Screening

Common Name	Botanical Name	Spacing	Size	Total Quan.
White Spruce	Picea glauca	10' o.c.	8" tall	100
Native Rose Spruce (False)	Rosa odorum Spiraea serotina	5' o.c. 5' o.c.	2 1/2" tall 2 1/2" tall	166 166



Highway Screening Plan



MUNICIPALITY OF ANCHORAGE

E.1.b.

PLANNING DEPARTMENT

MEMORANDUM

DATE: July 27, 2005
TO: Urban Design Commission
THRU: *TN* Tom Nelson, Director
FROM: *SF* Sharon Ferguson, Senior Planner

SUBJECT: Approval of the Screening Provisions for Major Highways for UDC 05-107; Arctic Recreational Distributors.

Arctic Recreational Distributors is requesting APPROVAL by the Urban Design Commission for the Screening Provisions for Major Highways for UDC 05-107.

PROJECT DESCRIPTION

Location: The project site is located on the east side of the New Seward Highway between Abbott Road to the north and Academy Drive on the south. The west boundary of this site is subject to the highway screening requirements of AMC 21.45.130.

Zoning: The property is zoned I-1 SL. The property to the south is zoned R-3 (Multi-Family Residential), B-3 zoned property lies to the north. The New Seward Highway is west of the subject site. The zoning district to the east is I-1.

Land Use: Primary land uses to the north and east are retail and office. A residential development is to the south. Brayton Drive, the frontage road of the New Seward Highway is west of the subject site.

Proposal and Analysis: This proposal concerns the construction of a building for a recreational vehicle distributorship. The business will sell and service four-wheelers, snowmobiles, motorcycles, watercraft, and accessories.

The owner plans to start work this season and complete most of the site work this fall. The building construction, finish site work, and landscaping should be completed in Spring 2006. The petitioner has applied for a driveway permit from the Department of Transportation.

Screening landscaping requires minimum shrub heights of 2.5 feet. The Planting Schedule should be revised to show shrub height a minimum of 2.5 feet rather than the 24" shown. White Spruce trees are proposed to meet highway screening standards. Staff requests that a note be added to the Plant Schedule – "Evergreen trees shall be provided at a ratio of height to spread no less than 5:3."

UDC REVIEW AND APPROVAL AUTHORITY

Under AMC 21.10.028.C, the Urban Design Commission has the authority to “Hear and decide applications for highway landscaping approval under Section 21.45.130.”

Under AMC 21.45.130.E. *Approval of site plan.* Plans for access drives, screening fences, vegetative screens and parking and loading areas shall be reviewed and approved by the Urban Design Commission to ensure conformance with the intent of this section. No building permit or land use permit shall be issued for construction on a lot subject to this section, except in accordance with a landscaping site plan conforming to this section approved by the Urban Design Commission.

DEPARTMENT RECOMMENDATION

The Department recommends APPROVAL of the Screening Provisions for Major Highways for UDC 05-107, Arctic Recreational Distributors, subject to the following conditions:

1. All improvements shall be substantially in conformance with the submitted UDC Review Questionnaire, narrative, and the following plans on file with the Planning Department, except as modified by these conditions of approval:

Arctic Recreational Distributors, Inc.; prepared by Steph1 Engineering LLC and Earthscape; sheets L-1 and L-2 dated 6-15-05, Site Plan – sheet number 1 dated 6-11-05.

2. This approval is for the Screening Along Major Highways requirement only.
3. Correct Planting Schedule to show shrubs a minimum 2.5 feet in height in compliance with AMC 21.45.125.3.c.
4. Provide 2 additional shrubs.
5. Add note to Plant Schedule – “Evergreen trees shall be provided at a ratio of height to spread no less than 5:3.”

7-27-05

Municipality of Anchorage
Department of Community Planning and Development
632 West Sixth Avenue, Room 210
P. O. Box 196650
Anchorage, AK 99519-6650
Telephone: (907) 343-4224
Fax: (907) 343-4220

URBAN DESIGN COMMISSION

Review Questionnaire

Submit this questionnaire and required submittal documents 28 days prior to the scheduled Commission hearing date.

PROJECT NAME: Arctic Recreational Distributors/Highway Screening Plan

Case Number: UDC

Tax Code Number: 01427105000

Submittal Type:

☐
☐

Concept Review
Final

Date Submitted: _____

Date Submitted: _____

Community Council(s): Albott Loop

Legal Description: West 450', East 1110', N 1/2, SW 1/4, S8, T12N, R3W, S.M.
Remainder Parcel 32A Section 8

Project Managers

Client (Agency): Arctic Recreational Distributors, Inc.

Project Manager: Brad Helwig

Address (include zip code): 3074 Commercial Drive, Anchorage AK 99501

Telephone No.: 272-5351 Fax No.: 272-7428

Prime Design Consultant: Steph Engineering, LLC

Project Manager: Matt Steph

Address: 3940 Arctic Blvd, Suite 204, Anchorage AK 99503

Telephone No.: 562-1468 Fax No.: 562-1469

Landscape Architect: Earthscape, Elise Huggins

Address (include zip code): 705 W 13th Ave, Anchorage, AK 99501

Telephone No.: 279-2688 Fax No.: 279-2618

To whom should notification go: Steph Engineering, LLC

Project Schedule

Notice to Proceed: _____

Completion of Schematic Design: _____

Completion of Design Development: _____

Completion of Contract Documents: _____

Construction of Contract Award: _____

Completion of Construction: _____

Urban Design Commission Review Questionnaire

Page 2

The Urban Design Commission shall consider the following criteria in reviewing public facility project landscaping. The petitioner must address these criteria:

1. Cost:

Plant Material Budget:

N/A

Total Landscape Budget:

N/A

Construction Budget:

N/A

2. Feasibility:

N/A

3. Planning and Design Criteria, including:

a. the external impacts generated by the projects on adjacent areas:

b. the extent to which the landscaping elements complement, maintain, or improve the landscape quality of adjacent neighborhoods and areas:

c. the degree to which the landscape elements contribute to on-site use of the project, including safe, efficient, and comfortable public use:

d. the visual attractiveness of the landscaping:

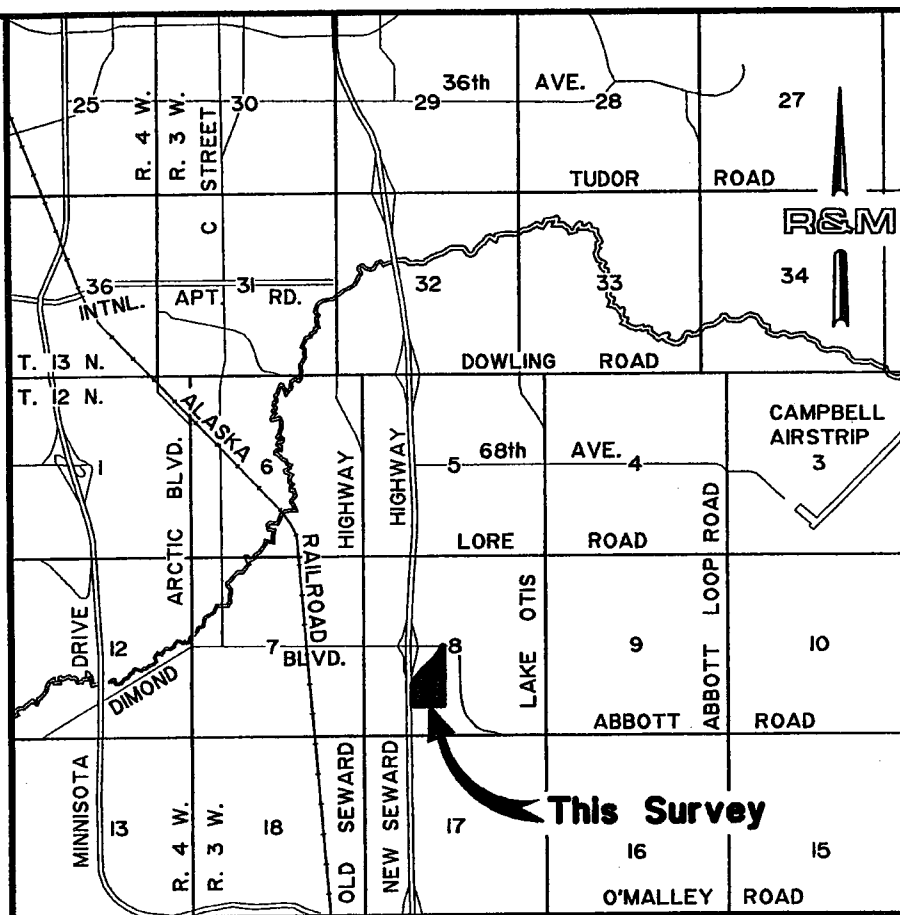
e. the landscaping elements enhancement of the architecture of the project, including the integration of internal and exterior architectural themes:

Submitted by: _____

Date: _____

Please Note: All items must be addressed on the application or your project may not be placed on the Urban Design Commission (UDC) agenda.

09.7



VICINITY MAP

Scale: 1"= 1 Mile

LOCATED WITHIN SURVEYED T12N, R3W, SM, AK.

SOURCE: USGS ANCHORAGE A-8

ANCHORAGE RECORDING DISTRICT

GRID: 2332

MONUMENT LEGEND

edestal

er/Box



Found 2 1/2" Brass Cap Monument



Found 3 1/4" Aluminum Cap Monument



Found 5/8" Rebar



Found Yellow Plastic Cap



Survey Control Point - Primary



Survey Control Point - Secondary

Memo

To: Sharon Ferguson, Urban Design Commission
From: Matt Stephl
Date: July 13, 2005
Re: Arctic Recreational Distributors, Commercial Building, Highway Screening

As requested, additional information about the proposed project is provided below:

1. A vicinity map showing the general location of the project is attached.
2. This commercial building will contain a recreational vehicle distributorship. They will sell and service four-wheelers, snowmobiles, motorcycles, watercraft and accessories. This business is currently located along Commercial Drive in Anchorage.

The architect for the new building is Mike Mense. A visually appealing building is proposed. The entire front of the building will be covered with glass and 20 percent of the sides will be glass.

3. The Owner is hoping to start work this season and complete the bulk of the site work this fall and have the building construction, finish site work, and landscaping completed next spring.

Question was called on the motion to approve and it passed.

AYES: Chiel, Mystrom, Angvik, Walsh, Selkregg, Marsh, Smith, Baer, O'Connor, Josephson.

NAYS: Maser.

PLANNING
ref: ZONING
Rezoning

- C. Ordinance No. AO 80-161, an ordinance amending the zoning map and providing for the rezoning from R-2 (Residential District up to eight units on 20,000 square foot lots) to I-1 (Light Industrial District) for parcel 32A of Section 8, T12N, R3W, S.M. (Abbott Loop Community Council). Case P80-41. (Continued from 10/21/80).
1. Assembly Memorandum No. AM 686-80, regarding same.
 2. Assembly Memorandum No. AM 686-80A, regarding same.

Don Alspach, Platting and Zoning Manager, said the ordinance came to the assembly with a recommendation of denial in spite of the special limitations proposed by the petitioner. He advised the Assembly must find exceptional circumstances if they approve the rezoning because it is in conflict of the Comprehensive Plan. In answer to Dr. Selkregg, Mr. Alspach said that there was not sufficient reason to change the zoning to I-1 but the property is not suitable as R-2 either. It is a difficult question of land use. If the municipality trades this land for I-1 it will decrease the amount of residential land available which may eventually lead to a shortage of residential property in the bowl.

Chairman Marsh opened the public hearing and asked if anyone wished to speak.

JAN OSTROVSKY, representing the petitioner, presented a map of the area to the Assembly. He said he felt the recommendation of staff and the Planning and Zoning Commission was neutral. The commission's vote was 4-4. Those who were against the rezoning, based their opposition on Comprehensive Plan nonconformance. The parcel is unsuitable as residential land because it is down-grade of the New Seward Highway and the environment is unsuitable. The property along Erin Street has been zoned as I-1 and that is the reason for this request. It is not compatible he said to have residential land next to industrial. The petitioner has owned the property for 20 years and this is his first request for rezoning. He said it is unlikely the petitioner could get financing for a residential development on the site. There is no objection to the rezoning from the agencies contacted. The rezoning would have little affect on surrounding property and the heavy vegetation would provide a adequate buffer. There is excellent access to the New Seward Highway so that industrial traffic will not be using residential streets. Unlike other industrial property in the area this parcel has sewer available and good soils. If the property is rezoned I-1 it will more than likely develop, but if it remains R-2 it will probably not be developed. The opposition voiced by Mr. Glover before the Planning and Zoning Commission was addressed to special limitations. The petitioner has tried to make effective limitations to satisfy the objections of neighboring property owners.

BURT CARNEY, of Harvester Christian Academy, said he was not anti-development but the Academy is concerned about the direction the neighborhood is taking. The school is in the process of developing a campus and have two buildings on the drawing board. He reminded the assembly that Montegue Manor was rezoned with special limitations but the enforcement of those limitations is lax and still have not been met.

Chairman Marsh mentioned at the time the rezoning was approved for Montegue Manor the requirements MR. CARNEY spoke of were conditions of the contract. There has been no problem with enforcement of special limitations.

MR. CARNEY continued that the Academy was becoming a island in an industrial development. When the school began it was situated in compatible zoning. He felt that if this parcel is rezoned the

adjacent tract, the last R-2 in the area, will be sure to request a rezone and the island will be complete. He suggested the land be zoned B-3 because it is somewhat more restrictive. He mentioned he had not received notification of the Planning and Zoning hearing nor the public hearing before the Assembly last week.

Mr. Marsh mentioned the school was probably outside the notice area.

Mr. Baer reiterated his request that a 4' x 8' sign be placed on property coming up for rezoning so that surrounding residents would be aware.

In answer to Mr. Josephson, MR. CARNEY said the Academy had a bad experience with the conditions for rezoning on the property to the south and consequently are gun shy.

Mr. Walsh asked for an analysis and update on the special conditions for Montague Manor, whether they have been met and what the time table is for meeting them.

JIM DOSS, of Jack White Company, representing the owners of the adjacent tract said he favored the rezoning. He felt that MR. CARNEY was not as much against the petitioner as the owners he represented. He had heard the Academy wanted to purchase the property but he has not been contacted. The high traffic volume on New Seward Highway is not conducive to residential development.

MR. MODDISON, owner of Tract 3-E, said he was against zoning by exception and special limitation. He agreed with MR. CARNEY'S remarks. He felt that Tract 2-E would come in for I-1 zoning if the petition area goes I-1. He said he had no solution to the problem but mentioned the people in Montague Manor live in a residential development right on the New Seward Highway. A vegetation buffer he said is impossible to maintain where the vegetation has been disturbed.

GARY BROOKS, Business Manager for Harvester and associate broker with Cook Inlet Realty, said he agreed with the Planning and Zoning report. He would like to see B-3 on the front section with restricted assess on Briton Dr. and the remainder developed as residential; perhaps multifamily. With the proposed municipal program for financing multi-family dwellings the possibility of such a development exists. The petitioner has offered to restrict development of the land to B-3 status but is requesting I-1 zoning and that concerned him. He mentioned that Huffman Hills is a desirable place to live and is next to the New Seward Highway. The proximity to a major arterial does not prohibit residential development. Harvester is a private school and planning to enlarge and he was concerned that a precedent was being set for building a school next I-1 with the resulting problems.

Chairman Marsh asked if anyone else wished to speak; there was no one and closed the public hearing.

In answer to an Assembly question, MR. OSTROVSKY said the I-1 strip along Erin Street would allow unity of development on the parcel and access to the property.

Chairman Marsh said he should abstain from voting on the issue because he is a part-owner of I-1 property in the area. He noted a yes vote means he should abstain and a no vote would mean he should not abstain.

AYES: Chief, Mystrom, Angvik, Walsh, Selkregg, Maser, O'Connor, Josephson.

NAYS: Smith, Baer.

ABSTAIN: Marsh.



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 586-80A

Meeting Date: September 30, 1980

From: Mayor

Subject: Ordinance AO No. 80-161 Rezoning from R-2 to I-1
for property located on
the southeast corner of
East Dimond Boulevard and
the New Seward Highway.

The Planning and Zoning Commission has recommended denial of the referenced rezoning ordinances. Under the provisions of AMC 21.20 the findings of the Planning Commission are advisory only and the Assembly may therefore adopt or reject the proposed ordinance in accordance with the standards enumerated in Chapters 21.05 (Comprehensive Plan) and 21.20 (Procedures for Zoning Map Amendments). The subject case, however, presents a situation where the area to be rezoned to an industrial district does not lie within the appropriate classification area of the Comprehensive Plan Map. Consequently, before the Assembly may act to adopt the proposed rezoning ordinance certain provisions of the code pertaining to such circumstances must be specifically addressed.

Municipal Code Section 21.05.090(C) explains in part the role of the land use classification map:

C. Land Use Categories

Future land use decisions made by the Municipality such as changes in zoning districts and approvals of conditional uses should be in accordance with the guidelines established by this section and the plan map.

B. Land Use Classification Map

The land use classification map identifies those areas which, on the basis of the entire Comprehensive Plan, are best suited for the functional classification indicated. The functional categories neither affect current zoning regulations nor place additional regulations on specific property. Future land use decisions such as rezoning, subdivision approval and conditional uses must conform to the indicated functional categories in the absence of exceptional circumstances.

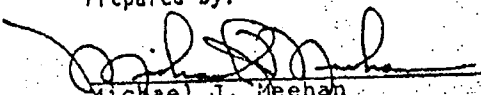
Submitted by: Chairman of the Assembly
At the Request of: Mayor
Prepared by: Department of Law

Assembly Memorandum AM 686-80A
Page 2

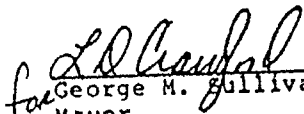
Exceptions could be recognized where existing uses are compatibly integrated into the area or where future uses could comply as compatible land uses by meeting appropriate standards pertaining to access, noise, landscaping, screening, structural or other improvements required by circumstances.

In order to eliminate possible confusion, the Assembly, if it decides to approve the subject rezoning based on all available evidence, should clearly indicate on the record that exceptional circumstances exist, that the standards contained in AMC 21.05.055 have been considered, and that the rezoning is in accordance with such standards.

Prepared by:


Michael J. Meenan
Director of Planning

Respectfully submitted:


George M. Sullivan
Mayor

2



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 686-00


Meeting Date: September 30, 1980

From: Mayor
Subject: AO No. 80- 161


Rezoning from R-2 to I-1
for property located on
the southeast corner of
East Dimond Boulevard and
the New Seward Highway.

This rezoning request comes to the Municipal Assembly with a recommendation of denial from the Municipal Planning and Zoning Commission. The Commission took this action on July 14, 1980.

Prepared by:


Michael J. Mahan
Director of Planning

Respectfully submitted:


George M. Sullivan
Mayor

(780-41)

2



June 10, 1992
 Casco Corp.
 10877 Walton Road
 St. Louis, MO 63127

FILE COPY

Dear Petitioner:

On June 8, 1992, the Anchorage Platting Authority acted on your petition for X resubdivision vacation variance of

S-9244S Sunshine Subdivision, Tracts A & B

The petition was:

 xx approved
 denied
 withdrawn by petitioner
 postponed
 returned for redesign

Special Conditions, in addition to those of Title 21, of the AMC attached by the Platting Authority are on the enclosed Summary of action. If you have any questions on these conditions or changes, please call our office at 343-4267.

PRELIMINARY APPROVAL IS VALID ONLY FOR 18 MONTHS. Within that time, you must accomplish the following to finalize your request:

1. Negotiate a subdivision agreement with the Department of Public Works, if required.
2. Meet the conditions specified by the Platting Authority which are included in the attached Summary of Action in addition to those of Title 21 of the AMC.
3. Comply with all applicable provisions of the Municipal Land Subdivision Regulations.
4. In the case of subdivision, submit to the Department of Economic Development and Planning a properly executed final plat ready for filing.

If you wish to appeal this decision or any of the conditions, we will furnish copies of our appeal procedures. Please note that all appeals must be made within fifteen (15) days of the Platting Board's action.

Department of Economic Development and Planning

cc: Steve Howe c/o Dowd Engineers

SHORT PLAT
SUMMARY OF ACTION
June 8, 1992

S-9242 SPORTSMAN'S POINT SUBDIVISION, BLOCK 3, LOT 29

Approval of the vacation subject to obtaining a letter of non-objection from Enstar Gas and recording a resolution and as-built with the State District Recorder's Office.

S-9243 AUSTRALASKA SUBDIVISION, TRACTS B-1A AND B-1B

Approval of the plat subject to:

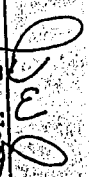
1. Resolving utility easements.
2. Resolving access with Transportation Planning, State DOT, and Traffic Engineering, and placing appropriate notes on the plat.
3. Recording Case S-9053 prior to final recordation of this plat.
4. Resolving street names and designations with Public Works Engineering.
5. Obtaining site plan approval in accordance with AO 88-146, prior to final plat recordation from the Planning and Zoning Commission.
6. Resolving the need to vacate San Jeronimo Street with the DEDP.

S-9244 SUNSHINE SUBDIVISION, TRACTS A AND B

Approval of the plat subject to:

1. Resolving utility easements.
2. Dedicating 30' of right-of-way for Otis Place on the southern boundary of the plat, and resolving the need for a temporary turnaround with Public Works Engineering.
3. Entering into a subdivision agreement:

- a. to construct Otis Place to urban half street standards;
 - b. street name signs, street lights, and traffic control devices.
4. Providing a TIA to Traffic Engineering and State DOT, and resolving the need for internal circulation and access notes with State DOT/PF, Traffic Engineering, and Transportation Planning.
 4. Providing a drainage impact analysis to Public Works Engineering.
 5. Resolving the need for drainage improvements and drainage easements with Public Works Engineering.
 6. Resolving the need for footing drains and footing drain stubouts with Public Works Engineering.
 7. Providing a 25 foot building setback along the southern boundary of Tract B (AO 80-161)
 8. Providing a 10' vegetated screening easement along the southern boundary of Tract B (north of Otis Place), plan to be approved by DEDP with an appropriate financial guarantee).
 9. Providing a 30' vegetated screening easement along the New Seward Highway to be approved by the Urban Design Commission with an appropriate financial guarantee.
 10. Resolving water and sewer connects with AWWU.


Jerry T. Weaver, Jr.
Platting Authority

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 53-80

A RESOLUTION DENYING THE REZONING FROM R-2 (TWO-FAMILY RESIDENTIAL DISTRICT) TO I-1 (LIGHT INDUSTRIAL DISTRICT) FOR PROPERTY LOCATED ON THE SOUTHEAST CORNER OF EAST DIMOND BLVD. AND THE NEW SEWARD HIGHWAY.

WHEREAS, a petition has been received from John W. and Joe L. Gielarowski for rezoning from R-2 (Two Family Residential District) to I-1 (Light Industrial District) for Parcel 12A of Section 8, T12N, R3W, containing approximately 12.57 acres, and

WHEREAS, notices were published, posted and mailed and a public hearing was held, and

WHEREAS, during the initial hearing, the Commission requested the petitioner and staff to come up with special limitations to mitigate the impact of the requested rezoning, and

WHEREAS, the petitioner submitted limitations at a subsequent meeting which had been designed to hopefully mitigate the impact, and

WHEREAS, even with the limitations proposed, the Commission can not justify the rezoning, and

WHEREAS, the Commission has consistently recommended denial of the expansion of the industrial district in this area, and


WHEREAS, there is ample vacant industrial -1 zoned land in close proximity to the petition site, and

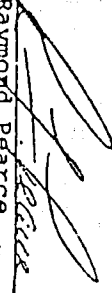
WHEREAS, the rezoning request is not supported by the Comprehensive Plan which designates this area as residential, and

WHEREAS, the petitioner is unable to prove a public need for the rezoning.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Planning and Zoning Commission that the rezoning from R-2 to I-1 on the above described property be denied.

ADOPTED by the Municipal Planning and Zoning Commission this 14th day of July, 1980.


Michael J. Meehan
Secretary


Raymond Pearce
Chairman

Submitted by: Chairman of the
Assembly at the request
of the Mayor
Prepared by: Planning Department
For Meeting: September 30, 1960

ANCHORAGE, ALASKA
No. 60-14

10/29/60

AN ORDINANCE AMENDING THE ZONING MAP AND REZONING FOR THE
ZONING FROM R-2 (RESIDENTIAL DISTRICT UP TO 30
FOOT SQUARE FOOT LOTS) TO I-1 (LIGHT INDUSTRIAL DISTRICT)
THE PLANNING DEPARTMENT OF SECTION 9, 11TH, 23RD, S.W. (LAWSON LOOP
COMMUNITY CENTER)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1: That the zoning map be amended by
designating the following described property as an I-1
(Light Industrial District) zone:

Parcel 12A of Section 9, 11TH, 23RD, S.W.

The Planning Director is hereby directed to change
the zoning map accordingly.

PASSED AND APPROVED by the Anchorage Municipal
Assembly this 14th day of January, 1961.

[Signature]
CITY CLERK

ATTEST:

Do hereby certify that the foregoing ordinance was duly
passed and approved by the Anchorage Municipal
Assembly on the 14th day of January, 1961.

30/101

(1960-11)

10168680 Am 686-804 /

At the Anchorage Municipal Assembly
Presented by: Planning Department
For Meeting: September 30, 1960
ANCHORAGE, ALASKA
No. 60-14

AN ORDINANCE AMENDING THE ZONING MAP

PARCEL INFORMATION**APPRAISAL INFORMATION**

Legal T12N R3W SEC 8
PARCEL 32A REM

Parcel 014-271-05-000
Owner DUNHAM DENNIS & FLORENCE
LIVING TRUST

#



Descr VACANT LAND
Site Addr

PO BOX 90062
ANCHORAGE AK 99509 0062

RELATED CAMA PARCELS**Cross Reference (XRef) Type Legend**

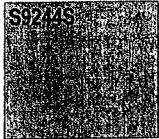
Related Parcel(s)	XRef Type	Leased Parcels

Econ. Link Replat Uncouple
E = Old to New R = Old to New U = Old to New
I = New to Old F = New to Old Q = New to Old
Renumbr Combine Lease
N = New to Old C = Old to New L = GIS to Lease
X = Old to New P = New to Old M = Lease to GIS

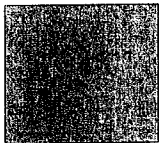
Get "Type" explanation

Bring up this form focused
on the related parcel**REZONE**

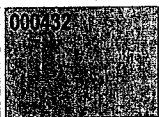
Case Number 2005-107 # of Parcels 1 Hearing Date 07/27/2005
Case Type Landscape Plan Review for highway screening landscape design
Legal An Urban Design Commission Landscape Review for Highway Screening. T12N R3W, S.M., AK, West 450 feet,
East 1110 feet, N1/2, SW1/4, Section 8, Parcel 32A. Located at 3074 Commercial Drive.

PLAT

Case Number S9244S Grid 2332 Proposed Lots 1 Existing Lots 1
Action Type Short Plat only Action Date 06/08/1992
Legal An unsubdivided parcel located within the W 1/2, NE 1/4, SW 1/4 of Section 8, Township 12 North, Range 3 West,
S.M., AK

PERMITS

Permit Number
Project
Work Desc
Use

BZAP

Action No. 80161
Action Date 10/28/1980
Resolution

Status APR Ruling Approved
Type SL Special Limitation

**ALCOHOL
LICENSE**

Business Address
License Type
Status

Applicants Name
Conditions



PARCEL INFORMATION

OWNER

DUNHAM DENNIS & FLORENCE
LIVING TRUST

PO BOX 90062

ANCHORAGE

AK 99506 0062

Deed 2005 0034742

CHANGES: Deed Date May 25, 2005

Name Date Jun 07, 2005

Address Date Jun 07, 2005

PARCEL

Parcel ID 014-271-05-000

Status

Renumbr ID 000-000-00-00000

Site Addr

Comm Concl ABBOTT LOOP

Comments

#

01

TAX INFO

2005 Tax

21,149.34

Balance 0.00

District 003

LEGAL

T12N R3W SEC 8

PARCEL 32A REM

Unit

SQFT 262,431

Plat 000000

Zone I1

Grid SW2332

HISTORY

	Year	Building	Land	Total
Assmt Final	2003	0	688,900	688,900
Assmt Final	2004	0	826,600	826,600
Assmt Final	2005	0	1,299,100	1,299,100
Exemptions				0
State Credit				0
Tax Final				1,299,100

PROPERTY INFO

#	Type	Land Use
01	COMMERCIAL	VACANT LAND

SALES DATA

Mon	Year	Price	Source	Type
12	2004	1,771,409	BUYER	LAND SALE

LAND & COMMON PARCEL INFORMATION

APPRAISAL INFORMATION

Legal T12N R3W SEC 8
PARCEL 32A REM

Parcel 014-271-05-000

01 of 01

Owner DUNHAM DENNIS & FLORENCE
LIVING TRUST

PO BOX 90062
ANCHORAGE

AK 99509

Site Addr

LAND INFORMATION

Land Use VACANT LAND

Class COMMERCIAL

Living Units 000

Community Council 001 ABBOTT LOOP

Entry: Year/Quality 11 1987 LAND ONLY
01 1980 0

Access Quality GOOD

Access Type

Leasehold (Y=Leasehold)

Drainage GOOD

Front Traffic MEDIUM

Street PAVED

Topography EVEN LEVEL

Utilities PUBLIC SEWER

Wellsite N

Wet Land

CONDOMINIUM INFORMATION

Common Area 0

Undivided Interest 0.00

BUILDING PERMIT INFORMATION

APPRAISAL INFORMATION

Legal T12N R3W SEC 8
PARCEL 32A REM

Parcel 014-271-05-000

01 of 01

01

Owner DUNHAM DENNIS & FLORENCE
LIVING TRUST

Prop Info # VACANT LAND
Site Addr

PO BOX 90062
ANCHORAGE AK 99509

BUILDING PERMITS

Permit #

Class Type

Class Use

Date

Address

Cond Occ/Occ

Certification

Contract Type

Name

E-mail

Phone () -

Fax () -

Address

City/State/Zip

Project

Sewer / Water

Work Type

Work

Description

CASES

2005-107

2006-002

Case Number 2005-107

of Parcels 1

Hearing Date Wednesday, July 27, 2005

PERMIT COMMENT

OWNER HISTORY

APPRAISAL INFORMATION

Legal T12N R3W SEC 8

PARCEL 32A REM

Parcel 014-271-05-000

01 of 01

#

01

Property Info # Descr VACANT LAND

Site Address

Current 05/25/05

DUNHAM DENNIS & FLORENCE
LIVING TRUST

PO BOX 90062

ANCHORAGE AK 99509 0062

3rd

3518 0000 08/11/99

RHODE JEROME M

PO BOX 191030

ANCHORAGE AK 99519

Prev

2005 0034 05/25/05

DUNHAM DENNIS N & FLORENCE M

PO BOX 90062

ANCHORAGE AK 99509

4th

3491 0000 06/23/99

BEST STORAGE INC 60% &
RHODE JEROME M 40%

PO BOX 222592

ANCHORAGE AK 99522

2nd

2004 0090 12/07/04

DUNHAM DENNIS N

PO BOX 90062

ANCHORAGE AK 99509

5th

3383 0000 12/09/98

BEST STORAGE INC 60% &
ALASKA EXCHANGE CORP 40%

3201 C STREET #305

ANCHORAGE AK 99503

**PLANNING & ZONING
COMMISSION
PUBLIC HEARING
January 9, 2006
SUPPLEMENTAL INFORMATION**

**G.3. Case 2006-002
Rezone I-1SL to I-1**

Double-sided

Autor, Mary P.

From: Mike Hartman [mike_hartman@dot.state.ak.us]
Sent: Wednesday, December 28, 2005 2:08 PM
To: Autor, Mary P.
Subject: [Fwd: Dimond and Seward SE Quadrant Access]

----- Original Message -----

Subject: Dimond and Seward SE Quadrant Access
Date: Fri, 23 Dec 2005 14:58:43 -0900
From: Scott Thomas <scott_thomas@dot.state.ak.us>
Organization: State of Alaska, Department of Transportation
To: Bob Kniefel <kniefelre@ci.anchorage.ak.us>
CC: Mike Hartman <mike_hartman@dot.state.ak.us>, Paula Brault
<paula_brault@dot.state.ak.us>

Bob,

I revisited our ROW file on property access to Brayton Drive just off the Dimond Blvd NB exit ramp. Attached you will see how our Department ended up settling with the previous owner to allow access to Brayton on the southerly 100 feet of property fronting Brayton Drive.

We have since reviewed an application by the new owner for access to Brayton. My previous supervisors determined our previous records showed access was permissible with our project planning. A letter was sent out offering an access permit, which the applicant has not signed yet. Since the area within 100 feet of the gore is an area of concern and always has been, I added the stipulation that the only way access would work is if we preclude any turning traffic in the gore area. This basically means I must have them put in guardrail to ensure we don't get traffic stopped or turning from the ramp. I have taken a call from R&M Consultants for the landowner and told them the same thing, that guardrail is required. We are still trying to make this clear that this is a condition of access before we sign it.

We can talk about what is enclosed here Tuesday next week.

Scott

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

STATEWIDE DESIGN & ENGINEERING SERVICES DIVISION
CENTRAL REGION - RIGHT OF WAY SECTION

FRANK H. MURKOWSKI, GOVERNOR

4111 AVIATION AVENUE
P.O. BOX 196900
ANCHORAGE, ALASKA 99519-6900
(907) 269-0700 (FAX 248-8456)
(TTY 269-0473) 1-800-770-5263

July 29, 2005

Arctic Recreational Distributors, Inc.
Mr. Dennis Dunham
3074 Commercial Drive
Anchorage, AK 99501

Re: Driveway Permit #16706
Desc: Brayton Drive
Signature & Return of Permit

Dear Mr. Dunham:

Enclosed is your original driveway Permit. Please sign and return to this office. We will then have our Chief of Right of Way sign the Permit and issue your approval to construct.

Please note the special condition that has been placed on this permit (page 6). It states that the owner will be responsible for extending the median at the gore in order for this permit to be approved. I have also enclosed a detail of how this extension should be done. This guardrail will preclude left turns from the exit ramp to your property.

This driveway may not be constructed or used until the median is extended.

Please call me if you have any questions at 269-0698.

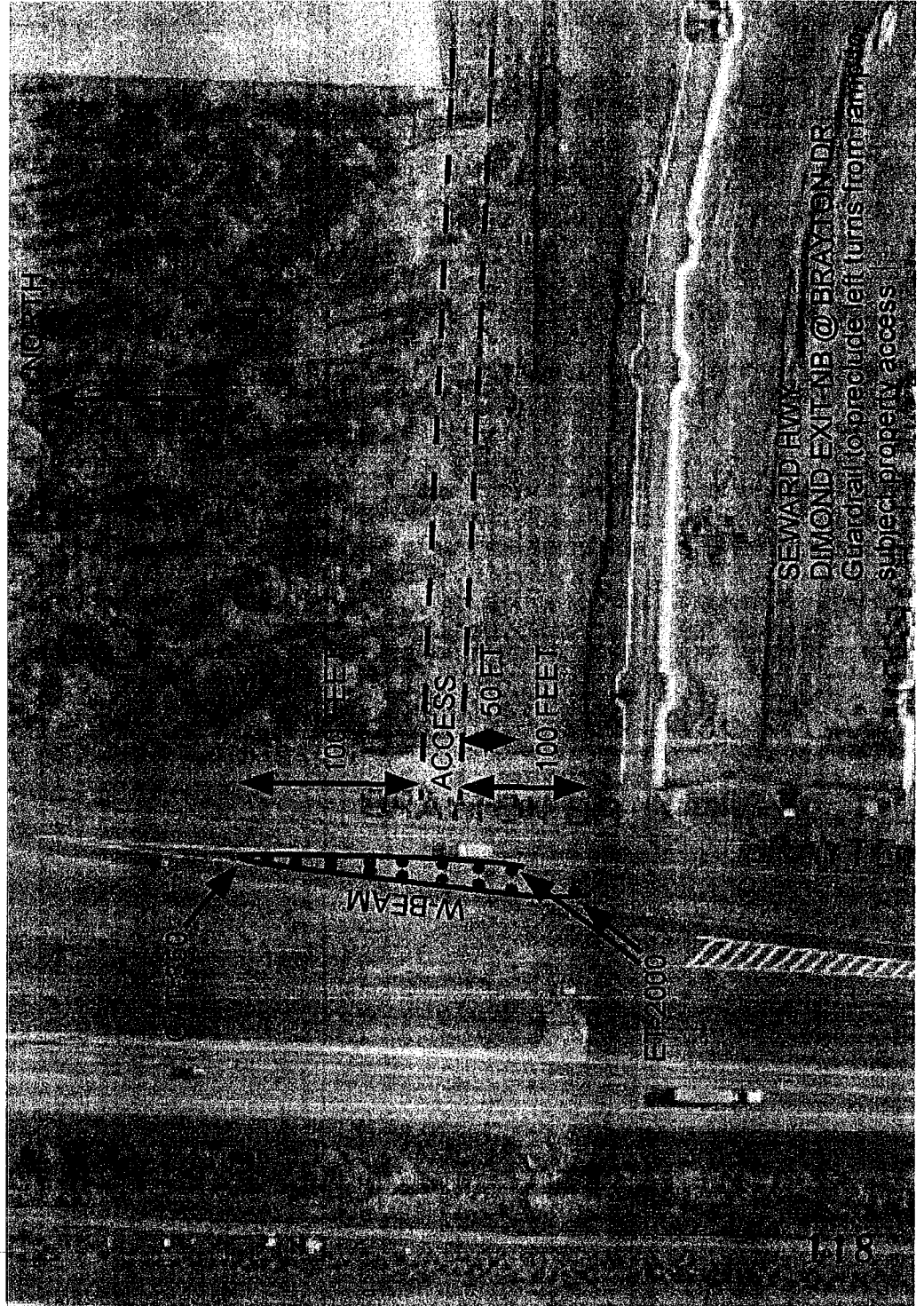
Regards,



Lynda Hummel
Right of Way Agent

Enclosure

Cc: Dave Heier, Property Management Supervisor
William R. Strickler, P.E., Chief of Right of Way



IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

STATE OF ALASKA, DEPARTMENT
OF TRANSPORTATION & PUBLIC
FACILITIES,

Plaintiff,

vs.

JOE L. GIELAROWSKI REVOCABLE
TRUST, JOE L. GIELAROWSKI,
SHIRLEY J. GIELAROWSKI, KIMBERLY
M. GIELAROWSKI, as trustees;
THOMAS L. GIELAROWSKI REVOCABLE
TRUST, THOMAS GIELAROWSKI as
Trustee; JOHN H. GIELAROWSKI and
JACQUELINE GIELAROWSKI;
MUNICIPALITY OF ANCHORAGE;
CHUGACH ELECTRICAL ASSOCIATION;
ANCHORAGE TELEPHONE UTILITY
UTILITY; STATE OF ALASKA,
DEPARTMENT OF REVENUE, CHILD
SUPPORT ENFORCEMENT DIVISION;
and FINNING, INC.;

294,969 sq. ft. more or less,

Defendants.

RECEIVED

MAY 08 '96

RIGHT OF WAY CENTRAL REGION	
Chief	
Asst. Chief	
Pre-Audit	
Engineering	
App. Encroachments	
Reloc./Prop. Mgmt.	
Acquisitions	
Airports	
File	

Case No. 3AN-96-1111 Civ
Project No. FM-0506(2)/59397
Abbot Road,
New Seward to E. 88th
Parcel No. 2A

AMENDED DECLARATION OF TAKING

I, John D. Horn, Regional Director, Central Region,
Department of Transportation and Public Facilities, State of
Alaska, declare that:

1. An estate in fee simple was taken pursuant to Alaska
Statutes 09.55, 19.05, 19.10, and 19.20 in the property designated
as Parcel 2A described in Schedule A, attached here as Exhibit A,
and depicted on Schedules B and C, attached here as Exhibits B and
C, and by this reference made a part of this Declaration.

2. The property is taken for use for the Abbott Road,
New Seward Highway to East 88th Avenue Project designated as

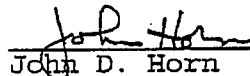
DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
1031 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 269-5100

1 Project No. FM-0506(2)/59397. The location of the project is shown
 2 on Schedules B and C. Exhibit B was revised in March, 1996,
 3 pursuant to a stipulation between the State and defendant property
 4 owners, to amend the project design so that the southern end of the
 5 Project controlled access is 100 feet north of the southwest corner
 6 of Parcel 2A.

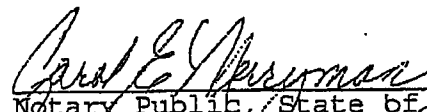
7 3. The property is taken by necessity for a project
 8 located in a manner which is most compatible with the greatest
 9 public good and least private injury.

10 4. The State has previously deposited into the registry
 11 of the court for the benefit of the persons entitled thereto the
 12 amount of \$885,000.00.

13 IN WITNESS THEREOF, the Department of Transportation and
 14 Public Facilities has caused this Declaration to be signed by its
 15 Regional Director, Central Region, John D. Horn, a designee of the
 16 Commissioner, this 10th day of April, 1996 in Anchorage, Alaska.

17
 18 
 19 John D. Horn

20 SUBSCRIBED AND SWORN TO before me this 10th day of
 21 April, 1996.

22
 23 
 24 Notary Public, State of Alaska
 25 My commission expires: Apr 17, 1997
 26

DEPARTMENT OF LAW
 OFFICE OF THE ATTORNEY GENERAL
 ANCHORAGE BRANCH
 1031 W. FOURTH AVENUE, SUITE 200
 ANCHORAGE, ALASKA 99501
 PHONE: (907) 289-5100

Proj. No. FM-0506(2)/59397
Abbott Road
New Seward to East 88th
Parcel No. 2A

TRACT DESCRIPTION

A portion of the west half of the northeast quarter of the southwest quarter, Section 8, Township 12 North, Range 3 West, Seward Meridian, as described in Book 202, Page 345, Anchorage Recording District, Third Judicial District, State of Alaska, more particularly described as follows:

Commencing at the found center-south one-sixteenth corner of Section 8;

Thence S 89°50'35"W along the south one-sixteenth line a distance of 1110.00 feet;

Thence N 00°16'36"W along the west property line a distance of 290.57 feet to the point of intersection with the southeasterly right of way line for Alaska Project No. FM-0506(2), Abbott Road and the True Point of Beginning;

Thence continuing N 00°16'36"W along said westerly property line a distance of 709.54 feet to the point of intersection with the easterly existing right of way line of the Seward Highway;

SCHEDULE "A"

Thence N $21^{\circ}20'18''$ E along said easterly right of way line a distance of 290.87 feet to the point of intersection with the southerly existing right of way line of Dimond Boulevard;

Thence N $89^{\circ}47'45''$ E along said southerly right of way line a distance of 342.84 feet to the northeast corner of the herein described parcel;

Thence S $00^{\circ}16'36''$ E along the east property line a distance of 389.75 feet to the point of intersection with the southeasterly right of way line for Alaska Project No. FM-0506(2), a point of curvature;

Thence southwesterly along said right of way line on a curve to the right having a central angle of $25^{\circ}28'22''$; a radius of 550.00 feet, an arc length of 244.52 feet and a chord that bears S $32^{\circ}04'55''$ W, a distance of 242.51 feet to a point of tangency;

Thence S $44^{\circ}49'06''$ W a distance of 298.80 feet to a point of curvature;

Thence southwesterly on a curve to the left having a central angle of $26^{\circ}23'39''$, a radius

SCHEDULE "A"

of 450.00 feet, an arc length of 207.30 feet,
and a chord that bears S 31°37'17"W a distance
of 205.47 feet, to the True Point of
Beginning;

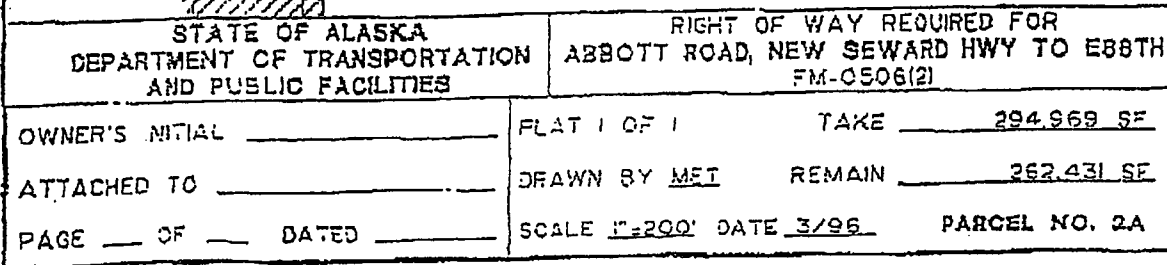
Parcel No. 2A, containing 294,969 square feet, more or less.



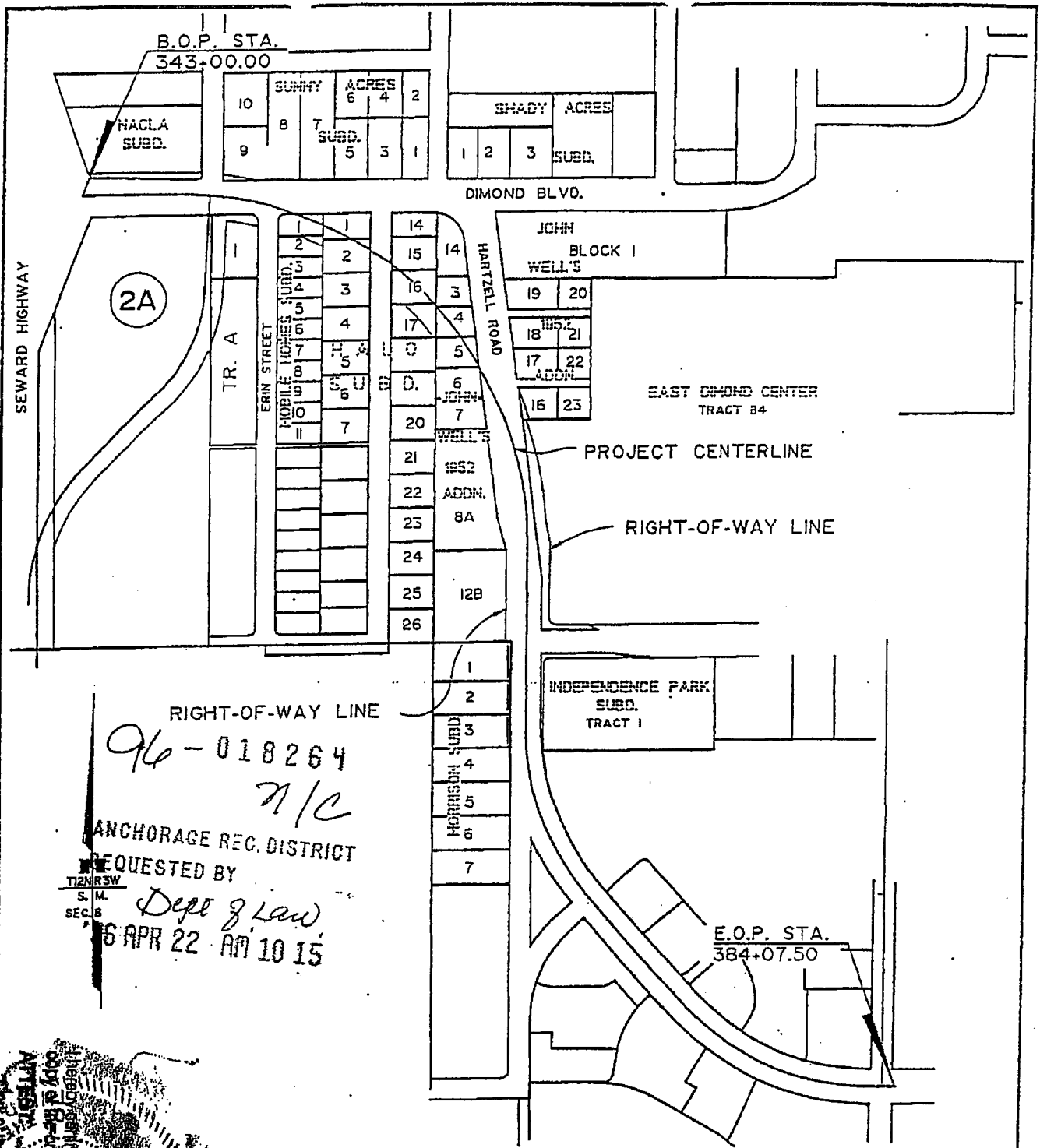
SCHEDULE "A"

Exhibit A
Page 3 of 3

11993d4162048



BK 02914 66621



RIGHT-OF-WAY LINE
 96-018264
 71/c
 ANCHORAGE REC. DISTRICT
 REQUESTED BY
 TIZNRSW
 S. M.
 SEC. 18
 Dept of Law
 16 APR 22 AM 10 15

STATE OF ALASKA
 DEPARTMENT OF TRANSPORTATION
 AND PUBLIC FACILITIES

RIGHT OF WAY REQUIRED FOR
 ABBOT ROAD - NEW SEWARD TO E. 88TH
 FM-0506(2)

DRAWN BY RK

SCHEDULE "C"

SCALE 1"=400' DATE 1/9/96

PARCEL NO. 2A

Exhibit C

Content Information**Content ID :** 003887**Type:** Ordinance - AO

Title: An Ordinance for Parcel 32A, located Within Section 8, T12N, R3W, S.M. AK, and amending the Zoning Map and providing for the rezoning of approximately 6.025 Acres From I-1 SL (Light Industrial) with Special Limitations to I-1 SL (Light Industrial) with Sp

Author: weaverjt**Initiating Dept:** Planning

Description: An Ordinance for Parcel 32A amending the Zoning Map and providing for the rezoning of approximately 6.025 Acres From I-1 SL (Light Industrial) with Special Limitations to I-1 SL (Light Industrial) with Special Limitations

Date Prepared: 4/12/06 2:27 PM**Director Name:** Tom Nelson**Assembly****Meeting Date** 5/16/06**MM/DD/YY:****Public Hearing** 6/20/06**Date MM/DD/YY:****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	4/12/06 2:31 PM	Checkin	weaverjt	Public	003887
Planning_SubWorkflow	4/20/06 9:06 AM	Approve	weaverjt	Public	003887
ECD_SubWorkflow	4/20/06 9:16 AM	Approve	barkleyva	Public	003887
OMB_SubWorkflow	4/24/06 5:32 PM	Approve	mitsonjl	Public	003887
Legal_SubWorkflow	4/25/06 12:06 PM	Approve	gatesdt	Public	003887
MuniManager_SubWorkflow	5/5/06 11:30 AM	Approve	leblancdc	Public	003887
MuniMgrCoord_SubWorkflow	5/5/06 11:45 AM	Approve	curtiscr	Public	003887

2006 MAY -5 PM 3:01
CLERK'S OFFICE