

Submitted by: Chair of the Assembly at  
Prepared by: the Request of the Mayor  
For reading: Planning Department  
February 27, 2007

CLERK'S OFFICE

Anchorage, Alaska

APPROVED

AO 2007-41

Date: 3-27-07

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE  
REZONING OF APPROXIMATELY 2.12 ACRES, FROM R-10 (RESIDENTIAL  
ALPINE/SLOPE) TO R-6 (SUBURBAN RESIDENTIAL) FOR SUE TAWN ESTATES  
#2 SUBDIVISION, BLOCK 3, LOT 11; GENERALLY LOCATED AT THE  
TERMINUS OF SUE TAWN DRIVE AND EAST OF LITTLE PETERS CREEK.

(Chugiak Community Council) (Planning and Zoning Commission Case 2007-001)

THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1.** The zoning map shall be amended by designating the following described  
property as R-6 (Suburban Residential District) zone:

Sue Tawn Estates #2 Subdivision, Block 3, Lot 11, containing approximately 2.12 acres as  
shown on Exhibit "A."

**Section 2.** The Director of the Planning Department shall change the zoning map  
accordingly.

**Section 3.** This ordinance shall become effective immediately upon approval and  
passage of this ordinance.

PASSED AND APPROVED by the Anchorage Assembly this 27th  
day of March 2007.

ATTEST:

Chair

Municipal Clerk

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

AO Number: 2007- 41

Title: AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 2.12 ACRES, FROM R-10 (RESIDENTIAL ALPINE/SLOPE) TO R-6 (SUBURBAN RESIDENTIAL) FOR SUE TAWN ESTATES #2 SUBDIVISION, BLOCK 3, LOT 11; GENERALLY LOCATED AT THE TERMINUS OF SUE TAWN DRIVE AND EAST OF LITTLE PETERS CREEK.  
Planning and Zoning Commission, Case 2007-001.

Sponsor: Mayor  
Preparing Agency: Planning Department  
Others Impacted:

<b>CHANGES IN EXPENDITURES AND REVENUES:</b>		<b>(In Thousands of Dollars)</b>			
	<u>FY07</u>	<u>FY08</u>	<u>FY09</u>	<u>FY10</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>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>REVENUES:</b>					
<b>CAPITAL:</b>					
<b>POSITIONS: FT/PT and Temp</b>					

**PUBLIC SECTOR ECONOMIC EFFECTS:**

Approval of this ordinance should have no significant impact on the public sector.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

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

Prepared by: Jerry T. Weaver, Jr. Telephone: 343-7939



## MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 167 -2007

Meeting Date: February 27, 2007

From: Mayor

Subject: The Planning and Zoning Commission Recommendation of Approval for a Rezoning of Approximately 2.12 Acres From R-10 (Residential Alpine/Slope) to R-6 (Suburban Residential) for Sue Tawn Estates #2 Subdivision, Block 3, Lot 11; generally located at the terminus of Sue Tawn Drive and east of Little Peters Creek, 18332 Sue Tawn Drive.

1  
2 On January 8, 2007, the Planning and Zoning Commission recommended approval to  
3 rezone the subject property owned by James and Mary Stone.

4  
5 The platted configuration of the subject property is most unusual. It is a long and  
6 narrow lot with eleven lot lines of differing lengths and angles with Little Peters  
7 Creek forming the west boundary of the lot. The plat requires a 25-foot creek  
8 easement. R-10 zoning regulations require a 100-foot stream setback. Given the  
9 puzzle-piece shaped lot configuration and the R-10 stream setback, it makes the  
10 majority of the lot unbuildable, and is the basis of the application to rezone the  
11 property to R-6.

12  
13 At the time of the 1985 areawide rezone, all of the lots in the Sue Tawn Subdivision  
14 Addition #2 were zoned R-6 with the exception of the subject lot. There is no  
15 explanation in the record for the subject R-10 zoning. The topography, terrain, creek  
16 alignment, and road access of the subdivision and this lot are common to the entire  
17 subdivision.

18  
19 The Planning and Zoning Commission and the Chugiak Community Council support  
20 and recommend rezoning the property to R-6. The *2006 Revised Chugiak-Eagle*  
21 *River Comprehensive Plan* designates this area as low-density residential, less than  
22 one dwelling unit per acre. This density applies to the R-6, R-8, R-9 and R-10  
23 zoning categories. The proposed use is consistent with the plan map and compatible  
24 with surrounding uses, and meets the Zoning Map Amendment Standards of AMC  
25 21.20.090.

1  
2 The Planning and Zoning Commission recommended APPROVAL of the rezone to  
3 R-6 by a vote of eight ayes, zero nays.  
4

5 THE ADMINISTRATION CONCURS WITH THE PLANNING AND ZONING  
6 COMMISSION RECOMMENDATION FOR THE REZONING REQUEST.  
7

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

9 Concur: Tom Nelson, Director, Planning Department

10 Concur: Mary Jane Michael, Executive Director, Office of Economic and  
11 Community Development

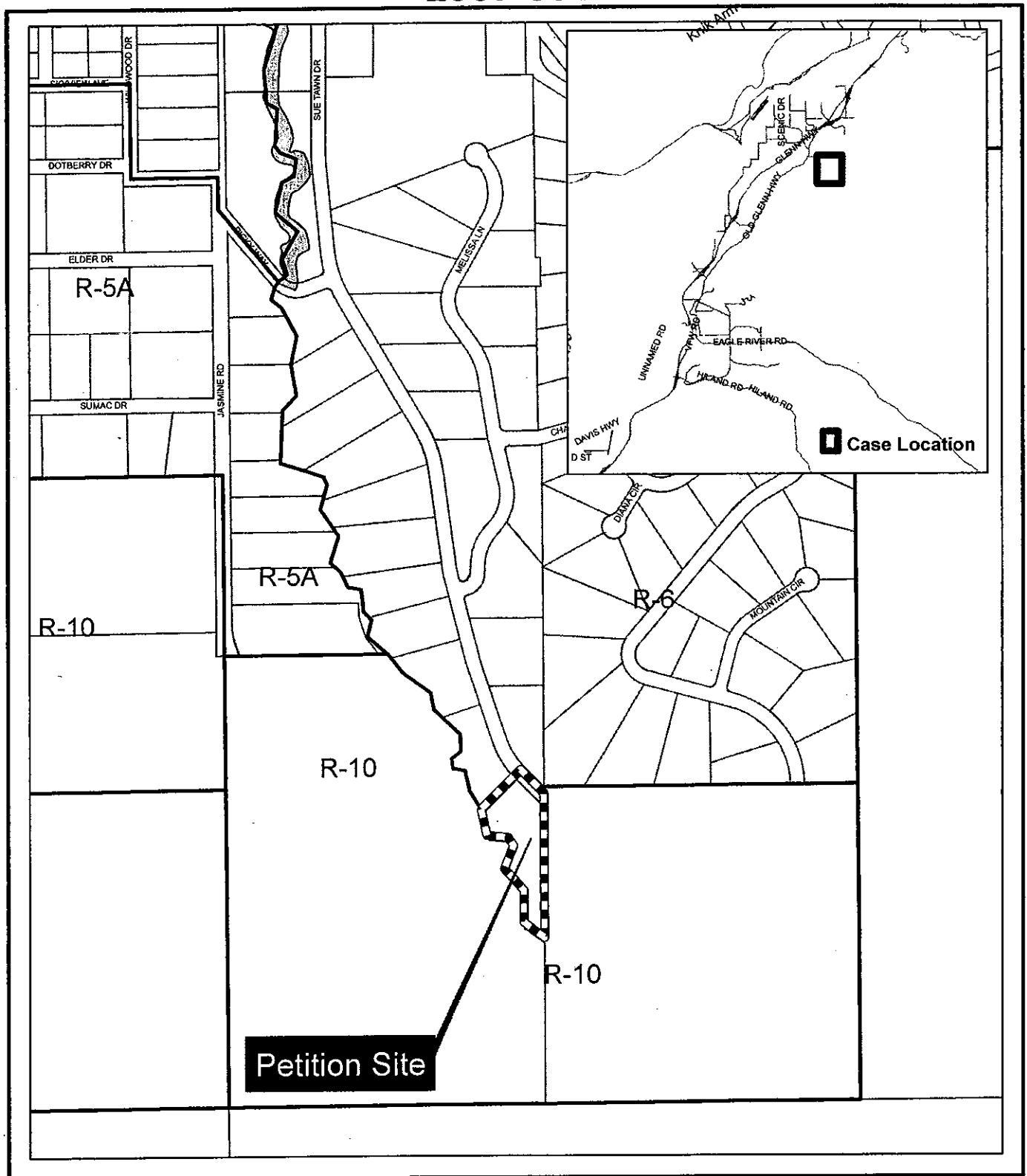
12 Concur: Denis C. LeBlanc, Municipal Manager

13 Respectfully submitted, Mark Begich, Mayor  
14  
15  
16

(Case 2007-001; Tax I.D. Number 051-202-19)

# REZONE 2007-001




# EXHIBIT A



Municipality of Anchorage  
Planning Department

Date: November 21, 2006

## Flood Limits

-  100 Year
-  500 Year
-  Floodway

1



0 400 800 1,600  
Feet

COMMISSIONER PEASE found that the Tudor Road Corridor Study is an important way to approach the infrastructure needs of the U-Med District, which is an economic engine for Anchorage. It is important to encourage safe multi-modal access and this Study has taken that approach.

AYE: Cotten, Pease, Fredrick, Josephson, Isham, Palmer, Wang  
NAY: None  
ABSTAIN: Jones

PASSED

2.     **2007-001**             James R or Mary S Stone. A request to rezone approximately 2.12 acres from R-10 (Residential Alpine/Slope) to R-6 (Suburban Residential). Sue Tawn Estates #2 Subdivision, Block 3, Lot 11. Located at 18332 Sue Tawn Drive.

Staff member AL BARRETT described the request before the Commission. A total of 41 public hearing notices were mailed, no comments were received from the public, and the Chugiak Community Council passed a resolution in support of the rezoning request. The purpose of the request is the west boundary of this property is a creek and in the R-10 zoning district there is a 100-foot setback from that creek, making 95% of the lot unbuildable. The rezoning will not change the density at which this lot can be developed. Zoning to the north of this property is already R-6. When those lots were platted, which is at the same time as the subject lot, they were in their current configuration, but were rezoned to R-6 in 1985. In an entire subdivision of 37 lots only this lot was left out of that rezoning. The topography of this property is no different from the other lots. MR. BARRETT noted that the lots along Sue Tawn Drive are oriented east/west. The stream is at the back of those properties and they offer ample building sites. However, the stream setback on the subject lot eliminates two-thirds of the property as buildable. Essentially, the property is not correctly zoned R-10 and should be zoned R-6. The petitioners will get the property resurveyed in order to correctly establish the 25-foot stream setback. At that time, municipal streams and watershed management personnel will meet with the petitioners and their surveyor to ensure there are no other water bodies on the property.

COMMISSIONER ISHAM noted that a public hearing comment was provided to the Commission this evening from the neighboring property owner stating no objection.

COMMISSIONER PEASE asked what is the width of the easement shown on the topographic map on page 005 of the packet. MR. BARRETT replied that the topographic map shows a dashed line on

either side of the west boundary line. The heavy line between the dashed lines is the stream location and the dashed lines are the 25-foot platted stream setback. Extending the line to 100 feet encumbers most of the petition site.

MR. BARRETT distributed two drawings, one showing the 25-foot setback and the other showing the 100-foot setback. He explained that the lot is not properly zoned R-10 considering that the lots to the north are part of the same subdivision and are all zoned R-6. He noted that a variance is not being sought because the standards to approve a variance would not all be met and Staff would have to recommend that request be denied.

COMMISSIONER JOSEPHSON asked what is the policy for having a larger stream setback in the R-10 district than in the R-6 district. MR. BARRETT replied that R-10 is the most strict zoning district in terms of preservation of existing vegetation, stream setbacks, lot coverage, etc. Those restrictions are overall related to slope of the property. This property is no more steeply sloped than the R-6 property in the area.

COMMISSIONER PEASE noted that the comments from Physical Planning Staff Cathy Hammond say the petition site does not include wetlands, steep slopes, or wetland area. However, she believed that the north portion of the site does appear to be steep. She presumed that larger setbacks are for steeper areas and, although this is not alpine, it does appear to be steep in parts. MR. BARRETT agreed that the north portion is steep and noted that the 100-foot setback would force the home onto that most steeply sloped area.

The public hearing was opened.

MARY STONE, petitioner, stated she and her husband wish to change the zoning of their property to R-6 in order to allow adequate room to build a single family home.

COMMISSIONER PEASE understood that it would not be practical to build on the existing steep slope where a building site could be accommodated under the R-10 zoning. She asked if the petitioners have another building site in mind. MS. STONE stated that she and her husband walked the property and it is fairly the level, but a septic system, well, and house would not fit under the R-10 zoning. The septic system and well could be put in front of the house if more land is available for a building site.

COMMISSIONER PEASE asked if this rezoning would result in a workable lot, given the requirements for well and septic separation and the steepness of the ground. MR. BARRETT stated that On-Site Services would review this proposal; changing the zoning would not make the situation worse. The 100-foot separation requirement between the well, the stream, and the septic

would remain; the house setback is reduced to 25 feet. The change in zoning would allow more room for placement of the well and septic. COMMISSIONER PEASE asked if the intent of the 100-foot setback is to protect streams in steep situations and would it be advisable to retain a 100-foot setback in areas where the lot is steep. MR. BARRETT suggested that the On-Site Services staff be left to the task of determining an appropriate location for well and septic vis-à-vis the steep areas of the lot.

The public hearing was closed.

COMMISSIONER ISHAM moved for approval of a rezoning from R-10 to R-6, Block 3, Lot 11, Sue Tawn Estate #2. COMMISSIONER PALMER seconded.

COMMISSIONER ISHAM stated it appears this lot has a flat bench on the south end that is buildable. The contours are not steeper in the northern portion of the lot than in the R-6 lots that comprise the rest of the neighborhood. He felt the rezoning is appropriate and would result in a buildable lot. The rezoning is also in compliance with the density in the recently adopted *Chugiak-Eagle River Comprehensive Plan*. It also appears that leaving the R-10 zoning on this lot during the areawide rezoning in 1985 was perhaps an administrative error.

COMMISSIONER PEASE supported the motion, asking that the record show there are steep areas on the north end of the parcel and the Commission trusts municipal officials to resolve the appropriateness of locating septic in the former 100-foot setback area.

AYE: Cotten, Pease, Fredrick, Josephson, Jones, Isham, Palmer, Wang  
NAY: None

PASSED

3.     **2006-154**             Cook Inlet Region, Inc. A request to rezone approximately 95.32 acres from T (Transition Zone) to B-3 (General Business). Elmendorf "95" Subdivision, Tracts A & B. Located at 1100 and 1200 Muldoon Road.

**POSTPONED TO JANUARY 29, 2007**

4.     **2006-155**             Cook Inlet Region, Inc. A Site Plan Review for a Large Retail Establishment (Big Box Review) for Elmendorf "95" Subdivision, Tracts A & B. Located at 1100 and 1200 N Muldoon Road.

**POSTPONED TO JANUARY 29, 2007**



**MUNICIPALITY OF ANCHORAGE**  
**PLANNING AND ZONING COMMISSION RESOLUTION NO. 2007-003**

A RESOLUTION APPROVING A REZONING FROM R-10 (RESIDENTIAL ALPINE/SLOPE) TO R-6 (SUBURBAN RESIDENTIAL) FOR SUE TAWN ESTATES #2 SUBDIVISION, BLOCK 3, LOT 11, CONSISTING OF APPROXIMATELY 2.12 ACRES; GENERALLY LOCATED EAST OF THE NORTH BIRCHWOOD LOOP ACCESS, EAST OF LITTLE PETERS CREEK.

(Case 2007-001, Tax I.D. No. 051-202-19)

WHEREAS, a request has been received from James R. and Mary S. Stone to rezone approximately 2.12 acres from R-10 (Residential Alpine/Slope) to R-6 (Suburban Residential) for Sue Tawn Estates #2 Subdivision, Block 3, Lot 11, located at 18332 Sue Tawn Drive; generally located east of the North Birchwood Loop access, east of Little Peters Creek, and

WHEREAS, the Chugiak Community Council passed a resolution in support of the rezoning request, and

WHEREAS, notices were published, posted and 41 public hearing notices were mailed December 15, 2006, and a public hearing was held on January 8, 2007.

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

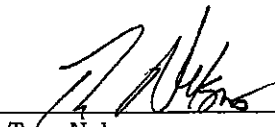
- A. The Commission makes the following findings of fact:
1. As platted, Lot 11 is a most unusual shaped puzzle-piece lot – long and narrow. It has eleven lot lines of differing lengths and angles: Little Peters Creek forming the lot boundaries along the generally west side of the lot. The north 150 feet of the lot has a 152-foot change in elevation southeast to northwest (852 feet MSL to 1004 feet MSL or 93% slope) after which there is a knob and the rest of the lot is gently sloped.
  2. The property has physical and legal access onto Sue Tawn Drive, making the 162 foot lot line the front yard, the rear yard is the 103.5 foot segment at the lower southwest corner of the lot.
  3. Plat 76-268, note #4 reads “The thread of Little Peters (Creek) forms the true bounds of those lots and tracts fronting thereon. The meanders shown are for lot area computations only, with the true corners being on the extension of the tract side lines and their intersection with the thread of the stream.” There is a platted 25 foot creek easement on either side of the creek. The R-10 zoning lot and site requirements stipulate that there shall be no construction or excavation within 100 feet of the mean high-water line of any stream (AMC 21.40.115.F (3)). Given the lot configuration and R-10 zoning lot and site stream setbacks, it leaves a minimal accessible building envelope and is the basis of this request to rezone the property to R-6.
  4. The 2006 Revised Chugiak – Eagle River Comprehensive Plan designates the area as low density residential, less than one dwelling unit per acre. This density applies to the R-6, R-8, R-9 and R-10 zoning categories.
  5. The topography, terrain, alignment of the creek, and road access of Sue Tawn Subdivision are common to the entire subdivision. Regardless of zoning, development of an on-site septic system requires a 100-foot

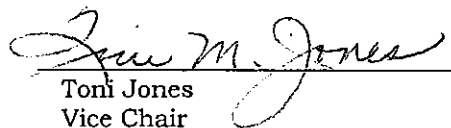
separation from the stream. Development under R-10 with its 100 foot stream setback requirement greatly impacts and minimizes the building envelope area for construction of a dwelling.

6. A rezone to R-6 would allow a 25 foot stream setback and would render the site more suitable for the proposed development.
  7. The Commission finds R-6 zoning would be consistent with the Chugiak - Eagle River Comprehensive Plan, and that the application meets the Zoning Map Amendment Standards for approval per AMC 21.20.090. It appears that this lot has a flat bench on the south end that is buildable.
  8. The contours are not steeper in the northern portion of the lot than in the R-6 lots that comprise the rest of the neighborhood. R-6 zoning is appropriate and will result in a buildable lot. Through the on-site well and septic permitting process the 100-foot separation requirement between well and septic will be maintained, including all required stream protection setbacks.
  9. The Commission recommended approval of the request by a unanimous vote of 8-aye, 0-nay
- B. The Commission recommends to the Anchorage Assembly that the subject property be rezoned to R-6.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 8th day of January, 2007.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 5<sup>th</sup> day of February 2007. 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

  
\_\_\_\_\_  
Toni Jones  
Vice Chair

(Case 2007-001)  
(Tax I.D. No. 051-202-19)

ma

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

**DATE:** January <sup>8</sup>~~11~~, 2007

**CASE NO.:** 2007-001

**APPLICANT:** James and Mary Stone

**PETITIONER'S REPRESENTATIVE:** Self

**REQUEST:** Rezoning from R-10 (Residential Alpine-Slope) to R-6 (Suburban Residential)

**LOCATION:** Sue Tawn Estate #2, Block 3, Lot 11; generally located east of the North Birchwood Loop access, east of Little Peters Creek

**SITE ADDRESS:** 18332 Sue Tawn Drive

**COMMUNITY COUNCIL:** Chugiak

**TAX NUMBER:** 051-202-19

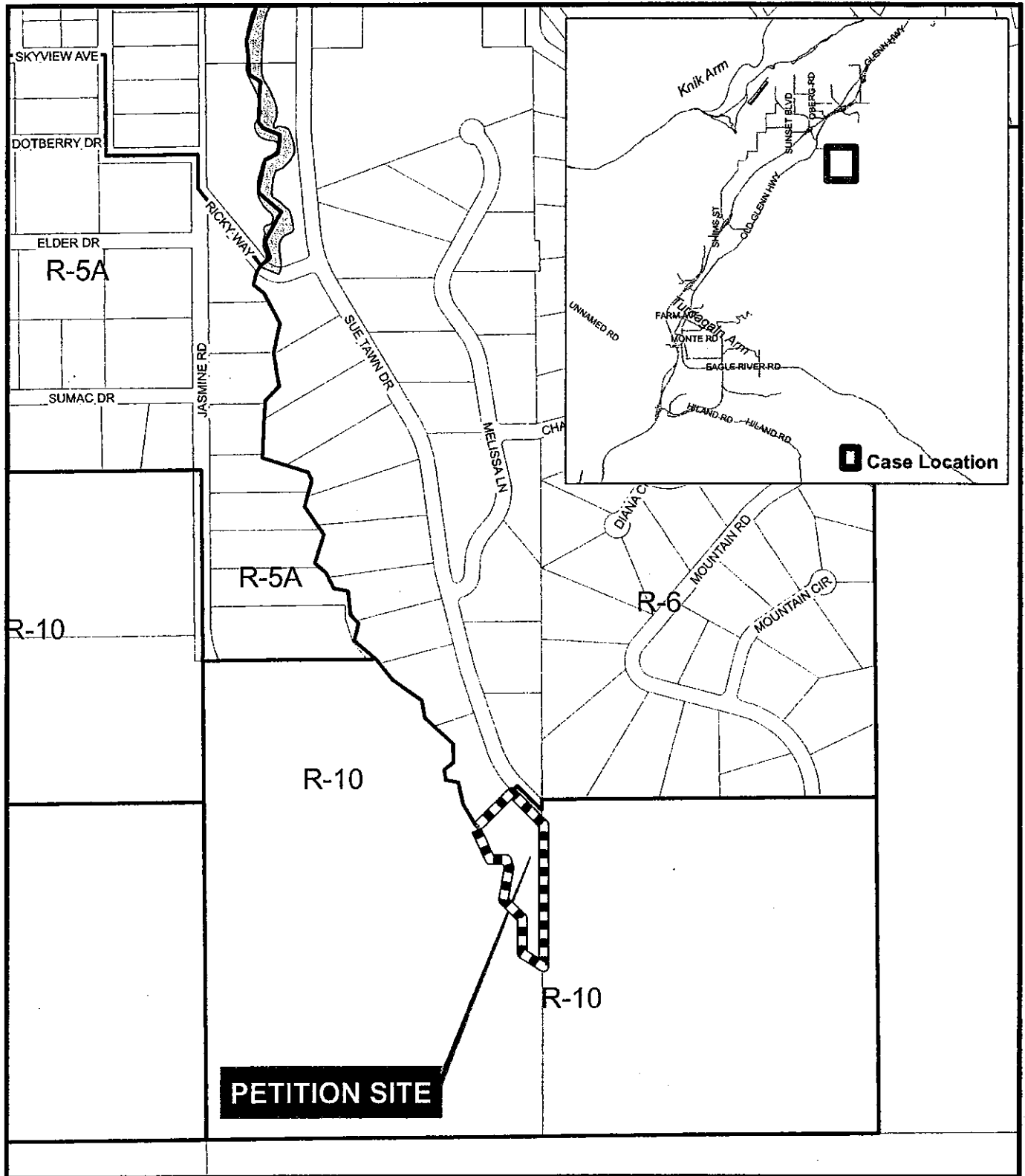
**ATTACHMENTS:**

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

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

**SITE:**

# REZONE 2007-001



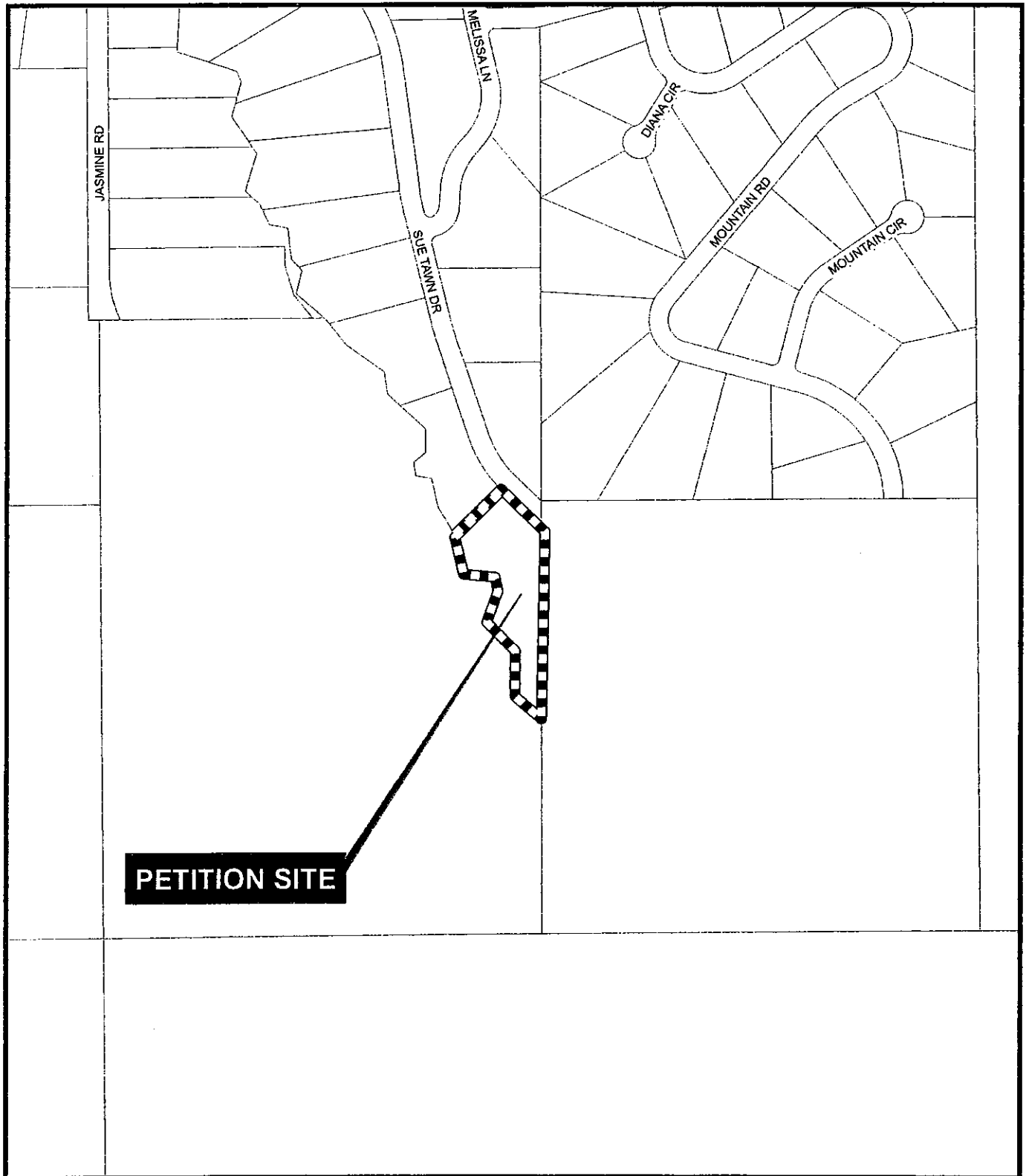
Municipality of Anchorage  
Planning Department

Date: November 21, 2006

**Flood Limits**  
 100 Year  
 500 Year  
 Floodway






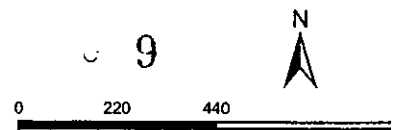
# REZONE 2007-001



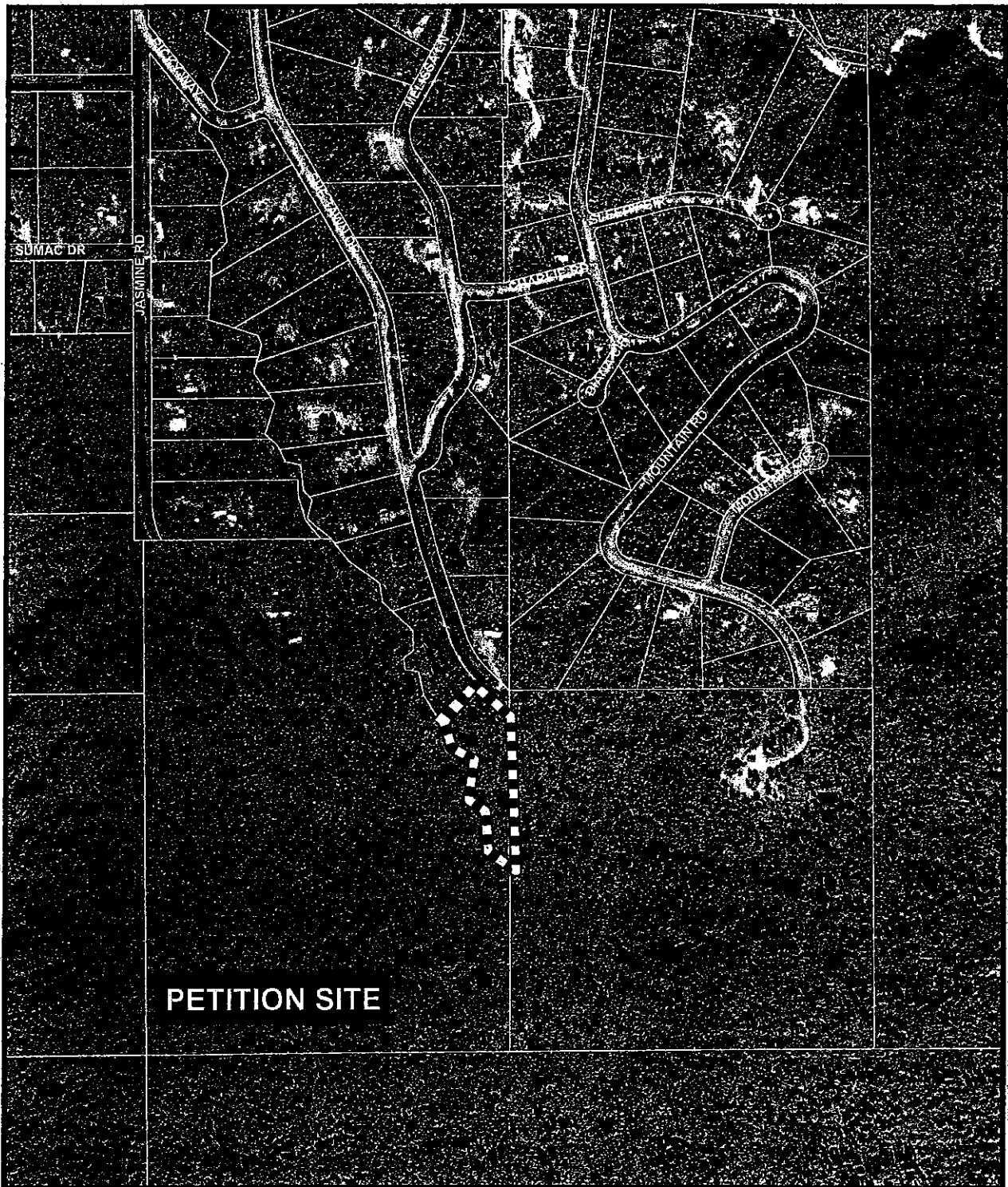
Municipality of Anchorage  
Planning Department

Date: November 21, 2006

-  Single Family
-  Multi-Family
-  Mobile Home Park



2007-001



Municipality of Anchorage  
Planning Department

Date: November 21, 2006



10

0 425 850

**CASE 2007-001**

11

11

Acres: 92,229 SF  
Vegetation: Spruce, Birch  
Zoning: R-10  
Topography: Overall 23% Slope  
Existing Use: Undeveloped  
Soils: On-Site Systems Required

**COMPREHENSIVE PLAN: Adopted 2006 Chugiak-Eagle River**

Classification: Low Density Residential  
Density: <1 DUA

**SURROUNDING AREA**

	<u>NORTH</u>	<u>EAST</u>	<u>SOUTH</u>	<u>WEST</u>
Zoning:	R-6	R-10	R-10	R-10
Land Use:	Vacant and single family	Vacant	Vacant	Vacant

**PROPERTY HISTORY**

11-15-76 Plat 76-268 Sue Tawn Estate Addition#2  
12-02-85 Zoning Chugiak Areawide zoning, rezoned to R-10.  
AO 85-65 (aa)

**Applicable Zoning Regulations:**

	<b><u>R-6 Regulations</u></b> <b><u>AMC 21.40.080</u></b>	<b><u>R-10 Regulations</u></b> <b><u>AMC 21.40.115</u></b>
Height Limitation:	Unrestricted	30-Feet
Minimum Lot Size	54,450 SF/150 feet wide required	20-25% 2.5 acres 180 feet wide
Lot Coverage:	30%	8 %
Setback		
Front:	50 feet	none
Secondary Front:	25 feet	n/a
Side:	25 feet	25 feet
Rear:	50 feet	none

**SITE DESCRIPTION AND PROPOSAL:**



The petitioner purchased the undeveloped property from Melody S. Teenor on October 25, 2006. As platted, Lot 11 is a most unusual shaped puzzle-piece lot – long and narrow. It has eleven lot lines of differing lengths and angles: Little Peters Creek forming the lot boundaries along the generally west side of the lot. The north 150 feet of the lot has a 152-foot change in elevation southeast to northwest (852 feet MSL to 1004 feet MSL or 93% slope) after which there is a knob and the rest of the lot is gently sloped.

The property has physical and legal access onto Sue Tawn Drive, making the 162 foot lot line the front yard, the rear yard is the 103.5 foot segment at the lower southwest corner of the lot.

Plat 76-268, note #4 reads “The thread of Little Peters (Creek) forms the true bounds of those lots and tracts fronting thereon. The meanders shown are for lot area computations only, with the true corners being on the extension of the tract side lines and their intersection with the thread of the stream.” There is a platted 25 foot creek easement on either side of the creek.

The R-10 zoning lot and site requirements stipulate that there shall be no construction or excavation within 100 feet of the mean high-water line of any stream (AMC 21.40.115.F (3)). Given the lot configuration and R-10 zoning lot and site stream setbacks, it leaves a minimal accessible building envelope and is the basis of this request to rezone the property to R-6.

**Community Comments:**

Forty-one public hearing notices were mailed on December 15, 2006. At the time this report was prepared no comments had been received. The Chugiak Community Council has no objection to the rezoning to R-6.

**FINDINGS:**

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

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

The standard is met.

The 2006 Revised Chugiak – Eagle River Comprehensive Plan designates the area as low density residential, less than one dwelling unit per acre. This density applies to the R-6, R-8, R-9 and R-10 zoning categories.

At the time of the Areawide rezone in 1985, all of the lots in the Sue Tawn Subdivision Addition #2 were zoned R-6 with the exception of the subject lot, which was zoned R-10. There is no explanation to be found in the record for singling out this one lot from the subdivision of 37 lots. The topography, terrain, alignment of the creek, and road access of the subdivision are common to the entire subdivision.

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

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

Environment and Land Use Patterns

The Standard is met.

There is a large amount of vacant R-10 land in the area, but the development that does exist is R-6 residential to the north of the subject property. As seen by the aerial photograph there appears to be 14 undeveloped R-6 lots in the subdivision.

Sue Tawn Subdivision is located on the step slopes of the Chugach Mountains. Little Peters Creek flows through the subdivision and forms the west lot boundaries of the subject property.

Little Peters Creek is protected by AMC 21.45.210 that requires a stream protection setback of 25 feet on either side of the stream. The plat requires a 25-foot stream easement. Regardless of zoning, development of an on-site septic system requires a 100-foot separation from the stream. Development under R-10 with its 100 foot stream setback requirement greatly impacts and minimizes the building envelope area for construction of a dwelling. A rezone to R-6 would allow a 25 foot stream setback and would render the site more suitable for the proposed development.

All uses are subject to AMC Noise and Air Quality ordinances

Transportation

This Standard is met.

The subject lot has physical and legal access from the unconstructed Sue Tawn Drive, which has a 60-foot dedicated right-of-way. As constructed, Sue Tawn Drive makes a loop curve four lots to the north of the subject lot, although there appears to be an unconstructed road leading to, and ending at, the subject lot. The plat calls for a 50-foot temporary turnaround at Lot 11, although it can be vacated upon extension of Sue Tawn Drive.

Public Services and Facilities

Public water and sewer is not available. On-site systems are needed. There are no trails or parks adjacent to the subject property.

Special Limitations

No Special Limitations have been offered by the applicant.

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

There is both vacant and developed residential R-6 and R-10 property in the area. The change in residential zoning from R-10 to R-6 is not a change in density.

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.

Summer 2007.

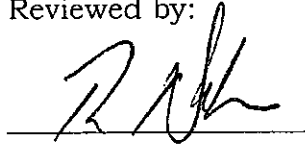
4. The effect of the amendment on the distribution of land uses and residential densities specified in the Comprehensive Plan, and whether the proposed amendment furthers the allocation of uses and residential densities in accordance with the goals and policies of the Plan.

The effect of R-6 zoning is negligible. The Comprehensive Plan identifies this area as low density residential at less than 1 DUA. The residential goals and policies are not affected.

**DEPARTMENT RECOMMENDATION:**

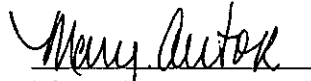
The Department recommends that the proposed rezoning is in conformance with the Chugiak-Eagle River Comprehensive Plan and should be approved.

Reviewed by:



Tom Nelson  
Director

Prepared by:



Mary Autor  
Senior Planner

(Case No. 2007-001) (Tax Parcel #051-202-19)

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**2**

**DEPARTMENTAL**

**COMMENTS**

# Reviewing Agency Comment Summary Case No.: 2007-001

Agency	Comments Included in Packet	No Comments and/or Objections	No Response
Air Pollution Control			
Alaska DEC			
Alaska Division of Parks			
Alaska DOT/PF		X	
Anchorage Police Department			
AWWU		X	
Code Enforcement	X		
Development Services			
DHHS Environmental			
DHHS Social Services			
Community Council			
Fire Prevention			
Flood Hazard		X	
ML&P			
On-Site Water & Wastewater			
Parks and Recreation			
Physical Planning	X		
Project Mgt & Engineering			
Right-of-Way		X	
School District			
Transit			
Treasury			
Traffic & Transportation Planning		X	

**Municipality of Anchorage  
MEMORANDUM**

**RECEIVED**

DEC 04 2006

Municipality of Anchorage  
Zoning Division

**DATE:** December 1, 2006  
**TO:** Jerry Weaver, Manager, Zoning and Platting Division  
**FROM:** Don Dolenc, Development Reviewer  
**SUBJECT:** Development Review Comments, Planning and Zoning Commission case for the meeting of January 1, 2007.

**Case #:** 2007-001  
**Type:** Rezoning to R-6  
**Subdivision:** Suetawn Estates #2 Block 3 Lot 11  
**Grid:** NW 1060  
**Tax ID #:** 051-202-19  
**Zoning:** R-10

**Platting:** 76-268, filed November 15, 1976

**Lot area and width:** AMC 21.40.080.F.1: "Except as provided in subsection 2 of this subsection, a lot shall have the following minimum area and width:

Minimum Requirements\*

Use	Lot Area (square feet)**	Lot Area (acres)	Lot Width (feet)
a. Single-family	54,450	1¼	150
b. Two-family dwellings	108,900	2½	200

\*Includes one-half the area of abutting dedicated rights-of-way.

\*\*Individual lot square footage may vary up to one percent."

The lot meets the minimum area and width requirements for a single-family dwelling.

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

**Yard requirements:** AMC 21.40.080.G: "Minimum yard requirements are as follows:

1. Front yard: 50 feet.
2. Side yard: 25 feet.

3. Rear yard: 50 feet.”

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

**Lot coverage:** AMC 21.40.080.H: “Maximum lot coverage by all buildings is 30 percent ....”

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

**Clear vision area:** Clear vision areas do not apply to this property.

**Legal nonconformities:** None have been established with Development Review.

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

**Use determination:** Property tax records indicate vacant land.

**Building height:** AMC 21.40.080.I: “Maximum height of structures is unrestricted, except that structures shall not interfere with Federal Aviation Administration Regulations on airport approaches.” The property is not within any established Airport Height Zone.

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

**Off-street parking:** Parking requirements will be addressed during the land use permit process when the property is developed.

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: ...

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.”

**Landscaping requirements:** No landscaping is required by the R-6 district regulations.

**Fences:** AMC 21.45.110.A: “A fence may be constructed at the lot line, provided, however, that front yard fences in [the R-6 district] shall not exceed six feet in height, and may be increased to eight feet in height provided the fencing material is non-sight obscuring.”

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



**Stream protection setbacks:** The property abuts Little Peters Creek, which is protected by AMC 21.45.210 and a platted stream maintenance and protection easement.

**Wetlands:** The property is not mapped for wetlands.

**Avalanche hazard:** The property is not mapped for avalanche hazards.

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

**Recommendations:** Development Review has no adverse comment on this case.

(Reviewer: Don Dolenc)

**RECEIVED**

DEC 06 2006

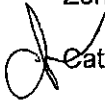
Municipality of Anchorage  
Zoning Division

**MUNICIPALITY OF ANCHORAGE**

**MEMORANDUM**

**DATE:** December 6, 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 Planning and Zoning Commission Case No. 2007-001,  
Rezoning from R-10 to R-6 Suburban Residential District 2.12 acres.

**2007- 001 Rezone to R- 6 (Suburban Residential District) 2.12 acres**

The petition site is located in the Sue Tawn Estates subdivision in Chugiak. The parcel is currently zoned R-10 Residential Alpine/Slope District.

The 1993 *Chugiak-Eagle River Comprehensive Plan* designates the petition site as low density residential with <1-1 dwelling units per acre. The Draft 2006 *Chugiak-Eagle River Comprehensive Plan Update* also designates the petition site as low density residential development with <1-1 dua. This designation allows for large lot, rural residential development. The proposed uses under a rezone would be compatible with both the 1993 Comprehensive Plan and the 2006 Plan Update.

The petition site does not include wetlands, steep slopes or alpine areas, is not in an avalanche hazard area and is currently classified as vacant and suitable for development. However, Little Peters Creek flows north-south along the western boundary of the parcel and would preclude development as a 100 foot stream setback is required in R-10 zoning districts. A rezone to R-6 would allow a stream setback of 25 feet versus the 100 foot setback required and would render the site more suitable for the proposed development. No adverse impacts to the creek are foreseen with a rezone to R-6.

Physical Planning recommends granting the rezone to R-6 based on these findings.

**MUNICIPALITY OF ANCHORAGE**  
**Anchorage Water & Wastewater Utility**

**RECEIVED**

DEC 11 2006

**MEMORANDUM**

**Municipality of Anchorage**  
**Zoning Division**

**DATE:** December 7, 2006  
**TO:** Jerry Weaver, Zoning Division Administrator, Planning Department  
**FROM:** Sandy Notestine, Engineering Technician, AWWU  
**SUBJECT:** Zoning Case Comments  
Planning & Zoning Commission Hearing January 8, 2007  
Agency Comments Due December 11, 2006

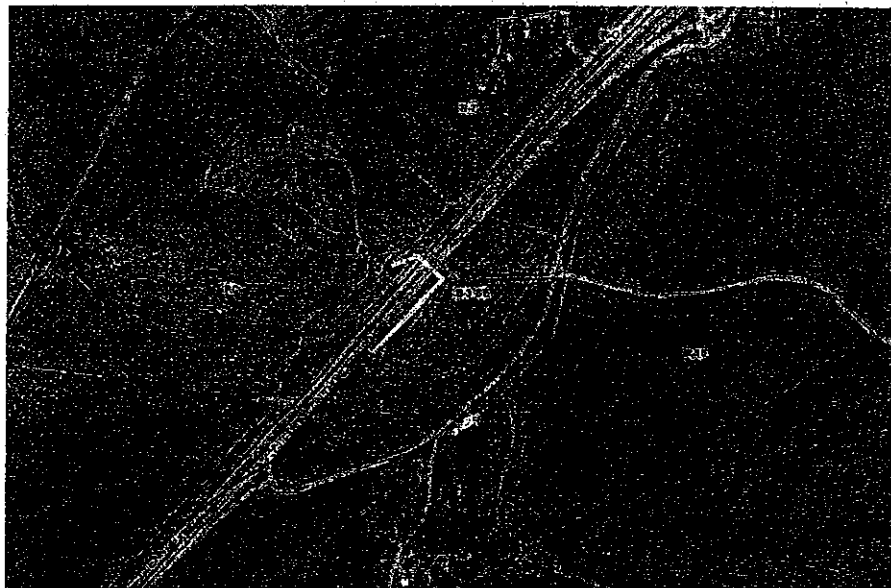
AWWU has reviewed the case material and has the following comments.

**2007-001 Sue Tawn Estates #2 Block 3 Lot 11 (Rezone from R-10 to R-6) Grid NW1060**

1. Public water and sewer are not available to this area at this time.

**2007-002 T16N, R1W Sections 24, 25, 26 and T15N, R1W, Sections 24, 26, 35 (Conditional use for natural resource extraction) Grids NW1964-65 & NW550, 551, 650, 651**

1. AWWU has water facilities located within easements on or adjacent to site 1. AWWU anticipates potential design, construction and general operational conflicts between the proposed improvements on site 1 and AWWU facilities. As part of the design, consideration must be taken for protection of the 54-inch Eklutna water main and the 24-inch water main (highlighted in light blue and yellow below). Water mains must be located and easements staked to better understand future conflicts. Please have the petitioners engineer contact me (Sandy Notestine) within the AWWU Planning office to schedule a meeting with AWWU to discuss possible conflicts.



# 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  
(TTY 269-0473)

**RECEIVED**

DEC 05 2006

December 4, 2006

RE: MOA Zoning Review

Municipality of Anchorage  
Zoning Division

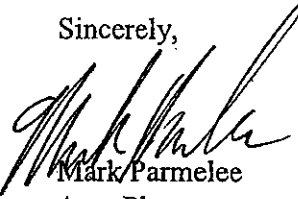
Mr. Jerry Weaver, Platting Officer  
Municipality of Anchorage  
P.O. Box 196650  
Anchorage, Alaska 99519-6650

Dear Mr. Weaver:

The Alaska Department of Transportation and Public Facilities, ADOT&PF, has reviewed the following zoning cases and has no comment:

2006-163 Variance, Lot 12 Block 6, Thompson Subdivision, Ryan Winn  
2006-164 Final Approval, Kings Row Shoppe, 209 E. Dimond Blvd, Kansha Inc.  
2007-001, Rezoning to R-6 Suburban Residential District, Sue Tawn Estates, James Stone  
2007-003 Site Plan Review, Skyway Park Estates, Lot 2 Block 1A, Church of JCLDS  
2007-005, Site Plan Review, Mountain View Development Subdivision, Municipal Light and Power

Sincerely,

  
Mark Parmelee  
Area Planner

/em



DEC 01 2006

Municipality of Anchorage  
Zoning Division

## FLOOD HAZARD REVIEW SHEET for PLATS

Date: 12-01-06

Case : 2007-001

Flood Hazard Zone: C

Map Number: 0110

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

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

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

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

☒ I have no comments on this case.

Reviewer: Jack Puff



# MUNICIPALITY OF ANCHORAGE

Development Services Department  
Right of Way Division



## MEMORANDUM

**RECEIVED**

**DATE:** November 29, 2006  
**TO:** Planning Department, Zoning and Platting Division  
**THRU:** Jack L. Frost, Jr., Right of Way Supervisor *L*  
**FROM:** Lynn McGee, Senior Plan Reviewer *L*  
**SUBJ:** Request for Comments on Planning and Zoning Commission case(s) for the Meeting of January 8, 2007.

NOV 29 2006

Municipality of Anchorage  
Zoning Division

Right of Way has reviewed the following case(s) due December 11, 2006.

- 07-001** Sue Tawn Estates #2, Block 3, Lot 11, grid NW1060  
(Rezoning Request, R-10 to R-6)  
Right of Way Division has no comments at this time.  
Review time 15 minutes.
- 07-002** Sections 24, 25, & 26 T16N R1W, grids NW1964 & 1965, and Sections 24, 26, & 35 T15N R1W, grids NW0550, 0551, 0650 & 0651  
(Conditional Use, Natural Resource Extraction)  
Right of Way Division has no comments at this time.  
Review time 15 minutes.
- 07-005** Mountain View Development, Tract 1, Tract, Fragment Lots 7-9, grid 1235  
(Site Plan Review, Large Retail/Commercial Establishment)  
Right of Way Division has no comments at this time.  
Review time 15 minutes.
- 07-007** Section 17 T15N R1W, Lots 1, 2, & 3, grid NW1057  
(Conditional Use, Natural Resource Extraction)  
Right of Way Division has no comments at this time.  
Review time 15 minutes.



**MUNICIPALITY OF ANCHORAGE**  
Traffic Department



**MEMORANDUM**

DEC 15 2006

Municipality of Anchorage  
Zoning Division

DATE: December 12, 2007  
TO: Jerry T. Weaver, Platting Supervisor, Planning Department  
THRU: Leland R. Coop, Associate Traffic Engineer  
FROM: Mada Angell, Assistant Traffic Engineer  
SUBJECT: Traffic Engineering and Transportation Planning Comments for  
January 8, 2007 Planning & Zoning Commission

**07-001** Sue Tawn Estates #2; Rezoning from R-10-R-6, Eagle River area

Traffic Engineering and Transportation Planning have no comment.

**007-002** Portions of T16N Secs. 24, 25, & 26 & T15N Secs. 24, 26 & 35;  
Conditional Use for a gravel extraction Site 1 and Site 4; Grids NW  
1964 & 1965 & NW 0550, 0551, 0650, 0651

Haul routes for gravel extraction are on State owned rights of way.

**007-005** Mountain View Development; Site Plan Review for large retain in  
Mt. View; Grid 1235

Traffic Engineering and Transportation Planning have no comment.

**007-007** T15N Sec 17; Conditional Use for a gravel extraction; Grid NW  
1057

- Old Glenn Highway is State owned right of way. All access into this development must have an approved right of way permit from State DOT.
- All parking stalls and driveway aisles must be paved.

# 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**.

**RECEIVED**

DEC 15 2006

**1. Select a Case:** 2007-001[View Comments](#)**2. View Comments:**Municipality of Anchorage  
Zoning Division**Case Num: 2007-001**

Rezoning to R-6 Suburban residential district

**Site Address:** 18332 SUE TAWN DR

**Location:** A request to rezone approximately 2.12 acres from R-10 (Residential Alpine/Slope) to R-6 (Suburban Residential). Sue Tawn Estates #2 Subdivision, Block 3, Lot 11. Located at 18332 Sue Tawn Drive.

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

## Public Comments

**12/14/06**

Chugiak Community Council Linda Kovac, Secretary-Treasurer

At the monthly meeting of the Chugiak Community Council (the "Council"), held on October 19, 2006, the Council discussed a written request by Bobby and Suzi Stone to support a proposed rezone of their lot in Sue Tawn Estates from R-10 to R-6. As there was no pending Planning & Zoning case number at the time, the Council did not take a position. ----- Subsequently, at the Council's November 16, 2006 meeting, the Council discussed Planning & Zoning Case No. 2007-001. This case is the Stone's request to rezone approximately 2.12 acres from R-10 (Residential Alpine/Slope) to R-6 (Suburban Residential). The subject property is located in Sue Tawn Estates #2 Subdivision, Block 3, Lot 11, 18332 Sue Tawn Drive. ----- A motion was made and seconded to submit a comment to the MOA Planning Department that the Council has no objection to the proposed rezone. The motion passed unanimously.

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



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**3**

# **APPLICATION**

# Application for Zoning Map Amendment

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



Please fill in the information asked for below.

PETITIONER*	PETITIONER REPRESENTATIVE (IF ANY)
Name (last name first) <i>STONE JAMES R OR STONE MARY J.</i>	Name (last name first)
Mailing Address <i>102 B GULLKANA AVE</i>	Mailing Address
<i>FORT REINHARDSON, AK 99505</i>	
Contact Phone: Day: <i>907 770 4958</i> Night: <i>907 360 5017</i>	Contact Phone: Day: Night:
FAX: <i>(907) 770 4958 - CALL FIRST</i>	FAX:
E-mail: <i>stonefamily@aci.net</i>	E-mail:

\*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):		
Site Street Address: <i>18772 SUE TAWN DR., CHUGCHAK, AK 99567</i>		
Current legal description: (use additional sheet if necessary) <i>SUE TAWN ESTATES # 2, BLOCK 3, LOT 11</i>		
Zoning: <i>R10</i>	Acreage: <i>2.12</i>	Grid #

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.

<i>11 OCT 2006</i>	<i>James R Stone</i>
Date	Signature (Agents must provide written proof of authorization)

30

Accepted by: <i>AC</i>	Poster & Affidavit: <i>AC</i>	Fee: <i>\$6,000</i>	Case Number: <i>2007-001</i>
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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.



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

## STANDARDS FOR ZONING MAP AMENDMENTS

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

### A. Conformance to Comprehensive Plan.

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

ALL OTHER LOTS IN THE COMMUNITY ARE ZONED R6

LOT 11 IS ZONED R10, YET IS FLATTER THAN MOST OF THE

COMMUNITY AND HAS NO STANDING WATER OR WETLANDS ON THE LOT.

(WE WILL NOT SUB-DIVIDE THIS PROPERTY FOR ANY REASON.)

MEETS ALL REQUIREMENTS SET FORTH IN THE CHUGACH-KENAI PENINSULA COMPREHENSIVE PLAN.

2. If the proposed zoning map amendment does not conform to the generalized intensity (density) of the applicable Comprehensive Plan map, explain how the proposed rezoning meets the following standards:

- a. In cases where the proposed rezoning would result in a greater residential intensity (density), explain how the rezoning does not alter the plan for the surrounding neighborhood or general area, utilizing one of the following criteria:

- i. The area is adjacent to a neighborhood shopping center, other major high density mode, or principal transit corridor.
- ii. Development is governed by a Cluster Housing or Planned Unit Development site plan.

N/A

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

~~See above~~ 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.

THIS IS FOR A SINGLE FAMILY HOME.

### 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;

NONE THAT I AM AWARE OF. THE PROPERTY (AND NEIGHBORHOOD) IS ADJACENT TO LITTLE PETERS CREEK. A CHANGE FROM R10 TO R6 WOULD ELIMINATE THE 100' NO CONSTRUCTION/EXCAVATION BUFFER, BUT THERE WOULD REMAIN A 25' EASEMENT REQUIREMENT. I AM NOT AWARE OF ANY ENVIRONMENTAL ISSUES CAUSED BY THIS CHANGE. THE LOT IS FLAT.

b. Transportation;

NONE THAT I AM AWARE OF.

c. Public Services and Facilities;

NONE THAT I AM AWARE OF.

d. Land Use Patterns;

ALL OTHERS LOTS IN THE COMMUNITY ARE ALREADY ZONED R6.

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 ARE OTHER UNDEVELOPED LOTS IN THE AREA ZONED R6, BUT THEY ARE NOT FOR SALE. ALL OTHER LOTS IN THE NEIGHBORHOOD ARE ZONED R6, WITH THE EXCEPTION OF LOT 11. THE AREA ON THIS <sup>2.12 ACRES</sup> LOT CURRENTLY ZONED R10 THAT CAN BE DEVELOPED IS LESS THAN 0.4 ACRES.

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?

WE WOULD LOOK TO START BUILDING OUR HOUSE IN THE SUMMER OF 2007.  
ALL PUBLIC SERVICES ARE AVAILABLE WITH THE EXCEPTION OF SEWER & WATER, WHICH WILL BE PROVIDED BY A SEPTIC SYSTEM, WELL (AS ALL OTHER LOTS).  
IF NOT REZONED, WE ARE NOT SURE THAT A HOUSE, SEPTIC & WATER WILL FIT ON THE LOT.

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?

I DON'T BELIEVE THIS IS APPLICABLE.

33

### Narrative Explaining Need and Justification for Rezoning.

We request the Municipality of Anchorage Assembly change the zoning of our lot in the Sue Tawn Estates from R10 to R6 to allow us to develop the lot for our home. The lot's legal description is Sue Tawn Estates #2, Block 3, Lot 11, and it is located at 18332 Sue Tawn Drive. Because of the geometry of the lot, to clarify the easement requirements for our lot, we also request the southern most property line be designated as the rear boundary. We will not subdivide our lot for any reason. Please see attachment 1.

Lot 11 is the only lot in Sue Tawn Estates that is zoned R10 (all others are zoned R6). R10 zoning requires a 100' no construction or excavation area adjacent to any stream. When Sue Tawn Estates was subdivided and platted, we understand this requirement did not exist, and there was apparently only the same requirement as R6 of a 25' easement adjacent to the stream. Because this lot is a narrow lot running adjacent to the stream, being zoned R10 prevents us from developing this lot for our home as over 80% is unusable. As currently zoned, a four bedroom house for our family of five, a septic system with its required setbacks, and the water well cannot be accommodated on the property. Please see attachment 2 which shows:

- 100' no construction or excavation area (required by R10 zoning)
- 25' side yard requirement (required by R10 zoning)
- 10' front yard easement (required by city code?)
- Minimum 800-sf house (required by estates covenants), plus area for garage and porch
- Septic field for 4 bedroom house with 100' setback requirement shown (city code)

R10 zoning is also meant primarily for heavily sloped areas of our community. Our lot is basically a flat lot, much more comparable to the other lots in Sue Tawn Estates that are zoned R6 rather than most other lots I have seen that are zoned R10.

On 11 October 2006, I had a pre-application meeting with the city planners. At this meeting they informed me they did not see any reason why at that time they would recommend disapproval of this zoning change.

My family asks your support of our request to change the zoning of our lot. We are in the military, but love Alaska and plan to retire here in the near future. With your support, this lot will be the location of our future home. Once we have your approval of our request, we plan to immediately start developing the lot for our home.

Bobby and Suzi Stone  
(907) 770-4958

Sue Tawn Drive

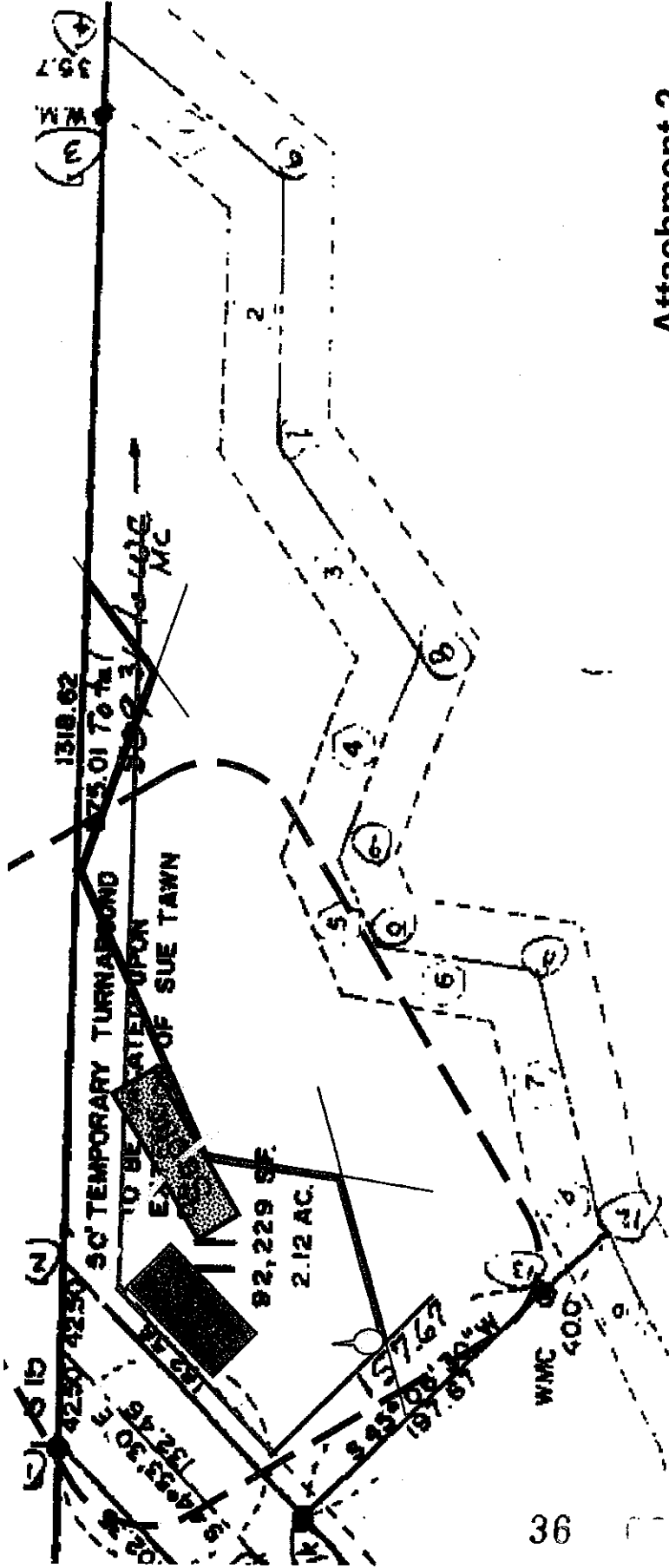
7101

Little Peters Creek



# Land + Zone R10 = Useable Land on Lot 11

- R10 zoning requires 25 foot side yard easement (in red below)
- R10 requires no excavation or construction within 100 feet of a stream, code enforcement states no disturbance of anything within that area (in blue below)
- Of the 2.12 acres, less than 1/5 is useable for yard or building
- Appr. 0.4 acres (yellow) is useable for driveway, yard, septic, well, house, etc.
- As currently zoned, cannot build a conventional home on this normal lot





A  
L  
A  
S  
K  
A**2006-072655-0**Recording Dist: 301 - Anchorage  
10/26/2006 10:59 AM Pages: 1 of 2

17748MS

**WARRANTY DEED**  
(Creating Tenancy by the Entirety)

The Grantor, MELODY S. TEENOR, a married woman, whose address is 902 E. 8<sup>th</sup> Avenue, Anchorage, AK 99501, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, receipt of which is hereby acknowledged, does hereby convey and warrant unto the Grantees, JAMES R. STONE and MARY S. STONE, husband and wife, whose address is 102 "B" Gulkana Avenue, Fort Richardson, AK 99505, as TENANTS BY THE ENTIRETY, with the right of survivorship, and to the heirs of the survivor, the following described real property, to-wit:

Lot 11, Block 3, Sue Tawn Estate, Addition No. 2, according to the official plat thereof filed under Plat No. 76-268, in the Anchorage Recording District, Third Judicial District, State of Alaska.

SUBJECT TO ALL reservations, easements, exceptions, restrictions, covenants, conditions and rights-of-way of record, if any.

SUBJECT TO any adverse claim to any portion of said land which lies below the mean high water line of Peters Creek, any question that may arise due to the shifting or changing in the course of Peters Creek, and any prohibition or limitation on the use, occupancy of improvements of the land resulting from the right of the public or riparian owners to use any waters which may cover the land or to use any portion of the land which is now or may formerly have been covered by water.

SUBJECT TO By-Laws, including the terms and provisions thereof, as contained in instrument recorded November 24, 1976, in Book 149, at Page 549.

SUBJECT TO limitations, conditions, restrictions, terms and effects of the Uniform Common Interest Ownership Act, A.S. 34.08 *et seq.*, including any lien for future common assessments created pursuant to A.S. 34.08.470.

TOGETHER WITH, ALL AND SINGULAR, the tenements hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the premises, all and singular, together with the appurtenances and privileges thereto incident unto said Grantees, and to the heirs, executors, administrators, and assigns of the survivor, FOREVER.

Grantor certifies that she has never used the above described premises as a residence or as a residence homestead.

DATED this 28th day of October, 2006.

GRANTOR:

Melody S. Teenor  
MELODY S. TEENOR

STATE OF ALASKA )

) ss:

THIRD JUDICIAL DISTRICT )



The foregoing instrument was acknowledged before me this 28th day of October, 2006, by MELODY S. TEENOR.

Michelle M. Schaevel  
Notary Public in and for Alaska  
My Commission expires: 9/8/2007

Coryell & Associates  
Attorneys at Law  
4141 13 St., # 208  
Anchorage, AK  
99503-5939  
Tel. 907-277-7679  
Fax 907-276-0383

DATED this 28th day of October, 2006.

GRANTED:

James R. Stone  
JAMES R. STONE

Mary S. Stone  
MARY S. STONE

STATE OF ALASKA                    )  
  ) ss:  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this 28th day of October, 2006, by JAMES R. STONE and MARY S. STONE.

Michelle M. Scheevel  
Notary Public in and for Alaska  
My Commission expires: 9/15/2009



Return to:

James & Mary Stone  
102 "B" Gulkana Ave  
Fort Richardson, AK 99505

Curry & Associates  
Attorneys at Law  
4141 D St., # 208  
Anchorage, AK  
99503-3939  
Tel. 907-277-7679  
Fax 907-276-0183

Warranty Deed, Page 2 of 2

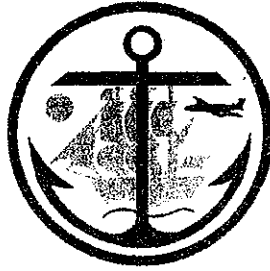


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**4**

**POSTING**

**AFFIDAVIT**



RECEIVED

OCT 30 2006

Municipality of Anchorage  
Zoning Division

# AFFIDAVIT OF POSTING

Case Number: 2007-001

I, JAMES R. STONE, 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 REZONING. The notice was posted on 25 OCT 06 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 25<sup>th</sup> day of October, 2006

James R. Stone  
Signature

## LEGAL DESCRIPTION

Tract or Lot //  
Block 3  
Subdivision Sue Town Estates #2

---

**5**

**HISTORICAL  
INFORMATION**

## PARCEL INFORMATION

### APPRAISAL INFORMATION

Legal SUETAWN ESTATE #2  
BLK 3 LT 11

Parcel 051-202-19-000  
Owner TEENOR MELODY S

#



# Descr VACANT LAND  
Site Addr 18332 SUE TAWN DR

902 E 8TH AVENUE  
ANCHORAGE

AK 99501 3823

### RELATED CAMA PARCELS

Related Parcel(s)	XRef Type	Leased Parcels

**Cross Reference (XRef) Type Legend**

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

Get "Type" explanation

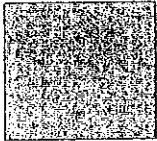
Bring up this form focused on the related parcel

### REZONE



Case Number 2007-001    # of Parcels 1    Hearing Date 01/08/2007  
Case Type Rezoning to R-6 Suburban residential district  
Legal A request to rezone approximately 2.12 acres from R-10 (Residential Alpine/Slope) to R-6 (Suburban Residential). Sue Tawn Estates #2 Subdivision, Block 3, Lot 11. Located at 18332 Sue Tawn Drive.

### PLAT



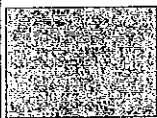
Case Number	Grid	Proposed Lots 0	Existing Lots
Action Type		Action Date	
Legal			

### PERMITS



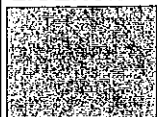
Permit Number  
Project  
Work Desc  
Use

### BZAP



Action No.	Status
Action Date	Type
Resolution	

### ALCOHOL LICENSE



Business Address  
License Type  
Status

Applicants Name  
Conditions



# PARCEL INFORMATION

## OWNER

TEENOR MELODY S

902 E 8TH AVENUE

ANCHORAGE

AK 99501 3823

Deed 2623 0000864

CHANGES: Deed Date Mar 30, 1994

Name Date Apr 05, 1994

Address Date Jan 01, 1984

## PARCEL

Parcel ID 051-202-19-000

Status

Renumber ID 000-000-00-00000

Site Addr 18332 SUE TAWN DR

Comm Concl CHUGIAK

Comments

#

01

## TAX INFO

2006 Tax 853.84 Balance 0.00 District 022

## LEGAL

SUETAWN ESTATE #2

BLK 3 LT 11

Unit SQFT 92,229

Plat 760268

Zone R10 Grid NW1060

## HISTORY

	Year	Building	Land	Total
Assmt Final	2004	0	57,100	57,100
Assmt Final	2005	0	57,100	57,100
Assmt Final	2006	0	60,300	60,300
Exemptions				0
State Credit				0
Tax Final				60,300

## PROPERTY INFO

#	Type	Land Use
01	RESIDENTIAL	VACANT LAND

## SALES DATA

Mon	Year	Price	Source	Type

## LAND & COMMON PARCEL INFORMATION

### APPRAISAL INFORMATION

Legal SUETAWN ESTATE #2  
BLK 3 LT 11

Parcel 051-202-19-000

# 01 of 01

Owner TEENOR MELODY S

Site Addr 18332 SUE TAWN DR

902 E 8TH AVENUE  
ANCHORAGE

AK 99501

### LAND INFORMATION

Land Use VACANT LAND  
Class RESIDENTIAL  
Living Units 000  
Community Council 005 CHUGIAK  
Entry: Year/Quality 01 1980 0  
01 1980 0  
Access Quality GOOD  
Access Type  
Leasehold (Y=Leasehold)  
Drainage GOOD  
Front Traffic NONE  
Street DIRT  
Topography EVEN  
Utilities NONE  
Wellsite N  
Wet Land

### CONDOMINIUM INFORMATION

Common Area 0  
Undivided Interest 0.00



## RESIDENTIAL INVENTORY

### APPRAISAL INFORMATION

Legal SUETAWN ESTATE #2  
 Site Addr 18332 SUE TAWN DR  
 Property Info # Descr VACANT LAND

Parcel 051-202-19-000

# 01 of 01

Owner TEENOR MELODY S

# 01

### RESIDENTIAL STRUCTURE INFORMATION

Style	Story Height
Exterior Walls	Total Rooms
Year Built	Bed Rooms
Remodeled	Recreation Rooms
Effective Year Built	Full Baths
Heat Type	Half Baths
Heat System	Additional Fixtures
Fuel Heat Type	Fireplace Stacks
Extra Value	Openings
Grade	Free Standing
Cost&Design Factor	E-Z Set Fireplace
Condition	

### AREA

1st Floor  
 2nd Floor  
 3rd Floor  
 Half Floor  
 Attic Area  
 Recroom Area  
 Basement  
 Finished Basement  
 Basement Garage  
 Total Living Area

### CONDOMINIUM INFO

Condo Style  
 Condo Level

### ADDITIONS

Basement	1st Floor	2nd Floor	3rd Floor	Area

### OTHER BUILDINGS & YARD IMPROVEMENTS

Type	Qty	Yr Built	Size	Grade	Condition

# OWNER HISTORY

## APPRAISAL INFORMATION

Legal SUETAWN ESTATE #2  
BLK 3 LT 11

Parcel 051-202-19-000

# 01 of 01

01

Property Info # Descr VACANT LAND

Site Address 18332 SUE TAWN DR

**Current** 03/30/94

TEENOR MELODY S

902 E 8TH AVENUE  
ANCHORAGE

AK 99501 3823

**3rd**

0000 0000 00/00/00

HUTCHINSON FRED M &  
CHERYL S

BOX 25 PW NAS ADAK AK  
FPO SEATTLE

WA 98791

**Prev**

2345 0000 11/24/92

TEENOR GARY T & MELODY S

904 E 8TH AVENUE  
ANCHORAGE

AK 99501

**4th**

0000 0000 / /

HUTCHINSON FRED M &  
CHERYL S

4902 MT FRESSELL  
SAN DIEGO

CA 92117

**2nd**

0000 0000 00/00/00

HUTCHISON FRED M &  
CHERYL S

775 CLOQUALLUM  
ELMA

WA 98541

**5th**

0000 0000 / /

00000

---

**PLANNING & ZONING  
COMMISSION  
MEETING**

**January 8, 2007**

**Supplemental Information**

**G.2. Case 2007-001  
Rezone to R-6**

Double-sided



**MUNICIPALITY OF ANCHORAGE**  
**PARKS & RECREATION DEPARTMENT**  
**MEMORANDUM**



**DATE:** December 29, 2006  
**TO:** Jerry T. Weaver, Zoning Div. Administrator  
**FROM:** Tom Korosei, Park Planner  
**SUBJECT:** Planning and Zoning Case Reviews

**RECEIVED**

JAN 02 2007

Municipality of Anchorage  
Zoning Division

Parks and Recreation has the following comments:

**CASE NO.**    **CASE**

- 2007-001**    **Rezoning approx. 2.12 acres from R-10 residential alpine/slope to R-6 suburban residential**  
Parks and Recreation supports development standards and requirements to provide adequate protection of stream corridors and other sensitive areas.
- 2007-002**    **Zoning conditional use for natural resource extraction**  
The *Areawide Trails Plan* shows a planned multi-use unpaved trail along the Eklutna River which traverses a portion of the site, and other planned trails in the vicinity. Parks and Recreation supports reserving an adequate buffer along the river corridor for protection of the water body and to accommodate the planned trail.
- 2007-003**    **Non-public hearing site plan review for a church, Skyway Park Estates Blk. 2, Lot 1A**  
The subject property is opposite Pioneer Park along Juniper Drive (Puma St.) The *Areawide Trails Plan* shows multi-use paved trails along adjoining West Klatt Road and Old Klatt Road. The proposed landscaping appears generally complementary to the development and surrounding neighborhood, including existing trail north of the subject site.
- 2007-005**    **Site Plan Review for a large retail development**  
Parks and Recreation supports adequate and appropriate landscaping and other design features to enhance the visual character of the site and neighborhood.
- 2007-007**    **Zoning conditional use for natural resource extraction**  
Anchorage Parks and Recreation has no additional comments to add to those of Eagle River Parks and Recreation regarding this permit application.

S11561-1	J. Weaver	Yes 12/28/06	No Objection
S11562-1	J. Weaver	Yes 12/28/06	No Objection
S10611-3	J. Weaver	Yes 12/28/06	No Objection
S10930-2	J. Weaver	Yes 12/28/06	No Objection
S11260-2	J. Weaver	Yes 12/28/06	No Objection
2007-001	R. Cartier	Yes 12/28/06	No Comment
2007-002	R. Cartier	Yes 12/28/06	No Comment
2007-007	R. Cartier	Yes 12/28/06	No Comment
2007-015	R. Cartier	Yes 12/28/06	No Objection
2007-019	R. Cartier	Yes 12/28/06	No Comment
2007-020	R. Cartier	Yes 12/28/06	No Comment
2007-029	R. Cartier	Yes 12/28/06	No Objection
2007-005	R. Cartier	Yes 12/28/06	Comment

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DEC 29 2006

Municipality of Anchorage  
Zoning Division

IFC D104.3 Where two access roads are required, they shall be placed a distance apart equal to not less than one half the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

2007-025 R. Cartier Yes 12/28/06 Comment

D105 Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads with a minimum unobstructed width of 26 feet. One of the required access roads shall be located within a minimum 15 feet and a maximum 30 feet from the building and shall be positioned parallel to one entire side of the building.

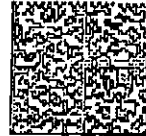
2007-022 R. Cartier Yes 12/28/06 Comment

- 1) Verify access road from Muldoon meets minimum unobstructed width of not less than 20 feet. IFC 503. It appears there is a center island reducing the minimum required width.
- 2) Show location of all fire hydrants and verify the minimum access road with fire hydrants has a minimum 26 feet unobstructed width. IFC Appendix C, D103.
- 3) Please verify the height of all buildings. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads with a minimum unobstructed width of 26 feet. One of the required access roads shall be located within a minimum 15 feet and a maximum 30 feet from the building and shall be positioned parallel to one entire side of the building.
- 4) Verify turning radius of fire department access road is a minimum 45 feet inside and a minimum 60 feet outside throughout development. IFC D103.3.

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

051-202-03-000  
BECK CHARLES A & MELISSA S  
PO BOX 672565  
CHUGIAK, AK 99567

PRESORTED  
FIRST CLASS



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FIRST CLASS MAIL  
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JAN 08 2007

Municipality of Anchorage  
Zoning Division

**NOTICE OF PUBLIC HEARING - - Monday, January 08, 2007**

**Planning Dept Case Number: 2007-001**

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

CASE: 2007-001  
PETITIONER: James R or Mary S Stone  
REQUEST: Rezoning to R-6 Suburban residential district  
TOTAL AREA: 2.120 acres  
SITE ADDRESS: 18332 SUE TAWN DR  
CURRENT ZONE: R-10 Residential alpine/slope district  
COM COUNCIL(S): 1--Chugiak

LEGAL/DETAILS: A request to rezone approximately 2.12 acres from R-10 (Residential Alpine/Slope) to R-6 (Suburban Residential). Sue Tawn Estates #2 Subdivision, Block 3, Lot 11. Located at 18332 Sue Tawn Drive.

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30 p.m., Monday, January 08, 2007 in the Assembly Chambers 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 Planning Cases.

Name: Charles A. and Melissa S. Beck  
Address: 18300 Mountain Road Chugiak, AK  
Legal Description: Evans Track #2  
Comments: We support the request to rezone the 2.12 acres named above. We share a property line with the petition site and we have no objections to rezone the property to R-6.

REZONING/RESIDENTS-PLANNING COMMISSION  
2007-001

50

**Content Information****Content ID :** 004801**Type:** Ordinance - AO

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 2.12 ACRES, FROM R-

**Title:** 10 (RESIDENTIAL ALPINE/SLOPE) TO R-6 (SUBURBAN RESIDENTIAL) FOR SUE TAWN ESTATES #2 SUBDIVISION, BLOCK 3, LOT 11; GENERALLY LOCATED AT THE TERMINUS OF**Author:** weaverjt**Initiating Dept:** Planning

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 2.12 ACRES, FROM R-

**Description:** 10 (RESIDENTIAL ALPINE/SLOPE) TO R-6 (SUBURBAN RESIDENTIAL) FOR SUE TAWN ESTATES #2 SUBDIVISION**Date Prepared:** 2/7/07 2:29 PM**Director Name:** Tom Nelson**Assembly****Meeting Date** 2/27/07**MM/DD/YY:****Public Hearing****Date** 3/27/07**MM/DD/YY:**M.O.A.  
2007 FEB 20 AM 8:51  
CLERKS OFFICE**Workflow History**

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
AllOrdinanceWorkflow	2/7/07 2:33 PM	Checkin	weaverjt	Public	004801
Planning_SubWorkflow	2/9/07 6:01 PM	Approve	nelsontp	Public	004801
ECD_SubWorkflow	2/12/07 9:32 AM	Approve	thomasm	Public	004801
OMB_SubWorkflow	2/16/07 9:53 AM	Approve	mitsonjl	Public	004801
Legal_SubWorkflow	2/16/07 10:43 AM	Approve	fehlenrl	Public	004801
MuniManager_SubWorkflow	2/16/07 11:44 AM	Approve	leblancdc	Public	004801
MuniMgrCoord_SubWorkflow	2/16/07 5:01 PM	Approve	abbottmk	Public	004801