

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

CLERK'S OFFICE

APPROVED

Date: 6-20-06

Anchorage, Alaska  
AO 2006- 79

AN ORDINANCE AMENDING THE ZONING MAP, AND PROVIDING FOR THE  
REZONING OF APPROXIMATELY 4.6 ACRES FROM B-3 SL (GENERAL BUSINESS  
DISTRICT WITH SPECIAL LIMITATIONS) TO B-IB SL (COMMUNITY BUSINESS  
DISTRICT WITH SPECIAL LIMITATIONS) FOR CHESTER H. LLOYD SUBDIVISION,  
LOTS 12A AND 12B, GENERALLY LOCATED AT 3751 WEST DIMOND BOULEVARD.

(Sand Lake Community Council) (Planning and Zoning Commission Cases 2005-083 and 2006-009)

THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1.** That Ordinance 85-151 is repealed as it applies to Chester H. Lloyd Subdivision, Lots 12A and 12B.

**Section 2.** The zoning map shall be amended by designating the following described property as B-1B SL (Community Business District with Special Limitations):

Chester H. Lloyd Subdivision, Lot 12A, containing approximately 1.44 acres, and Lot 12B, containing approximately 3.22 acres, as shown on Exhibit A.

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

1) Permitted uses:

- a) All uses as allowed in AMC 21.40.145, except as modified herein.  
Hours of operation for commercial/office uses are 7:00 A.M. to 11:00 P.M.
- b) Residential uses are allowed per R-3 Zoning District standards, AMC 21.40.050, except as modified herein.

2) Prohibited uses:

- a) Correctional community residential centers;
- b) Utility substations except as needed to serve the subdivision;
- c) The retail sale, dispensing, or service of alcoholic beverages except in a restaurant by conditional use, AMC 21.50.160;
- d) Convenience establishments;
- e) Adult clubs as listed in AMC 21.45.240 and 21.45.245;
- f) Private or public clubs with an alcohol license;

- g) Private storage in yards of non-commercial trucks, boats, aircraft, campers, or travel trailers;
  - h) Outdoor storage of trailers, motorhomes, or other vehicles in open space, or overflow parking areas, or in assigned parking areas if the size of the vehicle exceeds the size of the parking space;
  - i) Outdoor harboring of animals and;
  - j) On-site dry cleaning, including dry cleaning machinery and chemicals, but a drop-off and pick-up only store is permitted.
- 3) Any subdivision of Chester H. Lloyd Subdivision, Lots 12A and/or 12B, will be preceded by, or concurrent with, a public hearing site plan review for the entire property based on the concept design dated October 4, 2005 and December 12, 2005, by Dean Architects and Lounsbury, Inc.
- 4) A site plan shall be reviewed and approved by the Planning and Zoning Commission. Prior to the issuance of building permits, the applicant shall submit a public hearing site plan for the entire property. In addition to the requirements of 21.15.030, the site plan shall address the following:
- a) Secondary/additional street access: to Jewel Lake Road and/or 88th Avenue and/or Dimond Boulevard;
  - b) A comparison of the traffic generation rates between the proposed residential uses and the proposed commercial uses will be verified by the Municipal Traffic Department;
  - c) Internal sidewalks and pedestrian connections to the existing trail and public rights-of-way;
  - d) Common, useable open space of not less than 2,500 square feet which meets the standards of AMC 21.50.210 G.5;
  - e) Parking lot layout, internal to the site;
  - f) Structure locations and mix of uses;
  - g) Provide grading and drainage plans, a drainage impact analysis, fill and excavation requirements, erosion and sediment control requirements, and a storm water plan.
  - h) Trails as shown on the *Areawide Trails Plan* and, if necessary, easements for trails;
  - i) Town center standards as generally discussed in *Anchorage 2020 Anchorage Bowl Comprehensive Plan*: an integrated mix of community serving retail; medium to high density residential uses, including a mix of densities, ownership patterns, price and building types; and a pedestrian access network connecting the proposed use with town-center core uses, adjacent neighborhoods and transit facilities.
- 5) All building heights on the west one-half of the property are limited to three stories or 35 feet, and all building heights for structures within 150 feet of the east lot line, Noble Subdivision, are limited to two stories or 25 feet.
- 6) Fifteen-foot wide buffer landscaping (AMC 21.45.125 A.2.) is required on the north and west lot lines. A ten-foot wide setback with buffer landscaping, exclusive of the existing ten-foot drainage and ten-foot utility easements, is required on the east lot line. The existing natural

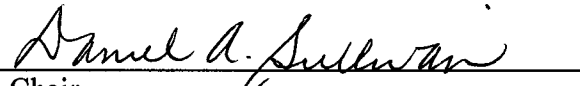
vegetation in these easements shall remain, except as needed for easement maintenance. A six-foot tall, solid-wood fence is required along the east lot line. Arterial (AMC 21.45.125 A.4.) landscaping is required on the south lot line.

Note: Dimond Boulevard is a class IIIA Arterial with a future development setback requirement of 65 feet each side of the centerline, per AMC 21.45.140. Currently, only 50 feet each side of the center line is platted. Yard setbacks are measured from the 65-foot development setback.

**Section 4.** 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 2 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:

  
Chair

  
Municipal Clerk

(Tax Identification 012-362-40 and 41)

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

AO Number: 2006- 79

**Title:** Planning and Zoning Commission, Case 2005-083 and 2006-009; recommendation of approval for a rezoning from B-3 SL (General Business District with Special Limitations) to B-1B SL (Community Business District with Special Limitations) for Chester H. Lloyd Subdivision, Lots 12A and 12B; generally located at 3751 West Dimond Boulevard.

**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>
<b>Operating Expenditures</b>				
1000 Personal Services				
2000 Non-Labor				
3900 Contributions				
4000 Debt Service				
<b>TOTAL DIRECT COSTS:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

Add: 6000 Charges from Others

Less: 7000 Charges to Others

<b>FUNCTION COST:</b>	\$	-	\$	-	\$	-	\$	-
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## 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 B-3 SL to B-1B SL will allow the commercial uses requested by the applicant, and include a residential element of 132 dwelling units to the development.

### PRIVATE SECTOR ECONOMIC EFFECTS:

Approval of the rezoning should have no significant economic impact on the private sector. If approved, the owner will be able to include a residential component to the list of permitted uses for the zoning district. Residential development is appropriate in this location.

**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 344 -2006

Meeting Date: May 16, 2006

From: Mayor

Subject: The Planning and Zoning Commission Recommendation of Approval for a Rezoning of Two Lots Totaling Approximately 4.6 Acres From B-3 SL (General Business District with Special Limitations) to B-1B SL (Community Business District with Special Limitations) for Chester H. Lloyd Subdivision, Lots 12A and 12B, Generally Located at 3751 West Dimond Boulevard.

1  
2 On September 12, 2005, the Planning and Zoning Commission recommended  
3 approval of a rezoning for Lot 12B, owned by JWYW Holding Company. JWYW  
4 made application to rezone the 3.22 acre property from B-3 SL to B-1B SL to  
5 include housing as an allowed use in the previously approved AO 85-151. Currently,  
6 no residential uses are permitted by this ordinance, even though the B-3 district  
7 normally allows residential uses at a density of a minimum of twelve units per acre.  
8 The applicant is proposing a small mixed-use development of commercial tenants,  
9 and approximately 60 dwelling units. The Planning and Zoning Commission, and the  
10 Planning Department, recommend approval of B-1B SL, but not B-3 SL. The  
11 applicant has agreed to the B-1B SL rezoning. At the Applicant's request, the case  
12 was not forwarded to the Assembly.

13  
14 The adjacent Lot 12A, 1.4 acres, was under separate ownership, and was not  
15 included in the September case. However, in December 2005, Lots 12A and 12B  
16 came under common control. The applicant then applied to rezone Lot 12A to the  
17 identical zoning as Lot 12B. The rezoning case for Lot 12A was heard by the  
18 Planning and Commission on February 6, 2006, and recommended approval. The  
19 two lots now have the identical recommendation for approval for the B-1B SL  
20 zoning. The cases have been consolidated into one ordinance.

21  
22 The applicant has met with the adjacent residential owners and the Sand Lake  
23 Community Council. He has modified his conceptual site plan to include: a 30-foot  
24 buffer adjacent to the residential area, undergo a public hearing site plan review prior

1 to development, set height limits, limit hours of operation for the businesses, and to  
2 prohibit certain incompatible uses. The Community Council and the neighbors are  
3 generally in support of the proposal.  
4

5 The proposed development promotes mixed use and residential development. The  
6 reason for recommending B-1B SL as opposed to B-3 SL is that B-1B allows the  
7 applicant his requested uses without requiring a lengthy list of prohibited uses. The  
8 Planning Department believes that the uses in the B-1B are more appropriate for this  
9 area, and compatible with the adjacent residential uses. The Applicant has agreed to  
10 the Special Limitations.  
11

12 The Planning and Zoning Commission found that this site is identified in the  
13 *Anchorage 2020 Anchorage Bowl Comprehensive Plan* as being within a designated  
14 Town Center, adjacent to a Transit Supportive Corridor, and is appropriate for this  
15 mixed-use zoning.  
16

17 The Planning and Zoning Commission recommended APPROVAL of the rezone to  
18 B-1B SL for Lot 12A by a vote of five ayes, zero nays, and for Lot 12B by a vote of  
19 seven ayes and zero nays.  
20

21 THE ADMINISTRATION CONCURS WITH THE PLANNING AND ZONING  
22 COMMISSION RECOMMENDATION FOR THE REZONING REQUEST.  
23

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

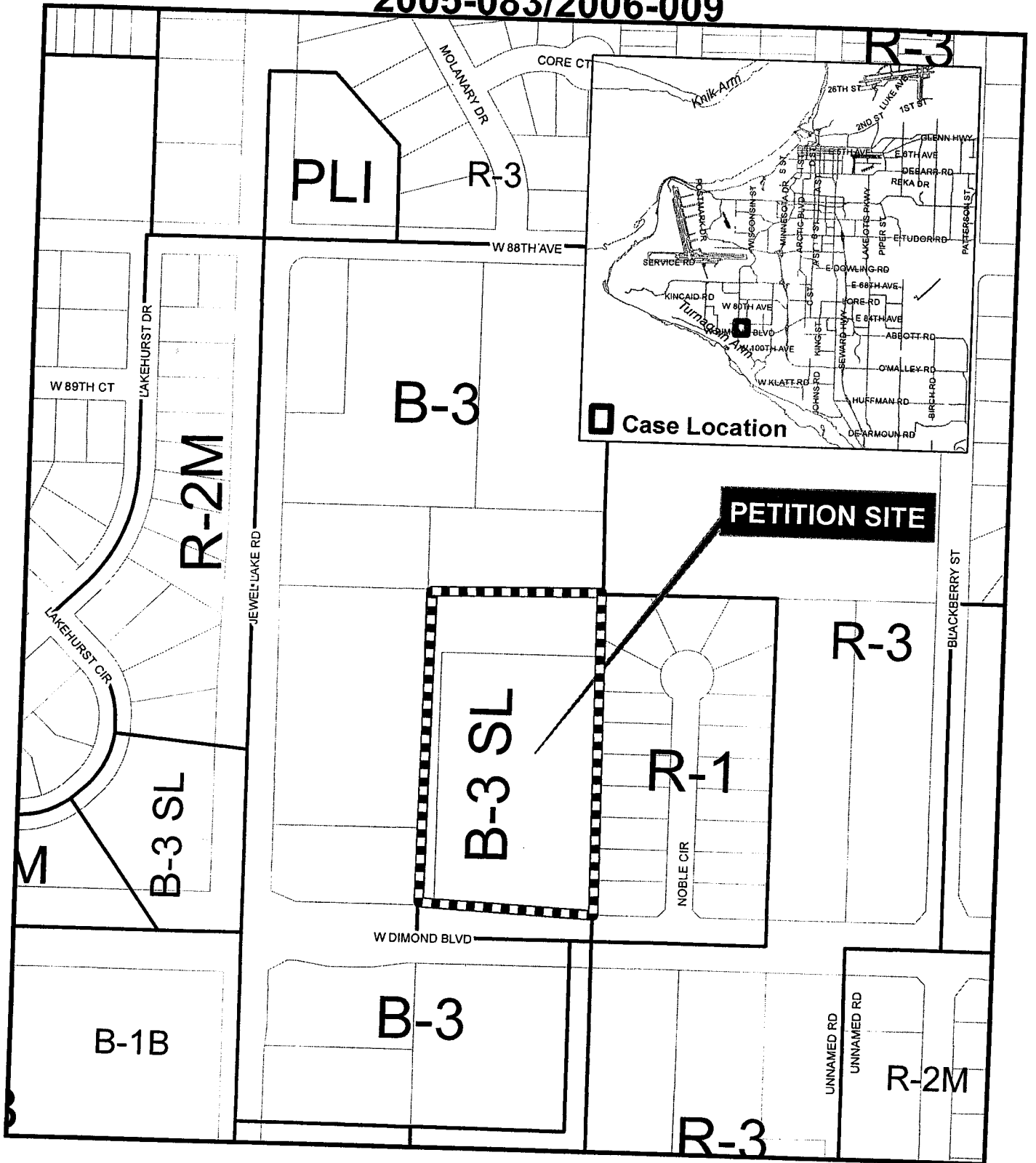
25 Concur: Tom Nelson, Director, Planning Department

26 Concur: Mary Jane Michael, Executive Director, Office of Economic and  
27 Community Development

28 Concur: Denis C. LeBlanc, Municipal Manager

29 Respectfully submitted, Mark Begich, Mayor

**REZONE EXHIBIT "A"**  
**2005-083/2006-009**



**Municipality of Anchorage  
Planning Department**

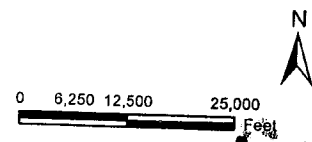
Date: April 5, 2006

### Flood Limits

 100 Year

 500 Year

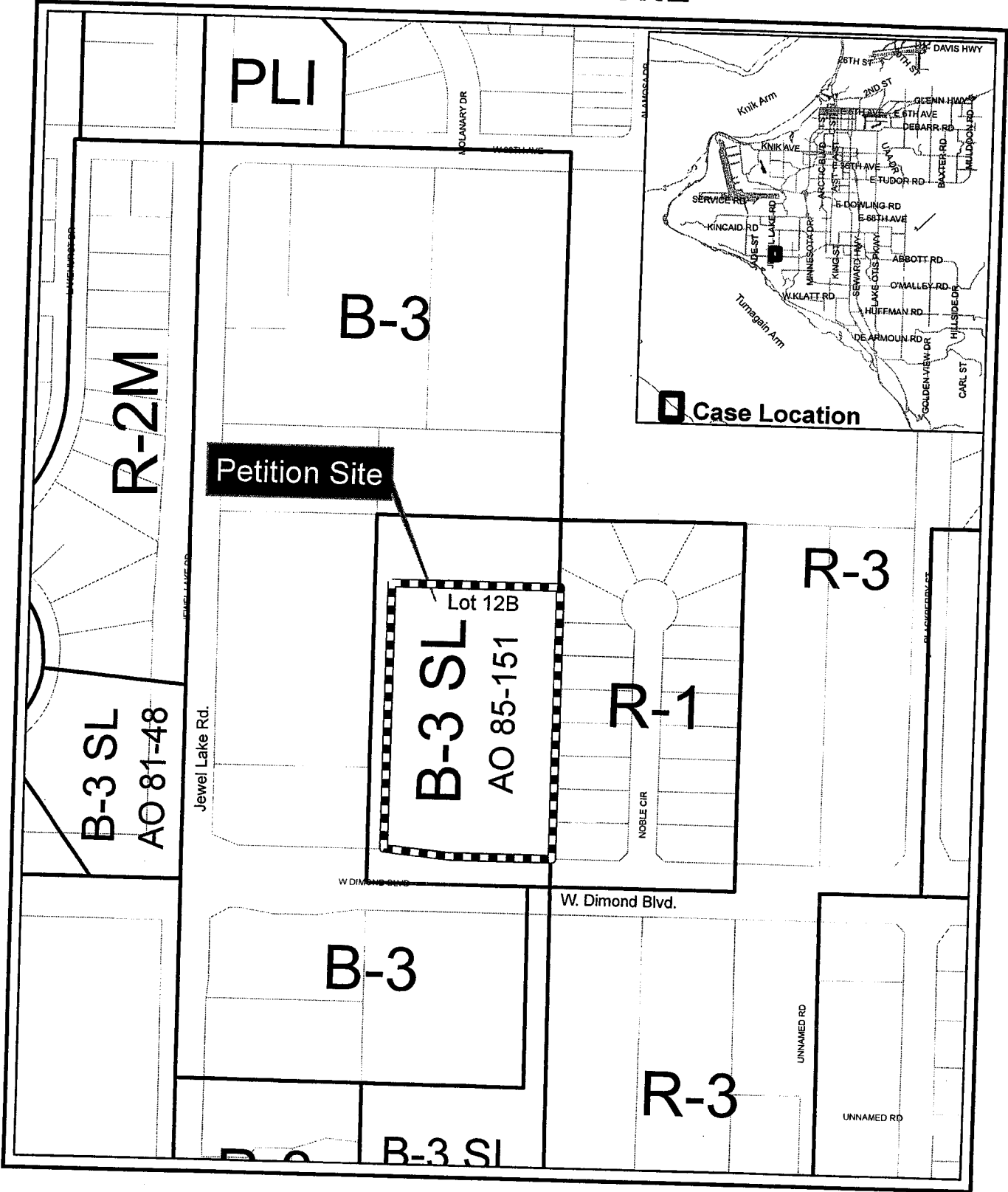
 Floodway



001

EXHIBIT A

2005-083 REZONE



Municipality of Anchorage  
Planning Department

Date: March 21, 2006

Flood Limits

- 100 Year
- 500 Year
- Floodway



002

**MUNICIPALITY OF ANCHORAGE**  
**PLANNING AND ZONING COMMISSION RESOLUTION NO. 2005-060**

A RESOLUTION APPROVING A REZONING FROM B-3 SL (GENERAL BUSINESS DISTRICT, WITH SPECIAL LIMITATIONS) TO B-1B SL (COMMUNITY BUSINESS DISTRICT WITH SPECIAL LIMITATIONS) FOR CHESTER H LLOYD SUBDIVISION, LOT 12B, GENERALLY LOCATED AT 3751 WEST DIMOND BOULEVARD.

(Case 2005-083, Tax I.D. No. 012-362-41)

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WHEREAS, a request has been received from JWYW Holding Company, owner to rezone approximately 3.2 acres from B-3 SL (General Business District, with Special Limitations) to B-1B SL (Community Business District with Special Limitations) for Lot 12B, Chester H Lloyd Subdivision, generally located at 3751 West Dimond Boulevard, and

WHEREAS, notices were published, posted and 148 public hearing notices were mailed and a public hearing was held on September 19, 2005.

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

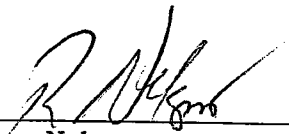
- A. The Commission makes the following findings of fact:
1. The subject property was replatted in 1985 and the general area had been rezoned B-3 SL in 1978. The property has remained undeveloped.
  2. This proposal will down zone the property, but will add residential uses to the list of permitted uses, which is the applicant's desire.
  3. The property is adjacent to a designated town center area and a transit supportive corridor. The *Anchorage 2020 Anchorage Bowl Comprehensive Plan* calls for higher residential density in this area. Therefore, the request is consistent with the comprehensive plan.
  4. The proposal will include residential and office/commercial elements.
  5. There are issues of potential incompatible uses, traffic, building heights, drainage, etc. which can be resolved during site plan review.
  6. The Commission recommended approval of the request by a vote of 7-aye, 0-nay.
- B. The Commission recommends the above rezoning be APPROVED by the Anchorage Assembly subject to the following special limitations:
1. The property shall be rezoned to AMC 21.40.145: B-1B Community business district and reviewed under those standards except as modified herein. Any subdivision of Lot 12B, Chester H. Lloyd Subdivision will be preceded by or concurrent with a public hearing site plan review for the entire Lot 12B. Approval is based on the concept design dated 12/12/05, Dean Architects and Lounsbury, Inc.

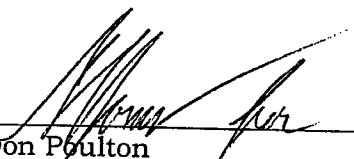
2. Residential uses are allowed at R-3 standards, AMC 21.40.050, except as modified herein. Hours of operation for commercial/office uses are 7:00am to 11:00pm.
  3. A site plan shall be reviewed and approved by the Planning and Zoning Commission. Prior to the issuance of building permits the applicant shall submit a site plan for the entire lot 12B for public hearing site plan review. Among the regular requirements, the site plan shall address:
    - a. secondary /additional street access: to Jewell Lake Road and/or 88<sup>th</sup> Avenue and/or Dimond Boulevard,
    - b. internal sidewalks and pedestrian connections to the exiting trail and public rights of way,
    - c. common, useable open space of not less than 2,500 square feet which meets the standards of AMC 21.50.210 G.5,
    - d. parking lot layout, internal to the site,
    - e. structure locations and mix of uses,
    - f. trails as shown on the Areawide Trails Plan and, if necessary, easements for trails,
    - g. town center standards as generally discussed in *Anchorage 2020: a mix of community serving retail; medium to high density residential uses including a mix of densities, ownership patterns, price and building types; and a pedestrian access network connecting the proposed use with town center core uses, adjacent neighborhoods and transit facilities.*
  4. All building heights on the west one-half of the property are limited to three stories or 35 feet and all building heights for structures within 150 feet of the east lot line, Noble Subdivision, are limited to two stories or 25 feet.
  5. Fifteen foot wide buffer landscaping (AMC 21.45.125 A.2.) is required on the north and west lot lines. A ten foot wide setback with buffer landscaping, exclusive of the existing ten foot drainage and ten foot utility easements, is required on the east lot line. The existing natural vegetation in these easements shall remain, except as needed for easement maintenance. A six foot tall, solid wood fence is required along the east lot line. Arterial (AMC 21.45.125 A.4.) landscaping is required on the south lot line.\*
- \* Note: Dimond Blvd. in this location is a class IIIA arterial with a future development setback requirement of 65 feet each side of centerline, per AMC 21.45.140. Currently only 50 feet each side of center line is platted. Yard setbacks are measured from the future development width.
6. As part of the site plan application and prior to any building permits the applicant shall resolve with (and submit plans to, as required) Project Management and Engineering the need for grading and drainage plans, a drainage impact analysis, fill and excavation requirements, erosion and sediment control requirements, and a storm water plan.

7. A comparison of the traffic generation rates between the proposed residential uses and the proposed commercial uses will be verified by the Municipal Traffic Dept. The proposed residential and commercial uses will be in compliance with the adopted ordinance and verified by the Planning Department.
8. Prohibited uses. The following uses are not allowed:
  - a. Correctional community residential centers.
  - b. Utility substations except as needed to serve the subdivision
  - c. The retail sale, dispensing or service of alcoholic beverages except in a restaurant by conditional use, AMC 21.50.160.
  - d. Convenience establishments.
  - e. Adult clubs as listed in AMC 21.45.240 and 21.45.245.
  - f. Private or public clubs with an alcohol license.
  - g. Private storage in yards of non-commercial trucks, boats, aircraft, campers, or travel trailers.
  - h. Outdoor storage of trailers, motorhomes, or other vehicles in open space, or overflow parking areas, or in assigned parking areas if the size of the vehicle exceeds the size of the parking space.
  - i. Outdoor harboring of animals.
  - j. On site drycleaning including dry cleaning machinery and chemicals. A drop off and pick up only store is permitted.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 19<sup>th</sup> day of September 2005.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 7<sup>th</sup> day of Nov. 2005. 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 2005-083)  
(Tax I.D. No. 012-362-41)

**PLANNING AND ZONING COMMISSION MEETING**

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

**MINUTES OF  
September 19, 2005  
7:00 PM**

*Called to order at 7:28 PM*

*A joint public hearing of the Planning and Zoning Commission and Anchorage Municipal Assembly on the Anchorage Long-Range Transportation Plan 2025 and concurrent amendments to the Official Streets and Highways Plan was conducted prior to this meeting, convening at 5:00 p.m. and adjourning at 7:28 p.m.*

**A. ROLL CALL**

Present Don Poulton, Chair

Megan Simonian  
Toni Jones  
Bill Wielechowski  
Art Isham  
Nancy Pease  
Shaun Debenham

Excused Greg Jones, Vice Chair

Staff Angela Chambers  
Al Barrett

CHAIR POULTON explained that municipal regulations state that any action by the Commission require a favorable vote of a majority of the fully constituted Commission, except when others may be excused due to conflicts voiced during disclosure. Therefore, an affirmative vote by 5 of the 7 members present at this meeting is necessary for the approval of any action. If this caused concern, petitioners could request postponement. No such requests were made.

**B. MINUTES**

COMMISSIONER WIELECHOWSKI moved for adoption of the minutes of August 15, 2005 and August 29, 2005. COMMISSIONER ISHAM seconded.

COMMISSIONER T. JONES abstained from the vote on the minutes of August 15, 2005 as she was absent from that meeting.



## **G. PUBLIC HEARINGS**

1.      **2005-083**                      JWYU Holding Company. A request to rezone approximately 3.22 acres from B-3SL (General Business with Special Limitations) to B-3SL to modify the Special Limitations. Chester H Lloyd Subdivision, Lot 12B. Located at 3751 West Dimond Blvd.

Staff member AL BARRETT stated 148 public hearing notices were mailed, 5 letters of objection were received, and no responses were received in support. The Sand Lake Community Council submitted a resolution of support. The applicants, neighbors, and Sand Lake Community Council were working on this proposal until late last week, so some of the information in the Staff analysis might be outdated. This request is to modify the list of special limitations (SLs) in the governing ordinance AO 85-151. The property is zoned B-3SL and the SLs do not allow a residential component to the development. The applicant is asking to add a residential component. The request was to rezone from B-3SL to B-3SL to allow for residential. This has been discussed between Staff and the applicant, as well as between the applicant and Community Council and neighborhood. Staff is recommending approval of a rezoning to B-1BSL. He understood both that both the Sand Lake Community Council and the applicant are in agreement with that rezoning recommendation. MR. BARRETT noted there is a packet from the Sand Lake Community Council included in a binder from Dean Architects with a concept plan. The Staff's response to the Sand Lake Community Council submittal on contained pages 1, 2 and 3 of the Staff analysis, and an unsigned copy of the resolution is attached thereto. A signed copy of the resolution should be in the Dean Architects packet. The proposal to rezone to B-1BSL is consistent with the Comprehensive Plan Policy #3 regarding density and the increase in density in this area of Anchorage, and with housing Policies #58 and #60. The proposal is compatible with Policy #7 regarding general land uses and incompatible uses adjacent to each other. This is a proposed mixed use development. MR. BARRETT noted that the only thing before the Commission is the change in the special limitations and the B-1BSL zoning that essentially adds a residential element. A public hearing site plan review is required through the governing ordinance. The proposal is consistent with Comprehensive Plan Policy #12 regarding density and the density level being appropriate for this area. The property is in a proposed town center, it is close to a transit-supported corridor, and density proposed by the applicant would be anywhere from 19DUA up to 28 DUA with an office/commercial portion to the development.

MR. BARRETT stated a zoning map amendment must consider environment and land use patterns; this standard has not yet been met regarding the environmental portion. The applicant's representative has identified a possible small contaminated area on the west side of the property. Regarding land use, this is a

proposed town center and Staff would like to see a mixed use residential/commercial/office use in this area. The concept plan submitted by the applicant appears to address this issue. The transportation standard has not been met; the Traffic Department was waiting to comment on this assuming that a site plan review would be forthcoming. This standard has not been addressed for drainage; this will occur during permitting. Staff recommends that the B-3SL proposal be denied and that a B-1BSL rezoning be approved subject to 7 special limitations. He explained that the applicant received approval of a preliminary plat in December 2004 that would have divided Lot 12B approximately in half. Staff believes this would leave two small and difficult to work with pieces of property and did not support a replat, thus special limitation 1; MR. BARRETT understood the applicant is dropping the proposed a replat. Special limitation 2 requires that the standards for residential development will be at R-3. This standard is required solely to keep the density appropriate for the neighborhood and in line with the town center concept and the fact it is adjacent to a transit-supported corridor. Special limitation 3 is the requirement for a site plan review, which Staff favors to address unresolved items a. through g. Staff has no objection to this site plan review being administrative, not requiring a public hearing, if this is agreeable to the Sand Lake Community Council. Special limitation 4 limits building heights, which is a carry over from the previous governing ordinance. Because the applicant has agreed to a very wide buffer on the east side of the property, Staff has no objection to deleting special limitation 4. Special limitation 5 is a requirement for landscaping, easement and setbacks, but is primarily a caveat about future development for Dimond Boulevard and that not everything to be done can be measured from the current edge of the right-of-way. Special limitation 6 is for a drainage study to be done concurrent with the site plan application. The neighbors on Noble Circle have reported drainage issues over the years and Staff wants to see those addressed early in the process. Special limitation 7 was suggested by the Traffic Department. In the past the neighborhood has been concerned with traffic generation, where vehicles will exit from this site, and turn lane requirements.

COMMISSIONER PEASE confirmed that special limitation 4 would be eliminated and asked what height limits would exist on development on this site. MR. BARRETT replied that the residential development would be governed by the R-3 zoning district and the commercial development would be governed by B-1B.

The public hearing was opened.

BRAD RINCKEY with Lounsbury Associates stated this project offered an opportunity to start the town center concept in the Jewel Lake area. The petitioner has tried to integrate as many components of the town center as possible into this project in hopes it will serve as an anchor to the area and encourage further development in the town center concept. A mixed use of businesses and high density residential, both in close proximity

to a transportation corridor, seemed like a solution to this area and is supported by Anchorage 2020. MR. RINCKEY made the Commission aware that this is a project where the developer, the Planning Department and the community worked together before coming to the Commission. This approach to design makes a development that adds to the community and to the entire city. The petitioner appreciates the work Staff has done in recommending B-1B, but he wished to address some of the Staff comments in its evaluation. On page 15 there is discussion of the contaminated area; the petitioner will clean that area, which was from the dry cleaner adjacent to the property, and with that the request meets the environmental requirement. MR. RINCKEY agreed with the recommendation to rezone to B-1B and with the conditions of approval, but would like to amend special limitation 1 to delete the last sentence so there is no prohibition on subdivision of Lot 12B. As with many developments, sometimes subdivision is required for phasing or if financing is required. A preliminary plat is in processing, although the petitioner does not anticipate going forward with it. The property would be encumbered by not allowing further subdivision. This project is subject to site plan review, so the public and Municipality are protected. He stated special limitation 4 is from the previous ordinance. The petitioner has met with the community council several times, has addressed the building height issue, and the proposed site plan demonstrates that the building locations will have no negative effect on the residents of Noble Circle and they given their support, subject to that site plan. He wanted the Commission to be aware that the community council has developed the special limitations shown in the packet as part of their support; the developer feels these limitations are good and protect the community council.

COMMISSIONER WIELECHOWSKI asked for Staff comment on the petitioner's request to delete the second sentence of special limitation 1. MR. BARRETT understood the petitioner's concern. He suggested amending the condition to state that the site plan would precede any subdivision of Lot 12B so the Commission could see the plan before it goes to the Platting Board for subdivision. COMMISSIONER WIELECHOWSKI asked why no subdivisions were being allowed. MR. BARRETT referred to the plats on page 8 and 9. He explained that Lot 12B is 140,000 SF and page 9 shows the proposed subdivision of that property. The size of the lots is not of concern, but the fact they are long and narrow is of concern because it would put residential property into area that is surrounded on three sides by commercial and also possibly proposing a mixed accessway in the flagpole portion of Lot 12A. At the time the plat was proposed, Mr. Weaver was unaware of the proposed rezoning; Mr. Weaver had no objection to keeping the land as one parcel.

COMMISSIONER DEBENHAM asked for reiteration of the petitioner's requests regarding the special limitations. MR. RINCKEY reviewed the modification of special limitation 1 and asked for elimination of special limitation 4.

CATHERINE WELLS, resident on Noble Circle, asked that special limitation 1 not be changed. She feared that subdivision of the lots would mean future development on part of the lot while still not address drainage issues where the property was filled previously.

Abutting neighbors have been negatively affected by fill activities on the property by previous owners. She wanted to retain special limitation 4, preferring that all height limitations be kept to 25 feet. The neighbors do not want a three-story building adjacent to existing residential uses.

COMMISSIONER WIELECHOWSKI asked if the buildings on the petition site would be so close as to impact views or sunlight. MS. WELLS replied that so long as there is a 30-foot setback, the sunlight would not be affected, but having a building above adjacent residential properties would create privacy issues. COMMISSIONER WIELECHOWSKI assumed drainage issues would be addressed at the time of site plan review. MR. BARRETT indicated this is the case, explaining that the condition should be worded to require a drainage plan at the same time as a site plan submittal. MS. WELLS asked if the lot is subdivided, would there be two site plans. CHAIR POULTON explained that the proposal is to reword the condition to require a site plan review by the Commission if the property is subdivided. MS. WELLS did not see how that would ensure that drainage is addressed if there is further development.

COMMISSIONER PEASE asked whether most of the houses on Noble Circle face west or east. MS. WELLS replied that half of the houses face east and the other half face west. Her house directly abuts the subject property, her view faces east and her bedrooms are on the west side of her home.

PHILLIP BRUCE BARBER, resident on Noble Circle since 1973, stated that in 1978 the neighbors first requested special limitations and he thought those limitations had not changed over the years. His biggest objection was to high density residential development that will greatly impact his subdivision. He stated there would be more traffic, more stress, more noise, and more crime as a result of such development. He stated he would prefer a daytime business on this property so there would be peace and quiet at nighttime. He noted there are businesses in the area open at late hours, a new fire station, and increased traffic on Dimond Boulevard that have added to the noise factor in the evenings.

SHERRY JACKSON, volunteer chair of the Sand Lake Community Council, complimented Dean Architects for coming to the Council and the neighbors. She stated that although the Council passed a resolution, there were concerns that she wanted on the record. She asked that if this plan fails or if there are drastic changes, it be obvious that the developer has to come back to the Council. There is only a one-way access going west and no outlet, so congestion is a concern. This project is being used as a town center concept, but the overall large plan was never brought to the Council; this is another piecemeal project. The other concern of the Council is drainage. She thought it was deceptive to tie this project to a town center plan no District Plan is in place. She felt congestion would be problematic. She felt the concept of a business on the bottom of condos is premature. She concurred with the concerns expressed by Ms. Wells. The Council asked that the Commission ensure that any changes are brought to the Council.

COMMISSIONER SIMONIAN asked if the Council has any opinion about removing the public hearing requirement from the site plan review. MS. JACKSON replied that the Council executive board members have said they would like to continue to know what is happening on this property. She stated there was a moment when the proposed development seemed solid and then it came back as "possibilities" making the Council feel it should monitor it. COMMISSIONER SIMONIAN asked whether, if the public hearing is required as part of the site plan review, the Council's concerns that this is piecemeal would be alleviated. MS. JACKSON thought it would be preferable for a master plan to be presented, but now the project is being brought forward in the context of it being part of a town center.

COMMISSIONER WIELECHOWSKI asked if the Council has any position regarding special limitation 4. MS. JACKSON replied that the neighbors had concerns with respect to building height. She thought that there had been agreement to a three-story height limitation. COMMISSIONER WIELECHOWSKI asked if the height of three stories or 35 feet was agreeable. MS. JACKSON thought it was agreeable to the neighbors. COMMISSIONER WIELECHOWSKI asked what has been done in terms of assessing transportation issues. MR. BARRETT replied that not much more has been done as part of this application. This almost identical case was before the Commission three years ago and the transportation issues have been that the property is right-in/right-out and that there is only one access. Both Traffic and ADOT have raised the question in the past of another access to Dimond, one north to 88<sup>th</sup> Avenue, or one to the west to Jewel Lake Road. There were no firm comments from Traffic or ADOT with this review; thus the site plan review and special limitation 7 are required. COMMISSIONER WIELECHOWSKI asked if there has been discussion about developing a master plan for the Jewel Lake town center. MR. BARRETT replied in the negative. MS. JACKSON stated she has been trying to reach out to Spenard, Turnagain and Bayshore/Klatt for those communities to come together and decide what is desirable. Assemblymember Dan Sullivan has said there is no money for town center plan development at this time and he does not see it coming available in the near future.

In rebuttal, MR. RINCKEY explained that originally the petitioner had planned to purchase a larger area adjacent to the subject parcel and was taking on the town center concept, absent a municipal plan. That is still in the works, but the adjacent property is in trust. He believed the drainage problems into Noble Circle occurred when a large amount of fill was put on the site; if anything, this development would improve that situation. Approval will be required from Project Management and Engineering and there is a natural bioswale in the large buffer. Thirty feet of the trees will remain and anything not meeting municipal landscaping code will be augmented. The special limitations limit business hours to 7:00 a.m. to 11:00 p.m. to address noise concerns. He stated that no comments have been received from Traffic at this time and he believed traffic concerns would be handled in the site plan review process. The petitioner met with ADOT and the access is limited to that shown on the site plan by a plat note.

COMMISSIONER SIMONIAN asked for comment on whether a public hearing or non-public hearing site plan review is preferred. MR. RINCKEY had no objection to either. COMMISSIONER SIMONIAN noted that Mr. Barrett indicated if the second sentence of special limitation 1 is removed, a public hearing site plan review would have to occur before the subdivision occurred. MR. RINCKEY did not object to this suggested change.

The public hearing was closed.

COMMISSIONER SIMONIAN moved for approval of a rezoning to B-1B SL subject to special limitations 1 through 7, amending the second sentence of special limitation 1 to read, "A site plan approval would precede any request for subdividing Lot 12B." She clarified that special limitation 3 would require a public hearing site plan review. COMMISSIONER T. JONES seconded.

COMMISSIONER SIMONIAN supported her motion, finding that this proposal is consistent with Anchorage 2020. She favored the mixed use and felt the petitioner had gone out of their way to work with the Community Council and address the concerns of the neighbors. She felt the issues brought out in public testimony were addressed in the conditions, notably the issue of drainage and any piecemeal approach to development.

COMMISSIONER WIELECHOWSKI asked if special limitation 1 should include a drainage plan. MR. BARRETT indicated that special limitation 7 makes this requirement. COMMISSIONER WIELECHOWSKI proposed including the prohibited uses in the Sand Lake Community Council resolution, items A, C, D, E reworded "the uses identified in AMC 21.45.240 and 21.45.245," item F, G, H, I, and J. *This was accepted as a friendly amendment.*

COMMISSIONER DEBENHAM felt a distinction should be made in item J to be "on-site dry cleaning" rather than "dry cleaners." *This was accepted as a friendly amendment.*

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

PASSED

**MUNICIPALITY OF ANCHORAGE  
PLANNING DEPARTMENT  
MEMORANDUM**

**G.1.**

---

**DATE:** September 19, 2005

**TO:** Planning and Zoning Commission

**FROM:** Alfred Barrett, Senior Planner *AB*

**APPLICANT:** JWYW Holding Company

**REPRESENTATIVE:** Lounsbury & Assoc.

**SUBJECT:** **2005-083 Rezone B-3 SL to B-3 SL: postponement request to September 19.**

**LOCATION:** 3751 West Dimond Boulevard; Chester H Lloyd subdivision, lot 12B

**TAX PARCEL NO.** 012-362-41

The rezoning request is to modify one of the Special Limitations. In AO 85-151, one of the SL's does not allow residential development even though the B-3 district normally allows multifamily at a density equivalent of 12 units per acre.

The case had been scheduled originally for July, but was postponed twice as the applicant met with neighbors and the Sand Lake Community Council. The case is now ready to proceed. Attached to this memo is a final, but unsigned copy of the SLCC resolution of support for the rezoning. Also attached is a design concept plan.

**SLCC resolution requirements**

1. a 30 foot development setback to be placed on the east side of the property.

Department response - staff recommended (staff condition #5, p. 013 of the staff packet) a 30 setback as follows: a 10 buffer landscaping setback exclusive of the existing 10 foot drainage and 10 foot utility easements.

Natural existing vegetation in the drainage and utility easements to remain except as needed for easement maintenance.

The staff condition is more strict in that it requires more vegetation, but does not object to the SLCC version.

2. approval of the SLCC resolution is based on the concept design dated 12/12/05, Dean Architects and Lounsbury, Inc.

Department response – the staff conditions #3 & 6, p. 013-014 of the staff report recommend a public hearing site plan review to address traffic, trails, open space, drainage, etc. the Department prefers the Department version, but does not object to making the future site plan approval a consent agenda item.

3. business hours of operation 7:00am to 11:00pm.

Department response - staff did not address hours of operation. No objection.

4. prohibited uses. The SLCC resolution lists ten prohibited uses, A through J.

Department response – the Department did not itemize uses, which was part of the reason the staff recommended zoning district B-1B as the base.

The Department has the following comments on the SLCC list of prohibited uses.

- A. CCRC. No objection
- B. utility substations. Department response: This may be too restrictive. There are drainage issues in the area. A lift station may be needed for storm water and/or waste water disposal.
- C. Liquor stores. No objection.
- D. Convenience establishments. Department response: convenience establishments are not listed as a permitted use in the B-1B district. This prohibition is probably not needed. It is doubtful if the conditional use standards could be met, anyway. No objection, however.



- E. Adult clubs. Department response: no objection, but the SLCC may wish instead to consider prohibiting the uses as listed in AMC 21.45.240 and 21.45.245.
- F. Private or public clubs with an alcohol license. Department response: No objection.
- G. Private storage in yards of certain non-commercial vehicles. Department response: No objection, but this is more properly a property covenant restriction.
- H. Outdoor storage of certain vehicles if the vehicle is larger than a parking space. Department response: No objection, but this also should be a covenant restriction.
- I. Outdoor harboring of animals. No objection, but residents will need to realize that this restriction means that animals are not allowed outside, even in a fenced yard, unless under direct human control.
- J. Drycleaners. Department response: No objection, but we believe the intent here is to prohibit the on-site use of dry cleaning machinery and chemicals. There should be no objection to a drop off and pick up only store.

## The Sand Lake Community Council Resolution of Support

The Sand Lake Community Council supports the rezone of Lot 12B, Chester H. Lloyd Subdivision to B1B from its current B-3 SL zoning with the following requirements and list of prohibited uses:

### Requirements

- 1) A thirty-foot development set-back to be placed on the east side of the property.
- 2) Approval of this resolution is based on the design concept presented by Dean Architects and Lounsbury & Associates, Inc. at the September 12, 2005 SLCC meeting.
- 3) No Business hours of operation shall exceed 7:00AM to 11:00PM

### Prohibited Uses:

- A) Correctional community residential centers
- B) Utility substations and telephone exchanges
- C) Liquor stores. Note: Restaurants primarily serving food would be allowed to serve alcohol
- D) Convenience establishments
- E) Adult Clubs or establishments

F) Any public or private club or lodge involving the sale, dispensing or service of alcoholic beverages.

G ~~F~~) Private storage in yards of noncommercial trucks, boats, aircraft, campers, or travel trailers.

H ~~G~~) No storage of trailers, motor homes, or other vehicles in open space and overflow parking, or in an assigned parking areas if the length exceeds the parking space.

I ~~H~~) Outdoor harboring or keeping of dogs, animals and fowl.

J. ~~I~~) Drycleaners

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Title

---

Date

**PLANNING DEPARTMENT**  
**PLANNING STAFF ANALYSIS**  
**REZONING**

**DATE:** August 1, 2005

**CASE NO.:** 2005-083

**APPLICANT:** JWYW Holding Company

**PETITIONER'S  
REPRESENTATIVE:** Lounsbury & Associates; Brad Rinckey

**REQUEST:** Rezoning Chester H. Lloyd Subdivision, Lot 12 B  
from B-3SL per AO 85-151 to B-3SL to amend the  
Special Limitation list to allow residential uses.

**LOCATION:** Chester H. Lloyd Subdivision, Lot 12B

**SITE ADDRESS:** 3751 West Dimond Boulevard

**COMMUNITY  
COUNCIL:** Sand Lake

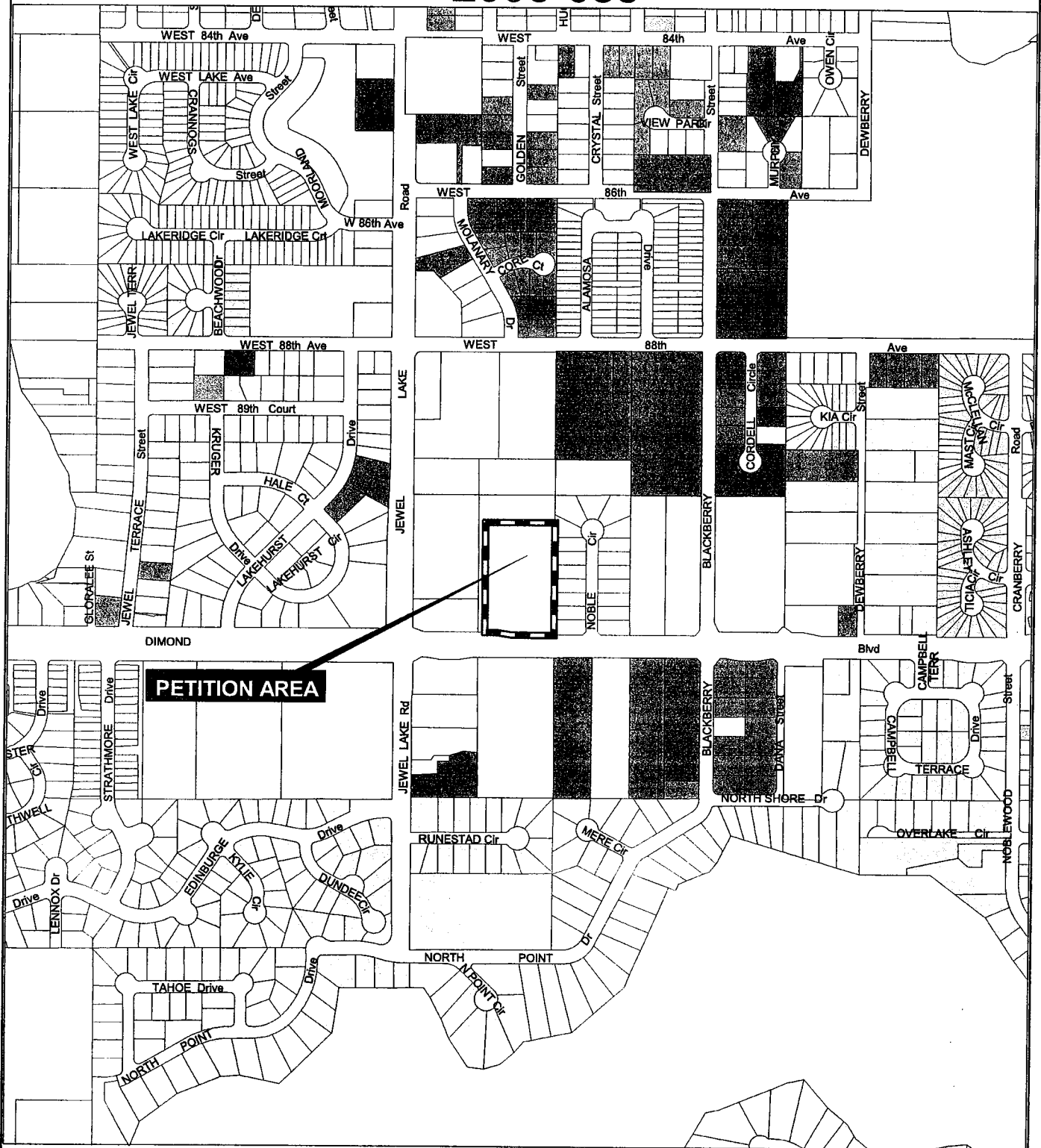
**TAX NUMBER:** 012-362-41

**ATTACHMENTS:**

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

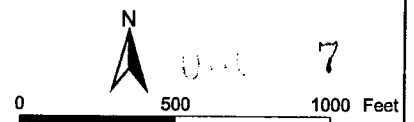
**RECOMMENDATION SUMMARY: APPROVAL** of zone district B-1B  
Community business district, except as modified herein. The  
addition of a residential component to the AO is consistent with the  
standards of the Comprehensive Plan and as modified is compatible  
with the surrounding uses and zoning districts.

# REZONE 2005-083



Municipality of Anchorage  
Planning Department

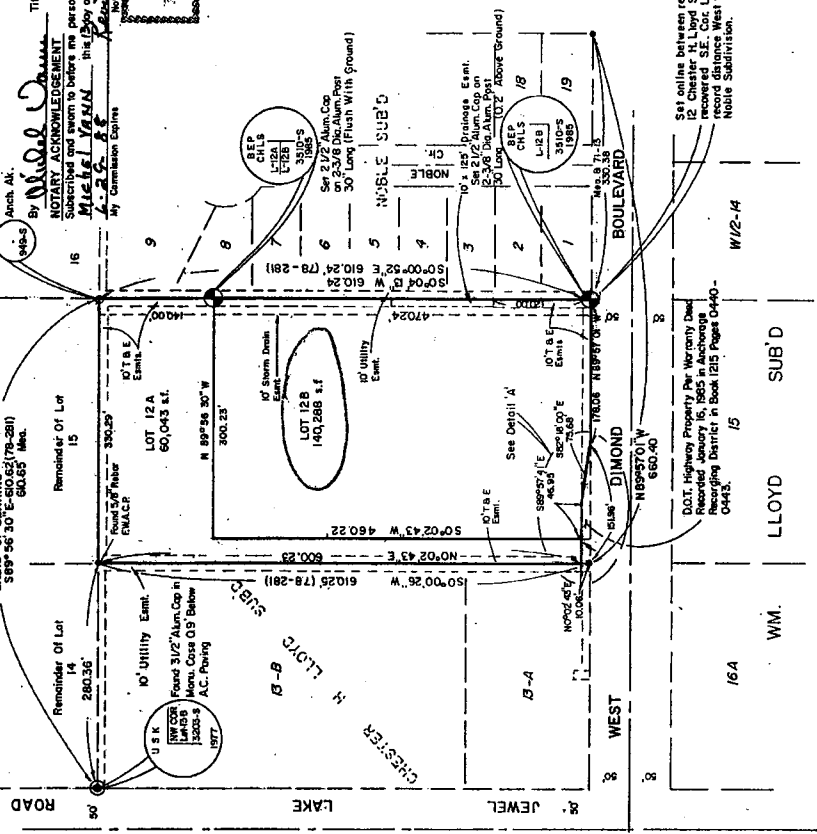
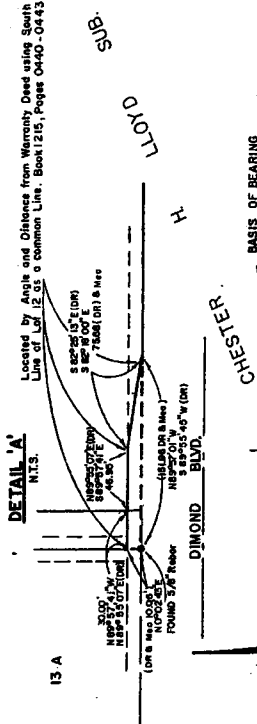
Date: May 9, 2005



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

019

# Current Pkt - Subject rezoned lot 12B



- NOTES:**
1. Direct Vehicular Access to West Diamond Blvd. From Lots 12A and 12B Shall Be Limited To Common Driveway.
  2. The Fence shall be constructed by 12-30-85 or 6' high of line of development, the fence will be 6' high of line of development.
  3. 5/8" x 30" Rebar Set at all lot corners unless otherwise noted.
  4. Prior to development of lot 12B the entire storm drain system must be connected to a storm drain in Diamond Blvd.
- LEGEND:**
- T & E: Telecommunication and Electrical Equipment
  - 5/8" Rebar Rec. This Survey
  - Found 3-1/2" Iron Pipe W/3/4" Brass Disk Measured
  - Set 2-1/2" Aluminum Monument
  - Found 3-1/2" Aluminum Monument
  - Dead Record Book 125, Page 0440-0443 Recorded 1/16/85 in Anchorage Recording District.

## SURVEYOR'S CERTIFICATE

I, Andrew F. Felt, a professional land surveyor do hereby certify that the plat of LOT 12B is a true and correct representation of land actually surveyed and that the distances and bearings are shown to the nearest foot and that the monumentation is correct. All other monuments, and lot corners have been set and marked. If final subdivision agreement, they will be set as specified in said subdivision agreement. Lot corners to be set by NA. Monuments to be set by NA.

## PLAT APPROVAL

Plat approved by the Municipal Planning Authority this 30th day of December, 1985.

## ACCEPTANCE OF DEDICATION

The Municipality of Anchorage hereby accepts for public use and for public purposes the new property dedicated on this plat, including, but not limited to, the easements, rights-of-way, alley, roadways, thoroughfares and parts shown herein.

Dated 12/16/85 at Anchorage, Alaska this 16th day of December, 1985.

## TAX CERTIFICATION

All real property taxes levied by the Municipality of Anchorage on the area shown on this plat have been paid.

Dated 12/16/85 at Anchorage, Alaska this 16th day of December, 1985.

APPROVALS  
Andrew F. Felt Surveyor  
Michael J. Potts Planning Officer  
William D. Potts Municipal Engineer  
W.D.C. Potts City Clerk

## ASSIGNMENT OF JUDGMENT

Lawyers Title Insurance Agency, Inc. and Lawyers Title Insurance Corporation  
 480 W. Third Road  
 Anchorage, Alaska 99501  
 By Daniel S. Y  
 NOTARY ACKNOWLEDGEMENT  
 Subscribed and sworn to before me personally appeared DANIEL S. Y  
 SECRETARY this 16th day of August, 1985  
 MAY 24, 1989  
 My Commission Expires June 2, 1989

## BENEFICIARY

Anchor Continental Bank  
 Anchorage, Alaska  
 By Michael J. Potts Title VP  
 NOTARY ACKNOWLEDGEMENT  
 Subscribed and sworn to before me personally appeared Michael J. Potts  
 MICHAEL J. POTTS  
 Notary Public

## CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we), hereby certify that I (we) hold the herein described property, interest in the property described herein. I (we) hereby dedicate to the Municipality of Anchorage all areas depicted for use as public utility easements, streets, alleys, thoroughfares, parks, and other public areas shown herein. There shall be reserved adjacent to the dedicated streets shown herein, a slope of not less than 1:1 (1.0 to 1.0) of cut or fill for the purpose of providing and maintaining the same. There is reserved to the grantors, their heirs, successors and assigns, the use of such areas at any time upon providing and maintaining other adequate lateral support, as approved by the Municipality.

OWNER  
 Dimond Jewel Associates, LTD., The Claims Development Corp.  
 2500 Dimond Blvd.  
 Anchorage, Alaska 99501  
 By Robert J. Stuber Title Vice President  
 NOTARY ACKNOWLEDGEMENT  
 Subscribed and sworn to before me personally appeared Robert J. Stuber  
 5-18-88  
 this 18th day of May, 1988  
 My Commission Expires May 18, 1991

BENEFICIARIES  
 William H. Leslie and Marlene D. Leslie  
 1500 W. Benson Blvd.  
 Anchorage, Alaska 99501  
 By Robert J. Stuber Title Vice President  
 NOTARY ACKNOWLEDGEMENT  
 Subscribed and sworn to before me personally appeared Robert J. Stuber  
 5-18-88  
 this 18th day of May, 1988  
 My Commission Expires May 18, 1991

By Robert J. Stuber Title Vice President  
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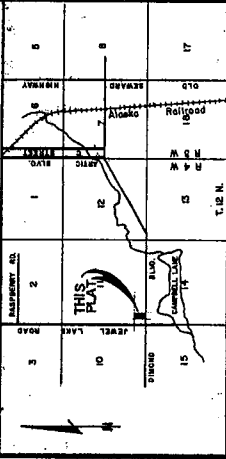
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VICINITY MAP SCALE: 1" = 1 MILE



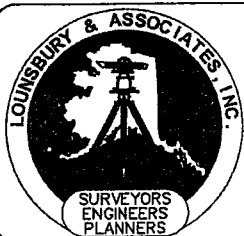
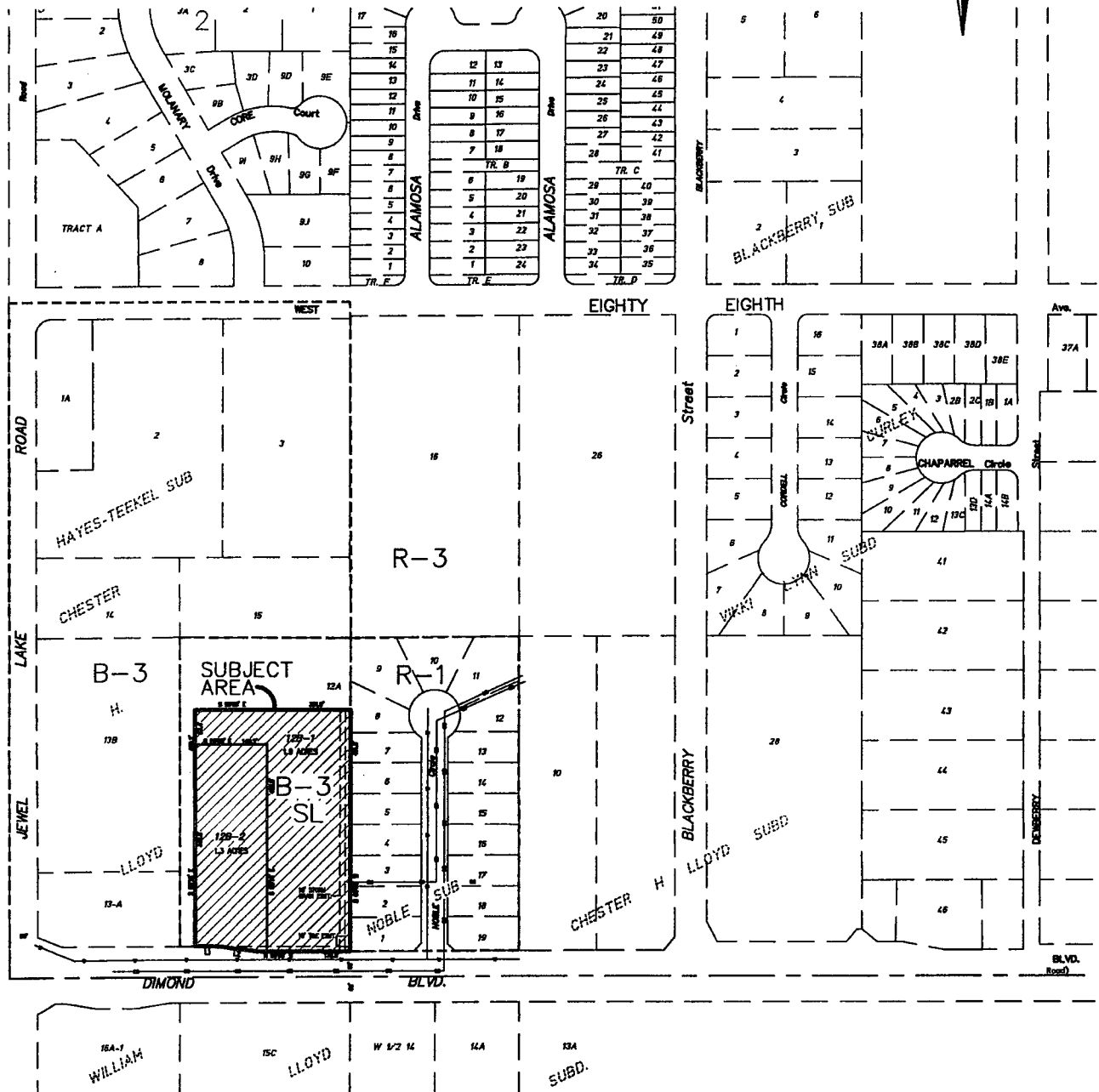
PLAT OF  
 LOTS 12A, 12B, CHESTER H. LLOYD SUB  
 LOT 12, CHESTER H. LLOYD SUB F-213A  
 Excepting that portion conveyed to the State of Alaska per Book 125 of Page 440  
 LOCATED WITHIN  
 SW 1/4 Sec. 11 T16N R4W S1M AK  
 CONTAINING 4.5 ACRES MORE OR LESS

BESSE, EPPS & POTTS  
 2220 E. 86th AVE.  
 ANCHORAGE, AK 99507  
 Grid 2308 Scale 1" = 100' Date June 1984 Book 125 of Page 440  
 Drawn W.L.N. Filed No. S-7757 W.O. No. 6182 Drawn No. 84-108

1985-2254

85-337FO

# Proposed replat of Lot 12B and rezone



723 W. 6th Avenue  
Anchorage, Alaska 99501  
(907) 272-5451 Fax: 272-9065

3161 E. Palmer-Wasilla Hwy, #2  
Wasilla, Alaska 99654  
(907) 357-9129 Fax: 357-9140

## LOT 12B CHESTER H. LLOYD REZONE LOCATION MAP

DRAWN BY: BJR  
FILE NAME: REZONE

DATE: 4/15/05  
SCALE: 1"=300'

021

**SITE:**

Acres: 3.22 acres (approximately 140,300 sq ft)  
Vegetation: Cleared  
Zoning: B-3 (SL) per AO 85-151  
Topography: Level  
Existing Use: Vacant  
Soils: Public water and sewer available

**COMPREHENSIVE PLAN:**

Classification: West Anchorage Planning Area and designated Town Center; the property is outside the lowest airport noise contour of 60db.  
Density: Medium to high. B-3 normally allows multi-family at a minimum of 12 units per acre or within a commercial structure of at least 5,000 square feet. AO 85-151 does not allow residential uses.

**SURROUNDING AREA**

	<u>NORTH</u>	<u>EAST</u>	<u>SOUTH</u>	<u>WEST</u>
Zoning:	B-3SL	R-1	B-3	B-3
Land Use:	RV storage area	Single family subdivision	miscellaneous free standing commercial	Strip mall

**PROPERTY HISTORY**

06-20-51	Plat	Chester H Lloyd subdivision
03-24-72	Rezoning	Areawide rezone R-3
02-14-78	Rezoning	Rezoning R-3 to B-3SL per AO 78-18
08-12-85	Re-plat	Lots 12A and 12B created
10-29-85	Rezoning	Rezoning from B-3SL per AO 78-18 to B-3SL

00000

0222



per AO 85-151 changed some of the use limitations of AO 78-18 and added alcohol use by Conditional Use.

08-12-02	Site plan	PH-SPR to allow residential units. Postponed until rezoning application processed.
11-04-02	Rezoning	B-3SL to B-3SL to add residential to list of SL permitted uses. Failed, PnZ case 02-079
12-27-04	Replat	S-11325 short plat; preliminary approved. Create lots 12B-1, 1.9 acres and 12B-2, 1.3 acres

Applicable Zoning Regulations:

AO 85-151, copy attached. The AO requires a public hearing site plan review prior to any development.

**SITE DESCRIPTION AND PROPOSAL:**

A preliminary replat was approved in December 2004. It subdivides the subject lot 12B into lots 12B-1, 1.9 acres, and 12B-2, 1.3 acres. Based on the concept plan submitted with this rezone, the replat appears to have been dropped.

The current property configuration, lot 12B, is one rectangular lot of approximately 140,300 square feet, 3.2 acres. Lot 12B was itself one of two lots subdivided from the original lot 12, Chester H Lloyd subdivision. Lot 12A, adjacent to the west, is a flag lot which will retain the B-3SL per AO 85-151. The subject lot, 12B, is proposing townhouse style dwelling units and parking lot although there is no official site plan at this time. A public hearing site plan review is required by the AO prior to any permitting. The two lots, 12A and 12B, will share common access via the "pole" portion of flag lot 12A. An AK-DOT driveway permit for access to Dimond Boulevard will be required and a shared access agreement between the lots will be required by the Municipality.

The purpose of this rezoning application is to add residential uses to the list of special limitations in AO 85-151. The informal site plan submitted with the rezone application indicates 60 units, which is a density of

approximately 19 units per acre. The B-3 district requires a minimum 12 units per acre.

The property is designated in Anchorage 2020 as Town Center and is less than 100 yards from a transit supportive development corridor, Jewel Lake Rd.

**FINDINGS:**

**21.20.090 Standards for Approval – Zoning map Amendments.**

**A. Conformance to the Comprehensive Plan.  
The standard is partially met.**

The area is shown on the *Anchorage 2020* Land Use Policy map as a Town Center and is on the southern boundary of the West Anchorage Planning Area. Town Centers are to function as a focus of community activity in sub-areas of Anchorage. Town Centers will include a mix of retail, services, public facilities, and medium to high density residential. The West Anchorage Planning Area recognizes the relationship between the Airport and the surrounding communities, but there is no West Anchorage Plan in effect at this time. The addition of a residential element to the special limitations affecting this property is in conformance with the town center concept in *Anchorage 2020*, if properly integrated into the overall design of what a town center should be.

**Policy 5, General Land Use**

Rezoned and variances shall be compatible in scale with adjacent uses and consistent with the goals and policies of Anchorage 2020.

Townhouses and a small office building are not necessarily incompatible, but as shown on the schematic site plan, there isn't much area for buffering between the office and parking and the townhomes. There will be even less if the property is subdivided as proposed. The schematic also does not resemble the mixed use of a town center. An actual site plan submittal is required by the AO, prior to any permits. A town center development would more likely be an integrated mix of commercial and residential uses with well located open space and connectivity within and to neighboring properties. It would also reflect compatibility in architectural style and design.

Furthermore, if the replat were finalized and the current 3.2 acre lot subdivided into 1.3 and 1.9 acre lots, the lots might be large enough to allow only a single use on each lot. This would be even less compatible with the town center concept.

The AO requires a public hearing site plan review prior to development so the Commission will have further review of this property.

**Policy 7, General Land Use**

Avoid incompatible uses adjoining one another.

The area is a town center and encourages mixed uses, but appropriate setbacks and buffering will be needed, especially on the east side, to address drainage issues and single family neighborhood concerns.

In the current 2.3 acre configuration, there is adequate land area to provide a large buffer between the adjacent long established residential development and the subject property. The east property boundary has a twenty foot easement, ten feet for T&E and ten feet for drainage. This twenty foot wide strip contains mature trees which provide a good visual buffer, however, these trees could be lost if the easements are needed. An additional twenty feet should be required as part of the site plan approval. Landscaping on the other property boundaries shall be exclusive of utility easements.

**Policy 12, Residential**

This standard is partially met. The proposed density of 60 units on 3.2 acres is consistent with B-3, Town Center, and Transit Supportive Corridor densities.

New, higher density residential development, including that within transit-supportive development corridors, shall be accompanied by the following:

- a. building and site design standards,
- b. access to multi-modal transportation, to include transit, and safe pedestrian facilities, and;
- c. adequate public or private open space

Town Centers recognize and encourage a mix of uses. However, this proposal does not conform to what staff has seen in town center design and rather represents a small residential and strip development.

The residential section would be surrounded on three sides by B-3 zoning and forced to share a common driveway with at least two of these B-3 properties. Although public transportation is nearby, pedestrian interconnectivity is not shown, the single driveway access is neither adequate nor safe, and a second access is needed.

**A. Conformance to the Comprehensive Plan (continued)**

1. If the proposed zoning map amendment does not conform to the land use classification map in the Comprehensive Plan explain how proposed rezoning meets one of the following standards:
  - a. the proposed use is compatible because of the diversity of uses in the area,
  - b. the proposed use may be made compatible with special limitations or conditions of approval relating to access, landscaping, screening, design standards, site planning,
  - c. the proposed use does not conflict with applicable goals and policies.

The properties in the area are generally commercial along the main roads and around the intersection. Single family and multi family are adjacent to the commercial. The area is diverse, but this pattern is a result of development since the 1980's, without a plan.

Staff believes the addition of a residential use is acceptable, but this proposal is only marginally compatible as proposed, due to small lots with single uses and without coordination with a larger town center plan. This proposal would place stand alone residential in the middle of stand alone commercial uses.

As no West Anchorage Plan or Town Center Plan exist, this change would be premature, however any proposal should resemble a town center element as far as practical.

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 greater density, explain how the rezoning does not alter the plan for

the surrounding neighborhood or general area, using one of the following criteria:

- i. the area is adjacent to a neighborhood shopping center, other major high density node, or principal transit corridor.
- ii. not applicable

The density is high when compared to the adjacent R-1 subdivision, but the property is also adjacent to neighborhood shopping and Dimond is a major arterial at this location, and the area is a designated town center which calls for higher density.

- b. in cases where the rezoning would result in less residential density...

In the current configuration with 2.3 acres and 49 proposed units, this question is not applicable.

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

The proposed rezoning is in a Town Center area. Town center density is 12 to 40 units per acre. B-3 zoning requires a minimum of 12 units per acre. The proposed density is at the low end of the scale, the proposal is for 19 units per acre, it is acceptable.

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

1. The effect of development under the amendment, and the cumulative effect of similar development, on the surrounding neighborhood, the general area and the community; including but not limited to the environment, transportation, public services and facilities, and land use patterns, and the degree to which special limitations will mitigate any adverse effects.

Environment and Land Use Patterns

**The standard is not yet met for environment.**

**The standard is partially met for land use patterns.**

Public water and sewer services are available. The property is vacant and cleared. There appears to be a small contaminated area on the west side of the property which will have to be cleaned. There are drainage issues affecting neighboring property. This will be addressed as part of the site plan. There is a stream and a small class C wetland approximately 250 feet northeast of the subject property. The stream and wetland should not be an issue.

The current land use pattern and zoning districts are residential and business. They are generally separated from each other and the business zones are close to the intersection of Jewel Lake Road and Dimond Boulevard. The residential areas are more removed from the intersection. This proposal injects a residential component into the commercial area. The preliminary site design is more of a strip mall than a town center component.

Transportation/Drainage

**The standard is not met for transportation.**

**The standard has not yet been addressed for drainage.**

A driveway permit or side street access will be required for access to Dimond Boulevard.

The plat for the property indicates a shared access way for lots 12 A and 12B, which is the flag pole portion of lot 12A. The pole portion is only about 30 feet wide, 10 feet of which is a T&E easement. Dwelling units adjacent to the access way will be 20-25 feet from the edge of the right of way. Considering that the B-3 businesses sharing the common access can operate 24 hours a day, there should be an alternative access for lots 12A and 12B. Because of the proximity of the shared access way to the driveway on the adjacent property and the nearness to the Jewell Lake/Dimond intersection, the property requires an additional access point on 88<sup>th</sup> Avenue or Jewell Lake Road. If lot 12B is subdivided as proposed the problem will be slightly exacerbated with three separate properties and uses using the same driveway.

Drainage will be addressed during site plan review.

Public Services and Facilities

This standard is met.

AWWU water mains and sanitary sewer are available on Dimond Boulevard.

There is an existing multi-use paved trail along Dimond Boulevard. It should not be affected and will be further addressed during the site plan review. Access easements may be required.

#### Special Limitations

The applicant is requesting an amendment to the Special Limitations in AO 85-151. He is requesting only the addition of residential as a permitted principal use.

2. The supply of land in the economically relevant area that is in the use district to be applied by the zoning request or in similar use districts, in relationship to the demand for that land.

There are a variety of residential districts in the area, R-1, R-2M, R-3, and R-O. This parcel appears to be one of the few larger sized, undeveloped lots in the immediate vicinity. The parcel was originally zoned R-3 in 1972. It remained R-3 for six years until rezoned to B-3SL. The property has remained B-3SL ever since with one modification of B-3 uses in 1985. The property has remained unsold and undeveloped.

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.

Public water and sewer are available. The external road network is adequate in terms of level of service. Driveway access to Dimond is not sufficient, secondary access to the north or west is needed.

4. The effect of the amendment on the distribution of land uses and residential densities specified in the Comprehensive Plan, and whether the proposed amendment furthers the allocation of uses and residential densities in accordance with the goals and policies of the Plan.

The comprehensive plan calls for medium to high density. B-3 zoning generally requires a density of twelve units per acre. Lot 12B is 3.2 acres

in size and the very conceptual site plan indicates 60 units. This is a density equivalent of 19 units per acre.

## **COMMUNITY AND COMMUNITY COUNCIL COMMENTS**

There were 148 public hearing notices mailed on June 13. As of July 19, four comments in opposition have been received. The general concerns are density and traffic. Several notices were returned as undeliverable.

**DEPARTMENT RECOMMENDATION:**

The proposal for the addition of a residential component to the list of special limitations is appropriate and consistent with the *Anchorage 2020*. However, the specific proposal is premature without the existence of a town center plan. The design of the property also needs to include town center components: a mix of community serving retail uses, public services, medium to high density residential, and pedestrian access connecting the uses internally and with surrounding uses and with transit facilities. The Department recommends that the proposed rezoning of the 3.2 acre parcel to B-3SL should be DENIED and B1-B should be APPROVED, subject to the special limitations.

If the Planning and Zoning Commission recommends approval of the B1-B zone, staff recommends the following conditions:

1. The property shall be rezoned to AMC 21.40.145: B-1B Community business district and reviewed under those standards except as modified herein. No subdivision of Lot 12B, Chester H. Lloyd Subdivision is allowed
2. Residential uses are allowed at R-3 standards, AMC 21.40.050, except as modified herein.
3. A site plan shall be reviewed and approved by the Planning and Zoning Commission. Prior to the issuance of building permits the applicant shall submit a site plan for the entire lot 12B for public hearing site plan review. Among the regular requirements, the site plan shall address:



- a. secondary /additional street access: to Jewell Lake Road and/or 88<sup>th</sup> Avenue and/or Dimond Boulevard,
- b. internal sidewalks and pedestrian connections to the exiting trail and public rights of way,
- c. common, useable open space of not less than 2,500 square feet which meets the standards of AMC 21.50.210 G.5,
- d. parking lot layout, internal to the site,
- e. structure locations and mix of uses,
- f. trails as shown on the Areawide Trails Plan and, if necessary, easements for trails,
- g. town center standards as generally discussed in *Anchorage 2020: a mix of community serving retail; medium to high density residential uses including a mix of densities, ownership patterns, price and building types; and a pedestrian access network connecting the proposed use with town center core uses, adjacent neighborhoods and transit facilities.*

4. 3. All building heights on the west one-half of the property are limited to three stories or 35 feet and all building heights for structures within 150 feet of the east lot line, Noble Subdivision, are limited to two stories or 25 feet.

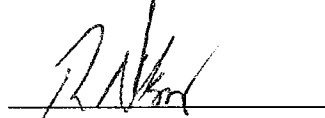
5. 4. Fifteen foot wide buffer landscaping (AMC 21.45.125 A.2.) is required on the north and west lot lines. A ten foot wide setback with buffer landscaping, exclusive of the existing ten foot drainage and ten foot utility easements, is required on the east lot line. The existing natural vegetation in these easements shall remain, except as needed for easement maintenance. A six foot tall, solid wood fence is required along the east lot line. Arterial (AMC 21.45.125 A.4.) landscaping is required on the south lot line.\*

\* Note: Dimond Blvd. is this location is a class IIIA arterial with a future development setback requirement of 65 feet each side of centerline, per AMC 21.45.140. Currently only 50 feet each side of center line is platted. Yard setbacks are measured from the future development width.

6. 5. As part of the site plan application and prior to any building permits the applicant shall resolve with (and submit plans to, as required) Project Management and Engineering the need for grading and drainage plans, a drainage impact analysis, fill and excavation requirements, erosion and sediment control requirements, and a storm water plan.

7. 6. A comparison of the traffic generation rates between the proposed residential uses and the proposed commercial uses will be verified by the Municipal Traffic Dept. The proposed residential and commercial uses will be in compliance with the adopted ordinance and verified by the Planning Department.

Reviewed by:



Tom Nelson  
Director

Prepared by:



Alfred Barrett  
Senior Planner

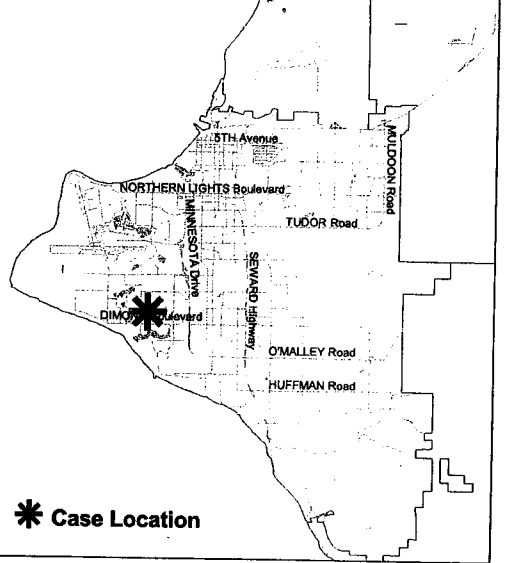
(Case No. 2005-083) (Tax Parcel #012-362-41)  
C:\WINNT\Profiles\cdawb\l\Desktop\rezonings\02-202 SL change\staff report.doc

# 2

## **HISTORICAL MAPS AND AS-BUILTS**

# REZONE 2005-083

## ANCHORAGE VICINITY



\* Case Location

**A.O. 2003-7**

**PETITION AREA  
B-1B**

### Flood Limits

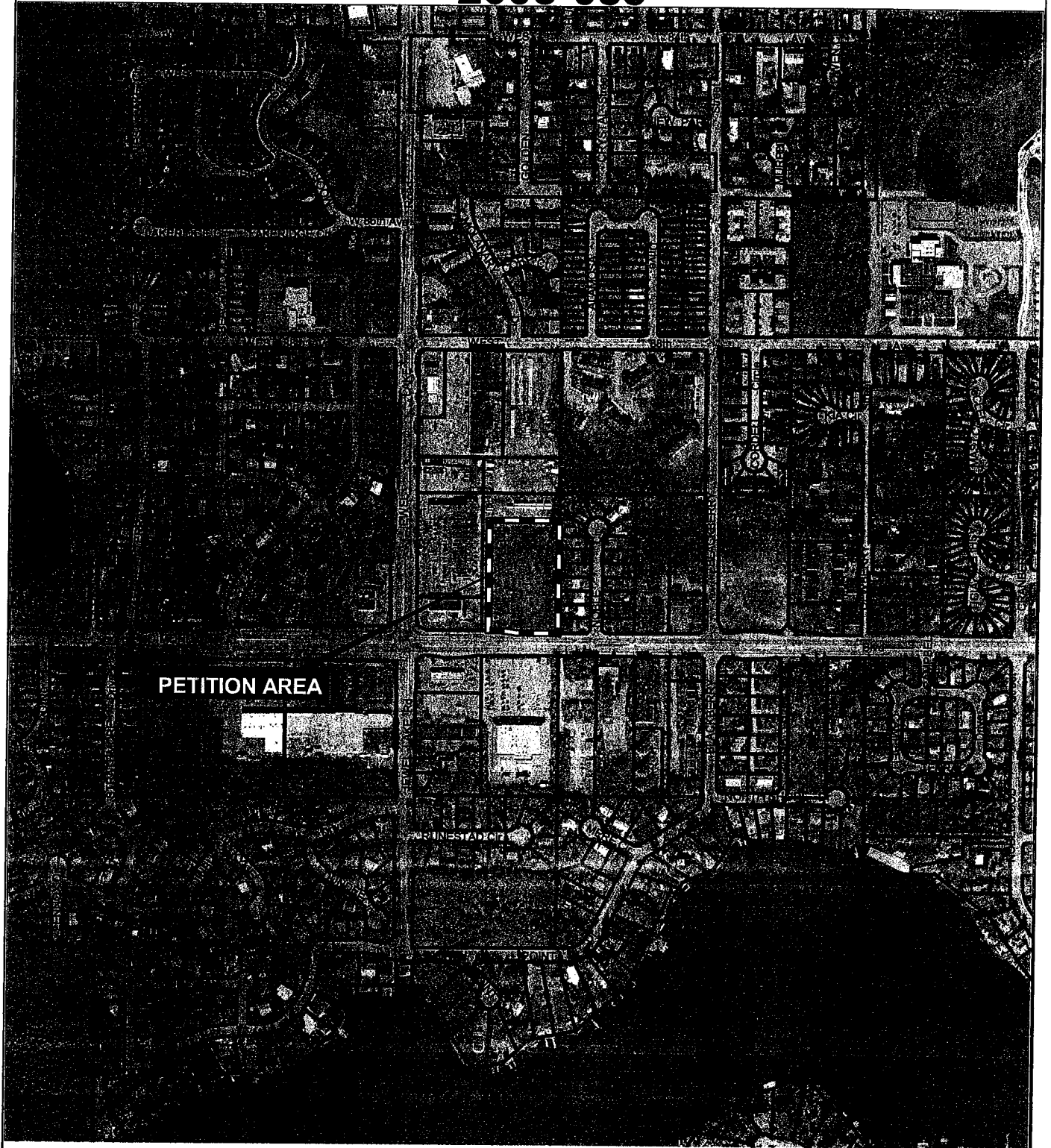
- 100 Year Floodplain
- 500 Year Floodplain
- Floodway

Date: May 9, 2005



0 500 1000 Feet

# REZONE 2005-083



Municipality of Anchorage  
Planning Department

Date: May 9, 2005



23

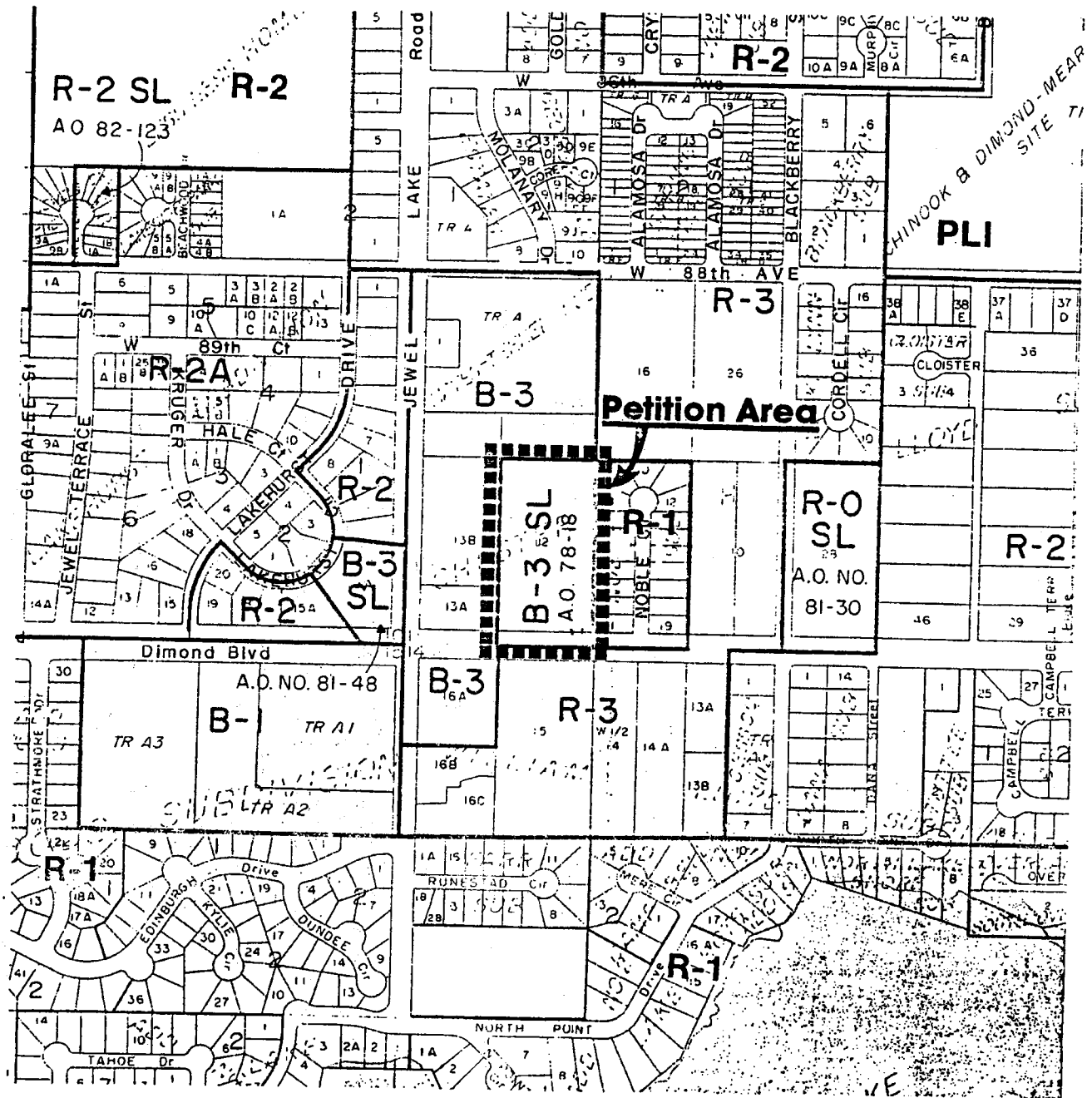
0 500 1000 Feet

Date of Aerial Photography: 2001

035

# 85-059

## REZONING



100 Year Floodplain

6

### EXHIBIT A



002



036

# 3

## **DEPARTMENTAL COMMENTS**

**MUNICIPALITY OF ANCHORAGE**

**MEMORANDUM**

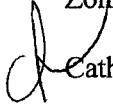
**RECEIVED**

JUL 20 2005

Municipality of Anchorage  
Zoning Division

DATE: July 14, 2005

TO: Jerry T. Weaver, Jr., Division Administrator  
Zoning Division, Planning Department

THRU:  Cathy Hammond, Physical Planning Supervisor

FROM: Physical Planning Division Staff

SUBJECT: Revised staff comments for 2005-0083 to be heard on August 1, 2005

2005-083 Rezone B-3SL, modify SL's, Chester H. Lloyd Sub.

The application request is to modify special limitations to allow residential in a B-3SL zoning district, which currently does not allow residential. The petition site is located within an area designated in the *Anchorage 2020 – Anchorage Bowl Comprehensive Plan* as a Town Center and is near Jewel Lake Road, which is designated as a Transit-Supportive Development Corridor.

Town Centers function as the focus of community activity for small sub-areas of Anchorage. Town Center development is intended to include a mix of retail shopping and services, public facilities, including and/or surrounded by and medium- to higher- density residential uses that serve the surrounding neighborhoods. Most of the daily needs of residents should be obtainable from shops located in the Town Center core. The configuration of the shops in the core area should seek a balance between pedestrian and auto comfort, visibility, and accessibility. A pedestrian-oriented environment is created, including: expanded sidewalks, crosswalks, street furniture, bus shelters, and landscaping. (*Anchorage 2020* Policies 5, 7, 11, 12, 24, and 34)

The petition site is located near the large residential development, Kincaid Subdivision, as well as next to a well-established residential development. There is clearly a need for commercial development in this area. The proposed residential density is relatively low for a town center development area. A different type of housing style would accommodate a higher residential density, while allowing more of the area to be retained for commercial use.

The proposal for the addition of a residential component to the list of special limitations is appropriate and consistent with the *Anchorage 2020*. However, a preliminary plat was recently approved resubdividing the 3.2 acre lot into 1.3 and 1.9 acre lots, which would more likely create a small strip commercial development with residential on a single lot, which is not compatible with the Town Center concept for a mixed use development. A different zoning such as B1-B with a public hearing site plan review, which addresses density, pedestrian and vehicular access, landscaping, and development plans compatible with the surrounding neighborhood would be more consistent with *Anchorage 2020* policy guidelines.



**2005-082 Conditional Use/Parking Calcs, Signs, & Landscaping**

This application has been postponed and will be addressed under separate cover when it is rescheduled.

**2005-083 Rezone B-3SL, modify SL's for L12B, Chester H. Lloyd Sub.**

*P/D Plat comments*

The plat is located within an area designated in the *Anchorage 2020 – Anchorage Bowl Comprehensive Plan* as a town center. The plan also designates Jewel Lake Road as a transit-supportive development corridor. Town centers will function as the focus of community activity for small sub-areas of Anchorage. They are intended to include a mix of retail shopping and services, public facilities and medium- to higher density residential uses. This site is located near the Kincaid Subdivision. A commercial analysis has not been prepared for this area; however, there appears to be a need for commercially zoned property to in this area. The residential density is relatively low for a town center development area. A different type of housing style would allow a higher residential density, while allowing more of the area to be retained for commercial use, which appears to be needed in this area.

The following landscape requirements apply to this development. A twenty-foot wide buffer landscaping easement should be designated along the eastern boundary of the plat area. This easement would conform to the buffer landscaping area required in the B-3 special limitation (A.O. 85-151 – Section 4.b). The special limitation also requires a six-foot high sight obscuring fence along the eastern boundary. The landscaping and fencing requirements specified in Section 4.b of A.O. 85-151 should be added as a plat note. A six-foot wide arterial landscaping easement should be designated along the southern boundary of the plat in accordance with AMC 21.40.180.N.3. Where possible, these landscaping easements should be designated exclusive of utility easements. The short plat conditions address the landscape requirements.

**2005-086 Site Plan Review for a Medical Office in U-Med District**

This application will be reviewed under separate cover.

**2005-087 Site Plan Review for a Storage Yard in a B-3 General Business District**

AMC 21.50.320.F. The proposed fencing is attractive for the proposed use for this site, it appears to meet the intent of the ordinance, which states areas for the outdoor storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. There are no residential areas abutting this site where the use would create a negative impact.

**Municipality of Anchorage  
MEMORANDUM**

**DATE:** June 13, 2005  
**TO:** Jerry Weaver, Manager, Zoning and Platting Division, Planning Department  
**FROM:** Brian Dean, Land Use Enforcement Supervisor  
**SUBJECT:** Land Use Enforcement Review Comments, Zoning Board of Examiners and Appeals cases for the meeting of July 11, 2005.

Land Use Enforcement has reviewed the following cases and has comments as noted.

<u>Case #</u>	<u>Legal Description</u>	<u>Grid</u>	<u>Page</u>
2005-083	Chester H Lloyd Lt 12B	2326	1

**Case #:** 2005-083  
**Type:** Rezoning to B-3SL  
**Subdivision:** Chester H Lloyd Lt 12B  
**Grid:** 2326  
**Tax ID #:** 012-362-41  
**Zoning:** B3SL  
**Petitioner:** JWYW Holding Company

**Platting:** 85-337; December 30, 1985

**Lot area and width:** AMC 21.40.180.F: "Minimum lot requirements are as follows:  
**1. Residential uses: As provided in section 21.40.060.F.**

- 2. All other uses, including residential uses associated with other uses:**  
a. Width: 50 feet.  
b. Area: 6,000 square feet."

**Lot area and width:** AMC 21.40.060.F: "1. Except as provided in subsection 2 of this subsection, a lot shall have the following minimum area and width:

<u>Use</u>	<u>Lot Area (square feet)</u>	<u>Lot Width (feet)</u>
a. Single-family dwelling	6,000	50
b. Two-family dwelling	6,000	50
c. Three- through six-family dwelling	6,000	50
d. Seven-family dwelling	8,500	75

e. Eight-family dwelling	9,250	75
f. Nine-family dwelling	10,000	75
g. Ten-family dwelling	10,750	75
h. Apartment buildings for 11 or more families on sites having a minimum area of 11,500 square feet and minimum frontage of 100 feet shall be limited by a floor area ratio (F.A.R.) of 2.0 and shall be subject to the yard requirements of this section. For purposes of this subsection, floor area ratio is defined as the maximum gross floor area of a building on a lot or parcel, divided by the area of the lot or parcel. (A floor area ratio of 2.0 provides for 23,000 gross square feet of building area on a lot with an area of 11,500 square feet.)		

AMC 21.40.180 (B) (3) (a) allows for "Multifamily residential uses, at a density of not less than 12 dwelling units per acre."

**The lot meets the minimum lot area and width for the district.**

**Yard requirements:** AMC 21.40.180.G: "Minimum yard requirements are as follows:

1. Residential uses: As provided in section 21.40.060.G.
2. All other uses:
  - a. Front yard: Ten feet.
  - b. Side yard: Ten feet adjacent to a residential district; otherwise, none, provided that all buildings on the lot shall have a wall on the lot line or shall be set back from the lot line at least ten feet.
  - c. Rear yard: 15 feet adjacent to a residential district; otherwise, none."

**Yard requirements:** AMC 21.40.060.G: "Minimum yard requirements are as follows:

1. Front yard: Ten feet, except as provided in the supplementary district regulations.
2. Side yard: Five feet; provided, however, that where buildings exceed 35 feet in height minimum side yards shall be increased one foot for each five feet in height exceeding 35 feet.
3. Rear yard: Ten feet.
4. Multiple-family dwellings shall provide a usable yard area of 100 square feet per dwelling unit."

**Lot coverage:** AMC 21.40.180.H: "Maximum lot coverage is as follows:

1. Residential: As provided in section 21.40.060.H.
2. All other uses: Unrestricted."

**Lot coverage:** AMC 21.40.060.H: "Maximum lot coverage by all buildings is 50 percent...."

**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, does not apply to this property.

**Legal nonconformities:** None have been established and do not appear to be needed.

**Enforcement actions:** No enforcement actions on this property.

**Use determination:** Property tax records indicate the property is vacant.

**Ownership history:** Property tax records indicate the current owner acquired the property in December 3, 2004.

**Permits:** No building permits were located.

**Building height:** AMC 21.40.180.I: "Maximum height of structures is unrestricted, except that no structure shall exceed the standards of section 21.65.050."

**Off-street parking:**

AMC 21.45.080.B: "Dwellings and apartment buildings.

1. Single-family dwellings.

- a. Two parking spaces are required for each dwelling unit up to 1,800 square feet.
- b. Three parking spaces are required for each dwelling unit over 1,800 square feet, including any unfinished area which may be converted to living area.

2. Multifamily dwellings.

- a. One and one-fourth parking spaces are required for each efficiency unit.
- b. One and one-half parking spaces are required for each one-bedroom unit.
- c. One and one-half parking spaces are required for each two-bedroom unit, 800 square feet or less.
- d. One and three-fourths parking spaces are required for each two-bedroom unit, over 800 square feet.
- e. One and three-fourths parking spaces are required for each three-bedroom unit, 900 square feet or less.
- f. Two and one-half parking spaces are required for each three-bedroom unit, over 900 square feet."

Parking will be addressed at the time the property is developed.

**Off-street loading:** Will be addressed at the time of development.

**Landscaping requirements:** AMC 21.40.180.N: "Landscaping.

1. Buffer landscaping. Buffer landscaping shall be planted along each lot line adjoining a residential district.
2. Perimeter landscaping. Except adjacent to collector or arterial streets, visual enhancement landscaping shall be planted along the perimeter of all outdoor areas used for vehicle circulation, parking, storage or display.
3. Arterial landscaping. Arterial landscaping shall be planted along all collector or arterial streets.

4. Visual enhancement landscaping. All areas not devoted to buildings, structures, drives, walks, off-street parking facilities or other authorized installations shall be planted with visual enhancement landscaping.

5. Maintenance. All landscaping shall be maintained by the property owner or his designee."

Landscaping will be addressed during the building permit process.

**Signs:** Signs require a separate permit and will be addressed at the time of the building permit.

**Access:** Public streets abut the property. Principal access to them would meet 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 66 shows the property as uplands.

**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."

**Attachments:** none

**Recommendations:** Land Use Enforcement has no adverse comment regarding this case.

(Reviewer: Jillanne M. Inglis)

# STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION - PLANNING

RECEIVED

JUN 28 2005 FRANK H. MURKOWSKI, GOVERNOR

Municipality of Anchorage

Zoning Division

4111 AVIATION AVENUE

P.O. BOX 196900

ANCHORAGE, ALASKA 99519-6900

(907) 269-0520 (FAX 269-0521)

(TTY 269-0473)

June 28, 2005

RE: Zoning Case Review

Jerry Weaver, Platting Officer  
Planning and Development  
Municipality of Anchorage  
P.O. Box 196650  
Anchorage, Alaska 99519-6650

Dear Mr. Weaver:

The Alaska Department of Transportation and Public Facilities (ADOT&PF) reviewed the following Zoning Cases and has no comment:

2005-073 Kincaid Park/Site plan review: public park  
2005-074 Arnold L. Muldoon Subd Tract B 7801 E 32<sup>nd</sup> Ave/Rezone: to PLI  
2005-080 Ship Creek District/Rezone: PC  
~~2005-083~~ Chester H. Lloyd Subd Lot 12B 3751 W Dimond/Rezone: B-3SL  
2005-087 Gregson Lot 1 1000 E Northern Lights Blvd/Site plan review: storage yard  
2005-093 South Addition Blk 40A Lot 11A 444 W 15<sup>th</sup> Ave / Variance: front yard encroachment  
2005-094 Chugach Meadows Blk 1 Lots 12-4 & 15A 7330-7300 Meadow Drive/Variance

**Comments:**

**2005-075 Fyfe Subd Lot 1A Blk 1/Site plan review: large retail/commercial Walmart:** Plans will have to go through an Approach Road Review at ADOT&PF. Conditions of access and construction to State roads are still subject to concluding a written Memorandum of Agreement, being written by ADOT&PF between the State and Walmart. Plans need to be submitted to Lynda Hummel, Right of Way Agent, Right of Way Section. If the applicant has questions, they may contact Lynda at 269-0698.

**2005-082 Alpine Estates Phase 1 TR A-2C/Conditional use: parking & landscape modification:** The applicant needs to submit detailed plans for an Approach Road Review to access Alyeska Highway. The applicant may contact Lynda Hummel, Right of Way Agent, at 269-0698 for assistance.

05-083

**Chester H. Lloyd, Lot 12B, grid 2326  
(Rezoning Request, B-3SL to B-3SL)**

Right of Way  
Right of Way Division cannot complete the review until a site plan and property as-built is provided.

Review time 15 minutes.

**S-10950**

**Villages View Lots 1-23, grid 3738 & 3739  
(Preliminary Plat Appeal)**

Resolve with the Traffic, Fire, Planning, and Project management and Engineering Departments, the need to provide a dedicated and improved access to this subdivision.

Review time 15 minutes.



Municipality of Anchorage  
Development Services Department  
Building Safety Division



MEMORANDUM

**DATE:** June 13, 2005  
**TO:** Jerry Weaver, Jr., Platting Officer, CPD  
**FROM:** *DR* Daniel Roth, Program Manager, On-Site Water and Wastewater Program  
**SUBJECT:** Comments on Cases due June 13, 2005

RECEIVED

JUN 14 2005

Municipality of Anchorage  
Zoning Division

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

- 2005 - 073 Site plan review for a public park  
No objection
- 2005 - 074 Rezoning to PLI Public lands & institutions district  
No objection
- 2005 - 075 Site plan review for a large retail/commercial establishment  
No objection
- 2005 - 082 Zoning conditional use for parking and landscaping modifications  
No objection
- 2005 - 083 Rezoning to B-3SL General business district with special limitations  
No objections
- S10950 Preliminary Plat for 1 tract to be subdivided into 23 lots  
No objections





**MUNICIPALITY OF ANCHORAGE**  
Traffic Department



**RECEIVED**

**MEMORANDUM**

JUN 13 2005

Municipality of Anchorage  
Zoning Division

DATE: June 8, 2005

TO: Jerry T. Weaver, Platting Supervisor, Planning Department

THRU: Leland R. Coop, Associate Traffic Engineer

FROM: Mada Angell, Assistant Traffic Engineer *MA*

SUBJECT: Comments, ~~May 16, 2005, Short Plats~~ *July 11* *PABC*

05-074 Arnold L. Muldoon, Rezone from R-2A to PLI; Grid 1640

Traffic has no comment.

05-083 Chester H. Lloyd; Rezone from B-3SL to B-3SL; Grid 2326

Traffic has no comment.

05-082 Alpine View Estates Phase 1; Conditional Use for parking and landscaping; Gridwood

Traffic has no comment.

S-10950 Village View Estates; Resolve the physical and legal access of this subdivision; Grids 3738 & 3739

Traffic comments remain the same.

05-075 Fyfe; Site Plan Review for a large retail establishment - Wal Mart; Grid 1932

- Construct a curb cut for access to East 58<sup>th</sup> Court from Juneau Street.
- Remove mugo pines from drive aisle intersections and replace with a shrub that does not require intense pruning to maintain sight distance at intersections.

**E-MAILED**

**047**

and locates must be obtained prior to any excavation.

2. Private system plans must be reviewed and approved by AWWU prior to any construction.
3. AWWU has no objection to the proposed rezone.

**05-082 Alpine View Estates Phase 1, Tract A-2C (conditional use) Grid SE 4815**

1. AWWU has no comments on the parking and landscaping modifications.

**05-083 Chester H Lloyd, Lot 12B (rezone) Grid 2326**

1. AWWU water and sanitary sewer mains are located within the Dimond Blvd. right-of-way.
2. AWWU has no objection to the proposed rezone.

**S10950 Village View Estates, Block 1, Lots 1-4; Block 2, Lots 1-9; Block 3, Lots 1-9; and Tract A1-G & Road Tract A1-H (preliminary plat) Grids 3738 & 3739**

1. The subject area is outside the AWWU certificated water service area.
2. Wastewater facilities are to be in accordance with the Hillside Wastewater Management Plan (HWMP).

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

**RECEIVED**

MAY 24 2005

MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION



## FLOOD HAZARD REVIEW SHEET for PLATS

Date: 05-24-05

Case: 2005-083

Flood Hazard Zone: C

Map Number: 0240

☐ 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

Pierce, Eileen A

**RECEIVED**

**MAY 23 2005**

**MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION**

**From:** Staff, Alton R.  
**Sent:** Friday, May 20, 2005 5:23 PM  
**To:** Long, Patty R.; Pierce, Eileen A  
**Cc:** Taylor, Gary A.  
**Subject:** Zoning Case reviews

Case No. 2005-075 People Mover would serve the new Wal-mart from existing stops on the Old Seward Highway. Thanks for including sidewalk connections to the Old Seward as well as Dowling Road.

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

2005-060, 062, 063, 065, 069, 073, 074, 082, 083

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

S10950  
S10927-4  
S11168  
S11335-2  
S11336-1  
S11360-1  
S11361-1  
S11368-1  
S11369-1  
S11367-1  
S11338-2  
S11373-1  
S11374-1  
S11375-1  
S11376-1  
S11278-1  
S11379-1  
S11381-1

Thank you for the opportunity to review.

**Alton Staff**  
Operations Supervisor  
People Mover  
907-343-8230

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

FIRST CLASS MAIL

148 mailed  
6/13/05

999-999-99-999  
Type 9999  
N/A  
N/A

**NOTICE OF PUBLIC HEARING - - Monday, July 11, 2005**

**Planning Dept Case Number: 2005-083**

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

**CASE:** 2005-083  
**PETITIONER:** JWYU Holding Company  
**REQUEST:** Rezoning to B-3SL General business district with special limitations  
**TOTAL AREA:** 3.220 acres  
**SITE ADDRESS:** 3751 W DIMOND BLVD  
**CURRENT ZONE:** B-3SL General business district with special limitations  
**COM COUNCIL(S):** 1---Sand Lake

**LEGAL/DETAILS:** A request to rezone approximately 3.22 acres from B-3SL (General Business with Special Limitations) to B-3SL to modify the Special Limitations. Chester H Lloyd Subdivision, Lot 12B. Located at 3751 West Dimond Blvd.

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30 p.m., Monday, July 11, 2005 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 for your convenience. 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](http://www.muni.org) by selecting Departments/Planning/Zoning and Platting Cases.

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Legal Description: \_\_\_\_\_  
Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REZONING/RESIDENTS--PLANNING COMMISSION  
2005-083

051

# Zoning and Platting Cases On-line

## View Case Comments

[Submit a Comment](#)

**\*\* These comments were submitted by citizens and are part of the public record for the cases \*\***

**Questions?** If you have questions regarding a case, please contact Zoning at **907-343-7943** or Platting & Variances at **907-343-7942**.

### 1. Select a Case: 2005-083

[View Comments](#)

### 2. View Comments:

**Case Num: 2005-083**

Rezoning to B-3SL General business district with special limitations

**Site Address:** 3751 W DIMOND BLVD

**Location:** A request to rezone approximately 3.22 acres from B-3SL (General Business with Special Limitations) to B-3SL to modify the Special Limitations. Chester H Lloyd Subdivision, Lot 12B. Located at 3751 West Dimond Blvd.

[Details](#) | [Staff Report](#) | [submit a comment](#)

## Public Comments

**6/15/05**

Philip Barber

9010 Noble Circle

Anchorage AK 99502

We oppose zoning changes on this piece of property..this has come up at least 3 times in the last few years....nothing has changed in our feelings about zoning on this piece of property. The principal objections are the same....poor access from Dimond Blvd, and Jewell Lake Rd, very poor drainage which in the past has resulted in peoples basements being flooded, not sufficient room for the site condo development, (if indeed this is the intended use as was last year when this zoning came up). Condo development will no doubt decrease our property values, after all who wants 30 or more condos practically in our back yard? Also, why have we not been informed by mail as in the past about the upcoming hearing....is this just a ploy to sneak through a zoning change without we on Noble Circle knowing about it?

[Zoning & Platting Cases On-line website](#)

052

# Zoning and Platting Cases On-line

## View Case Comments

[Submit a Comment](#)

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**1. Select a Case:** 2005-083

[View Comments](#)

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[Details](#) | [Staff Report](#) | [submit a comment](#)

## Public Comments

**6/29/05**

Martin Grossman  
9040 Noble Circle  
Anchorage AK 99502

The residents in this neighborhood, which abuts the property in question, fear that we will lose our limited greenbelt on the west side of our property, property values will decrease and traffic will become impossible, especially in light of the new sand pit development to our west. I did not buy this property to have to look at condos instead of the sunset. We were told when purchasing the property that our greenbelt utility easement would always be in place. This land, in terms of underground utilities and subterranean soils is very fragile. Any project approved by municipal government on the adjacent land must have stipulations that either improve our lot or are very stringent lest I hold the municipality responsible. It is my position that development of the adjacent property in the proposed manner is not in the best interest of the neighborhood or the municipality. Please advise me when this case is before the council and/or the planning board so I may testify. Thank you.

**6/15/05**

Philip Barber  
9010 Noble Circle  
Anchorage AK 99502

We oppose zoning changes on this piece of property..this has come up at least 3 times in the last few years....nothing has changed in our feelings about zoning on this piece of property. The principal objections are the same....poor access from Dimond Blvd, and Jewell Lake Rd, very poor drainage which in the past has resulted in peoples basements being flooded, not sufficient room for the site

053-

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[Zoning & Platting Cases On-line website](#)



# Zoning and Platting Cases On-line

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**Questions?** If you have questions regarding a case, please contact Zoning at **907-343-7943** or Platting & Variances at **907-343-7942**.

**1. Select a Case:**  [View Comments](#)

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[Details](#) | [Staff Report](#) | [submit a comment](#)

## Public Comments

**7/2/05**

John Larson  
9307 Jewel Lake Road  
Anchorage AK 99502

For the record, I would like to add my opposition to the rezoning of the area. The traffic congestion in the Dimond Boulevard and Jewel Lake Road areas is already significant during normal business hours. Anyone attempting to cross one of these streets during the morning, noon, or evening rush hour periods can attest to the significant traffic flow. Further, once the residential development that is undergoing in the so-called "Sand Pit" area near Sand Land is completed and the hundreds of vehicles this development will add to the traffic of this area is factored in, the amount of traffic in the area under consideration will be substantially and permanently increased. Purely from a traffic congestion standpoint, if the property under consideration is allowed to be rezoned, it will also permanently increase traffic congestion in the area. Our area is primarily residential, but the commercial complex (Carrs, McDonalds, strip mall, etc.), whose center is at the intersection of Dimond Boulevard and Jewel Lake Roads, as well as the strip malls at the intersection of Raspberry and Jewel Lake Roads, generate substantial traffic for the area at the present time. This neighborhood is already slated to "take a large hit" with the increased traffic due to the "Sand Pit" development. Is it reasonable for the City of Anchorage to "add insult to injury" by authorizing the rezoning of the area for additional development and traffic congestion? For another matter, the neighborhood near the proposed area is already quite dense, residentially and commercially. If the property is rezoned and further developed, it will only make the area more crowded and less livable. Certainly the properties adjacent to or within viewing distance of the rezoned property will be less livable and have less "market appeal," affecting the valuations or marketability of the properties. I am not against commercial

055

development in general. Anchorage is a vital city that has gracefully maintained the delicate balance between commercial development and residential livability in most cases. However, it would be a mistake for the City of Anchorage to rezone the property under consideration. It would also set an unfortunate precedent for the neighborhood if rezoning is permitted. What if another property owner in the neighborhood wants to rezone in a similar fashion? What if many of them do? To conclude, I repeat that the property under consideration should not be rezoned. It would increase traffic in an area that is already congested and will become more congested once the "Sand Pit" development is completed. It will also detract from the livability of the neighborhood in an area that is already commercially and residentially dense. It will also set a negative precedent for the neighborhood, potentially adding to congestion while detracting from the livability of the area if other property owners in the neighborhood are allowed to rezone. In the final analysis, only the property owner(s) of the property under consideration for rezoning will benefit from the rezoning. But the rest of the neighborhood will suffer for it.

# Zoning and Platting Cases On-line

## View Case Comments

[Submit a Comment](#)

**\*\* These comments were submitted by citizens and are part of the public record for the cases \*\***

**Questions?** If you have questions regarding a case, please contact Zoning at **907-343-7943** or Platting & Variances at **907-343-7942**.

**1. Select a Case:**

[View Comments](#)

**2. View Comments:**

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Rezoning to B-3SL General business district with special limitations

**Site Address:** 3751 W DIMOND BLVD

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[Details](#) | [Staff Report](#) | [submit a comment](#)

## Public Comments

**7/5/05**

Stanley Bronczyk  
9020 Noble Circle  
Anchorage AK 99502-5358

I, Like everyone else on Noble Circle, strongly object to the relaxing of the Special Limitations on the 3.22 acres that adjoin my property. I don't mind having a business with the proper setbacks occupying the property , but the Proposed development of High Density Condos really fries me because of the extra traffic which would be created and the fact that my back window would look right into someone elses back window, which would drastically affect the privacy that I now have come to enjoy. And any way, I already have a drainage problem with the lots not having an adequate drainage ditch, which is currently on the books as a requirement for this lot, So whose to say that this wouldn't increase the drainge problem with my house in that, even now, before the development of the lots, almost every spring, we get water in our basement and we can't even sell our house with this on going problem. So I strongly object to this proposed change in the Zoning of Lot 12 B of the Chester H. Lloyd Subdivison. Located at 3751 West Dimond Blvd.

057

**4**

# **APPLICATION**

Rush.

# 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)	JWYW Holding Company	Name (last name first)	Lounsbury & Assoc. - Brad Rinckey
Mailing Address	3801 Centerpoint Dr. 99503	Mailing Address	723 W. 6th Av.
Contact Phone: Day:	40 Terry Pfeiffer	Contact Phone: Day:	Anchorage AK 99501
FAX:	Night:	FAX:	272-5451 Night:
E-mail:		E-mail:	272-9065
			b.rinckey@lounsburyinc.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): 012-362-41-000-05		
Site Street Address: 3751 W. Diamond		
Current legal description: (use additional sheet if necessary)		
Lot 12B, Chester H. Lloyd Subd.		
Zoning: 13-3 SL	Acreage: 3.220	Grid # SW2326

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	5/01/05	Signature	BR
		(Agents must provide written proof of authorization)	

Accepted by	Poster & Affidavit	Case Number
AB	2	6000
		2006-083

**2005 083**

Tue May 10, 09:47:00, 2005

Map: Parcels—Basic Layers

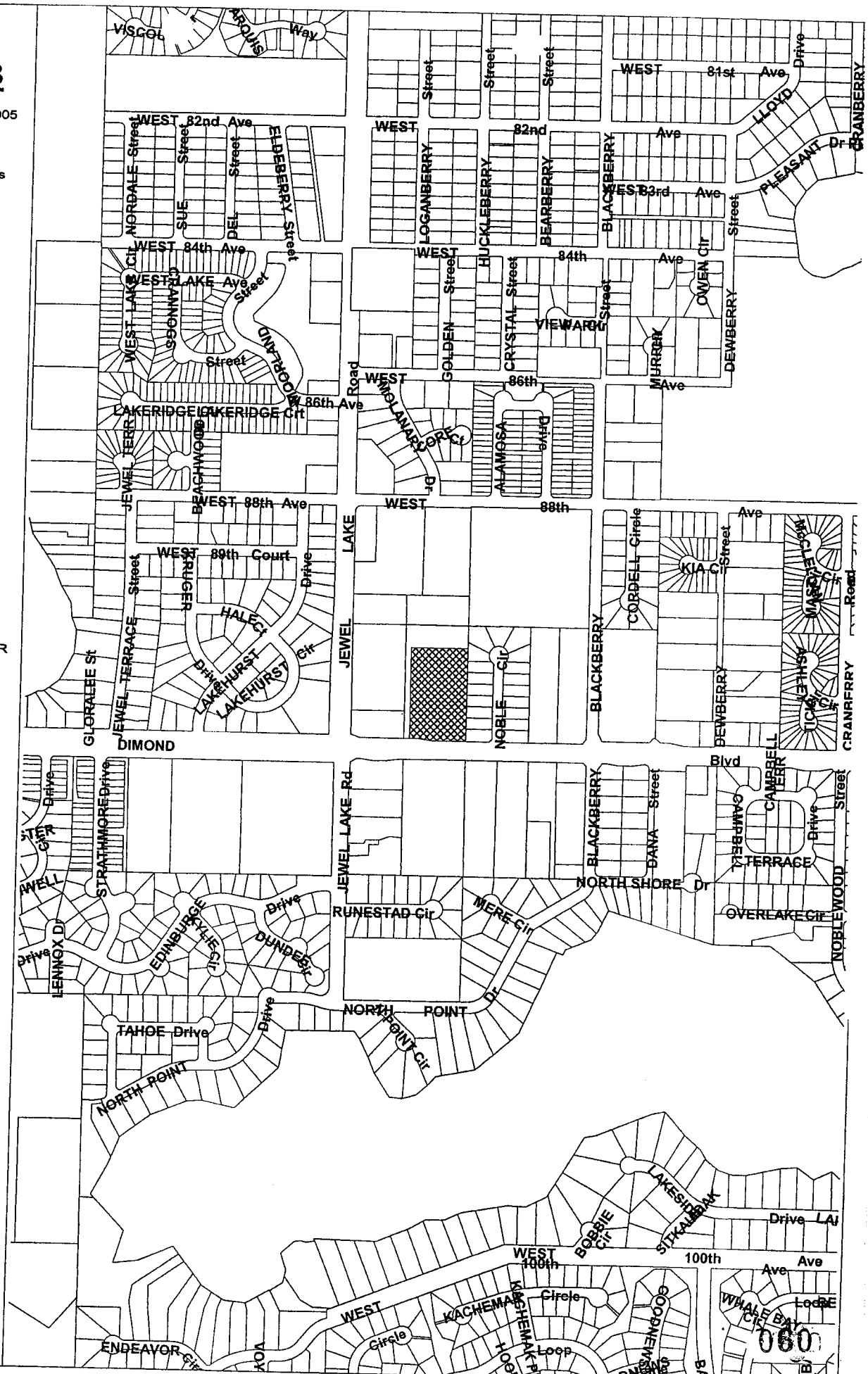


Scale 1:8000

**Legend:**

Txt STRNAME\_BI\_DIR

PARCELS



**COMPREHENSIVE PLAN INFORMATION**Anchorage 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): 5-11325  
☐ 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.  
 Optional: ☐ Draft Assembly ordinance to effect rezoning.  
☐ 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.

**ARCHITECTURAL AND  
ENGINEERING  
SERVICES**

**Jewell Lake Town Center**

**September 14, 2005**

**Sand Lake Community  
Council Resolution**

**Submitted by:**

**DEAN  
ARCHITECTS**



## **Barrett, Al W. (Zoning)**

---

**From:** Margaret Lind [margaret@dean-architects.com]  
**Sent:** Thursday, September 15, 2005 10:05 AM  
**To:** Barrett, Al W. (Zoning)  
**Cc:** 'rinckey@lounsburyinc.com'  
**Subject:** B-3SL rezone

Al,

We envision this as a 60 - 90 mixed use, multi-family development.

The front (South) building concept, would support "B" type occupancies

on the first level (approximately 12 units), with 2-3 stories of living above (approximately 20-30 units).

The two buildings to the North would be residential only and would contain approximately 24-30 units each.

All buildings will have underground parking, 1 per each living unit.

Our overall thought process is to present a development that would have a symbiotic relationship

with the future town center and the southern anchor area of the E Street/Jewell Lake Transit Supportive

Corridor. We feel that, if this were 2 years from now, we would be focusing on what would be an RMX approach to this site.

If you have any questions please call me 277-7090.

Thanks

Harvey D. Prickett AIBD

Principal

DEAN Architects

**Margaret Lind**

**DEAN**  
**ARCHITECTS**

(907)277-7090 margaret@dean-architects.com

--  
No virus found in this outgoing message.

Checked by AVG Anti-Virus.

Version: 7.0.344 / Virus Database: 267.11.0/103 - Release Date: 9/15/05

## **The Sand Lake Community Council Resolution of Support**

The Sand Lake Community Council supports the rezone of Lot 12B, Chester H. Lloyd Subdivision to B1B from its current B-3 SL zoning with the following requirements and list of prohibited uses:

### **Requirements**

- 1) A thirty-foot development set-back to be placed on the east side of the property.
- 2) Approval of this resolution is based on the design concept presented by Dean Architects and Lounsbury & Associates, Inc. at the September 12, 2005 SLCC meeting.
- 3) No Business hours of operation shall exceed 7:00AM to 11:00PM

### **Prohibited Uses:**

- A) Correctional community residential centers
- B) Utility substations and telephone exchanges
- C) Liquor stores. Note: Restaurants primarily serving food would be allowed to serve alcohol
- D) Convenience establishments
- E) Adult Clubs or establishments

- F) Any public or private club or lodge involving the sale, dispensing or service of alcoholic beverages.
- F) Private storage in yards of noncommercial trucks, boats, aircraft, campers, or travel trailers.
- G) No storage of trailers, motor homes, or other vehicles in open space and overflow parking, or in an assigned parking areas if the length exceeds the parking space.
- H) Outdoor harboring or keeping of dogs, animals and fowl.
- I) Drycleaners

Sherri R Jackson

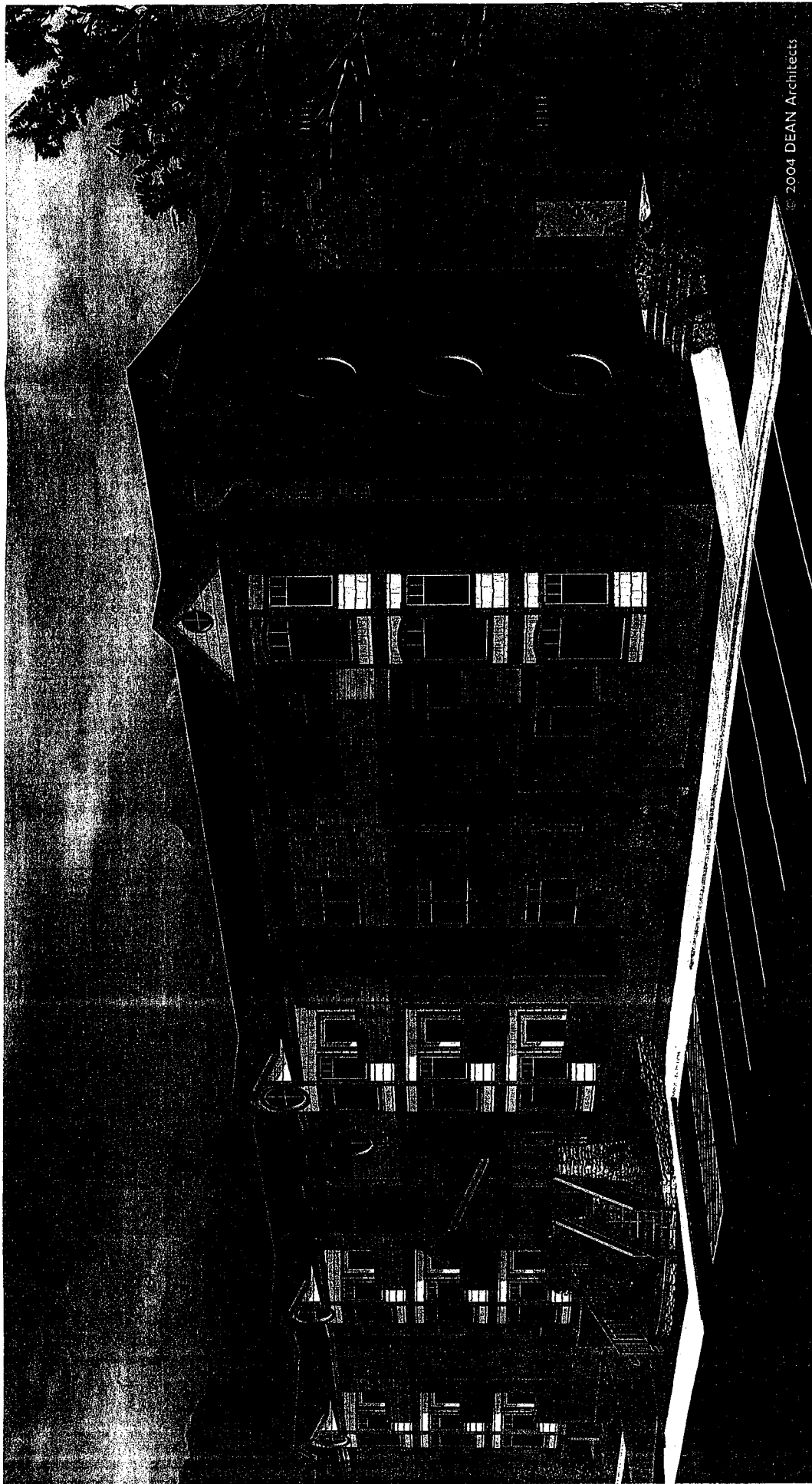
Sherri Jackson

President

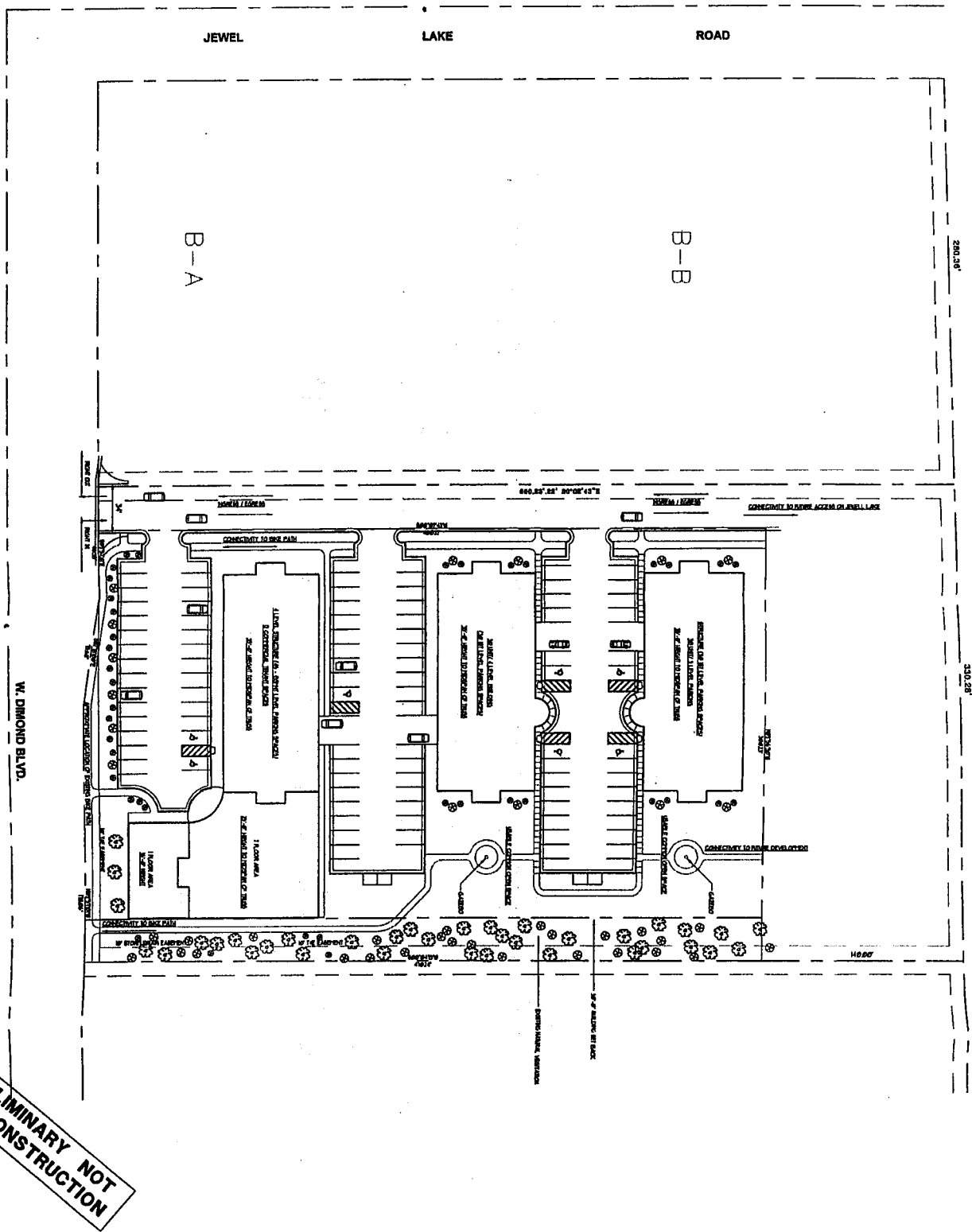
Title

09/14/05

Date



© 2004 DEAN Architects



1 SITE PLAN  
SCALE: 1" = 20'

W. DIAMOND BLVD.

PRELIMINARY NOT  
FOR CONSTRUCTION

SHEET NO. 1 <b>A0.1</b>	SITE PLAN	DATE	06/13/05	REVISION	BY	DATE	<div>DEAN</div> <div>Architects</div> <div>200 Center Court - Anchorage, AK 99518 - 907.277.7090</div>	<div>JEWELL LAKE</div> <div>TOWN CENTER</div> <div>ANCHORAGE, ALASKA</div>	<div>NOT TO SCALE</div> <div>THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE PROPERTY OF DEAN ARCHITECTS AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF DEAN ARCHITECTS. THE CLIENT AGREES TO HOLD DEAN ARCHITECTS HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM THE USE OF THIS PLAN.</div>
		BY	-						
		CHKD	HOP						
		JOB #	04-0000						
		LOT #	-						
		BLK #	-						
		SUBD	-						
		ADD.	-						

# Lounsbury & associates, inc.

ESTABLISHED 1949

April 6 2005

Municipality of Anchorage  
Department of Community Planning  
4700 Bragaw Street  
Anchorage, AK 99507

Attn: Jerry Weaver

## Re: Request for Rezone, Lot 12B Chester H. Lloyd Subdivision

Mr. Weaver,

The following application is a request to modify the special limitations of AO 85-151 to include multi-family development.

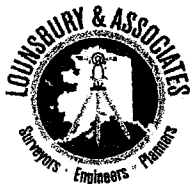
In 2002, an attempt to rezone the parcel to allow for multi-family development was denied because the proposed project did not address adequate buffers between the surrounding land uses and did not conform to the Anchorage 2020 Comprehensive Plan. This application and proposed development addresses the concerns of the Planning Department and proposes a development of mixed uses that provides a transition area between the residential area to the east and the commercial development to the west.

The project area is located within an area defined as a Town Center in the Anchorage 2020 plan and within the Jewel Lake Road Transit-supportive development corridor. The 2020 plan supports the proposed multi-use of the area. With proposed commercial use along Dimond Boulevard and high-density residential development on the remainder of the lot this development meets the recommendations of the 2020 plan. The petitioner also plans to provide safe pedestrian access to adjacent commercial, residential and public facilities. While no specific plan for a Town Center exists at this time, this development fits with the Town Center concept by adding high density residential housing and providing pedestrian access to all the businesses, offices, and public facilities located at the intersection of Jewel Lake and Dimond.

The development will maintain a buffer between the residential area to the east by saving the mature growth trees and existing vegetation. Any areas within that buffer that do not meet current landscaping code will be supplemented with additional landscaping. A similar buffer along the north and west will be provided to provide visual screening from the adjacent commercial uses.

In addition to these buffers the development plan calls for open-spaces and landscaped areas to add to the visual quality of project and provide areas for children to safely play.

The site as it is today has drainage problems that affect the neighborhood to the east. With approval of this development the petitioner will work with the residents to the east and MOA Project Management and Engineering to resolve all of these drainage problems.



723 West 6th Avenue, Anchorage, Alaska 99501 T: 907-272-5451 F: 907-272-9063  
3161 E. Palmer-Wasilla Highway, Suite 2, Wasilla, Alaska 99654 T: 907-357-9329 F: 907-357-9340

WWW.LOUNSBURYINC.COM



Chester H. Lloyd  
May 9, 2005  
P. 2

In summary, the petitioner has addressed the concerns of the Municipality and the surrounding neighborhoods from the previous rezone cases. With these proposed changes in the development plan the project now meets the intent of the Anchorage 2020 plan and with the mixed commercial and residential uses we feel makes an excellent transition between the residential area to the east and the commercial area to the west. More importantly with the proposed pedestrian facilities, the project fits the Town Center concept also intended within the Anchorage 2020 plan.

Thank you for consideration of this matter.



Sincerely,  
**Lounsbury & Associates, Inc.**

Brad Rinckey L.S.I.T.  
Project Manager

**lounsbury & associates, inc.**

069-

## 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 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.

*The proposed change is in the special limitations and the proposed development does not conflict with the Anchorage 2020 plan as the plan calls for high-density residential area near Town Center Areas. The use of Vegetative buffers and landscaping makes the proposed development compatible with the surrounding land uses.*

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 would provide a clear and overriding benefit to the surrounding neighborhood.

- i. The area is adjacent to a neighborhood shopping center, other major high density mode, or principal transit corridor.

*The area is adjacent to the Jewel Lake Road Transit-Supportive Development Corridor so all traffic generated by the high density development can easily access Dimond Avenue and Jewel Lake road. The area is also near shopping centers, businesses, medial offices and restaurants which can be accessed by the proposed pedestrian facilities of this project.*

- 
- 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.

The Anchorage 2020 plan calls for high-density residential developments near areas designated as Town Centers. This development conforms to the Anchorage 2020 plan by providing a mixed-use area. Proposed office Buildings along Dimond Blvd. will have parking in the rear and landscaping that will visually enhance the area. Safe Pedestrian facilities to the Town center will provide access to the residents and other residential areas to the east.

**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;

The project area and residential area to the east will see better drainage with this development. The existing topography along the east property line drains into the existing homes to the east, sometimes causing flooding. The drainage and grading plan for the development will resolve this problem. The use of openspace and landscaping within the entire development will blend the development into the surrounding Environment.

b. Transportation;

The petition site has direct access to Dimond Blvd. and right turn access to Jewel Lake Road , which is part of the Jewel Lake Road Transit-Supportive development corridor.

c. Public Services and Facilities;

Water, sewer, storm drain and all utilities are available and will be constructed as part of the project. As always, these improvements are subject to review and approval by MOA

d. Land Use Patterns;

Little change to the existing land use pattern will occur. What change does occur will be moving towards the 2020 plan and the Town Center Concept.

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?  
There is few undeveloped area suitable for high-density development near this site or within Anchorage as a whole. We estimate the amount of land suitable for this type of a development to be around 12 acres. It should be noted that none of these alternate sites are located close to a town center or can provide pedestrian access to a town center.

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 development is scheduled for 2006 and all utilities are available to the site.* \_\_

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?

*This is not really a loss of the zoning district. The property is currently zoned B-3 and it is the special limitations that will be changing. This is a gain of residential area close to a town center. This is a mixed-use development, and valuable commercial uses are also gained in close proximity to the town center.*

NOV-12-2004 FRI 11:33 AM FROM

FAX:

PAGE 2

November 11, 2004

JWYW Holding Company, LLC  
c/o Terry Pfeigler  
Prudential Jack White Company  
3801 Centerpoint Drive #200  
Anchorage, Alaska 99503

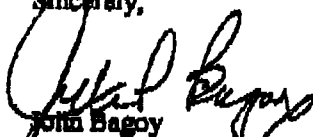
Re: Chester H. Lloyd, Lot 12 B

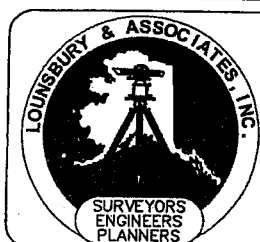
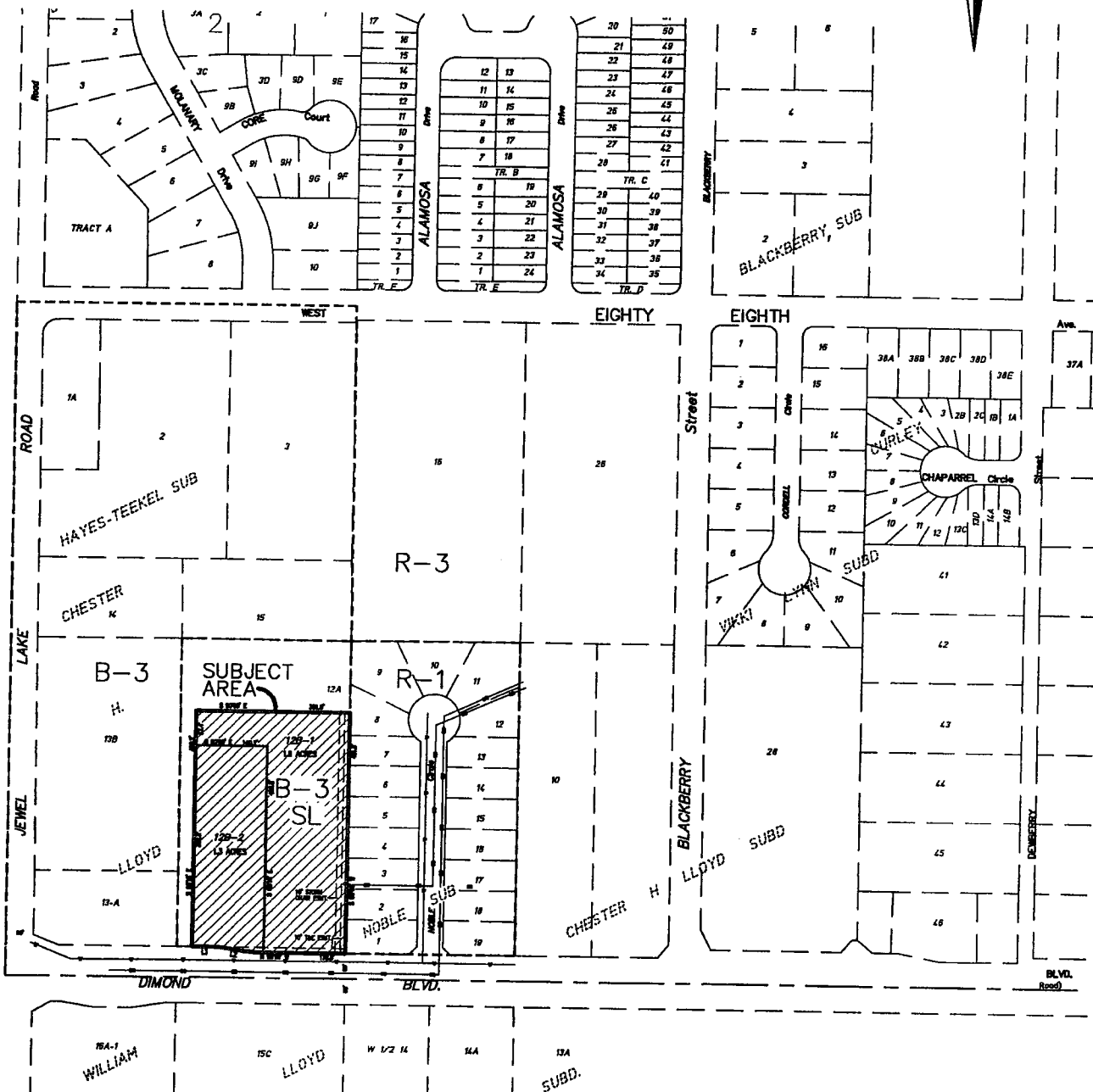
To Whom it May Concern:

This will authorize JWYW Holding Company, LLC to begin a replat on the above-mentioned property, using Lounsbury & Associates as engineers and surveyors. It is understood that there will be no costs or liability incurred by the present owners, Dimond III Investments.

Please call Bob Baer at Dynamic Properties (907-261-7505) if you need additional assistance.

Sincerely,

  
John Bagoy  
Dimond Investments III



723 W. 6th Avenue  
Anchorage, Alaska 99501  
(907) 272-5451 Fax: 272-9065

3161 E. Palmer-Wasilla Hwy, #2  
Wasilla, Alaska 99654  
(907) 357-9129 Fax: 357-9140

## LOT 12B CHESTER H. LLOYD REZONE LOCATION MAP

DRAWN BY: BJR  
FILE NAME: REZONE

DATE: 4/15/05  
SCALE: 1"=300'

074

# CHESTER H. LLOYD

- Highlighted\_Feature
- Streams
  - Road Centerlines w/Highway
  - Road Centerlines
  - Airports
  - 1
  - 2
  - Other
  - Parcels
  - Economic Parcels
  - R.O.W.s
  - Marine
  - COASTLAND
  - ISLAND
  - MARINE WATER
  - MUDFLAT
  - STREAM
  - 2002 Anch 1ft Imagery



## DISCLAIMER

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**5**

**POSTING  
AFFIDAVIT**

Chester

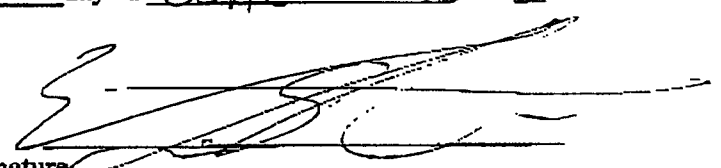


# AFFIDAVIT OF POSTING

CASE NUMBER: 2005-083

I, Edwin I. Skott 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 June 1<sup>st</sup> 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 1<sup>st</sup> day of June, 2005

Signature 

## LEGAL DESCRIPTION

Tract or Lot Lot 12B

Block \_\_\_\_\_

Subdivision Chester 4<sup>th</sup> 1100d

# 6

## **HISTORICAL INFORMATION**



*History*

**PLANNING AND ZONING COMMISSION MEETING**

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

**MINUTES OF  
November 4, 2002  
6:30 PM**

**A. ROLL CALL**

<u>Present</u>	Dan Coffey	<u>Excused</u>	Bill Starr
	Gayle Knepper		Daphne Brown
	Tom Klinkner		
	Wm. Dwayne Adams, Vice Chair		
	Henry Penney		
	Ken Klein		
	Toni Jones, Chair		

<u>Staff</u>	Jerry Weaver
	Tom Nelson
	Mary Autor
	Al Barrett
	Thede Tobish
	Sharon Ferguson
	Cathy Hammond

**B. MINUTES**

COMMISSIONER COFFEY moved for approval of the minutes of September 16, 2002.

COMMISSIONER KNEPPER seconded.

AYE: Adams, Klinkner, Penney, Jones, Coffey, Knepper, Klein

NAY: None

PASSED

**G. PUBLIC HEARINGS (Continued)**

- 3. 2002-203** Kenneth Duffus. A rezoning request to modify AO 85-151 to allow for residential development in the B-3SL zoning district. Chester H. Lloyd Subdivision, Lot 12B. Located at 3751 W. Dimond Boulevard.

Staff member AL BARRETT stated there was a period of time of at least four days last week when the blue public hearing sign was not being displayed at this petition site. A verbal legal opinion was secured from the Department of Law that, as long as the sign was replaced and the other published and mailed notices were done, the Commission is free to proceed with this case. He stated 159 public hearing notices were mailed and 14 letters were received in opposition, as well as two petitions in opposition. There are no written comments from the Community Council, but he understood they would provide verbal testimony this evening. The request before the Commission is to include a residential component into the B-3SL zoning. Staff recommended denial of the request as the proposal is not consistent with the Comprehensive Plan, specifically Policies 5, 7 and 12. The issues are generally those of incompatibility. Staff also recommended denial because the issues identified in the Staff analysis have not been adequately addressed.

COMMISSIONER KLINKNER asked if Lots 12A and 12B are under common ownership. MR. BARRETT did not believe so, but he was unable to tell. Lot 12B is owned by Dimond Investments III and Lot 12A is owned by an individual. COMMISSIONER KLINKNER asked if the area labeled "Common access" on the west edge of the petition site has been improved. MR. BARRETT replied that area is part of Lot 12A and it is unimproved. There are discussions with ADOT at this time regarding the driveway/alleyway that lies parallel to the common access that serves a Burger King and the rear of a small mall on Lot 13B. This common access might not be allowed in its current location. COMMISSIONER KLINKNER asked if the alley behind Lot 13B is private or public. MR. BARRETT replied that all of Lots 13A and 13B are private.

The public hearing was opened.

BRENT WESTERN, representing the petitioner, stated in Spring 2002 the petitioner met with Staff and there were no major concerns at that time.

This petition asks to allow residential uses to be re-established in this B-3 district. The property was previously zoned as B-3 and the special limitations later excluded residential uses. He stated the plat stipulates only one access point along the common access drive. Lot 12B does not have legal or physical access other than the common access drive to Dimond Boulevard. The density for the property being proposed for residential usage would be 15.38 dwelling units per acre (DUA), which would follow the minimum density for B-3 of 12 DUA. The remainder of the property would have a commercial component along Dimond Boulevard, plans for which have not been finalized. This area is built-up and the best use for this property is a combination of residential and business. MR. WESTERN stated the petitioner was in agreement with conditions 3, 4, 6 and 7. He asked that condition 1 be amended to delete "AMC 21.40.145 B-1B" and insert "21.40.180 B-3SL" and change "8" to "12." He asked that condition 2 be changed to read "Prior to the issuance of building permits for a commercial usage the applicant shall submit a site plan for the remainder of Lot 12B for non public hearing site plan review, as consistent with the current B-3SL. Among the regular requirements of the B-3 zoning district, the site plan shall conform to the remaining SL's as specified under AO 85-15." He asked that condition 5 be changed to read, "Ten foot wide buffer landscaping around the north and west lot line, an 8 foot fence, arterial landscaping as required, and a 20 foot buffer screening per the existing SL on the east property line." He stated that the petitioner is asking that the B-3 residential usage be allowed.

COMMISSIONER KNEPPER noted that the packet indicates the density is 10.3 DUA and Mr. Western mentioned a density of 15.8 DUA. MR. WESTERN explained that the 10.3 DUA figure is based on the entire property and the 15.8 DUA figure is based on only the portion that is being proposed for residential use.

COMMISSIONER ADAMS asked for the petitioner to supply the changes that he had requested to the conditions of approval. MR. WESTERN submitted his changes in writing.

DICK WELLS, area resident, stated the views and concerns of the residents of Noble Subdivision have been voiced at several neighborhood meetings. The resolve of the property owners of Noble Subdivision is evidenced by their signatures on a petition dated October 26, 2002 and submitted to the Commission. The residents see no reason to change the existing zoning. The master plan calls for development under current zoning guidelines. Area residents have experienced serious flooding

problems due to inadequate drainage and indiscriminate filling on this lot and along the boundary of their subdivision. Filling raised the water table and has made the parcel higher, causing flooding in subdivision homes. This type of flooding is not covered by insurance. The development of residential on this property would cause more problems. Residents believe that increased traffic from a residential development, especially during rush hours, would seriously impact safety for the subdivision, which already experiences problems because of its close proximity to the Dimond Boulevard and Jewel Lake intersection. The traffic pattern was adjusted several years ago to allow only a right turn from the subdivision to the Dimond/Jewel Lake intersection, where a vehicle must make a "U" turn in order to head east. School children are also at great risk with this intersection within 300 feet of the subdivision. Residents have experienced higher crime and vandalism as multi family developments have been constructed closer and closer to the subdivision. Residents have concern for the loss of their privacy with multi level residential construction adjacent to their homes. They are also concerned that property values may be diminished, as has occurred in other areas with similar development. The residents do not oppose development and believe the existing zoning is appropriate and will have the least effect on residents' quality of life. Residents of the Noble Subdivision have purchased their homes based on the zoning of the adjacent property and they feel the immediate area is populated enough. They feel the parcel could be developed to support low impact business or a community facility such as a community center, branch library, senior center, or post office. Residents are concerned that inadequate ingress and egress to the parcel would create a life-threatening situation if a fast evacuation should be necessary or emergency vehicles would need to take access. They are concerned that snow removal and maintenance would cause a significant problem for homeowners on the parcel, as well as Noble Subdivision residents when large berms of snow melt off in the spring. Residents believe that a commercial use would do a better job of removing snow to appropriate dumps. MR. WELLS submitted a letter from Tim Craig, owner of Anchorage True Value, located in a strip mall to the west of the Noble Subdivision, supporting the retention of the existing zoning.

CAREY TEAGLE, representing Don Teagle, owner of Lot 12A, stated the developers had not contacted Mr. Teagle about the development and he is concerned about the use of the common access area because of the RV storage Mr. Teagle has next to it. He was also concerned that there is a 30-foot set aside area on B-3 property across the rear adjacent to the residential area. With the changes proposed by the petitioner, that 30-

foot set aside would no longer exist. Mr. Teagle was also concerned that although he has 30-foot set asides across the back of his B-3 property, there are none between the residential area proposed and the RV storage lot that will be next to the development.

MARTY GROSSMAN, 20-year State of Alaska employee, 14.5 years with ADOT and the past 6 years with DHSS, stated his job is designing and building facilities. He explained that when he saw the petitioner's plans he was very concerned. He stated those plans are inconsistent with the Comprehensive Plan. The site plan also does not comply with requirements. He stated the individual who sold him his house said the greenbelt would never disappear and he worries that would not be the case under the petitioner's proposal. The Planning Staff pointed out that the buffers needed are far in excess of what the petitioner proposes. He noted that his wife said she would rather have the moose that wander through the greenbelt eat the willows there than her lilacs. He was also concerned with the traffic pattern. He stated vehicles could turn right, go to Jewel Lake, turn left and either come back on Jewel Lake or go through McDonalds to head east on Dimond Boulevard. The access road planned by the petitioner would become a public safety hazard. Turning right during the winter can be difficult and people would be forced to wait for that traffic to turn right and within 200 yards there would be other vehicles coming onto the roadway. This creates the potential for accidents, both vehicular and with bike riders. He noted that a large housing project was recently approved only 0.6 miles from his subdivision and he is concerned with the impact that development and others will have on traffic and schools.

SHERRY JACKSON, representing the Sand Lake Community Council, stated she has been in communication with the Barbers and is concerned with what is happening regarding this parcel of property. She noted she did not see a public hearing sign on this property. She indicated that the petitioner, Kenneth Duffus, was asked by Representative Halcro to come to the Council meeting to share his plans for what would be built and he indicated there was a time constraint and he could not. The Council had concern with access, which will likely be a tremendous problem. Also, if the Sand Lake gravel pit area is developed, there would be very serious traffic issues along these roadways.

COMMISSIONER COFFEY asked if the Council had not yet considered this request. MS. JACKSON replied that the executive board has discussed it, but the entire council has not. It could be heard in December, but Mr. Duffus told Representative Halcro that he could not

attend that meeting. COMMISSIONER COFFEY noted that the posting was done in September and he assumed there was appropriate notice to the Council. MS. JACKSON replied that the first hearing was canceled, but the Council did receive notice in September.

LARA AUF der HEIDE, resident on Noble Circle, stated she purchased her home based on the current zoning and she opposed the petitioner's request. She had concern with flooding issues, that the proposed development will affect her privacy and safety, and traffic concerns. She stated she has experienced the theft of two bicycles and a children's safety sign in the last year, coinciding with the construction of multi-family units in this area. She acknowledged that there is no town center plan, but the intersection of Dimond Boulevard and Jewel Lake is designated for a town center. She stated she would like to see the current zoning maintained and the property developed in a way that would serve this growing community. She indicated there are other lands being developed residentially in this area. She understood that other residents of her subdivision feel that, if there was some type of community service developed on the petition site, that would better serve the community. She asked that the Commission uphold the existing zoning.

COMMISSIONER COFFEY asked if Ms. Auf der Heide was aware of what types of uses are currently allowed under the existing zoning. MS. AUF der HEIDE indicated she had read the list of permitted uses. She stated she was not aware of this extensive list of approved uses prior to receiving the packet this evening. She stated her home is the first she and her husband have owned. She stated she has experienced the effect of residential development in the area first-hand. She indicated there is an increased strain on the limited community resources in this area. She stated she was concerned with the notice indicating there would be additional residential use on the property and that there is the potential of losing the buffer abutting her property.

RICHARD JOHNSON, area homeowner, stated he purchased his home because of his familiarity with the neighborhood of which he has been a resident since 1984. He stated he checked on the current zoning and he was totally satisfied with that zoning and he did not favor this requested change.

KATHY WELLS, resident on Noble Circle and owner of an additional lot in Noble Subdivision since 1979, stated she has seen many changes in this area and she was very concerned with additional multi-family housing and the impact it has on schools and traffic patterns. She concurred with

the testimony that had been given and objected to the changes being requested by the petitioner. She stated she was aware of the current zoning and the special limitations.

TERRY VEEL stated the petition site is not accessible traveling from the north, south, or east. The only way to access the site is heading west. This is a major problem for a business that might be located on a B-3 property and it is likely one of the reasons this site has remained vacant for some time. There are heavy restrictions on the site through special limitations. The site is on the edge of the Jewel Lake/Dimond business district. He noted that Staff comments sounded as though they wanted this site to meet the community center criteria, but this is only a small portion of the community center proposed at Jewel Lake/Dimond. He believed the petitioner's proposal could be part of the high density residential use envisioned around the community center. He thought many of the issues of concern that were expressed in testimony could be met through the site planning process.

COMMISSIONER COFFEY asked what is Mr. Veel's interest in the property. MR. VEEL indicated he is the selling agent.

In rebuttal, MR. WESTERN stated the concerns raised by adjacent property owners could be addressed through permitting and the site planning process. He believed that drainage problems could be addressed. He noted there is a 20-foot buffer screening easement and an 8-foot fence on the east side of the property. The plat of record stipulates only one access point at the common access drive. The petitioner feels the project can be developed in a manner conducive to and acceptable to the property owners. He felt the proposed development would cause less of an impact than other development that could occur under the existing special limitations.

COMMISSIONER ADAMS asked why Staff had proposed in condition 1 a change to B-1B from B-3. MR. BARRETT explained that condition is a recognition of what might happen under the town center concept, a recognition of the intensity of uses that might exist under that concept, and a recognition that, in light of the way this area has developed, the density and intensity at the petition site are more appropriately community business level uses than B-3.

COMMISSIONER KLINKNER asked if condition 4 referring to B-3 is consistent with the B-1B recommendation in condition 1. MR. BARRETT explained it is a recognition that B-3 located adjacent to residential

zoning requires strong provisions. Condition 1 addresses the types of uses and condition 4 addresses separation issues.

The public hearing was closed.

COMMISSIONER COFFEY moved for approval of a rezoning from B-3SL per AO 85-151 to B-3SL to amend the Special Limitation list to allow residential uses.

COMMISSIONER KLINKNER seconded.

COMMISSIONER COFFEY noted that typically the Commission hears greater support for residential use than for commercial and in that regard this case is unusual. He stated the concept of proposals being premature is perplexing because of the adoption of Anchorage 2020 and the fact that Title 21 is currently under revision. The options are to do nothing until the code is amended or to bridge the gaps between Anchorage 2020 and what Title 21 is anticipated to allow. He felt the conditions the Department had recommended were designed to ensure this request was not effected. He felt access at this lot is terrible and the requirement that a second access be provided is impossible. He felt that, if access is a problem, this request should not be approved. He stated there might be a way to accomplish this development in a manner that meets some of the criteria inherent in the Comprehensive Plan that speaks to higher intensity residential uses and residential uses in town centers, but at the same time, he recognized the concerns of the neighbors with respect to their privacy. He felt the petitioner's proposal was not comprehensive or well thought out and he did not support it.

COMMISSIONER ADAMS understood the intent of Staff was that B-1B is appropriate for this location. He felt that zoning is the best existing vehicle that moves in the direction intended in the town center plan. He stated his concern is that the plan before the Commission is not complete and there are serious concerns, among them being access. The property is boxed in, there are no pedestrian connections, and no open space is provided. He stated it is inappropriate to allow the building of this type of development.

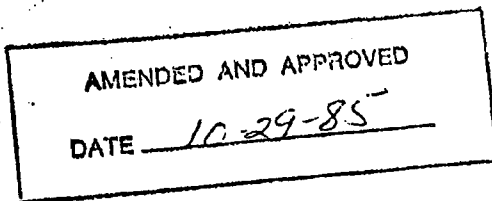
COMMISSIONER KLINKNER felt one of the unfortunate aspects of this situation is that there is a pending sale transaction and, in such a situation, there is not much incentive on the part of either party to invest in design, which is what this parcel needs.



AYE: None

NAY: Adams, Klinkner, Penney, Jones, Coffey, Knepper, Klein

FAILED



Submitted by: Chairman of the Assembly  
At the Request of the Mayor  
Prepared by: Department of Community  
Planning  
For reading: August 13, 1985

ANCHORAGE, ALASKA  
AO NO. 85-151

AN ORDINANCE REPEALING ORDINANCE 78-18 AND PROVIDING FOR THE REZONING FROM B-3 (GENERAL AND STRIP COMMERCIAL BUSINESS DISTRICT) WITH SPECIAL LIMITATIONS TO B-3 (GENERAL AND STRIP COMMERCIAL BUSINESS DISTRICT) WITH SPECIAL LIMITATIONS FOR LOT 12, CHESTER H. LLOYD SUBDIVISION, SAND LAKE COMMUNITY COUNCIL.

---

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. That ordinance 78-18 is repealed.

Section 2. That the zoning map be amended by designating the following described property as a B-3 (General and Strip Commercial Business District) with special limitations zone.

Lot 12, Chester H. Lloyd Subdivision

Section 3. This zoning map is subject to the following special limitations regarding uses of the property. Permitted uses and structures shall be limited to:

Uses Permitted:

1. Commercial-wholesale

- a. business offices for mercantile establishments

2. Commercial-retail

- a. furriers
- b. jewelry stores
- c. furniture and home furnishing stores
- d. radio, television and music stores
- e. household appliance stores
- f. hardware and variety stores
- g. sporting goods stores and bicycle shops
- h. drugstores
- i. bookstores and stationery stores
- j. catalog sales stores
- k. florists

- l. tobacco stores
- m. gift, novelty and souvenir shops
- n. small appliance repair shops
- o. travel agencies, ticket brokers
- p. insurance and real estate offices
- q. banking and financial institutions
- r. business and professional offices
- s. medical, health and legal services
- t. business service establishments, including commercial and job printing
- u. laboratories and establishments for production, fitting and repair of eyeglasses, hearing aids, prosthetic appliances and the like
- ~~v.---plumbing-and-heating-service-and-equipment-dealers---~~
- ~~w.---paint-glass-and-wallpaper-stores---~~
- x. electrical or electronic appliances, parts and equipment
- y. direct selling organizations
- z. aircraft and marine parts and equipment stores
- aa. antiques and secondhand stores, including auctions, pawnshops
- bb. farm equipment and garden supply stores
- cc. fur repair and storage
- dd. nurseries
- ee. mini-storage
- ff. retail food stores and liquor stores
- gg. restaurants, tea rooms, cafes and other places serving food and beverages\*;
- ii. beauty shops and barber shops;
- jj. shoe repair shops and tailors;
- kk. retail sales and showrooms;
- ll. Department stores, general merchandise, and dry goods stores;
- mm. men's, women's, and children's clothing and apparel and shoe stores;
- nn. miscellaneous apparel and accessory shops;
- oo. camera and photographic supply stores;
- pp. photographic studios;
- qq. art studios, art supplies, and picture framing shops;
- rr. laundry and drycleaning establishments;
- ss. employment agencies;
- ~~tt.---gasoline-service-stations-dispensing-gasoline-only--operating-less-than-24--hours-a-day;~~

- uu. automotive accessory parts and equipment stores;
- \* uses involving the retail sale, dispensing or service of alcoholic beverages may be permitted by conditional use only. Only beer and wine, alcoholic beverages shall be dispensed with conjunction with a restaurant use.

3. Other uses

- a. public parks and buildings
- b. vocational or trade schools
- c. family residential care, day care and 24 hour child care facilities

4. Conditional Uses

- a. utility substations
- b. heliports
- c. marquees, overpasses and similar substantial projections into public airspace, together with any signs to be mounted thereon
- d. planned unit developments
- e. churches and synagogues, along with the customary accessory uses including parsonages, day care and meeting rooms
- f. quasi institutional houses

Section 4. This zoning map amendment is subject to the following special limitations establishing design standards for the property.

- a. No building or structure on west 1/2 of the subject zoning district shall exceed three stories or 35 feet and no such structure or building on the east 1/2 shall exceed 2 stories or 25 feet.
- b. The zoning district shall be subject to the duty to maintain a 20 foot buffer or screening strip adjacent to the eastern boundary of said district. The 20 foot buffer strip on the eastern edge of the zoning district shall be fully landscaped prior to issuance of Certificate of Occupancy for any building or structure on the premise. The minimum permissible landscaping shall consist of 4 foot high trees planted on a random basis not more than

7 feet apart. All required landscaping shall be maintained in a live condition. In addition to the above required landscape buffer a sight obscuring fence six feet high shall be constructed along the eastern boundary of the zoning district prior to fulfillment of the landscaping and screening requirements.

- c. Prior to issuance of each building permit for the petition site a ~~non~~-public hearing site plan review shall be held by the ~~Community Planning Department~~ Commission addressing the following areas:
1. landscaping and buffering of the entire site including a required buffer along the east and landscaping along Dimond Blvd;
  2. parking lot layout and circulation;
  3. location of structures;
  4. pedestrian circulation;
  5. access;
  6. drainage;
  7. six foot sight obscuring fence;

Section 4. The special limitations set forth in this ordinance prevail over any inconsistent provisions of Title 21 of the Anchorage Municipal Code unless specifically provided otherwise. All provisions of this Title of the Anchorage Municipal Code not specifically effected by special limitations set forth in this ordinance shall apply in the same manner as if the district classifications applied by this ordinance were not subject to special limitations.

Section 5. The Director of Community Planning is hereby directed to change the zoning map accordingly.

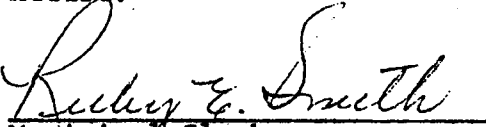
Section 6. This ordinance becomes effective ten days after passage and approval.

Assembly Ordinance  
Page 5

PASSED AND APPROVED by the Anchorage Assembly this  
29th day of October, 1985.

  
Chairman

ATTEST:

  
Municipal Clerk

(85-059)  
(012-362-05)

da9/cao8

# D.5.a.

**MUNICIPALITY OF ANCHORAGE  
PLANNING DEPARTMENT  
MEMORANDUM**

---

**DATE:** July 11, 2005

**TO:** Planning and Zoning Commission

**THROUGH:** *AW* Jerry Weaver, Division Manager

**FROM:** Alfred Barrett, Senior Planner *AB*

**APPLICANT:** JWYW Holding Company

**REPRESENTATIVE:** Lounsbury & Assoc.

**SUBJECT:** **2005-083 Rezone B-3 SL to B-3 SL: postponement request to August 1.**

**LOCATION:** 3751 West Dimond Boulevard; Chester H Lloyd subdivision, lot 12B

**TAX PARCEL NO.** 012-362-41

The rezoning request is to modify one of the Special Limitations. In AO 85-151, one of the SL's does not allow residential development even though the B-3 district normally allows multifamily at a density equivalent of 12 units per acre.

The applicant is requesting a postponement of this case to August 1. This will allow additional time to meet with the neighborhood and Community Council and amend the site plan and plat, if needed.

093

**PLANNING & ZONING  
COMMISSION  
PUBLIC HEARING  
AUGUST 1, 2005  
SUPPLEMENTAL INFORMATION**

**G.4. Case 2005-083  
Rezone to B-3SL**

Double-sided



# Zoning and Platting Cases On-line

## View Case Comments

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**\*\* These comments were submitted by citizens and are part of the public record for the cases \*\***

**Questions?** If you have questions regarding a case, please contact Zoning at **907-343-7943** or Platting & Variances at **907-343-7942**.

**1. Select a Case:**

[View Comments](#)

## 2. View Comments:

### Case Num: 2005-083

Rezoning to B-3SL General business district with special limitations

**Site Address:** 3751 W DIMOND BLVD

**Location:** A request to rezone approximately 3.22 acres from B-3SL (General Business with Special Limitations) to B-3SL to modify the Special Limitations. Chester H Lloyd Subdivision, Lot 12B. Located at 3751 West Dimond Blvd.

[Details](#) | [Staff Report](#) | [submit a comment](#)

## Public Comments

**7/29/05**

Richard Wells & Katherine Deeter Wells-Deeter  
9030 Noble Circle  
Anchorage AK 99502

Planning & Zoning July 29, 2005 Case# 2005-083 My name is Dick Wells; my wife Katherine Deeter and I reside at 9030 Noble Circle. The views and concerns I present have been aired at several neighborhood meetings. 1. I oppose a change to current zoning and respectfully request a denial of 2005-083 before you now. A. I see no reason to change the existing zoning. The Master Plan calls for development under current zoning guidelines. B. We and our neighbors have experienced serious flooding problems due to inadequate drainage and indiscriminate filling on this lot and along our boundary. Filling raised the water table and has made the parcel higher. This causes flooding in many of the subdivision homes. We also remind the committee that this type flooding is not covered by insurance. The development of residential use would cause more serious problems. C. I know that the increased traffic from a residential development especially during rush hours would seriously impact safety for our subdivision, which already experiences problems with its close proximity to Dimond and Jewel Lake intersection. Our traffic pattern was adjusted several years ago that allows only a right turn from our subdivision to the Dimond /Jewel Lake Intersection where we have to make a U turn to head east on Dimond. Our school children are at a greater risk already with the busy Dimond & Jewell Lake intersection within 400 feet. D. I have experienced higher crime and vandalism, as multi family developments have been constructed closer and closer to our subdivision. E. I am concerned for our loss of privacy with multi level residential construction adjacent to our homes. F. I am concerned that our property values will be diminished as it has occurred in other areas with similar development. G. I do not oppose development and feel the existing zoning, which we approved, is

095

still the right choice and will have the least effect to our quality of life. H. Noble residents have purchased based on the existing zoning of the adjacent property. I. I feel that our immediate area is already populated enough and need the adjacent property developed to support low impact business or community facilities such as a community center, branch library, senior center or post office. J. I am concerned that inadequate ingress and egress to this parcel would create a life-threatening situation if a fast evacuation should be necessary or if emergency vehicles had to get in and out. K. I am concerned that snow removal and maintenance would pose a significant problem for homeowners on the parcel as well as Noble Subdivision residents when large berms of snow melt off in the spring. We feel a commercial use would do a better job removing snow to appropriate dumps. L. I am concerned that notice of this request was not received by all the Noble Circle property owners. • Thank you for listening to my concerns. Our subdivision is a closely-knit community and is not opposed to development that is clearly thought out and makes sense. Our existing B3-SL zoning will provide for adequate development of this parcel and makes good sense for our community. Dick and Katherine Deeter 9030 Noble Circle

## **Barrett, Al W. (Zoning)**

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**From:** Coop, Leland R.  
**Sent:** Tuesday, July 19, 2005 9:39 AM  
**To:** Barrett, Al W. (Zoning); Angell, Mada M.  
**Subject:** RE: rezone 05-083

Maybe the problem is that this information is being called a traffic impact analysis. It is just a check of the Institute of Transportation Engineers generation rates between commercial and residential. They can submit the information and everyone can look at it as they normally do. The reason Planning reviewers would look at the info as well is because we have no idea about the type and amount of allowable commercial.

**Lee Coop**  
**Traffic Department**  
**4700 S. Bragaw Street**  
**343-8479**

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

**From:** Barrett, Al W. (Zoning)  
**Sent:** Tuesday, July 19, 2005 9:16 AM  
**To:** Angell, Mada M.; Coop, Leland R.  
**Subject:** RE: rezone 05-083

Traffic's approval would be to verify that the tia was accurate, nothing more. Verifying the numbers & assumptions, that kind of thing.

Alfred Barrett  
Senior Planner  
Platting & Zoning Division  
phone (907) 343-7936  
fax (907) 343-7927  
barrettaw@ci.anchorage.ak.us

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

**From:** Angell, Mada M.  
**Sent:** Tuesday, July 19, 2005 9:08 AM  
**To:** Barrett, Al W. (Zoning)  
**Subject:** RE: rezone 05-083

Well, I don't think you should ask for Traffic approval. Traffic would never require a tia in this type of situation, and we have already approved (by virtue of the no comment) whatever traffic will be generated by the rezone. A tia would be for informational purposes only for the board to make a decision on the rezone.

M.

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

**From:** Barrett, Al W. (Zoning)  
**Sent:** Tuesday, July 19, 2005 8:07 AM  
**To:** Angell, Mada M.; Coop, Leland R.  
**Subject:** rezone 05-083

This is the proposed condition for the rezone on Dimond to add residential to the list of permitted uses in B-3. neighbors are worried about being

overwhelmed by multi family traffic, hence the condition to compare res and commercial traffic generation. Any comments?

**A traffic impact analysis with a design study for access to Dimond Blvd. and a comparison of traffic volumes between the proposed residential uses and the proposed commercial uses; to be approved by the Municipal Traffic Dept.**

Alfred Barrett  
Senior Planner  
Platting & Zoning Division  
phone (907) 343-7936  
fax (907) 343-7927  
barrettaw@ci.anchorage.ak.us

## **Barrett, Al W. (Zoning)**

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**From:** Margaret Lind [margaret@dean-architects.com]  
**Sent:** Thursday, September 15, 2005 10:05 AM  
**To:** Barrett, Al W. (Zoning)  
**Cc:** 'rinckey@lounsburyInc.com'  
**Subject:** B-3SL rezone

Al,

We envision this as a 60 - 90 mixed use, multi- family development.

The front (South) building concept, would support "B" type occupancies

on the first level (approximately 12 units), with 2-3 stories of living above (approximately 20-30 units).

The two buildings to the North would be residential only and would contain approximately 24-30 units each.

All buildings will have underground parking, 1 per each living unit.

Our overall thought process is to present a development that would have a symbiotic relationship

with the future town center and the southern anchor area of the E Street/Jewell Lake Transit Supportive

Corridor. We feel that, if this were 2 years from now, we would be focusing on what would be an RMX approach

to this site.

If you have any questions please call me 277-7090.

Thanks

Harvey D. Prickett AIBD

Principal

DEAN Architects

**Margaret Lind**



(907)277-7090 margaret@dean-architects.com

—  
No virus found in this outgoing message.

Checked by AVG Anti-Virus.

Version: 7.0.344 / Virus Database: 267.11.0/103 - Release Date: 9/15/05

**MUNICIPALITY OF ANCHORAGE  
PLANNING DEPARTMENT  
MEMORANDUM**

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**DATE:** July 11, 2005

**TO:** Planning and Zoning Commission

**THROUGH:** Jerry Weaver, Division Manager

**FROM:** Alfred Barrett, Senior Planner

**APPLICANT:** JWYW Holding Company

**REPRESENTATIVE:** Lounsbury & Assoc.

**SUBJECT:** **2005-083 Rezone B-3 SL to B-3 SL: postponement request to September 19.**

**LOCATION:** 3751 West Dimond Boulevard; Chester H Lloyd subdivision, lot 12B

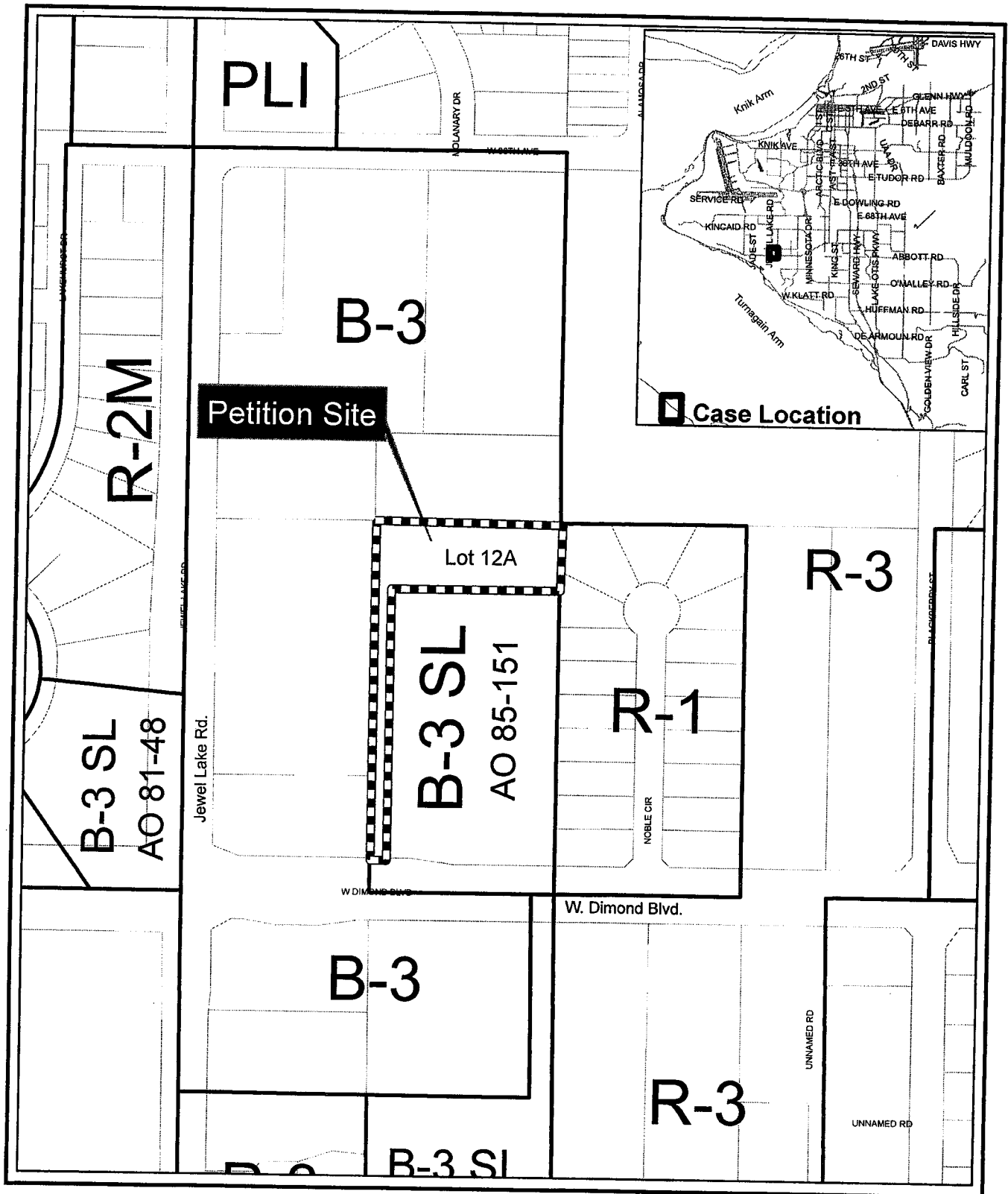
**TAX PARCEL NO.** 012-362-41

The rezoning request is to modify one of the Special Limitations. In AO 85-151, one of the SL's does not allow residential development even though the B-3 district normally allows multifamily at a density equivalent of 12 units per acre.

The applicant is requesting a postponement of this case to August 1. This will allow additional time to meet with the neighborhood and Community Council and amend the site plan and plat, if needed.

# EXHIBIT A

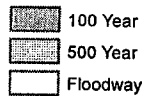
# 2006-009 REZONE



Municipality of Anchorage  
Planning Department

Date: March 21, 2006

## Flood Limits



**MUNICIPALITY OF ANCHORAGE**  
**PLANNING AND ZONING COMMISSION RESOLUTION NO. 2006-009**

A RESOLUTION APPROVING A REZONING FROM B-3 SL (GENERAL BUSINESS DISTRICT, WITH SPECIAL LIMITATIONS) TO B-1B SL (COMMUNITY BUSINESS DISTRICT WITH SPECIAL LIMITATIONS) FOR CHESTER H LLOYD SUBDIVISION, LOT 12A GENERALLY LOCATED AT 3751 WEST DIMOND BOULEVARD.

(Case 2006-009, Tax I.D. No. 012-362-40)

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WHEREAS, a request has been received from Donald and Kazuko Teekell, owners to rezone approximately 1.4 acres from B-3 SL (General Business District, with Special Limitations) to B-1B SL (Community Business District with Special Limitations) for Lot 12A, Chester H Lloyd Subdivision, generally located at 3751 West Dimond Boulevard, and

WHEREAS, notices were published, posted and 79 public hearing notices were mailed and a public hearing was held on February 6, 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 subject property was replatted in 1985 and the general area had been rezoned B-3 SL in 1978. The property has remained undeveloped.
2. This proposal will down zone the property, but will add residential uses to the list of permitted uses, which is the applicant's desire.
3. The property is adjacent to a designated town center area and a transit supportive corridor. The *Anchorage 2020 Anchorage Bowl Comprehensive Plan* calls for higher residential density in this area. Therefore, the request is consistent with the comprehensive plan.
4. The proposal will include residential and office/commercial elements.
5. There are issues of potential incompatible uses, traffic, building heights, drainage, etc. which can be resolved during site plan review.
6. The subject property and the adjacent Lot 12B will be identically rezoned and combined to form a unified development.
7. The Commission recommended approval of the request by a vote of 7-aye, 0-nay.

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

1. The property shall be rezoned to AMC 21.40.145: B-1B Community business district and reviewed under those standards except as modified herein. Prior to the zoning becoming effective the applicant shall replat Lot 12A and 12B,



Chester H. Lloyd Subdivision into one lot. Development will be preceded by or concurrent with a public hearing site plan review for the entire property Lot 12A and 12B. Approval is based on the concept design dated 10/04/05, Dean Architects and Lounsbury, Inc on file with the Planning Department.

2. Residential uses are allowed at R-3 standards, AMC 21.40.050, except as modified herein. Hours of operation for commercial/office uses are 7:00 am to 11:00 pm.
3. A site plan shall be reviewed and approved by the Planning and Zoning Commission. Prior to the issuance of building permits the applicant shall submit a site plan for the entire property Lot 12A and 12B for public hearing site plan review. Among the regular requirements, the site plan shall address:
  - a. secondary /additional street access: to Jewell Lake Road and/or 88<sup>th</sup> Avenue and/or Dimond Boulevard,
  - b. internal sidewalks and pedestrian connections to the exiting trail and public rights of way,
  - c. common, useable open space of not less than 2,500 square feet which meets the standards of AMC 21.50.210 G.5,
  - d. parking lot layout, internal to the site,
  - e. structure locations and mix of uses,
  - f. trails as shown on the Areawide Trails Plan and, if necessary, easements for trails,
  - g. town center standards as generally discussed in *Anchorage 2020: a mix of community serving retail; medium to high density residential uses including a mix of densities, ownership patterns, price and building types; and a pedestrian access network connecting the proposed use with town center core uses, adjacent neighborhoods and transit facilities.*
4. All building heights on the west one-half of the property are limited to three stories or 35 feet and all building heights for structures within 150 feet of the east lot line, Noble Subdivision, are limited to two stories or 25 feet.
5. Fifteen foot wide buffer landscaping (AMC 21.45.125 A.2.) is required on the north and west lot lines. A ten foot wide setback with buffer landscaping, exclusive of the existing ten foot drainage and ten foot utility easements, is required on the east lot line. The existing natural vegetation in these easements shall remain, except as needed for easement maintenance. A six foot tall, solid wood fence is required along the east lot line. Arterial (AMC 21.45.125 A.4.) landscaping is required on the south lot line.\*

\* Note: Dimond Blvd. in this location is a class IIIA arterial with a future development setback requirement of 65 feet each side of centerline, per AMC 21.45.140. Currently only 50 feet each side of center line is platted. Yard setbacks are measured from the future development width.

6. As part of the site plan application and prior to any building permits the applicant shall resolve with (and submit plans to, as required) Project Management and Engineering the need for grading and drainage plans, a

drainage impact analysis, fill and excavation requirements, erosion and sediment control requirements, and a storm water plan.

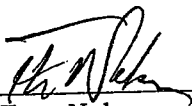
7. A comparison of the traffic generation rates between the proposed residential uses and the proposed commercial uses will be verified by the Municipal Traffic Dept. The proposed residential and commercial uses will be in compliance with the adopted ordinance and verified by the Planning Department.

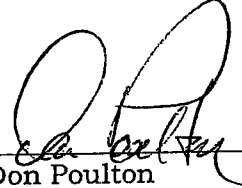
8. Prohibited uses. The following uses are not allowed:

- a. Correctional community residential centers.
- b. Utility substations except as needed to serve the subdivision
- c. The retail sale, dispensing or service of alcoholic beverages except in a restaurant by conditional use, AMC 21.50.160.
- d. Convenience establishments.
- e. Adult clubs as listed in AMC 21.45.240 and 21.45.245.
- f. Private or public clubs with an alcohol license.
- g. Private storage in yards of non-commercial trucks, boats, aircraft, campers, or travel trailers.
- h. Outdoor storage of trailers, motorhomes, or other vehicles in open space, or overflow parking areas, or in assigned parking areas if the size of the vehicle exceeds the size of the parking space.
- i. Outdoor harboring of animals.
- j. On site drycleaning including dry cleaning machinery and chemicals. A drop off and pick up only store is permitted.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 2<sup>nd</sup> day of February 2006.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 13<sup>th</sup> day of March 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 2006-009)  
(Tax I.D. No. 012-362-40)

6. 2006-009 Donald W. & Kazuko Teekell. A request to rezone approximately 1.38 acres from B-3SL (General Business with Special Limitations) to B-3SL in order to modify the current Special Limitations. Chester H Lloyd Subdivision, Lot 12A. Located at 3792 W. Dimond Boulevard.

Staff member AL BARRETT stated 79 public hearing notices were mailed, none were returned and nothing was received from the community council, although the petitioner's representative has been in contact with them. The petition site is a flag lot that is adjacent to B-3SL property that was rezoned by the Commission in September 2005 in a request that is identical to this case. The same owner now has control of both properties. When that owner gained control of the flag lot that is the subject of this case, he asked that the other rezoning be put on hold while this case is heard. Assuming the Commission approves this rezoning, the two properties would go forward jointly to the Assembly. In order to be consistent with the September 2005 application, the applicant requested a rezoning from B-3SL to B-3SL for the sole purpose of amending the list of special limitations. In the previous case and in this case the applicant wishes to add residential uses to that list. A residential use is appropriate in this area. Staff is recommending approval of a rezoning to B-1BSL, as was the recommendation in the previous case, in order to limit the intensity of the commercial uses, but allow the residential use and density sought by the applicant. The rezoning conforms to the Comprehensive Plan. The property in question is in a town center area. The proposed use is compatible in scale and intensity with most of the uses in the area. There is a fairly low-density single-family subdivision to the east. The residents on Noble Circle in that subdivision were more directly affected by the rezoning in September 2005 and with the setbacks and buffers provided by the applicant the concerns of those neighbors were generally satisfied. The property complies with Comprehensive Plan Policies #5, #7 and #12. The project is comprised of 132 units on 4.6 acres, for a density of 29 units per acre. That density is high compared to the rest of the area, but with the large setbacks and landscaping, the neighbors appear to be satisfied. The special limitations for the setbacks and landscaping exceed the code requirements.

The public hearing was opened.

BRAD RINCKEY, representing the petitioner, stated this case is essentially a continuation of case 2005-083 heard in September 2005. The previous case received unanimous approval from the Commission. This new case incorporates the adjacent lot to the north and creates more area to develop this project in accordance with the elements of the town center concept. Approval will lend to a better overall project because it creates greater separation between the existing residential area to the east and this development. This issue of separation and buffering has been the primary concern of the adjacent residential owners and the community council. The petitioner has worked with the community council and MOA staff to maintain as much of the existing vegetation as possible and provide landscape buffers to reduce the impact of development to the neighbors. The new site plan moves the buildings farther from existing houses. The addition of Lot 12A will improve access to the site and provide improved circulation within the development. Without the addition of Lot 12A, the access point to the site was restricted by plat note to an area along the west boundary. Because of the small separation distance from that access and the next driveway to the west, it was not well received by MOA Traffic or ADOT. Adding Lot 12A allows relocation of the driveway to the center of the lot, greatly improving separation distance. The addition of Lot 12A also provides more room for internal circulation and creates a possible additional access point along the west lot line. The addition of Lot 12A increases conformance of this project to Anchorage 2020 by allowing more commercial uses and thereby a better mix of residential and commercial uses. Perhaps the greatest benefit is that with the additional area there is more room for open space and pedestrian walkways. The petitioner still plans underground parking. The site will now have a small park with connecting walkways. The petitioner concurred with the Staff conditions.

COMMISSIONER DEBENHAM stated the development does not appear to be a mixed-use because the residential component is completely separated from the commercial component, which is not the preferred town center design. He asked if this comment is more relevant to site plan review than to this rezoning request. MR. BARRETT remarked that the Staff report notes that this is a combination of uses, but that they are segregated and not integrated as one might expect in a town center. These issues will be strenuously addressed in the site plan review. He noted that the site plan in the packet is not finalized.

The public hearing was closed.

COMMISSIONER PEASE moved for approval of a rezoning to B-1SL subject to Staff conditions 1 through 7, amending condition 3.g to state after the colon "an integrated mix of" rather than "a mix of." COMMISSIONER WIELECHOWSKI seconded.

COMMISSIONER PEASE indicated that the Commission reviewed this project previously. This parcel is within a town center and an integrated mix of uses in a compact urban pattern is desired. The combination of these two lots helps to achieve an integrated compact mix. The B-1B district appears to be appropriate to the intent for consumer-oriented businesses to serve the needs of the surrounding community on small, compact sites at or near the intersections of streets. The B-3 zoning is more traffic oriented and intended more for high arterial traffic sites.

AYE: Isham, Pease, Poulton, Wielechowski, Debenham

NAY: None

PASSED

**PLANNING DEPARTMENT**  
**PLANNING STAFF ANALYSIS**  
**REZONING**

**DATE:** February 6, 2006

**CASE NO.:** 2006-009

**APPLICANT:** Donald & Kazuko Teekell

**PETITIONER'S  
REPRESENTATIVE:** Lounsbury & Associates; Brad Rinckey

**REQUEST:** Rezoning Chester H. Lloyd Subdivision, Lot 12 A  
from B-3SL per AO 85-151 to B-3SL to amend the  
Special Limitation list to allow residential uses.

**LOCATION:** Chester H. Lloyd Subdivision, Lot 12A

**SITE ADDRESS:** 3791 West Dimond Boulevard

**COMMUNITY  
COUNCIL:** Sand Lake

**TAX NUMBER:** 012-362-40

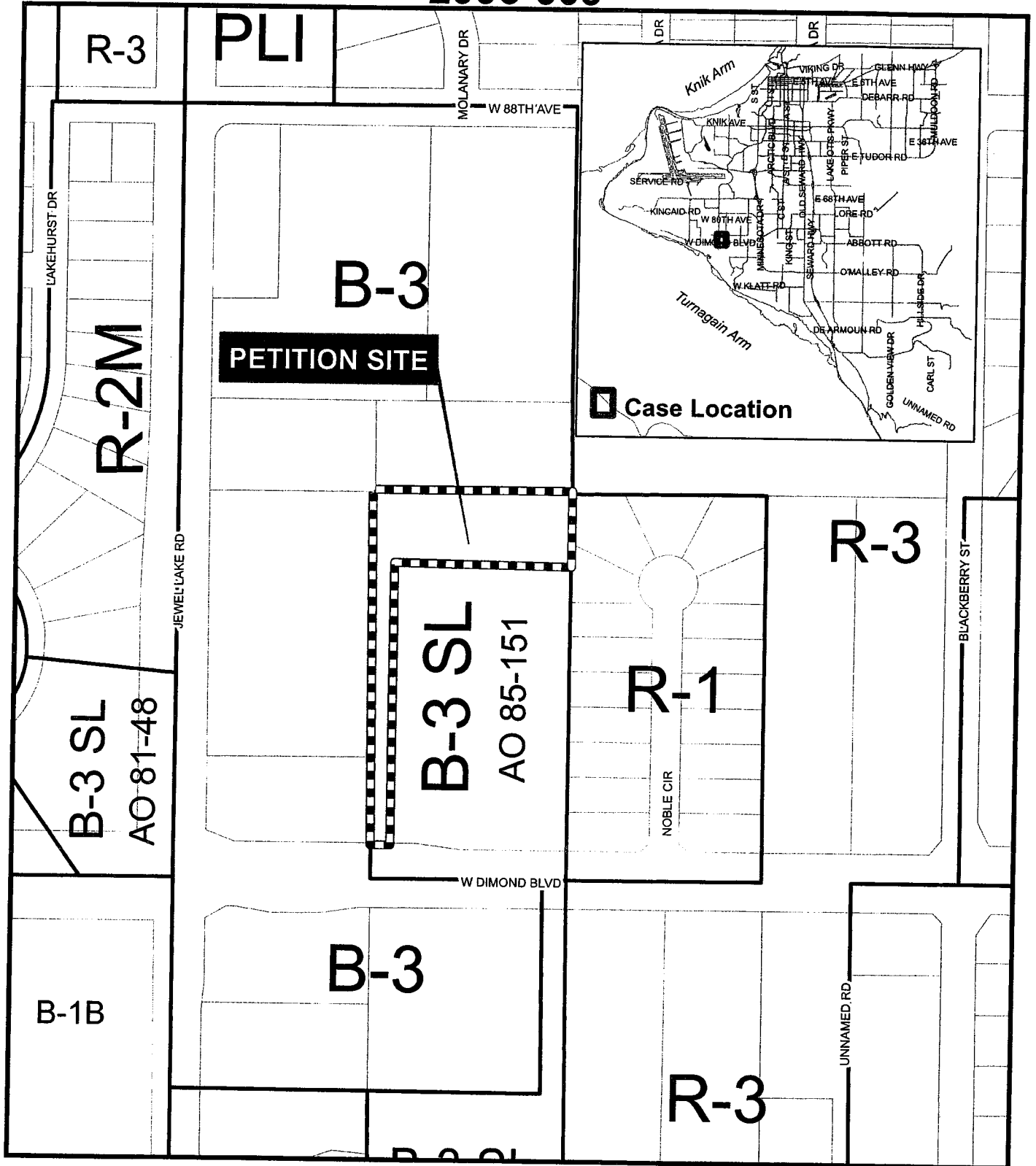
**ATTACHMENTS:**

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

**RECOMMENDATION SUMMARY:**

**APPROVAL of zone district B-1BSL Community business district, except as modified herein. The applicant applied for B-3SL and staff recommends B-1BSL as a more appropriate district due to the surrounding uses and zoning districts.**

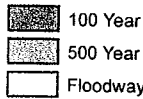
## 2006-009



**Municipality of Anchorage  
Planning Department**

Date: December 28, 2005

## Flood Limits



A horizontal scale bar with tick marks at 0, 105, 210, and 420. The word "Feet" is written at the right end of the bar.

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**SITE:**

Acres: 1.4 acres (approximately 60,000 sq ft)

Vegetation: Cleared

Zoning: B-3 (SL) per AO 85-151

Topography: Level

Existing Use: Vacant, never developed. Some filling and grading occurred in the past.

Soils: Public water and sewer available

**COMPREHENSIVE PLAN:**

Classification: West Anchorage Planning Area and designated Town Center.

Density: Medium to high. Town center density is 12 to 40 units per acre. B-3 allows multi-family at a minimum of 12 units per acre. B-1B allows R-3 residential development, a density of approximately 40 units per acres.

**SURROUNDING AREA**

	<u>NORTH</u>	<u>EAST</u>	<u>SOUTH</u>	<u>WEST</u>
Zoning:	B-3SL	R-1	B-3	B-3
Land Use:	RV storage area	Single family subdivision	miscellaneous free standing commercial	Strip mall

**PROPERTY HISTORY**

06-20-51	Plat	Chester H Lloyd subdivision
03-24-72	Rezoning	Areawide rezone R-3
02-14-78	Rezoning	Rezoning R-3 to B-3SL per AO 78-18

08-12-85	Re-plat	Lots 12A and 12B created
10-29-85	Rezoning	Rezoning from B-3SL per AO 78-18 to B-3SL per AO 85-151 changed some of the use limitations of AO 78-18 and added alcohol use by Conditional Use.
08-12-02	Site plan	PH-SPR to allow residential units. Postponed until rezoning application processed.
11-04-02	Rezoning	B-3SL to B-3SL to add residential to list of SL permitted uses. Failed, PnZ case 02-079. Site plan withdrawn.
12-27-04	Replat	S-11325 short plat; preliminary approved. Create lots 12B-1, 1.9 acres and 12B-2, 1.3 acres

Applicable Zoning Regulations:

AO 85-151, copy attached. The ordinance requires a public hearing site plan review prior to any development and prohibits residential development.

**SITE DESCRIPTION AND PROPOSAL:**

This property is under the same ownership as the adjacent lot 12B, which was rezoned to B-1BSL in case 2005-083. That case was approved by the Planning and Zoning Commission on September 19, 2005. At the applicant's request, 2005-083 has not been submitted to the Assembly so that this case can be submitted at the same time. In the 2005-083 case, the applicant requested an amendment to the list of special limitations to add residential uses to the list of principle permitted uses. In this rezoning request for lot 12A, the applicant is also asking to add residential uses to the list of special limitations. If this rezone is approved, the two cases will go to the Assembly together.

The current configuration of lot 12A is a flag lot of 60,000 square feet. The original plats and rezoning require lots 12A and 12B to use the flagpole portion as a common access to Dimond Boulevard. An AK-DOT driveway permit for access to Dimond Boulevard will be required.

The adjacent property to the east is lot 12B. A preliminary replat of 12B was approved in December 2004. It subdivides the lot 12B into lots 12B-1 of 1.9 acres and 12B-2 of 1.3 acres. The plat has not been finalized.

Based on the concept plan submitted with the lot 12A rezone, it now appears the subdivision of lot 12 B will be dropped and lots 12A and 12B will be replatted to one lot and developed in common. Together, lots 12A and 12 B will be approximately 4.6 acres.

The property is designated in Anchorage 2020 Anchorage Bowl Comprehensive Plan as Town Center and is less than 100 yards from a transit supportive development corridor, Jewel Lake Rd.

#### **FINDINGS:**

#### **21.20.090 Standards for Approval – Zoning map Amendments.**

##### **A. Conformance to the Comprehensive Plan.**

**The standard is partially met.**

The area is shown on the Anchorage 2020 Anchorage Bowl Comprehensive Plan Land Use Policy map as a Town Center and is on the southern boundary of the West Anchorage Planning Area. Town Centers are to function as a focus of community activity in sub-areas of Anchorage. Town Centers will include a mix of retail, services, public facilities, and medium to high density residential. The West Anchorage Planning Area recognizes the relationship between the Airport and the surrounding communities, but there is no West Anchorage Plan in effect at this time. The addition of a residential element to the special limitations affecting this property is in conformance with the town center concept in Anchorage 2020 Anchorage Bowl Comprehensive Plan if properly integrated into the overall design of a town center.

#### **Policy 5, General Land Use**

Rezoned and variances shall be compatible in scale with adjacent uses and consistent with the goals and policies of Anchorage 2020 Anchorage Bowl Comprehensive Plan.

Townhomes and offices are not necessarily incompatible, even in the same building. This type of use integration is typical of town center design. As shown on the schematic site plan, the two uses are not truly integrated,

but for the most part are individual, separated uses. A town center development would more likely have an integrated mix of commercial, office and residential uses with well located open space and connectivity within and to neighboring properties. It would also reflect compatibility in architectural style and design.

An actual site plan submittal is required by the current ordinance and the Department recommends a site plan review as a condition if this rezone is approved.

If lots 12A and 12B are platted together, the resulting lot would be almost five acres. This is large enough to allow a mixed use development compatible with the existing uses in the area and consistent with general town center concepts.

#### **Policy 7, General Land Use**

Avoid incompatible uses adjoining one another.

The area is a town center and encourages mixed uses, but appropriate setbacks and buffering will be needed, especially on the east side, to address drainage issues and single family neighborhood concerns.

In the current acreage configuration, there is adequate land area to provide a large buffer between the adjacent long established residential development and the subject property, and combining lots 12A and 12B will help to facilitate better development. The east property boundary has a twenty foot easement, ten feet for T&E and ten feet for drainage. This twenty foot wide strip contains mature trees which provide a good visual buffer. However, these trees could be lost if the easements are needed. An additional ten to twenty feet should be required as part of the site plan approval. Landscaping buffers on property boundaries shall be exclusive of utility easements.

#### **Policy 12, Residential**

This standard is met. The proposed density of 132 units on 4.6 acres is a density of 29 units per acre. This is consistent with B-1B, B-3, Town Center, and Transit Supportive Corridor densities.

New, higher density residential development, including that within transit-supportive development corridors, shall be accompanied by the following:

- a. building and site design standards,
- b. access to multi-modal transportation, to include transit, and safe pedestrian facilities, and;
- c. adequate public or private open space

Town Centers recognize and encourage a mix of uses. However, this proposal does not conform to what staff has seen in town center design, but rather represents a small residential and strip development.

The residential section of the development will be surrounded on three sides by B-3 zoning and share a common driveway with commercial traffic. Although public transportation is nearby, pedestrian interconnectivity is not shown. The single driveway access is neither adequate nor safe, and a second access is needed. The application mentions a second access driveway on to Jewel Lake Road. The Traffic Department supports this additional access, but it is not shown on any plat and will need to be documented during permitting.

**A. Conformance to the Comprehensive Plan (continued)**

1. If the proposed zoning map amendment does not conform to the land use classification map in the Comprehensive Plan explain how proposed rezoning meets one of the following standards:
  - a. the proposed use is compatible because of the diversity of uses in the area,
  - b. the proposed use may be made compatible with special limitations or conditions of approval relating to access, landscaping, screening, design standards, site planning,
  - c. the proposed use does not conflict with applicable goals and policies.

The properties in the area are generally commercial along the main roads and around the intersection. Single family and multi family are adjacent to the commercial. The area is diverse, but this pattern is a result of development since the 1980's.

Staff believes the addition of a residential use is acceptable, but this proposal is only marginally compatible as proposed. This proposal would place stand-alone residential in the middle of stand-alone commercial uses. The applicant should consider a

wider mix of light retail and office uses and greater integration of all the uses. Any proposal should resemble a town center element as much as practical.

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 greater density, explain how the rezoning does not alter the plan for the surrounding neighborhood or general area, using one of the following criteria:
    - i. the area is adjacent to a neighborhood shopping center, other major high density node, or principal transit corridor.
    - ii. not applicable

The density is high when compared to the adjacent R-1 subdivision, but the property is also adjacent to neighborhood shopping and Dimond Blvd. is a major arterial at this location. The area is a designated town center which calls for high density.

- b. in cases where the rezoning would result in less residential density, explain how the rezoning provides a clear and overriding benefit to the surrounding community. Not applicable.

In the current configuration with 4.6 acres and 132 proposed units, this question is not applicable.

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

The proposed rezoning is in a Town Center area. Town center density is 12 to 40 units per acre. B-3 zoning requires a minimum of 12 units per acre. The proposed density is in the middle of the range, the proposal is for 29 units per acre.

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

1. The effect of development under the amendment, and the cumulative effect of similar development, on the surrounding neighborhood, the general area and the community; including but not limited to the environment, transportation, public services and facilities, and land use patterns, and the degree to which special limitations will mitigate any adverse effects.

Environment and Land Use Patterns

**The standard is not yet met for environment.**

**The standard is partially met for land use patterns.**

Public water and sewer services are available. The property is vacant and cleared. There appears to be a small contaminated area on the west side of the property from an adjacent dry cleaners operation. The applicant has stated the area will be decontaminated. There are drainage issues affecting neighboring property to the east as a result of previous fill activity. This will be addressed as part of the site plan. There is a stream and a small class C wetland approximately 250 feet northeast of the subject property. The stream and wetland should not be an issue.

The current land use pattern and zoning districts are residential and business. They are generally separated from each other and the business zones are close to the intersection of Jewel Lake Road and Dimond Boulevard. The residential areas are more removed from the intersection. This proposal injects a residential component into the commercial area. The preliminary site design shows commercial/office uses along Dimond Blvd. with multifamily to the north.

Transportation/Drainage

**The standard is not met for transportation.**

**The standard has not yet been addressed for drainage.**

A driveway permit or side street access will be required for access to Dimond Boulevard.

The preliminary plat for the property indicates a shared access way for lots 12 A and 12B, which is mainly the flag pole portion of lot 12A. The pole portion is only about 30 feet wide, 10 feet of which is a T&E

easement. The concept site plan submitted with this rezone application indicates a shared driveway approximately in the center of the property.

Traffic is recommending a secondary access for lots 12A and 12B. The Fire Department will review access during site plan review.

Drainage will addressed during site plan review.

#### Public Services and Facilities

This standard is met.

AWWU water mains and sanitary sewer are available on Dimond Boulevard.

There is an existing multi-use paved trail along Dimond Boulevard. It should not be affected and will be further addressed during the site plan review. Access easements may be required.

#### Special Limitations

The applicant is requesting an amendment to the Special Limitations in AO 85-151. He is requesting the addition of residential as a permitted principal use. It is the same request as the applicant's previous request on the adjacent property, case 2005-083.

2. The supply of land in the economically relevant area that is in the use district to be applied by the zoning request or in similar use districts, in relationship to the demand for that land.

There are a variety of residential districts in the area, R-1, R-2M, R-3, and R-O. This parcel appears to be one of the few larger, undeveloped lots in the immediate vicinity. The parcel was originally zoned R-3 in 1972. It remained R-3 for six years until rezoned to B-3SL. The property has remained B-3SL ever since with one modification of B-3 uses in 1985.

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.

Public water and sewer are available. The external road network is adequate in terms of level of service. Driveway access to Dimond is not



sufficient, secondary access to the north or west is needed. The applicant proposes to begin development in 2006.

4. The effect of the amendment on the distribution of land uses and residential densities specified in the Comprehensive Plan, and whether the proposed amendment furthers the allocation of uses and residential densities in accordance with the goals and policies of the Plan.

The comprehensive plan calls for medium to high density. B-3 zoning requires a minimum density of twelve units per acre. If the rezoning for B-1B is approved, density can be up to 40 du/a.

#### **COMMUNITY AND COMMUNITY COUNCIL COMMENTS**

There were 79 public hearing notices mailed on January 12, 2006. As of January 20, 2006, no comments have been received. Previously expressed concerns were density and traffic. Several notices were returned as undeliverable.

#### **DEPARTMENT RECOMMENDATION:**

The proposal for the addition of a residential component to the list of special limitations is appropriate and consistent with the Anchorage 2020 Anchorage Bowl Comprehensive Plan. The design of the development needs to include town center components: a mix of community serving retail uses, public services, medium to high density residential, and pedestrian access connecting the uses internally and with surrounding uses and with transit facilities. The Department recommends that the proposed rezoning of the 1.4 acre parcel to B-3SL should be DENIED and B-1B should be APPROVED, subject to special limitations.

If the Planning and Zoning Commission recommends approval of the B-1B zone, the Department recommends the following conditions:

1. The property shall be rezoned to AMC 21.40.145: B-1B Community business district and reviewed under those standards except as modified herein. Lot 12A and Lot 12B, Chester H. Lloyd Subdivision shall be replatted into one lot.

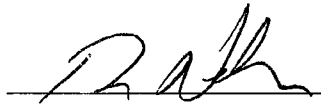
2. Residential uses are allowed at R-3 standards, AMC 21.40.050, except as modified herein.
3. A site plan shall be reviewed and approved by the Planning and Zoning Commission. Prior to the issuance of building permits, the applicant shall submit a site plan for the entire property for public hearing site plan review. Among the regular requirements, the site plan shall address:
  - a. secondary /additional street access: to Jewell Lake Road and/or 88<sup>th</sup> Avenue and/or Dimond Boulevard,
  - b. internal sidewalks and pedestrian connections to the exiting trail and public rights of way,
  - c. common, useable open space of not less than 2,500 square feet which meets the standards of AMC 21.50.210 G.5,
  - d. parking lot layout, internal to the site,
  - e. structure locations and mix of uses,
  - f. trails as shown on the Areawide Trails Plan and, if necessary, easements for trails,
  - g. town center standards as generally discussed in the comprehensive plan: a mix of community serving retail; medium to high density residential uses including a mix of densities, ownership patterns, price and building types; and a pedestrian access network connecting the proposed use with town center core uses, adjacent neighborhoods and transit facilities.
4. All building heights are limited to three stories or 35 feet except that building heights for structures within 150 feet of the east lot line and shared with Noble Subdivision are limited to two stories or 25 feet.
5. A ten foot wide setback with buffer landscaping, exclusive of the existing ten foot drainage and ten foot utility easements, is required on the east lot line. The existing natural vegetation in these easements shall remain, except as needed for easement maintenance. A six foot tall, solid wood fence is required along the east lot line. Arterial (AMC 21.45.125 A.4.) landscaping is required on the south lot line.\*

\* Note: Dimond Blvd. is this location is a class IIIA arterial with a future development setback requirement of 65 feet each side of centerline, per

AMC 21.45.140. Currently only 50 feet each side of center line is platted. Yard setbacks are measured from the future development width.

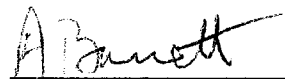
6. As part of the site plan application and prior to any building permits, the applicant shall resolve with Project Management and Engineering, the need for grading and drainage plans, a drainage impact analysis, fill and excavation requirements, erosion and sediment control requirements, and a storm water plan.
7. A comparison of the traffic generation rates between the proposed residential uses and the proposed commercial uses will be verified by the Municipal Traffic Dept. The proposed residential and commercial uses will be in compliance with the adopted ordinance and verified by the Planning Department.

Reviewed by:



Tom Nelson  
Director

Prepared by:



Alfred Barrett  
Senior Planner

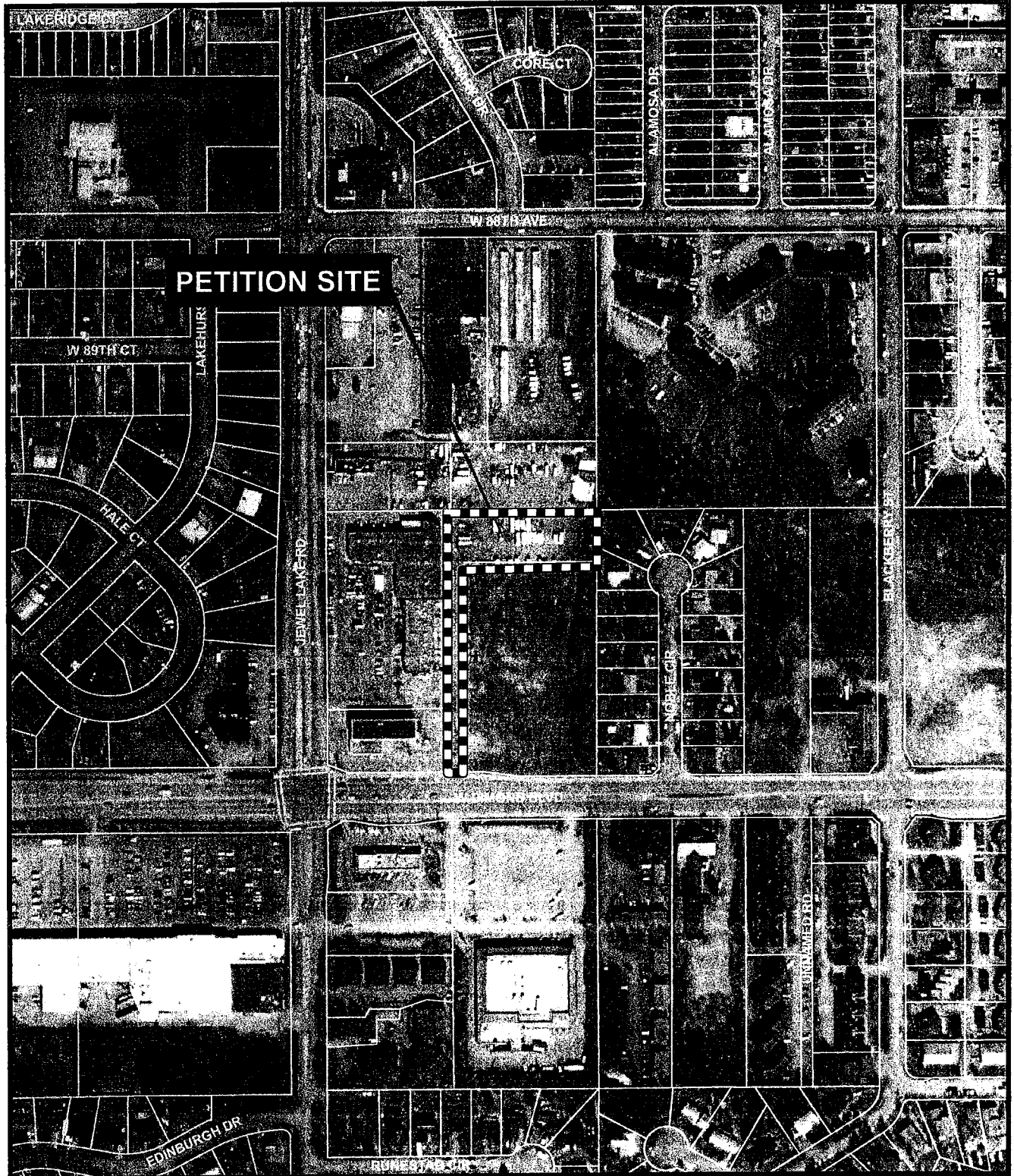
(Case No. 2006-009) (Tax Parcel #012-362-40)  
C:\WINNT\Profiles\cdawb\Desktop\rezonings\02-202 SL change\staff report.doc

# 2

## **HISTORICAL MAPS AND AS-BUILTS**



2006-009



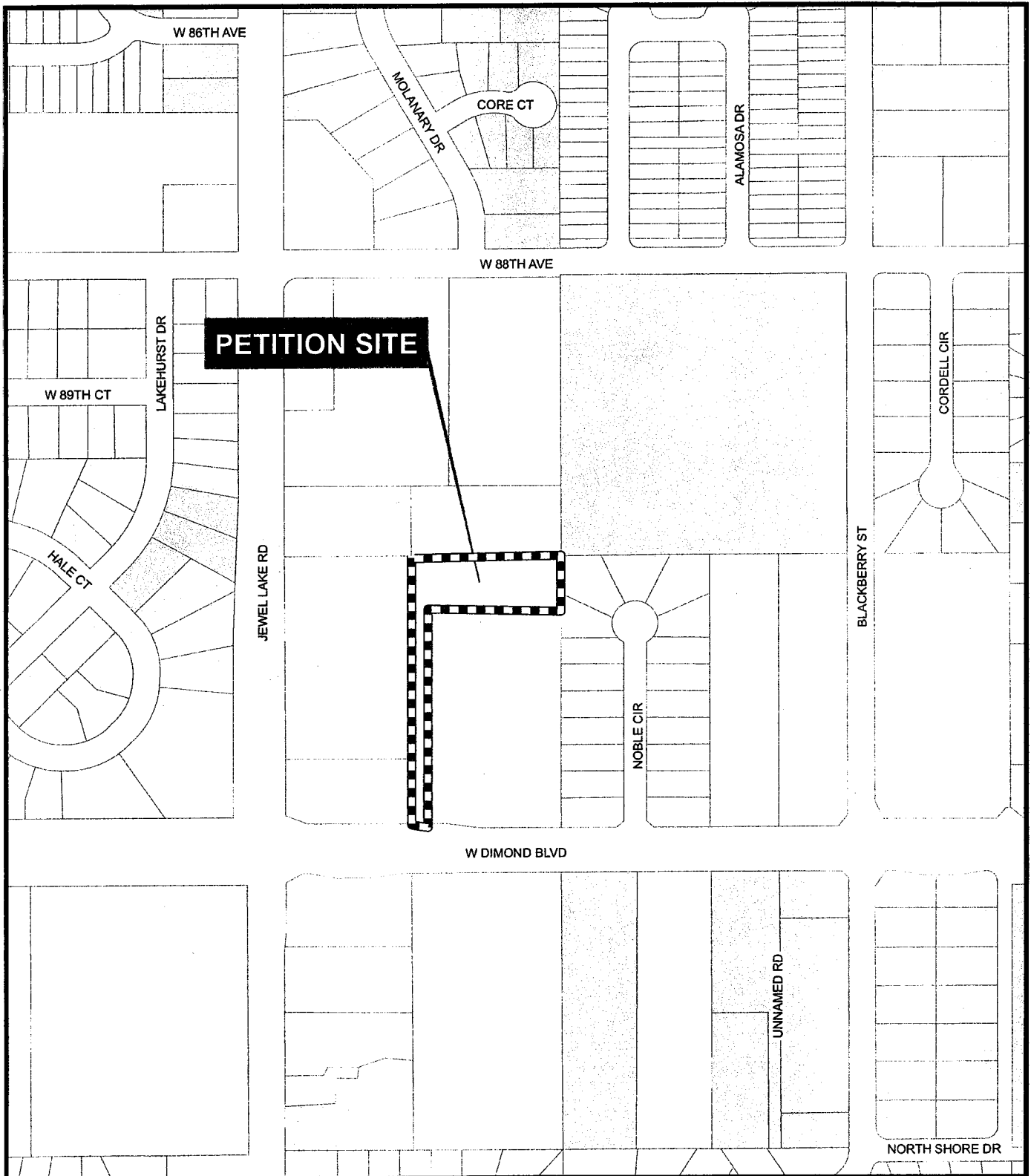
Municipality of Anchorage  
Planning Department

Date: December 20, 2005



0 162.5 325 650 Feet  
124

# REZONE 2006-009



Municipality of Anchorage  
Planning Department

Date: December 20, 2005

# 3

## **DEPARTMENTAL COMMENTS**



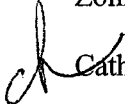
**MUNICIPALITY OF ANCHORAGE**

**MEMORANDUM**

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**DATE:** January 10, 2006

**TO:** Jerry T. Weaver, Jr., Division Administrator  
Zoning Division, Planning Department

**THRU:**  Cathy Hammond, Physical Planning Supervisor

**FROM:** Physical Planning Division Staff

**SUBJECT:** Staff comments for the Planning and Zoning Commission to be heard  
February 6, 2006

**2006-009 Rezone B-3SL (General Business District with Special Limitations), Request to modify special limitations, Lot 12A Chester H. Lloyd Sub. (Dimond/Jewel Lake area Town Center Area)**

The petition site is located within an area designated in the *Anchorage 2020 – Anchorage Bowl Comprehensive Plan* as a Town Center and is near Jewel Lake Road, which is designated as a Transit-Supportive Development Corridor.

Town Centers function as the focus of community activity for small sub-areas of Anchorage. Town Center development is intended to include a mix of retail shopping and services, public facilities, including and/or surrounded by medium- to higher- density residential densities. Most of the daily needs of residents should be obtainable from shops located in the Town Center core. The configuration of the shops in the core area should seek a balance between pedestrian and auto comfort, visibility, and accessibility. A pedestrian-oriented environment is created, including: expanded sidewalks, crosswalks, street furniture, bus shelters, and landscaping. (*Anchorage 2020* Policies 5, 7, 11, 12, 24, and 34). Buildings should be brought forward with parking placed in the back.

The petition site is owned by the same property owner as the recently rezoned B-1B parcel to the south. Staff understands that it is the intent of the property owner to combine the two lots into one development project. Physical Planning Division recommends the site be rezoned to B-1B with special limitations as outlined in the staff report recommendation, and which are similar special limitations approved on Lot 12B, Chester H. Lloyd Subdivision. (PNZ Resolution 2005-060).

**2006-011      Site Plan Review for Storage Facility Upgrades in an I-2 (Heavy Industrial District)**

The project site, Kloep Station Sand Storage Facility, is located south of International Airport Road and west of Minnesota Drive. The project is a permitted use principal use and meets the intent of the I-2 zoning district. *Anchorage 2020* Land Use Policy Map shows the petition site is located in an area designated as Industrial Reserve. Industrial Reserves are intended to ensure that strategically located industrial land is primarily used for industrial purposes. The existing and proposed facility appears to comply with *Anchorage 2020* policy.

**2006-013      Conditional Use for a University Housing Dormitory**

This application has been reviewed in accordance with *Anchorage 2020 U-Med Plan*. Physical Planning has no objection as proposed.

**2006-010, S-11447, 2006-015 will be reviewed under separate cover**

**Municipality of Anchorage  
MEMORANDUM**

**RECEIVED**

JAN 10 2006

Municipality of Anchorage  
Zoning Division

**DATE:** December 27, 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 February 6, 2006

**Case #:** 2006-009  
**Type:** Rezoning B-3SL  
**Subdivision:** Chester H Lloyd Lot 12A  
**Grid:** 2326  
**Tax ID #:** 012-362-40  
**Zoning:** B3-SL

**Platting:** 85-337, filed December 30, 1985

**Lot area and width:** AMC 21.40.180.F: "Minimum lot requirements are as follows:

1. Residential uses: As provided in section 21.40.060.F.
2. All other uses, including residential uses associated with other uses:
  - a. Width: 50 feet.
  - b. Area: 6,000 square feet."

**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. Flag lots see 21.80.300.F and .G.

**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:** Dimond Blvd. is a class IIIA (Major Arterial (divided)). AMC 21.45.140 requires a 65 foot from centerline development setback in addition to the zoning district setback.

**Yard requirements:** AMC 21.40.180.G: "Minimum yard requirements are as follows:

1. Residential uses: As provided in section 21.40.060.G.
2. All other uses:
  - a. Front yard: Ten feet.
  - b. Side yard: Ten feet adjacent to a residential district; otherwise, none, provided that all buildings on the lot shall have a wall on the lot line or shall be set back from the lot line at least ten feet.
  - c. Rear yard: 15 feet adjacent to a residential district; otherwise, none."

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

**Lot coverage:** AMC 21.40.180.H: "Maximum lot coverage is as follows:

1. Residential: As provided in section 21.40.060.H.
2. All other uses: Unrestricted."

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

**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 June 3, 1999.

**Conditional Use standards:** This property is subject to the provisions of AMC 21.50.

**Permits:** No Building permits on record

**Building height:** AMC 21.40.180.I: "Maximum height of structures is unrestricted, except that no structure shall exceed the standards of section 21.65.050."

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:** AMC 21.45.090.B: ""

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

**Landscaping requirements:** AMC 21.40.180.N: "Landscaping.

1. Buffer landscaping. Buffer landscaping shall be planted along each lot line adjoining a residential district.
2. Perimeter landscaping. Except adjacent to collector or arterial streets, visual enhancement landscaping shall be planted along the perimeter of all outdoor areas used for vehicle circulation, parking, storage or display.
3. Arterial landscaping. Arterial landscaping shall be planted along all collector or arterial streets.
4. Visual enhancement landscaping. All areas not devoted to buildings, structures, drives, walks, off-street parking facilities or other authorized installations shall be planted with visual enhancement landscaping.
5. Maintenance. All landscaping shall be maintained by the property owner or his designee."

AMC 21.45.080.X.4.f requires refuse containers located within or on the same pavement as the parking area to be screened by a wall, fence or landscaping constructed in accordance with criteria established by the refuse collection agency.

Landscaping requirements per AMC 21.40 and 21.45.080 will be addressed during the building permit process when the property is developed.

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

**Access:** Access is shown to Dimond Boulevard, which complies with the requirements of AMC 21.45.040.

Public streets abut the property. Principal access to them would meet the requirements of AMC 21.45.040.

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

**Recommendations:** Land Use Enforcement has no adverse comment regarding this case.

(Reviewer: Jillanne M. Inglis)



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



**PZC Case Comments**

**RECEIVED**

**DATE:** 1/10/2006

JAN 10 2006

**TO:** Eileen Pierce, P&Z

Municipality of Anchorage  
Zoning Division

**FROM:** Anastasia Taylor, PM&E

**SUBJECT:** Comments for hearing date: 2/6/06

**Case No.** 2006-009 Chester H. Lloyd Rezone

**Advisory comments:**

Development of the subject parcel(s) shall require the submittal of a comprehensive site grading and drainage plan /drainage impact analysis to Project Management and Engineering to resolve the need for drainage easements and drainage improvements and to demonstrate that the post development drainage patterns will not adversely impact adjacent properties or the rights of way.

Development of the subject parcel(s) may require additional access dedication and construction.

**Department Recommendations:**

Project management and Engineering recommends approval of this case subject to the above conditions.

# STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION - PLANNING

FRANK H. MURKOWSKI, GOVERNOR

4111 AVIATION AVENUE  
P.O. BOX 196900  
ANCHORAGE, ALASKA 99519-6900  
(907) 269-0520 (FAX 269-0521)  
(TTY 269-0473)

January 12, 2006

RE: Zoning Case Review

RECEIVED

JAN 13 2006

Municipality of Anchorage  
Zoning Division

Jerry Weaver, Platting Officer  
Planning and Development  
Municipality of Anchorage  
P.O. Box 196650  
Anchorage, Alaska 99519-6650

Dear Mr. Weaver:

The Alaska Department of Transportation and Public Facilities, ADOT&PF, has reviewed the following zoning cases:

**2006-009, Rezoning B-SL General Business District with Special Limitations**

No comment on the rezoning of this parcel. We do encourage joint access with adjacent properties.

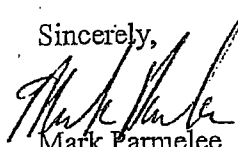
**2006-010, Rezoning to B-3SL General Business District with Special Limitations**

Traffic impacts have been evaluated by ADOT&PF and are documented in the enclosed letter dated December 19, 2005. The letter explains it is important that zoning and landscaping should not preclude future development of Patterson Street. Language in the draft ordinance should be changed to not mandate vegetation within Patterson Street when the street is needed for neighborhood access.

**2006-011, Site plan review for sand storage facility upgrades and**

**2006-013, Conditional use permit, university housing dormitory**  
ADOT&PF has no comment.

Sincerely,

  
Mark Parmelee  
Area Planner

Enclosure: ADOT&PF letter dated 12/19/2005



Municipality Of Anchorage  
ANCHORAGE WATER & WASTEWATER UTILITY

RECEIVED

JAN 09 2006

MEMORANDUM

Municipality of Anchorage  
Zoning Division

DATE: January 4, 2006  
TO: Zoning and Platting Division, OPDPW  
FROM: Brian D. Baus, Civil Engineer II, AWWU *BDB*  
SUBJECT: Planning & Zoning Public Hearing, February 6, 2006  
AGENCY COMMENTS DUE January 9, 2006

AWWU has reviewed the following cases and has the following comments.

**06-009 Chester H Lloyd, Lot 12A (rezone) grid 2326**

1. AWWU water and sanitary sewer mains are located within the Dimond Boulevard right-of-way.
2. There will be a sewer assessment levied when connecting to main.
3. AWWU has no comments on the proposed rezone.

**06-010 Creekside Towncenter (rezone) Grid 1340**

1. AWWU has no objection to the proposed rezone.

**06-011 International East, Tract 3B (site plan review) Grid 1928**

1. AWWU has no comments on the proposed site plan review.
2. If AWWU water or sanitary sewer services are desired for the new sand storage building please coordinate with AWWU Planning.
3. There will be a sewer and water assessment levied when connecting to mains.

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



# MUNICIPALITY OF ANCHORAGE

Development Services Department  
Right of Way Division



## MEMORANDUM

RECEIVED

**DATE:** January 3, 2006  
**TO:** Planning Department, Zoning and Platting Division  
**THRU:** Jack L. Frost, Jr., Right of Way Supervisor *LF*  
**FROM:** Lynn McGee, Senior Plan Reviewer *LM*  
**SUBJ:** Request for Comments on Planning and Zoning Commission case(s) for the Meeting of February 6, 2006.

JAN 04 2006  
Municipality of Anchorage  
Zoning Division

Right of Way has reviewed the following case(s) due January 9, 2006.

- 06-009** Chester H. Lloyd, Lot 12A, grid 2326  
(Rezoning Request, B3SL to B-3SL)  
Right of Way Division has no comments at this time.  
Review time 15 minutes.
- 06-010** Section 13, T13N R3W and K.T. Square, Tract B1, grid 1340  
(Rezoning Request, I-1, R-2M, & R3 to B-3SL)  
Right of Way Division has no comments at this time.  
Review time 15 minutes.
- 06-011** International East, Tract 3B, grid 1928  
(Site Plan Review, Sand Storage Facility Upgrades)  
Right of Way Division has no comments at this time.  
Review time 15 minutes.
- 06-013** Section 27, T13N R3W, grid 1636  
(Conditional Use, University Housing Dormitory)  
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 30, 2005 8:49 AM  
**To:** Long, Patty R.; Pierce, Eileen A  
**Cc:** Taylor, Gary A.  
**Subject:** Zoning and Plat Reviews

DEC 30 2005

Municipality of Anchorage  
Zoning Division

S11441-1 People Mover has an improved bus stop adjacent to the plat at Cordova and 8<sup>th</sup> Avenue SSW.

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

S11256-2  
S11396-2  
S11449-1

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

2006-009  
2006-010  
2006-011

Thank you for the opportunity to review.

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



**MUNICIPALITY OF ANCHORAGE**  
Traffic Department



**RECEIVED**

**MEMORANDUM**

DEC 21 2005

DATE: December 23, 2005  
TO: Jerry T. Weaver, Platting Supervisor, Planning Department  
THRU: Robert E. Kniefel Traffic Engineer  
FROM: Mada Angell, Assistant Traffic Engineer  
SUBJECT: Comments, February 6, 2006, Planning & Zoning Commission

Municipality of Anchorage  
Zoning Division

**06-009 Chester H. Lloyd; Rezone from B-3SL to B-3SL; Grid 2326**

- Jewel Lake Road and West Dimond Blvd are State DOT rights of way. Access to these rights of way must be approved by the State.
- Copies of State approved Right of Way Permits must be submitted with a Building Permit application.
- On Plat 85-337 Plat Note #1 states that all vehicular access to Dimond Blvd from this lot and Lot 12B shall be limited to a common driveway. Therefore, when the common access is constructed it must be constructed as approved by Traffic Department and Project Management and Engineering. Approval of access to standards prescribed by the Municipality is to be obtained prior to Building Permit Application.
- If access to West Dimond Blvd. is planned to be gained at a point outside the flag pole portion of Lot 12A, the access must be approved by the State DOT, and resulting interior circulation pattern must be approved by Municipal Traffic Engineer prior to Building Permit application.
- Submittal information states that access to Jewel Lake Road is planned for this project. Plat 85-337 does not show where vehicular access from Lot 12A to Jewel Lake Road has been provided. Vehicular access to Jewel Lake Road from Lot 12A will require a recorded access agreement across adjoining property. Petitioner must provide a copy of the recorded access document with the Building Permit application.

**06-010 Creekside; Rezone from I-1, R-2M, S-3 to B-3SL; Grid 1340**

Traffic has no comments.



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


**MEMORANDUM**



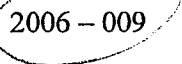
**RECEIVED**

DEC 21 2005

Municipality of Anchorage  
Zoning Division

**DATE:** December 21, 2005  
**TO:** Jerry Weaver, Jr., Platting Officer, CPD  
**FROM:**  Daniel Roth, Program Manager, On-Site Water and Wastewater Program  
**SUBJECT:** Comments on Cases due January 9, 2006

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

 2006 – 009 Zoning to B-3SL General business district with special limitations to B-3SL

No objection

2006 – 010 Rezoning to B-3SL General business district with special limitations

No objection

2006 – 011 Site plan review for sand storage facility upgrades

No objection

**Pierce, Eileen A**

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**From:** Schwan, Martin K.  
**Sent:** Tuesday, December 20, 2005 10:25 AM  
**To:** Stewart, Gloria I.; Pierce, Eileen A  
**Cc:** Weaver Jr., Jerry T.; Cartier, Richard D.  
**Subject:** fire site plan review

**RECEIVED**  
 DEC 19 2005  
 Municipality of Anchorage  
 Zoning Division

Merry Christmas let me know if this doesn't print on one full page

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Permit #	Comments	Request
2006-013	No Objection	Zoning conditional use for a University Housing Dormitory
2006-009	No Objection	Rezoning to B-3SL General Business
2006-010	No Objection	Rezoning to B-3SL General Business (Walmart)
2006-011	No Objection	Site plan review for sand storage facility upgrades
S11202-2	No Objection	1st 18 month extension
S11288-2	No Objection	1st 18 month extension
S11442-1	No Objection	Subdivide 4 lots into 1 lot.
S11443-1	No Objection	Subdivide 2 lots into 1 lot
S11444-1	No Objection	Subdivide 1 lot into 3 lots
S11445-1	No Objection	Subdivide 1 tract of land into 1 tract and 3 lots
S11446-1	No Objection	Subdivide 3 parcels of land into 11 lots
S11447-1	No Objection	Subdivide 2 tracts of land into 17 lots
S11448-1	No Comment	Subdivide 3 lots into 3 different lots with variances from AMC 21.80.200 and AMC 21.80.:

RECEIVED

DEC 27 2005

Municipality of Anchorage  
Zoning Division



## FLOOD HAZARD REVIEW SHEET for PLATS

Date: 12-23-05

Case: 2006-009

Flood Hazard Zone: C

Map Number: 0240

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

FIRST CLASS MAIL

000-000-00-000

79  
mailed  
1/12/06

## NOTICE OF PUBLIC HEARING - - Monday, February 06, 2006

Planning Dept Case Number: 2006-009

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

CASE: 2006-009  
PETITIONER: Donald W. & Kazuko Teekell  
REQUEST: Rezoning to B-3SL General business district with special limitations  
TOTAL AREA: 1.380 acres  
SITE ADDRESS: 3791 W DIMOND BLVD  
CURRENT ZONE: B-3SL General business district with special limitations  
COM COUNCIL(S): 1---Sand Lake

LEGAL/DETAILS: A request to rezone approximately 1.38 acres from B-3SL (General Business with Special Limitations) to B-3SL in order to modify the current Special Limitations. Chester H Lloyd Subdivision, Lot 12A. Located at 3792 W Dimond Blvd.

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30 p.m., Monday, February 06, 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 for your convenience. 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](http://www.muni.org) by selecting Departments/Planning/Zoning and Platting Cases.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

REZONING/RESIDENTS--PLANNING COMMISSION

2006-009



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

RECEIVED  
FEB 12 2006



011-211-27-000  
HEBERTSON SCOTT & THERESA  
9170 JEWEL LAKE ROAD #201  
ANCHORAGE, AK 99518

RECEIVED

JAN 25 2006

MUNICIPALITY OF ANCHORAGE  
PLATTING DIVISION

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Name: Scott Hebertson  
Address: 9170 Jewel Lake Rd  
Legal Description: Lot 12A, Block 1, Lakehurst Subdivision  
Comments: I am the major landowner across the street and I do not mind the Teekells changing their zoning. 1/20/06  
Rel the Rest

*Scott Hebertson*

# 4

## APPLICATION

# Application for Zoning Map Amendment

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

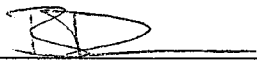
Please fill in the information asked for below.

PETITIONER*		PETITIONER REPRESENTATIVE (IF ANY)	
Name (last name first) Donald & Kazuko Teekell		Name (last name first) Lounsbury and Associattes	
Mailing Address 8801 Jewel Lake Road		Mailing Address 5300 "A" Street	
Anchorage, AK 99502		Anchorage AK, 99518	
Contact Phone: Day:	Night:	Contact Phone: Day: 272-5451	Night:
FAX:		FAX:	
E-mail:		E-mail: b.rinckey@lounsburyinc.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): 012-362-40-000-06		
Site Street Address: 3791 W. Dimond Blvd.		
Current legal description: (use additional sheet if necessary) Lot 12A, Chester H. Lloyd Subdivision		
Zoning: B-3SL	Acreage: 60,043 Sq.Ft.	Grid # SW2326

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.

12-9-05	
Date	Signature (Agents must provide written proof of authorization)

Accepted by: 	Poster & Affidavit: 1	Fee: \$4,000	Case Number: 2006-009
--	-----------------------	--------------	-----------------------



Application for Zoning Map Amendment continued

**COMPREHENSIVE PLAN INFORMATION**Anchorage 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.

## 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 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.

The proposed change is in the special limitations and the proposed development does not conflict with the Anchorage 2020 plan as the plan calls for high-density residential area near Town Center Areas. The use of Vegetative buffers and landscaping makes the proposed development compatible with the surrounding land uses.

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 would provide a clear and overriding benefit to the surrounding neighborhood.

- i. The area is adjacent to a neighborhood shopping center, other major high density mode, or principal transit corridor.

The area is adjacent to the Jewel Lake Road Transit-Supportive Development Corridor so all traffic generated by the high density development can easily access Dimond Avenue and Jewel Lake road. The area is also near shopping centers, businesses, medial offices and restaurants which can be accessed by the proposed pedestrian facilities of this project.

- 
- 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.

The Anchorage 2020 plan calls for high-density residential developments near areas designated as Town Centers. This development conforms to the Anchorage 2020 plan by providing a mixed-use area. Proposed office Buildings along Dimond Blvd. will have parking in the rear and landscaping that will visually enhance the area. Safe Pedestrian facilities to the Town center will provide access to the residents and other residential areas to the east.

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;

The project area and residential area to the east will see better drainage with this development. The existing topography along the east property line drains into the existing homes to the east, sometimes causing flooding. The drainage and grading plan for the development will resolve this problem. The use of openspace and landscaping within the entire development will blend the development into the surrounding Environment.

b. Transportation;

The petition site has direct access to Dimond Blvd. and right turn access to Jewel Lake Road, which is part of the Jewel Lake Road Transit-Supportive development corridor.

c. Public Services and Facilities;

Water, sewer, storm drain and all utilities are available and will be constructed as part of the project. As always, these improvements are subject to review and approval by MOA

d. Land Use Patterns;

Little change to the existing land use pattern will occur. What change does occur will be moving towards the 2020 plan and the Town Center Concept.

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?  
There is few undeveloped area suitable for high-density development near this site or within Anchorage as a whole. We estimate the amount of land suitable for this type of a development to be around 12 acres. It should be noted that none of these alternate sites are located close to a town center or can provide pedestrian access to a town center.

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 development is scheduled for 2006 and all utilities are available to the site.* \_

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?

*This is not really a loss of the zoning district. The property is currently zoned B-3 and it is the special limitations that will be changing. This is a gain of residential area close to a town center. This is a mixed-use development, and valuable commercial uses are also gained in close proximity to the town center.*



Municipality of Anchorage  
Planning Department  
4700 S. Bragaw  
Anchorage, AK 99507

Attn: Jerry Weaver

Re: Replat and Rezone of Lot 12A  
Chester H. Lloyd Subdivision

Dear Mr. Weaver,

The property described above, which is owned by Donald W. Teekell (deceased) and Kazuko Teekell, husband and wife. Kazuko Teekell is the Personal Representative of the Estate of Donald W. Teekell. The property is under contract for sale to KUA, Incorporated, as buyer.

As part of the sale, I have agreed to allow for the replatting and rezoning of the property to allow KAU to develop the property as they best determine. Lounsbury and Associates has been hired by the buyer. The purpose of this letter is to authorize Lounsbury and Associates to act as our representative during the rezoning and replatting processes of Lot 12A, Chester H. Lloyd Subdivision.

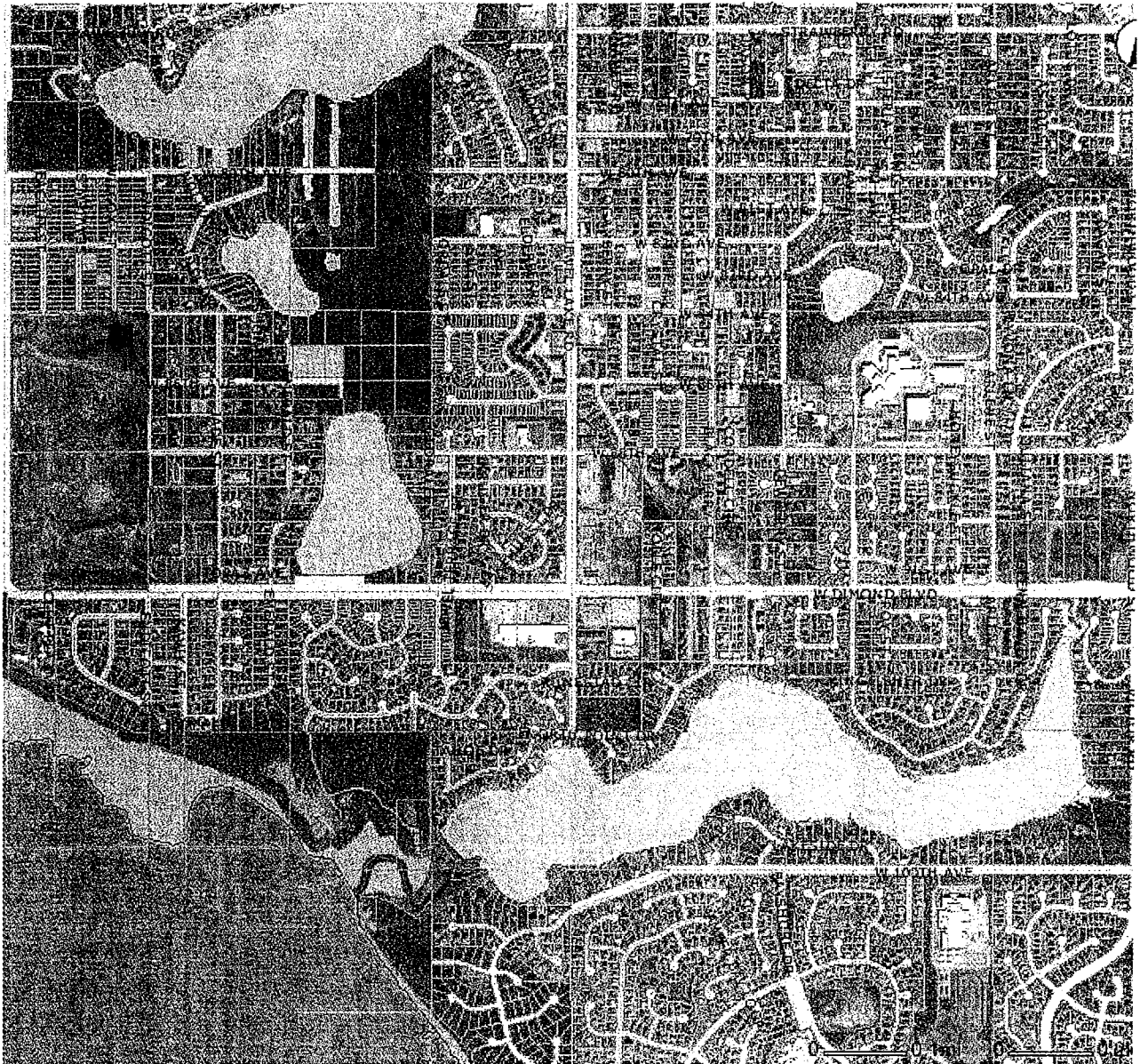
However, this authorization is limited in that all expenses associated with the replatting and the rezoning are to be paid for by the buyer. Further, prior to final plat approval and prior to final re-zoning, it is required that the transaction be closed so that the buyer will be title to the property. Therefore, no final replat shall be recorded and no final rezone shall be accepted until this transaction is closed. The agreement provides that the transaction will be closed after preliminary plat approval and approval of the rezoning. At closing, the undersigned will execute such documents as are required to complete the replat and the rezone.

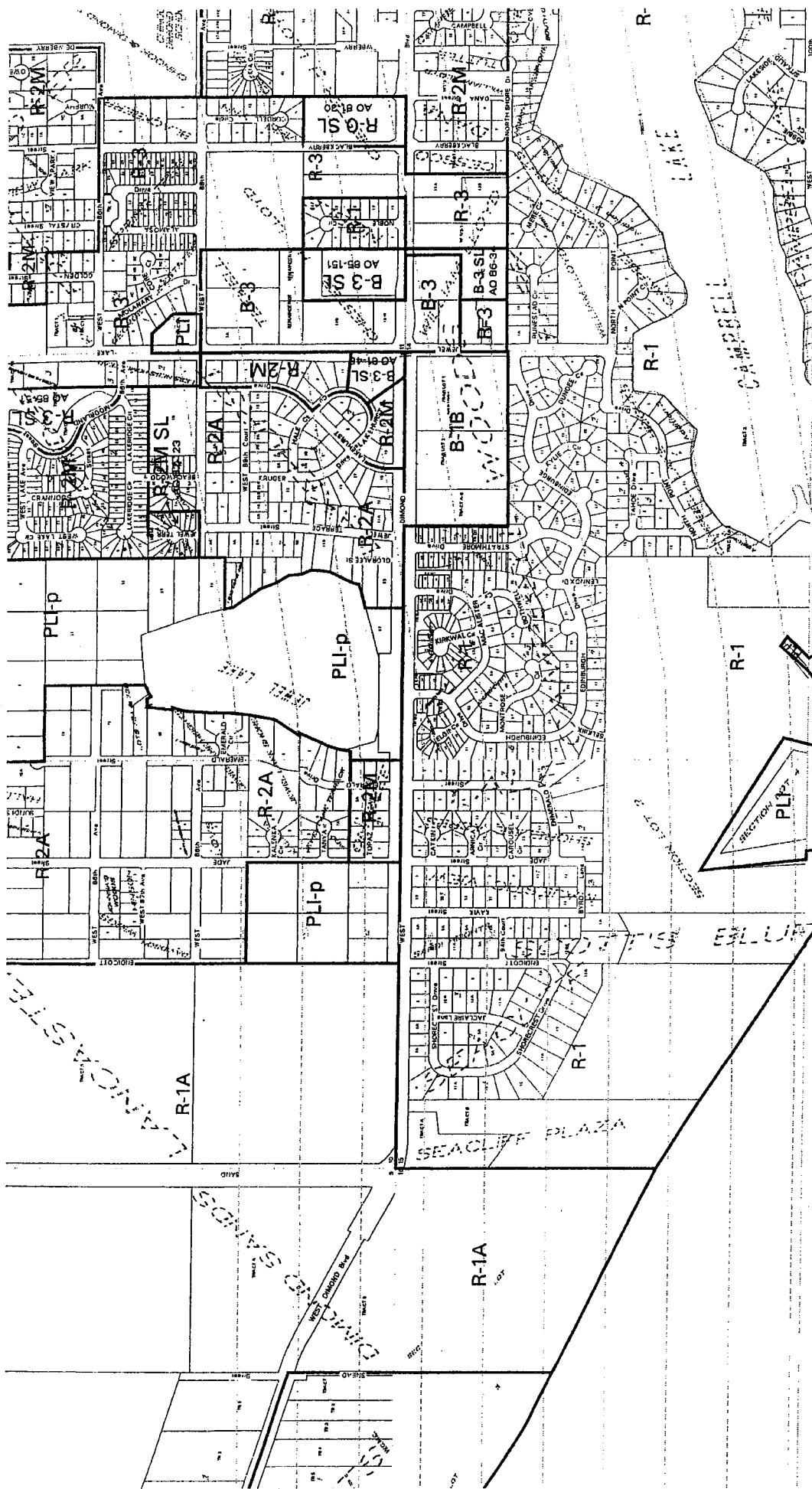
If you have any questions, please contact our attorneys, Ernouf and Coffey at 274-3385 and speak with either Sherman Ernouf or Hunter Burton.

Thank you.

Sincerely yours,

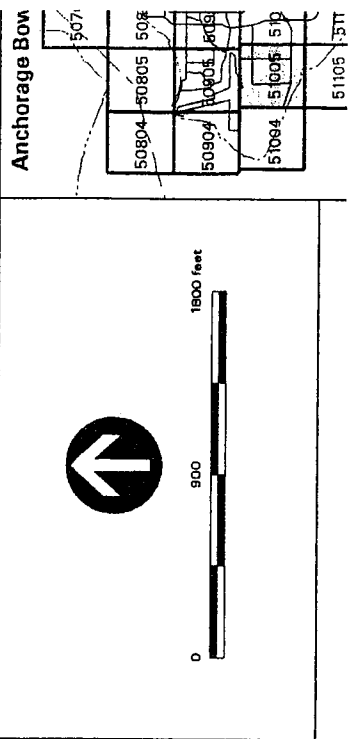
  
Kazuko Teekell





# Municipal Zoning Map

- | Is and Institutions District      | B-1A | Local and Neighborhood Business District |  | 100 year floodplain | Airport Height Ordinance Depicts<br>F.A.R. Part 77 (20' height contour<br>intervals unless otherwise noted) |
|-----------------------------------|------|--|--|---------------------|---|
| Is and Institutions District-Park | B-1B | Community Business District              |  |                     |   |
| Residential District              | B-2A | Central Business District Core           |  |                     |   |
| Residential District              | B-2B | Central Business District Intermediate   |  |                     |   |
| Residential District              | B-2C | Central Business District Periphery      |  |                     |   |
| Residential District              | B-3  | General Business District                |  |                     |   |
| Residential District              | B-4  | Rural Business District                  |  |                     |   |
| Residential District              | I-1  | Light Industrial District                |  |                     |   |
| Residential District              | I-2  | Heavy Industrial District                |  |                     |   |





## Property Appraisal

### Municipality of Anchorage, Alaska

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You are here : [Home](#) > [Departments](#) > [Finance](#) > [Property Appraisal](#) > [New Search](#) > Results

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[Taxes](#)

## Public Inquiry Parcel Details

[Show Parcel on Map](#)

PARCEL: 012-362-40-000-06 01/01 Commercial Vacant Land 12/13/0

TEEKELL DONALD W & KAZUKO

CHESTER H LLOYD  
LT 12A

8801 Jewel Lake Road

Anchorage

AK 99502

Site 3791 W Dimond Blvd

Lot Size:	60,043	---Date Changed---	----Deed Changed----
Zone :	B3SL	Owner : 06/08/99	Stateid: 3482 0000837
Tax Dist:	003	Address: 07/08/99	Date : 06/03/99
Grid :	SW2326	Hra # :	Plat : 850337
GRW: PIWC		REF #:	01/15/86 012-362-05-0

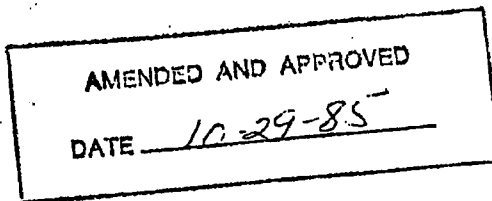
### ASSESSMENT HISTORY

	---Land---	--Building--	---Total---	
Final Value 2003:	74,200	0	74,200	
Final Value 2004:	74,200	0	74,200	--Exemption--
Appraised 2005:	79,900	0	79,900	-----Type-----
Exempt Value 2005:	0	0	0	
State Credit 2005:			0	
Resid Credit 2005:			0	
Final Value 2005:			79,900	

Liv Units: 000 Common Area: Leasehold : Insp Dt: 03/98 Exter

[Feedback E-mail: wwfipa@muni.org](mailto:wwfipa@muni.org)

[Contact Us](#) | [Disclaimer](#) | [Privacy Statement](#) | (c) 2002 MOA IT e-Gov



Submitted by: Chairman of the Assembly  
At the Request of the Mayor  
Prepared by: Department of Community  
Planning  
For reading: August 13, 1985

ANCHORAGE, ALASKA  
AO NO. 85-151

AN ORDINANCE REPEALING ORDINANCE 78-18 AND PROVIDING FOR THE REZONING FROM B-3 (GENERAL AND STRIP COMMERCIAL BUSINESS DISTRICT) WITH SPECIAL LIMITATIONS TO B-3 (GENERAL AND STRIP COMMERCIAL BUSINESS DISTRICT) WITH SPECIAL LIMITATIONS FOR LOT 12, CHESTER H. LLOYD SUBDIVISION, SAND LAKE COMMUNITY COUNCIL.

---

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. That ordinance 78-18 is repealed.

Section 2. That the zoning map be amended by designating the following described property as a B-3 (General and Strip Commercial Business District) with special limitations zone.

Lot 12, Chester H. Lloyd Subdivision

Section 3. This zoning map is subject to the following special limitations regarding uses of the property. Permitted uses and structures shall be limited to:

Uses Permitted:

1. Commercial-wholesale

- a. business offices for mercantile establishments

2. Commercial-retail

- a. furriers
- b. jewelry stores
- c. furniture and home furnishing stores
- d. radio, television and music stores
- e. household appliance stores
- f. hardware and variety stores
- g. sporting goods stores and bicycle shops
- h. drugstores
- i. bookstores and stationery stores
- j. catalog sales stores
- k. florists

- l. tobacco stores
- m. gift, novelty and souvenir shops
- n. small appliance repair shops
- o. travel agencies, ticket brokers
- p. insurance and real estate offices
- q. banking and financial institutions
- r. business and professional offices
- s. medical, health and legal services
- t. business service establishments, including commercial and job printing
- u. laboratories and establishments for production, fitting and repair of eyeglasses, hearing aids, prosthetic appliances and the like
- ~~v.---plumbing-and-heating-service-and-equipment-dealers---~~
- ~~w.---paint,-glass-and-wallpaper-stores---~~
- x. electrical or electronic appliances, parts and equipment
- y. direct selling organizations
- z. aircraft and marine parts and equipment stores
- aa. antiques and secondhand stores, including auctions, pawnshops
- bb. farm equipment and garden supply stores
- cc. fur repair and storage
- dd. nurseries
- ee. mini-storage
- ff. retail food stores and liquor stores
- gg. restaurants, tea rooms, cafes and other places serving food and beverages\*;
- ii. beauty shops and barber shops;
- jj. shoe repair shops and tailors;
- kk. retail sales and showrooms;
- ll. Department stores, general merchandise, and dry goods stores;
- mm. men's, women's, and children's clothing and apparel and shoe stores;
- nn. miscellaneous apparel and accessory shops;
- oo. camera and photographic supply stores;
- pp. photographic studios;
- qq. art studios, art supplies, and picture framing shops;
- rr. laundry and drycleaning establishments;
- ss. employment agencies;
- ~~tt.---gasoline-service-stations-dispensing-gasoline-only,-operating-less-than-24--hours-a-day;~~

- uu. automotive accessory parts and equipment stores;
- \* uses involving the retail sale, dispensing or service of alcoholic beverages may be permitted by conditional use only. Only beer and wine, alcoholic beverages shall be dispensed with conjunction with a restaurant use.

3. Other uses

- a. public parks and buildings
- b. vocational or trade schools
- c. family residential care, day care and 24 hour child care facilities

4. Conditional Uses

- a. utility substations
- b. heliports
- c. marquees, overpasses and similar substantial projections into public airspace, together with any signs to be mounted thereon
- d. planned unit developments
- e. churches and synagogues, along with the customary accessory uses including parsonages, day care and meeting rooms
- f. quasi institutional houses

Section 4. This zoning map amendment is subject to the following special limitations establishing design standards for the property.

- a. No building or structure on west  $\frac{1}{2}$  of the subject zoning district shall exceed three stories or 35 feet and no such structure or building on the east  $\frac{1}{2}$  shall exceed 2 stories or 25 feet.
- b. The zoning district shall be subject to the duty to maintain a 20 foot buffer or screening strip adjacent to the eastern boundary of said district. The 20 foot buffer strip on the eastern edge of the zoning district shall be fully landscaped prior to issuance of Certificate of Occupancy for any building or structure on the premise. The minimum permissible landscaping shall consist of 4 foot high trees planted on a random basis not more than

7 feet apart. All required landscaping shall be maintained in a live condition. In addition to the above required landscape buffer a sight obscuring fence six feet high shall be constructed along the eastern boundary of the zoning district prior to fulfillment of the landscaping and screening requirements.

- c. Prior to issuance of each building permit for the petition site a ~~non~~-public hearing site plan review shall be held by the ~~Community Planning Department~~ Commission addressing the following areas:
1. landscaping and buffering of the entire site including a required buffer along the east and landscaping along Dimond Blvd;
  2. parking lot layout and circulation;
  3. location of structures;
  4. pedestrian circulation;
  5. access;
  6. drainage;
  7. six foot sight obscuring fence;

Section 4. The special limitations set forth in this ordinance prevail over any inconsistent provisions of Title 21 of the Anchorage Municipal Code unless specifically provided otherwise. All provisions of this Title of the Anchorage Municipal Code not specifically effected by special limitations set forth in this ordinance shall apply in the same manner as if the district classifications applied by this ordinance were not subject to special limitations.

Section 5. The Director of Community Planning is hereby directed to change the zoning map accordingly.

Section 6. This ordinance becomes effective ten days after passage and approval.

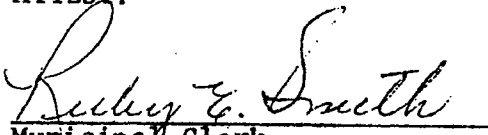


Assembly Ordinance  
Page 5

PASSED AND APPROVED by the Anchorage Assembly this  
29th day of October, 1985.

  
Chairman

ATTEST:

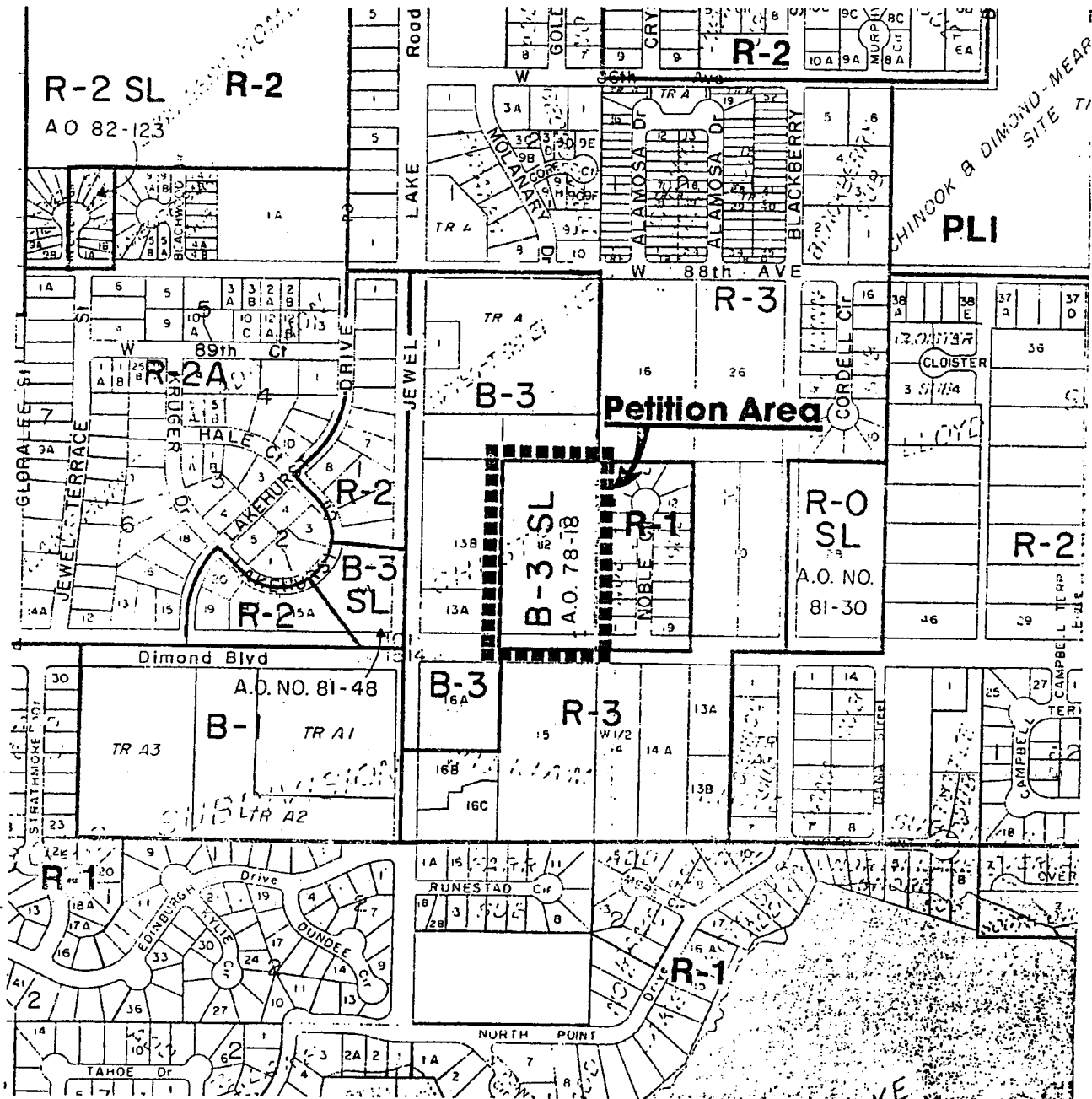
  
Municipal Clerk


(85-059)  
(012-362-05)

da9/cao8

# 85-059

## REZONING



 100 Year Floodplain

6

### EXHIBIT A

160

**MUNICIPALITY OF ANCHORAGE  
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2005-060**

A RESOLUTION APPROVING A REZONING FROM B-3 SL (GENERAL BUSINESS DISTRICT, WITH SPECIAL LIMITATIONS) TO B-1B SL (COMMUNITY BUSINESS DISTRICT WITH SPECIAL LIMITATIONS) FOR CHESTER H LLOYD SUBDIVISION, LOT 12B, GENERALLY LOCATED AT 3751 WEST DIMOND BOULEVARD.

(Case 2005-083, Tax I.D. No. 012-362-41)

---

WHEREAS, a request has been received from JWYW Holding Company, owner to rezone approximately 3.2 acres from B-3 SL (General Business District, with Special Limitations) to B-1B SL (Community Business District with Special Limitations) for Lot 12B, Chester H Lloyd Subdivision, generally located at 3751 West Dimond Boulevard, and

WHEREAS, notices were published, posted and 148 public hearing notices were mailed and a public hearing was held on September 19, 2005.

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

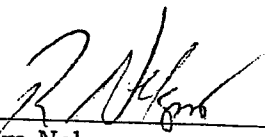
- A. The Commission makes the following findings of fact:
1. The subject property was replatted in 1985 and the general area had been rezoned B-3 SL in 1978. The property has remained undeveloped.
  2. This proposal will down zone the property, but will add residential uses to the list of permitted uses, which is the applicant's desire.
  3. The property is adjacent to a designated town center area and a transit supportive corridor. The *Anchorage 2020 Anchorage Bowl Comprehensive Plan* calls for higher residential density in this area. Therefore, the request is consistent with the comprehensive plan.
  4. The proposal will include residential and office/commercial elements.
  5. There are issues of potential incompatible uses, traffic, building heights, drainage, etc. which can be resolved during site plan review.
  6. The Commission recommended approval of the request by a vote of 7-aye, 0-nay.
- B. The Commission recommends the above rezoning be APPROVED by the Anchorage Assembly subject to the following special limitations:
1. The property shall be rezoned to AMC 21.40.145: B-1B Community business district and reviewed under those standards except as modified herein. Any subdivision of Lot 12B, Chester H. Lloyd Subdivision will be preceded by or concurrent with a public hearing site plan review for the entire Lot 12B. Approval is based on the concept design dated 12/12/05, Dean Architects and Lounsbury, Inc.

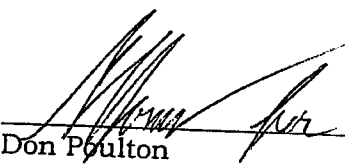
2. Residential uses are allowed at R-3 standards, AMC 21.40.050, except as modified herein. Hours of operation for commercial/office uses are 7:00am to 11:00pm.
  3. A site plan shall be reviewed and approved by the Planning and Zoning Commission. Prior to the issuance of building permits the applicant shall submit a site plan for the entire lot 12B for public hearing site plan review. Among the regular requirements, the site plan shall address:
    - a. secondary /additional street access: to Jewell Lake Road and/or 88<sup>th</sup> Avenue and/or Dimond Boulevard,
    - b. internal sidewalks and pedestrian connections to the exiting trail and public rights of way,
    - c. common, useable open space of not less than 2,500 square feet which meets the standards of AMC 21.50.210 G.5,
    - d. parking lot layout, internal to the site,
    - e. structure locations and mix of uses,
    - f. trails as shown on the Areawide Trails Plan and, if necessary, easements for trails,
    - g. town center standards as generally discussed in *Anchorage 2020: a mix of community serving retail; medium to high density residential uses including a mix of densities, ownership patterns, price and building types; and a pedestrian access network connecting the proposed use with town center core uses, adjacent neighborhoods and transit facilities.*
  4. All building heights on the west one-half of the property are limited to three stories or 35 feet and all building heights for structures within 150 feet of the east lot line, Noble Subdivision, are limited to two stories or 25 feet.
  5. Fifteen foot wide buffer landscaping (AMC 21.45.125 A.2.) is required on the north and west lot lines. A ten foot wide setback with buffer landscaping, exclusive of the existing ten foot drainage and ten foot utility easements, is required on the east lot line. The existing natural vegetation in these easements shall remain, except as needed for easement maintenance. A six foot tall, solid wood fence is required along the east lot line. Arterial (AMC 21.45.125 A.4.) landscaping is required on the south lot line.\*
- \* Note: Dimond Blvd. in this location is a class IIIA arterial with a future development setback requirement of 65 feet each side of centerline, per AMC 21.45.140. Currently only 50 feet each side of center line is platted. Yard setbacks are measured from the future development width.
6. As part of the site plan application and prior to any building permits the applicant shall resolve with (and submit plans to, as required) Project Management and Engineering the need for grading and drainage plans, a drainage impact analysis, fill and excavation requirements, erosion and sediment control requirements, and a storm water plan.

7. A comparison of the traffic generation rates between the proposed residential uses and the proposed commercial uses will be verified by the Municipal Traffic Dept. The proposed residential and commercial uses will be in compliance with the adopted ordinance and verified by the Planning Department.
8. Prohibited uses. The following uses are not allowed:
  - a. Correctional community residential centers.
  - b. Utility substations except as needed to serve the subdivision
  - c. The retail sale, dispensing or service of alcoholic beverages except in a restaurant by conditional use, AMC 21.50.160.
  - d. Convenience establishments.
  - e. Adult clubs as listed in AMC 21.45.240 and 21.45.245.
  - f. Private or public clubs with an alcohol license.
  - g. Private storage in yards of non-commercial trucks, boats, aircraft, campers, or travel trailers.
  - h. Outdoor storage of trailers, motorhomes, or other vehicles in open space, or overflow parking areas, or in assigned parking areas if the size of the vehicle exceeds the size of the parking space.
  - i. Outdoor harboring of animals.
  - j. On site drycleaning including dry cleaning machinery and chemicals. A drop off and pick up only store is permitted.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 19<sup>th</sup> day of September 2005.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 7<sup>th</sup> day of Nov. 2005. 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 2005-083)  
(Tax I.D. No. 012-362-41)

COPY

RECEIVED

NOV 22 2005

MUNICIPALITY OF ANCHORAGE  
COMMUNITY PLANNING & DEVELOPMENT

Municipality of Anchorage  
Planning Department  
4700 S. Bragaw  
Anchorage, AK 99507

Attn: Jerry Weaver

Re: Replat and Rezone of Lot 12A  
Chester H. Lloyd Subdivision

Dear Mr. Weaver,

The property described above, which is owned by Donald W. Teekell (deceased) and Kazuko Teekell, husband and wife. Kazuko Teekell is the Personal Representative of the Estate of Donald W. Teekell. The property is under contract for sale to KUA, Incorporated, as buyer.

As part of the sale, I have agreed to allow for the replatting and rezoning of the property to allow KAU to develop the property as they best determine. Lounsbury and Associates has been hired by the buyer. The purpose of this letter is to authorize Lounsbury and Associates to act as our representative during the rezoning and replatting processes of Lot 12A, Chester H. Lloyd Subdivision.

However, this authorization is limited in that all expenses associated with the replatting and the rezoning are to be paid for by the buyer. Further, prior to final plat approval and prior to final re-zoning, it is required that the transaction be closed so that the buyer will be title to the property. Therefore, no final replat shall be recorded and no final rezone shall be accepted until this transaction is closed. The agreement provides that the transaction will be closed after preliminary plat approval and approval of the rezoning. At closing, the undersigned will execute such documents as are required to complete the replat and the rezone.

If you have any questions, please contact our attorneys, Ernouf and Coffey at 274-3385 and speak with either Sherman Ernouf or Hunter Burton.

Thank you.

Sincerely yours,

  
Kazuko Teekell

# 5

## **POSTING AFFIDAVIT**

RECEIVED

JAN 05 2006

Municipality of Anchorage  
Zoning Division

# AFFIDAVIT OF POSTING

CASE NUMBER: 2006 - 009

I, Edwin Stolt 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 Subdivision Rezone. The notice was posted on Dec. 21, 2005 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 21 day of December, 2005

  
Signature

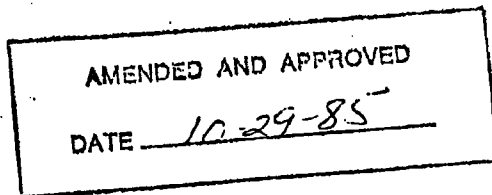
## LEGAL DESCRIPTION

Tract or Lot 12ABlock —Subdivision Chester H. Lloyd



# 6

## **HISTORICAL INFORMATION**



Submitted by: Chairman of the Assembly  
At the Request of the Mayor  
Prepared by: Department of Community  
Planning  
For reading: August 13, 1985

ANCHORAGE, ALASKA  
AO NO. 85-151

AN ORDINANCE REPEALING ORDINANCE 78-18 AND PROVIDING FOR THE REZONING FROM B-3 (GENERAL AND STRIP COMMERCIAL BUSINESS DISTRICT) WITH SPECIAL LIMITATIONS TO B-3 (GENERAL AND STRIP COMMERCIAL BUSINESS DISTRICT) WITH SPECIAL LIMITATIONS FOR LOT 12, CHESTER H. LLOYD SUBDIVISION, SAND LAKE COMMUNITY COUNCIL.

---

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. That ordinance 78-18 is repealed.

Section 2. That the zoning map be amended by designating the following described property as a B-3 (General and Strip Commercial Business District) with special limitations zone.

Lot 12, Chester H. Lloyd Subdivision

Section 3. This zoning map is subject to the following special limitations regarding uses of the property. Permitted uses and structures shall be limited to:

Uses Permitted:

1. Commercial-wholesale

- a. business offices for mercantile establishments

2. Commercial-retail

- a. furriers
- b. jewelry stores
- c. furniture and home furnishing stores
- d. radio, television and music stores
- e. household appliance stores
- f. hardware and variety stores
- g. sporting goods stores and bicycle shops
- h. drugstores
- i. bookstores and stationery stores
- j. catalog sales stores
- k. florists

- l. tobacco stores
- m. gift, novelty and souvenir shops
- n. small appliance repair shops
- o. travel agencies, ticket brokers
- p. insurance and real estate offices
- q. banking and financial institutions
- r. business and professional offices
- s. medical, health and legal services
- t. business service establishments, including commercial and job printing
- u. laboratories and establishments for production, fitting and repair of eyeglasses, hearing aids, prosthetic appliances and the like
- ~~v.---plumbing-and-heating-service-and-equipment-dealers---~~
- ~~w.---paint,-glass-and-wallpaper-stores---~~
- x. electrical or electronic appliances, parts and equipment
- y. direct selling organizations
- z. aircraft and marine parts and equipment stores
- aa. antiques and secondhand stores, including auctions, pawnshops
- bb. farm equipment and garden supply stores
- cc. fur repair and storage
- dd. nurseries
- ee. mini-storage
- ff. retail food stores and liquor stores
- gg. restaurants, tea rooms, cafes and other. places serving food and beverages\*;
- ii. beauty shops and barber shops;
- jj. shoe repair shops and tailors;
- kk. retail sales and showrooms;
- ll. Department stores, general merchandise, and dry goods stores;
- mm. men's, women's, and children's clothing and apparel and shoe stores;
- nn. miscellaneous apparel and accessory shops;
- oo. camera and photographic supply stores;
- pp. photographic studios;
- qq. art studios, art supplies, and picture framing shops;
- rr. laundry and drycleaning establishments;
- ss. employment agencies;
- ~~tt.---gasoline-service-stations-dispensing-gasoline-only,-operating-less-than-24--hours-a-day;~~

- uu. automotive accessory parts and equipment stores;
  - \* uses involving the retail sale, dispensing or service of alcoholic beverages may be permitted by conditional use only. Only beer and wine, alcoholic beverages shall be dispensed with conjunction with a restaurant use.
3. Other uses
- a. public parks and buildings
  - b. vocational or trade schools
  - c. family residential care, day care and 24 hour child care facilities
4. Conditional Uses
- a. utility substations
  - b. heliports
  - c. marquees, overpasses and similar substantial projections into public airspace, together with any signs to be mounted thereon
  - d. planned unit developments
  - e. churches and synagogues, along with the customary accessory uses including parsonages, day care and meeting rooms
  - f. quasi institutional houses

Section 4. This zoning map amendment is subject to the following special limitations establishing design standards for the property.

- a. No building or structure on west 1/2 of the subject zoning district shall exceed three stories or 35 feet and no such structure or building on the east 1/2 shall exceed 2 stories or 25 feet.
- b. The zoning district shall be subject to the duty to maintain a 20 foot buffer or screening strip adjacent to the eastern boundary of said district. The 20 foot buffer strip on the eastern edge of the zoning district shall be fully landscaped prior to issuance of Certificate of Occupancy for any building or structure on the premise. The minimum permissible landscaping shall consist of 4 foot high trees planted on a random basis not more than

7 feet apart. All required landscaping shall be maintained in a live condition. In addition to the above required landscape buffer a sight obscuring fence six feet high shall be constructed along the eastern boundary of the zoning district prior to fulfillment of the landscaping and screening requirements.

c. Prior to issuance of each building permit for the petition site a ~~non~~-public hearing site plan review shall be held by the ~~Community Planning Department~~ Commission addressing the following areas:

1. landscaping and buffering of the entire site including a required buffer along the east and landscaping along Dimond Blvd;
2. parking lot layout and circulation;
3. location of structures;
4. pedestrian circulation;
5. access;
6. drainage;
7. six foot sight obscuring fence;

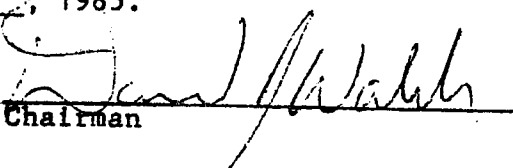
Section 4. The special limitations set forth in this ordinance prevail over any inconsistent provisions of Title 21 of the Anchorage Municipal Code unless specifically provided otherwise. All provisions of this Title of the Anchorage Municipal Code not specifically effected by special limitations set forth in this ordinance shall apply in the same manner as if the district classifications applied by this ordinance were not subject to special limitations.

Section 5. The Director of Community Planning is hereby directed to change the zoning map accordingly.

Section 6. This ordinance becomes effective ten days after passage and approval.

Assembly Ordinance  
Page 5

PASSED AND APPROVED by the Anchorage Assembly this  
29th day of October, 1985.

  
Chairman

ATTEST:

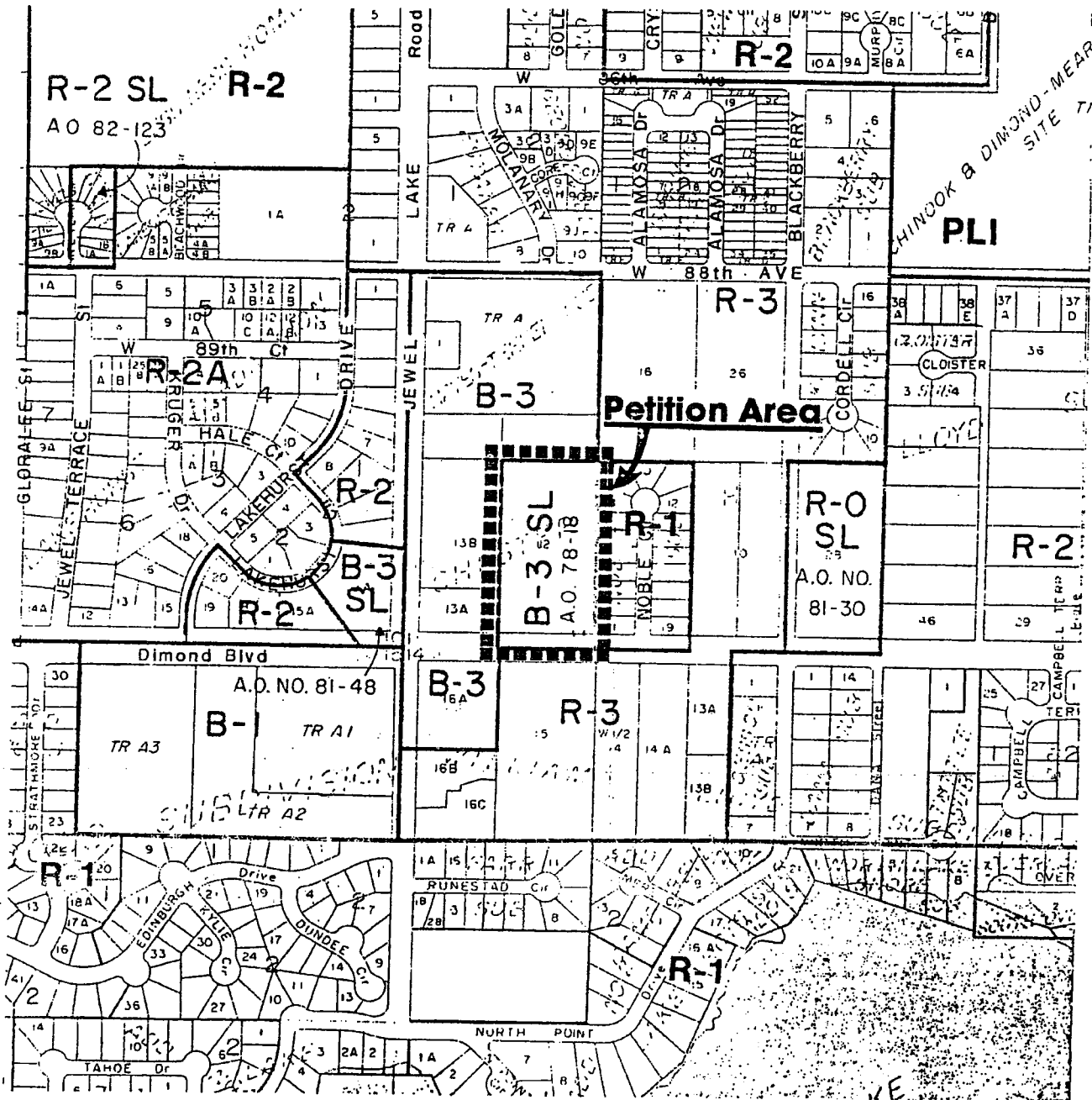
  
Municipal Clerk

(85-059)  
(012-362-05)

da9/cao8

# 85-059

## REZONING



100 Year Floodplain

6

### EXHIBIT A

173

Approved Resolution  
on adjacent lot,

**MUNICIPALITY OF ANCHORAGE  
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2005-060**

A RESOLUTION APPROVING A REZONING FROM B-3 SL (GENERAL BUSINESS DISTRICT, WITH SPECIAL LIMITATIONS) TO B-1B SL (COMMUNITY BUSINESS DISTRICT WITH SPECIAL LIMITATIONS) FOR CHESTER H LLOYD SUBDIVISION, LOT 12B, GENERALLY LOCATED AT 3751 WEST DIMOND BOULEVARD.

(Case 2005-083, Tax I.D. No. 012-362-41)

WHEREAS, a request has been received from JWYW Holding Company, owner to rezone approximately 3.2 acres from B-3 SL (General Business District, with Special Limitations) to B-1B SL (Community Business District with Special Limitations) for Lot 12B, Chester H Lloyd Subdivision, generally located at 3751 West Dimond Boulevard, and

WHEREAS, notices were published, posted and 148 public hearing notices were mailed and a public hearing was held on September 19, 2005.

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

- A. The Commission makes the following findings of fact:
1. The subject property was replatted in 1985 and the general area had been rezoned B-3 SL in 1978. The property has remained undeveloped.
  2. This proposal will down zone the property, but will add residential uses to the list of permitted uses, which is the applicant's desire.
  3. The property is adjacent to a designated town center area and a transit supportive corridor. The *Anchorage 2020 Anchorage Bowl Comprehensive Plan* calls for higher residential density in this area. Therefore, the request is consistent with the comprehensive plan.
  4. The proposal will include residential and office/commercial elements.
  5. There are issues of potential incompatible uses, traffic, building heights, drainage, etc. which can be resolved during site plan review.
  6. The Commission recommended approval of the request by a vote of 7-aye, 0-nay.
- B. The Commission recommends the above rezoning be APPROVED by the Anchorage Assembly subject to the following special limitations:
1. The property shall be rezoned to AMC 21.40.145: B-1B Community business district and reviewed under those standards except as modified herein. Any subdivision of Lot 12B, Chester H. Lloyd Subdivision will be preceded by or concurrent with a public hearing site plan review for the entire Lot 12B. Approval is based on the concept design dated 12/12/05, Dean Architects and Lounsbury, Inc.

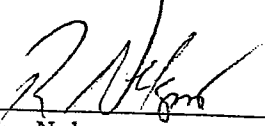


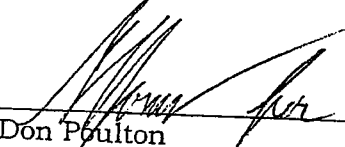
2. Residential uses are allowed at R-3 standards, AMC 21.40.050, except as modified herein. Hours of operation for commercial/office uses are 7:00am to 11:00pm.
  3. A site plan shall be reviewed and approved by the Planning and Zoning Commission. Prior to the issuance of building permits the applicant shall submit a site plan for the entire lot 12B for public hearing site plan review. Among the regular requirements, the site plan shall address:
    - a. secondary /additional street access: to Jewell Lake Road and/or 88<sup>th</sup> Avenue and/or Dimond Boulevard,
    - b. internal sidewalks and pedestrian connections to the exiting trail and public rights of way,
    - c. common, useable open space of not less than 2,500 square feet which meets the standards of AMC 21.50.210 G.5,
    - d. parking lot layout, internal to the site,
    - e. structure locations and mix of uses,
    - f. trails as shown on the Areawide Trails Plan and, if necessary, easements for trails,
    - g. town center standards as generally discussed in *Anchorage 2020: a mix of community serving retail; medium to high density residential uses including a mix of densities, ownership patterns, price and building types; and a pedestrian access network connecting the proposed use with town center core uses, adjacent neighborhoods and transit facilities.*
  4. All building heights on the west one-half of the property are limited to three stories or 35 feet and all building heights for structures within 150 feet of the east lot line, Noble Subdivision, are limited to two stories or 25 feet.
  5. Fifteen foot wide buffer landscaping (AMC 21.45.125 A.2.) is required on the north and west lot lines. A ten foot wide setback with buffer landscaping, exclusive of the existing ten foot drainage and ten foot utility easements, is required on the east lot line. The existing natural vegetation in these easements shall remain, except as needed for easement maintenance. A six foot tall, solid wood fence is required along the east lot line. Arterial (AMC 21.45.125 A.4.) landscaping is required on the south lot line.\*
- \* Note: Dimond Blvd. in this location is a class IIIA arterial with a future development setback requirement of 65 feet each side of centerline, per AMC 21.45.140. Currently only 50 feet each side of center line is platted. Yard setbacks are measured from the future development width.
6. As part of the site plan application and prior to any building permits the applicant shall resolve with (and submit plans to, as required) Project Management and Engineering the need for grading and drainage plans, a drainage impact analysis, fill and excavation requirements, erosion and sediment control requirements, and a storm water plan.

7. A comparison of the traffic generation rates between the proposed residential uses and the proposed commercial uses will be verified by the Municipal Traffic Dept. The proposed residential and commercial uses will be in compliance with the adopted ordinance and verified by the Planning Department.
8. Prohibited uses. The following uses are not allowed:
  - a. Correctional community residential centers.
  - b. Utility substations except as needed to serve the subdivision
  - c. The retail sale, dispensing or service of alcoholic beverages except in a restaurant by conditional use, AMC 21.50.160.
  - d. Convenience establishments.
  - e. Adult clubs as listed in AMC 21.45.240 and 21.45.245.
  - f. Private or public clubs with an alcohol license.
  - g. Private storage in yards of non-commercial trucks, boats, aircraft, campers, or travel trailers.
  - h. Outdoor storage of trailers, motorhomes, or other vehicles in open space, or overflow parking areas, or in assigned parking areas if the size of the vehicle exceeds the size of the parking space.
  - i. Outdoor harboring of animals.
  - j. On site drycleaning including dry cleaning machinery and chemicals. A drop off and pick up only store is permitted.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 19<sup>th</sup> day of September 2005.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 7<sup>th</sup> day of Nov. 2005. 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 2005-083)  
(Tax I.D. No. 012-362-41)

**Content Information****Content ID :** 003845**Type:** Ordinance - AO

**Title:** The Planning and Zoning Commission Recommendation of Approval for a Rezoning of Two Lots Totaling Approximately 4.6 Acres From B-3 SL (General Business District with Special Limitations) to B-1B SL (Community Business District with Special Limitations) fo

**Author:** weaverjt**Initiating Dept:** Planning

**Description:** The Planning and Zoning Commission Recommendation of Approval for a Rezoning of Two Lots From B-3 SL (Limit to B-1B SL for Chester H. Lloyd Subdivision, Lots 12A and 12B, Generally Located at 3751 West Dimond Boulevard.

**Date Prepared:** 4/4/06 11:39 AM**Director Name:** Tom Nelson**Assembly****Meeting Date** 5/16/06**MM/DD/YY:****Public Hearing** 6/20/06**Date MM/DD/YY:****Workflow History**

<b>Workflow Name</b>	<b>Action Date</b>	<b>Action</b>	<b>User</b>	<b>Security Group</b>	<b>Content ID</b>
AllOrdinanceWorkflow	4/4/06 11:43 AM	Checkin	weaverjt	Public	003845
Planning_SubWorkflow	4/17/06 2:36 PM	Approve	nelsontp	Public	003845
ECD_SubWorkflow	4/17/06 2:44 PM	Approve	barkleyva	Public	003845
OMB_SubWorkflow	4/24/06 5:33 PM	Approve	mitsonjl	Public	003845
Legal_SubWorkflow	4/25/06 2:50 PM	Approve	gatesdt	Public	003845
MuniManager_SubWorkflow	5/5/06 11:29 AM	Approve	leblancdc	Public	003845
MuniMgrCoord_SubWorkflow	5/5/06 11:45 AM	Approve	curtiscr	Public	003845

2006 MAY -5 PM 3:01  
CLEMENTS OFFICE