

Submitted by: Chair of the Assembly at  
the Request of the Mayor  
Prepared by: Planning Department  
For reading: April 15, 2008

**CLERK'S OFFICE**

**APPROVED**

ANCHORAGE, ALASKA

Date: 5-6-08 AO No. 2008-57

**AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING THE ZONING MAP, AND PROVIDING FOR THE REZONING OF MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, TRACT 1, AND ALASKA INDUSTRIAL SUBDIVISION, BLOCK 8, LOT 2A (PROPOSED MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, TRACT 1A AND PROPOSED ALASKA INDUSTRIAL SUBDIVISION, BLOCK 8, LOT 2A-1, PER PLATTING CASE S-11646-1), FROM I-1 AND B-3 SL TO B-3 AND B-3 SL; GENERALLY LOCATED AT THE NORTHEAST CORNER OF MOUNTAIN VIEW DRIVE AND GLENN HIGHWAY.**

**(Mountain View Community Council) (Planning and Zoning Case 2008-015)**

THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1.** The zoning map shall be amended by designating the following described property as B-3 (General Business District):

A portion of Mountain View Development Subdivision, Tract 1, and Alaska Industrial Subdivision, Block 8, Lot 2A (proposed Mountain View Development Subdivision, Tract 1A per platting case S-11646-1); generally located at the northeast corner of Glenn Highway and Mountain View Drive, containing approximately 34+- acres, as shown on Exhibit "A."

**Section 2.** The zoning map shall be amended by designating the following described property as B-3 SL (General Business District with Special Limitations):

A portion of Alaska Industrial Subdivision, Block 8, Lot 2A and Mountain View Development Subdivision, Tract 1, (proposed Alaska Industrial Subdivision, Block 8, Lot 2A-1 per platting case S-11646-1); generally located at the northeast corner of Mountain View Drive and Porcupine Drive, containing approximately 3.4+- acres, as shown on Exhibit "A".

**Section 3.** The zoning map amendment described in Section 2 shall be subject to the following special limitation regarding uses of the property: Development of this site shall contain a minimum of 12 residential dwelling units.

**Section 4.** The special limitations set forth in this ordinance prevail over any inconsistent provision of Title 21 of the Anchorage Municipal Code, unless specifically provided otherwise. All provisions of Title 21 of the Anchorage Municipal Code not specifically affected by a special

1 limitation set forth in this ordinance shall apply in the same manner as if the district classification  
2 applied by this ordinance were not subject to special limitations.  
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4 **Section 5.** This ordinance shall become effective within 10 days after the Director of the Planning  
5 Department has received the written consent of the owners of the property within the area described in  
6 Section 1 above to the special limitations contained herein. The rezoning approval contained herein  
7 shall automatically expire, and be null and void if the written consent is not received within 120 days  
8 after the date on which this ordinance is passed and approved. The Director of the Planning  
9 Department shall change the zoning map accordingly.  
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11 PASSED AND APPROVED by the Anchorage assembly this 6<sup>th</sup> day of May 2008.  
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16 Chair

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18 ATTEST:  
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**MUNICIPALITY OF ANCHORAGE**

AO Number: 2008-57

**Title:** AMENDING THE ZONING MAP, AND PROVIDING FOR THE REZONING OF MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, TRACT 1, AND ALASKA INDUSTRIAL SUBDIVISION, BLOCK 8, LOT 2A (PROPOSED MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, TRACT 1A AND PROPOSED ALASKA INDUSTRIAL SUBDIVISION, BLOCK 8, LOT 2A-1, PER PLATTING CASE S-11646-1), FROM I-1 AND B-3 SL TO B-3 AND B-3 SL; GENERALLY LOCATED AT THE NORTHEAST CORNER OF MOUNTAIN VIEW DRIVE AND GLENN HIGHWAY.

**Sponsor:**

Preparing Agency: Planning Department

**Others Impacted:**

**CHANGES IN EXPENDITURES AND REVENUES:**

(In Thousands of Dollars)

	<u>FY08</u>	<u>FY09</u>	<u>FY10</u>	<u>FY11</u>
<b>Operating Expenditures</b>				
1000 Personal Services				
2000 Non-Labor				
3900 Contributions				
4000 Debt Service				
<b>TOTAL DIRECT COSTS:</b>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Add: 6000 Charges from Others

Less: 7000 Charges to Others

FUNCTION COST:	\$	-	\$	-	\$	-	\$	-
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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. No additional public improvements are required.

### PRIVATE SECTOR ECONOMIC EFFECTS:

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

Prepared by: Jerry T. Weaver Jr.

Telephone: 343-7939

Validated by OMB: \_\_\_\_\_

Date:

Approved by: \_\_\_\_\_  
(Director, Preparing Agency)

Date: \_\_\_\_\_

Concurred by: \_\_\_\_\_  
(Director, Impacted Agency)

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_  
(Municipal Manager)

Date:



## MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 219-2008

Meeting Date: April 15, 2008

From: Mayor

Subject: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING THE ZONING MAP, AND PROVIDING FOR THE REZONING OF MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, TRACT 1, AND ALASKA INDUSTRIAL SUBDIVISION, BLOCK 8, LOT 2A (PROPOSED MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, TRACT 1A AND PROPOSED ALASKA INDUSTRIAL SUBDIVISION, BLOCK 8, LOT 2A-1, PER PLATTING CASE S-11646-1), FROM I-1 AND B-3 SL TO B-3 AND B-3 SL; GENERALLY LOCATED AT THE NORTHEAST CORNER OF MOUNTAIN VIEW DRIVE AND GLENN HIGHWAY.

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2 On January 14, 2008, the Planning and Zoning Commission recommended approval to  
3 rezone the subject property from I-1 and B-3 SL to B-3 for the majority of the site and  
4 B-3 SL for a 3.4 acre portion of the site. The petitioner is the Anchorage Community  
5 Development Authority. The property is located between the northwest side of the  
6 Glenn Square project and Mountain View Drive. The special limitation requires a  
7 minimum of twelve dwelling units be moved to the proposed Lot 2A-1 from a 0.79 acre  
8 fragment lot on the larger 34 +- acre B-3 SL site.

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10 The rezoning eliminates the existing special limitation from the present B-3 SL 34+-  
11 acre Tract 1 and rezones the neighboring Anchorage Community Development  
12 Authority (ACDA) property from I-1 to B-3 SL with the residential requirement. The  
13 2006 rezoning to B-3 SL was intended to accommodate a new mixed-use development  
14 with a mix of commercial and residential uses. The project involved land trades and  
15 sales between private property owners, the Municipality of Anchorage, the Anchorage  
16 School District, and the private company of KIMCO/POB Glenn Square Anchorage,  
17 LLC. Currently, the development of a community mixed-use project, including large  
18 and small retail, as well as professional services and businesses is under construction.



The rezoning is generally consistent with the *Anchorage 2020 Plan* and meets the "Zoning Map Amendment Standards" for approval in accordance with AMC 21.20.090. The proposed general business designation is compatible with the surrounding densities and uses.

The Planning and Zoning Commission recommended APPROVAL of the rezone to B-3 and B-3 SL with a vote of five ayes and zero nays.

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

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

Concur: Tom Nelson, Director, Planning Department

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

Concur: James N. Reeves, Municipal Attorney

Concur: Michael K. Abbott, Municipal Manager

Respectfully submitted, Mark Begich, Mayor



**MUNICIPALITY OF ANCHORAGE**  
**PLANNING AND ZONING COMMISSION RESOLUTION NO. 2008-001**

A RESOLUTION APPROVING A REZONING FROM I-1 (LIGHT INDUSTRIAL) DISTRICT AND B-3 SL (GENERAL BUSINESS WITH SPECIAL LIMITATIONS) DISTRICT TO B-3 (GENERAL BUSINESS) DISTRICT AND B-3 (GENERAL BUSINESS WITH SPECIAL LIMITATIONS) DISTRICT FOR MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, TRACT 1, AND ALASKA INDUSTRIAL SUBDIVISION, BLOCK 8, LOT 2A, CONSISTING OF APPROXIMATELY 37.4 ACRES; GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE GLENN HIGHWAY AND MOUNTAIN VIEW DRIVE.

(Case 2008-015; Tax I.D. No. TBD)

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WHEREAS, a request has been received from Anchorage Community Development Authority / Sue Lukens to rezone approximately 37.4 acres from I-1 (Light Industrial) district and B-3 SL (General Business with Special Limitations) District to B-3 (General Business) District, for Mountain View Development Subdivision, Tract 1, and Alaska Industrial Subdivision, Block 8, Lot 2A; generally located at the northeast corner of the Glenn Highway and Mountain View Drive' and

WHEREAS, notices were published, posted, public hearing notices were mailed, and a public hearing was held on January 14, 2008.

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

A. The Commission makes the following findings of fact:

1. This is a request by the petitioner to rezone the subject property from B-3 SL and I-1 to B-3. There are no proposed special limitations. The proposal is to rezone to B-3 a 3.4 acre I-1 parcel located between the northwest side of the Glenn Square project and Mountain View Drive. The proposal will also remove the special limitation (SL) requiring residential development on a 0.79 acre fragment lot on the larger 34 +- acre B-3 SL site.
2. In 2005 and 2006 the Planning and Zoning Commission approved a number of entitlements relating to the development of Glenn Square Center, a large retail and commercial center located between Mountain View and the Glenn Highway: plat, vacations, commercial tract plat site plan and rezoning. The rezoning to B-3 SL was approved by the Assembly on March 8, 2006 via AO 2006-43. The special limitation states that "Any development on proposed Fragment Lot 14 shall contain a minimum residential density of at least 12 dwelling units per acre."

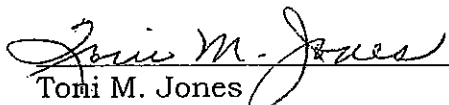
3. The purpose of this rezoning is to eliminate the special limitation from the B-3 property, and to rezone the neighboring Anchorage Community Development Authority (ACDA) property from I-1 (Light Industrial) to B-3. The 2006 rezoning to B-3 SL was intended to accommodate a new mixed-use development, with a mix of commercial and future residential uses that currently would not be allowed with the restrictive existing zoning. The project involved land trades and sales between private property owners, the Municipality of Anchorage, the Anchorage School District, and the private company of POB Montgomery. Currently, the development of a community mixed-use project including large and small retail, as well as professional services and businesses, is under way.
4. The Commission finds that the addition of I-1 property into this rezoning changed the complexion of the case. Including a special limitation for a minimum of 12 dwelling units on the formerly I-1 site (proposed Alaska Industrial Subdivision, Block 8, Lot 2A-1) retains the Commission's intent when this development was initially heard to include residential development in this area.
5. The Commission finds that it did not appear desirable to locate residential development in the previously approved location, and that the likelihood was stronger that residential development would succeed along Mountain View Drive.
6. The Commission finds that the Municipality was originally a landowner in parts of this site, and as such, it was appropriate to retain a residential component in this area. The Municipality is trying through the Rewrite of Title 21 to encourage mixed residential and commercial or business development to provide a more compact land use pattern that reduces transportation needs. It is important to continue to encourage mixed residential and commercial use on Lot 2A-1.
7. The Commission finds that the area designated for residential use is in the future better situated than the previous area. The prior SL included the intent for residential development in this area. Also, the new B-3SL property abuts R-3 and the school, but the Commission expressed concern about the view across the street.
8. The Commission finds that B-3 is a better zone than I-1 for Lot 2A-1, particularly given that Mountain View Drive is becoming more community-friendly. The Commission further finds it was not concerned with the uses across the street, noting that the area is in a state of change.

9. The Commission recommended approval of the request by a unanimous vote.
- B. The Commission recommends to the Anchorage Assembly that the subject property be rezoned as follows:
  1. Proposed Mountain View Development Subdivision, Tract 1A (per plat S-11646-1) to B-3.
  2. Proposed Alaska Industrial Subdivision, Block 8, Lot 2A-1 (per plat S-11646-1) to B-3 with the following special limitation: development of this site shall contain a minimum of 12 residential dwelling units.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 14th day of January, 2008.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 10th day of March 2008.

  
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Tom Nelson  
Secretary

  
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Toni M. Jones  
Chair

(Case 2008-015; Tax I.D. No. TBD)

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COMMISSIONER ISHAM moved to reorder the agenda and consider this case at the end of the agenda. COMMISSIONER PEASE seconded.

AYE: Josephson, Jones, Isham, Pease, Wang

NAY: None

PASSED

F. REGULAR AGENDA – None

G. PUBLIC HEARINGS

CHAIR JONES indicated that the five public hearing items on this evening's agenda would be consolidated. This allows the petitioner and any members of the public one opportunity to address all of the cases during their testimony. The petitioners were given 25 minutes for their presentation, including time reserved for rebuttal, groups were given 10 minutes, and individuals were given 5 minutes.

1. 2008-015 Anchorage Community Development Authority. A request to rezone approximately 4.2 acres from I-1 (Light industrial) and B-3SL (General business district with special limitations) to B-3 (General business district). Alaska Industrial Substation, Block 8, Lot 2A and Mountain View Development Subdivision, Tract 1A, Fragment Lot 14A, located within the NE 1/4 of Section 16, T13N, R3W, S.M., AK.

Staff member ANGELA CHAMBERS explained that in 2005 and 2006 the Commission approved a number of entitlements relating to the development known as Glenn Square Center, which is located between Mountain View Drive and the Glenn Highway. The Assembly approved a rezoning to B-3SL in March 2006. The special limitation states that any development on proposed fragment Lot 14 shall contain a minimum residential density of at least 12 dwelling units per acre (DUA). Minor changes have become necessary in order to accommodate this mixed-use development, requiring the submittal of the five applications before the Commission this evening. The area to be developed with residential calls for a density minimum of 12 DUA, resulting in only 8 dwelling units (DU) on that fragment lot. The petitioner feels this is not in line with the original intent of the mixed-

use development. The petitioner requests removal of this SL in order to pursue a residential component on an adjacent larger parcel. Case S-11646 is a plat for the tract and S-11647 is for the fragment lot site plan. The petitioner has applied for a replat with the intent of obtaining land from the Anchorage Community Development Authority (ACDA). The parcel affected by the SL will be incorporated into the ACDA's property adjacent to Mountain View Drive. The parcel shown for rezoning from I-1 to B-3 is owned by the ACDA. This action involves changing the boundary for the large tract and fragment Lot 14. With this change, the petitioner will assist ML&P in relocating its substation to the east to a more suitable location that will result in fewer conflicts with the development. These adjustments enable the northwest corner of the site to be used for development. The northwest corner currently has an SL requiring that it be residential; that SL will be eliminated to allow for development of a movie theater; the theater is before the Commission for site plan review in case 2008-016.

CHAIR JONES asked whether the petitioners have been given the opportunity to reschedule these hearings in light of the fact that there were only five Commission members present to vote on any motion and the affirmative vote of all five is required for any motion to pass. MS. CHAMBERS indicated that the petitioner was informed of this situation. TIM POTTER, representing the petitioner, indicated that the petitioner determined they would like to proceed. MS. CHAMBERS noted that there has been appropriate public notice of these cases.

MS. CHAMBERS reviewed case 2008-015. The rezoning is needed to remove the SL that requires residential development. The rezoning assists in implementation of revitalizing the area to designate it with an appropriate zoning district to support the proposed mix of large and small retail, office and professional services. It also changes the I-1 area to the north to B-3 to allow reconfiguration of lot lines. Residential development would not be prohibited and it is in the future planning phases for the area. The Department finds that the request to conform to the *Comprehensive Plan* and recommends approval of the rezoning.

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| 2. S-11646 | Kimco/POB Glenn Square Anchorage LLC.<br>To subdivide two (2) tracts and one (1) lot<br>into two different tracts and one (1) different<br>lot with vacation of a CEA easement (per<br>plat 65-3), the north portion of a T&E<br>easement, a ML&P easement and a 30 ft |
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drainage easement (all per plat 2006-62).  
Mountain View Development Subd., Tract 1,  
Orah Dee Clark JHS Subd., Tract A-1 and  
First Addition Alaska Industrial Subd.,  
Block 8, Lot 2A-1.

MS. CHAMBERS explained that this case adjusts the boundaries of two tracts and one lot, including the Clark Middle School boundary. The boundary of Fragment Lot 14 is adjusted as well. The easement vacations are a clean up and easements will be rededicated through the final plat process to ensure that utilities are properly accommodated. Construction of the theater is anticipated in Spring 2008 with an anticipated opening in Spring 2009. The ML&P station will be relocated. The final plat is anticipated in the near term. The Department recommends approval of the vacation and the plat.

3.     **S-11647**                      Kimco/ POB Glenn Square Anchorage LLC.  
A Commercial Tract Fragment Lot Site Plan  
to create fourteen (14) different fragment  
lots from fourteen existing fragment lots.  
Mountain View Development Subdivision,  
Tract 1, Fragment lots 1-14, located within  
the N1/2 of Section 16, T13N, R3W, S.M.,  
Alaska.

MS. CHAMBERS explained that this case amends the existing commercial tract site plan for the purpose of creating a new fragment lot for the new ML&P substation and a movie theater on the new Fragment Lot 14A. It increases the size of Fragment Lot 14 by incorporating part of the Clark Middle School site and a portion of the ACDA site. Access to the site is via Porcupine Drive and Mountain View Drive. Right-of-way was not dedicated for the entrance with the previous plat as the entrance is private. Traffic Department has found the existing traffic impact analysis (TIA) will stand with some minor amendment required. The Department recommends approval of the fragment lot site plan.

4.     **2008-016**                      Kimco/ POB Glenn Square Anchorage LLC.  
An amendment to a site plan review for a  
large retail establishment. Mountain View  
Development Subdivision, Tract 1, Fragment  
Lots 1 through 14.



MS. CHAMBERS stated this proposed development amends the existing large retail site plan. The proposal is for the addition of a one-story 12-screen cinema with 2,100 seats. The architectural design of the project has been reviewed by the Department and is a continuation of the design at Glenn Square. Phase 1 of the overall project has begun and the majority of the paving, curb and gutter installation, and utility work are complete. The completion date for the first phase of the project is October 31, 2008 and construction of the cinema is projected to begin in Spring 2008 with an anticipated opening in Spring 2009. The owner of the commercial tract that encompasses Glenn Square is a joint venture between Kimco and POB Montgomery. Cinemark will be the tenant of the cinema. There were previous comments regarding pedestrian access from Mountain View Drive to the cinema site; the petitioner has provided enhanced pedestrian access into the site and the site plan shows that. The plan takes advantage of topographical changes on the north and east sides to assist in buffering. The Department recommends approval of the site plan.

5.      2008-017              Kimco/ POB Glenn Square Anchorage LLC.  
A conditional use to allow a utility  
substation. Mountain View Development  
Subdivision, Tract 1A, Fragment Lot 11A,  
located within the NE1/4 of Section 16,  
T13N, R3W, S.M., Alaska.

MS. CHAMBERS explained that the petitioner's proposed plan requires relocation of a utility substation from the northwest to the northeast tract to Lot 11B. The *Anchorage 2020 Bowl Comprehensive Development Plan* supports upgrading utilities for safety reasons and energy efficiency. The planning principles for Public Facilities and Services found in Chapter 4 include ensuring that all neighborhoods are served by appropriate infrastructure, including utilities; using public infrastructure to help revitalize or renew aging neighborhoods; and making efficient use of existing water, sewer, and electric power improvements. This proposal is consistent with Policy #80, that utilities shall be located and designed with balanced regard for the environment, energy conservation, reliability, visual impacts, natural hazard survivability, and cost. The Department recommends approval subject to conditions. The utility substation and the theatre are not large retail establishments, but they sit on the underlying tract and thus are subject to design standards. The Department proposed a condition 3 that a twelve-foot tall sight obscuring screening fence

consisting of CMU Block shall be constructed along the west, north and east lot lines. After discussions with the petitioner's representative, the Department proposed an amended condition requiring "a 12-foot tall sight obscuring screening fence consisting of CMU Block shall be constructed along the north and east lot lines of Fragment Lot 11B. Fencing along the west and south fragment lot lines shall be resolved with the Planning Department." MS. CHAMBERS stated that the Department cannot agree to chain link fencing with slats because it deteriorates too quickly. The fencing on the west and south will be subject to public view; the type of screening fencing can be resolved.

The public hearing was opened.

TIM POTTER, representing the petitioner introduced David Irwin with Kimco/POB Montgomery, Stephanie Queen and Bonnie Hickock with DOWL Engineers, Sue Lukens with ACDA, Mio Johnson with ML&P, and Anchorage School District (ASD) representatives. He felt that Staff had done a good review and analysis of the requests before the Commission. He explained that this project has matured as time has passed and the market has changed and property lines and uses need to be changed. The rezone creates appropriate zoning for the entire development and allows a large economic draw to be created in the community in the form of the cinema. This will bring people to the area, particularly during off hours and on the weekends. This contributes not only to the redevelopment of this area, but to the redevelopment of Mountain View Road as well. There is a significant topographic drop from the street level to the location of the cinema. The proposal is to push the cinema building into a hill that the ACDA could not utilize and, in exchange, the east property boundary is pulled down so that property comes under ownership of the ACDA. Given the changes to the roadway and upgrades in the area in general, it was felt that I-1 was not an appropriate zoning for that lot; therefore, the petitioner has proposed a rezoning to B-3. Industrial zoning allows only one dwelling unit in association with an industrial use, so that zoning would have precluded mixed use that includes residential. The petitioner has reviewed the Department's recommendations and agrees to them in case 2008-015.

Addressing case S-11646, MR. POTTER noted that the Commission acted as the platting authority on the original commercial tract subdivision. Clark Middle School was involved in order to adjust the common boundary; the ACDA property to the north was also incorporated in order to create an external boundary for the fragment lot subdivision. This is a housekeeping issue that is necessary to create the appropriate boundaries for the commercial site. All utility companies must approve the utility easements. It

is necessary to vacate a drainage easement and there are comments to not vacate the northern portion of that; either the entire easement should be eliminated and replaced with a new drainage easement, or the portion that is not being changed could be left and the remainder vacated. The petitioner agrees to either option. The petitioner has reviewed the Department's recommendations and agrees to them in case S-11646.

Addressing case S-11647, MR. POTTER stated the Commission reviewed this site plan previously. The petitioner has reviewed the Department's recommendations and agrees to them in case S-11647.

Addressing case 2008-016, MR. POTTER explained that this case deals with the movie theater and, because the property is part of a retail establishment, it is subject to site plan review. This is a 12-screen theater that will be a significant draw to the area and will support the economics of the redevelopment of all of Mountain View. This is hoped to provide support to local businesses, such as locally owned restaurants. The building has been pushed into the hillside to the north in order to isolate the building at the lower level, allowing vegetation at the top of the topographical break to provide screening. The external design is complementary to the Glenn Square development. The petitioner has reviewed the Department's recommendations and agrees to them in case 2008-016.

Addressing case 2008-017, MR. POTTER explained there is an existing utility substation in this area at the end of what was Porcupine Street. This facility is integral to electrical transmission in the Mountain View area as it services the primary lines coming from the south and east. ML&P has been considering rebuilding at the existing location or nearby in order to be near the existing main lines in the area. The utility substation is to be moved several hundred feet to the east at the intersection of the primary lines that come into the area. The substation will be moved to the back side of the easternmost development within Glenn Square. The petitioner has worked with the ASD to address issues related to the soccer field to the north and the landscaped area to the east that extends from the running track. The petitioner is proposing a 12-foot high CMU Block wall, which will match the exterior finishes on most of the Glenn Square buildings. This is preferable to a chain link fence or a chain link fence with slats or a wooden fence. The CMU Block wall clearly defines the separation between the utility substation and the soccer field or the track. The equipment to be located in the utility substation is sophisticated and is being constructed in units in Germany. This design requires less space, reduces the level of EMF from the site, and reduces exposure of maintenance personnel to high voltage. On the south side, the existing vegetation behind the loading area and the distance suffice

to provide buffering and no wall is necessary. A different type of fence can be appropriately used to screen the substation equipment. On the west, a similar type of wall can be used. The petitioner has reviewed the Department's recommendations and agrees to them in case 2008-017 with condition 3 as revised. MR. POTTER noted that the substation installed south of 10<sup>th</sup> Avenue at E Street in downtown was enclosed with synthetic decking material; that was used because slats in fences and cedar age. That may also be done at this site.

COMMISSIONER ISHAM asked if the area shown as I-1 to B-3 in case 2008-015 is new land in this development. MR. POTTER replied that this is the ACDA parcel and it was not part of the original project. It is included in this rezoning in an effort to make the property lines accommodate putting the building into the hill and to give some property at the top of the hill to the ACDA. That property is being rezoned to ensure that the pieces being platted off on the west are zoned B-3. It was recognized that I-1 zoning is not appropriate adjacent to the public investment in the Mountain View Drive roadway. COMMISSIONER ISHAM recalled that this area includes the portion of the site that was designated for residential use. He remarked that a rezoning to B-3 carries no requirement for any residential development. He asked if a guarantee could be given that residential would occur, if the property were rezoned to B-3. MR. POTTER stated that considerations are market conditions and *Comprehensive Plan* requirements. He believed that the trailer park to the northeast of the cinema site will be redeveloped residentially and the ACDA site would likely have mixed use buildings. The fact that this is ACDA property ensures that it will be used for a purpose that improves the neighborhood. He stated that an SL could be included to require some residential component on that property. COMMISSIONER ISHAM noted that the current zoning requires a residential component and that is a desire for this area. MR. POTTER agreed that residential development would be an appropriate use near the cinema. SUE LUKENS, Development Director with the ACDA, stated that the ACDA has no specific plans for this property at this time, but she agreed with Mr. Potter that a mixed use would be suitable for the community. COMMISSIONER ISHAM asked if a potential development could be a mixed use with ground level retail and upper level residential. MS. LUKENS stated that could be envisioned on this parcel.

COMMISSIONER PEASE noted that B-3 in the new code is a general business district, so it continues to meet the needs of auto-related or auto-oriented uses. The new code does not encourage residential development in the B-3 zone. She wondered whether there a zoning district that Staff might recommend to ensure that the intent that there be a residential component is included. She also noted that page 005 of the packet states the petitioner

requests removal of the special limitation from the petition site so that it may pursue a residential component in the near future on a larger parcel which would accommodate a stronger residential component. She asked if this is the larger parcel being referenced or is residential proposed elsewhere. MS. CHAMBERS replied that the discussions have always been to revitalize this area and this project is a major component of that. A residential component is necessary in this general area, although not necessarily on this property. The ACDA lot is included in this rezoning because of the adjustment of lot lines and in order to change the I-1 zoning to B-3. Because the existing area designated for residential could accommodate only 8 DUA, it was felt that another location would be preferable. The Department was not necessarily looking to the ACDA site for residential development. She stated that while she is personally opposed to SLs, until the code rewrite is adopted, there is no other way to address the Commission's intent than using an SL. She encouraged minimization of the use of SLs, however.

COMMISSIONER PEASE noted that page 007 of the packet states, "the community has developed a vision for the main business corridor." She asked if this refers to the Arts & Cultural District plan and has the Commission reviewed that plan. MS. CHAMBERS stated there has been a visioning process involving the ACDA, the Mountain View Community Council, and the Mayor's Office. The Arts & Cultural District is one, the Mountain View Drive roadway improvements are another, as well as other private and quasi-public improvements of other properties. Anything that involves public property has been before the Commission. COMMISSIONER PEASE understood the Arts & Cultural District is a main street type of development. She questioned whether this project detracts from that. MS. CHAMBERS stated there is no Department position on this question, but she understood that this development and the redevelopment of the roadway are separate undertakings. She thought the main street approach is occurring along the northern and eastern portion of Mountain View. Glenn Square is more complicated in terms of its history and its previous use as a snow dumpsite. This project has been able to combine the parcels in this area and create a catalyst for redevelopment along this portion of Mountain View Drive. She felt the main street redevelopment would occur along the other portions of Mountain View Drive, separate from this project.

CHAIR JONES asked whether there were members of the public wishing to testify. There were none. She asked that the Commission address any further questions to the petitioner.

MR. POTTER used a plat to indicate the location of the .79 acres that was designated for up to 8 DU. He explained that the adjacent area is zoned I-1

and the petitioner felt that B-3 is more appropriate for that land. After discussions with Ms. Lukens, he did not believe there would be an objection to a zoning of B-3SL that would incorporate a requirement for 12 residential dwelling units. He noted that mixed use could be represented by mixed uses in a single building or a variety of uses in distinct buildings. He noted that Cook Inlet Housing Authority is purchasing the car wash building and intends to do another mixed-use building across Mountain View Drive. The cinema was originally planned for the street side and the community did not favor that scale or the lack of windows. DAVID IRWIN, representing Kimco/POB Montgomery, stated he has been working with the Community Council for two to three years, the last six to eight months of which on this phase of the project. This final plan was presented to the Community Council in December. There was concern with siting retail development along Mountain View Drive. ML&P planned at one time to relocate the utility substation to Mountain View Drive, to which the community also objected. The area in question is filled with construction debris and has a steep slope. He explained that when Fragment Lot 14 was created ML&P was going to expand the substation in place. Many problems have now been solved by moving the substation and finding a dynamic use for the remainder of the landfill area, while preserving the upper portion of the site for a dynamic project that may have a mixed-use component.

COMMISSIONER JOSEPHSON could not see how the current location that is designated for residential use was initially felt to be appropriate. MR. POTTER agreed that it is not a practical location and would have limited marketability. COMMISSIONER JOSEPHSON asked if the adjacent street had an unfinished furniture store. MR. POTTER assisted Commissioner Josephson in locating that use. COMMISSIONER JOSEPHSON understood the proposal is to essentially trade land with the ACDA and the ACDA has agreed that the property currently zoned I-1 would become B-3 with the option of developing residential. MR. POTTER stated that the ACDA feels a B-3 zoning is more appropriate for their property and I-1 does not accommodate mixed-use development.

COMMISSIONER JOSEPHSON asked if customers could access the cinema from the west or would they have to go through the site. MR. POTTER replied that access could be taken from one of two main entrances or through Glenn Square. There will not be physical access from the ASD property. COMMISSIONER JOSEPHSON asked if the photograph designated Figure 9 in the packet reflects the existing vegetation. MR. POTTER stated that the vegetation above the existing utility substation will be gone and there will be a soccer field on the ASD property. COMMISSIONER JOSEPHSON confirmed that the ASD would retain the property for the soccer field.

COMMISSIONER WANG asked what is across the street from the site being proposed for rezoning from I-1 to B-3. MR. POTTER replied that the development across the street is the new Success by Six building that houses a number of nonprofits. There is also a sales lot for manufactured homes.

COMMISSIONER PEASE asked if the PLI portion of the property has been sold to POB Montgomery. MR. POTTER replied that it is owned by POB Montgomery and was rezoned.

**S-11646**

COMMISSIONER ISHAM asked whether, if a SL requires mixed use development on the former I-1 lot, would the lot shown in this preliminary plat as Lot 2A-1 is that property. He presumed the lot would have to be dealt with separately in the rezoning in order for the SL to be applied. MS. CHAMBERS stated this is correct. CHAIR JONES asked if it would be appropriate in case 2008-015 to refer to the lot boundaries per S-11646. MS. CHAMBERS replied in the affirmative.

COMMISSIONER PEASE noted there is reference to the TIA approved for the larger site and the need for a traffic signal and changes to Mountain View Drive. She asked if there was any provision in the original approval requiring the petitioner to participate in those improvements and should the Commission review that with these cases. MS. O'BRIEN stated the TIA has been approved for the entire site; accounting for the traffic generated by the theater is a minor amendment. The access and improvements to Mountain View Drive were accomplished through the original TIA. The only other issue is internal controls per any amendments to the TIA. The Traffic Department has had a scoping meeting but had no specific conditions to recommend. This could be handled with any building permit pulled for projects on the site.

**S-11647**

COMMISSIONER PEASE asked if the CMU block wall is referenced in this case. MS. O'BRIEN explained that footings extend into the ASD property, so an easement is required in S-11646.

**2008-016**

COMMISSIONER PEASE noted that in the original approval of Glenn Square there was a requirement for pedestrian access between the commercial center and any future residential development adjacent to the center, and to resolve the need and design for a safe pedestrian connection to the middle school site and ball fields along the northeast edge of the development. She did not see these conditions in this case. MS. CHAMBERS

explained that there is pedestrian access from Mountain View Drive at the intersection with Porcupine Drive, down that roadway and back north into the cinema. There is also a pedestrian access from the main eastern drive that runs north/south. MR. POTTER used an overhead drawing to delineate where pedestrian access would occur into the cinema site. There are walkways into the site, across to the interior islands, and to the front door of the cinema. There is a walkway along the islands to reach the buildings on the easternmost buildings on the site. He noted that there were comments from Lori Schanche to look at the potential of expanding one of the walkways to go around the perimeter. Engineers did not lay it out that way in order to maintain as much land up top as possible and have a good grade relationship with Mountain View Drive. A short retaining wall could potentially be built along the edge with a walkway. He anticipated that people would likely walk down the hill and into the site, if a walkway is not built. If it can be done, a walkway could be built along the perimeter, but he was concerned with a requirement to install a retaining wall. MS. CHAMBERS remarked that this was a concern of Staff. There were concerns with potential conflict with direct pedestrian access to the ASD site, to the cinema site, and to the north. There is also a requirement for ADA-accessible trails. The trail as proposed may be longer, but it would be more appropriate in the long-term. MR. POTTER stated if there is a 2:1 slope and a 20-foot elevation difference to the property to the north so there will not be pedestrian access down that hill. He believed people would use the walkway along the entry drive, which connects to Mountain View Drive. COMMISSIONER PEASE noted that the trailer park is to the northwest of the site and she believed a distance of 20 feet would not deter pedestrian access. She still wondered whether there could be a pedestrian access between the commercial center and future residential development adjacent to the center. MS. CHAMBERS suggested that this item be resolved in order to allow investigation of issues of accessibility and liability.

COMMISSIONER ISHAM asked whether there would be access from the ASD property. MR. POTTER replied in the negative. MARY CAREY with the ASD stated the ASD has submitted comments regarding pedestrian connectivity in case S-11646. She referenced page 064, comment 7, and explained that there are conditions on the ASD site plan review to provide connectivity to the retail development and to potentially share parking. There is currently a trail with a gate that comes to the rear of the Glenn Square development. Special Olympics uses Clark's facilities and the intent was that they could park on the Glenn Square site and not traverse through the school site. CHAIR JONES asked if the ASD does not find it a nuisance for the school children to go back and forth. MS. CAREY replied that the trail ends at a gate that is controlled by the ASD. MR. POTTER felt this could be



accommodated. COMMISSIONER PEASE noted that the Commission had requested connectivity not only for the Special Olympics, but also for school activities. She asked if there is pedestrian flow to that corner from the retail site. MR. POTTER stated that pedestrians could travel across the front of the theater to the ASD gate.

COMMISSIONER ISHAM understood the access to the ASD site is needed only during special events at the athletic fields. MS. CAREY responded in the affirmative. MR. POTTER noted that there is a primary walking route at the south end of the site that could lead to the ASD gate as well.

COMMISSIONER PEASE asked if the issue of pedestrian connectivity should be addressed in S-11646. MS. O'BRIEN stated the site was fully developed and planned through the previous site plan and the pedestrian connections were identified as Mr. Potter outlined. Most of the pedestrian corridors travel north/south. The most direct route to the ASD site would require cutting through a busy parking area. The existing planned north/south route and the pedestrian connection to the theater are the safest. There was no proposal to provide pedestrian access from Porcupine Drive. COMMISSIONER PEASE asked whether a condition to require pedestrian access to Clark Middle School and community facilities should it be included in case S-11646 and case 2008-016. MS. O'BRIEN did not believe a condition was required on S-11646 because the pedestrian connections exist in the approved site plan in 2008-016.

COMMISSIONER ISHAM asked if the width of the access into the ASD site must be sufficient to accommodate emergency vehicles. MS. CHAMBERS felt this item should be resolved through discussions with the ASD and the petitioner's representative. CHAIR JONES noted that liability issues must also be considered.

MR. POTTER suggested including a requirement in 2008-016 to resolve with Staff the improvements required to accommodate connection to the ASD site. The east and west trails and walkways do not align perfectly for Special Olympics participants, but there is the option to use the elevator at the west side of the site to reach ground level and to the walkway that goes north.

COMMISSIONER JOSEPHSON understood the cinema is not retail and does not have retail parking requirements. The Department's analysis is that 64 additional spaces are required. MS. CHAMBERS explained that this is a cinema use in a shopping center development and the requirements for parking are complicated. The parking requirement for cinemas is low. The parking that is provided is not as far over the required parking as it appears.

COMMISSIONER JOSEPHSON asked why the parking in Phase 1 is now sufficient to provide for a theater with 2000 seats. MS. CHAMBERS replied that parking is also being provided on the cinema fragment lot. MR. POTTER stated a retail building was eliminated from the block of buildings on the east, reducing the retail square footage. He believed there would also be reduction in one of the out parcels. MS. CHAMBERS stated the packet case 2008-016 shows the parking requirements. By changing the fragment lot to a cinema use, there is a loss of approximately 7,000 SF of retail. The Department finds that the proposed parking is appropriate.

COMMISSIONER JOSEPHSON believed a TIA would be required for a standalone cinema use and he did not understand why one was not required with this proposal. MS. CHAMBERS stated that considering the loss of 7,000 SF of retail use and the addition of a cinema use, and the fact that the TIA looks at the worst-case scenario, it was felt that an amendment to the existing TIA is appropriate. The cinema hours are typically offset from general retail hours, so there is an offset in parking need. The Traffic Department does not feel there is need to address off-site improvements. MR. POTTER stated the TIA focuses on when peak hour trips are generated. In this development that is the p.m. peak hour. Traffic generated by the cinema at that peak hour is not high. There are also visitors to the mall for shopping or eating that go to the cinema. COMMISSIONER JOSEPHSON asked, if the parking analysis indicates that this part of Phase 2 has 252 more parking spaces than required, what condition of approval could be added to maximize the landscaping. MS. CHAMBERS responded that she had professional concerns that the parking might be low on this site. She suggested that the condition requiring access to the ASD property could also recommend resolving the need for landscaping in that area. MR. POTTER stated that the method for calculating the number of parking spaces in a shopping center with the proposed mix of uses yields a number that is 252 less than the proposed number. He recalled that the landscaping for Glenn Square was double the standard requirement for parking areas. He stated that the calculations have been reviewed with the Traffic Engineer and he is concerned with the lower number of parking spaces because he believes it is inadequate. If parking were calculated separately for each use and the cinema, 1,339 spaces would be needed. The petitioner is providing 1,150 and the calculation for this shopping center is 881. He felt extremely uncomfortable with elimination of any of the parking spaces.

COMMISSIONER JOSEPHSON asked if the petitioner owns the southwest corner that includes the wetlands. MR. POTTER indicated that land is in city ownership. It is covered in trees and there is a right-of-way easement for ADOT use in conjunction with future Glenn Highway improvements.

COMMISSIONER PEASE stated she was inclined to not think there is substantial parking overage. She asked if it would be appropriate to note that there is a dispute in the amount of required parking with the possibility of improving east/west pedestrian corridors that were not considered in the initial parking layout. MS. CHAMBERS suggested that page 162, item k to "resolve with Staff and ASD the need and design for a safe pedestrian connection to the middle school site and ball field along the north or east edge of the development" could be changed to say "resolve with Staff and ASD the need and design for a safe pedestrian connection to the middle school site and ball field, and resolve any potential additional landscaping with the Planning Department." COMMISSIONER PEASE stated she spoke with Non-Motorized Trails Coordinator Lori Schanche today and she believed she had provided comments. MS. O'BRIEN stated that Ms. Schanche did not comment on these packets because she was away when these cases were reviewed. She spoke with her earlier today regarding Commissioner Pease's concerns and she felt that Ms. Chambers has developed a way to address pedestrian connectivity to the school. MS. CHAMBERS noted that resolution with the Planning Department involves coordination with the Non-Motorized Trails Coordinator and the Traffic Department.

**2008-017**

COMMISSIONER PEASE asked for explanation whether there is any effect on the playfield by the CMU wall. Staff member MARY AUTOR asked if Commissioner Pease was asking for ASD comment. COMMISSIONER PEASE replied in the affirmative. MS. AUTOR understood that DOWL gave the ASD the proposal for a 12-foot wall CMU block wall, reddish in color, and she believed it was acceptable to the ASD. MARY CAREY with the ASD stated the ASD comments are contained in case S-11646. Her initial concern was how the height of 12 feet might create shading on the field. Some solar calculations were performed and the ASD is comfortable. There is concern with the students being able to scale the wall and with balls going into the site. There was also comment on the graffiti potential and ML&P said they would be responsible for response within 24 hours. The field sheet drains into this 12-foot wall and she has been told drainage has been resolved. COMMISSIONER PEASE asked if Staff would object to the graffiti policy being a condition. She also asked whether the site drainage has been resolved or should it be a condition. MS. AUTOR replied that the drainage is being resolved with the plats, so it would not be an appropriate condition in this case. She did not believe there has been a condition respecting graffiti in the past, but that can be resolved so long as there is an agreement between ASD and ML&P. MS. CAREY felt this was adequate to address the ASD's concern.

COMMISSIONER ISHAM asked if there are concerns about soccer balls being kicked over the 12-foot wall. MS. CAREY felt certain the utility would have brought that concern forward if it were an issue; the issue of balls going onto adjacent sites is normal. MIO JOHNSON with ML&P stated that most of the equipment will be enclosed and the 12-foot wall is higher than normally required at facilities of this type.

COMMISSIONER PEASE noted that the conditions do not refer to the decorative CMU block wall that the petitioner has proposed. She asked whether Staff feels flexibility is needed. MS. AUTOR explained that the graphic of the wall was not available when the conditions were written. Staff had no objection to attaching the tentative drawing, but was uncertain whether the petitioner wants to be tied to that. MS. CHAMBERS remarked that the ASD and ML&P are authorizing parties for these cases and their concurrence will be required. Therefore, the details on the fence will likely modify slightly. MR. POTTER added that the petitioner feels the drawing of the wall, with the clarifying statement that the CMU is to match the adjacent building, is a statement of intent.

COMMISSIONER PEASE stated the email from Ms. Chambers dated Friday, January 11, 2008, refers to north and east whereas the packet refers to north, west, and east. She asked why the wall is now only on two sides. MS. AUTOR stated the Department believes the west wall should match the north and east walls because the west wall is visible as vehicles approach the theater when driving into the parking lot from Porcupine Drive or driving north within the parking lot. The view should be as pleasing to the west as it is to the north and east. MS. JOHNSON stated the plans for the wall are still flexible; the CMU wall has been proposed to protect the ASD. She noted that this will be the most expensive wall erected around a substation with a cost of \$320,000 for two sides. There may be a Trex fence or wooden fence. On the other sides the wall will be 10 feet tall. There will also be landscaping outside of the wall. ML&P does not want a requirement that the west wall be the same as the other two walls. MS. CHAMBERS stated that, after speaking with the Director on Friday, he has agreed to flexibility and wants to be involved in the final decision.

MS. AUTOR added that condition 3 is requiring that the wall be placed on the lot line; there is an interior chain link fence set back from the south and west lot lines. The west wall does not need to be a security wall in the same sense as the chain link. The Department does not want to see a chain link wall with slats on the west side. MR. POTTER agreed that the fence on the south and west is set back from the property line. It is likely that the fences on the south and west sides will be the only walls provided; there will not be

two fences, one on the lot line and one interior. There is no intention that the fence on the west side will be chain link with slats. The west side will be a minimum of 150 feet from the north/south drive. The south side faces the loading dock area at the rear of the buildings. The petitioner would like the north and east to be CMU walls and for some flexibility on the south and west sides. He noted that on the west side there are two 16-foot gate sections; it can be problematic to use shorter 12-foot wall sections of CMU in conjunction with those gates.

The public hearing was closed.

COMMISSIONER ISHAM moved to convene a Committee of the Whole.  
COMMISSIONER WANG seconded.

AYE: Josephson, Jones, Isham, Pease, Wang

NAY: None

PASSED

COMMISSIONER ISHAM suggested putting an SL on Lot 2A-1 requiring a minimum of 12 residences. MS. CHAMBERS suggested the following language for an SL: "Any development on proposed Lot 2A-1, Block 8, First Addition, Alaska Industrial Subdivision per proposed plat S-11646-1 shall contain a minimum residential density of at least 12 DUA." This language was used for Fragment Lot 14. She advised that a minimum density of 12 DUA would be for the entire parcel. COMMISSIONER ISHAM indicated his intent would be for 12 DU, not 12 DUA. MS. CHAMBERS agreed with this intent. COMMISSIONER PEASE asked if the proposal is for a minimum of 12 residential dwelling units on Lot 2A-1. COMMISSIONER JOSEPHSON was concerned that this would result in one-quarter acre lots. CHAIR JONES noted that the development might not involve individual lots. COMMISSIONER JOSEPHSON asked why there should be this limitation, noting that if a condominium were developed, more units could be built. CHAIR JONES noted that this requirement is for a *minimum* of 12 DU.

COMMISSIONER ISHAM noted that the rezone areas should be delineated as B-3 and B-3SL. MS. CHAMBERS stated the entire site could be B-3SL. MS. O'BRIEN suggested that because the residential component will be on the property currently zoned I-1, that property could be rezoned B-3SL and the remainder would be rezoned from B-3SL to B-3. MS. CHAMBERS agreed with Ms. O'Brien that the motion would be to rezone Lot 2A-1 from I-1 to B-3SL and state the SL and rezone the remainder of the petition area to B-3.

COMMISSIONER ISHAM moved to adjourn the Committee of the Whole.  
COMMISSIONER PEASE seconded.

AYE: Josephson, Jones, Isham, Pease, Wang

NAY: None

PASSED

**Case 2008-015**

COMMISSIONER ISHAM moved to approve a rezoning from I-1 to B-3SL for proposed Lot 2A-1, Block 8, First Addition, Alaska Industrial Subdivision per plat S-11646-1 with a special limitation requiring development that contains a minimum of 12 residential dwelling units; and rezone the remainder of the site to B-3. COMMISSIONER PEASE seconded.

COMMISSIONER ISHAM commented that the addition of I-1 property into this rezoning changed the complexion of the case. Including a requirement for a minimum of 12 dwelling units on the formerly I-1 site retains the Commission's intent when this development was initially heard to include residential development in this area.

COMMISSIONER JOSEPHSON supported the motion, finding that it did not appear desirable to locate residential development in the previously approved location. He felt the likelihood was stronger that residential development would succeed along Mountain View Drive.

COMMISSIONER PEASE also supported the motion, finding that the Municipality was originally a landowner in parts of this site and, as such, she felt it was appropriate to retain a residential component in this area. The City is trying through the Rewrite of Title 21 to encourage mixed residential and commercial or business development to provide a more compact land use pattern that reduces transportation needs. It is important to continue to encourage mixed residential and commercial use on Lot 2A-1.

COMMISSIONER WANG supported the motion, finding that the area designated for residential use is better situated than the previous area, but he was uncertain that it was well situated. The prior SL included the intent for residential development in this area. Also, the new B-3SL property abuts R-3 and the school, but he worried about the view across the street.

CHAIR JONES felt that B-3 is a better zone than I-1 for Lot 2A-1, particularly given that Mountain View Drive is becoming more community-

friendly. She was not concerned with the uses across the street, noting that the area is in a state of change.

AYE: Josephson, Jones, Isham, Pease, Wang

NAY: None

PASSED

**Case S-11646**

COMMISSIONER ISHAM moved for approval of the following vacation requests subject to the non-objection of all affected utilities: 1) A 10' x 613'± CEA Easement along the southeasterly boundary of Lot 2A, Block 8, Alaska Industrial Subdivision dedicated with Plat 65-3; 2) a 30' storm sewer easement extending south from the location of the new storm drain facilities to the south property boundary. (The dimension of the northern segment of the existing 30-foot easement to be retained is not available as of this writing); 3) a T&E easement along a portion of the western boundary of existing Tract A-1, Orah Dee Clark Jr. High School Sub that is common to Lot 2A, Block 8, Alaska Industrial Sub and Tract 1, Mountain View Development Sub dedicated with Plat 2006-62; and 4) an ML&P Exclusive Electric Easement adjoining Lot 2A, Block 8, Alaska Industrial Subdivision dedicated with Plat 2006-62. COMMISSIONER PEASE seconded.

COMMISSIONER ISHAM noted that these vacations are necessary for further development of the site. Their continued existence would impede development.

AYE: Josephson, Jones, Isham, Pease, Wang

NAY: None

PASSED

COMMISSIONER ISHAM moved for approval of the plat for 18 months subject to Staff conditions 1 through 6. COMMISSIONER WANG seconded.

COMMISSIONER PEASE noted that the pedestrian access from this site to Clark Middle School and the ball fields does not need to be addressed in this case, but rather in case 2008-016.

AYE: Josephson, Jones, Isham, Pease, Wang  
NAY: None

PASSED

**Case S-11647**

COMMISSIONER ISHAM moved for approval of the commercial fragment lot site plan for 18 months, subject to Staff conditions 1 through 4.  
COMMISSIONER PEASE seconded.

COMMISSIONER ISHAM noted that this action allows minor changes to the interior of the site in order to accommodate development.

AYE: Josephson, Jones, Isham, Pease, Wang  
NAY: None

PASSED

**Case 2008-016**

COMMISSIONER PEASE moved for approval of the amendment to the site plan for the referenced site, subject to Staff conditions 1 through 4, adding condition 5 "Resolve with Staff the potential for more direct pedestrian access from Porcupine Drive to the cinema along the northwest retaining wall," adding condition 6 "Resolve with Staff the connectivity from the north side of the Glenn Square to the residential land to the north (both the B-3SL and the R-3)," and adding condition 7 "Resolve with Staff and the ASD the means for pedestrian connectivity with a gate from Glenn Square Center to the playfields, Clark Middle School, and the community library area, and resolve safe east/west access across the Glenn Square Center parking area to pedestrian paths along Porcupine Drive making use of any parking overages and landscaping to ensure safe passage." COMMISSIONER ISHAM seconded.

COMMISSIONER JOSEPHSON stated he was hoping that landscaping would be enhanced, regardless of connectivity, and a condition to include language to "resolve the ability to use the 252 parking spaces that may be needed for additional landscaping." MS. CHAMBERS stated that so long as this is to be resolved, Staff could address this request. COMMISSIONER PEASE suggested adding a condition 8, "Resolve with Staff the potential use of the 252 excess parking spaces for additional landscaping." *This was accepted as a friendly amendment.*



COMMISSIONER PEASE supported her motion, stating that is important for a large retail center to have good anchor businesses, which a theater provides. A theater helps to ensure commercial activity that will benefit other businesses in the center. The petitioner has done a good job responding to community concerns and has designed the development so it does not loom over adjacent parcels. The conditions of approval help to integrate this development into the neighborhood. Were it to be fenced, there would be access only from the Mountain View side, which would not result in integrated neighborhood connectivity. There is still some debate over the number of parking spaces that are needed, but Staff is being asked to look at the matter carefully and determine whether there is an opportunity to use any excess spaces for landscaping and enhanced pedestrian connectivity.

COMMISSIONER WANG thought the phrasing of condition 8 that refers to the parking spaces as excess is descriptive, although there was discussion that there may be no excess parking spaces. He supported the motion with the understanding that Staff is charged with determining how many, if any, spaces are excess.

CHAIR JONES stated that based on her experience at Dimond Center, that parking lot can experience gridlock, especially during evening hours. Consequently, she does not visit that center at certain times of the day. She hoped that Staff would, in its analysis of this case, consider the impacts on air quality from vehicles trying to find parking, traffic stacking, and other congestion related concerns.

COMMISSIONER PEASE noted that in suggesting condition 7 she specifically stated "to resolve the means for pedestrian connectivity with a gate to the Clark Middle School area." The ASD has said they do favor the connection and they provided comments in case S-11646 that Clark Middle School will function as a community school.

AYE: Josephson, Jones, Isham, Pease, Wang

NAY: None

PASSED

#### Case 2008-017

COMMISSIONER PEASE moved for approval of a conditional use for ML&P electric utility substation #14, subject to Staff conditions 1 through 4, amending condition 3 to insert "with decorative patterns to match the buildings of Glenn Square" after "block", and "west", and add a sentence "The Director shall approve the fence design and landscaping on the west and

south sides with chain link and slats excluded as an option.”  
COMMISSIONER ISHAM seconded.

COMMISSIONER PEASE stated the community and utility appear to have agreed upon a better location for the utility substation than the current location. This type of use is not aesthetically appealing, but the 12-foot fence on the north and east side will provide visual screening from the school and playfield. The utility and the ASD have discussed and have an agreement regarding graffiti. The utility has been given some flexibility to develop an aesthetic but less expensive screening option on the west and south sides.

AYE: Josephson, Jones, Isham, Pease, Wang  
NAY: None

PASSED

**E. UNFINISHED BUSINESS AND ACTIONS ON PUBLIC  
HEARINGS**

1.      **2007-152**                      Planning Department Municipality of  
   Anchorage. Chapters 4, 5, and 6 of the Title  
   21 Rewrite

CHAIR JONES noted that there is not a quorum to conduct business on this item this evening. TOM NELSON suggested that this case could be postponed to a special meeting during the last week of January. He suggested that date and location be discussed at the Director's meeting this Thursday. Both the Reconsideration of the F Street Connectivity project and Chapters 5 and 6 of Title 21 could be considered at that time. CHAIR JONES noted that Reconsideration of the F Street Connectivity project was postponed to February 4, 2008. She preferred that the special meeting be for Title 21 only.

COMMISSIONER ISHAM moved to postpone case 2007-152 to a special meeting on a date sufficient to allow for public notice and that only Chapters 5 and 6 be scheduled on that agenda. COMMISSIONER PEASE seconded.

AYE: Josephson, Jones, Isham, Pease, Wang  
NAY: None

PASSED

**G.1.**

**PLANNING DEPARTMENT  
PLANNING STAFF ANALYSIS  
REZONING**

**DATE:** January 14, 2008

**CASE NO.:** 2008-015

**APPLICANT:** Anchorage Community Development Authority /  
Sue Lukens

**REPRESENTATIVE:** DOWL Engineers

**REQUEST:** Rezoning from PLI and B-3 SL (General Business  
with Special Limitations) to B-3 (General  
Business) District

**LOCATION:** Mountain View Development Subdivision, Tract 1,  
and Alaska Industrial Subdivision, Block 8, Lot  
2A, and a portion of Orah Dee Clark Junior High  
Subdivision, Tract A-1; generally located at the  
northeast corner of the Glenn Highway and  
Mountain View Drive.

**SITE ADDRESS:** N/A

**COMMUNITY COUNCIL:** Mountain View

**TAX NUMBER:** 004-072-22; 004-082-14 through -20; 004-051-  
16 through -21; 004-051-09; 004-051-14;

**ATTACHMENTS:**

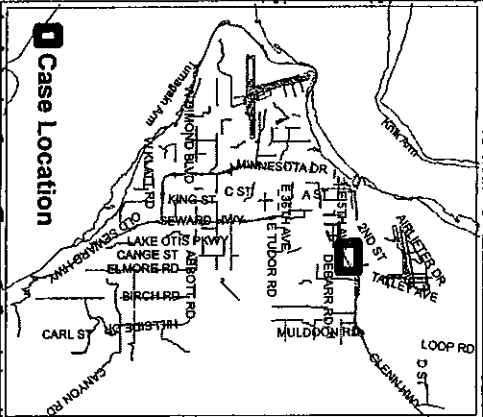
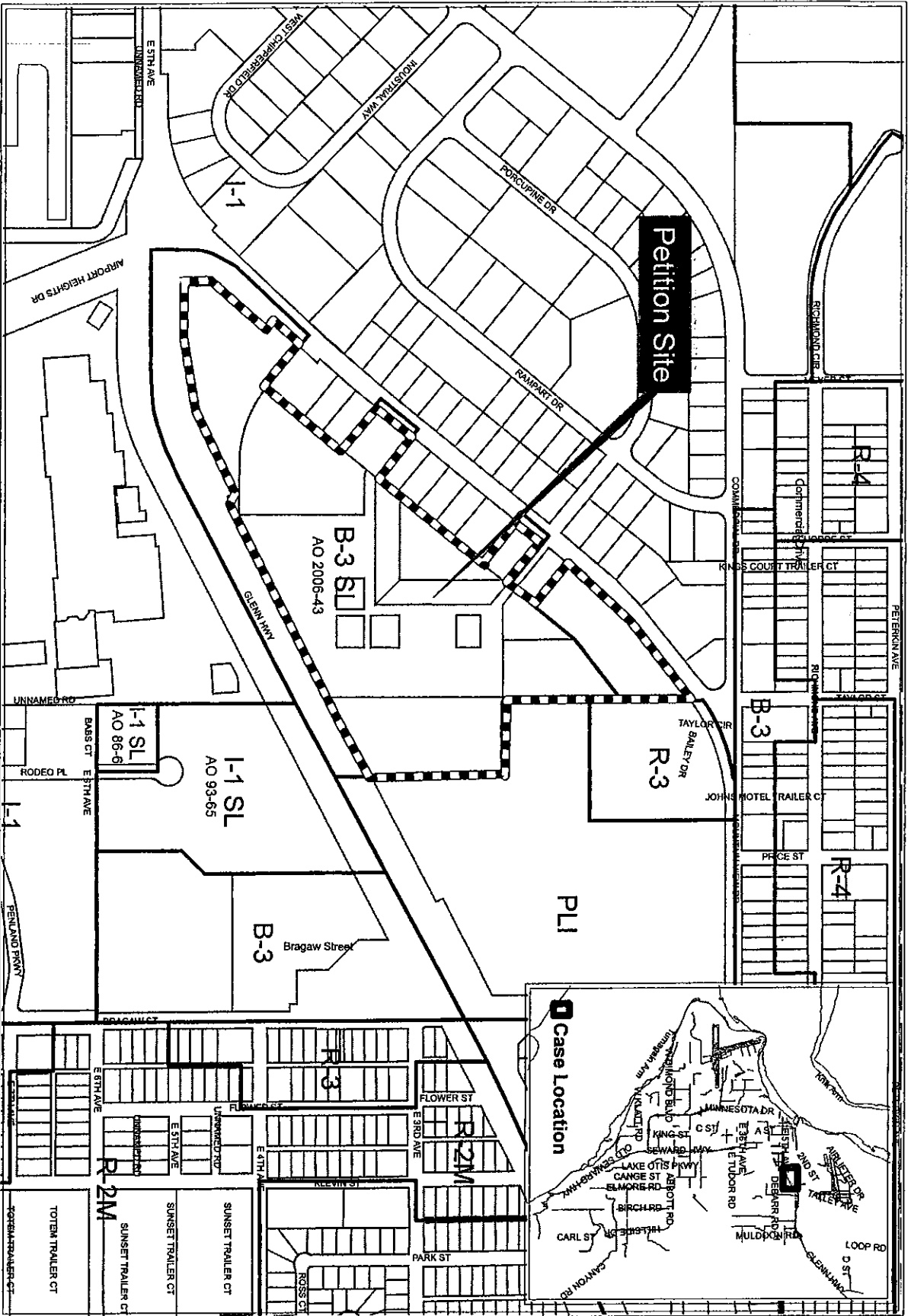
1. Zoning & Location Maps
2. Departmental Comments
3. Public Comments
4. Application
5. Posting Affidavit

**RECOMMENDATION SUMMARY: Approval**

**SITE:**

Acres: 37.4 Acres (Approximately)  
Vegetation: Commercial development under construction  
Zoning: B-3 SL, PLI  
Topography: Varied Slopes

# 2008-015



Municipality of Anchorage  
Planning Department  
Date: December 10, 2007

**Flood Limits**  

 100 Year  
 500 Year  
 Floodway



Existing Use: Commercial development under construction  
Soils: Public Water & Sewer Available

**COMPREHENSIVE PLAN:**

1982 Plan Commercial  
Classification:  
Density N/A  
  
Anchorage 2020 Town Center Periphery

**HISTORY:**

03-08-1954		General area annexed into City of Anchorage as part of Annexation Area #4
01-19-1960		Zoned Unrestricted
04-20-1965		Zoned I-2; OR 11-65
03-05-1996		Zoned I-2 SL per AO 96-017(aa); Case 1995-158
12-12-2005	SPR	PZC approved Site Plan Review for Construction of a Large Retail Establishment; Case 2005-150; Resolution 2005-080
03-28-2006	B-3 SL	Zoned B-3 SL per AO 2006-43 (PZC Case 2005-149, Resolution 2005-077)
05-22-2006	Plat	Plat #2006-62 of Mountain View Development Subdivision, Tract 1, and Orah Dee Clark Junior High School Subdivision Tract A-1; Platting Case S-11432-1
05-26-2006	Com'l Tract Frag. Plat	Commercial Tract Fragment Lot Site Plan for Mountain View Development Subdivision, Tract 1 (per Plat 2006-62), Fragment Lots 1 through 14; PZC Case S-11433
01-14-2008	S11647	Proposed Commercial Tract Fragment Lot Plat for Mountain View Development Subdivision, Tract 1A, Fragment Lots 1-9; 11A, 11B, 12, 13A, 14A containing 33.84 acres 13 fragment lots.

01-14-2008	S11646	Preliminary plat with utility easement and drainage vacations for Mountain View Development Subdivision, Tract 1A.
01-14-2008	2008-015	Rezone from I-1 and B-3 SL to B-3 for Lot 2A, Block 8, Alaska Industrial Substation and Fragment Lot 14A, Tract 1A, Mountain View Development Subdivision

**SURROUNDING AREA:**

	NORTH	EAST	SOUTH	WEST
Zoning:	I-1	PLI	I-1/I-1 SL	I-1
Land Use:	Commercial/ mobile home park	Clark Junior High	Glenn Hwy./ Northway Mall/	Commercial /Merrill Field

**BACKGROUND**

This is a request by the petitioner to rezone the subject property from B-3 SL and I-1 to B-3. There are no proposed special limitations. The proposal is to rezone to B-3 a 3.4 acre I-1 parcel located between the northwest side of the Glen Square project and Mountain View Drive. The proposal will also remove the special limitation (SL) requiring residential development on a 0.79 acre fragment lot on the larger 34 +/- acre B-3 SL site.

In 2005 and 2006 the Planning and Zoning Commission approved a number of entitlements relating to the development of Glenn Square Center, a large retail and commercial center located between Mountain View and the Glenn Highway: plat, vacations, commercial tract plat site plan and rezoning. The rezoning to B-3 SL was approved by the Assembly on March 8, 2006 via AO 2006-43. The special limitation states that "Any development on proposed Fragment Lot 14 shall contain a minimum residential density of at least 12 dwelling units per acre."

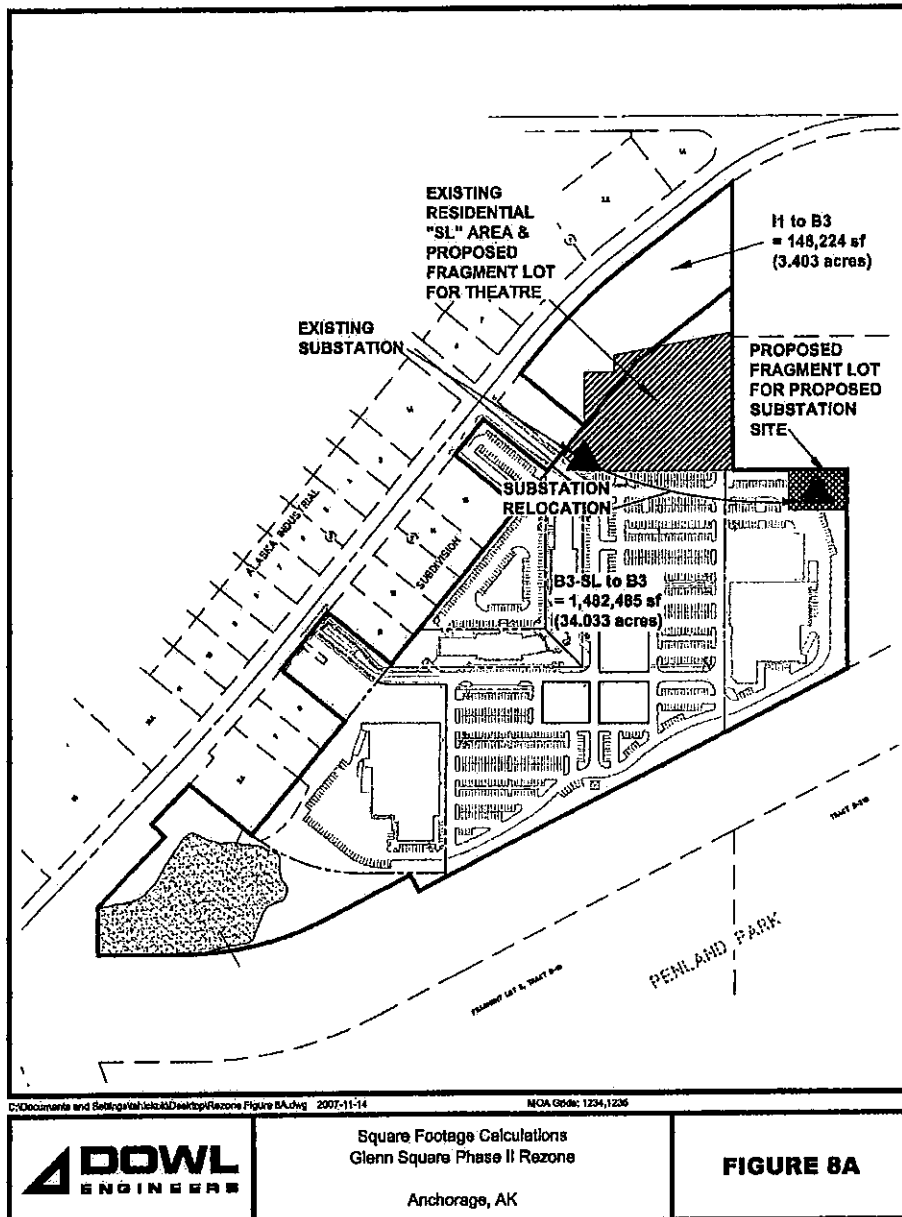
The purpose of this rezoning is to eliminate the special limitation from the B-3 property, and to rezone the neighboring Anchorage Community Development Authority (ACDA) property from I-1 (Light Industrial) to B-3. The 2006 rezoning to B-3 SL was intended to accommodate a new mixed-use development, with a mix of commercial and future residential uses that currently would not be allowed with the restrictive existing zoning. The project involved land trades and sales between private property owners, the Municipality of Anchorage, the Anchorage School District, and the private company of P.O'B Montgomery. Currently, the development of a community

mixed-use project including large and small retail, as well as professional services and businesses, is under way.

As this project has moved forward, minor changes have become necessary in order to accommodate this mixed-use development. These changes require submittal of five applications before the Commission for concurrent processing, and are as follows:

- The area to be developed with residential, per the special limitations, calls for a density minimum of 12 DUA, which would result in only approximately 8 dwelling units on the fragment lot. Thus, the petitioner requests removal of the special limitation from the petition site so that it may pursue a residential component in the near future on a larger parcel which would accommodate a stronger residential component. **This is the subject of this rezoning request.**
- The petitioner has applied for a replat of the properties involved for the purposes of adding land obtained from ASD and the Anchorage Community Development Authority (ACDA). Also, a portion of Fragment Lot 14, which is the parcel affected by the special limitations, will be incorporated into the ACDA's property on the northwest end of the site adjacent to Mountain View Drive. **This is the subject of the plat and commercial fragment lot site plan applications also before the Commission under cases S-11646 and S-11647, respectively.**
- With the rearrangement of these parcel boundaries, the petitioner will be able to assist Municipal Light and Power (ML&P) in moving their existing utility substation from the northwest side of the site over to the eastern side in a location more suitable for the substation, and with fewer conflicts with the area development. **This is the subject of the conditional use for the utility substation conditional use also before the Commission under case 2008-017.**
- These adjustments will enable the northwest corner of the site to be used for development consistent with the mixed use development which is underway. **This is the subject of the large retail development site plan review amendment also before the Commission under case 2008-016.**

These four additional cases are proposed to be heard at the time of the hearing for the rezoning request. See attached following figure depicting these changes.



### COMMUNITY COMMENTS:

At the time this report was written, there was no returned public hearing notices (PHN) received. No response was received from the Mountain View Community Council.



**FINDINGS:**

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

A. Conformance to the Comprehensive Plan.

Infill/Redevelopment:

This was a primarily vacant site that is adjacent to a surrounding light industrial/commercial area adjacent to Mountain View Drive. *Anchorage 2020, Anchorage Bowl Comprehensive Plan* promotes infill or redevelopment of unused and partially developed parcels and obsolete buildings to help reshape and modernize older areas so they can better meet future needs for housing and other uses and activities. The Mountain View area and this site qualify as meeting this concern of Anchorage 2020. This site has long been vacant, having a history of snow dumping and other uses that were not appropriate for the site, given its proximity to commercial, residential and a school. Mountain View is one of the more distressed neighborhoods in Anchorage due to its transient population, high unemployment rates and people living below the poverty level. There are also real and perceived high crime rates in Mountain View as compared to other areas of the Municipality.

Recent strong efforts have been launched in order to revitalize the Mountain View area. The community has developed a vision for the main business corridor, which will assist in attracting other users outside of the Mountain View area in order to support the area economically. Along with this has been an effort to improve design standards, including landscaping, street and pedestrian improvements. Another effort is the Mountain View Arts and Cultural District. This development is currently under way, utility work is complete, and curb and gutter has been poured.

This proposed rezoning and use assists in implementing this vision of revitalization of the area through designating the area with an appropriate zoning district to support the proposed mix of large and small retail, office and professional services. While the special limitation for future residential development is proposed to be removed, residential development will not be prohibited, and is in the future planning phases for the area. Adding the currently industrially zoned property into the site will assist with this revitalization effort.

Rezoning of industrial lands:

Anchorage 2020 contains Industrial Reserve designations on the Land Use Policy Map. The intent is to identify and preserve strategically located industrial areas for industrial uses. This site is adjacent to an industrial reserve, but was not included in that area. Part of the rationale for not including it involves its location. Although industrial zoned lands are at a premium, especially heavy industrial, this location is not appropriate for the uses that occur in the heavier industrial areas. The roads are not constructed to standards to support heavy industrial traffic. Also, the site is adjacent to the existing Glen Square commercial project which is under development, as well as residential uses and a school site. The industrial reserve area for the Mountain View and Ship Creek area begins to the northwest, across Mountain View Drive, where these use conflicts are lesser. A mixed use commercial development capability is more appropriate given the site location and related infrastructure.

This proposed rezoning will greatly assist in this redevelopment effort by allowing a rearrangement of property lines and movement of the substation to provide for a more efficient development. Related *Anchorage 2020* Policies are as follows:

Policy #21 states: "All new commercial development shall be located and designed to contribute to improving Anchorage's overall land use efficiency and compatibility, traffic flow, transit use, pedestrian access, and appearance. To eliminate the problems associated with strip commercial development, new commercial development shall adhere to the following principles:

- a. New commercial development shall occur primarily within Major Employment Centers, Redevelopment/Mixed-Use Areas, Town Centers, and Neighborhood Commercial Centers

\*\*\*

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\*\*\*

See discussion below under Policy #24. Allowing this development through this rezoning to a more appropriate district will assist in breaking up the existing strip commercial/industrial along Mountain View Drive, and will be designed to assist in resolving the compatibility, traffic flow, pedestrian access, and appearance of the area.

Policy #24 provides for strategies for direction for the design and construction of public improvements and incentives for private

investment. It provides for the future development of design standards, parking standards, residential densities and mixed use. It also calls for infill, redevelopment and reinvestment incentives. The Municipality and the petitioner are working towards these goals with development of this site. The site design specifics will be reviewed under and be subject to the large retail establishment standards for this project. Although smaller retail structures or commercial uses could be developed on the site without being subject to said standards that are looked for in this Policy, the involvement of the Municipality and the desire for positive design by the petitioner will ensure these standards are upheld.

Policy #26 states: "Key industrial lands, such as the Industrial Reserves designated on the Land Use Policy Map, shall be preserved for industrial purposes." The petition site, although primarily zoned industrial, is not located in an area designated as an Industrial Reserve. Its location is not ideal for industrial uses, due to proximity to residential and a school. Also, the roads and access are better suited for commercial or residential development. This proposed rezone is consistent with this Policy.

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

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

**Environment**

**Noise:** All uses are subject to AMC 15.70 Noise Ordinance.

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

**Seismic:** The site is primarily located in a moderately low ground failure susceptible zone, with the southern most tip located in a moderate ground failure susceptible zone.

**Soils:** Soils contamination issues on the site have been remediated through measures approved with the Department of Environmental Conservation.

**Wetlands:** Map 11 of the MOA Wetlands Atlas indicates that Type C wetlands are located in the southwest corner of the petition site at the intersection of Mountain View Drive and the Glenn Highway. The management strategy contained in the 1996 Anchorage Wetlands Management Plan pertaining to this site states:

*A hydrologic analysis shall be done and shall meet the acceptable standards of the Municipal Department of (Project Management and Engineering) and Alaska Department of Transportation/Public Facilities to assure that the Glenn Highway and sites to the east shall not be more than minimally adversely impacted.*

*The rating system of wetlands within the Plan indicates that this wetland performs a critical hydrological function for the drainage system serving the Mountain View Community.*

#### **Land Use Patterns**

This property borders land classified as light industrial, zoned I-1, to the north/northwest, west and south, developed with a mix of light industrial, commercial and office uses to the north/northwest and west, and a mall across the highway to the south. To the east is a PLI zoned school area. To the northeast is R-3 zoned property which is developed with a mobile home park. Land to the south is classified as commercial and zoned B-3. This rezone is compatible with the surrounding uses as it provides for a zoning district in which this long vacant area can be developed with uses which would promote revitalization of this end of the Mountain View community.

#### **Transportation/Drainage**

Although the issue of drainage and traffic impacts can be serious issues, they are development project and platting issues, specific to said plat and development configurations. These are not necessarily rezoning issues, as with a rezoning it is not necessarily known what the development will be. Instead, a rezoning is a review of whether or not all of the uses allowed in the district are appropriate for that area, if there is a need for that particular zoning district in that area, and if said rezoning will be of a benefit to the Municipality in general.

However, the proposed changes to the site in this case are known, and have been determined to be more of a modification to the internal site to allow for a more efficient use of the property. The traffic impact analysis (TIA) which was done for the site for the existing development currently under construction took into account the potential for the proposed new commercial development which is planned under the related cases to be heard, as well as the potential for the move of the utility substation.

### **Public Services and Facilities**

Roads: See above.

Utilities: Public sewer, water, gas, and electrical utilities are available to the surrounding property.

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

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

There is no other vacant B-3 property in the immediate vicinity available for the purpose of mixed-use development. One of the closest B-3 zoned land is to the south in the Northway Mall development, and is developed. The other is the strip B-3 zoning to the north along Commercial Boulevard and continuing along Mountain View Drive further to the northeast. These lots are small, and primarily developed. They are narrow and shallow lots under mostly individual ownership. Even if they could be assembled into a larger parcel, they would not be deep enough for larger commercial developments. Encroachment of B-3 zoning further north would cause the loss of residentially zoned properties. The petition site is more appropriate for a rezoning to B-3, as it will be able to be incorporated into an area where mixed-use development is underway and is more appropriate due to access, location and size, and would provide for a better use of land that has long been vacant due to inappropriate zoning, among other reasons.

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.

Construction will begin soon after approval of the rezoning by the Assembly.

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

This proposed rezoning and uses assists in implementing this vision of revitalization of the area through designating the area with an appropriate zoning district to support the proposed mix of large and small retail, office and professional services. While this proposal does eliminate the SL requiring residential development on a specific fragment lot, the proposal does not prohibit residential development. Residential development is still planned for this area of Mountain View, but the portion of the petition site on which residential development was focused (less than one acre site) was too small to develop residential which could be successfully incorporated into the larger commercial development in a true-mixed use aspect.

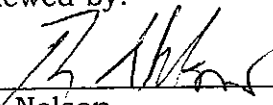
#### **DISCUSSION:**

The proposed zoning is consistent with the Comprehensive Plan. The rezoning proposal meets the requirements of AMC 21.20.090 and 21.05.080.

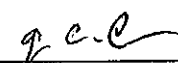
#### **RECOMMENDATION:**

The Department finds that the requested rezoning from I-1 and B-3 SL to B-3 meets the standards of the Comprehensive Plan and AMC 21.20.090 rezoning standards and recommends APPROVAL of the rezoning.

Reviewed by:

  
\_\_\_\_\_  
Tom Nelson  
Director

Prepared by:

  
\_\_\_\_\_  
Angela C. Chambers, AICP  
Senior Planner

(Case 2008-015)

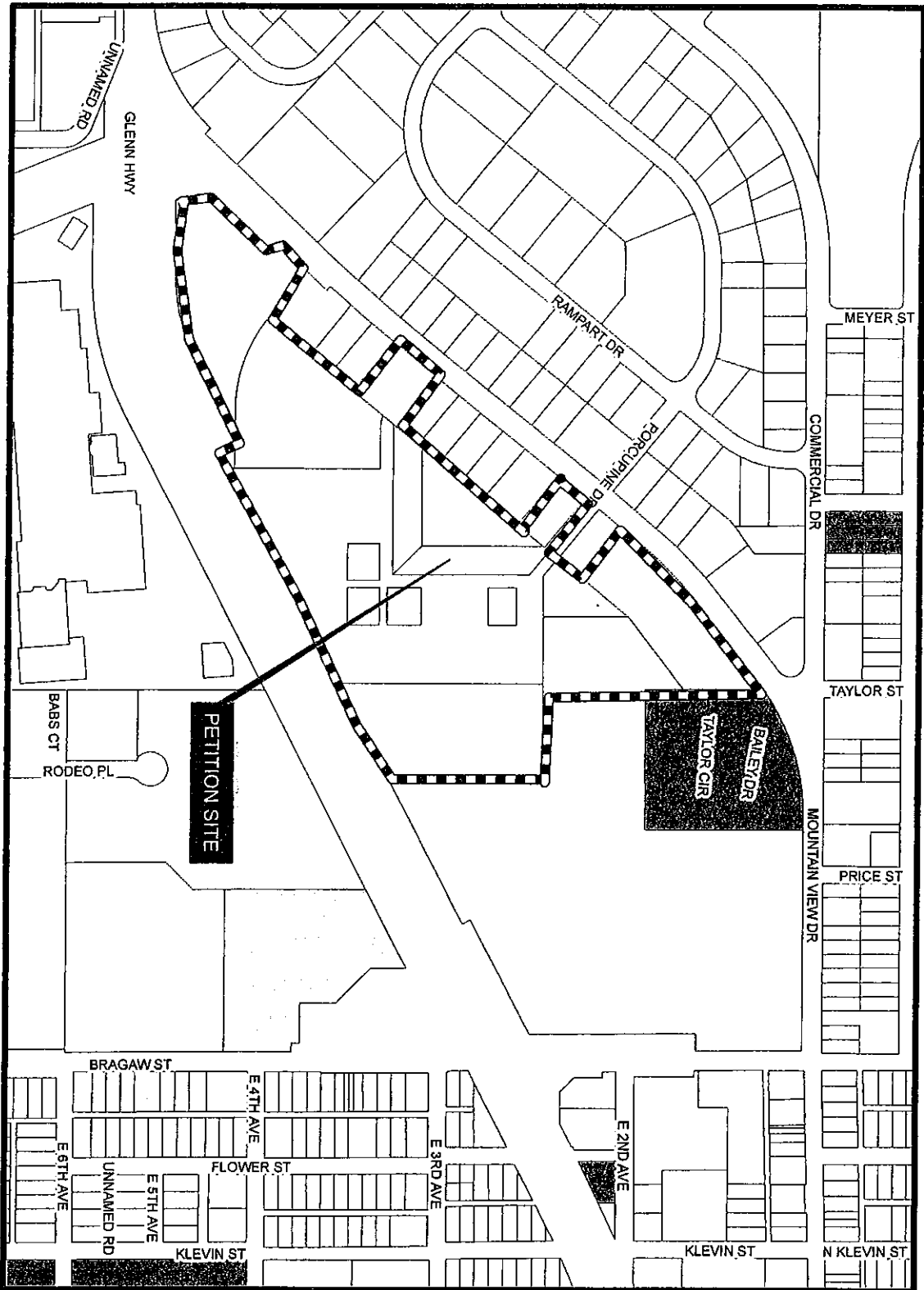
(Tax ID No. 004-072-22; 004-082-14 through -20; 004-051-16 through -21; 004-051-09; 004-051-14)

# 2

**HISTORICAL MAPS  
AND  
AS-BUILTS**

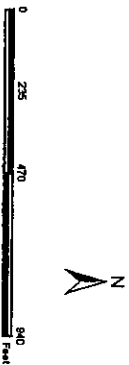


# 2008-015

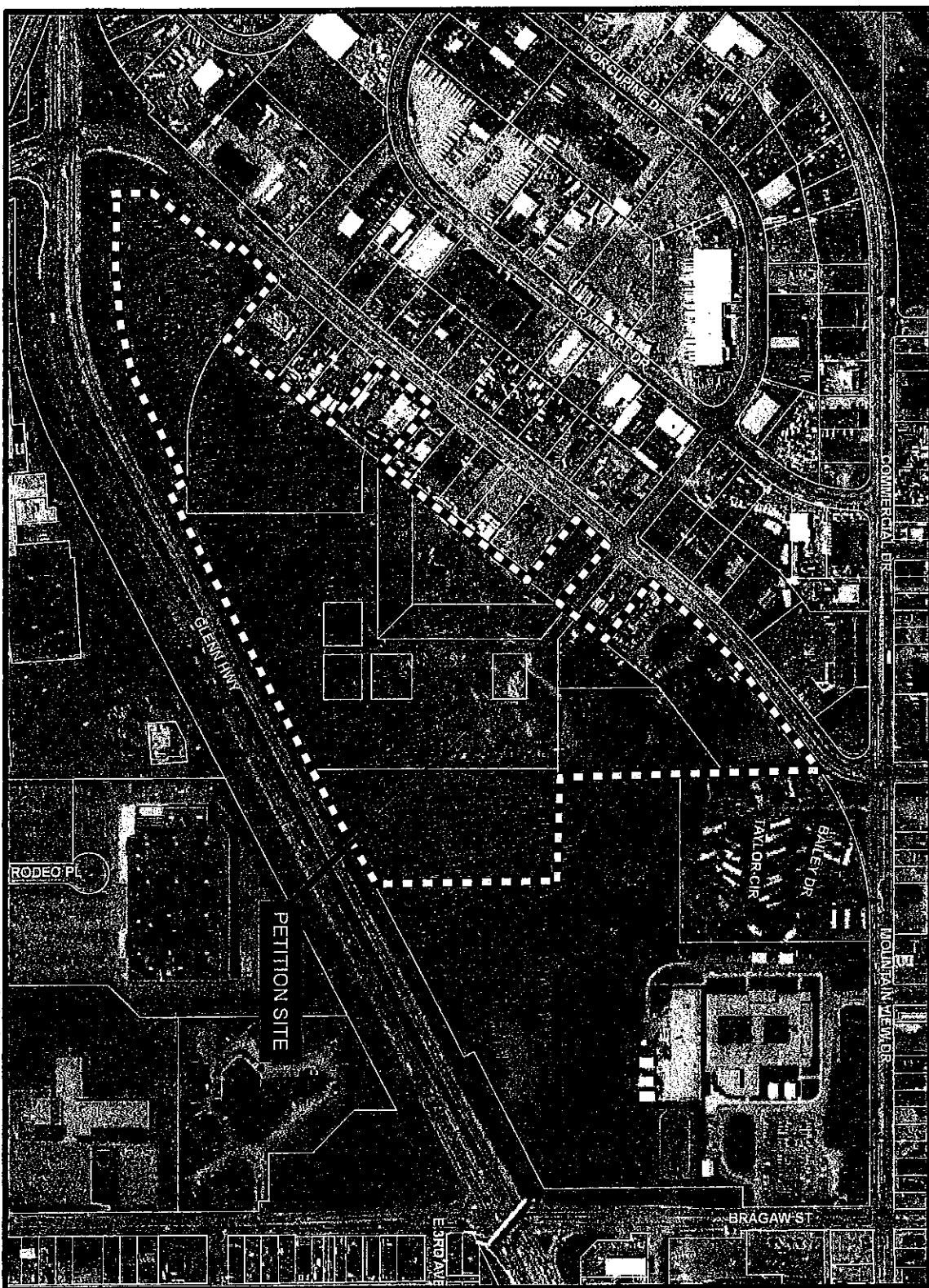


Municipality of Anchorage  
Planning Department  
Date: December 10, 2007

- Single Family
- Multi-Family
- Mobile Home Park



2008-015



Municipality of Anchorage  
Planning Department  
Date: December 10, 2007

# 3

**DEPARTMENTAL**

**COMMENTS**



## MUNICIPALITY OF ANCHORAGE

Department of Health and Human Services



**Date:** December 18, 2007  
**To:** Department of Planning, Zoning and Platting Division  
**From:** Nathan D. Johnson, Division Manager, DHHS  
**Subject:** Comments Regarding CUP #2008-015  
Rezoning to B-3 general business district

**RECEIVED**  
DEC 19 2007  
Municipality of Anchorage  
Zoning Division

### Noise

This CUP describes rezoning the area behind the future site of the cinema. Recommend assessment of potential noise impact of the large retail development on existing and future residential areas. Please verify that all noise reduction measures meet the standards as shown below, and maintain compliance as surrounding area develops.

*No person shall operate or cause to be operated any source of sound in such a manner as to create a sound level measured at any location on a boundary between two receiving land use categories that exceeds the arithmetic mean of the respective sound level limits set forth for such receiving land use categories in table 1.*

Table 1. Sound Levels by Receiving Land Use states (Receiving Land Use Category / Time / Sound Level Limit (dB(A))) AMC 15.70.080.B:

#### Residential area

7:00 a.m. – 10:00 p.m.	60 dB(A)
10:00 p.m. – 7:00 a.m.	50 dB(A)

#### Commercial area

7:00 a.m. – 10:00 p.m.	70 dB(A)
10:00 p.m. – 7:00 a.m.	60 dB(A)

#### Industrial area

At all times	80 dB(A)
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Municipality Of Anchorage  
ANCHORAGE WATER & WASTEWATER UTILITY

RECEIVED

DEC 18 2007

MEMORANDUM

Municipality of Anchorage  
Zoning Division

DATE: December 14, 2007

TO: Jerry Weaver, Zoning Division Administrator, Planning Department

FROM: Paul Hatcher, Engineering Technician III, AWWU *PH*

SUBJECT: Zoning Case Comments  
Planning & Zoning Commission Hearing January 14, 2008  
Agency Comments due December 17, 2007

AWWU has reviewed the materials and has the following comments.

**08-015 MOUNTAIN VIEW DEVELOPMENT TR 1A, Rezoning to B-3 General business district, Grid SW1235**

1. AWWU water mainline located in Mountain View Drive currently serves tract.
2. AWWU sanitary sewer line located in Mountain View Drive currently serves tract.
3. AWWU has no objection to the rezoning.

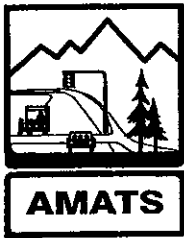
**08-016 MOUNTAIN VIEW DEVELOPMENT TR 1A, Amending a site plan for a large retail development, Grid SW1235**

1. AWWU water mainline located in Mountain View Drive currently serves tract.
2. AWWU sanitary sewer line located in Mountain View Drive currently serves tract.
3. AWWU has no objection to amending site plan.

**08-017 MOUNTAIN VIEW DEVELOPMENT TR 1A, Zoning conditional use for a utility substation, Grid SW1235**

1. AWWU water mainline located in Mountain View Drive currently serves tract.
2. AWWU sanitary sewer line located in Mountain View Drive currently serves tract.
3. AWWU has no objection to the zoning conditional use.

If you have any questions pertinent to public water and sanitary sewer, you may call me at 564-2721 or the AWWU planning section at 564-2739, or e-mail [paul.hatcher@awwu.biz](mailto:paul.hatcher@awwu.biz).



Anchorage  
Metropolitan  
Area  
Transportation  
Solutions

MUNICIPALITY OF ANCHORAGE  
Traffic Department  
Non-Motorized Transportation Coordinator  
Permit & Development Center, 4700 South Bragaw Street  
P.O. Box 196650, Anchorage, AK 99519-6650  
voice (907) 343-8368, facsimile (907) 343-8088  
e-mail: schanchele@muni.org

RECEIVED

DATE: December 13, 2007

DEC 13 2007

TO: Planning & Zoning Commission

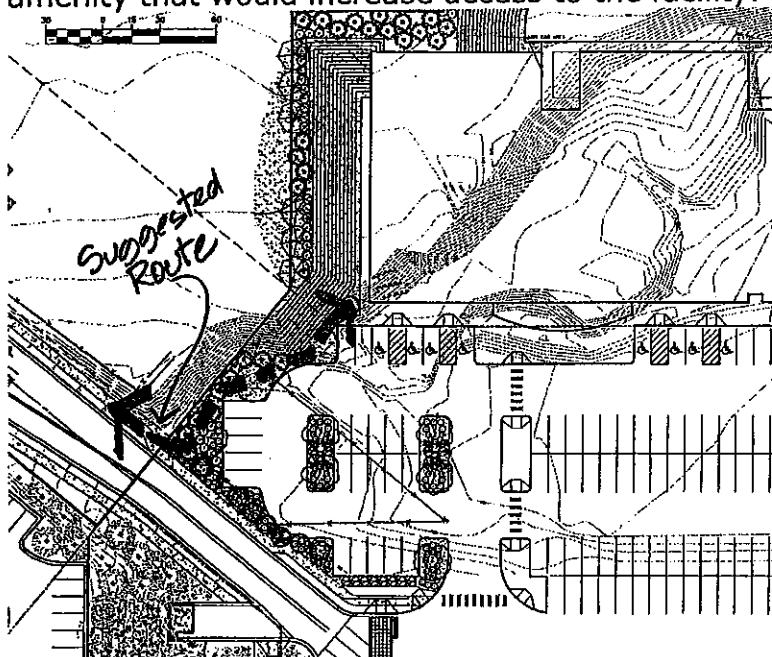
Municipality of Anchorage  
Zoning Division

FROM: Lori Schanche, Non-Motorized Transportation Coordinator

SUBJECT: PZC 2008-015  
Glenn Square Phase II

This comment concerns the revised Site Plan review for the project. Sheet L1.0 and the narrative both describe the pedestrian routing in the project.

We request an additional pedestrian facility be added to allow pedestrians to reach the front door of the theater from Mountain View Drive entry walkway without having to cross traffic lanes and the parking lot. This would be a safer, more pleasant route that would be much safer than dodging vehicles and a snowy or slushy parking lot. The route would travel east from the entry road to follow the west side of the parking lot and then connect to the front walkway. There appears to be room at the bottom of the hill, or the grading plan could be slightly modified to fit a sidewalk. Any additional design or walls would greatly be worth the effort in order to provide this site amenity that would increase access to the facility.



Glenn Square Phase II  
Non-Motorized Transportation Coordinator  
December 13, 2007  
Page 2

Pedestrian connections to the north to access existing housing and Mt. View Drive should also have been developed and explored through this process, but splitting up the platting has made this difficult.

Cc: Craig Lyon, AMATS Coordinator  
Tom Davis, Planning Department  
Mada Angell, Traffic Department



**Municipality of Anchorage**  
Project Management & Engineering Department



**Comments to Miscellaneous Zoning Applications**

**RECEIVED**

**DATE:** December 17, 2007

DEC 17 2007

**TO:** Jerry Weaver, Platting Officer

Municipality of Anchorage  
Zoning Division

**FROM:** Sharen Walsh, P.E., Private Development Plan Review Engineer

**SUBJECT:** Comments for hearing date: 01/14/08

**Case No. 2008-015** - Rezoning to B-3 General Business District

*PM&E has no objection to this rezoning request.*

**Case No. 2008-016** - Amending a site plan for a large retail development

*PM&E notes that the petitioner should update the overall site drainage and drainage treatment plan to accommodate the theatre area drainage. This can be resolved when the building permit for the theatre comes in for review.*

**Case No. 2008-017** - Zoning conditional use for a utility substation

*PM&E has no objection to this request for a conditional use.*



Graves, Jill A.

RECEIVED

From: Staff, Alton R.  
Sent: Friday, December 14, 2007 4:39 PM  
To: Stewart, Gloria I.; McLaughlin, Francis D.; Graves, Jill A.  
Subject: Case No. 2008-015

DEC 17 2007

Municipality of Anchorage  
Zoning Division

2008-015 People Mover plans to begin service to Glenn Square in July 2008. A bus stop boarding/stopping area will be required.

Alton R. Staff  
Planning Manager  
Public Transportation Department  
3650A East Tudor Road  
Anchorage, AK 99507  
907-343-8230

# STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION - PLANNING

SARAH PALIN, GOVERNOR

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

December 12, 2007  
RE: MOA Zoning Review

**RECEIVED**

DEC 13 2007

Municipality of Anchorage  
Zoning Division

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

Dear Mr. Weaver:

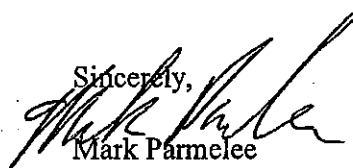
The Alaska Department of Transportation and Public Facilities, ADOT&PF, has reviewed the following zoning applications and has no comment:

**2008-013; Request Conditional Use to Permit Alcohol; Hartman**  
**2008-015; Request to Rezone to B-3 General Business District, Glenn Square Phase II;**  
**Anchorage Community Development Authority**  
**2008-019; Request for Variance, Rogers Park Subdivision, Block 26, Lot 4A; Schmid**  
**2008-020; Request for Variance, Anchor Park, Block 3, Lot 7; Laufer**

Comments:

**2008-018; Request for Variance, Lampert Subdivision #2, Block B, Lot 8; Walkush**  
There is a chance that approving this 3.5' variance to the west will be a concern in the future. The Glenn/Seward Highway Connection is planned to be a depressed road to the west of this property. This project is getting started and the Anchorage Bowl 2025 LRTP suggests the project could be completed by 2015. Design alternatives in the future are expected that will affect the property positively or negatively. One expected alternative would have a frontage road in the immediate area. Another scenario would have open space behind the property. Because right-of-way needs are not known at this time, ADOT&PF cannot object to granting of the variance requested. We can only mention this variance might affect the future highway project.

Sincerely,



Mark Parmelee  
Area Planner

/mm

cc: Tom Grman, Anchorage M&O Superintendent  
Louise Hooyer, RLS, Engineering and Survey Supervisor, Right of Way  
Tucker Hurn, Right of Way Agent, Right of Way  
Scott Thomas, P.E., Regional Traffic Engineer, Traffic Safety

*"Providing for the movement of people and goods and the delivery of state services."*



## FLOOD HAZARD REVIEW SHEET

**RECEIVED**

DEC 11 2007

Municipality of Anchorage  
Zoning Division

Date: 12/11/07

Case: 2008-015

Flood Hazard Zone: C

Map Number: 0235C

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

☐ Flood Hazard requests that the following be added as a condition of approval:

"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.

☐ Other:

☒ I have no comments on this case.

Reviewer: Jeffrey Urbanus



**MUNICIPALITY OF ANCHORAGE**  
Traffic Department



**MEMORANDUM**

**RECEIVED**

DATE: December 6, 2008

DEC 11 2007

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

Municipality of Anchorage  
Zoning Division

FROM: Mada Angell, Assistant Traffic Engineer

SUBJECT: Traffic Engineering and Transportation Planning Comments for  
January 14, 2008 Planning and Zoning Commission Hearing

**S-11646 Mountain View Development, Tract 1A; Orah De Clark Junior High School, Tract A-1A; First Addition Alaska Industrial, Lot 2A-1 Block 8; Resubdivision of Mountain View Development Tract 1; Orah Dee Clark Junior High School Tract A-1; First Addition Alaska Industrial; Grids 1234 & 1235**

Bring forward all plat notes from underlying plat 06-62 that continue to be appropriate to the development of this site; such as Notes 10 through 16, and specifically Notes 11, 12, and 13 that restrict access to the Glenn Highway and requires adherence to the approved TIA and approved amendments to the TIA.

**S-11647 Mountain View Development, Commercial Tract Fragment Lot Site Plan for Tract 1A; Frag Lots 1-9, 11A, 11B, 12, 13, 14A; Grid 1234 & 1235**

Bring forward all plat notes from underlying plats that continue to be appropriate to the development of this site.

08  
06-015

**Glenn Square Phase II (including all underlying subdivisions);  
Rezone from I-1 and B-3SL to B-3**

Traffic Engineering and Transportation Planning have no comment.

08  
06-016

**Glenn Square Phase II (including all underlying subdivisions); Site  
Plan Amendment**

All development within the Glenn Square shall be in accordance with the approved TIA and in accordance with all future approved TIA amendments.



# MUNICIPALITY OF ANCHORAGE

Development Services Department  
Right of Way Division



## MEMORANDUM

**RECEIVED**

**DATE:** December 3, 2007  
**TO:** Planning Department, Zoning and Platting Division  
**THRU:** Jack L. Frost, Jr., Right of Way Supervisor  
**FROM:** Lynn McGee, Senior Plan Reviewer  
**SUBJ:** Request for Comments on Planning and Zoning Commission case(s) for January 14, 2008.

DEC 03 2007

Municipality of Anchorage  
Zoning Division

Right of Way Division has reviewed the following case(s) due December 17, 2007.

**08-015** Alaska Industrial, Block 8, Lot 2A, & Mountain View Development, Tract 1A, Fragment Lot 14A, grid 1235  
(Rezoning Request, I-1 & B-3SI to B-3)  
The acreage on the applications does not match the request for comments notice.  
Review time 15 minutes.

**08-016** Mountain View Development, Tract 1, Fragment Lots 1-14, grid 1235  
(Site Plan Review Amendment, Large Retail Development)  
The acreage on the applications does not match the request for comments notice.  
Review time 15 minutes.

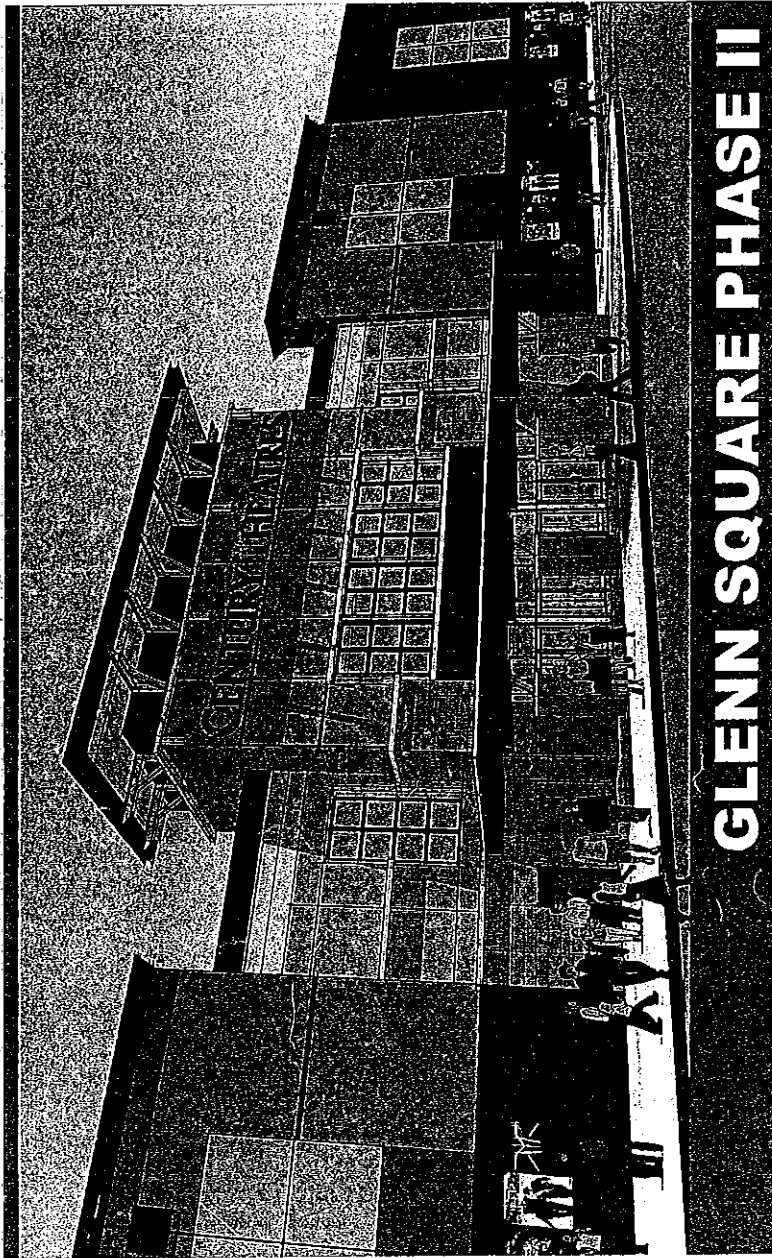
**08-017** Mountain View Development, Tract 1A, Fragment Lots 11A, grid 1235  
(Zoning Conditional Use, For a Utility Substation)  
The acreage on the applications does not match the request for comments notice.  
Review time 15 minutes.

**S-11646-1** Mountainview Development, Tract 1 and Orah Dee Clark JHS, Tract A-1, grids 1234 & 1235  
The acreage on the applications does not match the request for comments notice or the preliminary plat.  
Review time 30 minutes.

**S-11647-1** Mountainview Development, Tract 1A, Fragment Lots 1-9, 11A, 11B, 12, 13A, & 14A, grids 1234 & 1235  
The acreage on the applications does not match the request for comments notice or the preliminary plat.  
Review time 30 minutes.

# 4

## APPLICATION



## GLENN SQUARE PHASE II

NOVEMBER 2007

**ADOWL**  
ENGINEERS



November 21, 2007  
W.O. D59891, D59616

Mr. Tom Nelson  
Director of Planning  
Municipality of Anchorage  
P.O. Box 196650  
Anchorage, Alaska 99510

Subject: Glenn Square Phase II  
Commercial Tract Plat, Fragment Lot Site Plan, and Easement Vacation  
Rezone/Deletion of Special Limitations  
Amendment to Large Retail Establishment Site Plan Review  
Conditional Use Application

Dear Mr. Nelson:

DOWL Engineers is pleased to submit the attached land use permit applications for Phase II of the Glenn Square Project in Mountain View. Phase II of the Glenn Square Project will require several land use actions that affect various parcels of land within and adjacent to the Mountain View Development Subdivision, Tract 1. The proposed land use actions and the parcels affected by each are as follows:

1. **Replat and Easement Vacation Applications.** This action will replat three existing parcels (Tract 1, Mountain View Development Subdivision; Tract A-1, Orah Dee Clark Junior High Subdivision; Lot 2A, Block 8, First Addition Alaska Industrial Subdivision) and three existing Fragment Lots (11, 13, and 14). The platting action will result in the following parcels: Mountain View Development Tract 1-A; Orah Dee Clark Junior High Tract A-1A; First Addition Alaska Industrial Subdivision, Lot 2A-1, Block 8. The resulting Fragment Lots contained within Mountain View Development Tract 1-A will be lots 1-9, 11A, 11B, 13A and 19A. In addition, an application is included to vacate four easements.
2. **Rezone Application.** This action will rezone Fragment Lot 14A, Mountain View Development Subdivision, Tract 1-A to B-3, removing the special limitations that were on Tract 14. The action would also rezone First Addition Alaska Industrial Subdivision Lot 2A-1, Block 8 to B-3.
3. **Amendment to a Site Plan Review.** This action amends the existing Large Retail Establishment site plan approval (P&Z Resolution No. 2005-080) to reflect a reduction of overall retail and office space, the addition of a 12-screen theater on Fragment Lot 14A, and relocation of the existing Municipal Light and Power (ML&P) substation from Fragment Lot 14 to Fragment Lot 11B.
4. **Conditional Use Permit.** This action requests a conditional use permit to relocate the ML&P substation from the north end of the Glenn Square Development (existing Fragment Lot 14) to proposed Fragment Lot 11B.



The attached submittal package begins with letters of authorization and a general project overview. The application packages for the land use actions are then grouped into four general categories: (1) Plat applications and an easement vacation application for the commercial tract and fragment lot site plan; (2) Rezoning application and deletion of special limitations; (3) Minor amendment to the previous large retail establishment site plan review; and (4) Conditional use application.

While the various applications and supporting narratives (if applicable) are included in this order at the front of the application, supporting figures and appendices needed to evaluate each application are included in sections at the back of the submittal. The 'Figures' begin on page 47, and the 'Attachments' on page 62. To assist in locating the relevant documents for each application, this table of contents lists which figures and appendices apply to each application, along with their page numbers.

Due to the sequential nature of this project, each application and land use action is dependent on all other actions. So although there may be more information included than is necessary to evaluate each individual application, we wanted to give the reviewers an opportunity to see the project in its entirety. We hope this submittal, although large, helps explain how each application and land use action fit into the bigger picture.

This submittal includes the following:

- A. Letters of Authorization (Pg. 4-6a)
- B. Project Description Overview (Pg. 7)
  - *Supporting Figures*
    - *Figure 1 - Vicinity Map (Pg. 48)*
    - *Figure 2 - Location Map (Pg. 49)*
- C. Plat Applications
  - Commercial Tract Application (Pg. 8-9)
    - *Fragment Lot Summary Table (Pg. 14)*
    - *Figure 3 - Existing Zoning Map (Pg. 50)*
    - *Figure 4 - Topographic Map / Drainage (Pg. 51)*
    - *Figure 5 - Aerial Photograph (52)*
    - *Figure 6 - Shrink Map - Commercial Tract (Pg. 53)*
    - *Attachment 1 - Preliminary Plat - Commercial Tract (Pg. 64-65)*
    - *Attachment 9 - Certificate to Plat (Pg. 104-114)*

- Fragment Lot Site Plan Application (Pg. 10-11)
  - *Fragment Lot Summary Table (Pg. 14)*
  - *Figure 3 - Existing Zoning Map (Pg. 50)*
  - *Figure 4 - Topographic Map / Drainage (Pg. 51)*
  - *Figure 5 - Aerial Photograph (52)*
  - *Figure 7 - Shrink Map -- Fragment Lot Site Plan (Pg. 54)*
  - *Attachment 2 - Preliminary Plat -- Fragment Lot Site Plan (Pg. 67-68)*
  - *Attachment 9 - Certificate to Plat (Pg. 104-114)*
- Right-of-way and Easement Vacation Application (Pg. 12-13)
  - *Fragment Lot Summary Table (Pg. 14)*
  - *Figure 3 - Existing Zoning Map (Pg. 50)*
  - *Figure 4 - Topographic Map / Drainage (Pg. 51)*
  - *Figure 5 - Aerial Photograph (52)*
  - *Figure 6 - Shrink Map - Commercial Tract (Pg. 53)*
  - *Attachment 1 - Preliminary Plat - Commercial Tract (Pg. 64-65)*
  - *Attachment 9 - Certificate to Plat (Pg. 104-114)*
- D. Rezone Application (Pg. 15-16)
  - Rezone Narrative (Pg. 17-21)
    - *Figure 8 - Area to be Rezoned (Pg. 55)*
    - *Attachment 8 - Proposed Ordinance for Zoning Map Amendment (Pg. 103)*
- E. Site Plan Review Application (Pg. 22-25)
  - Site Plan Review Narrative (Pg. 26-38)
    - *Figure C 1.0 - Approved Site Plan (P&Z Resolution 2005-080) (Pg. 57)*
    - *Figure C 2.0 - Glenn Square Phase II Site Plan (Pg. 58)*
    - *Figure C 3.0 - Theater Site Plan / Grading and Drainage Plan (Pg. 59)*
    - *Figure L 1.0 - Landscape Plan (Pg. 60)*
    - *Figure L 2.0 - Landscape Details (Pg. 61)*
    - *Attachment 3 - Floor Plans and Elevations (Pg. 70-80)*
    - *Attachment 4 - Declarations Easements and Conditions (Pg. 82-92)*

- F. Conditional Use Permit Application (Pg. 39-41)
  - Conditional Use Narrative (Pg. 42-46)
    - *Figure 9 - Substation Relocation (Pg. 56)*
    - *Attachment 5- Substation Site Plan (Pg. 94)*
    - *Attachment 6 - Substation Equipment (Pg. 96)*
    - *Attachment 7 - Substation Photographs (Pg. 98-101)*

We sincerely believe the proposed design meets or exceeds the goals and objectives of the Anchorage Bowl 2020 Plan as well as the spirit and intent of Title 21. We hope the attached information is sufficient for your review. Please feel free to contact me for any further information or to schedule a post-application conference.

Sincerely,  
DOWL Engineers



Maryellen Tuttle, AICP  
Manager, Planning & Environmental Services

Attachment(s): As stated

D59891.Revised.Nelson.MET.112107.tla

## **List of Figures and Attachments**

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Kimco  
Developers,  
Inc.

Writer's Direct Dial: 630-322-9222  
Writer's E-mail Address: [awatt@kimcorealty.com](mailto:awatt@kimcorealty.com)

November 16, 2007

Via Federal Express 2-Day

Mr. Tom Nelson, Planning Director  
Planning Department  
Municipality of Anchorage  
P O Box 196650  
Anchorage, Alaska 99519-6650

**Re: Letter of Authorization, Phase II, Glenn Square, Anchorage, Alaska, Site 1360**

Dear Mr. Nelson:

KIMCO/POB GLENN SQUARE ANCHORAGE, LLC is the current owner of Fragment Lots 2, 4 through 10, 11, and 13, Tract 1, Mountain View Development Subdivision. These properties are part of the Glenn Square development approved under Planning and Zoning Commission Resolution No. 2005-080. The parcel numbers are 004-082-14, 004-082-16, 004-082-17, 004-082-18, 004-082-19, 004-051-16, 004-051-17, 004-051-18, 004-051-19, and 004-082-20. The combined acreage for these parcels is approximately 24.6 acres.

We authorize DOWL Engineers (DOWL), in accordance with Anchorage Municipal Code 21.20.050.A.7, to act on our behalf for all actions related to the Glenn Square Phase II project. Land use actions affecting KIMCO/POB parcels include: replats of a commercial tract and fragment lot site plan, a zoning amendment, and an amendment to a large retail establishment site plan review. In addition, we authorize the Municipality of Anchorage (Municipal Light and Power) to apply for a conditional use permit for a utility substation on the proposed Fragment Lot 11B which is currently part of Fragment Lot 11.

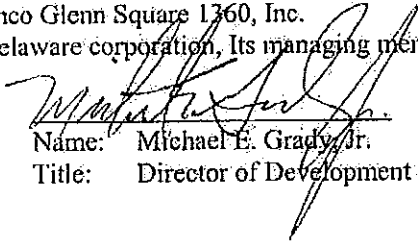
Should you have any questions, please do not hesitate to contact me at (630) 322-8642 or email at [mgrady@kimcorealty.com](mailto:mgrady@kimcorealty.com).

Thank you for your attention in this matter.

Sincerely,

**KIMCO/POB GLENN SQUARE ANCHORAGE, LLC**  
a Delaware limited liability company

By: Kimco Glenn Square 1360, Inc.  
a Delaware corporation, Its managing member

By:   
Name: Michael E. Grady, Jr.  
Title: Director of Development and Construction



November 7, 2007

Mr. Tom Nelson, Planning Director  
Planning Department  
Municipality of Anchorage  
P O Box 196650  
Anchorage, AK 99519-6650

Subject: Letter of Authorization  
Glenn Square Phase II Project

Dear Mr. Nelson:

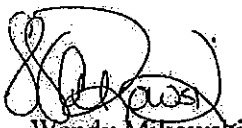
Anchorage Community Development Authority (ACDA) is the current owner of Fragment Lots 3 and 14 of Tract 1, Mountain View Development Subdivision, as well as Lot 2A of Block 8 of Alaska Industrial Subdivision. The two properties located in Mountain View Development Subdivision are part of the Glenn Square Retail Development. Lot 2A lies adjacent to the development to the north. The parcel numbers for these three properties are: 004-082-15, 004-051-21, and 004-051-09.

We authorize DOWL Engineers (DOWL), in accordance with Anchorage Municipal Code 21.20.050.A.7, to act on our behalf for all actions related to the Glenn Square Phase II project. Land use actions affecting ACDA parcels include: an amendment to a large retail establishment site plan review, as well as applications for a conditional use permit, zoning amendment, and replat of a commercial plat and fragment lot site plan.

Should you have any questions, please do not hesitate to contact Ron Pollock, Executive Director. He can be reached at 907-297-4401.

Thank you for your attention in this matter.

Sincerely,

  
Wendy Mikowski  
Development Director

700 WEST 6th AVENUE, SUITE 206  
ANCHORAGE, ALASKA 99501  
(907) 276-7275 FAX (907) 279-5073  
Page 4

061 -



**ANCHORAGE SCHOOL DISTRICT**

Facilities Department  
1301 Labar Street  
Anchorage, Alaska 99515  
Phone: (907) 348-5207  
Fax: (907) 348-5227

Mr. Tom Nelson, Planning Director  
Planning Department  
Municipality of Anchorage  
P O Box 196650  
Anchorage, AK 99519-6650

November 15, 2007

Subject: Letter of Authorization  
Glenn Square Phase II Project

Dear Mr. Nelson:

The Anchorage School District (ASD) is the current owner of Tract A-1, Orah Dee Clark Junior High Subdivision. This property is located north of the Glenn Highway, adjacent to the Glenn Square development. The parcel number is 004-051-14, and it is approximately 28.4 acres in size.

We authorize DOWL Engineers (DOWL), in accordance with Anchorage Municipal Code 21.20.050.A.7, to act on our behalf for all actions related to the Glenn Square Phase II project. Land use actions affecting the ASD parcel include: a replat of a commercial tract and fragment lot site plan, and a zoning amendment.

Should you have any questions, please do not hesitate to contact Ray Amsden, Director of Facilities at 348-5127 or Edie Knapp, Project Manager at 348-5207.

Thank you for your attention in this matter.

Sincerely,

George Vakalis  
Assistant Superintendent of Support Services

cc: Ray Amsden, Director of Facilities  
Mike Price, Construction Manager  
Edie Knapp, Project Manager



November 15, 2007

Mr. Tom Nelson, Planning Director  
Planning Department  
Municipality of Anchorage  
P O Box 196650  
Anchorage, AK 99519-6650

Letter of Authorization  
Glenn Square Phase II Project

Municipal Light & Power

1200 East First Avenue

Anchorage

Alaska

99501-1685

■

Phone 907-263-5408

Fax

907-263-5321

[www.mlandp.com](http://www.mlandp.com)

Dear Mr. Nelson:

Municipal Light and Power (ML&P) is submitting a conditional use application for a utility substation on the proposed Fragment Lot 11B, which is currently part of Fragment Lot 11, Tract 1, Mountain View Development Subdivision. We authorize DOWL Engineers (DOWL), in accordance with Anchorage Municipal Code 21.20.050.A.7, to act on our behalf for all actions related to submitting and processing this conditional use permit.

Should you have any questions, please do not hesitate to contact me. I can be reached at 263-5408.

Thank you for your attention in this matter.

Sincerely,

Mio Johnson  
Manager of Engineering



## Glenn Square Phase II Project Description Overview

Glenn Square is a large retail and commercial center located at the gateway of Mountain View from the Glenn Highway. This project includes large and small-scale retail, office space, a utility substation, and a cinema located on approximately 30 acres.

Mountain View is one of the most culturally diverse neighborhoods in Anchorage with great potential for economic growth. It is also one of the most distressed neighborhoods, due to its transient population, high unemployment rates, percentage of people living below the poverty level, and real/perceived high crime rate. We hope Glenn Square can help revitalize the area by attracting visitors from outside the Mountain View community, as well as improving area design standards, landscaping, pedestrian amenities, and street upgrades.

The project previously went through the approval process in 2005. The site plan was approved by the Planning and Zoning Commission through the Large Retail Establishment Site Plan Review Process. The project also went through the platting process to create the underlying commercial tract, Tract 1, Mountain View Development Subdivision, as well as 14 Fragment Lots. Construction has begun and to date, the utility work is complete with curb and gutter poured at the site.

This submittal proposes minor changes to the approved site plan, to slightly reduce the square footage of overall retail and office space in the development, add a cinema at the project's northern end, and relocate the Municipal Light and Power (ML&P) substation from the northern portion of the site to the eastern boundary. Because of these changes, we are submitting several applications simultaneously to obtain all the appropriate approvals.

The newly created fragment lot for the cinema will be created from the existing Fragment Lot 14, and land obtained from the Anchorage School District (ASD) and the Anchorage Community Development Authority (ACDA). In addition, some of the property currently included in Fragment Lot 14 will be incorporated into the ACDA's First Addition Alaska Industrial Subdivision. Because the ASD land, the existing commercial tract, and the ACDA parcel are zoned differently (B3-SL and I1 respectively), the rezone application is necessary to conform the zoning for the properties. In addition, we are applying to remove the special limitations associated with Fragment Lot 14, requiring residential development.

The second change to the site plan involves relocating the ML&P substation. A newly created fragment lot (Fragment Lot 11A) is proposed as the new location. Utility substations are a conditional use of the B3 zoning district, and therefore we are applying for a conditional use approval for the relocation of the substation.

Legal Description	Tax ID Number	Address	Owner	Size (square feet)
Fragment Lot 1, Tract 1, Mountain View Development Subdivision	004-072-22	N/A	HLB	197,854
Fragment Lot 2, Tract 1, Mountain View Development Subdivision	004-082-14	3046 Mountain View Drive	Kimco / POB	195,214
Fragment Lot 3, Tract 1, Mountain View Development Subdivision	004-082-15	N/A	ACDA	45,002
Fragment Lot 4, Tract 1, Mountain View Development Subdivision	004-082-16	N/A	Kimco / POB	14,602
Fragment Lot 5, Tract 1, Mountain View Development Subdivision	004-082-17	N/A	Kimco / POB	15,105
Fragment Lot 6, Tract 1, Mountain View Development Subdivision	004-082-18	N/A	Kimco / POB	15,906
Fragment Lot 7, Tract 1, Mountain View Development Subdivision	004-082-19	3048 Mountain View Drive	Kimco / POB	47,522
Fragment Lot 8, Tract 1, Mountain View Development Subdivision	004-051-16	3074 and 3220 Mountain View Drive	Kimco / POB	45,118
Fragment Lot 9, Tract 1, Mountain View Development Subdivision	004-051-17	N/A	Kimco / POB	73,215
Fragment Lot 10, Tract 1, Mountain View Development Subdivision	004-051-18	N/A	Kimco / POB	13,283
Fragment Lot 11, Tract 1, Mountain View Development Subdivision	004-051-19	3090 Mountain View Drive	HLB	28,132
Fragment Lot 12, Tract 1, Mountain View Development Subdivision	004-051-20	N/A	Kimco / POB	208,886
Fragment Lot 13, Tract 1, Mountain View Development Subdivision	004-082-20	N/A	Kimco / POB	444,916
Fragment Lot 14, Tract 1, Mountain View Development Subdivision	004-051-21	3425 Potpourri Drive	ACDA	34,447
Tract A-1, Orin Dee Clark Junior High Subdivision	004-051-14	N/A	ASD	1,237,147
Block 8, Lot 2A, First Addition Alaska Industrial Subdivision	004-051-09	3340 Mountain View Drive	ACDA	148,224

# Application for Preliminary Plat

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)	KIMKO / POB GLENN SQUARE ANCHORAGE, LLC	Name (last name first)	DOWL Engineers
Mailing Address	333 NEW HYDE PARK ROAD, #100 NEW HYDE PARK, NY 11042	Mailing Address	4041 B St Anchorage, Ak 99503
Contact Phone: Day:	Night:	Contact Phone: Day: 562-2000	Night:
FAX:		FAX:	563-3953
E-mail:		E-mail:	bfarrell@dowl.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): SEE ATTACHED		
Site Street Address: SEE ATTACHED		
Current legal description: (use additional sheet if necessary)		
MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, TRACT 1 AND ORAH DEE CLARK JUNIOR HIGH SCHOOL SUBDIVISION TRACT A-1 AND FIRST ADDITION, ALASKA INDUSTRIAL SUBDIVISION, BLOCK 8, LOT 2A-1		
Zoning: PLI, B-3 SL, I-1	Acreage: 63.473	Grid # 1234,1235
# Lots: 1	# Tracts: 2	Total # parcels: 3

I hereby certify that I am (I have been authorized to act for) owner of the property described above and that I petition to subdivide 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 subdivision. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff or the Platting Board, Planning and Zoning Commission, or the Assembly for administrative reasons.

Date: 11/15/07 Signature: *[Signature]* (Agent's must provide written proof of authorization)

PROPOSED SUBDIVISION INFORMATION		
Proposed legal description: (use additional sheet in necessary)		
MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, TRACT 1A AND ORAH DEE CLARK JUNIOR HIGH SCHOOL SUBDIVISION TRACT A-1A AND FIRST ADDITION, ALASKA INDUSTRIAL SUBDIVISION, LOT 2A-1, BLOCK 8		
# Lots: 1	# Tracts: 2	Total # parcels: 3

Accepted by:	Poster & Affidavit:	Fee:	Case Number:
--------------	---------------------	------	--------------

Application for Preliminary Plat 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 ZoneFloodplain: ☒ None ☐ 100 year ☐ 500 yearSeismic 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: 2005-077 (AO 2006-43)☐ Preliminary Plat ☒ Final Plat - Case Number(s): 2005-079☐ Conditional Use - Case Number(s):☐ Zoning variance - Case Number(s):☐ Land Use Enforcement Action for☒ Building or Land Use Permit for LRE SPR (P&Z RESOLUTION 2005-080)☐ Wetland permit: ☐ Army Corp of Engineers ☐ Municipality of Anchorage**POTABLE WATER AND WASTE WATER DISPOSAL**Potable Water provide by: ☒ Public utility ☐ Community well ☐ Private wellWastewater disposal method: ☒ Public utility ☐ Community system ☐ Private on-site**APPLICATION CHECKLIST**

Fee:

Plat: Copies ☐ 42 (long plats) ☐ 32 (short plats only) ☐ 8½x11 reduced copyOther maps ☐ Aerial photo ☐ Housing stock ☐ ZoningMandatory on plat depictions: ☐ Pedestrian walkway ☐ Landscaping required by zoningProperty Title: ☐ Certificate to Plat

Additional required documents unless specifically waived by Platting Officer:

☐ Site topography (4 copies minimum)

Waived by \_\_\_\_\_

☐ Soils investigation and analysis reports (4 copies minimum)

Waived by \_\_\_\_\_

☐ Subdivision drainage plan

Waived by \_\_\_\_\_

# Application for Preliminary Plat

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) KIMKO / POB GLENN SQUARE ANCHORAGE, LLC		Name (last name first) DOWL ENGINEERS	
Mailing Address 333 NEW HYDE PARK ROAD, #100 NEW HYDE PARK, NY 11042		Mailing Address 4041 B STREET ANCHORAGE, AK 99503	
Contact Phone: Day: Night:		Contact Phone: Day: 562-2000 Night:	
FAX:		FAX: 563-3953	
E-mail:		E-mail: BFARRELL@DOWL.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 004-051-16-000, 004-051-17-000, 004-051-19-000, 004-051-20-000, 004-051-21-000, 004-072-22-000		
Property Tax # (000-000-00-000): 004-082-14-000, 004-082-15-000, 004-082-16-000, 004-082-17-000, 004-082-18-000, 004-082-19-000, 004-082-20-000		
Site Street Address: SEE ATTACHED		
Current legal description: (use additional sheet if necessary) TRACT 1, MOUNTAIN VIEW DEVELOPMENT SUBDIVISION; LOCATED WITHIN THE N 1/2, SECTION 16, T13N, R3W, S.M. AK ANCHORAGE RECORDING DISTRICT		
Zoning: B-3 SL	Acreage: 33.84	Grid # 1234, 1235
# Lots: 14	# Tracts: 0	Total # parcels: 14

I hereby certify that (I am)/(I have been authorized to act for) owner of the property described above and that I petition to subdivide 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 subdivision. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff or the Platting Board, Planning and Zoning Commission, or the Assembly for administrative reasons.

Date: 11/15/07 Signature: [Signature] (Agents must provide written proof of authorization)

PROPOSED SUBDIVISION INFORMATION		
Proposed legal description: (use additional sheet if necessary) COMMERCIAL TRACT FRAGMENT LOT SITE PLAN FOR MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, TRACT 1A, CONTAINING: FRAGMENT LOTS 1-9, 11A, 11B, 12, 13A, 14A LOCATED WITHIN THE N 1/2, SECTION 16, T13N, R3W, S.M. AK ANCHORAGE RECORDING DISTRICT		
# Lots: 14	# Tracts: 0	Total # parcels: 14

Accepted by:	Poster & Affidavit:	Fee:	Case Number:
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Application for Preliminary Plat 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 ZoneFloodplain: ☒ None ☐ 100 year ☐ 500 yearSeismic 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: 2005-077 (AO 2006-43)☐ Preliminary Plat ☒ Final Plat - Case Number(s): 2005-079☐ Conditional Use - Case Number(s):☐ Zoning variance - Case Number(s):☐ Land Use Enforcement Action for☒ Building or Land Use Permit for LRE SPR (P&Z RESOLUTION 2005-080)☐ Wetland permit: ☐ Army Corp of Engineers ☐ Municipality of Anchorage**POTABLE WATER AND WASTE WATER DISPOSAL**Potable Water provide by: ☒ Public utility ☐ Community well ☐ Private wellWastewater disposal method: ☒ Public utility ☐ Community system ☐ Private on-site**APPLICATION CHECKLIST**

Fee:

Plat: Copies ☐ 42 (long plats) ☐ 32 (short plats only) ☐ 8½x11 reduced copyOther maps ☐ Aerial photo ☐ Housing stock ☐ ZoningMandatory on plat depictions: ☐ Pedestrian walkway ☐ Landscaping required by zoningProperty Title: ☐ Certificate to Plat

Additional required documents unless specifically waived by Platting Officer:

☐ Site topography (4 copies minimum)

Waived by \_\_\_\_\_

☐ Soils investigation and analysis reports (4 copies minimum)

Waived by \_\_\_\_\_

☐ Subdivision drainage plan

Waived by \_\_\_\_\_

069

# Application for Right-of-Way and Easement Vacation

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) KIMKO / POB GLENN SQUARE ANCHORAGE, LLC		Name (last name first) DOWL Engineers	
Mailing Address 333 NEW HYDE PARK ROAD, #100 NEW HYDE PARK, NY 11042		Mailing Address 4041 B St	
Contact Phone: Day:	Night:	Contact Phone: Day: 562-2000	Night:
FAX:		FAX: 563-3953	
E-mail:		E-mail: bfarrell@dowl.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.

RIGHT-OF-WAY AND/OR INFORMATION		
Benefiting Property Tax # (000-000-00-000): SEE ATTACHED		
Site Street Address: SEE ATTACHED		
Description of right-of-way/easement: (use additional sheet if necessary)		
<ol style="list-style-type: none"> <li>1. CEA EASEMENT AS SHOWN ON PLAT 65-3</li> <li>2. NORTH PORTION OF T&amp;E ESMT AS SHOWN ON PLAT 2006-62</li> <li>3. 30' DRAINAGE EASEMENT AS SHOWN ON PLAT 2006-62</li> <li>4. EXCLUSIVE ML&amp;P EASEMENT AS SHOWN ON PLAT 2006-62</li> </ol>		
Zoning: PLI, B-3 SL, I-1	Acreage: 63.473	Grid # 1234,1235
# Lots: 1	# Tracts: 2	Total # parcels: 3

I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I petition to vacate 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 vacation. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff, the Platting Board, or Planning and Zoning Commission for administrative reasons.

Date 11/15/07	Signature (Agents must provide written proof of authorization) <i>B. Farrell</i>
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Accepted By:	Poster & Affidavit:	Fee:	Case Number:
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Application for vacation 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: 004-082-14-000, 004-082-15-000, 004-082-16-000, 004-082-17-000, 004-082-18-000, 004-082-19-000, 004-082-20-000☒ Preliminary Plat ☐ Final Plat - Case Number(s): 004-051-16-000, 004-051-17-000, 004-051-18-000, 004-051-20-000, 004-051-21-000, 004-072-22-000☐ Conditional Use - Case Number(s):☐ Zoning variance - Case Number(s):☐ Land Use Enforcement Action for☒ Building or Land Use Permit for LRE SPR (P&Z RESOLUTION 2005-080)☐ Wetland permit: ☐ Army Corp of Engineers ☐ Municipality of Anchorage**POTABLE WATER AND WASTE WATER DISPOSAL**Potable Water provided by: ☒ Public utility ☐ Community well ☐ Private wellWastewater disposal method: ☒ Public utility ☐ Community system ☐ Private on-site**APPLICATION CHECKLIST**

Fee:

Plat: Copies ☐ 42 each ☐ 8½x11 reduced copyOther maps ☐ Aerial photo ☐ Housing stock ☐ ZoningProperty Title: ☐ Certificate to Plat

Documents to provided unless waived by Platting Officer:

☐ Site topography (4 copies minimum)

Waived by \_\_\_\_\_

☐ Soils investigation and analysis reports (4 copies minimum)

Waived by \_\_\_\_\_

☐ Subdivision drainage plan

Waived by \_\_\_\_\_

071



# 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) Anchorage Community Development Authority		Name (last name first) DOWL Engineers	
Mailing Address 700 West 6th Avenue, Suite 206 Anchorage, AK 99501		Mailing Address 4041 B Street Anchorage, AK 99503	
Contact Phone: Day: 297-4419 Night:		Contact Phone: Day: 562-2000 Night:	
FAX:		FAX:	
E-mail: mikowskiWA@ci.anchorage.ak.us		E-mail: mtuttell@dowl.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): 004-051-09, 004-051-21		
Site Street Address: 3340 Mountain View Drive, 3425 Porcupine Drive		
Current legal description: (use additional sheet if necessary) Lot 2A, Block 8, Alaska Industrial Substation Fragment Lot 14A, Tract 1A, Mountain View Development Subdivision		
Zoning: I-1 and B-3 SL to B-3	Acreage: 5.5	Grid # SW1235

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: 11/15/07  
Signature: *Marjella Tuttle*  
(Agents must provide written proof of authorization)

Accepted by:	Poster & Affidavit:	Fee:	Case Number:
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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: P&Z Resolution 2005-077/AO 2006-43  
☐ Preliminary Plat ☒ Final Plat - Case Number(s): P&Z Resolution 2005-079/Plat 2006-62  
☐ Conditional Use - Case Number(s):  
☐ Zoning variance - Case Number(s):  
☐ Land Use Enforcement Action for  
☒ Building or Land Use Permit for Large Retail Establishment SPR - P&Z Resolution 2005-080  
☐ 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.

## **Glenn Square Phase II**

### **Zoning Amendment Application**

**Client – Anchorage Community Development Authority (ACDA)**

#### **Standards for Zoning Amendment Approval (21.20.050)**

- 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.**

The proposed zoning amendment is designed to allow for a continuation of the approved large retail development at Glenn Square, located east of Mountain View Drive, on the north side of the Glenn Highway (Tract 1, Mountain View Development Subdivision). The Glenn Square tract is approximately 34 acres and is a combination of retail and office uses, with a central plaza area. This site is further broken into 13 fragment lots.

A zoning map amendment to B-3SL was approved for Glenn Square in 2006 (AO 2006-43). This proposed rezone is part of a series of land use approvals required for Phase II of the Glenn Square project. A replat of the site is currently underway to expand the existing commercial tract on the north. This rezone is intended to amend the zoning for the lots associated with the second phase to B-3. This will allow for a cinema on the commercial tract and allow the Alaska Industrial Subdivision lot to be used for compatible future uses, either as high density residential, mixed use, or commercial. Concurrent with this zoning map amendment, an amendment to the large retail site plan review and a conditional use permit are also being processed too allow for the changes to the large retail site plan and allocation of the Municipal Light & Power (ML&P) substation at the north end of the site.

The existing Glenn Square site is zoned B3-SL. The other lots that are being incorporated into the Glenn Square site as part of the platting action are zoned I-1 and B-3SL (Figure 3). The goal is to rezone all the affected areas to B-3 (Figure 8). Given

the proposed changes to the Industrial zoning districts under the Title 21 update, retaining I-1 zoning fronting on Mountain View Drive, and thereby limiting the uses solely to industrial, is inappropriate and not in keeping with the efforts to revitalize Mountain View. Upon approval of the zoning amendment, 5.5 acres will be rezoned to B-3, which provides a more appropriate list of permitted uses for the area.

The proposed expansion of the Glenn Square site will result in development similar to that occurring now at Glenn Square, and will enhance the surrounding neighborhood and community. This commercial development is part of a revitalization of the Mountain View community. It is expected to provide accessible jobs and commercial services to the Mountain View community. No negative impacts to the environment associated with this development are anticipated. The Traffic Impact Analysis (TIA) done for the original development is being reviewed, and will be updated, if necessary, to address the reduction in retail space and the addition of the theatre. Public services and facilities are currently provided to the site.

This project is a continuation of the current land use patterns in the area, with commercial uses located along Mountain View Drive. An existing residential component abuts this tract in the northeast corner and Clark Junior High School is adjacent to the east. Lot 2A, Block 8, Alaska Industrial Subdivision, which abuts the R-3 zoned tract, is part of the requested zoning amendment, and is expected to be developed as high-density residential or mixed-commercial use in the future.

Glenn Square Phase II furthers the goal of the Anchorage Bowl Comprehensive 2020 Plan (ABC 2020 Plan) by providing the kind of development proposed in the Land Use Policy Map. The project is situated between a designated Town Center at Northway Mall and a Neighborhood Commercial Center at Bragaw Street and Mountain View Drive. Town Centers function as the focus of community activity for smaller subareas of Anchorage. They are intended to include a mix of retail shopping and services, public facilities, and medium- to high-density residential uses. Neighborhood Commercial Centers are less intense neighborhood-oriented commercial nodes that are designed to fill in the gaps between the larger town centers. The concept-approved Land Use Plan Map

shows the area as Commercial/Mixed Use Center, Regional Commercial Center. This development is consistent with that land use designation.

The development furthers the goals of the ABC 2020 Plan by compliance with the policies set up to implement the plan. Policy No. 21 states that all new commercial development shall be located and designed to contribute to improving Anchorage's overall land use efficiency and compatibility, traffic flow, transit use, pedestrian access, and appearance. The Glenn Square Phase II development occurs within close proximity to a designated town center and neighborhood commercial center. This new development is using the land more efficiently and is developing an underused commercial/industrial area. The development also meets the general design and environment Policy Nos. 41 and 43 by providing a design that is responsive to Anchorage's climate and natural setting, as well as taking this commercial development of a large retail site plan through the site plan review process.

- 2. The supply of land in the economically relevant area that is in the use district to be applied by the amendment or in similar use districts, in relation to the demand for that land.**

The existing 34-acre site for Glenn Square is zoned B-3SL. It was rezoned from I-1, I-2SL, and PLI to B-3SL in 2005 when the large retail site plan and replat were approved for phase one of the project. The Planning and Zoning Commission approved the zoning amendment in 2005 because the current industrial zoning for that area was no longer appropriate. The Commission also thought the rezone was appropriate due to its close proximity to a designated Town Center and Neighborhood Commercial Center. The properties on the north side of Commercial Drive/Mountain View Drive are also zoned B-3.

There is limited additional commercial land use planned in the Mountain View area, which is predominately residential, as shown on the Concept Land Use Plan Map. This parcel, located near the major intersection of the Glenn Highway and Mountain View Drive, is ideally placed to serve as the commercial center for the Mountain View area.

- 3. The time when development probably would occur under the amendment, given the availability of public services and facilities, and the relationship of supply to demand found under Subsection 2 of this subsection.**

All public services and facilities currently service this site. Glenn Square Phase II will commence with development upon approval of the zoning amendment, site plan review amendment, conditional use permit, and replat. There is little other commercial land available in Mountain View, especially with the access to major transportation facilities. Therefore, the demand for commercial development on this site is high.

- 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 land proposed for the zoning amendment is currently zoned I-1 and B-3SL. The special limitations for the Glenn Square site state that any development on Fragment Lot 14 shall contain a minimum residential density of at least 12 dwelling units per acre. Fragment Lot 14 is currently only 34,447 square feet, not even an acre. The size of this parcel would only allow nine dwelling units. Given that, this small number of dwelling units would be dwarfed by the mass of adjacent commercial uses. The nearest residential use is R-3 and is located north and east of this large site. The residential component may better serve the community by being situated on Lot 2A, Block 8, Alaska Industrial Subdivision, currently owned by Anchorage Community Development Authority (ACDA). This lot is included in the proposed Phase II replat, as portion of it is to be acquired by the owners of Glenn Square in order to accommodate the theatre. The remnant piece (3.6 acres) will remain under ownership of ACDA. This lot is adjacent to the R-3 zoned parcel and has better access to transit and pedestrian facilities along Mountain View Drive, and may better serve the community as a high-density residential development.

Furthermore, the proposed MOA Land Use Plan Map identifies this whole tract as Commercial/Mixed-use Center, specifically a Regional Commercial Center. Regional

Commercial Centers are intended to provide for conglomerations of large-scale commercial uses that serve the wider community, functions as focus centers of commercial activity and encouraged to evolve as mixed-use centers. Some centers may include a residential component, while others remain limited to mostly commercial uses. Given the fact that most of the Mountain View area is designated residential and there is limited commercial land for development, this site is ideal to provide the regional commercial needs of the area.

D59891.Zoning Amendment.MET.111507.tla

# Application for a Site Plan Review

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) Kimco Reality / Michael Grady		Name (last name first) DOWL Engineers	
Mailing Address		Mailing Address 4041 B Street Anchorage, Alaska 99503	
Contact Phone: Day:	Night:	Contact Phone: Day: 562-2000	Night:
FAX:		FAX: 563-3953	
E-mail:		E-mail: mtuttell@dowl.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.

<b>PROPERTY INFORMATION</b>	004-082-19; 004-051-16; 004-051-17; 004-051-18; 004-051-19; 004-051-20;	
Property Tax # (000-000-00-000):	004-072-22; 004-082-14; 004-082-15; 004-082-16; 004-082-17; 004-082-18;	
Site Street Address:	004-082-20; 004-051-21	
Current legal description: (use additional sheet if necessary) Fragment Lots 1 through 14, Tract 1, Mountain View Development Subdivision.  Some of the Fragment Lots in this development have active or pending addresses assigned to them. Because addresses correspond to buildings, not every Fragment Lot (FL) will have an address. Existing addresses are: 3046 Mountain View Drive (FL 2), 3048 Mountain View Drive (FL 7), 3074 and 3220 Mountain View Drive (FL 8), 3425 Porcupine Drive (FL 14), 3090 Mountain View Drive (FL 11).		
Zoning: B3-SL	Acreage: Approximately 30	Grid # SW1235

## SITE PLAN APPROVAL REQUESTED

☐ Church ☐ Bed and breakfast ☐ Special limitation ☐ Public facility ☐ Public facility project landscaping  
☒ Other: Minor Amendment to a Large Retail Site Plan Review

I hereby certify that (I am)/(I have been authorized to act for) owner of the property described above and that I petition for a site plan review 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 site plan. 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 Urban Design Commission for administrative reasons.

Date: 11/15/07  
Signature: [Signature] (Agents must provide written proof of authorization)

Accepted by:	Postage & Affidavit:	Fee:	Case Number:
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SPR (Rev. 05/02)\*Front



Application for site plan review 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: 2005-077 (AO 2006-43)  
☐ Preliminary Plat ☒ Final Plat - Case Number(s): 2005-079, 2006-062  
☐ Conditional Use - Case Number(s):  
☐ Zoning variance - Case Number(s):  
☐ Land Use Enforcement Action for  
☒ Building or Land Use Permit for Large Retail Site Plan Approval (P&Z Resolution No. 2005-080)  
☐ Wetland permit: ☐ Army Corp of Engineers ☐ Municipality of Anchorage

**DOCUMENTATION**

- Required: ☒ 25 copies of site plan to scale depicting: building footprints; parking areas; vehicle and pedestrian circulation; lighting; grading; landscaping; signage; drainage and project location.  
☒ 25 copies of Building plans to scale depicting: floor plans; building elevations; exterior colors and textures.  
☒ Narrative: explaining the project; planning objectives; construction and operation schedule; final ownership  
☐ One copy of Assembly Ordinance enacting zoning special limitations, if applicable.

Required  
if indicated:

- ☐ Air quality impact ☐ Traffic impact analysis ☐ Economic impact analysis  
☐ Soils analysis ☐ Noise impact analysis ☐ Holding capacity of the land analysis  
☐ Shadow impact analysis

**CHURCH AND BED & BREAKFAST STANDARDS**

The Planning Director may only approve a church site plan or a bed and breakfast site plan if the director finds that all of the following standards are satisfied. Each standard must have a response in as much detail as it takes to explain how your project satisfies the standard. The burden of proof rests with you. Use additional paper if needed.

Explain how the proposed site plan demonstrates that the church will not have a permanent or negative impact on those items listed in this subsection substantially greater than that anticipated from permitted residential development:

- a. Pedestrian and vehicular traffic circulation and safety.
- b. Demand for and availability of public services and facilities.
- c. Noise pollution, air pollution, water pollution and other forms of environmental pollution.

**PUBLIC FACILITY PROJECT LANDSCAPING REVIEW STANDARDS**

The Urban Design Commission shall consider the following criteria in reviewing public facility project landscaping under this section. Each standard must have a response in as much detail as it takes to explain how your project satisfies the standard. The burden of proof rests with you. Use additional paper if needed.:

Cost.

Feasibility.

Explain how planning and design criteria are met by the proposed landscape plan:

The external impacts generated by the public facility project on adjacent areas. The landscape elements of the public facility project should complement, maintain or improve the landscape quality of adjacent neighborhoods and areas.

The degree to which the landscape elements contribute to on-site use of the public facility project. The landscape elements of the public facility project should enhance safe, efficient and comfortable public use.

The visual attractiveness of the landscaping and its enhancement of the architecture of the public facility project, including the integration of internal and exterior architectural themes.

Application for site plan review continued

**PUBLIC FACILITY STANDARDS**

The Planning and Zoning Commission shall review a proposed site plan for consistency with the goals, policies and land use designations of the comprehensive development plan and other municipal plans adopted by the assembly, conformity to the requirements of this title, and the effects of the proposal on the area surrounding the site.

**SPECIAL LIMITATION STANDARDS**

The Planning and Zoning Commission shall review the proposed site plan governed by special limitation for consistency with the special limitations, goals, policies and land use designations of the comprehensive development plan and other municipal plans adopted by the assembly, conformity to the requirements of this title, and the effects of the proposal on the area surrounding the site. Each special limitation standard must have a response in as much detail as it takes to explain how your project satisfies the standard. The burden of proof rests with you. Use additional paper if needed.:

**Glenn Square Phase II**  
**Site Plan Review Amendment**  
**Narrative description of project**

**a. Statement of Planning Objectives/Description of Operation.**

This submittal proposes to amend the Large Retail Establishment Site Plan approval for the Mountain View Community Development (Glenn Square), situated at the gateway to Mountain View from the Glenn Highway (P&Z Resolution No. 2005-080). This development incorporates an area of approximately 34 acres and is bordered by the Glenn Highway to the south, Clark Middle School to the east, and Mountain View Drive to the north and west. The development includes large and small retail, professional services and businesses.

This application proposes to amend the previous approval by removing approximately 7,000 square feet (sf) of retail and office space from the project, and adding a one-story 12-screen movie theater with 2,100 seats located at the northern end of the development. This results in changes to parking and pedestrian circulation for the center, which will be addressed in this application. The existing municipal electric substation will be relocated from the northern portion of the development to the eastern portion.

**b. Development Schedule with Phases and Dates.**

Construction of Phase I of the project has already begun and the majority of paving, curb and gutter, and utility work appears to be complete. The estimated completion date of the first phase of the project is October 31, 2008.

Construction of the theater is scheduled to begin in the spring of 2008, with an anticipated opening in the spring of 2009. The Substation relocation is scheduled for the spring and summer of 2008.

**c. Intent of Final Ownership.**

The owner of the commercial tract that encompasses the Glenn Square development is a joint

venture formed by PO'B Montgomery and Kimco Properties. Cinemark Theaters, an international exhibitor and a publicly traded company with headquarters in Plano Texas will be the tenant of proposed Fragment Lot 14A and will operate under the trade name Century Theaters. Municipal Light and Power would relocate their utility substation the proposed Fragment Lot 11B.

**d. Total Occupancy.**

At full build out, Glenn Square will include approximately 188,110 square feet of retail space, 47,645 sf of office space, and a 2,101-seat theater. The theater will have 12 screens in auditoriums ranging in size from 260 to 120 seats each.

**Public Hearing Site Plan Review – Large Retail Establishment (AMC 21.50.320)**

- A. Intent. The standards in this section promote architectural variety, compatible scale, access amenities, and mitigation of negative impacts. These standards govern site plan review by the Planning and Zoning Commission for large retail establishments. Where these standards conflict with other provisions of this Title, these standards and the terms of site plans approved under this section shall govern.*
- B. Vehicular access. Primary vehicular access shall be from a street designated collector or greater on the official streets and highways plan. Secondary vehicular access may be from a street designated less than a collector on the Official Streets and Highways Plan, provided the applicant demonstrates that any traffic and visual impacts on adjacent residential and commercial areas are sufficiently minimized.*

Vehicular access to the site will be from Mountain View Drive, which is classified in the Official Street and Highways Plan (OS&HP) as a Class II Minor Arterial. Two entry/exit points to the center are provided via Porcupine Drive and South Loop Road.

C. *Traffic Impacts. The applicant shall have a professional entity perform a Traffic Impact Analysis (TIA) and traffic mitigation measures for approval by the Commission.*

D. DOWL performed a Traffic Impact Analysis (TIA) in conjunction with Phase I of the Mountain View Community Center and concluded that two mitigation measures were necessary for the project. The first was to install a traffic signal at the intersection of Mountain View Drive and South Loop Road. The second off-site mitigation involved converting Mountain View Drive from a four-lane roadway to a three-lane roadway from the Glenn Highway to Commercial Drive.

The overall reduction of the retail and office square footage and the addition of the theater would likely increase delay at the Mountain View Drive / Glenn Highway intersection. Taken in consideration with the overall impact of the Glenn Square development, the change would not be of a great magnitude. A meeting is being scheduled with the MOA Traffic Department to address traffic impacts.

E. *Drainage. A site drainage and grading plan shall be submitted and approved as required by this Code along with the site plan.*

The cinema at Glenn Square is designed to provide positive drainage away from the building. The proposed building site currently has an upper area that is near the elevation of Mountain View Drive. From that plateau, the site drops down in excess of 15 feet. This topography will be accommodated by allowing a portion of the northern and western exterior walls to act as retaining walls.

The site will surface drain across the parking areas and drive aisles to curb cuts and new catch basins located within parking islands. The catch basins will connect to the existing Glenn Square storm sewer system. That system outfalls to retention ponds located near the Mountain view Drive and Glenn Highway intersection which provide opportunities for infiltration and storage of the storm water. To see drainage patterns, please refer to the Site Plan (Figure C3.0).

- F. Visual and noise buffers. The large retail establishment shall provide a landscape plan that provides acceptable visual and noise buffers, including at least 25-foot wide buffer landscaping, to separate the commercial development from abutting residentially-zoned areas.*

The approved landscape plan for Glenn Square incorporates buffering landscaping around the entire perimeter of the site, as well as 13.5 percent interior lot landscaping.

The landscaping buffers at the edge of the development consist of a mix of evergreen and deciduous trees and shrubs to provide the necessary visual screen, as well as create variety of plant textures, sizes and colors in these vegetated areas. The eastern boundary of the site will separate the backs of anchor stores from the Clark Middle School property with heavy clustering of trees and shrubs to hide delivery areas. Along the southeast property line, where the Glenn Highway is adjacent to the project site, existing vegetation along with new plantings on top of berms will be incorporated to provide a strong visual screen of the parking lot from the highway. The southwestern portion of the site has four major anchor buildings that will receive intense landscaping along the backsides of the buildings to help screen these more utilitarian spaces from the view of the general public.

The proposed landscape plan for the theater, which supplements the existing plan for Glenn Square, utilizes many of the same plant species as were previously incorporated. This will give the development a cohesive design theme that will flawlessly integrate the proposed Phase II Theater with the rest of Glenn Square. Behind the theater, a 2:1 slope will be seeded, and visual enhancement landscaping will be planted at the top of the grade change to provide the maximum buffering effect.

We incorporated the proposed Phase II landscaping with the previously approved landscape plan and recalculated the internal parking lot landscaping percentage. The interior landscaping now accounts for 11 percent of the interior parking area. This is more than double the AMC requirement of five percent. This network of parking lot islands helps break up the parking lot into small parking areas, and also provides

pedestrian access and sidewalks through the parking lot without requiring pedestrians to circulate through the drive aisle or between parked cars.

- G. *Outdoor storage or display areas. Products stored or displayed outside shall not be visible from abutting R-zoned property. Areas for the outdoor storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. The height of stored materials shall not exceed the height of the screening wall or fence. Materials, colors, and the design of screening walls and/or fences and their covers shall be complementary to those used as predominant materials and colors on the building. Commercial trailers, shipping containers, and similar equipment used for transporting merchandise, shall remain on the premises only as long as required for loading and unloading operations, and shall not be maintained on the premises for storage purposes.*

There are no outdoor display areas planned for this project.

- H. *Trash collection and recycling. Trash handling and recycling shall be screened from public streets and pedestrian ways, internal pedestrian sidewalks, and adjacent R-zoned property by landscaping or architectural features in conformity with the external design and material used by the establishment. Screening shall be designed to abate noise and to confine loose trash. The Commission may limit hours of trash collection as necessary to reduce the effects of noise or traffic on surrounding residential and commercial areas.*

Trash collection areas for shops and office areas are strategically located throughout the site and are enclosed. These enclosures are masonry construction with six-foot high walls and solid steel, swinging doors. In addition, trash enclosures are bordered by landscaped areas with extensive landscape buffering. Major anchor buildings will use trash compactors which will be located in the loading area and shielded from view if visible from the Glenn Highway.

The theater will contain a trash compactor of approximately 30-yard capacity. Trash will be hauled as necessary, from the rear of the building.



- I. *Snow storage or removal. A plan for snow storage or removal from the site shall be submitted and approved. Use of sidewalks for snow storage may be allowed under the approved snow storage landscaping plan. The Commission may impose such restrictions on snow removal operations as are necessary to reduce the effects of noise or traffic on surrounding residential and commercial areas.*

The sidewalks, parking areas and drive lanes will be maintained to prevent the excessive accumulation of snow. Snow may be temporarily stored at the perimeter of the parking areas prior to removal.

- J. *Parking. A detailed parking plan shall address the convenience and safety of patrons, adequate winter lighting, and landscaping amenities and the configuration of parking spaces, walkways, and other amenities. Aesthetic features, landscaping, and the design of parking areas shall, wherever practicable, reduce the appearance of large expanses of parking from neighboring streets and enhance the view of the establishment from its principal points(s) of access. The number and configuration of parking spaces may be determined by the Commission as necessary to achieve these standards. Additional landscaping and community spaces may be required where the applicant wishes to provide parking that exceeds the minimum standards of this Title. The site shall not allow storage or overnight camping of trailers or recreational vehicles.*

Parking for the Glenn Square project conforms to AMC 21.45.080.H which establishes requirements for off-street parking for shopping centers. Based on the size of the development, the general requirement is four parking spaces per 1,000 square feet of gross leasable area (GLA). Adjustments to this general requirement can be made if the project meets special criteria relating to office space, cinemas, and restaurants. A complete breakdown of required parking calculations is provided below.

**Glenn Square Phase II**  
**Parking Calculations per AMC 21.45.080.H**  
**Updated 11-15-07**

Structure	Use	sf
Jr. Anchor 1	Retail	7,000
Anchor 3	Retail	29,900
Anchor 2	Retail	19,200
Anchor 1	Retail	11,000
Pad 1	Restaurant	6,000
Pad 2	Restaurant	5,040
Pad 3	Retail	6,000
Shops 4	Retail	4,200
Anchor 6	Retail	18,400
Anchor 5	Retail	25,600
Anchor 4	Retail	24,700
Shops 1	Retail	17,610
Office	Office	20,050
Shops 2	Retail	19,500
Office	Office	27,595
Theater*	Cinema	2,101

Use	sf	Calculation Ratio	Required Spaces
Retail	183,110	(1/250 sf)	733
Office	47,645	(GLA office - 10% GLA retail) / 350	84
Restaurants <sup>1</sup>	11,040	N/A	0
Theater <sup>2</sup>	2,101	(3/100 seats)	64
			881

Total Required Spaces	881
Total Provided Spaces	1133
Excess	252

<sup>1</sup> For shopping centers between 200,000 and 600,000 square feet of GLA, no additional parking is required for food services

<sup>2</sup> Calculations for required parking for Cinema as part of a Shopping Center are based on the number of seats, not GLA. Therefore 2,101 is the number of seats in the complex, not the square footage.

The calculation of required off-street parking for the development was adjusted from the previous site plan approval to take into account the Phase II changes including a reduction in overall retail space, and the addition of a cinema complex. The proposed changes would bring the development-wide requirement to 881 spaces. The current site plan provides a total of 1,133 spaces, an excess of 252 over the code requirement.

The Fragment Lot Site Plan was configured so that all of the parking for the development is contained in a single Fragment Lot (13). A Declaration of Easements and Conditions (DEC) was recorded for Glenn Square with the existing Fragment Lot Site Plan, governing this shared parking. An amended version is attached to this submittal as part of the plat application (Attachment 4).

- K. *Pedestrian access. The establishment shall provide sufficient accessibility, safety, and convenience to pedestrians, customers and employees. Unobstructed sidewalks shall link the site to existing public sidewalks, its entrances, adjacent transit stops, and abutting residential and commercial areas. Sidewalks shall also be provided along the full length of any building where it adjoins a parking lot. Sufficient sidewalks or barriers shall be provided between parked cars and buildings to prevent vehicles from protruding into reasonable pedestrian passage. Sidewalks shall be separated from adjacent streets by an area sufficient for snow storage and to provide a buffer for pedestrians from vehicular traffic.*

An extensive system of pedestrian sidewalks is located throughout the site connecting the retail and office areas and the theater. Sidewalks within the landscaped area are located 10-feet from the street curb line to provide for landscaping and snow storage. Many retail shops include plaza areas where sidewalks are partially covered with canopies for weather protection.

- L. *Community spaces. Appropriate interior and exterior public areas shall be provided and maintained for customers and visitors to the site to congregate and relax.*

The Glenn Square site plan approved in 2005 provides exterior public areas located throughout the site, with a large public gathering place located at the major intersection between Shops 1 and 2, at the heart of the project. This public plaza will be the focal point for the neighborhood activities.

A lobby interior to the theater, with a concession stand and tables and chairs, will provide guests of the cinema a place to meet while waiting for a show to start.

- M. Delivery and loading spaces. Delivery and loading operations shall be designed and located to mitigate visual and noise impacts on adjacent R-zoned property or commercial areas. The Commission may limit hours of delivery and loading as necessary to reduce the effects of noise or traffic on surrounding residential and commercial areas.*

Delivery and loading areas are hidden from view and are located at the backs of buildings. In addition, these areas will be shielded from Glenn Highway views by either 12-foot high masonry walls or an extensive landscaping buffer

The designated loading area for the theater is located behind the building (see site plan). Because movies do not typically begin showing until 12:00 PM, loading for the theater will likely occur in the mornings between 8:00 and 10:00 AM.

- N. Exterior signs. An exterior sign plan which respects the needs of the establishment to establish its location as well as the higher aesthetic aspirations of the community in general and the immediately surrounding areas shall be submitted for approval. Signs shall be architecturally treated to compliment the building architecture. Pole signs, rotating signs, and flashing signs shall be prohibited.*

The proposed building signs for the theater are shown on the attached elevations (Attachment 3). In addition, the theater may advertise on either the monument sign located at the midpoint of the development along the Glenn Highway, or one of the monument signs located at entries to Glenn Square from Mountain View Drive.

These signs which are for the development and not individual tenants, were previously approved in the 2005 large retail establishment site plan review.

- O. *Outdoor lighting. A photometric and outdoor lighting plan to mitigate negative impacts on adjacent uses shall be submitted for approval.*

Illumination for the majority of parking areas will be provided utilizing 30-foot tapered steel poles with full cutoff metal halide luminaries with spacing adequate to meet Illumination Engineering Society (IES) standards along the horizontal and vertical planes. A contemporary style of fixture will be used which maximizes efficiency and minimizes glare to motorists and local residents.

Pedestrian scale luminaries similar in appearance to the general parking areas on 15-foot poles with brackets for hanging plants will be used along the perimeter parking islands for walkway illumination.

Bollard lighting using high-pressure sodium sources will be used along the landscape area to accent offices and shops, and provide illumination for pedestrians.

Municipality of Anchorage Title 21 and Section 5.040I of the Design Criteria Manual requirements will be adhered to in addition to IES standards for parking areas of medium activity.

- P. *Northern design elements. The Commission may require the provision of design elements that address Anchorage's distinct geography, low light angles, length of days, cold temperatures, wind, snow and ice.*

The site layout takes advantage of its southern exposure by locating plaza and pedestrian areas where they can take maximum advantage of solar exposure. Plaza areas along the major retail shops area in the heart of the project and within the exterior public plaza will be heated to provide for snow-free access during winter months. Plaza areas for pedestrians are also partially covered with awnings at entries and along wall areas to provide for weather protection, and to provide identity, color, and interest for the project. Vestibules will be added to tenant space interior

improvements as required by the tenant, and pedestrian sidewalks will be protected from winds by landscape buffering throughout the parking area.

Special lighting will also be incorporated into individual building design and into the plaza areas to illuminate and identify the project during the entire year. The lighting concepts will be expanded and will contain both building-specific lighting and pedestrian light fixtures within the pedestrian circulation system.

The design of the exterior of the theater addresses the unique character of Anchorage, and the Glenn Square development. All roof elements are flat to avoid creating snow and ice slides. The lobby has a large window wall to allow light inside. A deep canopy protects the entry to the theater.

Q. *Aesthetic characteristics.*

1. *Facades and exterior walls, including side and back walls. The building shall be designed in order to reduce the appearance of massive scale or a uniform and impersonal appearance and to provide visual interest. Long building walls shall be broken up with projections or recessions. Along any public street frontage, the building design should include windows, arcades, or overhangs along at least sixty (60) percent of the building length. When appropriate, architectural treatment, similar to that provided to the front face, shall be provided on the sides and rear of the building to mitigate any negative view from abutting properties and/or streets. The site plan shall ensure buildings have complexity at street level with human scale by providing features such as changes in building form at entrances, and providing windows, enhanced trim and architectural detail.*

Building facades are designed to provide visual interest and are broken up by numerous pilasters, canopies, awnings, building projections, entry features, and architectural elements. The pedestrian experience along the plaza areas is enhanced with generous amounts of storefront, covered awnings and canopies, and unique building entries to provide individuality for each tenant. In addition, the façade mass is heightened at the building entries and reduced in other areas to add to the variety

and interest of the project.

2. *Detail features. The design shall provide architectural features that contribute to visual interest at the pedestrian scale and reduce the massive scale effect by breaking up the building wall, front, side, or rear, with color, texture change, and repeating wall offsets, reveals, or projecting ribs.*

Detail features incorporated into the project include the pilasters and architectural elements, which are repeated throughout the project to add architectural interest and maintain a consistent "village" architectural theme. Materials vary throughout the project and range from stone and masonry to plaster cornices and details. Variation of color allows tenants to emphasize their individuality. In the evenings, special lighting of architectural features will create a unique environment.

Each elevation of the cinema is broken up into smaller elements by color and change in parapet height. The parapet height changes also serve as visual clues to the position of the building entrance. The rear of the building is divided by deep exit niches into three discrete blocks.

3. *Roofs. The roof design shall provide variations in roof lines and heights to add interest to, and reduce the massive scale of, large buildings. Parapet walls shall be architecturally treated to avoid a plain or monotonous style.*

Roof masses and types of roof vary throughout the project with gabled roofed areas and flat-sloping roof areas used to emphasize specific features and focal points of the project. Parapet walls contain plaster cornice detailing throughout the project to add to a consistent theme and overall quality of design.

4. *Materials and colors. The buildings shall have exterior building materials and colors which are aesthetically pleasing and compatible with the overall site plan. Construction material shall provide color, texture, and scale.*

The building materials of the development contain a variety of materials, which are used to visually emphasize specific features or areas of the project. These materials

range from stone and masonry to plaster and aluminum storefront. In addition, the aluminum storefront system within the shops areas will use a variety of different patterns and design in order to emphasize the individuality of each area of the project.

The colors for the exterior of the cinema complement the interior design, which establishes a grand palace, Art-deco feel. The lower portion of the exterior walls has a more tactile surface suggesting a pedestrian-friendly scale.

5. *Entryways. Entryways shall be designed to orient customers and add aesthetically pleasing character to buildings by providing inviting customer entrances that are protected from the weather.*

The entryways of the project are visually emphasized with towers and other unique architectural elements in order to add a visual reference and architectural interest to the project. These features range from towers and clock tower elements to octagonal corners with special, unique lighting in each area.

The theater entrance is on the south side of the building, affording the sunniest approach. The entryway to the lobby is protected by a deep canopy.

6. *Screening of mechanical equipment. Roof or ground-mounted mechanical equipment shall be screened to mitigate noise and views in all directions. If roof mounted, the screen shall be designed to conform architecturally with the design of the building, whether it is with varying roof planes or with parapet walls. Ground-mounted mechanical equipment shall be screened. The screen shall be of such material and be of sufficient height to block the view and noise of the equipment.*

All mechanical equipment will be screened from view by roof elements and/or parapets. The cinema parapet is designed so that the actual elevation of the top of each wall exceeds the actual elevation of the highest roof equipment.



# Application for Conditional Use

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) Anchorage Community Development Authority	Name (last name first) DOWL Engineers
Mailing Address 700 West 6th Avenue, Suite 206 Anchorage, AK 99501	Mailing Address 4041 B Street Anchorage, AK 99503
Contact Phone: Day: 297-4419 Night:	Contact Phone: Day: 562-2000 Night:
FAX:	FAX:
E-mail: mikowskiWA@ci.anchorage.ak.us	E-mail: mtuttell@dowl.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): 004-051-19		
Site Street Address: 3090 Mountain View Drive		
Current legal description: (use additional sheet if necessary) Fragment Lot 11A, Tract 1A, Mountain View Development Subdivision		
Zoning: B-3 SL	Acreage: 0.3	Grid # SW1235

CONDITIONAL USE APPROVAL REQUESTED		
Final:	<input checked="" type="checkbox"/> New	<input type="checkbox"/> Amendment
Concept:	<input type="checkbox"/> New	<input type="checkbox"/> Amendment

I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I petition for a conditional use permit 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 conditional use. 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 Hearing Officer for administrative reasons.

Date 4/15/07	Signature <i>[Signature]</i> (Agents must provide written proof of authorization)
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Accepted by:	Poster & Affidavit:	Fee:	Case Number:
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Application for conditional use 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- Tumagain 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: P&Z Resolution 2005-077/AO 2006-43  
☐ Preliminary Plat ☒ Final Plat - Case Number(s): P&Z Resolution 2005-079/Plat 2006-62  
☐ Conditional Use - Case Number(s):  
☐ Zoning variance - Case Number(s):  
☐ Land Use Enforcement Action for  
☒ Building or Land Use Permit for Large Retail Establishment SPR P&Z Resolution 2005-080  
☐ Wetland permit: ☐ Army Corp of Engineers ☐ Municipality of Anchorage

**DOCUMENTATION**

- Required: ☒ 25 copies of site plan to scale depicting: building footprints; parking areas; vehicle and pedestrian circulation; lighting; grading; landscaping; signage; drainage and project location.  
☒ 25 copies of building plans to scale depicting: floor plans; building elevations; exterior colors and textures.  
☒ Narrative: explaining the project; planning objectives; construction and operation schedule; final ownership; PUD's only: gross and net density; private and common open space areas  
 Optional: ☐ Air quality impact ☐ Traffic impact analysis ☐ Economic impact analysis  
☐ Soils Analysis ☐ Noise impact analysis ☐ Holding capacity of the land analysis

**CONDITIONAL USE STANDARDS**

The Planning and Zoning Commission may only approve the conditional use if the Commission finds that **all** of the following 4 standards are satisfied. Each standard must have a response in as much detail as it takes to explain how your project satisfies the standard. The burden of proof rests with you. Use additional paper if needed.

Explain how the proposed conditional use furthers the goals and policies of the comprehensive development plan and conforms to the comprehensive development plan in the manner required by AMC 21.05.

See attached.

Explain how the proposed conditional use conforms to the standards for that use in this title and regulations promulgated under this title.

See attached.

Explain how the proposed conditional use will be compatible with existing and planned land uses in the surrounding neighborhood and with the intent of its use district.

See attached.

Explain how the proposed conditional use will not have a permanent negative impact on the items listed below substantially greater than that anticipated from permitted development:

1. Pedestrian and vehicular traffic circulation and safety.

See attached.

2. The demand for and availability of public services and facilities.

See attached.

3. Noise, air, water or other forms of environmental pollution.

See attached.

4. The maintenance of compatible and efficient development patterns and land use intensities.

See attached.

**Glenn Square Phase II**  
**Conditional Use Permit Application**  
**Client – Anchorage Community Development Authority (ACDA)**  
**Standards for Conditional Use Permit (21.50.020).**

**Approval of the conditional use application is based on the following standards:**

- 1. Furthers the goals and policies of the comprehensive development plan and conforms to the comprehensive development plan in the manner required by chapter 21.05.**

This conditional use request is for relocation of an electric utility substation. Municipal Light and Power (ML&P), which is owned by the Municipality of Anchorage (MOA), has an existing utility substation (Substation No. 14) on the northern portion of Glenn Square. Development of the second phase at Glenn Square requires relocation of the substation to another fragment lot on the site. The substation is located on Fragment Lot 14, Tract 1, Mountain View Development Subdivision. The new location for the substation is on proposed Fragment Lot 11B, Tract 1A, Mountain Development Subdivision, which was subdivided from the original Fragment Lot 11 specifically for relocating the substation. An aerial photograph of the area provides a view of the existing and proposed locations (Figure 9).

The Anchorage Bowl Comprehensive 2020 Plan (ABC 2020 Plan) supports upgrading utilities for safety reasons and energy efficiency. Chapter 2 of the ABC 2020 Plan discusses electric power utilities and the need for future safety and capacity projects, including new transmission lines and facilities, line upgrades, and undergrounding of distribution lines, to meet the needs of the community. The Planning Principles for Public Facilities and Services in Chapter 4 include ensuring that all neighborhoods are served by appropriate infrastructure, including utilities; using public infrastructure to help revitalize or renew aging neighborhoods; and making efficient use of existing water, sewer, and electric power improvements.

Land Use Policy No. 80 in the ABC 2020 Plan points out that utilities shall be located and designed with balanced regard for the environment, energy conservation, reliability, visual impacts, natural hazard survivability, and cost. ML&P proposes to upgrade their substation in the new location by installing high voltage (115KV) switchgear with a SF6 gas-insulation switchgear (GIS) and enclosing it in a building to minimize the electric and magnetic fields (EMF). The GIS encapsulates all the high voltage conductors, breakers, disconnect switches, ground switches, and connecting busbar duct, in a hexafluoride gas insulated cylindrical container. The new switchgear is more reliable in that it reduces the risk of personnel exposed to high voltage, reduces the risk of birds landing on the high voltage busbar, or potential throwing of objects on the station which may cause power outages. The power transformer will also be placed between the 15KV switchgear and the 115KV switchgear (GIS building) to minimize the humming noise generated by the transformer. Using a GIS system takes up less space (approximately 60 percent) than the conventional air insulated substation and the maintenance of the GIS system is minimal compared to the air insulated system. GIS is more reliable because all switches, transformers, and breakers are enclosed in the cylindrical containers, and are connected with each other. It also provides better back up to the other substations. A fence will be installed that surrounds the entire substation to reduce visual impacts. The area has a low risk for natural hazards.

**General Information about ML&P.**

ML&P is owned and operated by the MOA and has been providing power to Anchorage since 1932. ML&P is a vertically integrated utility in that it generates, transmits and distributes power. The ML&P transmission and distribution system includes 366 miles of electrical lines, of which 228 miles are underground and 138 miles are overhead, and includes 21 electric substations. Substation No. 14 steps the electric current down from the 115,000 volts on the transmission line into the substation, to 12,470 volts for the distribution lines from the substation to neighborhoods, thereby providing electricity to ML&P customers. The substation will have overhead transmission lines coming into it and underground distribution feeders coming out of it. Substation 14 will provide power

to the Mountain View area, Northway Mall, Glenn Square Development, Clark Junior High School, Alaska Regional Hospital, and the Airport Heights area.

**2. Conforms to the standards for that use in this title and regulations promulgated under this title.**

The proposed site for the utility substation is zoned B-3SL. The special limitations on this site are related to development of Fragment Lot 14 and would not affect relocation of the substation on Fragment Lot 11B. The site meets the minimum lot dimensions for B-3.

Utility substations require a conditional use permit in the B-3 zoning district (AMC 21.40.180.D.1). There are no specific conditions of approval for utility substations in AMC Title 21; therefore the general standards for a conditional approval are addressed in this application (AMC 21.50.020).

**3. Will be compatible with existing and planned land uses in the surrounding neighborhood and with the intent of its use district.**

Substation No. 14 currently exists on Fragment Lot 14 and is merely being relocated to a different location (proposed Fragment Lot 11B) on the same tract of land. ML&P needs additional area to allow an upgrade and expansion of their substation in order to meet the future demands of growth in the Anchorage Bowl and to increase the reliability and safety of the electric system. The substation site will be screened from the school and other areas using attractive fencing to increase its compatibility with adjacent land uses.

**4. Will not have a permanent negative impact on the items listed in this subsection substantially greater than that anticipated from permitted development:**

**a. Pedestrian and vehicular traffic circulation and safety.**

Pedestrian circulation is not necessary for this use, as the site will not be open to the public. Utility substations do not generate large volumes of traffic. One drive aisle will be installed for maintenance providers to access and park their vehicles.

**b. The demand for and availability of public services and facilities.**

All public services and facilities are provided to this site. Relocation of the substation will not increase demand for any public services or facilities.

**c. Noise, air, water or other forms of environmental pollution.**

To mitigate noise from the substation, the transformer will be installed between the two switchgear buildings.

The gas insulated switchgear reduces the risk of electrical and magnetic field (EMF) emissions. The EMF levels at the substation are monitored regularly. Although studies of the effects of EMF are inconclusive, ML&P takes precautionary steps to minimize the EMF levels. The switchgear will be insulated with SF-6 gas-insulated piping as well as confined in an enclosed building. Research has indicated that the EMF levels at substations are equal or less than what exists in our homes or schools. Although the State of California has implemented measures to require facilities that emit EMF to be separated from schools (not because of any conclusive biological evidence of a health hazard, but rather based on knowledge that magnetic fields strength decreases to background levels with increasing distance), there are no local, state or national standards for separation in Alaska.

The substation will incorporate security measures including a gated fence and alarms on the switchgear doors. The substation will have a Supervisory Control and Data Acquisition (SCADA) system that would relay any alarm to ML&P. SCADA is the same technology that alarms ML&P of any power outages.

Lighting for the substation is within the fenced area, with down-facing pole lights that will not be taller than the installed screening fence (Attachment 7). Signs will be posted on all sides of the fence warning the public of the high voltage area. A name plate sign identifying this as Substation No. 14 will be mounted in the southwest corner of Lot 11B where maintenance vehicles access the site.

**d. The maintenance of compatible and efficient development patterns and land use intensities.**

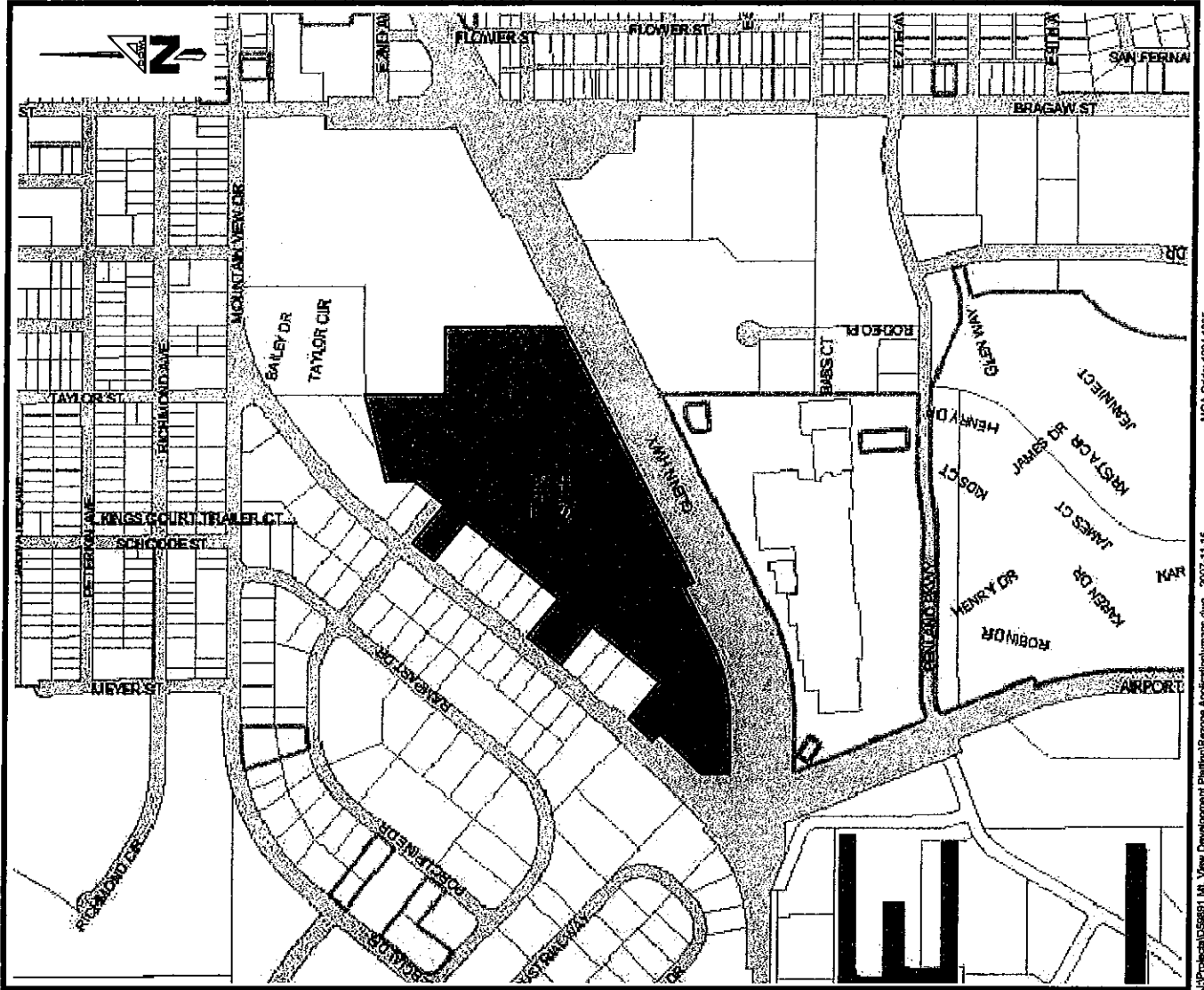
The substation is compatible with existing development patterns and land use intensities. A substation already exists on the commercial tract, and provides electrical power to a large part of the northeast community, such as the Mountain View area, Northway Mall, Glenn Square Development, Clark Junior High School, Alaska Regional Hospital, and the Airport Heights area. This action would result in relocation of the substation approximately 1,200 feet to the east. This allows for a more efficient use of the land for a Regional Commercial Center, as called for in the Concept Land Use Plan Map.

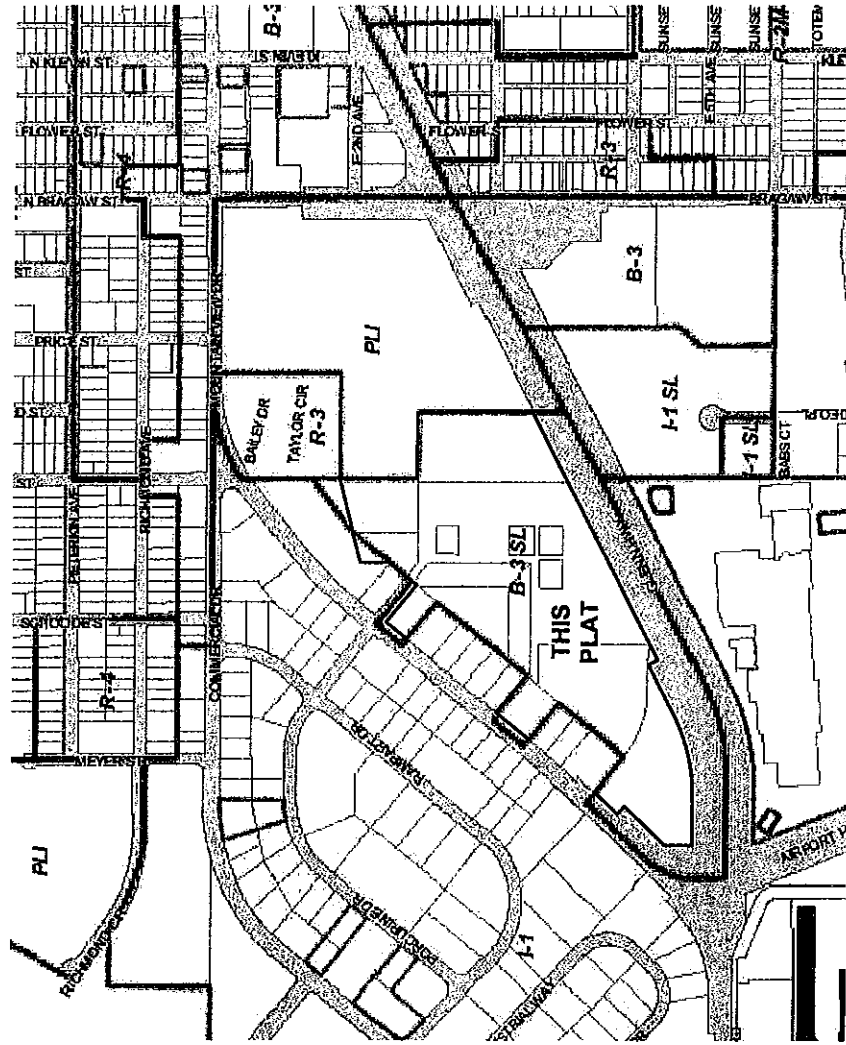
D59891.Conditional Use Permit.MET.111507.tla

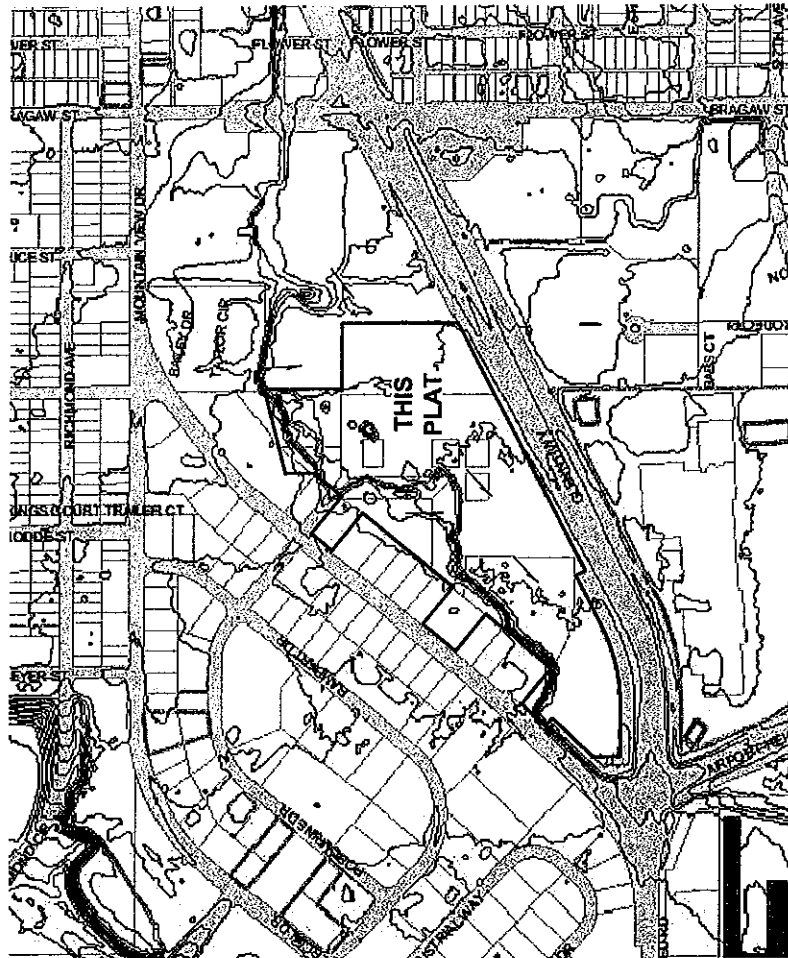


Glenn Square Phase II  
Land Use Applications  
Figures

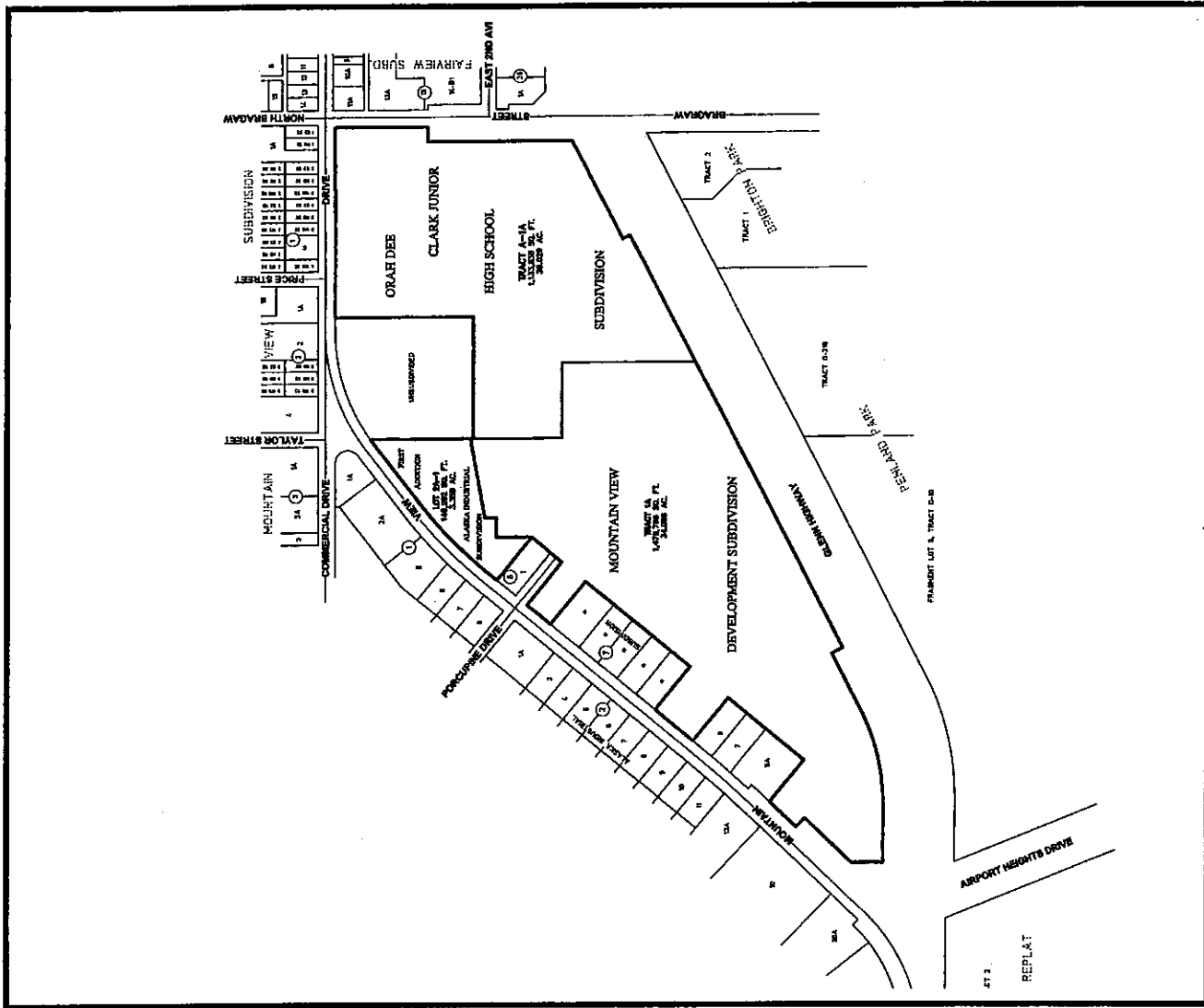


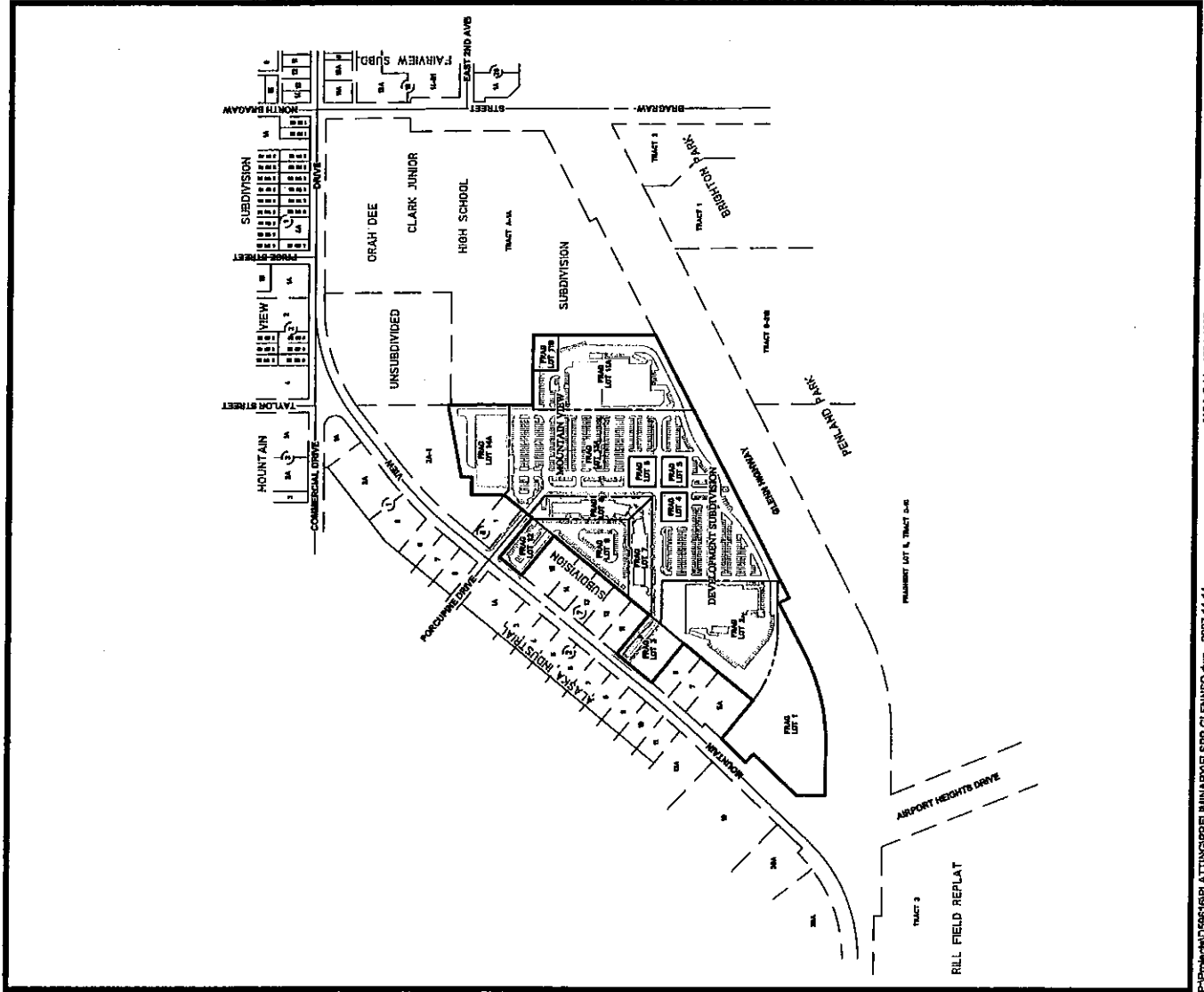




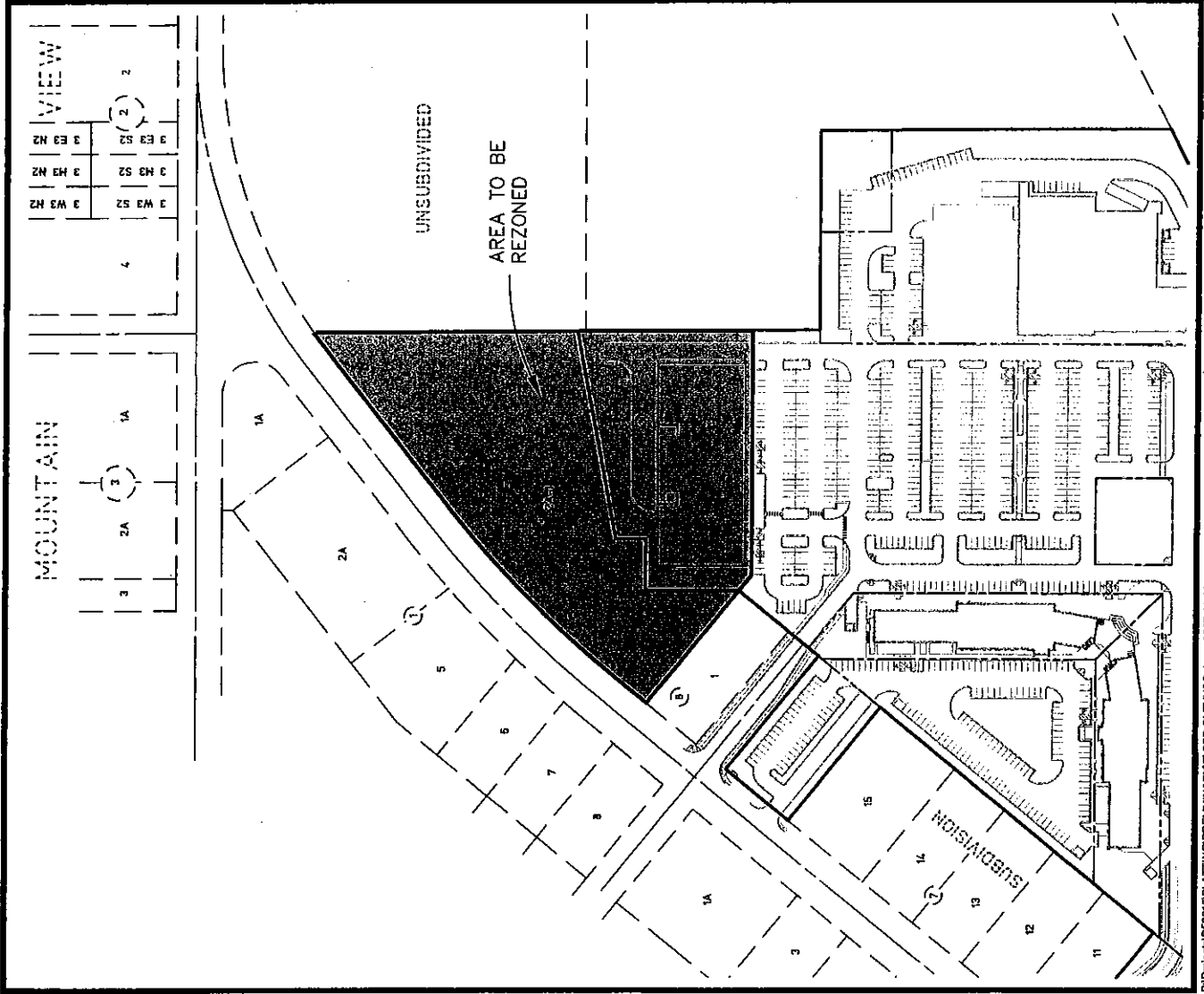


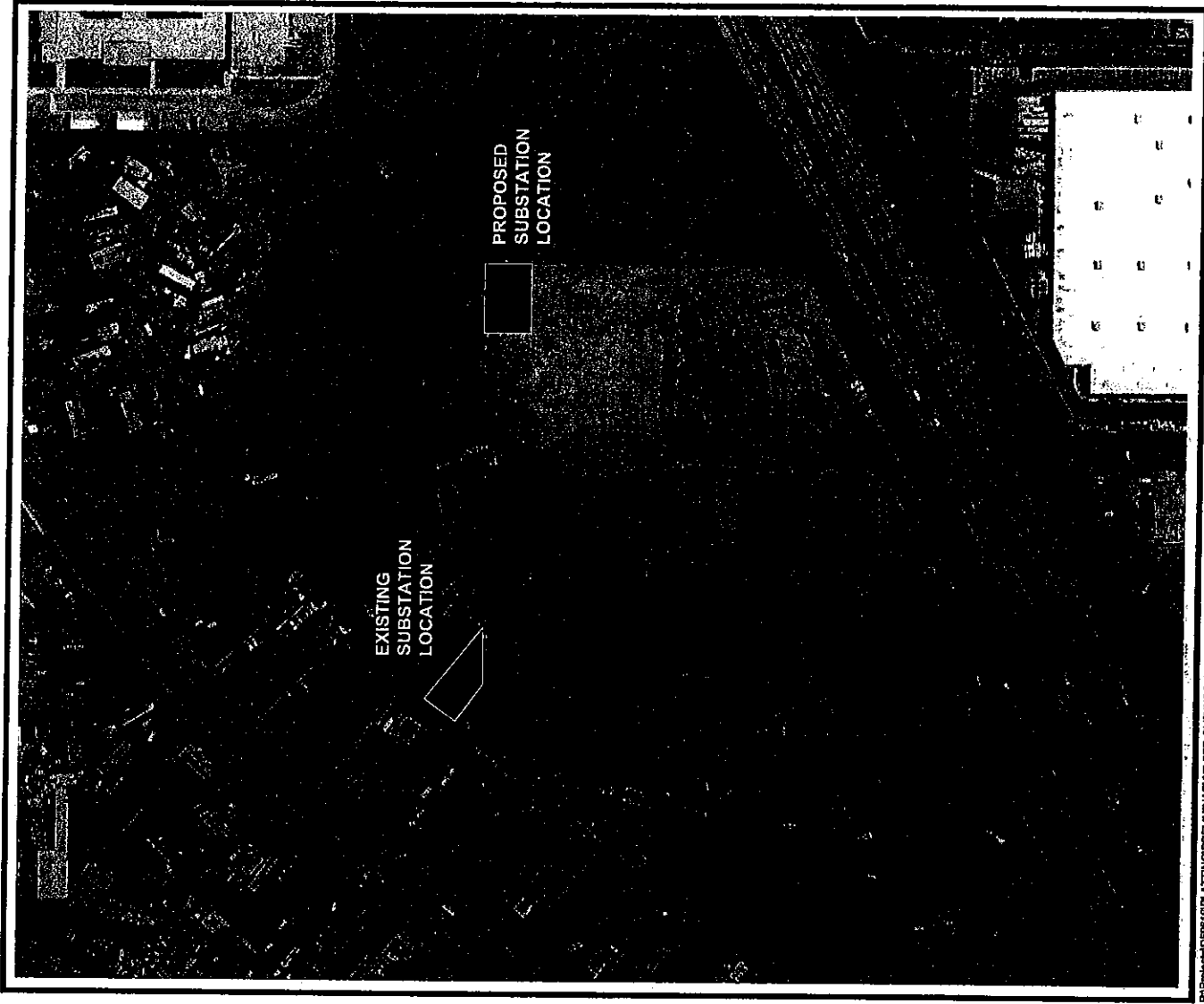












EXISTING  
SUBSTATION  
LOCATION

PROPOSED  
SUBSTATION  
LOCATION

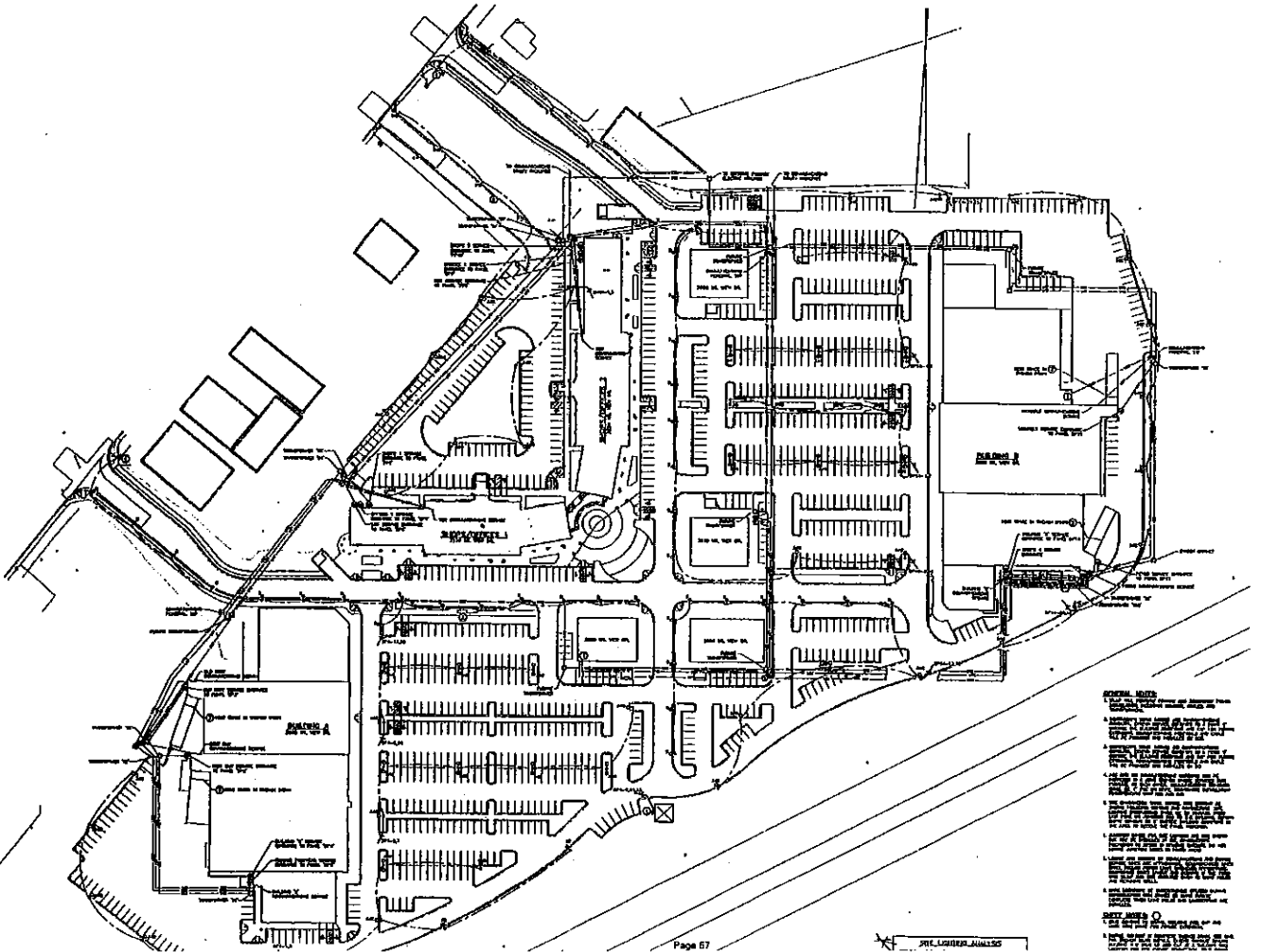
MOA Gbde 1224.1235

P:\P\04\03\09616\PLATTING\PRELIMINARY\SP-GLSENSQ.dwg 2007-11-14

Substation Relocation



BS  
NORTH  
ARROW



GENERAL NOTES:  
1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
6. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
8. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
10. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

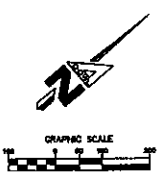
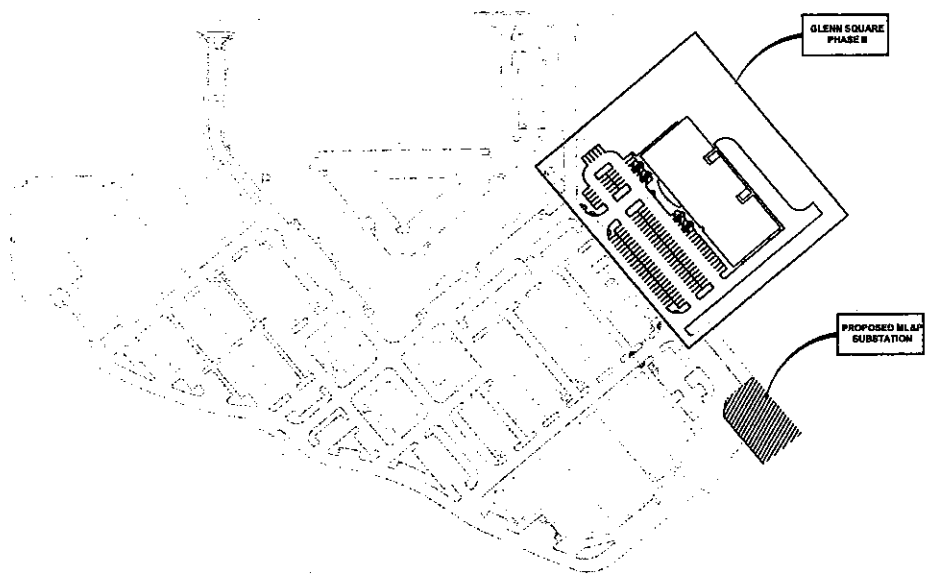
DESIGN:  
ARCHITECT:  
ENGINEER:  
PLANNING:  
LANDSCAPE:  
INTERIOR:  
MECHANICAL:  
ELECTRICAL:  
SANITARY:

DATE: 01/12/10

PROJECT: 10-001

BY: [Signature]

PROJECT: 10-001





# INTERIOR PARKING LOT LANDSCAPING CALCULATION (ENTIRE GLENN SQUARE SITE)

TOTAL SF OF ROADWAY, PARKING SPACES AND ISLAND MEDIAN = 782,881 SF  
 SF OF PAVED AREA REQUIRED FOR INTERIOR LANDSCAPE = 36,337 SF  
 PROVIDED = 84,742 SF (116%)

ALASKA INDUSTRIAL ZONING

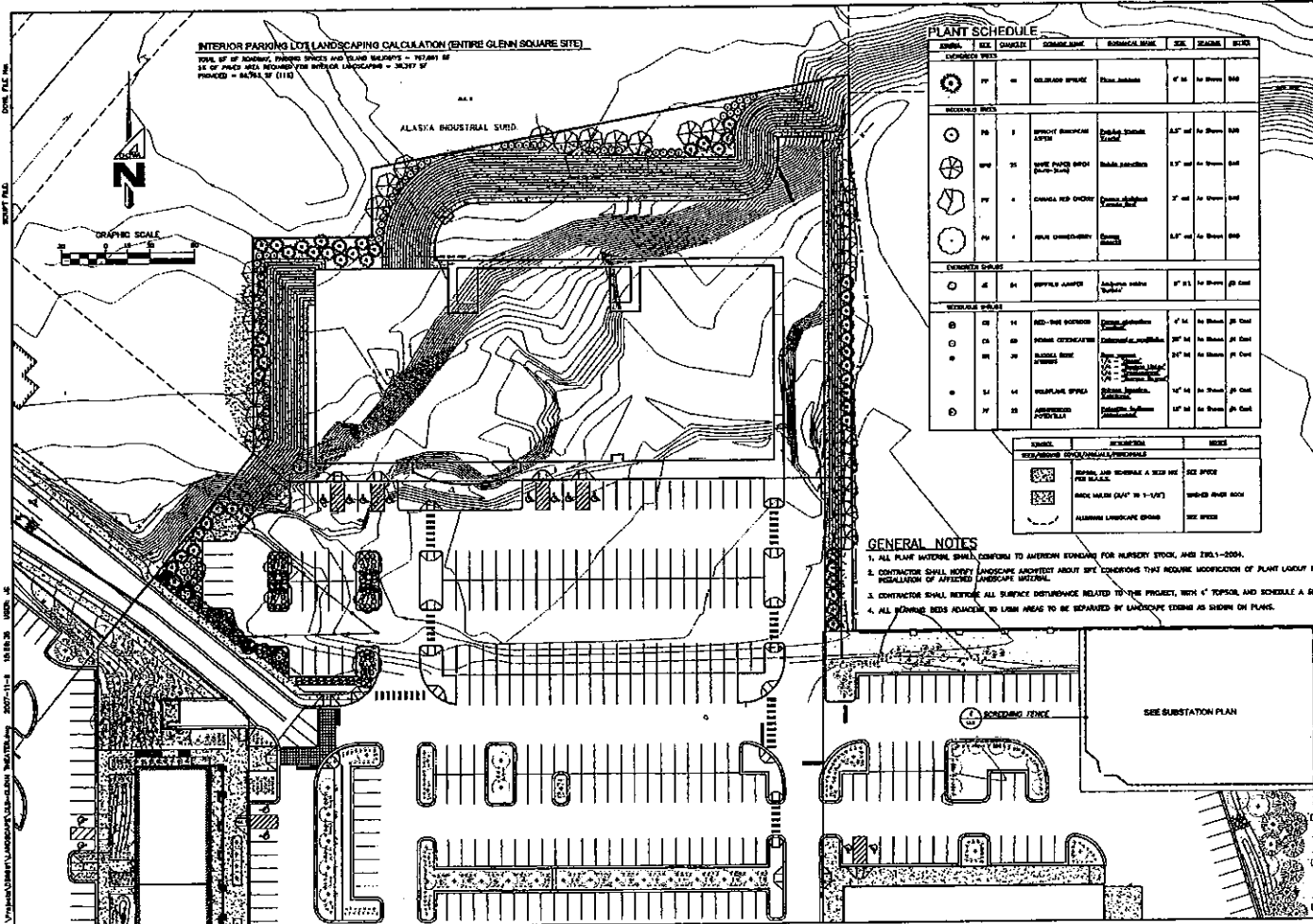
## PLANT SCHEDULE

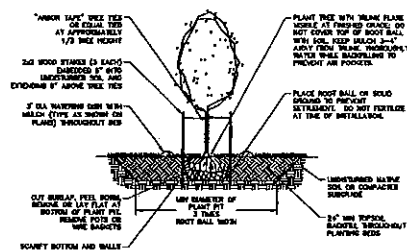
SYMBOL	SIZE	QUANTITY	COMMON NAME	SCIENTIFIC NAME	HT.	SPACING	NOTES
<b>DEVELOPED SITE</b>							
	12"	10	WILLOW SPICE	Salix alba	12' H.	10' Spacing	100
<b>RESERVED SITE</b>							
	18"	1	SPRING BURNING	Prunella sp.	18' H.	10' Spacing	100
	24"	1	WIDE PAVED DRIVE	Salix alba	12' H.	10' Spacing	100
	36"	1	CHERRY RED CHERRY	Prunella sp.	12' H.	10' Spacing	100
	48"	1	WIDE PAVED DRIVE	Salix alba	12' H.	10' Spacing	100
<b>DEVELOPED SITE</b>							
	12"	10	WILLOW SPICE	Salix alba	12' H.	10' Spacing	100
<b>RESERVED SITE</b>							
	18"	1	SPRING BURNING	Prunella sp.	18' H.	10' Spacing	100
	24"	1	WIDE PAVED DRIVE	Salix alba	12' H.	10' Spacing	100
	36"	1	CHERRY RED CHERRY	Prunella sp.	12' H.	10' Spacing	100
	48"	1	WIDE PAVED DRIVE	Salix alba	12' H.	10' Spacing	100

SYMBOL	DESCRIPTION	NOTES
	12" TREE	SEE SPEC
	18" TREE	SEE SPEC
	24" TREE	SEE SPEC
	36" TREE	SEE SPEC
	48" TREE	SEE SPEC

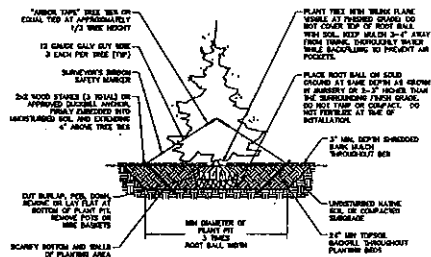
## GENERAL NOTES

1. ALL PLANT MATERIAL SHALL CONFORM TO AMERICAN STANDARD FOR NURSERY STOCK, ANSI Z60.1-2006.
2. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT ABOUT SITE CONDITIONS THAT REQUIRE MODIFICATION OF PLANT LAYOUT IN INSTALLATION OF ANTICIPATED LANDSCAPE MATERIAL.
3. CONTRACTOR SHALL MAINTAIN ALL SURFACE DISTURBANCE RELATED TO THE PROJECT, WITH A TOPSOIL AND SCHEDULE A SET.
4. ALL PLANTING BEDS ADJACENT TO DRIVE AREAS TO BE SEPARATED BY LANDSCAPE TREES AS SHOWN ON PLANS.



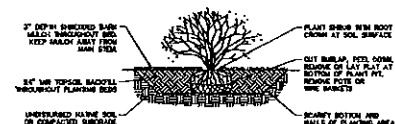


1  
12.0 DECIDUOUS TREE PLANTING  
N73



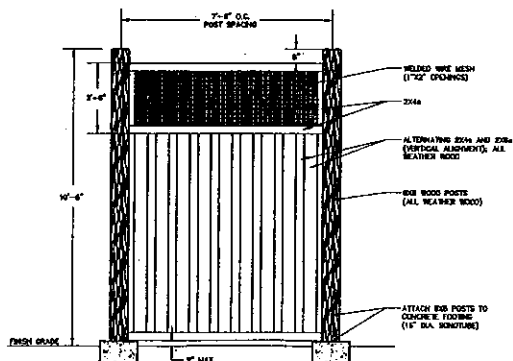
2  
12.0

EVERGREEN TREE PLANTING  
HTS



3  
12.0

SHRUB PLANTING  
HTC



4 SCREENING FENCE  
120 MTS

---

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**Glenn Square Phase II  
Land Use Applications  
Attachments**



Glenn Square Phase II  
Land Use Applications  
Attachments

Attachment 1  
Preliminary Plat – Commercial Tract

1. THE HERBERT CROSBY TRUST (THE TRUST) HOLD THE HERON SPECIFIED PROPERTY INTEREST IN THE PROPERTY SHOWN AND DESCRIBED HEREON. THE HERBERT CROSBY TRUST HAS THE SOLE AUTHORITY TO MAKE ALL DECISIONS CONCERNING THE PROPERTY, INCLUDING BUT NOT LIMITED TO, ALLEYS, THROUGHWAYS, FLOODS, AND OTHER PUBLIC AREAS SHOWN HEREON. THERE SHALL BE RESERVED EASEMENT TO THE EASEMENTS SHOWN HEREON A FLOOD RESERVATION EASEMENT SUFFICIENT TO CONTAIN OUT AND FILL BLANKS OF 18 FEET MINIMUM, WITH EACH 1 FOOT OF PROVISIONAL (ALS TO 1) OF OUT OF THE FILL FOR THE PURPOSES OF PROTECTING AND MAINTAINING THE LATERAL SUPPORT OF THE CONSTRUCTED EASEMENTS. THERE IS RESERVED TO THE GRANTORS, THEIR HEIRS, SUCCESSORS AND ASSIGNS, THE RIGHT TO USE SUCH AREAS AT ANY TIME FOR ANY PURPOSES, INCLUDING BUT NOT LIMITED TO, SUPPORT, AS REQUIRED, BUT NOT TO THE PROPERTY.

I (WE) HEREBY AGREE TO THIS PLATE, AND TO ANY RESTRICTION OR COVENANT APPEARING HEREON AND ANY SUCH RESTRICTION OR COVENANT SHALL BE BINDING AND ENFORCEABLE AGAINST PRESENT AND SUCCESSIVE OWNERS OF THIS SUBDIVIDED PROPERTY.

THE MUNICIPALITY OF ANCHORAGE  
P.O. BOX 104450  
ANCHORAGE, ALASKA 99510-4450

**SOURCE** \_\_\_\_\_ **FILE** \_\_\_\_\_  
**DATE OF INFO** \_\_\_\_\_

WITNESSED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
19\_\_\_\_, PURSUANT TO THE BY-LAWS OR A RESOLUTION OF ITS BOARD  
OF DIRECTORS.

PERSONALLY APPEARED \_\_\_\_\_  
NOTARY PUBLIC \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

**ANCHORAGE COMMUNITY DEVELOPMENT AUTHORITY**  
700 WEST 8TH AVENUE, SUITE 208  
ANCHORAGE, ALASKA 99501

**REMARKS:**

**WAT**

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
 20\_\_\_\_ PURSUANT TO ITS BY-LAWS OR A RESOLUTION OF ITS BOARD OF  
 DIRECTORS.

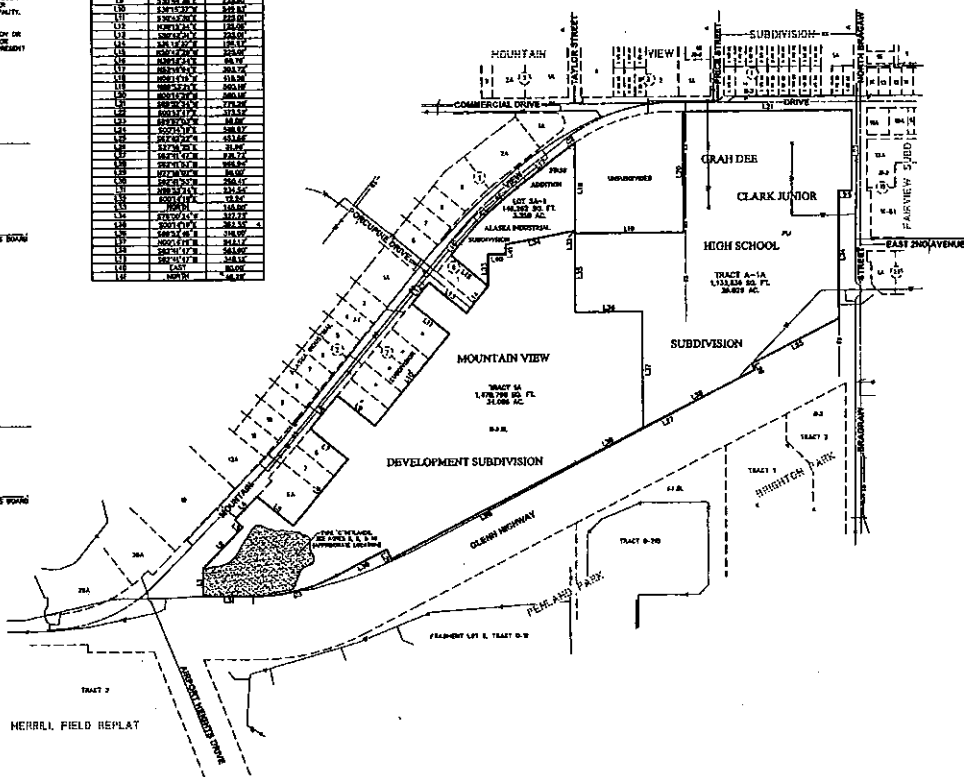
PERSONALLY APPEARED \_\_\_\_\_  
 NOTARY PUBLIC \_\_\_\_\_  
 MY COMMISSION EXPIRES \_\_\_\_\_

1. STANLEY E. POMERANCE, PROFESSIONAL LAND SURVEYOR,  
DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS A  
TRUE AND CORRECT REPRESENTATION OF THE ACTUALLY  
SURVEYED AND THAT THE DISTANCES AND BEARINGS ARE  
SHOWN CORRECTLY AND THAT ALL PERMANENT EXISTING  
CONTROL MONUMENTS, ALL OTHER MONUMENTS, AND LOT  
CORNERS HAVE BEEN SET AND STAKED, OR IF FINAL  
COMPLETION IS ASSURED BY SUBSEQUENT AGREEMENT, THEY  
WILL BE SET AS PER THE INSTRUMENT AND SURVEYOR'S AGREEMENT.  
EXTERIOR LOT CORNERS TO BE SET BY B.L.A.  
INTERIOR LOT CORNERS TO BE SET BY B.L.A.



LINE DATA TABLE		
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CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	133.31°	1597.82'	1194.05'	394.28'
C2	273.55°	778.17'	31.39'	32.36'
C3	300.24°	437.09'	368.54'	384.20'



**TAX CERTIFICATION**  
ALL REAL PROPERTY TAXES  
MUNICIPALITY OF ANCHORAGE  
SHOWN ON THIS PLAT HAVE  
BEEN APPROVED AS DUE BY  
AND THE TAX DUE DATE, IN  
WITH THE ONE-FISCAL OPI  
SUFFICIENT TO PAY ESTIMATE  
TAX FOR THE CURRENT YEAR.

246

THE MUNICIPALITY OF ANCHORAGE  
FOR PUBLIC USES AND FOR  
REAL PROPERTY DEDICATED  
BUT NOT LIMITED TO THE E:  
TRAY, ALLEYS, ROADWAYS, T  
PARKS SHOWN HEREON.

DATE AT MEMPHIS, ALA

MANCHESTER, N.H.

FLAT APPROVED BY THE MR.

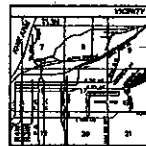
Authorized Official

**APPROVALS**

PLATING OFFICER

CHIEF OF POLICE

PRELIM



LOCATED WITHIN THE N 1/2 SW

#### ACQUISITION AND DEVELOPMENT

AND

## TRACT A

### FIRST ADDITION, ALASKA IN

(WITH EASEMENT)

TRACT 1, MOUNTAIN VIEW SEC  
ET AL. DRUG USE STATE JUDG

IN THE ANCHORAGE RE-  
TARD JENSEN DISTRICT

THE N 1/2, SECTION 14,  
ANCHORAGE, ALASKA

100

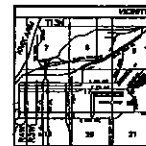
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0 MAY-15-2007	SUPPLIED
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[illegible]

PRELIMINARY  
EASEMENT

[illegible]

**Attachment 2**  
**Preliminary Plat – Fragment Lot Site Plan**

I (WE) HEREBY CERTIFY THAT I (WE) HOLD THE HEREIN SPECIFIED PROPERTY INTEREST IN THE PROPERTY SHOWN AND DESCRIBED HEREON. WE HEREBY AGREE TO THIS SITE PLAN AND TO ANY RESTRICTIONS OR COVENANT APPLICABLE HEREON AND ANY SUCH RESTRICTIONS OR COVENANT SHALL BE BINDING AND ENFORCEABLE AGAINST PRESENT AND SUCCESSIVE OWNERS OF THIS PROPERTY.

WALDO, POB GLEN SQUARE ANCHORAGE, ILL  
325 NEW HYDE PARK ROAD, SUITE 100  
NEW HYDE PARK, NEW YORK 10043

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF  
 \_\_\_\_, PURSUANT TO ITS BY-LAWS OR A RESOLUTION OF ITS BOARD  
 OF DIRECTORS.

**NOBODY KNOWS:**

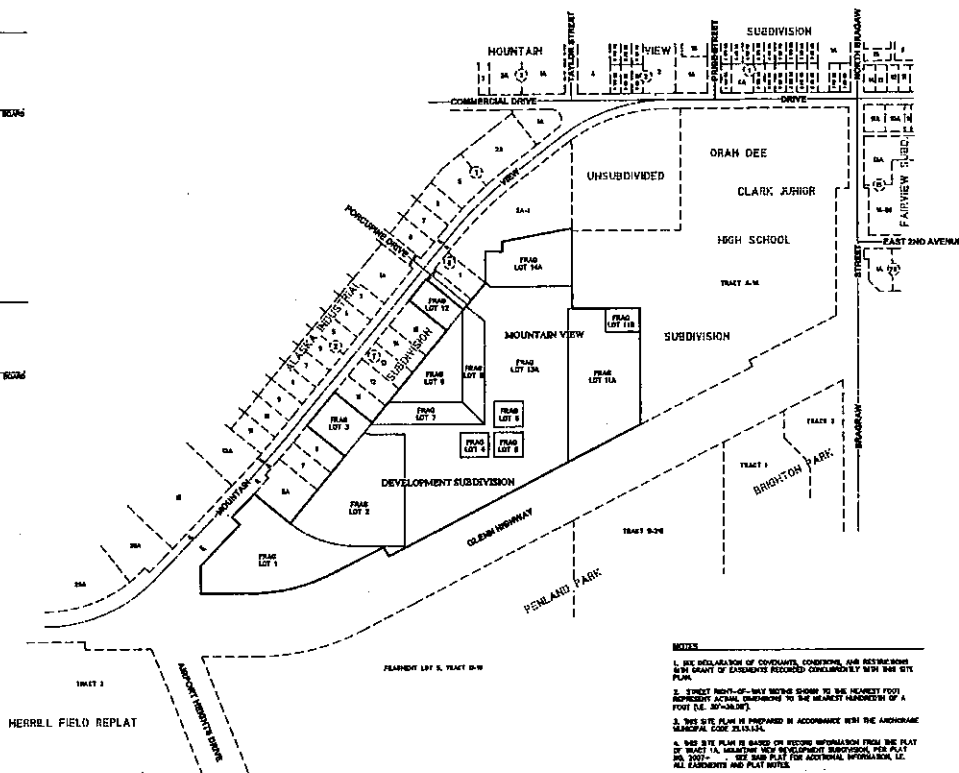
ANCHORAGE COMMUNITY DEVELOPMENT AUTHORITY  
700 WEST 8TH AVENUE, SUITE 201  
ANCHORAGE, ALASKA 99501

**SUBSCRIPTIONS AND SALES**

\_\_\_\_\_

NY COMMISSION ON EXCELLENCE

I, STANLEY E. POWHNESS, PROFESSIONAL LAND SURVEYOR  
DO HEREBY CERTIFY THAT THIS FRAGMENT LOT SITE PLAN  
SHOWS A TRUE AND CORRECT REPRESENTATION OF THE  
RECORD BOUNDARY OF MOUNTAIN VIEW DEVELOPMENT  
ELEMENTS, TRACT 1A, PER PLAT NO. 2006-

[illegible]

ALL REAL PROPERTY TAXES  
MUNICIPALITY OF ANCHORAGE  
SHOWN ON THIS PLAT HAVE  
IF APPROVAL IS SOUGHT BY  
AND THE TAX DUE DATE, T  
WITH THE CHIEF FISCAL OFF  
SUFFICIENT TO PAY ESTIMA  
TAX FOR THE CURRENT YEAR

THE MUNICIPALITY OF ANCHORAGE  
FOR PUBLIC USES AND FOR  
REAL PROPERTY DESIGNATED  
BUT NOT LIMITED TO THE E  
WAYS, ALLEYS, ROADS, TR  
PARKS SHOWN HEREON.

Page: 30

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**M. A. M. ALI**

**PLAN APPROVED BY THE N**

Activity 145 - Day 6

**References**

### PLATING OFFICE

LOCATED WITHIN THE N 1/2 SD

PLAY 0

COMMERCIAL  
FREIGHT LOT

**FOR**

MOUNTAIN VIEW DEVELOPMENT  
OVER PLAT NO. 1

FRAGMENT LOTS 1-8: 11.

CONTAINS 3.34 ACRES.

TABLE 7  
Sedimentation characteristics of the sediment

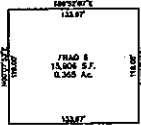
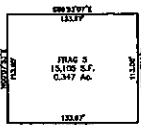
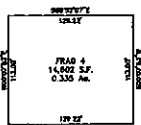
ANCHORAGE RECORD

**1 DC**



A44 E SPARE/NO-CHANGE A44P JUNE			
DATE	FILED	BY	

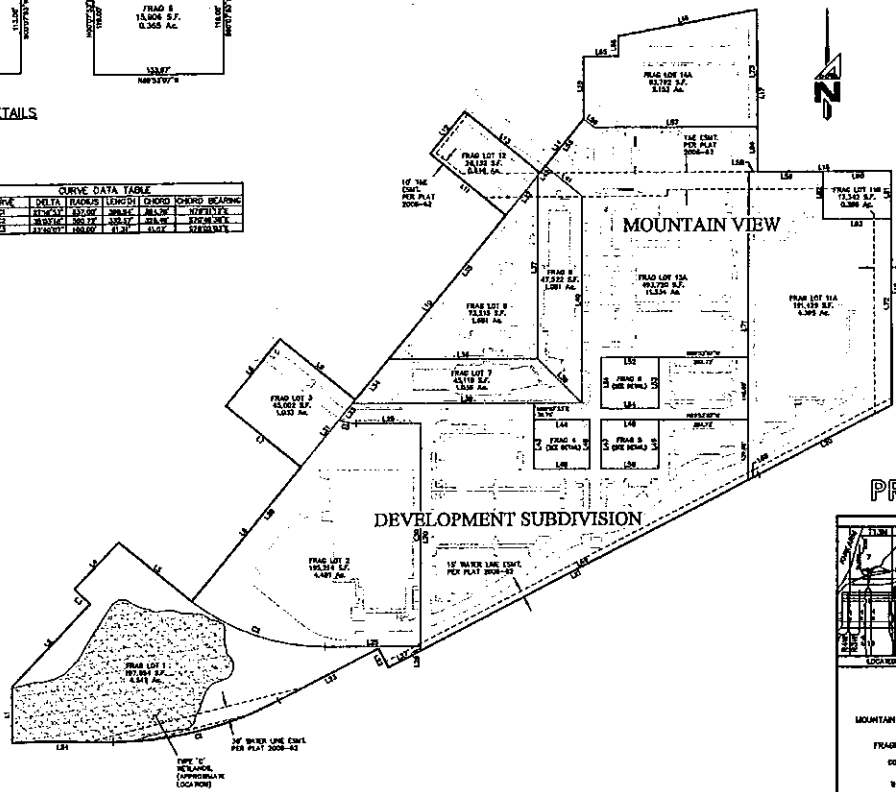
1 <sup>st</sup> = 2007	FISC	0
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FRAGMENT LOT DETAILS

LINE	BEARING	LENGTH
1	S89°52'00"E	128.79
2	S87°22'00"E	200.00
3	S84°52'00"E	148.75
4	S82°22'00"E	198.75
5	S79°52'00"E	200.00
6	S77°22'00"E	200.00
7	S74°52'00"E	200.00
8	S72°22'00"E	200.00
9	S69°52'00"E	200.00
10	S67°22'00"E	200.00
11	S64°52'00"E	200.00
12	S62°22'00"E	200.00
13	S59°52'00"E	200.00
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36	S02°22'00"E	200.00
37	S09°52'00"E	200.00
38	S12°22'00"E	200.00
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41	S19°52'00"E	200.00
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43	S24°52'00"E	200.00
44	S27°22'00"E	200.00
45	S29°52'00"E	200.00
46	S32°22'00"E	200.00
47	S34°52'00"E	200.00
48	S37°22'00"E	200.00
49	S39°52'00"E	200.00
50	S42°22'00"E	200.00
51	S44°52'00"E	200.00
52	S47°22'00"E	200.00
53	S49°52'00"E	200.00
54	S52°22'00"E	200.00
55	S54°52'00"E	200.00
56	S57°22'00"E	200.00
57	S59°52'00"E	200.00
58	S62°22'00"E	200.00
59	S64°52'00"E	200.00
60	S67°22'00"E	200.00
61	S69°52'00"E	200.00
62	S72°22'00"E	200.00
63	S74°52'00"E	200.00
64	S77°22'00"E	200.00
65	S79°52'00"E	200.00
66	S82°22'00"E	200.00
67	S84°52'00"E	200.00
68	S87°22'00"E	200.00
69	S89°52'00"E	200.00

CURVE	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
1	12°22'00"	100.00'	20.00'	39.63'	S89°52'00"E
2	12°22'00"	100.00'	20.00'	39.63'	S87°22'00"E
3	12°22'00"	100.00'	20.00'	39.63'	S84°52'00"E
4	12°22'00"	100.00'	20.00'	39.63'	S82°22'00"E
5	12°22'00"	100.00'	20.00'	39.63'	S79°52'00"E
6	12°22'00"	100.00'	20.00'	39.63'	S77°22'00"E
7	12°22'00"	100.00'	20.00'	39.63'	S74°52'00"E
8	12°22'00"	100.00'	20.00'	39.63'	S72°22'00"E
9	12°22'00"	100.00'	20.00'	39.63'	S69°52'00"E
10	12°22'00"	100.00'	20.00'	39.63'	S67°22'00"E
11	12°22'00"	100.00'	20.00'	39.63'	S64°52'00"E
12	12°22'00"	100.00'	20.00'	39.63'	S62°22'00"E
13	12°22'00"	100.00'	20.00'	39.63'	S59°52'00"E
14	12°22'00"	100.00'	20.00'	39.63'	S57°22'00"E
15	12°22'00"	100.00'	20.00'	39.63'	S54°52'00"E
16	12°22'00"	100.00'	20.00'	39.63'	S52°22'00"E
17	12°22'00"	100.00'	20.00'	39.63'	S49°52'00"E
18	12°22'00"	100.00'	20.00'	39.63'	S47°22'00"E
19	12°22'00"	100.00'	20.00'	39.63'	S44°52'00"E
20	12°22'00"	100.00'	20.00'	39.63'	S42°22'00"E
21	12°22'00"	100.00'	20.00'	39.63'	S39°52'00"E
22	12°22'00"	100.00'	20.00'	39.63'	S37°22'00"E
23	12°22'00"	100.00'	20.00'	39.63'	S34°52'00"E
24	12°22'00"	100.00'	20.00'	39.63'	S32°22'00"E
25	12°22'00"	100.00'	20.00'	39.63'	S29°52'00"E
26	12°22'00"	100.00'	20.00'	39.63'	S27°22'00"E
27	12°22'00"	100.00'	20.00'	39.63'	S24°52'00"E
28	12°22'00"	100.00'	20.00'	39.63'	S22°22'00"E
29	12°22'00"	100.00'	20.00'	39.63'	S19°52'00"E
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38	12°22'00"	100.00'	20.00'	39.63'	S12°22'00"E
39	12°22'00"	100.00'	20.00'	39.63'	S14°52'00"E
40	12°22'00"	100.00'	20.00'	39.63'	S17°22'00"E
41	12°22'00"	100.00'	20.00'	39.63'	S19°52'00"E
42	12°22'00"	100.00'	20.00'	39.63'	S22°22'00"E
43	12°22'00"	100.00'	20.00'	39.63'	S24°52'00"E
44	12°22'00"	100.00'	20.00'	39.63'	S27°22'00"E
45	12°22'00"	100.00'	20.00'	39.63'	S29°52'00"E
46	12°22'00"	100.00'	20.00'	39.63'	S32°22'00"E
47	12°22'00"	100.00'	20.00'	39.63'	S34°52'00"E
48	12°22'00"	100.00'	20.00'	39.63'	S37°22'00"E
49	12°22'00"	100.00'	20.00'	39.63'	S39°52'00"E
50	12°22'00"	100.00'	20.00'	39.63'	S42°22'00"E
51	12°22'00"	100.00'	20.00'	39.63'	S44°52'00"E
52	12°22'00"	100.00'	20.00'	39.63'	S47°22'00"E
53	12°22'00"	100.00'	20.00'	39.63'	S49°52'00"E
54	12°22'00"	100.00'	20.00'	39.63'	S52°22'00"E
55	12°22'00"	100.00'	20.00'	39.63'	S54°52'00"E
56	12°22'00"	100.00'	20.00'	39.63'	S57°22'00"E
57	12°22'00"	100.00'	20.00'	39.63'	S59°52'00"E
58	12°22'00"	100.00'	20.00'	39.63'	S62°22'00"E
59	12°22'00"	100.00'	20.00'	39.63'	S64°52'00"E
60	12°22'00"	100.00'	20.00'	39.63'	S67°22'00"E
61	12°22'00"	100.00'	20.00'	39.63'	S69°52'00"E
62	12°22'00"	100.00'	20.00'	39.63'	S72°22'00"E
63	12°22'00"	100.00'	20.00'	39.63'	S74°52'00"E
64	12°22'00"	100.00'	20.00'	39.63'	S77°22'00"E
65	12°22'00"	100.00'	20.00'	39.63'	S79°52'00"E
66	12°22'00"	100.00'	20.00'	39.63'	S82°22'00"E
67	12°22'00"	100.00'	20.00'	39.63'	S84°52'00"E
68	12°22'00"	100.00'	20.00'	39.63'	S87°22'00"E
69	12°22'00"	100.00'	20.00'	39.63'	S89°52'00"E



PRELIMI

PLAT NO. 11
   
 COMMERCIAL
   
 FRAGMENT LOT
   
 FOR
   
 MOUNTAIN VIEW DEVELOPMENT
   
 OVER PLAT NO. 9
   
 FRAGMENT LOTS 1-11
   
 CONTAINING 23.84 ACRES
   
 NE 1/4, SECTION 16,
   
 TOWNSHIP 10N,
   
 RANGE 10E
   
  
 ADO
   
 1000 S. 10TH AVE., SUITE 100
   
 DENVER, CO 80202
   
 SCALE: 1"=50'
   
 DATE: NOV-15-2007
   
 DRAWN BY: J. H. HARRIS
   
 CHECKED BY: J. H. HARRIS
   
 C-1

**Attachment 3**  
**Floor Plans and Elevations**

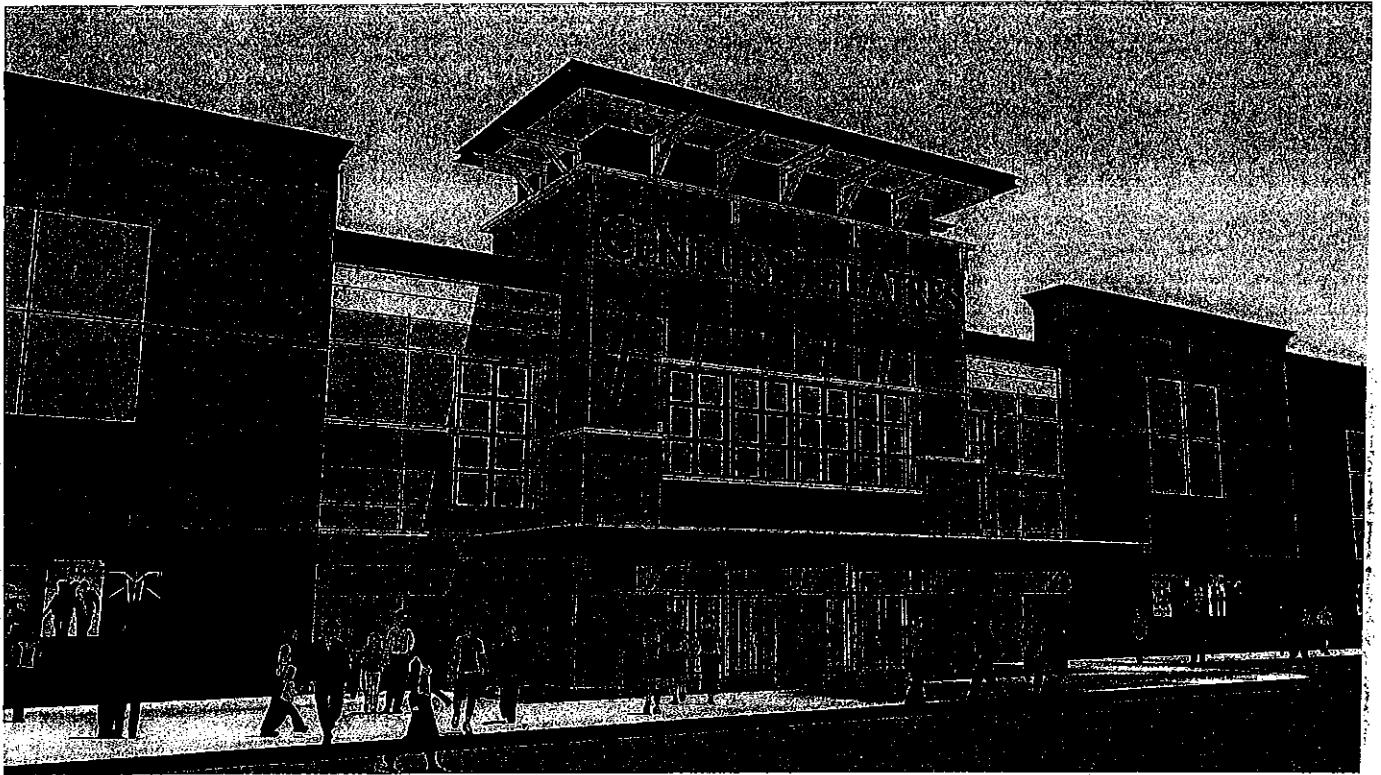




## CENTURY THEATRES

GLENN SQUARE 12, ANCHORAGE, AK

**Attachment 3**  
**Floor Plans and Elevations**



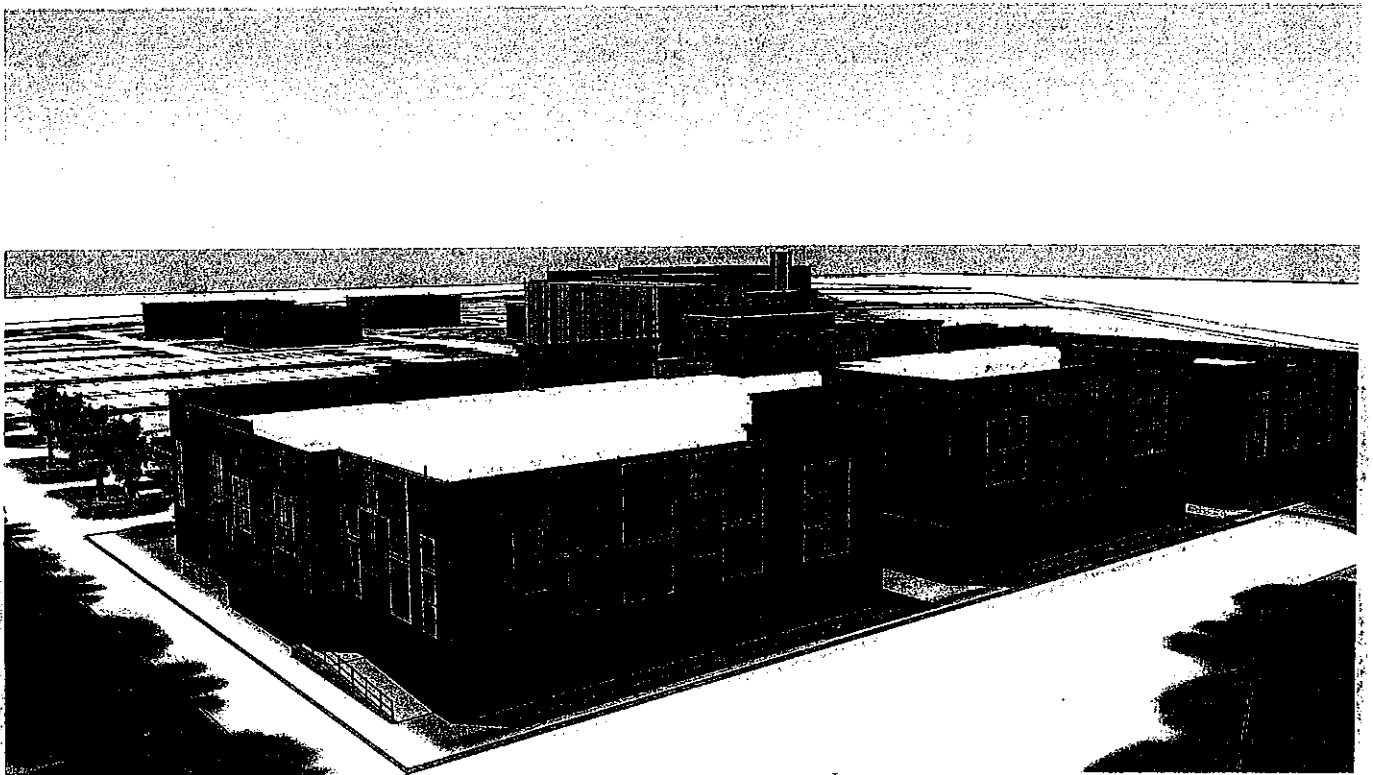
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GLENN SQUARE 12, ANCHORAGE, AK



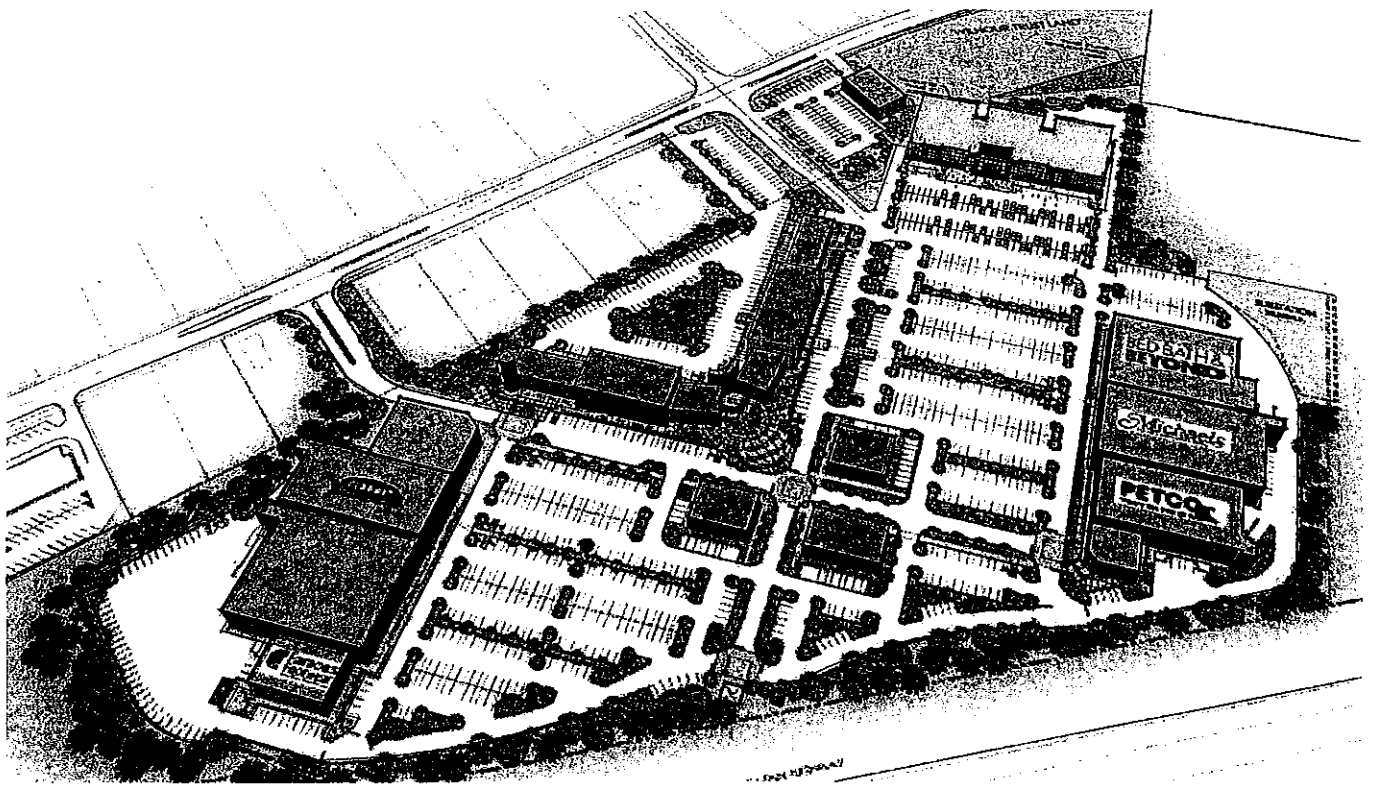
## CENTURY THEATRES

GLENN SQUARE 12 \_ANCHORAGE, AK



## CENTURY THEATRES

GLENN SQUARE 12 \_ANCHORAGE, AK

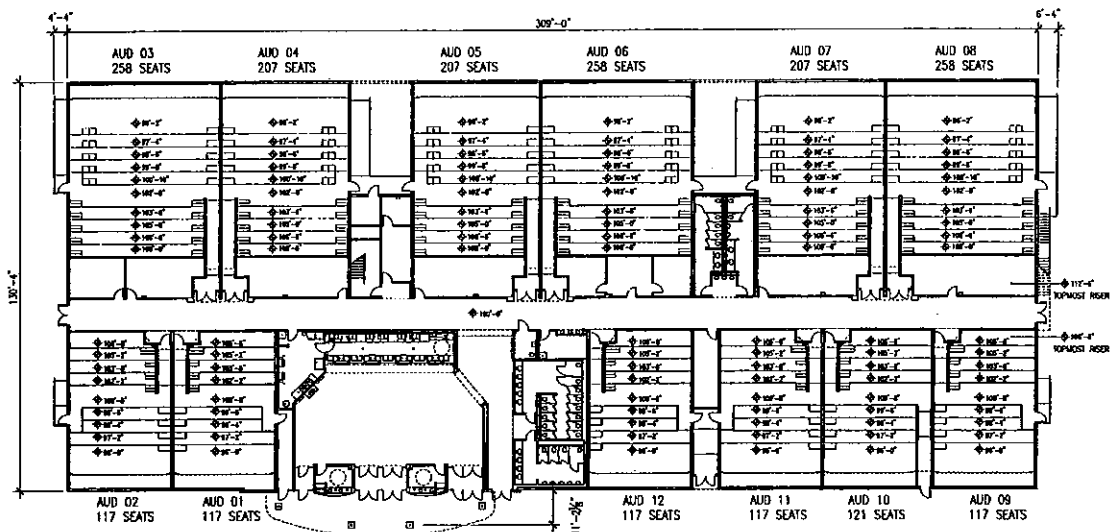


**CENTURY THEATRES**

GLENN SQUARE 12, ANCHORAGE, AK

# CINEMARK

The Best Seat In Town



FIRST FLOOR AREA = 38,888 S.F.  
SEAT COUNT = 2,101  
SEATING EFFICIENCY = 18.6 S.F./SEAT

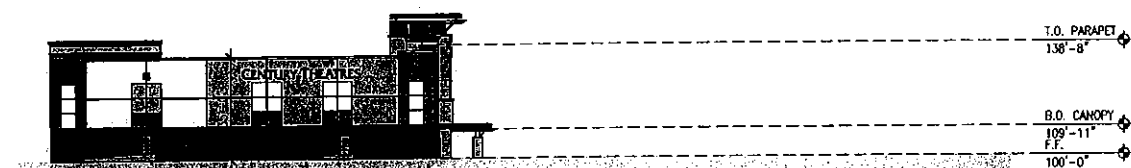
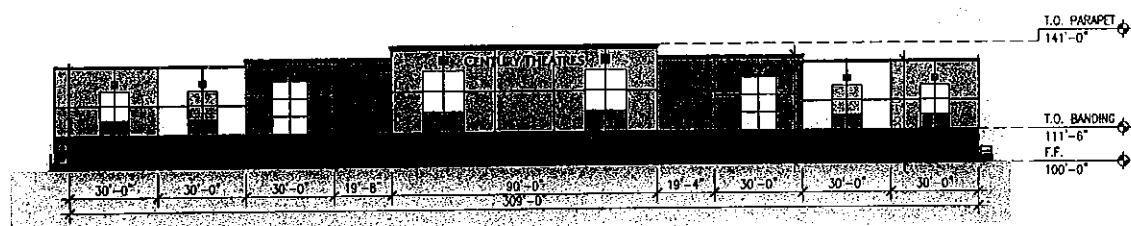
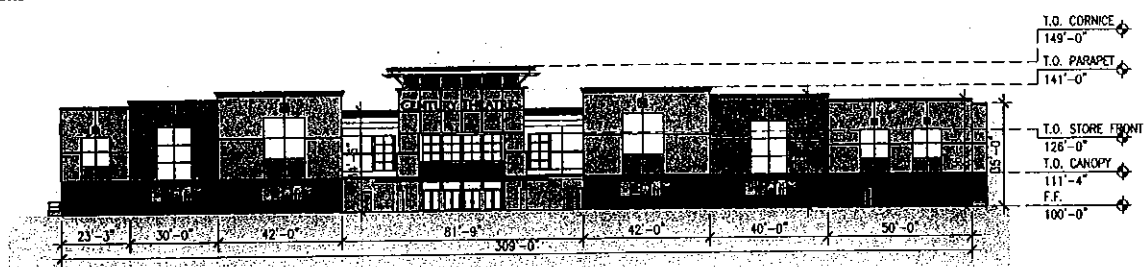
PARKING REQUIREMENTS  
@1:4 526 SPACES  
@1:3 701 SPACES

PROTOTYPE A12 - FIRST FLOOR PLAN

SCALE: 1"=30'-0"

DATE: 02.23.2005

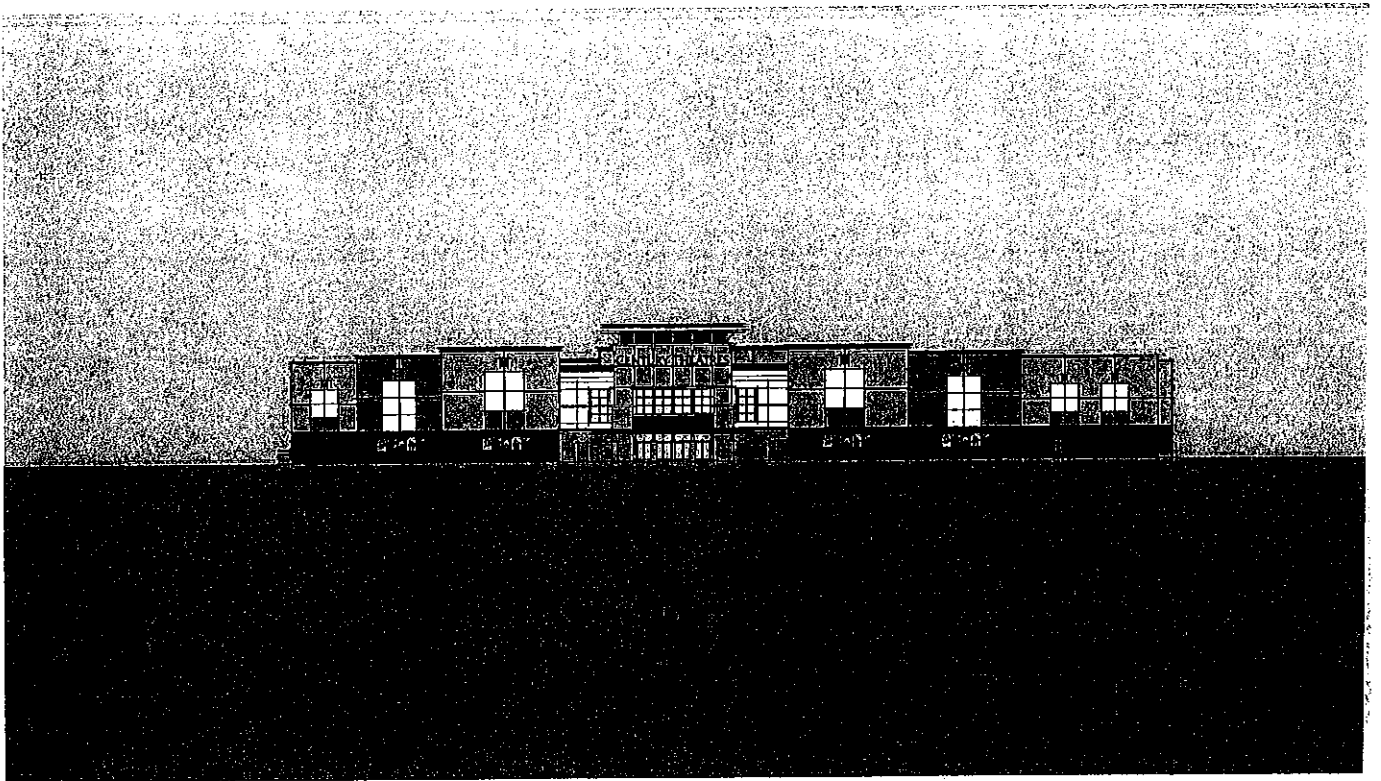




CINEMARK\_GLENN SQUARE\_12\_ANKORAGE, AK

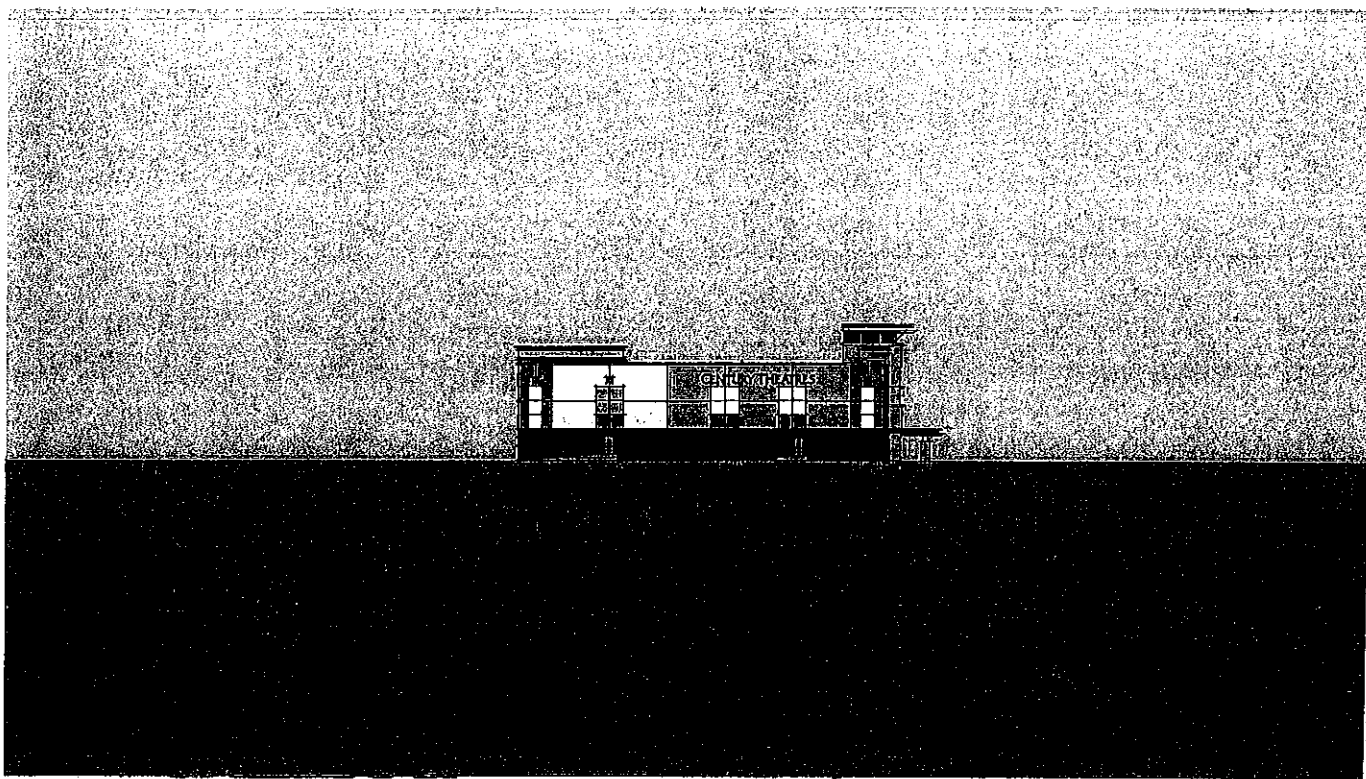
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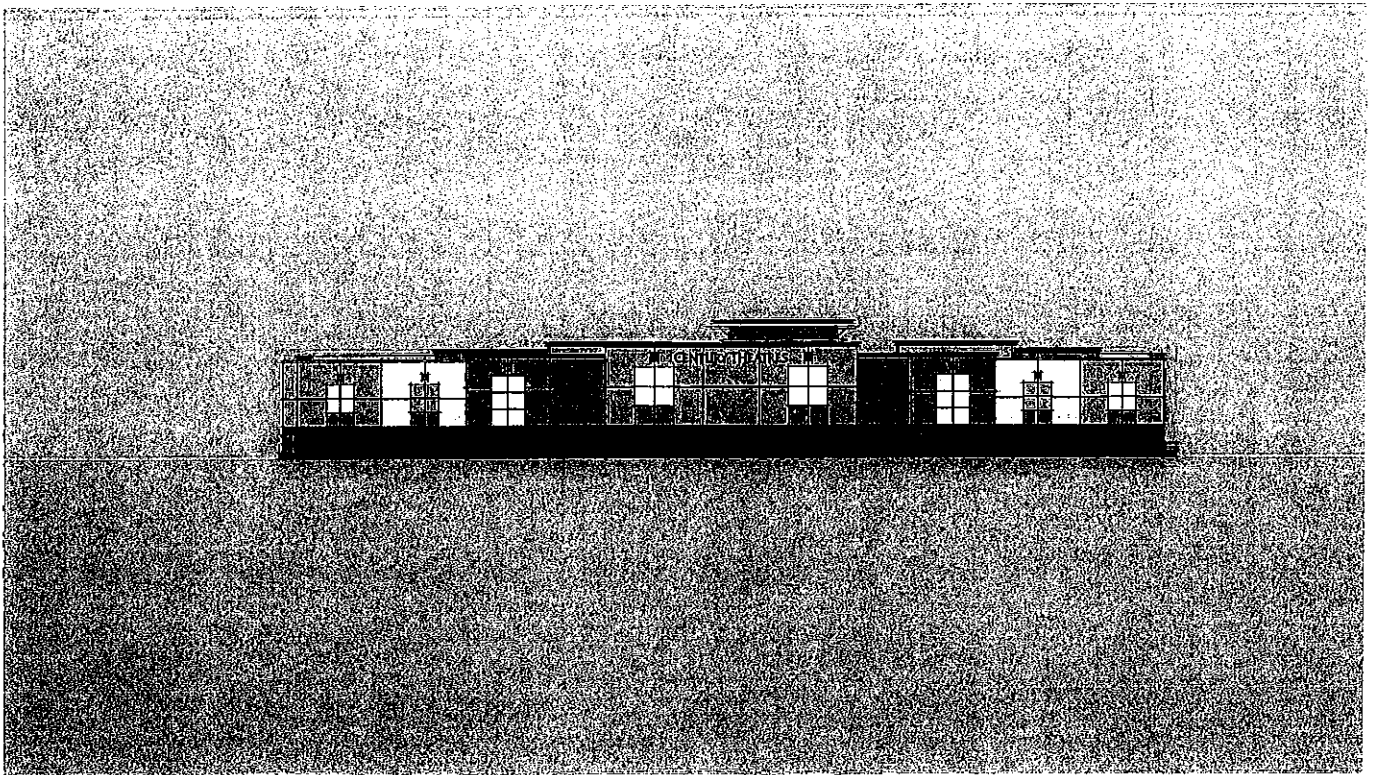
## CENTURY THEATRES

GLENN SQUARE 12 \_ANCHORAGE, AK



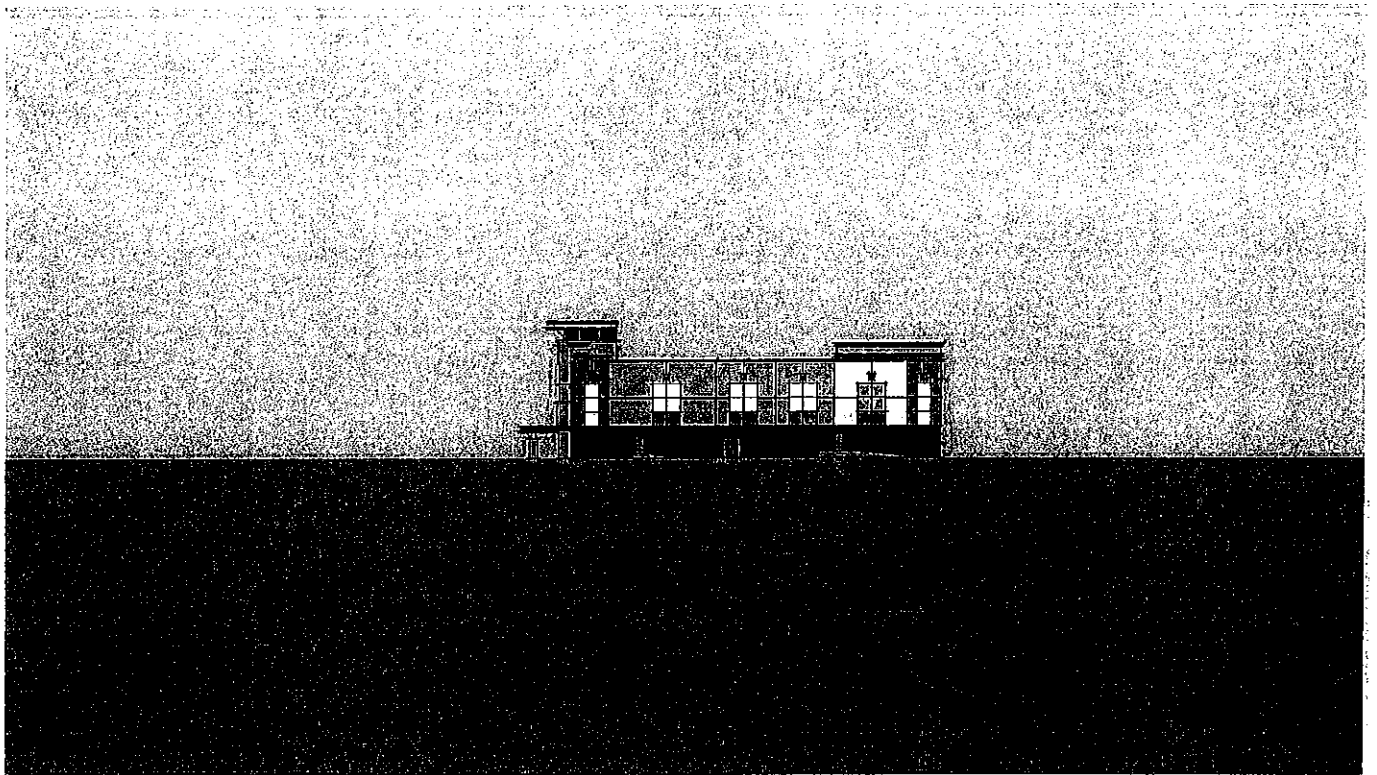
## CENTURY THEATRES

GLENN SQUARE 12, ANCHORAGE, AK



## CENTURY THEATRES

GLENN SQUARE 12, ANCHORAGE, AK



## CENTURY THEATRES

GLENN SQUARE 12 \_ANCHORAGE, AK

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**Attachment 4**  
**Declarations Easements and Conditions**

After Recording Return To:

Laura P. Sims, Esq.  
Winstead PC  
5400 Renaissance Tower  
1201 Elm Street  
Dallas, Texas 75270

This Space Reserved for Recording Purposes

ANCHORAGE, ALASKA

**AMENDED AND RESTATED DECLARATION OF EASEMENTS AND CONDITIONS  
FOR COMMERCIAL TRACT FRAGMENT LOT SITE PLAN CASES S-11433-1 AND 2005-150  
AND COMMERCIAL TRACT FRAGMENT LOT SITE PLAN CASE**

THIS AMENDED AND RESTATED DECLARATION OF EASEMENTS AND CONDITIONS FOR COMMERCIAL TRACT FRAGMENT LOT SITE PLAN CASES S-11433-1 AND 2005-150 AND COMMERCIAL TRACT FRAGMENT LOT SITE PLAN CASE is an amendment and restatement of that certain Declaration of Easements and Conditions for Commercial Tract Fragment Lot Site Plan Cases S-11433-1 AND 2005-150, made by ANCHORAGE COMMUNITY DEVELOPMENT AUTHORITY, whose address is 700 West Sixth Avenue, Suite 206, Anchorage, Alaska 99501 (the "Authority"), MUNICIPALITY OF ANCHORAGE, whose address is P.O. Box 196650, Anchorage, Alaska 99519-6650 (the "Municipality"), dated May 17, 2006 and recorded June 1, 2006 as Document No. 2006-035833-0, Anchorage Recording District, Third Judicial District, State of Alaska with respect to Fragment Lots 1-14, within Tract 1, Mountain View Development Subdivision (per Plat 2006-64), situated in the Anchorage Recording District, Third Judicial District, State of Alaska.

THIS AMENDED AND RESTATED DECLARATION OF EASEMENTS AND CONDITIONS FOR COMMERCIAL TRACT FRAGMENT LOT SITE PLAN CASES S-11433-1 AND 2005-150 AND COMMERCIAL TRACT FRAGMENT LOT SITE PLAN CASE \_\_\_\_\_ (this "DEC") is made by the Authority, the Municipality, and KIMCO/POB GLENN SQUARE ANCHORAGE, LLC, a Delaware limited liability company, whose address is c/o Kimco Realty Corporation, 3333 New Hyde Park Road, Suite 100, New Hyde Park, New York 11042-0020 ("Kimco").

**RECITALS**

This DEC is made with reference to the following facts and objectives:

- A. The Authority is the owner of those certain Fragment Lots 1, 3 and 14 [within Tract 1], each of Mountain View Development Subdivision (per Plat 200-\_\_\_\_\_) [herein, the "Plat"] (the "Authority Land").
- B. The Municipality is the owner of that certain Fragment Lot 12 [within Tract 1], Mountain View Development Subdivision (per Plat 200-\_\_\_\_\_) (the "Municipality Land").
- C. Kimco is the owner of those certain Fragment Lots 2, 4, 5, 6, 7, 8, 9, 10, 11, 11A and 13 [within Tract 1], Mountain View Development Subdivision (per Plat 200-\_\_\_\_\_) (the "Kimco Land").
- D. The Authority Land, the Municipality Land and the Kimco Land are herein referred to collectively as the "Land."

In order to effectuate the common use and operation of certain portions of the Land, the Authority, the Municipality, and Kimco hereby grant certain reciprocal easements into, over, and across certain portions of the Land and impose certain conditions and restrictions thereon.

**AGREEMENT**

NOW, THEREFORE, in consideration of the premises and the easements, conditions, and restrictions hereinafter set forth, the Authority, the Municipality and Kimco hereby make this DEC:

1. CERTAIN DEFINITIONS.

1.1. Party. "Party" shall mean each signatory hereto and, after compliance with the notice requirements set forth below, their respective successors, assigns and/or transferees of an ownership interest in any portion of the Land. Each Party shall be liable for the performance of all covenants, obligations and undertakings herein set forth with respect to the portion of the Land owned by it which accrue during the period of such ownership, and such liability shall continue with respect to any portion transferred until the notice of transfer set forth below is given, at which time the transferring Party's liability for unaccrued obligations shall terminate. A Party transferring all or any portion of its ownership interest in the Land shall give notice to all other Parties of such transfer and shall include therein at least the following information:

- (a) the name and address of the new Party; and
- (b) a copy of the legal description of the portion of the Land transferred.

If a Tract is owned by more than one Person, the Person or Persons holding at least fifty-one percent (51%) of the ownership interest in the Tract shall designate one (1) of their number to represent all owners of the Tract and such designated Person shall be deemed the Party for such Tract. Until the notice of transfer is given, the transferring Party shall (for the purpose of this DEC only) be the transferee's agent.

1.2. Person. "Person" shall mean any individual, partnership, limited partnership, limited liability company, firm, association, corporation, trust, or any other form of business or governmental entity.

1.3. Tract. "Tract" shall mean the Fragment Lot or Lots which is or are a part of the Land and owned by a Party (e.g., all fragment lot(s) owned by the Authority shall be deemed the "Authority Tract").

1.4. Utility Lines. "Utility Lines" shall mean those facilities and systems for the transmission of utility services, including drainage and storage of surface water.

2. EASEMENTS.

2.1. Access, Parking and Signage Easements.

(a) Access Easements.

(i) The Authority hereby grants to each Party hereto, a public use road easement (the "Lot 3 Road Easement") over a portion of the northeasterly part of Fragment Lot 3 (being a part of the Land), as more particularly designated on the Plat, for the benefit of all other Fragment Lots within the Land. The Municipality shall, at its expense, construct or cause to be constructed a public use road, together with associated curbs, sidewalks, lighting, signs and landscaping, within the Lot 3 Road Easement, in accordance with Anchorage Municipal codes and ordinances (the "Lot 3 Road Improvements"), and upon completion of such Lot 3 Road Improvements, the same shall define the precise location of the Lot 3 Road Easement. The Party owning Fragment Lot 13 shall be responsible to replace, repair, maintain and operate the Lot 3 Road Improvements.

(ii) The Municipality hereby grants to each Party hereto, an access easement (the "Lot 12 Access Easement") over a portion of the southwesterly part of Fragment Lot 12 (being a part of the Land), as more particularly designated on the Plat, for the benefit of Fragment Lots 7, 8 and 9. The Municipality hereby reserves for itself and for each successor owner of Fragment Lot 12 a right to use the Lot 12 Access Easement for purposes not inconsistent with, and which do not diminish or interfere with, the grant of easement contained in this Section 2.1(a)(ii). The Municipality shall construct (or cause to be constructed pursuant to agreement with the now or prospective owner or owners of Fragment Lot 9) an access-way, together with associated lighting, signs and landscaping, within the Lot 12 Access Easement, in accordance with Anchorage Municipal codes and ordinances (the "Lot 12 Access Improvements"), and upon completion of such Lot 12 Road Improvements, the same shall define the precise location of the Lot 12 Access Easement. The Party owning Fragment Lot 9 shall be responsible to replace, repair, maintain and operate the Lot 12 Access Improvements.

(iii) Each Party hereby grants to each other Party, for the benefit of such Party's Tract, and for use by each other Party, its agents, employees, contractors, and customers in common with others to use the same, non-exclusive access, ingress and egress easements over and across the public, accessible machine and driveway now or hereafter located within a

Party's Tract (as the same are constituted from time to time) for the purpose of providing each Party access, ingress and egress to and from its Tract from the Lot 3 Road Easement and/or the Lot 12 Road Easement, as applicable, and to and from any access point to any public street adjoining the Land (including, without limitation, Forcupine Drive). Nothing herein shall imply or grant a right of vehicular access from any portion of the Land to Glenn Highway or right of vehicular access from any Fragment Lots other than Fragment Lots 7, 8 or 9 to the Lot 12 Access Easement, which vehicular access is expressly herein denied. No fence or other barrier which would prevent or unreasonably obstruct the passage of pedestrian or vehicular travel shall be erected or permitted within or across the publicly accessible parking areas and driveways (as the same exist from time to time), exclusive of reasonable curbing and other forms of traffic control, or permitted temporary staging and/or storage areas with respect to construction.

(iv) Each of the Lot 3 Road Easement, the Lot 12 Road Easement, and the easements granted in Section 2.1(a)(iii) above shall extend in perpetuity, provided, upon any termination of such easement by lawful means, all rights, title and interest therein shall thereupon revert to the then owner of the applicable Tract.

(b) Parking Easement. Each Party hereby grants to each other Party, for the benefit of such Party's Tract, and for use by each other Party, its agents, employees, contractors and customers, in common with others to use the same, the non-exclusive right to park vehicles on a temporary basis within the publicly accessible parking area now or hereafter located within a Party's Tract (as the same are constituted from time to time) for the purpose of providing each Party cross-parking rights with all other Tracts within the Land. Nothing herein shall imply or grant a right to any Party owning Fragment Lots 2, 3, 4, 5, 6, 10, 11, 11A or 13 or its employees, agents, contractors or customers, to park within the parking areas serving Fragment Lots 7, 8 or 9 and having direct, vehicular access from the Lot 12 Access Easement, which parking right is expressly herein denied. Notwithstanding anything to the contrary, it is expressly herein contemplated that the employees, agent and customers of Fragment Lot 14 shall be entitled to park within the parking areas serving Fragment Lots 7, 8 or 9 and having direct, vehicular access from the Lot 12 Access Easement. The parking easement granted herein shall extend in perpetuity, provided, upon any termination of such easement by lawful means, all rights, title and interest therein shall thereupon revert to the then owner of the applicable Tract. In no event may any Party (or its agent, lessee, or designee) change the public or any other Party, or its employees, agents, contractors or customers for the right to park vehicles on its Tract. Nothing herein shall prevent a Party from designating reasonable portions of its Tract as employee parking and reasonably enforcing a ban on employees of such Party or any other Party (or its agents, lessees or designees) parking in areas other than said designated employee parking areas.

(c) Signature Easement(s).

(i) The Authority hereby grants to the Party owning the majority of land area within Fragment Lots 2, 11, 13, for the benefit of said Fragment Lots, a sign easement over a portion of the northerly corner of Fragment Lot 3, together with appurtenant rights of access and availability of utilities thereto, as more particularly designated on the Plat (the "Lot 3 Sign Easement"). The applicable Party may, at its expense, construct, re-construct, replace, repair, maintain and operate a permanent freestanding sign, together with utilities thereto, within the Lot 3 Sign Easement, in accordance with Anchorage Municipal codes and ordinances (the "Lot 3 Sign Improvements"). The Lot 3 Sign Easement shall extend in perpetuity and all Lot 3 Sign Improvements shall remain the property of the constructing or re-constructing or then maintaining Party; provided, that upon termination of the Lot 3 Sign Easement by any lawful means, the then owner of the Lot 3 Sign Improvements shall remove such Lot 3 Sign Improvements and restore the Lot 3 Sign Easement to a clean, level condition, unless the then owner of Fragment Lot 3, at its option, elects to take possession of such Lot 3 Sign Improvements, and all rights, title and interest in the Lot 3 Sign Easement shall revert to the then owner of Fragment Lot 3.

(ii) The Municipality hereby grants to the Party owning Fragment Lot 14 and the Party owning the majority of land area within Fragment Lots 2, 11 and 13, for the benefit of said Fragment Lots, a sign easement over a portion of Fragment Lot 12, together with appurtenant rights of access and availability of utilities thereto, as more particularly designated on the Plat (the "Lot 12 Sign Easement"). The applicable Party may, at its expense, construct, re-construct, replace, repair, maintain and operate a permanent freestanding sign for the benefit of the retail operations on said Fragment Lots, together with utilities thereto, within the Lot 12 Sign Easement, in accordance with Anchorage Municipal codes and ordinances (the "Lot 12 Sign Improvements"). The Lot 12 Sign Easement shall extend in perpetuity and all Lot 12 Sign Improvements shall remain the property of the constructing or re-constructing or then maintaining Party; provided, that upon termination of the Lot 12 Sign Easement by any lawful means, the then owner of the Lot 12 Sign Improvements shall remove such Lot 12 Sign Improvements and restore the Lot 12 Sign Easement to a clean, level condition, unless the then owner of Fragment Lot 12, at its option, elects to take possession of such Lot 12 Sign



Improvements, and all rights, title and interest in the Lot 12 Sign Easement shall revert to the then owner of Fragment Lot 12.

## 2.2. Utilities (including Drainage) Easements.

(a) Each Party hereby grants and conveys to each other Party, for the benefit of such Party's Tract, and for use by such Party, one or more non-exclusive, perpetual easements in, to, over, under, along, and across those portions of the publicly accessible parking and driveway areas located on granting Party's Tract reasonably necessary for the installation, operation, use, maintenance, connection, repair, relocation, and removal of Utility Lines serving the grantee's Tract, including but not limited to, sanitary sewers, storm drains, water (fire and domestic), gas, electrical, telephone, and communication lines. All Utility Lines shall be under-ground except:

- (i) all above-ground utility lines designated on the Plat;
- (ii) ground mounted electrical transformers;
- (iii) as may be necessary during periods of construction, reconstruction, repair, or temporary service;
- (iv) as may be required by governmental agencies having jurisdiction;
- (v) as may be required by the provider of such service; and
- (vi) fire hydrants.

Prior to claiming or exercising any utility easement right granted herein, the Party claiming the right shall first provide each Party whose Tract shall be burdened with a written statement describing the need for such easement, shall identify the proposed location of the Utility Line, and shall furnish a certificate of insurance showing that its contractor has obtained appropriate insurance coverage. Except as otherwise agreed to by the relevant Parties in a given instance, any Party installing Utility Lines serving a single Tract pursuant to the provisions of this subparagraph shall pay all costs and expenses with respect thereto and shall cause all work in connection therewith (including general clean-up and proper surface and/or subsurface restoration) to be completed as quickly as possible, in a manner so as to not unreasonably interfere with the use, occupancy, or enjoyment of any granting Party's Tract or any other portion of the Land. If the relevant Parties elect to install common Utility Lines, all repair, maintenance, replacement, and other work thereon shall, if not performed by the utility company, be performed by the owner(s) of the Tract(s) upon which the common Utility Lines are located and paid for by such Owners as agreed by them.

(b) The initial location of any Utility Line shall be subject to the prior written approval of the Party whose Tract is to be burdened thereby, such approval not to be unreasonably withheld or delayed. The granting Party shall have the right at any time to relocate a Utility Line upon thirty (30) days' prior written notice to the benefited Party, provided that such relocation:

- (i) shall not interfere with or diminish the utility service to the benefited Party during the hours of operation of such Party's Tract, and shall not unreasonably restrict any vehicular movement;
- (ii) shall not reduce or impair the usefulness or function of such Utility Line;
- (iii) shall be performed without cost or expense to the benefited Party;
- (iv) shall be completed using materials and design standards which equal or exceed those originally used; and
- (v) shall have been approved by the provider of such service and the appropriate governmental or quasi-governmental agencies having jurisdiction thereof.

(c) Each Party hereby grants and conveys to each Party owning an immediately adjacent Tract the perpetual right and easement to discharge surface storm drainage and/or runoff from the benefited Party's Tract over, upon, and across the publicly accessible parking and driveway areas of the granting Party's Tract, upon the following conditions and terms:

- (i) The publicly accessible parking and driveway area grades and the surface water drainage/retenion system for the Land shall be initially constructed in strict conformance with

the details contained in the Site Plan (hereinafter so called) for the Land attached hereto as Exhibit A-I (as approved by the Municipality pursuant to Title 21 of the Anchorage Municipal Code, as amended from time to time in accordance with such code) or otherwise required and approved by the Municipality;

(ii) No Party shall alter or permit to be altered the surface of the publicly accessible parking and driveway areas or the drainage/retention system constructed on its Tract if such alteration would materially increase the flow of surface water onto an adjacent Tract either in the aggregate or by directing the flow of surface water to a limited area or materially decrease the purity or quality of surface water flowing onto an adjacent Tract; and

(iii) Except as provided in notes set forth on the Plat, the wetlands located on Fragment Lot 1 (as designated on the Plat) shall be maintained and retained as an undisturbed area as part of the drainage system serving the Land and no commercial use is allowable thereon. Activities prohibited within said Fragment Lot 1 include but are not necessarily limited to the following: the disturbance and/or removal of vegetation; grading, fill or excavation of the wetlands unless otherwise permitted by the Municipality and the U.S. Army Corps of Engineers; snow dumping and/or storage; the storage of materials, equipment, vehicles; and parking.

2.3. **General.** Each Party hereby grants and conveys to each other Party and to its respective contractors, materialmen, and laborers a temporary license for access and passage over and across the publicly accessible areas of the granting Party's Tract as shall be reasonably necessary for the benefited Party to construct and/or maintain improvements upon such benefited Party's Tract; provided, however, that such license shall be in effect only during periods when actual construction and/or maintenance is being performed and provided further that the use of such license shall not unreasonably interfere with the use, operation, and enjoyment of any Tract by others. Any Party availing itself of the temporary license shall promptly pay all costs and expenses associated with such work, shall diligently complete such work as quickly as possible, and shall promptly clean the affected area of granting Party's Tract, and shall restore and/or repair the affected portion of the granting Party's Tract to a condition which is equal to or better than the condition which existed prior to the commencement of such work. Notwithstanding the foregoing, in the event a dispute exists between the contractors, laborers, suppliers, and/or others connected with construction activities, each Party shall have the right to prohibit the contractors, laborers, suppliers, and/or others working for another Party from using the publicly accessible parking and driveway areas on its Tract.

2.4. **Building Improvements.** While it is acknowledged and agreed that nothing herein shall obligate a Party to commence construction of any building or improvement on its Tract, the Parties hereby agree once construction has been commenced, such building or improvement shall be completed in a timely fashion. Each building and improvement (other than improvements such as Utility lines, public telephones, benches and the like) on a Tract shall be located only within the Building Area for such Tract as designated on the Site Plan for such Tract (or if no Building Area is designated for such Tract or a portion of such Tract, then improvements on such Tract or Tracts shall be allowable as pursuant to applicable zoning and building codes of the Municipality of Anchorage). All building improvements on Fragment Lots 2, 4, 5, 6, 7, 8, 9, 10, 11, 11A, 13 and 14 shall comply with the Site Plan and the design, architectural, building signage, and other requirements thereto and as contemplated by the Site Plan, it being the understanding of the parties that to the extent of any unresolvable conflict, the Site Plan shall control over the terms of this DEC and any other recorded declaration of easements and conditions. All building improvements shall also comply with site plan review under case 200-\_\_\_\_ on file with the Municipal Planning Department.

### 3. MAINTENANCE AND REPAIR.

#### 3.1. Utility Lines.

(a) Each Party shall maintain and repair, or cause to be maintained and repaired, in a good state of repair and safe condition, all Utility Lines exclusively serving its Tract and utilized by it regardless of where located. Any maintenance and repair of non-dedicated utilities located on another Party's Tract shall be performed: (i) after two (2) weeks' notice to said other Party (except in an emergency the work may be initiated with reasonable notice); (ii) after normal business hours whenever possible; and (iii) in such a manner as to cause as little disturbance in the use of said other Party's Tract as is practicable under the circumstances. Any Party performing or causing to be performed maintenance or repair work agrees: (1) to promptly pay all costs and expenses associated therewith, and in any event prior to attachment of any lien to any other Party's Tract; (2) to diligently complete such work as quickly as possible; and (3) to promptly clean the area and restore the affected portion of each

affected Tract to a condition equal to or better than the condition which existed prior to the commencement of such work.

(b) The portion of any Utility Line serving more than one Tract (including, without limitation, the Utility Lines comprising the drainage system for the Land) which is located on a Tract shall be maintained and replaced by the owner of such Tract, at its sole cost and expense; provided, that such maintenance may be performed by and the costs for the same be paid on a pro rata or other agreed basis between the owner(s) of Fragment Lots 2, 4, 5, 6, 7, 8, 9, 10, 11, [11A], 13 and 14.

### 3.2. General Tract Maintenance.

(a) Each Party shall at all times maintain, or cause to be maintained, its Tract in a slightly, safe condition and good state of repair, including, without limitation, the parking lots and landscaping on each Tract. Any unimproved areas shall be mowed and kept litter free. All Tracts shall be operated and maintained in compliance with all applicable governmental laws, rules, regulations, orders, and ordinances, and the provisions hereof. The maintenance and repair obligation for each Tract shall include but not be limited to the following:

(i) *Drive and Parking Areas.* Maintaining all paved surfaces and curbs in a smooth and evenly covered condition, including, without limitation, replacement of base, skin patch, resurfacing, and resurfacing (for the purpose of this section, an overlay of the drives and parking areas shall be considered a maintenance item).

(ii) *Debris and Refuse; Snow Removal.* Periodic removal of all paper, debris, filth, and refuse, including vacuuming and broom sweeping to the extent necessary to keep the Tract in a clean, and orderly condition, as well as periodic removal of ice and snow, including removal from sidewalks adjacent to store fronts, pedestrian access pathways, and stairways (including, without limitation, the stairway to the lower level of retail uses on Fragment Lots 7 & 8).

(iii) *Signs and Markers.* Maintaining, cleaning, and replacing any appropriate directional, stop, or handicapped parking signs; restriping parking lots and drive lanes as necessary to maintain parking space designation and traffic direction; and keeping clearly marked fire lanes, loading zones, no parking areas, and pedestrian crosswalks.

(iv) *Lighting.* Maintaining, cleaning, and replacing lighting facilities, including light standards, wires, conduits, lamps, ballasts, lenses, time clocks, and circuit breakers.

(v) *Landscaping.* Maintaining and replacing all on-site and off-site (including interior parking and perimeter) landscape plantings, trees, and shrubs in an attractive and thriving condition, trimmed and weed free, including removal and replacement of dead vegetation. Maintaining and replacing landscape planters, including those adjacent to exterior walls of buildings and automatic sprinkler systems. Modify irrigation systems to satisfy governmental water allocation or emergency requirements and perform pest control and extermination as needed.

Each Party agrees to defend, indemnify, and hold each other Party ("Indemnitee") harmless from and against all claims, costs, losses, expenses, and liability (including reasonable attorney fees and costs of suit) arising from or directly or indirectly relating to the maintenance, use or operation of its Tract, except for claims caused by the gross negligence or willful act or omission of such Indemnitee(s).

(b) In the event a Party fails to maintain its Tract in accordance with the requirements of Section 3.2(a) (such Party being hereinafter referred to as the "Defaulting Party") any other Party (hereinafter referred to as the "Nondefaulting Party") may send written notice of such failure to the Defaulting Party. Such notice shall contain an itemized statement of the specific deficiencies (hereinafter referred to as the "Deficiencies") in the Defaulting Party's performance of its obligations under Section 3.2(a). Except for an Emergency Situation, the Defaulting Party shall have ten (10) days after receipt of such notice in which to correct the Deficiencies or in which to commence to correct the Deficiencies if the Deficiencies cannot be corrected within the said ten-day period, and thereafter to proceed diligently to complete the correction of the Deficiencies. An "Emergency Situation" is a situation which threatens access to a Tract or threatens an immediate substantial loss or damage to property or any personal injury or death to Persons. In the event a Defaulting Party shall fail or refuse to timely correct or to begin to correct the Deficiencies and proceed to diligently complete the same, as the case may be, the Nondefaulting Party may, in its option, correct the Deficiencies. In the event the Nondefaulting Party shall exercise its option, the Defaulting Party shall, within ten (10) days from receipt from the Nondefaulting Party, of an itemized invoice for the actual and reasonable costs incurred by the Nondefaulting Party in correcting the Deficiencies, pay such costs to the Nondefaulting Party.

(c) In the event any improvements on a Tract are damaged or destroyed by any cause whatsoever, whether insured or uninsured, during the term of this DEC, other than damage caused by ordinary use or wear and tear, the Party upon whose Tract is affected shall, at a minimum, subject to governmental regulations and/or insurance adjustment delays, immediately remove the debris resulting from such event and provide a slightly barrier, and within a reasonable time thereafter shall do one of the following: (i) repair or restore the building improvements so damaged to a complete unit, such repair or restoration to be performed in accordance with all provisions of this DEC; (ii) erect other building improvements in such location, such construction to be performed in accordance with all provisions of this DEC; or (iii) demolish the damaged portion and/or the balance of such building improvements and restore the cleared area to either a hard surface condition or a landscaped condition as would be required hereunder for property on which no construction has been commenced. Such Party shall have the option to choose which of the foregoing alternatives to perform, but such Party shall be obligated to perform one of such alternatives. Such Party shall give notice to each other Party within ninety (90) days from the date of such casualty (or as soon thereafter as all insurance issues are settled to the extent necessary to make a prudent election of alternatives) of which alternative it elects.

#### 4. TAXES AND ASSESSMENTS.

4.1. Taxes and Assessments. Each Party shall be responsible for timely payment of all taxes and assessments, if any, with respect to its Tract, the buildings, and improvements located thereon and any personal property owned or leased by such Party, and no Party shall permit non-payment or delinquent payment of its taxes to subject any other Tract or portion thereof with a lien, judgment or other like encumbrance. Each Party shall indemnify each other Party against any adverse consequence to such Party from the indemnifying Party's non-payment or delinquent payment of taxes.

4.2. Liens. In the event any mechanic's or materialman's lien is filed against the Tract (or portion thereof) of one Party as a result of services performed or materials furnished for the use of another Party, the Party permitting or causing such lien to be so filed agrees to cause such lien to be paid or bonded as allowable by law within fifteen (15) days after receipt of notice of the existence of such lien, and in any event prior to foreclosure of such lien and further agrees to indemnify, defend, and hold harmless the other Party and its Tract against liabilities, losses, damages, costs or expenses (including reasonable attorneys' fees and cost of suit) on account of such claim of lien. So long as protection against foreclosure is provided by the Party permitting or causing such lien, such Party may contest the validity of said lien in any manner such Party chooses so long as such contest is pursued with reasonable diligence. In the event such contest is determined adversely (allowing for appeal to the highest appellate court), such Party shall promptly pay in full the required amount, together with any interest, penalties, costs, or other charges necessary to release such lien.

#### 5. MISCELLANEOUS.

##### 5.1 Estoppel Certificate.

Each Party agrees that upon written request (which shall not be more frequent than three (3) times during any calendar year) of any other Party, it will issue to such Person, or its prospective mortgagee or successor, an estoppel certificate stating to the best of the issuer's knowledge that as of such date:

- (a) whether it knows of any default under this DEC by the requesting Person, and if there are known defaults, specifying the nature thereof;
- (b) whether this DEC has been assigned, modified or amended in any way by it and if so, then stating the nature thereof;
- (c) whether this DEC is in full force and effect; and
- (d) any other reasonable factual matter requested by the requesting Party or its prospective mortgagee or successor.

Such statement shall act as a waiver of any claim by the Person furnishing it to the extent such claim is based upon facts contrary to those asserted in the statement and to the extent the claim is asserted against a bona fide encumbrancer or purchaser for value without knowledge of facts to the contrary of those contained in the statement, and who has acted in reasonable reliance upon the statement. The issuance of an estoppel certificate shall in no event subject the Person furnishing it to any liability for the negligent or inadvertent failure of such Person to disclose correct and/or relevant information, nor shall such issuance be construed to waive any rights of the issuer to demand performance under or to enforce remedies for non-compliance with the terms of this DEC.

5.2 Notices. All notices under this DEC shall be in writing and delivered either: (a) in person; (b) by certified overnight delivery service, so long as delivery is made by obtaining a signed

receipt; (c) by certified mail; or (d) by facsimile transmission, so long as the original notice is also forwarded by the method described in (a), (b), or (c). Initial address for notices are set forth in the first paragraph of this DEC. Any notice given pursuant to this DEC shall be deemed effective the day it is personally delivered or transmitted by facsimile, the day after it is delivered to the overnight delivery service, or three (3) business days after the date it is deposited in the United States mail system.

Upon at least ten (10) days' prior written notice, each Person shall have the right to change its address to any other address within the United States of America.

**5.3 Condemnation.** In the event any portion of the Land shall be condemned, the award shall be paid to the Party owning the land or the improvement taken, except that: (a) if the taking includes improvements benefiting to more than one Party, such as Utility Lines, the portion of the award allocable thereto shall be used to relocate, replace or restore such jointly owned improvements to a useful condition; and (b) if the taking includes easement rights which are intended to extend beyond the term of this DEC, the portion of the award allocable to each such easement right shall be paid to the respective grantee thereof. In addition to the foregoing, if a separate claim can be filed for the taking of any other property interest existing pursuant to this DEC which does not reduce or diminish the amount paid to the Party owning the land or the improvement taken, then the owner of such other property interest shall have the right to seek an award for the taking thereof.

**5.4 Binding Effect.** The terms of this DEC and all easements granted hereunder shall constitute covenants running with the land and shall bind the real estate described herein and inure to the benefit of and be binding upon the signatories hereto and their respective successors, assigns and owners who become Parties hereunder.

#### **5.5 Construction and Interpretation.**

(a) This DEC and the Exhibits hereto contain all the representations and the entire agreement between the Parties with respect to the subject matter hereof. The provisions of this DEC and the Exhibits hereto shall be construed as a whole according to their common meaning and not strictly for or against any Party.

(b) Whenever required by the context of this DEC: (i) the singular shall include the plural, and vice versa, and the masculine shall include the feminine and neuter genders, and vice versa; and (ii) use of the words "including", "such as", or words of similar import, when following any general term, statement or matter shall not be construed to limit such statement, term or matter to specific items, whether or not language of non-limitation, such as "without limitation", or "but not limited to", are used with reference thereto, but rather shall be deemed to refer to all other items or matters that could reasonably fall within the broadest scope of such statement, terms or matter.

(c) The captions preceding the text of each article and section are included only for convenience of reference. Captions shall be disregarded in the construction and interpretation of this DEC. Capitalized terms are also selected only for convenience of reference and do not necessarily have any connection to the meaning that might otherwise be attached to such term in a context outside of this DEC.

(d) Invalidity of any of the provisions contained in this DEC, or of the application thereof to any person by judgment or court order, shall in no way affect any of the other provisions hereof or the application thereof to any other person and the same shall remain in full force and effect.

(e) This DEC may be amended by, and only by, a written agreement signed by the then-Parties hereto, and shall be effective only when recorded in the county or applicable recording district and state where the Land is located; provided, however, that no such amendment shall impose any materially greater obligation on, or materially impair any right of any other Party or its Tract without the consent of such other Party. No consent to the amendment of this DEC shall ever be required of any Person other than the Parties.

(f) This DEC may be executed in several counterparts, each of which shall be deemed an original. The signatures to this DEC may be executed and notarized on separate pages, and when attached to this DEC shall constitute one complete document.

**5.6 DEC Shall Continue Notwithstanding Breach.** It is expressly agreed that no breach of this DEC shall: (a) entitle any Party to cancel, rescind, or otherwise terminate this DEC; or (b) defeat or render invalid the lien of any mortgage or deed of trust made in good faith and for value as to any part of the Land. However, such limitation shall not affect in any manner any other rights or remedies which a Party may have hereunder by reason of any such breach.

5.7 Limitation of Liability. Except as specifically provided below, there shall be absolutely no corporate or personal liability of persons, firms, corporations or entities who constitute a Party hereto, including, but not limited to, officers, directors, employees or agents of a party hereto with respect to any of the terms, covenants, conditions, and provisions of this DEC. In the event of default by a defaulting party hereunder any non-defaulting party who seeks recovery shall look solely to the interest of such defaulting party, its successors and assigns, in its Tract for the satisfaction of each and every remedy; provided, however, the foregoing shall not in any way impair, limit or prejudice the right of any Party to pursue equitable relief in connection with any term, covenants or condition of this DEC, including a proceeding for temporary restraining order, preliminary injunction, permanent injunction or specific performance.

IN WITNESS WHEREOF, the Authority, the Municipality and Kimco have caused this DEC to be executed effective as of the day and year first above written.

ANCHORAGE COMMUNITY DEVELOPMENT AUTHORITY

By: Healia C. Palmer, Chief Financial Officer

STATE OF ALASKA )  
 ) ss.  
THIRD JUDICIAL DISTRICT )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_, by Kevin J. Kinney, Chief Operating Officer for the ANCHORAGE COMMUNITY DEVELOPMENT AUTHORITY, an Alaska public corporation, on behalf of the corporation.

Notary Public in and for Alaska  
My Commission Expires: \_\_\_\_\_

MUNICIPALITY OF ANCHORAGE

By: Denis C. LeBlanc, Municipal Manager

STATE OF ALASKA )  
 ) ss.  
THIRD JUDICIAL DISTRICT )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_, by Denis C. LeBlanc, Municipal Manager for the MUNICIPALITY OF ANCHORAGE, an Alaska municipal corporation, on behalf of the corporation.

Notary Public in and for Alaska  
My Commission Expires: \_\_\_\_\_

KIMCO/POB GLENN SQUARE ANCHORAGE, LLC,  
a Delaware limited liability company

By: KIMCO GLENN SQUARE 1360, INC.,  
a Delaware corporation, its Managing Member

By: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_, by \_\_\_\_\_ of Kimco Glenn Square 1360, Inc., a Delaware corporation and managing member of Kimco/POB Glenn Square Anchorage, LLC, a Delaware limited liability company, on behalf of said corporation and limited liability company.

Notary Public in and for  
My Commission Expires: \_\_\_\_\_

**EXHIBIT A-1**  
**SITE PLAN**



**Attachment 5  
Substation Site Plan**

# UNICIPAL LIGHT & POWER

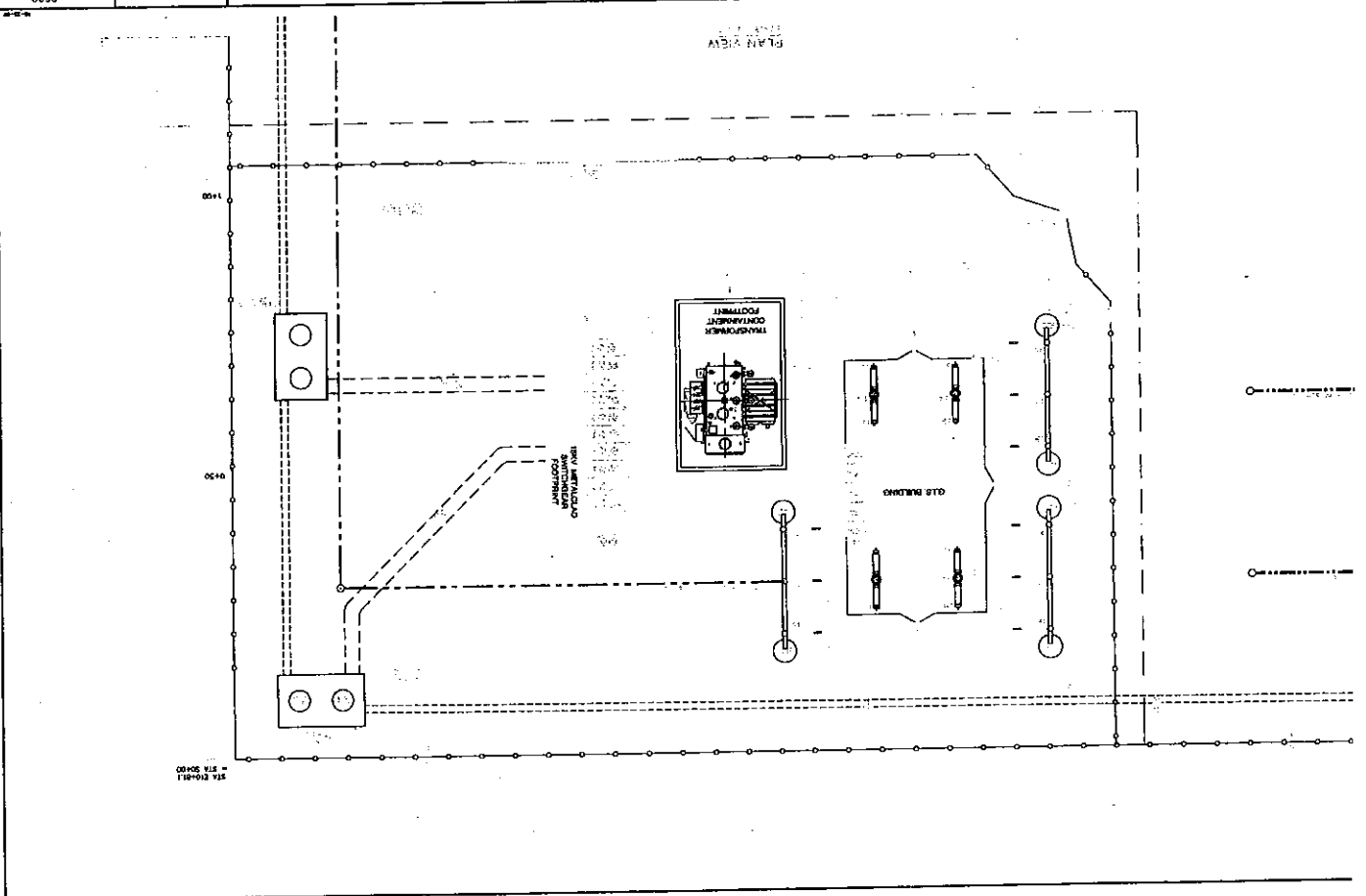
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DENVER, COLORADO 80202

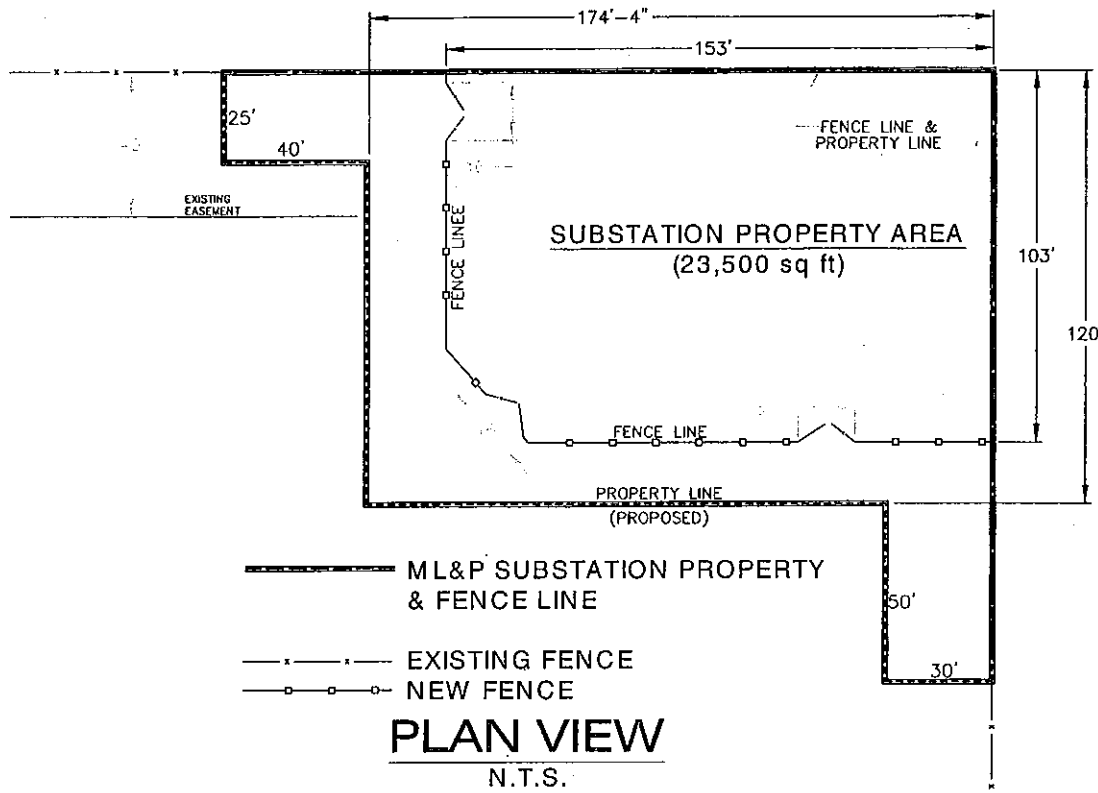


PROJECT NO. 71802-578  
SHEET NO. 1 OF 1

SUBSTATION 14 PROJECT  
EQUIPMENT PLAN

DATE: 11/10/00  
BY: J. L. HARRIS  
CHECKED BY: J. L. HARRIS  
SCALE: AS SHOWN





10-29-07

AL LIGHT & POWER

PALITY OF ANCHORAGE  
AVENUE ANCHORAGE, ALASKA



REFERENCE DRAWING NO.....

DRAWING NO. SUB 14 LAYOUT R2

ACAD FILE NAME: M:\SUB 14 NEW SITE\DWG\SUB 14 LAYOUT R2.DWG Page 04

PROJECT

SUBSTATION No. 14  
REVISED SITE PLAN

TITLE

SUBSTATION SITE PLAN

DRAWN BY WHF

DESIGN ENG. V. YEP

SUPERVISOR

CHIEF ENG.

W.O. NO. 0000

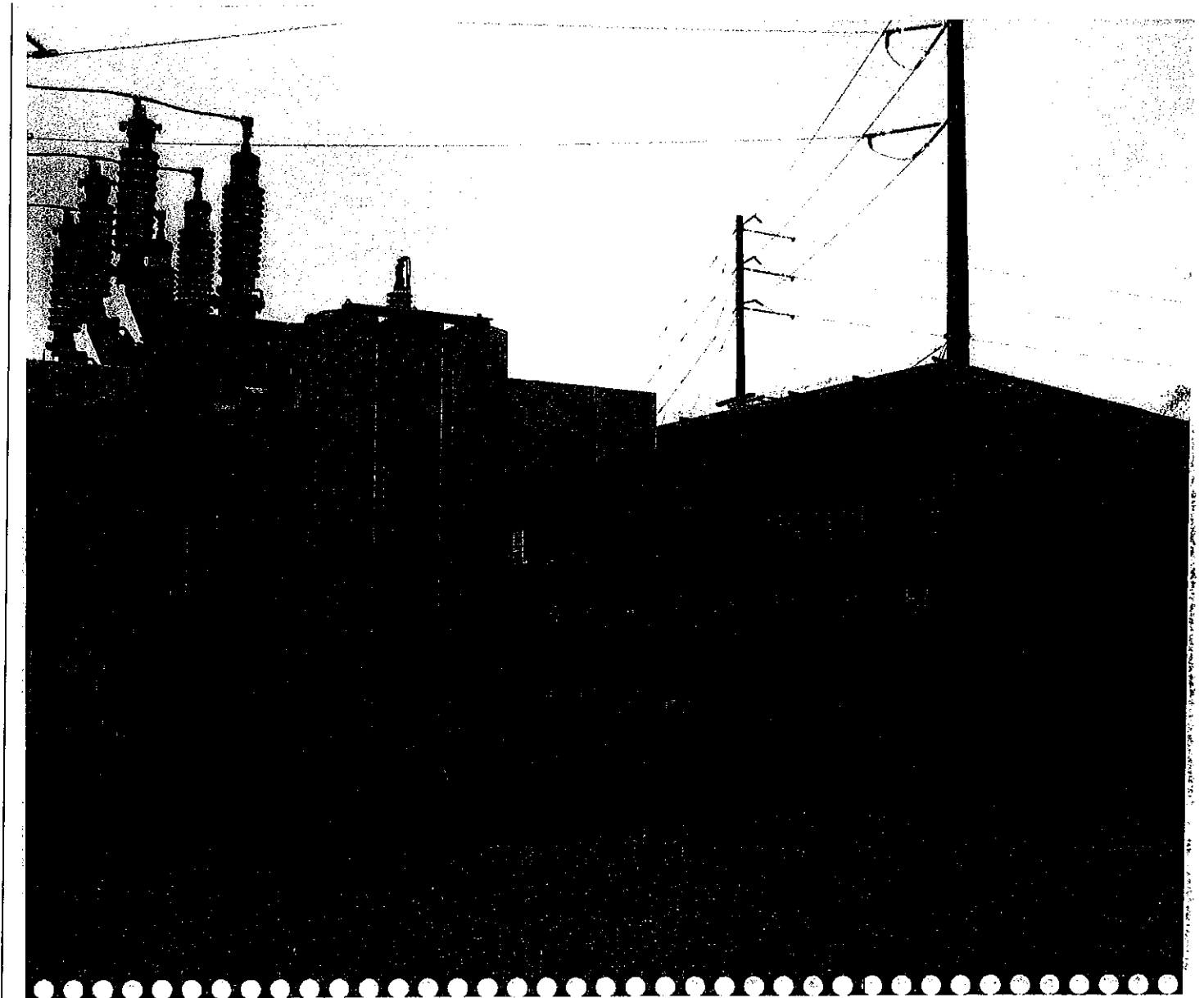
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SHEET X OF X

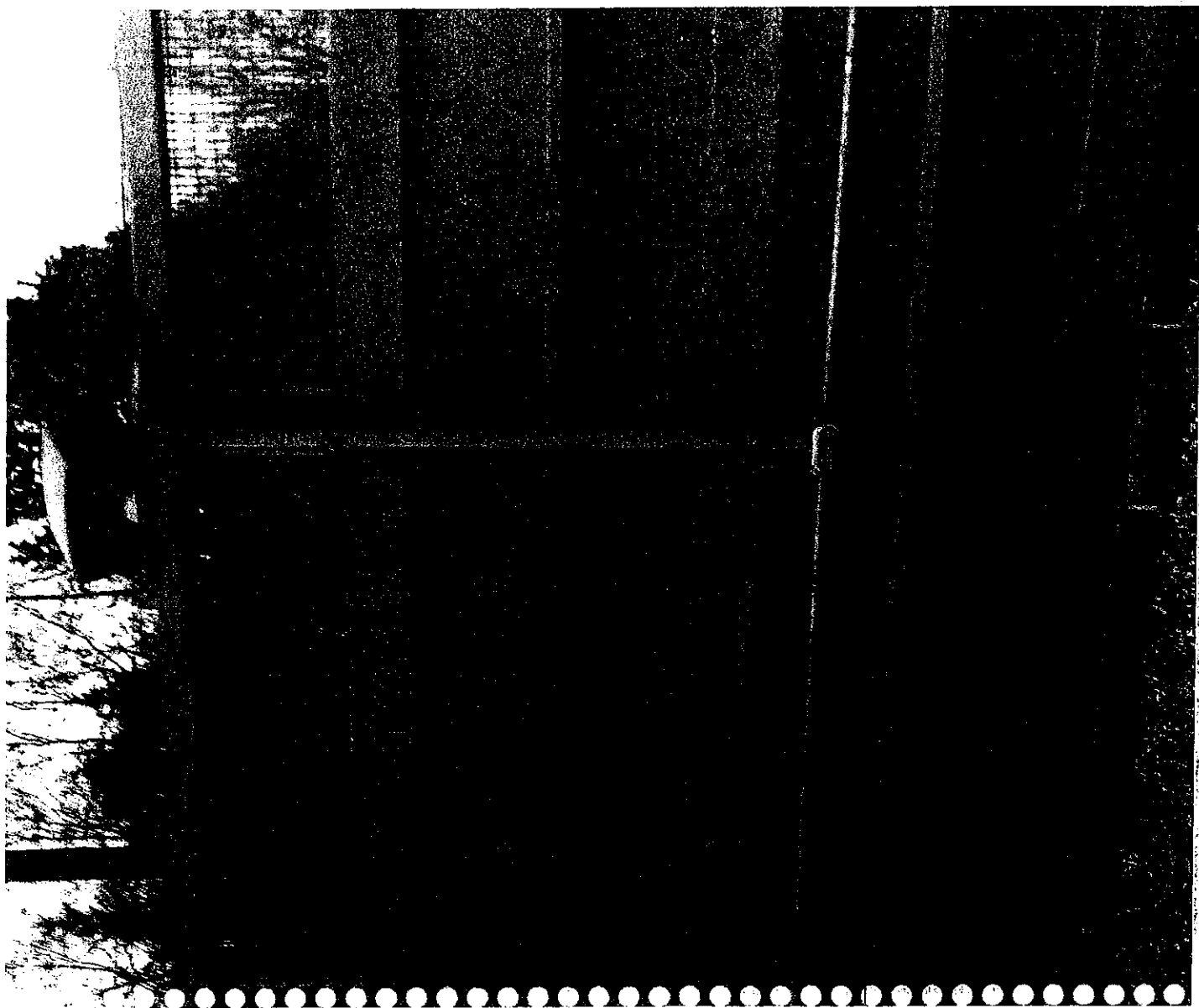
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**Attachment 6**  
**Substation Equipment**

Attachment 7  
Substation Photographs











**Attachment 8**  
**Proposed Ordinance for Zoning Map Amendment**

Submitted by: Chairman of the Assembly at the Request

Prepared by:  
For reading:

Anchorage, Alaska  
AO 2007-

AN ORDINANCE AMENDING THE ANCHORAGE ZONING MAP AND PROVIDING FOR THE  
REZONING OF APPROXIMATELY 5.5 ACRES, FROM I-1 (INDUSTRIAL) AND B-3 SL  
(GENERAL BUSINESS WITH SPECIAL LIMITATIONS) TO B-3 (GENERAL BUSINESS) FOR  
FRAGMENT LOT 14A, TRACT 1-A, MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, AND  
LOT 2A-1, BLOCK 8, FIRST ADDITION ALASKA INDUSTRIAL SUBDIVISION, GENERALLY  
LOCATED AT 3425 PORCUPINE DRIVE AND 3340 MOUNTAIN VIEW DRIVE.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The zoning map shall be amended by designating the following described property as B-3  
(General Business) zone:

Fragment Lot 14A, Tract 1-A, Mountain View Development Subdivision, containing approximately 2.2  
acres, and Lot 2A-1, Block 8, First Addition Alaska Industrial Subdivision, containing approximately 3.4  
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 be come effective immediately upon approval and passage of this  
ordinance.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of  
\_\_\_\_\_, 2007.

ATTEST: \_\_\_\_\_  
Chairman

\_\_\_\_\_  
Municipal Clerk

Attachment 9  
Certificate to Plat



**PACIFIC NORTHWEST TITLE  
OF ALASKA, INC.**

**CERTIFICATE TO PLAT**

ORDER NO.: 00085157

Date November 19, 2007

DOUGLAS ENGINEERS  
1115 B STREET  
ANCHORAGE, AK 99503

Attn: CHRIS HARRINGTON

Reference: Mc View Development Subdivision

This is a Certificate as of November 09, 2007 at 8:00 am on the following described property:

See Exhibit A attached hereto and made a part hereof

A search of the records of the Anchorage Recording Office by this Company reveals that title to the property described herein is vested on the date shown above in:

See Exhibit A attached hereto and made a part hereof.

SUBJECT TO THE EXCEPTIONS SHOWN HEREIN:

**GENERAL EXCEPTIONS:**

1. Encumbrances or questions of location, boundary and area, which an accurate survey may disclose; public or private easements, claims of easements or encumbrances which are not disclosed by the public records including but not limited to rights of the state and/or public in and to any portion of the land for right of way as established by federal statute RS 2477; rights or claims of persons in possession or claiming to be in possession; not disclosed by the public records; material or labor liens or statutory liens under State law; not disclosed by the public records; water rights or matters relating thereto; any service, installation or construction charges for any wiring of electricity.

2. Right to the control or regulation by the United States of America in the exercise of powers over navigation; defects, liens, encumbrances, or other matters created or suffered by the insured; rights, claims based upon instruments or upon facts not disclosed by the public records; but of which rights, claims, instruments or facts the insured has knowledge.

3. General taxes not now payable; matters relating to special assessments and special levies, if any, preceding the same becoming a lien.

4. Mining claims, reservations or exceptions in patents or in Acts authorizing the issuance thereof.

5. The laws, ordinances or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Certificate.

6. Consumer Credit Protection, "Truth in Lending" or similar law, or failure to comply with said law(s).

7. Any claim by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws.

Exhibit A

Order No. 85157

PARGEL 1

Verint

MUNICIPALITY OF ANCHORAGE, an estate in fee simple.

Per Plat No. 2006-62

Plat No. 2006-62, and 2 of COMMERCIAL TRACT FRAGMENT LOT SITE PLAN FOR MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, Tract 1 (Per Plat No. 2006-62), according to Plat 2006-64, Anchorage Recording District, Third Judicial District, State of Alaska

PARGEL 2

Verint

ANCHORAGE COMMUNITY DEVELOPMENT AUTHORITY, an estate in fee simple.

Per Plat No. 2006-62

Plat No. 2006-62, and 14 of COMMERCIAL TRACT FRAGMENT LOT SITE PLAN FOR MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, Tract 1 (Per Plat No. 2006-62), according to Plat 2006-64, Anchorage Recording District, Third Judicial District, State of Alaska

PARGEL 3

Verint

KIMCO/BOB GLENN SQUARE ANCHORAGE, LLC, a Delaware limited liability company, an estate in fee simple.

Per Plat No. 2006-62

Plat No. 2006-62, and 13 of COMMERCIAL TRACT FRAGMENT LOT SITE PLAN FOR MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, Tract 1 (Per Plat No. 2006-62), according to Plat 2006-64, Anchorage Recording District, Third Judicial District, State of Alaska

Exhibit A, Order No. 85157, continued

PARGEE 4

Vegetation

MUNICIPALITY OF ANCHORAGE, as to that portion lying within former Tract A, Plat 71-257 and ANCHORAGE COMMUNITY DEVELOPMENT AUTHORITY, as to that portion lying within former BLM Lot 2, Section 16, Township 10 North, Range 3 West, Seward Meridian, an estate in fee simple.

Legal Description

Plat 65-3 of ORAH-DEE-CLARK JUNIOR HIGH SCHOOL SUBDIVISION, according to Plat No. 2006-62, Anchorage Recording District, Third Judicial District, State of Alaska.

PARGEE 5

Vegetation

ANCHORAGE COMMUNITY DEVELOPMENT AUTHORITY, a Division of the Municipality of Anchorage, an estate in fee simple.

Legal Description

Block 8 of FIRST ADDITION ALASKA INDUSTRIAL SUBDIVISION, according to Plat 65-3, filed in the Anchorage Recording District, Third Judicial District, State of Alaska.

**SPECIAL EXCEPTIONS**

**THE FOLLOWING AFFECTS ALL PARCELS:**

RESERVATIONS AND EXCEPTIONS as contained in U.S. Patent

Recorded February 6, 1958

Book/Page 156/62

RESERVATIONS AND EXCEPTIONS as contained in State of Alaska Patent, including all oil, gas and mineral rights

Recorded November 7, 1979

Book/Page 451/829

PARCELS AND ASSESSMENTS, if any, due the Municipality of Anchorage.

CHUGACH ELECTRIC ASSOCIATION, Right-Of-Way Approved, including terms and provisions thereof

Recorded January 27, 1954

Book/Page 101/124

For Electric transmission line

Affairs: A 20 foot portion, the exact location of which cannot be determined of record.

Patent, wherein Chugach Electric Association, Inc., grants to the City of Anchorage permission to attach telephone facilities to the Chugach Electric Association poles, recorded March 12, 1963 in Book 64 at page 193.

**LICENSE FOR USE OF EASEMENT**, including the terms and conditions thereof

Licensee Chugach Electric Association

Recorded Municipality of Anchorage, d/b/a Anchorage Municipal Light & Power

June 5, 1986

Book/Page 1433/404

**THE FOLLOWING AFFECTS PARCELS 1, 2 & 3:**

RESOLUTION NO. 2007-73 levying assessments for Sewer Special Improvement Within Levy-Upon-Connection (LUC) Roll 07-S-1, including the terms and conditions thereof

Recorded June 1, 2007

Serial No. 2007-034422-0

Affects Fragment Lots 1, 2, 7, 8, 9 & 13

**PARTIAL RELEASE**

Recorded October 24, 2007

Serial No. 2007-067040-0

Releasing Fragment Lots 4, 5, 6, 10 & 14

**EASEMENT**, including the terms and conditions thereof

Division of City of Anchorage

Recorded November 6, 1957

Book/Page E3/90

For Utilities

Affects Fragment Lots 11 & 13 - See instrument



# SPECIAL EXCEPTIONS

(Continued)

RIGHT OF WAY PERMIT, including the terms and conditions thereof  
 Permittee: State of Alaska, acting by and through the Department of Natural Resources,  
 Division of Lands  
 City of Anchorage  
 Recorded: September 30, 1965  
 Book/Page: 114/213, Miscellaneous records  
 Affects: Storm Sewer  
 Affects: Fragment Lots 13 & 14 - See Instrument

RIGHT OF WAY PERMIT, including the terms and conditions thereof  
 Permittee: State of Alaska, acting by and through the Department of Natural Resources,  
 Division of Lands  
 City of Anchorage  
 Recorded: January 26, 1967  
 Book/Page: 138/231, Miscellaneous records  
 Affects: Transmission line  
 Affects: Fragment Lots 8, 9, 11, 12 & 13 - See Instrument

LEASE, including the terms and conditions thereof  
 Lessor: Territory of Alaska, through the Director of the Alaska Department of lands  
 Lessee: Curtis Watson  
 Term: 55 years commencing on the 1st day of May, 1958 and terminating on the 30th  
 day of April, 2013  
 Recorded: May 16, 1972  
 Book/Page: 208/627, Miscellaneous records  
 Affects: Fragment Lot 12 and other property - Formerly Lot 16, Block 7, Alaska  
 Industrial Subd

## ASSIGNMENT OF LESSEE'S INTEREST in said lease, including the terms and conditions thereof

Executed by: Curtis Watson  
 Assignee: L.R. Barrett and Frank V. Jones  
 Dated: July 15, 1958  
 Recorded: May 16, 1972  
 Book/Page: 208/629, Miscellaneous records

## ASSIGNMENT OF LEASE, including the terms and conditions thereof

Executed by: L. R. Barrett  
 Assignee: Frank V. Jones  
 Dated: October 10, 1969  
 Recorded: May 16, 1972  
 Book/Page: 208/630, Miscellaneous records

The present ownership of said leasehold and other matters affecting the interest of the Lessee are not shown herein.

# SPECIAL EXCEPTIONS

(Continued)

10. EASEMENT, including the terms and conditions thereof  
 In favor of: Municipality of Anchorage  
 Recorded: May 23, 1980  
 Book/Page: 497/393  
 For: Underground Electrical and Telephone  
 Affects: Fragment Lot 3 - Front 10 feet

11. INTRA-GOVERNMENTAL RIGHT OF WAY PERMIT, including the terms and conditions thereof  
 Permittee: Municipality of Anchorage  
 Permittee: Municipal Light and Power  
 Recorded: February 17, 1984  
 Book/Page: 1050/278  
 For: Electric Distribution System  
 Affects: Fragment Lots 13 & 14 - See instrument

12. EASEMENT, including the terms and conditions thereof  
 In favor of: McDonald's Corporation  
 Recorded: September 23, 1986  
 Book/Page: 1496/181  
 For: Slope  
 Affects: Fragment Lots 1 & 2 - See instrument

13. INTRA-GOVERNMENTAL RIGHT OF WAY PERMIT, including the terms and conditions thereof  
 Permittee: Anchorage  
 Permittee: Anchorage Water and Wastewater Utility  
 Recorded: September 19, 1994  
 Book/Page: 2707/604  
 For: Water  
 Affects: Fragment Lot 12 - See instrument

14. INTRA-GOVERNMENTAL RIGHT OF WAY PERMIT, including the terms and conditions thereof  
 Permittee: Anchorage, D/B/A The Anchorage School District  
 Permittee: Municipal Light & Power and The Anchorage Telephone Utility  
 Recorded: November 5, 1996  
 Book/Page: 2995/221  
 For: Electric and Telecommunications System, Overhead and Surface Facilities  
 Affects: Fragment Lots 11 & 13 - see instrument

15. INTRA-GOVERNMENTAL RIGHT OF WAY PERMIT, including the terms and conditions thereof  
 Permittee: Anchorage, D/B/A The Anchorage School District  
 Permittee: Municipal Light & Power and The Anchorage Telephone Utility  
 Recorded: November 5, 1996  
 Book/Page: 2995/223  
 For: Electric and Telecommunications System, Underground and Surface Facilities  
 Affects: Fragment Lots 11 & 13 - see instrument

**SPECIAL EXCEPTIONS**  
(Continued)

6 EASEMENT including the terms and conditions thereof  
Former Lot 10, Block 7, Alaska Industrial Subd.

By and Between  
August 28, 1997

Recorded  
3/14/84

Book/Page

Block

Page

Serial No.

File No.

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Notes

Comments

Remarks

Other

Remarks

Other

Remarks

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Remarks

7 EASEMENT including the terms and conditions thereof  
Former Lot 10, Block 7, Alaska Industrial Subd.

By and Between  
August 28, 1997

Recorded  
3/14/84

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Comments

Remarks

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Remarks

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Remarks

8 EASEMENT including the terms and conditions thereof  
Former Lot 10, Block 7, Alaska Industrial Subd.

By and Between  
August 28, 1997

Recorded  
3/14/84

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Comments

Remarks

Other

Remarks

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Remarks

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9 EASEMENT including the terms and conditions thereof  
Former Lot 10, Block 7, Alaska Industrial Subd.

By and Between  
August 28, 1997

Recorded  
3/14/84

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Remarks

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10 EASEMENT including the terms and conditions thereof  
Former Lot 10, Block 7, Alaska Industrial Subd.

By and Between  
August 28, 1997

Recorded  
3/14/84

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11 EASEMENT including the terms and conditions thereof  
Former Lot 10, Block 7, Alaska Industrial Subd.

By and Between  
August 28, 1997

Recorded  
3/14/84

Book/Page

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Serial No.

File No.

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Other

Remarks

Other

Remarks

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Other

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# **SPECIAL EXCEPTIONS** (Continued)

20. EASEMENT, including the terms and conditions thereof  
 In Favor of  
 Anchorage, d/b/a Municipal Light & Power  
 Recorded  
 July 10, 2006  
 Serial No.  
 2006-045570-0  
 For  
 Electric and Telecommunications systems  
 Affects  
 Fragment Lot 3 - See instrument
21. INTRA-GOVERNMENTAL USE PERMIT, including the terms and conditions thereof  
 Permittee  
 Municipality of Anchorage, Heritage Land Bank  
 Department of Project Management and Engineering, a Municipal agency  
 Recorded  
 August 10, 2006  
 Serial No.  
 2006-053950-0  
 For  
 Public street, highway, walkway, trail, transit facility and/or electrical, telephone  
 or telecommunications, gas, water, sewer, etc.  
 Affects  
 Fragment Lot 12 - See instrument
22. EASEMENT, including the terms and conditions thereof  
 In Favor of  
 Anchorage, an Alaska municipal corporation  
 Recorded  
 August 14, 2006  
 Serial No.  
 2006-055156-0  
 For  
 Public Use  
 Affects  
 Fragment Lot 3 - See instrument
23. EXTENDED WATER SERVICE CONNECTION AGREEMENT, including the terms and conditions thereof  
 By and Between  
 Kimco/POB Glenn Square Anchorage, LLC and Anchorage Water & Wastewater  
 Utility  
 Recorded  
 August 15, 2006  
 Serial No.  
 2006-058728-0
24. EASEMENT, including the terms and conditions thereof  
 In Favor of  
 ENSTAR Natural Gas Company  
 Recorded  
 September 19, 2006  
 Serial No.  
 2006-063810-0  
 For  
 Natural gas pipelines  
 Affects  
 Fragment Lots 2, 4 through 11 and 13 - See instrument
25. EASEMENT, including the terms and conditions thereof  
 In Favor of  
 ENSTAR Natural Gas Company  
 Recorded  
 September 19, 2006  
 Serial No.  
 2006-063811-0  
 For  
 Natural gas pipelines  
 Affects  
 Fragment Lot 3 - See instrument

**SPECIAL EXCEPTIONS**  
(Continued)

27. MEMORANDUM OF LEASE, including the terms and conditions thereof  
KIMCO/POB Glenn Square Anchorage, LLC  
Bea Bath & Beyond Inc.  
10 years, together with a right to extend for 4 separate and additional periods of 5  
years each  
October 2, 2006  
November 27, 2006  
2006-079937-0  
Fragment Lots 2, 4 through 11 and 13

Dated  
Recorded  
Serial No.  
Affects

28. EASEMENT, including the terms and conditions thereof  
Anchorage, d/b/a Municipal Light & Power  
May 25, 2007  
2007-032967-0  
Electric and Telecommunications systems  
Various portions - See instrument

29. NOTICE OF RIGHT TO LIEN

Executed By Rodda Paint Company  
June 6, 2007  
2007-035917-0  
Fragment Lots 2, 4 through 11 and 13

30. A CLAIM OF LIEN for labor and/or materials  
Circle Plumbing & Heating, Inc.  
\$239,917.61, plus interest and costs  
June 18, 2007  
2007-038565-0

31. NOTICE OF RIGHT TO LIEN

Executed By Crescent Electric Supply Co.  
July 5, 2007  
2007-042803-0  
Fragment Lot 2

32. NOTICE OF RIGHT TO LIEN

Executed By Crescent Electric Supply Co.  
July 5, 2007  
2007-042805-0  
Fragment Lot 11

33. NOTICE OF RIGHT TO LIEN

Executed By Crescent Electric Supply Co.  
July 5, 2007  
2007-042807-0  
Fragment Lot 11

**SPECIAL EXCEPTIONS**  
(Continued)

14. NOTICE OF RIGHT TO LIEN  
Executed By Crescent Electric Supply Co.  
Recorded July 26, 2007  
Serial No. 2007-047754-0  
Affects Fragment Lots 2, 4 through 11 and 13

15. A CLAIM OF LIEN for labor and/or materials  
By Bergh Masonry Company  
Amount \$74,562.00, plus interest and costs  
Recorded October 17, 2007  
Serial No. 2007-065790-0  
Affects Fragment Lot 2

16. A CLAIM OF LIEN for labor and/or materials  
By Pruhs Corporation  
Amount \$33,600.00, plus interest and costs  
Recorded October 29, 2007  
Serial No. 2007-067988-0

17. INTRA-GOVERNMENTAL USE PERMIT, including the terms and conditions thereof  
Permittee Municipality of Anchorage, Heritage Land Bank  
Permitted Department of Project Management and Engineering, a Municipal agency  
Recorded November 1, 2007  
Serial No. 2007-068872-0  
Affects Public street, highway, walkway, trail, transit facility and/or electrical, telephone or telecommunications, gas, water, sewer, etc.  
Fragment Lot 12 - See instrument

18. NOTICE OF RIGHT TO LIEN  
Executed By Gem Fabrication  
Recorded November 2, 2007  
Serial No. 2007-068995-0  
Affects Fragment Lot 11

19. EASEMENT dedicated or delineated on the face of the plat  
Plat No. 2006-62 and 2006-64  
Affects Easements  
See Plat

20. SCOPE EASEMENT as reserved on the plat for the purpose of providing and maintaining lateral support of the constructed street  
Plat No. 2006-62

21. EFFECT of the notes as shown on Plat No. 2006-62 and 2006-64.

22. Rights of tenants/parties in possession.



# **SPECIAL EXCEPTIONS** (Continued)

## **THE FOLLOWING AFFECTS PARCEL 4:**

1. **SUBJECT TO A ROAD RESERVATION** of 50 feet along each side of the section line as created by A.S. 940010  
Now Affects East 10 feet of North 373.47 feet and the North 10 feet

2. **EASEMENT** including the terms and conditions thereof  
In favor of City of Anchorage  
Recorded November 6, 1957  
Book/Page E3/90  
How Utility Easement  
Affects A portion - See Instrument

3. **RIGHT OF WAY PERMIT**, including the terms and conditions thereof  
Permitted State of Alaska  
Permitted City of Anchorage  
Recorded June 26, 1962  
Book/Page 49/370, Miscellaneous records  
How Affects An underground telephone cable  
Affects A portion - See instrument

4. **RIGHT OF WAY PERMIT**, including the terms and conditions thereof  
Permitted State of Alaska  
Permitted City of Anchorage  
How Transmission line  
Recorded January 26, 1967  
Book/Page 138/233, Miscellaneous records  
Affects A portion - See Instrument

5. **Unrecorded Alaska Division of Lands Lease No. 00249**, dated December 10, 1958 and as amended on December 27, 1963 disclosed by Plat 71-257 and State of Alaska Patent recorded November 7, 1979 in Book 75-1st Page 849

6. **EASEMENT** dedicated or delineated on the face of the plat  
Plat No 71-257/2006-62  
How Easement(s)  
Affects See Plats

7. **STAKE EASEMENT** as reserved on the plat for the purpose of providing and maintaining lateral support of the constructed street  
Plat No 2006-62

8. **EFFECT** of the notes as shown on Plat No. 71-257 and 2006-62.

**SPECIAL EXCEPTIONS**  
(Continued)

PERMIT, including the terms and conditions thereof  
 City of Anchorage, Municipality of Anchorage  
 September 24, 1980  
 528/319  
 Electric lines or system and/or telephone lines  
 Base 10 feet of the North 374 feet

**OTHER PROVIDED**

City of Anchorage, Municipality of Anchorage  
 June 23, 1986  
 1442/852

PERMIT, including the terms and conditions thereof  
 City of Anchorage, Municipality of Anchorage  
 October 30, 1984  
 1189/252  
 Maintaining Anchor and Guy line  
 A portion - see instrument

PERMIT, including the terms and conditions thereof  
 City of Anchorage, Municipality of Anchorage  
 September 13, 1996  
 2974/705  
 Electric and Telecommunications System, Underground and Surface Facilities  
 A portion - see instrument

PERMIT, including the terms and conditions thereof  
 City of Anchorage, Municipality of Anchorage  
 September 13, 1996  
 2974/705  
 Electric and Telecommunications System, Overhead and Surface Facilities  
 A portion - see instrument

PERMIT, including the terms and conditions thereof  
 City of Anchorage, Municipality of Anchorage  
 November 5, 1996  
 2995/221  
 Electric and Telecommunications System, Overhead and Surface Facilities  
 A portion - see instrument



**SPECIAL EXCEPTIONS**  
(Continued)

59. **INTRAGOVERNMENTAL RIGHT OF WAY PERMIT**, including the terms and conditions thereof  
 Anchorage, D/B/A The Anchorage School District  
 Municipal Light & Power and The Anchorage Telephone Utility  
 November 5, 1996  
 2995/223  
 Book/Page  
 Folio  
 Affects  
 Electric and Telecommunications System, Underground and Surface Facilities  
 A portion - see instrument
60. **INTRAGOVERNMENTAL RIGHT OF WAY PERMIT**, including the terms and conditions thereof  
 Anchorage, D/B/A The Anchorage School District  
 Municipal Light & Power and The Anchorage Telephone Utility  
 November 5, 1996  
 2995/225  
 Book/Page  
 Folio  
 Affects  
 Electric and Telecommunications System, Overhead, Underground and Surface Facilities  
 A portion - see instrument
61. **INTRAGOVERNMENTAL RIGHT OF WAY PERMIT**, including the terms and conditions thereof  
 Anchorage  
 Municipal Light & Power and The Anchorage Telephone Utility  
 November 5, 1996  
 2995/233  
 Book/Page  
 Folio  
 Affects  
 Electric and Telecommunications System, Underground and Surface Facilities  
 West 23 feet of the East 33 feet of the South 135 feet of the North 261 feet
62. **EASEMENT**, including the terms and conditions thereof  
 In Favor of  
 State of Alaska, Department of Transportation and Public Facilities  
 June 5, 2007  
 Serial No.  
 2007-035606-0  
 For  
 Public highway facility  
 Affects  
 A portion - See instrument
63. **ANY CLAIM, LOSS OR DAMAGE** arising from municipal, borough or state laws prohibiting the division of  
 any existing parcel without complying with the platting requirements of the appropriate governmental agency.
- THE FOLLOWING AFFECTS PARCEL 5:**
64. **EASEMENT**, including the terms and conditions thereof  
 In Favor of  
 Thomas E. Carey  
 November 15, 1960  
 20/304, Miscellaneous records  
 Book/Page  
 Folio  
 Affects  
 Sewer Easement  
 North 20 feet of former Lot 8, Block 8
65. **EASEMENT**, including the terms and conditions thereof  
 In Favor of  
 November 11, 1961  
 22/275, Miscellaneous records  
 Book/Page

# SPECIAL EXCEPTIONS

(Continued)

62 EASEMENT dedicated or delineated on the face of the plat

Plan No. 65-3

For CBA/Drainage

Affects See Plat

63 EASEMENT including the terms and conditions thereof

In Favor Of Chugach Electric Association, Inc.

Recorded January 15, 1965

Book/Page 99/107 Miscellaneous records

Affects Electric lines or system and/or telephone lines

64 An easement to allow installation of an electric service pole on former Lot 5,

Block 8, Alaska Industrial Subdivision, and the corresponding service conductors

from said pole to Building on former Lot 4, Block 8, Alaska Industrial

Subdivision.

65 COVENANTS, CONDITIONS AND RESTRICTIONS, including the terms and provisions thereof, as

contained in AGREEMENT TERMINATING LEASE

Recorded July 25, 1980

Book/Page 510/908

66 EASEMENT including the terms and conditions thereof, as reserved in instrument

In Favor Of Municipality of Anchorage

Recorded July 25, 1980

Book/Page 510/914

Affects Underground Electrical & Telephone Easement

Front 10 feet

For Aerial Telephone Easement

Affects East 10 feet

For Fire Hydrant Easement

A strip of land 5 feet in width, located within Lot 2A of Block 8, Alaska

Industrial Subdivision, the Westerly line of said strip being described as follows:

Commencing at the northwest corner of said Lot 2A, thence Northeasterly along

the front line 427 feet to the true point of beginning; thence Northeasterly along

the front lot line 10 feet to the end of said strip.

67 EASEMENT including the terms and conditions thereof

In Favor Of Anchorage: D/B/A Municipal Light & Power

Recorded July 12, 2006

Serial No. 2006-046259-0

Affects Electric transmission or distribution line(s) or systems

Front 10 feet and the East 45 feet

Order No.: 00085157

**SPECIAL EXCEPTIONS**  
(Continued)

6. EASEMENT, including the terms and conditions thereof  
In Favor of: Anchorage, an Alaska municipal corporation  
Recorded: August 14, 2006  
Serial No: 2006-055157-0  
For: Public Use  
Acre is: A portion - See instrument

This instrument is restricted to the use of the addressee and is not to be used as a basis for closing any transaction affecting title to such property. Liability of the Company is limited to the compensation received therefor.

CHARGE: \$850.00

**PACIFIC NORTHWEST TITLE**  
OF ALASKA, INC.

By: [Signature]  
Authorized Signature  
Howard Hancock, Phone: 261-2230

Attachments  
November 19, 2007

5

POSTING

AFFIDAVIT



# AFFIDAVIT OF POSTING

**Case Number:** 2008-015, 2008-016, 2008-017, S11646, S11647

I, Chris Harrington, 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 Conditional Use Site Plan Review Commercial Tract and FISP. The notice was posted on 21-Dec-07 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.

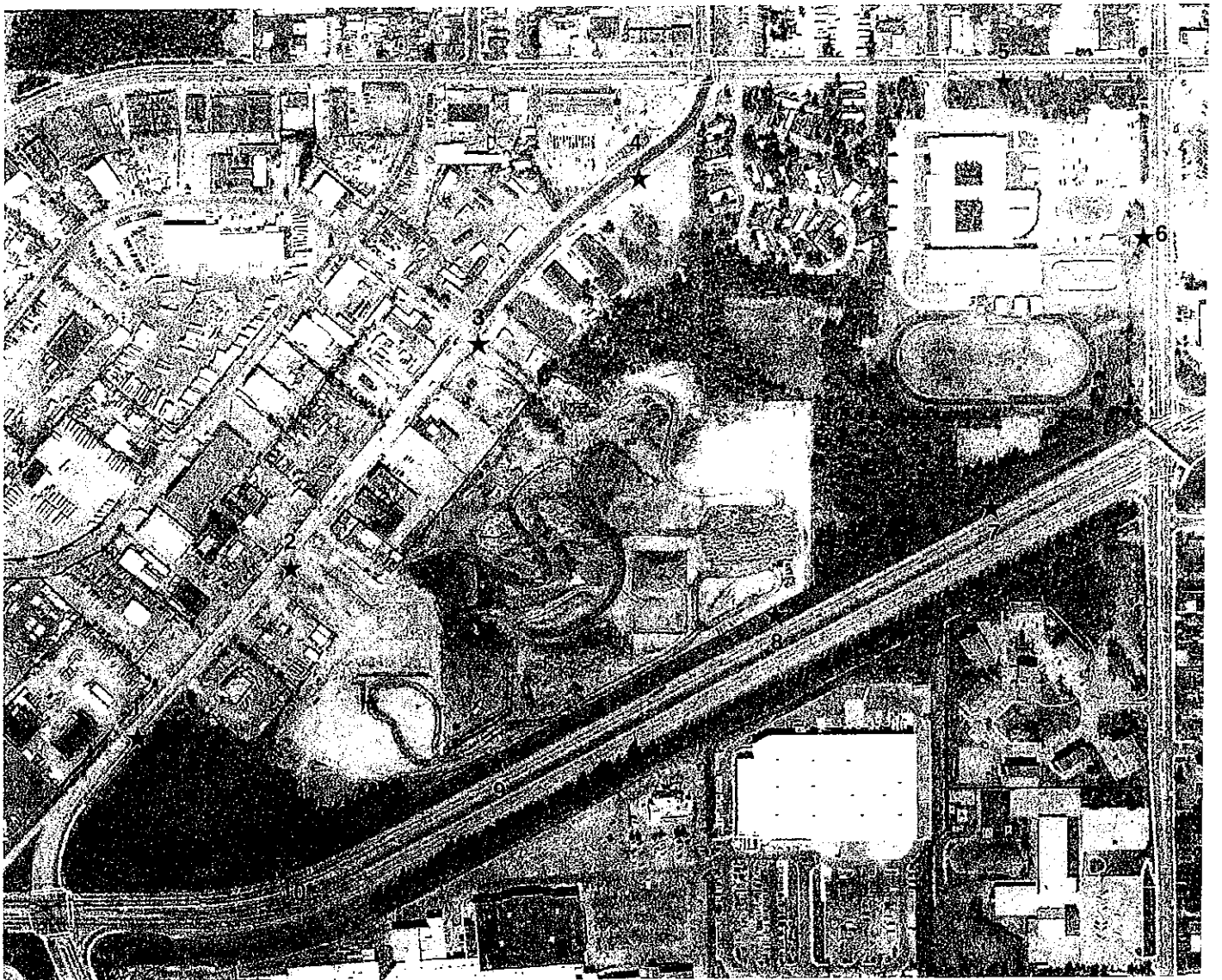
Affirmed and signed this 21st day of Dec, 2007

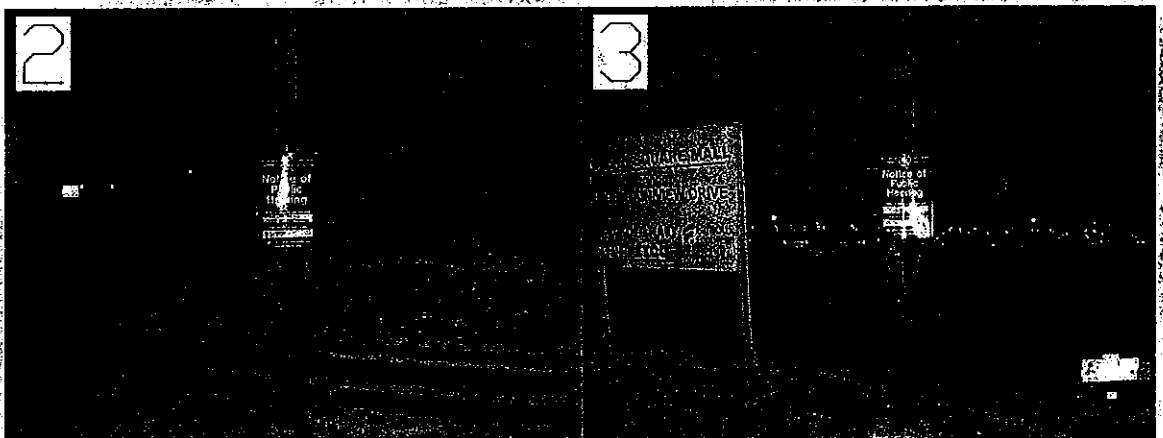
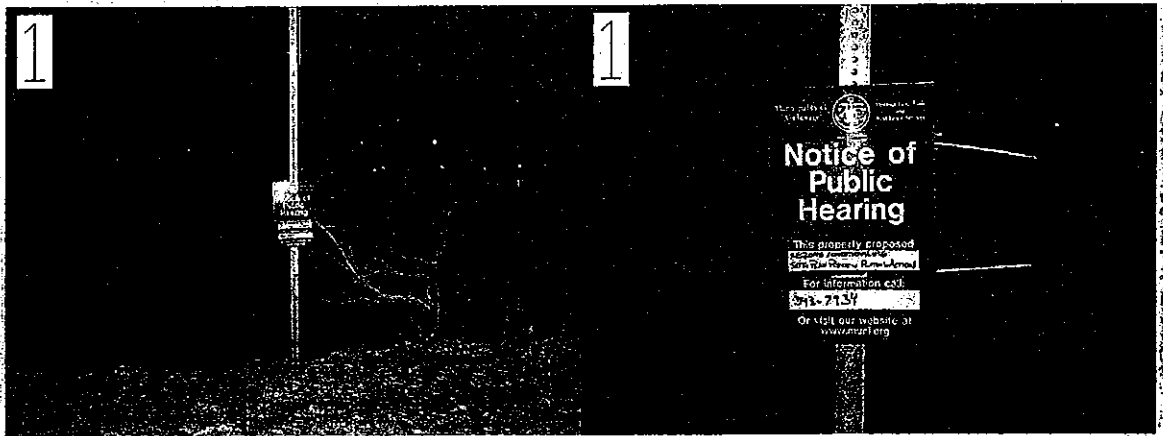
  
Signature

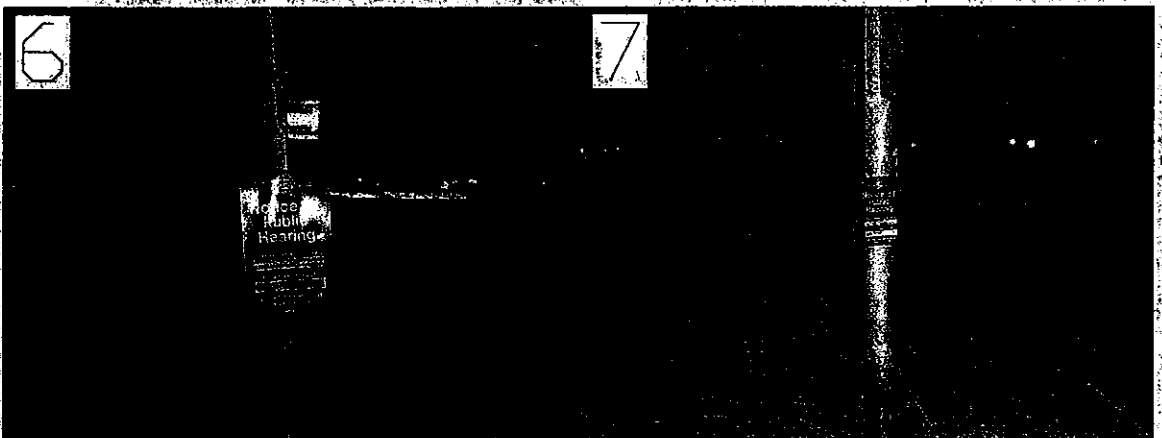
## LEGAL DESCRIPTION

Tract or Lot \_\_\_\_\_  
Block \_\_\_\_\_

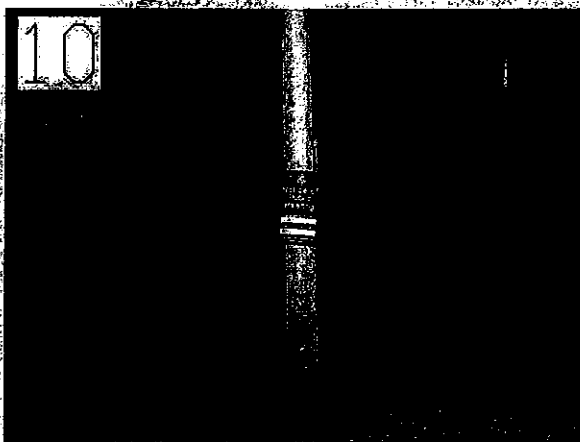
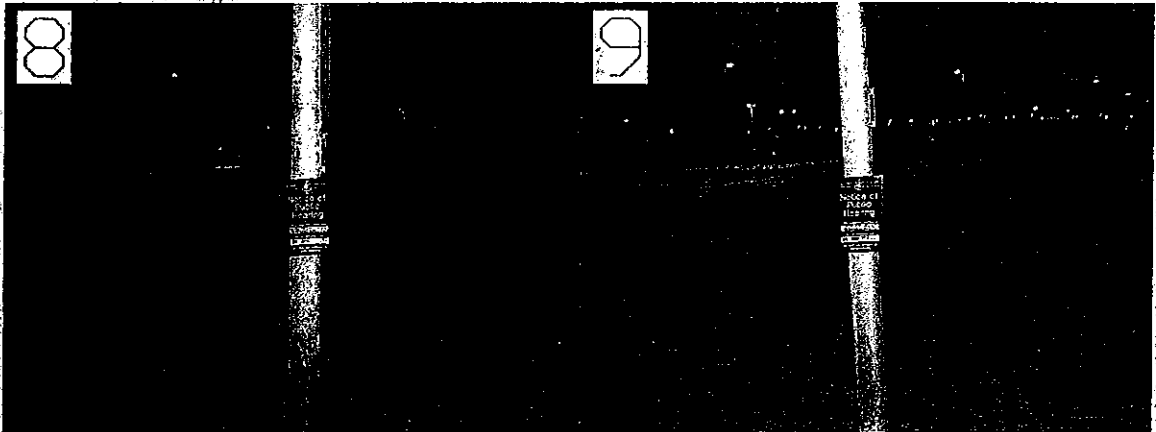
Subdivision Mountain View Development Subdivision Tract 1A and Orah Dee Clark Junior High School Subdivision Tract A-1A and first Addition, Alaska Industrial Subdivision Lot 2A-1, Block 8

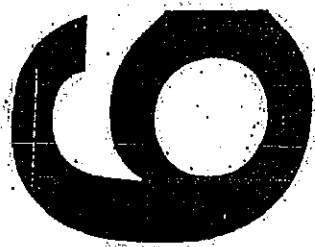












# **HISTORICAL INFORMATION**



*APR 10 2006*  
*For the Mayor*

**MUNICIPALITY OF ANCHORAGE**  
**INFORMATION MEMORANDUM**

No. AUM 61-2006

Meeting Date: May 2, 2006

From: Mayor

Subject: AO 2006-043

Request for clarification of rezoning special limitation for AO 2006-043 for Case 2005-149 to rezone approximately 35 acres, located in Alaska Industrial Subdivision, Block 7, Lots 9, 10, and 16; a portion of Oran Dec Clark Junior High Subdivision, Tract A; and those portions of Bureau of Land Management Lot 2; The SW 1/4 NE 1/4 and the SE 1/4 NW 1/4, of Section 16, T13N R3W, S.M., Alaska bounded on the South by Glenn Highway Right of Way (Project F-0242-1); on the North by Alaska Industrial Subdivision, and Mt. View Drive) from I-1 (Light Industrial), I-2 SL (Heavy Industrial with Special Limitations) and PLI (Public Lands and Institutions) to B-3 SL (General Business with Special Limitations)

On March 28, 2006, the Assembly approved a rezoning of the above noted parcels from I-1, I-2 SL and B-3 SL. The property owners are the Municipality of Anchorage, the Anchorage Community Development Authority (ACDA) and the Anchorage School District, and includes a land trade between the parties. The ordinance approving this request included a Special Limitation which stated: "Any development on proposed Fragment Lot 14 shall contain a minimum residential density of at least 12 dwelling units per acre." The Municipality and the ACDA have been working with the District to ensure that the District's needs are met, and since the date of ordinance approval, the site plan has been modified and the Fragment of boundaries have changed and the lots renumbered.

The Assembly approved the special limitation during the hearing with the understanding that the Municipal property would be developed with a commercial retail use, and that Fragment Lot 14, which was to be owned for a time by the School District, would revert to the Municipality to be developed residentially. The intent of the Municipality was to create a mixed-use development in this area subject to the rezoning. Since that time, the lot that was previously Fragment Lot 14 has been changed to a smaller configuration in order to resolve utility issues and District needs. This different configuration is too small to meet the intent of the ordinance to provide a higher level of residential development with this use. Thus, the Municipality is intending to explore other area options for a residential component of this development. The majority of the previous Fragment Lot 14 has been included into the Clark

Assembly Information Memorandum

AO#2006-033

Page 2 of 2

1 Junior High site (Oran Dec Clark Junior High School Subdivision, Tract A1). This will also  
2 reduce the conflict of having residential development within a school site due to fragment lot  
3 numbering and lot line changes. The zoning boundaries will not change.

4  
5 The Municipality is exploring methods to provide a residential component of this mixed-use  
6 development. The parties involved are in agreement to this request.

7  
8 The Administration finds that this adjustment is appropriate for this technical alignment, it  
9 meets the intent of the original Assembly approval, and serves to better provide for a potential  
10 residential development that is complementary to a true mixed-use development.

11 Prepared by Robin Ward, Director, Heritage Land Bank  
12 Concurred by Mary Jane Michaels, Executive Director, Office of Economic and  
13 Community Development

14 Concurred by Denis C. LeBlanc, Municipal Manager

15 Respectively Submitted: Mark Begich, Mayor

Submitted by: Chair of the Assembly at  
the Request of the Mayor  
Planning Department  
February 28, 2006

Prepared by:  
For reading: Anchorage, Alaska  
AO 2006- 43

CLERK'S OFFICE

APPROVED

Date: 2-21-06

IMMEDIATE RECONSIDERATION  
FAILED 3-28-06

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE  
REZONING OF APPROXIMATELY 35 ACRES, FROM I-1 (LIGHT INDUSTRIAL), I-2 SL  
(HEAVY INDUSTRIAL WITH SPECIAL LIMITATIONS) AND PLI (PUBLIC LANDS AND  
INSTITUTIONS) TO B-3 SL (GENERAL BUSINESS WITH SPECIAL LIMITATIONS) FOR  
ALASKA INDUSTRIAL SUBDIVISION, BLOCK 7, LOTS 9, 10, AND 16; A PORTION OF  
ORAH DEE CLARK JUNIOR HIGH SCHOOL, TRACT A; AND THOSE PORTIONS OF  
BUREAU OF LAND MANAGEMENT LOT 2; THE SW 1/4 NE 1/4 AND THE SE 1/4 NW 1/4 OF  
SECTION 16, T13N, R3W, S.M. ALASKA BOUNDED ON THE SOUTH BY THE GLENN  
HIGHWAY RIGHT OF WAY (PROJECT F-0242-1); ON THE NORTH BY ALASKA  
INDUSTRIAL SUBDIVISION AND MT. VIEW DRIVE; AND ON THE EAST BY ORAH  
DEE CLARK JUNIOR HIGH SCHOOL; GENERALLY LOCATED AT THE NORTHEAST  
CORNER OF THE GLENN HIGHWAY AND AIRPORT HEIGHTS DRIVE.

(Mountain View Community Council) (Planning and Zoning Commission Case 2005-149)

#### THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1.** The zoning map shall be amended by designating the following described property as  
B-3 SL (General Business District with Special Limitations):

Alaska Industrial Subdivision, Block 7, Lots 9, 10, and 16; a portion of Orah Dee Clark  
Junior High Subdivision, Tract A; and those portions of Bureau of Land Management Lot  
2; The SW 1/4 NE 1/4 and the SE 1/4 NW 1/4, of Section 16, T13N, R3W, S.M., Alaska  
bounded on the South by Glenn Highway Right of Way (Project F-0242-1); on the North  
by Alaska Industrial Subdivision, and Mt. View Drive; and on the East by Orah Dee  
Clark Junior High School; containing approximately 35 plus-minus acres, as shown on  
Exhibit A.

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

Any development on proposed Fragment Lot 14 shall contain a minimum residential  
density of at least 12 dwelling units per acre.

Section 3. This ordinance shall become effective within 10 days after the Director of the Planning Department has received the written consent of the owners of the property within the area described in Section 1 above to the special limitations contained herein. The rezoning 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 28th day of MARCH 2006.

ATTEST:

Anna L. Fairclough  
Chair

Sala S. Stewart  
Municipal Clerk

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

AO Number: 2006-43      Title: Planning and Zoning Commission, Case 2005-149; recommendation of approval for a rezoning from I-1, I-2 SL, and PLJ to B-3 SL to allow for a mixed-use development for Alaska Industrial Subdivision, Block 7, Lots 9, 10, and 16; a portion of Orah Dee Clark Junior High Subdivision, Tract A; and those portions of Bureau of Land Management Lot 2; The SW ¼ NE ¼ and the SE ¼ NW ¼, of Section 16, T13N, R3W, S.M., Alaska.

Sponsor:  
 Preparing Agency:  
 Others Impacted:

**CHANGES IN EXPENDITURES AND REVENUES: (In Thousands of Dollars)**

	FY06	FY07	FY08	FY09
<b>Operating Expenditures</b>				
1000 Personal Services				
2000 Non-Labor				
3900 Contributions				
4000 Debt Service				
<b>TOTAL DIRECT COSTS:</b>	\$ -	\$ -	\$ -	\$ -
Add: 6000 Charges from Others				
Less: 7000 Charges to Others				
<b>FUNCTION COST:</b>	\$ -	\$ -	\$ -	\$ -
<b>REVENUES:</b>				
<b>CAPITAL:</b>				
<b>POSITIONS: FT/PT and Temp</b>				

**PUBLIC SECTOR ECONOMIC EFFECTS:**

Approval of this rezoning should have no significant impact on the public sector. If approved, the rezoning will allow for a mixed-use development.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

Approval of the rezoning should have no significant economic impact on the private sector. If approved, the rezoning would allow for construction of a mixed-use development.  
 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:      (Director, Preparing Agency)      Date:        
 Concurred by:      (Director, Impacted Agency)      Date:        
 Announced by:      Date:



**MUNICIPALITY OF ANCHORAGE  
ASSEMBLY MEMORANDUM**

No. AM 127-2006

Meeting Date: February 28, 2006

From: Mayor

Subject: Planning and Zoning Commission recommendation of approval for a rezoning from I-1 (Light Industrial), I-2 SL (Heavy Industrial with Special Limitations) and PLI (Public Lands and Institutions) to B-3 SL (General Business District with Special Limitations) for Alaska Industrial Subdivision, Block 7, Lots 9, 10, and 16; a portion of Orah Dee Clark Junior High Subdivision, Tract A; and those portions of Bureau of Land Management Lot 2; The SW ¼ NE ¼ and the SE ¼ NW ¼, of Section 16, T13N, R3W, S.M., Alaska bounded on the South by Glenn Highway Right of Way (Project F-0242-1); on the North by Alaska Industrial Subdivision, and Mt. View Drive; and on the East by Orah Dee Clark Junior High School.

The purpose of this rezoning is to accommodate a proposed new mixed-use development with a mix of commercial and future residential uses that currently would not be allowed with the existing zoning. There are multiple land owners involved, but the principal land owner is the Municipality of Anchorage. Three out-lots abutting Mountain View Drive are owned by private owners, the portion of the PLI property is owned by the Anchorage School District, and the remaining parcel is owned by the Municipality.

This project involves land trades and sales between the private property owners, the Municipality of Anchorage, the Anchorage School District, and the private company, P.O.B. Montgomery. Final ownership of the property will be with P.O.B. Montgomery in order to facilitate development of a community mixed-use project including large and small retail, as well as professional services and businesses. P.O.B. Montgomery intends to include residential development in the second phase of this project. The petitioner has received approval of a replat of the properties involved for the purposes of combining the properties as well as approval of a commercial tract site plan for internal tracts. They have also received approval for a large retail establishment site plan review for the first phase of the development, which will be a mixture of commercial and professional businesses.

While the policies of the *Anchorage 2020 Anchorage Bowl Comprehensive Plan* promote maintaining the integrity of existing industrial supply, this project offers a unique opportunity for a mixed-use commercial/residential development in the



Mountain View area. The "Land Use Policy Map" of the *Anchorage 2020 Anchorage Bowl Comprehensive Plan* does show this site within the general vicinity of a "Town Center" and a "Neighborhood Commercial Center at Existing Commercial Locations." Also, the revised draft "Land Use Plan Map" for the Anchorage Bowl proposes a commercial/mixed-use designation for the property.

The project is described as a mixed-use commercial/residential development. However, a residential component is not planned for the first phase and it is uncertain when a mixed-use development will be provided. A special limitation is recommended to ensure residential development is included in the next phase of the development. This should be a minimum of 12 dwellings units per acre as allowed in the B-3 zoning district.

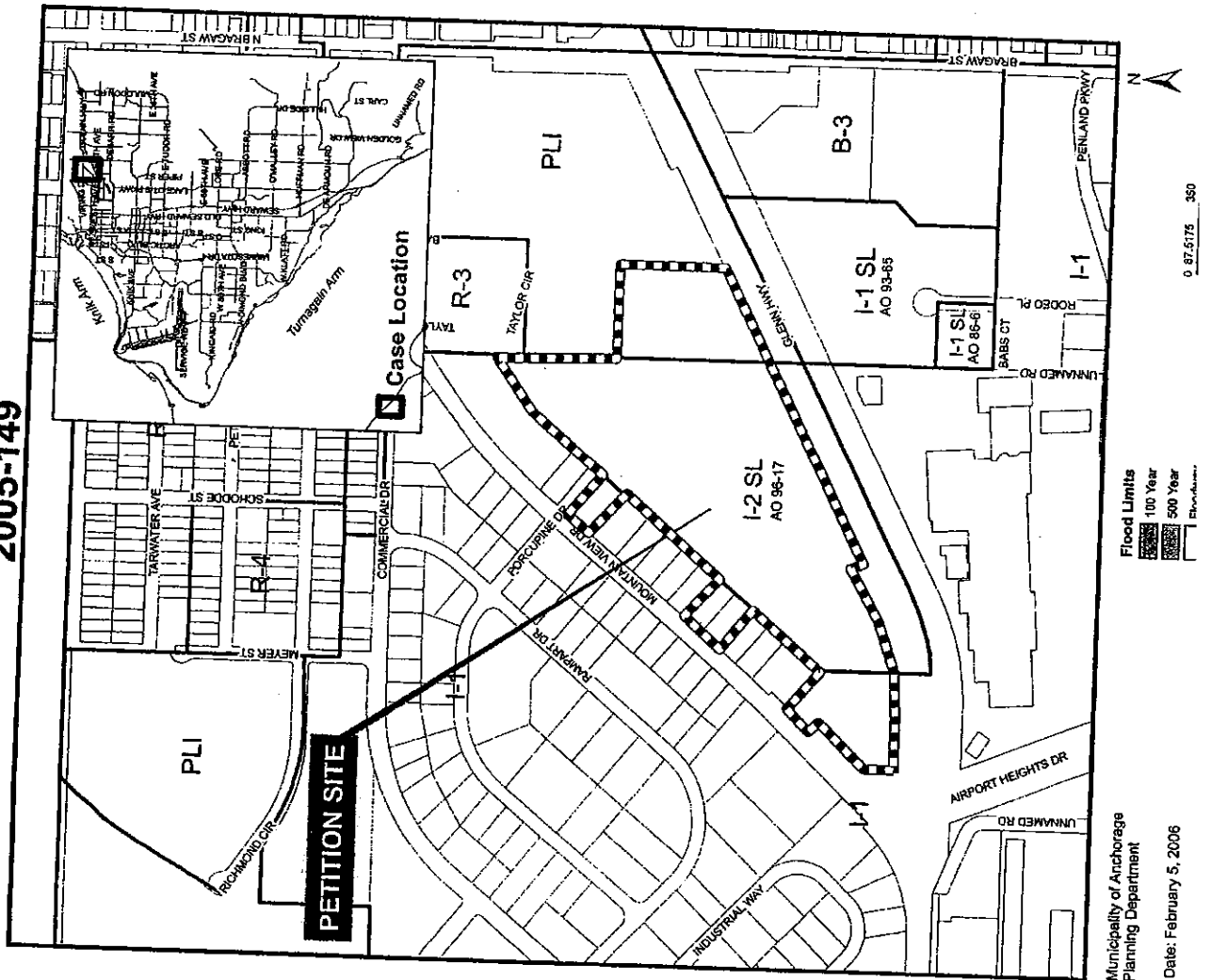
The proposed zoning and uses are consistent with *Anchorage 2020 Anchorage Bowl Comprehensive Plan*, and the use is compatible with the nearby uses. The Planning and Zoning Commission found that this site is identified in the *Anchorage 2020 Anchorage Bowl Comprehensive Plan* as appropriate for this use. The Commission further found that the current zoning is inappropriate for property at this location, and that it is no longer beneficial to retain this as an industrial zone.

The Commission found that because of the location of this property at a "Town Center" periphery, it is appropriate to change the zoning to B-3 SL. The Commission recommended approval of the rezone by a vote of six ayes, zero nays.

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

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

# **REZONE-EXHIBIT A** **2005-149**



**Content ID:** 006141

**Type:** Ordinance - AO

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING THE ZONING MAP, AND PROVIDING FOR THE REZONING OF MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, TRACT 1, AND ALASKA INDUSTRIAL SUBDIVISION, BLOCK 8, LOT 2A (PROPOSED MOUNTAIN VIEW

**Title:** DEVELOPMENT SUBDIVISION, TRACT 1A AND PROPOSED ALASKA INDUSTRIAL SUBDIVISION, BLOCK 8, LOT 2A-1, PER PLATTING CASE S-11646-1), FROM I-1 AND B-3 SL TO B-3 AND B-3 SL; GENERALLY LOCATED AT THE NORTHEAST CORNER OF MOUNTAIN VIEW DRIVE AND GLENN HIGHWAY.

**Author:** weaverjt

**Initiating Dept:** Planning

**Description:** AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING THE ZONING MAP, AND PROVIDING FOR THE REZONING OF MOUNTAIN VIEW DEVELOPMENT SUBDIVISION, TRACT 1, AND ALASKA INDUSTRIAL SUBDIVISION, BLOCK 8, LOT 2A FROM I-1 AND B-3 SL TO B-3 AND B-3 SL.

**Date Prepared:** 3/18/08 11:02 AM

**Director Name:** Tom Nelson

**Assembly Meeting Date:** 4/15/08

**Public Hearing Date:** 5/6/08

2008 APR -7 PM 3:41  
GLENN HIGHWAY  
1101

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	4/4/08 10:14 AM	Exit	Heather Handyside	Public	006141
MuniMgrCoord_SubWorkflow	4/4/08 10:14 AM	Approve	Heather Handyside	Public	006141
MuniManager_SubWorkflow	4/4/08 9:48 AM	Approve	Michael Abbott	Public	006141
Legal_SubWorkflow	3/19/08 12:25 PM	Approve	Rhonda Westover	Public	006141
OMB_SubWorkflow	3/19/08 10:46 AM	Approve	Wanda Phillips	Public	006141
ECD_SubWorkflow	3/18/08 3:31 PM	Approve	Lisa Villareal	Public	006141
Planning_SubWorkflow	3/18/08 3:25 PM	Approve	Tom Nelson	Public	006141
AllOrdinanceWorkflow	3/18/08 11:11 AM	Checkin	Jerry Weaver Jr.	Public	006141