

CLERK'S OFFICE  
**AMENDED AND APPROVED**

Submitted by: Chair of the Assembly at  
the Request of the Acting Mayor  
Prepared by: Planning Department  
For reading: March 24, 2009

Date: 4-14-09  
Anchorage, Alaska  
AO 2009-38

**AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING FROM R-5 (RURAL RESIDENTIAL DISTRICT) TO B-3 SL (GENERAL BUSINESS DISTRICT) WITH SPECIAL LIMITATIONS FOR BEACON PARK SUBDIVISION, BLOCK 1, LOTS 1, 2, 3, 37, 38, 39 and 40 (PLAT 65-81), CONTAINING APPROXIMATELY 1.4 ACRES, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF HUFFMAN ROAD AND BRANDON STREET.**

(Old Seward/Oceanview Community Council) (Planning and Zoning Commission Case 2009-014)

**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:

Beacon Park Subdivision, Block 1, Lots 1, 2, 3, 37, 38, 39 and 40 (Plat No. 65-81), all located within the NW1/4 of Section 29, T12N, R3W, S.M., Alaska as shown on Exhibit "A" attached.

**Section 2. Special Limitations.**

The B-3 SL district shall be subject to the following Special Limitations:

1. A non-public hearing site plan review is required prior to the issuance of any permits.
2. All development or redevelopment on this site shall comply with the following design standards to the greatest extent possible:
  - i. Building Orientation – The building face shall be oriented to Huffman Road.
  - ii. Building Entry – There shall be at least one primary building entrance located on the Huffman Road frontage or at the corners of the building abutting Huffman Road.

- iii. Building Windows – A minimum of 50 percent of the length and 25 percent of the wall area on the ground floor on the north **and west** frontage shall be comprised of transparent windows into the building. The windows shall allow views into active habitable interior space such as working areas, lobbies, entrances, or sales areas. **There shall be at least one full bay of transparent windows on the north and west elevations with window sill heights that begin no higher than three feet above grade.**
- iv. Architectural Treatment – The north façade and the northeast and northwest corners of the building shall have a high level of quality, detail, and architectural interest.
- v. Pedestrian Connectivity – Pedestrian connectivity, without cross vehicle driveways or parking, shall be provided from the primary entrance(s) to Huffman Road sidewalks.
- vi. Drive-Through Service – Drive-through queuing spaces and service windows shall be located to the rear of the building, not between the building and Huffman Road. To the maximum extent possible, ordering boards shall not face residential property.
- vii. Parking – No on-site parking shall be placed between the building and Huffman Road. The parking shall be placed to the rear of the building to the extent reasonably feasible.
- viii. Residential Neighborhood Protection – Issues such as: noise; lighting and glare; placement of garbage receptacles; snow removal; and landscaping are to be considered and implemented in the final design for the benefit of the neighborhood.

### **Section 3. Prohibited Uses.**

The following uses shall be prohibited:

1. Automotive-related services, including gas stations, auto repair and maintenance, car wash, and vehicle rental or sales;
2. Sale of alcoholic beverages;
3. Gun shops;
4. Adult entertainment;

5. Pawn shops;
6. Community correctional facilities;
7. Self-storage facility and vehicle storage;
8. Transmission towers;
9. Utility substations.

**Section 4. Effective clause.**

The zoning shall become effective upon recordation of a replat into a single lot.

**Section 5.** 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 limitation set forth in this ordinance shall apply in the same manner as if the district classification applied by this ordinance were not subject to special limitations.

**Section 6.** The ordinance shall be 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. The rezoning approval 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. The Director of the Planning Department shall change the zoning map accordingly.

PASSED AND APPROVED by the Anchorage Assembly this  
14th day of April 2009.

ATTEST:

Chair

Municipal Clerk

(Tax I.D. Nos. 018-022-01; 018-022-02; 018-022-03; 018-022-04; 018-022-38; 018-022-39; and 018-022-40)

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

AO Number: 2009-38

Title:

AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING FROM R-5 (RURAL RESIDENTIAL DISTRICT) TO B-3 SL (GENERAL BUSINESS DISTRICT) WITH SPECIAL LIMITATIONS FOR BEACON PARK SUBDIVISION, BLOCK 1, LOTS 1, 2, 3, 37, 38, 39 and 40 (PLAT 65-81), CONTAINING APPROXIMATELY 1.4 ACRES, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF HUFFMAN ROAD AND BRANDON STREET.

Sponsor: Acting Mayor  
Preparing Agency: Planning Department  
Others Impacted:

<b>CHANGES IN EXPENDITURES AND REVENUES:</b>		<b>(In Thousands of Dollars)</b>			
	<b>FY09</b>	<b>FY10</b>	<b>FY11</b>	<b>FY12</b>	
<b>Operating Expenditures</b>					
1000 Personal Services					
2000 Non-Labor					
3900 Contributions					
4000 Debt Service					
<b>TOTAL DIRECT COSTS:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
<b>FUNCTION COST:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>REVENUES:</b>					
<b>CAPITAL:</b>					
<b>POSITIONS: FT/PT and Temp</b>					

**PUBLIC SECTOR ECONOMIC EFFECTS:**

Approval of this rezone should have no significant impact on the public sector. No additional public improvements are required.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

Approval of this rezone should have no significant impact on the private sector.

Prepared by: Jerry T. Weaver Jr.

Telephone: 343-7939



## MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 156-2009

Meeting Date: March 24, 2009

From: ACTING MAYOR

**Subject:** The Planning and Zoning Commission Recommendation of Approval of the Rezoning from R-5 (Rural Residential District) to B-3 SL (General Business District) with Special Limitations for Beacon Park Subdivision, Block 1, Lots 1, 2, 3, 37, 38, 39 and 40 (Plat No. 65-81), all located within the NW1/4 of Section 29, T12N, R3W, S.M., Alaska, containing approximately 1.4 acres, generally located at the southeast corner of the intersection of Huffman Road and Brandon Street.

1 On February 3, 2009, the Planning and Zoning Commission recommended  
2 approval to rezone the subject property consisting of 1.4 acres from R-5 to B-3 SL  
3 to allow the development of a Walgreens Pharmacy Store. The petitioner is SE  
4 Grainger Development Group, LLC. The property is located at the southeast  
5 corner of the intersection of Huffman Road and Brandon Street.

6  
7 Prior to rezoning becoming effective, the property must be replatted from seven  
8 lots into one tract. The location promotes good use of public transit. There is  
9 ample pedestrian access to nearby street, trails and parks. The Walgreens  
10 Pharmacy Store will serve the neighboring area, as well as the rest of South  
11 Anchorage. The proposed store is prohibited under the current R-5 zoning district.  
12 Thus, the rezone is needed to allow the proposed use.

13  
14 The Special Limitations require site development to adhere to certain design  
15 standards. The Special limitations also prohibit some uses that are permitted in  
16 the B-3 district. These Special Limitations will successfully mitigate impacts on the  
17 neighboring residential lots and help fulfill the intent of the Huffman Town Center.

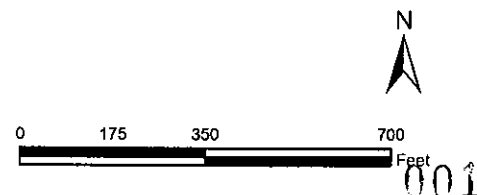
18  
19 The Planning and Zoning Commission required a non-public hearing site plan  
20 review. This requirement is unnecessary because the design requirements within  
21 the ordinance provide adequate assurance for a good site design and the  
22 Departments of Planning, Traffic, and Project Management and Engineering  
23 support the petitioner's site development plan.

24  
25 The rezoning request is generally consistent with the *Comprehensive Plan*, and  
26 meets AMC 21.20.090 rezoning standards. The Planning and Zoning Commission

recommended APPROVAL of the rezone to B-3 SL for the subject property, by a vote of eight ayes and zero nays.

The Administration concurs with the Planning and Zoning Commission recommendation for the rezoning request, but the requirement for a non-public hearing site plan review on page one of the ordinance, lines twenty-seven through twenty-eight, should be changed to *Administrative Site Plan Review* as the special limitations in the ordinance adequately address the Planning Department's design concerns.

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,	Matt Claman, Acting Mayor



**MUNICIPALITY OF ANCHORAGE**  
**PLANNING AND ZONING COMMISSION RESOLUTION NO. 2009-008**

A RESOLUTION APPROVING A REZONING FROM R-5 (RURAL RESIDENTIAL DISTRICT) TO B-3 SL (GENERAL BUSINESS DISTRICT WITH SPECIAL LIMITATIONS) FOR BEACON PARK SUBDIVISION, BLOCK 1, LOTS 1, 2, 3, 37, 38, 39 and 40 (PLAT 65-81), CONTAINING APPROXIMATELY 1.4 ACRES, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF HUFFMAN ROAD AND BRANDON STREET.

(Case 2009-014; Tax I.D. No. 018-022-01; 018-022-02; 018-022-03; 018-022-04; 018-022-38; 018-022-39; and 018-022-40)

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WHEREAS, a request has been received from SE Grainger Development Group, LLC, to rezone from R-5 (Rural Residential District) to B-3 SL (General Business District with special limitations) for Beacon Park Subdivision, Block 1, Lots 1, 2, 3, 37, 38, 39 and 40 (Plat No. 65-81) all located within the NW1/4 of Section 29, T12N, R3W, S.M., Alaska, containing approximately 1.4 acres, generally located at the southeast corner of the intersection of Huffman Road and Brandon Street;

WHEREAS, notices were published, posted, public hearing notices were mailed, and a public hearing was held on February 2, 2009; and

WHEREAS, ADOT/PF has designed a roundabout at the intersection of Huffman Road and Brandon Street which will require acquisition of a portion of the petition site.

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 R-5 (Rural Residential District) to B-3 SL (General Business District) with special limitations.
2. The proposed rezoning to B-3 SL is congruent with the commercial zoning that exists on three sides of the petition site.
3. Anchorage 2020 identifies the petition site as being located within the Huffman Town Center. Town Centers are intended for "anchor



stores and smaller shops” that reflect the character of the area. The existing R-5 district is intended for low density rural residential development, which conflicts with the intent of the Huffman Town Center.

4. This property is zoned R-5, which is low density residential, and Case 2009-003 was zoned R-3, where more density could be developed. This is also less auto-oriented and more compatible with a Town Center than the car wash in case 2009-003.
5. The petitioner proposes to construct a Walgreens Pharmacy Store which will be neighborhood serving. The residential neighbors have testified to the need for this store.
6. The Commission does not support the petitioner’s request regarding alcohol sales, particularly in this economic environment. This case is different than Case 2009-003 as it is a rezone from residential to B-3 SL and the special limitations are key. The special limitations do not allow auto oriented businesses. The subject property is located south of Huffman Road which has developed differently than Muldoon Road which was the location of Case 2009-003. The subject property is not adjoining residential along Huffman Road; residential is behind it and it makes sense to buffer the street with business. There are sufficient restrictions on the zoning to protect the neighborhood if Walgreen’s does not develop this property. There have been a number of verbal and written comments and only one of those opposes the rezoning.
7. The proposed rezoning is not likely to create a domino effect of other rezonings since this is the last remaining piece of residential property on this section of Huffman Road.
8. A unified development plan will be possible because the property will be under a single ownership. Also, the special limitations will protect the adjoining residential neighborhood from the impacts of a new commercial zone.
9. The petitioner will coordinate with ADOT to ensure appropriate pedestrian connectivity is made from the site to Huffman Road. Safe pedestrian routes are an integral part of a town center. Anchorage 2020 notes that “necessary to the design of town

centers is an efficient pedestrian access network connecting the core uses, residential neighborhoods, and transit facilities.”

10. ADOT and the MOA must work very conscientiously to achieve a safe pedestrian crossing at the future Huffman Road and Brandon Street roundabout.
  11. This is not a “spot zoning” because AMC 21.20.070 allows the petition site to extend its zoning area boundaries to the abutting B-3 district to the east to meet the minimum required area of 1.75 acres for a rezone.
  12. The proposed rezoning is in compliance with the Comprehensive Plan and zoning standards of AMC 21.20.090, Zoning Standards for Approval.
  13. The Commission recommended approval of the request by a unanimous vote: 8-yes, 0-nea.
- B. The Commission recommends to the Anchorage Assembly that the subject property be rezoned to B-3 SL, with the following special limitations.
1. Effective clause:
    - a. Zoning shall become effective upon recordation of a replat into a single lot.
  2. Special limitations:
    - a. A non-public hearing site plan review is required prior to the issuance of any permits.
    - b. All development or redevelopment on this site shall comply with the following design standards to the greatest extent possible:
      - 1) Building Orientation – The building face shall be oriented to Huffman Road.

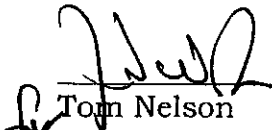
- 2) Building Entry – There shall be at least one primary building entrance located on the Huffman Road frontage, or at the corners of the building abutting Huffman Road.
- 3) Building Windows – A minimum of 50 percent of the length and 25 percent of the wall area on the ground floor on the north frontage shall be comprised of transparent windows into the building. The windows shall allow views into active habitable interior space such as working areas, lobbies, entrances, or sales areas.
- 4) Architectural Treatment – The north façade and the northeast and northwest corners of the building shall have a high level of quality, detail, and architectural interest.
- 5) Pedestrian Connectivity – Pedestrian connectivity, without cross vehicle driveways or parking, shall be provided from the primary entrance(s) to Huffman Road sidewalks.
- 6) Drive-Through Service – Drive-through queuing spaces and service windows shall be located to the rear of the building, not between the building and Huffman Road. To the maximum extent possible, ordering boards shall not face residential property.
- 7) Parking – No on-site parking shall be placed between the building and Huffman Road. The parking shall be placed to the rear of the building to the extent reasonably feasible.
- 8) Residential Neighborhood Protection – The Planning Department shall be authorized to impose site plan review conditions necessary to reduce or avoid impacts on residential property. Such conditions may address noise, lighting and glare, placement of garbage receptacles, snow removal, and landscaping.

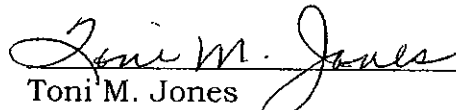
3. Prohibited Uses:

- a. Automotive-related services, including gas stations, auto repair and maintenance, car wash, and vehicle rental or sales.
- b. Sale of alcoholic beverages.
- c. Gun shops.
- d. Adult entertainment.
- e. Pawn shops.
- f. Community correctional facilities.
- g. Self-storage facility and vehicle storage.
- h. Transmission towers.
- i. Utility substations.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 2<sup>nd</sup> day of February, 2009.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 2<sup>nd</sup> day of March, 2009.

  
\_\_\_\_\_  
Tom Nelson  
Secretary

  
\_\_\_\_\_  
Toni M. Jones  
Chair

(Case 2009-014; Tax I.D. No. 018-022-01; 018-022-02; 018-022-03; 018-022-04; 018-022-38; 018-022-39; and 018-022-40)

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"strategically located neighborhood retail uses that are oriented to the street should also be encouraged along transit corridors. The ability to make an intermediate stop at a grocery store or other retail on the way home from work has been shown to improve transit usage." She felt this clearly indicated that the type of commercial envisioned is that which can be accessed at least partly on foot or by transit. She concurred with Commissioner Earnhart that there may be some business potential on this property, but it should be neighborhood oriented and could be integrated with residential. A site plan would give the ability to ensure that what is done supports residential uses, the transit supportive corridor, and B-3. Rezoning this would be 1.9 acres of speculative B-3 with no assurance to the neighborhood.

COMMISSIONER YOSHIMURA opposed the motion. She recognized Mr. Bomhoff's service in professional development in the community; he is a reputable developer. However, the fact there would be 1.9 acres left for speculative development is not a good solution for this property. She supported Staff and, in particular, the HAND Commission's comments about the need to retain residential property. There is a need for affordable, low-income, and workforce housing. There are three cases before the Commission this evening that take residential property and request to turn it into commercial property. She stated that at some point she wants to talk about compensation for upzoning, perhaps creating a fund to put into affordable housing programs. If such a fund existed, she would support this motion.

COMMISSIONER WEDDLETON did not support the motion, noting that there is progress toward the East Anchorage District Plan, which would address this type of proposal.

AYE: None

NAY: Phelps, Weddleton, Isham, Jones, Yoshimura, Fredrick, Pease,  
Earnhart

FAILED

2. 2009-014

S.E. Grainger Development Group, LLC. A request to rezone approximately 1.4 acres from R-5 (Rural Residential) to B-3 SL (General Business with Special Limitations). Beacon Park Subdivision, Block 1, Lots 1, 2, 3, 37, 38, 39 and 40 (Plat No. 65-81) all located within the NW1/4 of Section 29, T12N, R3W, S.M., Alaska. Generally located

at the southeast corner of the intersection of  
Huffman Road and Brandon Street.

Staff member FRANCIS McLAUGHLIN stated the petition site is south of Huffman Road between Haze Street and Brandon Street. Late comments were received from a property owner within the petition site and from the Old Seward/Oceanview Community Council; both were supportive of the rezone. Another late comment from the public opposed the rezone. The Department is generally supportive of the request as it meets the standards for a rezone. Special limitations require a non-public hearing site plan review, provide eight design standards for the site plan, and prohibit certain uses that may not be appropriate. MR. McLAUGHLIN amended Special Limitation b to delete "shall be subject to an administrative site plan review, which" so that it conforms to Special Limitation a. He amended Special Limitation b.iii to delete "and at least the first 40 feet of the east frontage." This phrase makes the special limitation too restrictive to be workable. He amended Special Limitation b.v to change "Connections" to "Connectivity" in the heading and "connections" to "connectivity" in the sentence.

COMMISSIONER PEASE noted that this petition site is less than 1.75 acres and asked why the request is not considered a spot zoning. MR. McLAUGHLIN replied that 21.20.070 A(1) reads, "an amendment extending the boundaries of an existing use district," and this property abuts businesses to the north, east and west and there is B-3 to the west.

COMMISSIONER WEDDLETON understood that the site plan is conceptual. MR. McLAUGHLIN indicated this is correct. COMMISSIONER WEDDLETON asked if the parking is 1 space per 300 square feet (SF). MR. McLAUGHLIN indicated that the site plan shows the required parking and that is provided. The conceptual building is 14,490 SF, the parking would be 49 spaces, and an administrative variance approved by the Traffic Engineer would allow 45 spaces; the site plan shows 45 spaces. COMMISSIONER WEDDLETON noted that the packet states that the Trails Plan calls for an unpaved trail along Huffman Road. MR. McLAUGHLIN stated there is a paved sidewalk on the south side of Huffman. A Huffman Road improvement project is in the final planning stages and there are plans to provide pedestrian amenities on the south side of Huffman Road abutting this site.

COMMISSIONER YOSHIMURA asked what is the property in the lower left-hand corner of the site plan and what is it zoned. MR. McLAUGHLIN replied that is an R-5 residential lot. COMMISSIONER YOSHIMURA asked if that property was not included because it was not needed. MR. McLAUGHLIN suggested that the petitioner could respond, but noted that the site is workable without that lot. He believed the petitioner attempted to acquire that property, but it was not possible.

The public hearing was opened.

DAVID THOMPSON with S.E. Grainger Development Group, stated S.E. Grainger has developed over 30 Walgreen's over the last nine years. There are two approved projects under construction in Anchorage, one at the southeast corner of Creekside Center Drive/DeBarr Road and the northwest corner of Dimond Blvd./Northwood Street. Seven lot owners are under contract for the petition site and they are requesting the rezone to build a freestanding Walgreen's store. He provided statistical and historical information on Walgreen's. Their goal is to provide convenient access to consumer goods and pharmaceutical wellness and healthcare services. Their stores are designed to emphasize convenient and safe access for their customers, who are primarily the elderly and parents with sick children. Both Walgreen's and his company are sensitive to the impact of reducing residential property and intentionally included two controls for this project as special limitations. The first control was to protect the neighborhood from obnoxious uses, should Walgreen's leave, which is unlikely as they have a 25-year lease with 50 years of options. The second control is a site plan. MR. THOMPSON reviewed a sketch of a prototypical Walgreen's and an ADA survey to ensure there is access for disabled persons. He presented a preliminary plan from ADOT showing a roundabout on Huffman Road at the location of this site. The store is oriented toward the hard corner, feeling the automotive traffic would be coming from that direction into the site. The Council was generally receptive to this plan. Staff had concern with the visibility of the drive-through, orientation of the building toward Huffman, and a desire to be more in compliance with *Anchorage 2020* guidelines. Moving the drive-through to the south created conflicts. After several discussions to achieve a design that complies with *Anchorage 2020*, the building was moved back from Huffman Road with landscaping and a connection to pedestrian access. The service area has been moved as far away from residential as possible. There is a 15-foot landscape buffering on the south and along Hace Street where residential is located. The parking received a 10% variance.

COMMISSIONER WEDDLETON asked what happens if Walgreen's does not accept the design presented in the site plan. MR. THOMPSON stated they are aware that Staff supports this plan and, if it is a mitigator for the rezone approval, it may be acceptable. He stated that this is a better plan in several ways and it also allows for a larger building footprint than originally proposed. A project similar to this was done in Tukwilla, Washington; he submitted photographs of that project.

COMMISSIONER PEASE asked if the requirement for buffer landscaping has been met on the eastern side where there is residential. MR. McLAUGHLIN stated there is 15-foot transitional buffering along the south side and part of the east side. The petitioner will provide 6-foot arterial landscaping and a screening wall on the east side. MR. THOMPSON stated that he has discussed with Mr. Nelson expanding the buffer to 15 feet. There is also a request for a fence. A sight-obscuring fence can be provided where requested.

COMMISSIONER WEDDLETON asked for comment on a special limitation for alcohol sales. MR. THOMPSON stated that he had proposed the following language: "restricting any occupant of the property to use any premises or any portion thereof for the purposes of a cocktail lounge, bar, any other establishment that sells alcoholic beverages for on-premises consumption." Walgreen's would like the ability in the future to sell beer and wine. They do not do this in many other locations.

COMMISSIONER YOSHIMURA asked, since Walgreen's is a national organization and has attempted to rezone residential to commercial in several communities, what sort of mitigating compensation was there to a community for some of those rezones. MR. THOMPSON replied that typically mitigating issues are architectural treatment and placement of the building. The issues of concern are typically the amount of transparency and architectural treatments. There was a retrofit in a Seattle community that was not well received and as compensation Walgreen's agreed to have a professional artist paint the wall and update it every five years.

COMMISSIONER YOSHIMURA asked if those were residential to commercial rezones or site plan reviews. MR. THOMPSON stated that most were site plan reviews. COMMISSIONER YOSHIMURA asked if a rezone from residential to commercial does not include financial compensation to the community, such as paying into a fund for residential development. MR. THOMPSON had no experience with Walgreen's paying into a fund for residential in such circumstances.



KELLY TAYLOR stated she owns two properties to the east on Hace Street. She was pleased that Walgreen's is coming, but this is the first she heard about selling alcohol and she may have reservations about that. She stated her two properties would face the petition site and she has been happy with the design plan so far. Selling alcohol is a concern, however.

JIM ADKISON, resident on Hace Street, stated that his is the first residential property on the east side of Hace Street. He would like to work with Walgreen's; the business area has gotten noisy and it is not a good place to live anymore. His is the only property that is no longer business, but it is in the business area. He was supportive of having a Walgreen's on this property.

BRENDA BOWMAN, resident on Brandon, stated her property is one of the lots under consideration for Walgreen's. She has lived in this area for 10 years and has enjoyed access to businesses. Many people in the neighborhood use the pedestrian accesses and she thought a Walgreen's would be an asset to this area. Currently the only pharmaceutical outlet is Carrs and they have high prices. S.E. Grainger has made accommodations for noise that may be created by Walgreen's and has provided landscaping and fencing in consideration of the residents.

COMMISSIONER WEDDLETON asked where Ms. Bowman's property is located. MS. BOWMAN located her property on photographs displayed by Mr. Thompson.

LAURIE BEDMAN, resident on Hace Street, stated everyone to whom she has spoken is excited to have Walgreen's coming to this area. She goes to Wal-Mart and dreads going there because it is busy and large.

In rebuttal, MR. THOMPSON stated that he would like the ability to sell alcohol in the future, but it is not a deal breaker. He stated that this project is good for the community aesthetically, sets the tone for future town center development, creates a good transition to the residences to the south, creates jobs, introduces a neighborhood amenity, and would lead to future development. To the southeast is a planned condominium project that has not been developed, but with a Walgreen's coming into this area, a project like that may come to fruition. Some of the residential units lost in this rezoning can be gained in other rezones and when the town center concept is refined.

COMMISSIONER PEASE noted that the sidewalk is not shown as continuing along the property boundary on Brandon Street. She also wondered whether any of the concerns at the Council meeting have been

assuaged. MR. THOMPSON replied that the sidewalk would be continued from where ADOT stops; there is no sidewalk currently. The Council wanted designated parking stalls for expectant mothers or parents with young children; this seemed reasonable to Walgreen's. Many concerns came from the owner of Lot 4, which Walgreen's could not acquire. Her concerns were employee cars warming up at night wafting smog by her window; as a solution Walgreen's proposed a carpooling policy and to establish some employee parking stalls away from her bedroom windows. She also had concern with the smoking area; Walgreen's typically does not have a smoking area but there are opportunities for one in the service area, away from her house. Her third concern was headlights shining into her home from the drive-through, so it was relocated.

COMMISSIONER ISHAM noted that gas stations and gun shops are prohibited. He asked if not having alcohol sales is a deal breaker. MR. THOMPSON replied that it is probably not, if it means delaying approval of the rezoning.

COMMISSIONER WEDDLETON suggested providing plug-ins to reduce exhaust from car warming. He noted that the ordinance proposed by the petitioner has a list of prohibited uses that are more extensive than the special limitations proposed by the Department. MR. McLAUGHLIN stated that those special limitations have no relevance unless the Commission wishes to add any to the Department's recommendation.

COMMISSIONER PEASE asked where is the nearest transit stop. MR. McLAUGHLIN replied there is no People Mover service in this part of town. COMMISSIONER PEASE asked if transit has been incorporated into the redesign of Huffman. MR. McLAUGHLIN stated People Mover does not have a route on Huffman. MR. THOMPSON noted that Walgreen's welcomes bus stops on their other store sites. COMMISSIONER PEASE was concerned with how well pedestrians can negotiate roundabouts. She asked if Walgreen's has had experience with customers using roundabouts. MR. THOMPSON replied in the negative. He stated he has tried to find out what makes for safe pedestrian access on roundabouts and the research he found was that it is predominantly the speed limit of the roundabout that dictates safety for pedestrians. This does not address ADA issues.

COMMISSIONER PHELPS asked why Staff reduced the number of special limitations from those proposed by the petitioner. MR. McLAUGHLIN explained Staff wished to limit uses related to auto, alcohol, gun shops, pawnshops, transmission towers, etc.

The public hearing was closed.

COMMISSIONER PHELPS moved for approval of a rezoning to B-3SL, subject to Effective Clause A and Special Limitations B a and b.i through b.viii, and Prohibited Uses C, as amended by Staff. COMMISSIONER EARNHART seconded.

COMMISSIONER PHELPS stated that he was impressed that this proposal is for a proposed commercial area adjoining an existing commercial area. It also makes sense as a type of facility in this area. The project is consistent with the standards for a rezoning and complies with the *Comprehensive Plan*. The use is well designed and the issues of impact to the neighborhood, access, and street design have been resolved.

COMMISSIONER EARNHART stated support for the rezone. He did not favor the petitioner's request regarding allowing alcohol sales, particularly in this economic environment. This case is different than case 2009-003 heard earlier this evening as it is a rezone from residential to B-3SL and the special limitations are key. The special limitations take the use from being auto oriented. This is also a very different part of town that has developed very differently than Muldoon Road. This property is not adjoining residential along Huffman Road; residential is behind it and it makes sense to buffer the street with this business. There are sufficient restrictions on the zoning that protect the neighborhood, if Walgreen's does not develop this property. He noted there have been a number of verbal and written comments and only one of those opposes the rezoning.

COMMISSIONER ISHAM suggested amending C, Prohibited Uses, b. to delete "retail". *This was accepted as a friendly amendment.*

COMMISSIONER WEDDLETON supported the motion, noting that this property is zoned R-5, which is low density residential, and case 2009-003 was zoned R-3, where more density could be developed. This is also less auto-oriented and more compatible than the car wash in case 2009-003.

COMMISSIONER YOSHIMURA supported the rezoning, noting that this case is significantly different than case 2009-003. She remained concerned with eliminating residential raw land, particularly in southeast Anchorage. Although her support was tentative, she felt the site plan has taken the needs of the community into consideration.

COMMISSIONER PEASE agreed to the differences between this case and case 2009-003. This is the last piece of land fronting Huffman that has

residential zoning within a discrete stretch of road. This could be considered a business district boundary extension and it is not likely to create a domino effect. This is a site that will be under single ownership, it will be subject to a unified site development plan, and the special limitations protect the neighborhood. She found that ADOT and the MOA must work very conscientiously to achieve a safe pedestrian crossing at the roundabout or another signalized site, otherwise this commercial site will not function as an integral part of a town center, but instead could generate traffic across the highly traveled Huffman corridor. Anchorage 2020 notes that "necessary to the design of town centers is an efficient pedestrian access network connecting the core uses, residential neighborhoods, and transit facilities." It is not assumed that a roundabout is pedestrian friendly and, to the contrary, it will be made pedestrian friendly. This type of use, which the neighbors have spoken of the need for, will then be truly neighborhood serving and will round out the mix in this town center.

CHAIR JONES supported the motion, noting that R-5 is almost obsolete. The intent statement for the R-5 zone is "to include lands that are developing or will develop for rural residential purposes" and it is "designed to protect and encourage all kinds of residential development while at the same time retaining a low population density. Also, if the proposed use does develop on this property, it is a much needed service in this part of the community.

AYE: Phelps, Weddleton, Isham, Jones, Yoshimura, Fredrick, Pease, Earnhart

NAY: None

PASSED

3. 2009-013

Matanuska Electric Association. A request to rezone approximately 70 acres from T (Transition) and R-7 (Intermediate Rural Residential) to I-3 (Rural Industrial). Parcel 1: That portion of N1/2 NE1/4 SE1/4, Lying South of Lot 2 of U.S. Survey 9023; Parcel 2: That portion of NE1/4 NW1/4 SE1/4, Lying south of Lot 2 of U.S. Survey 9023; Parcel 3: That portion of W1/2 NW1/4 SE1/4, Lying south of Lot 1 U.S. Survey 9023; Parcel 4: SE1/4 NW1/4 SE1/4, Excepting U.S. Survey 9789; Parcel 5: SW1/4 NE1/4 SE1/4; Parcel 6: SE1/4 NE1/4 SE1/4; Parcel 7: W1/2 NE1/4 SW1/4 SE1/4; Parcel 8: NW1/4 SW1/4

**PLANNING DEPARTMENT  
PLANNING STAFF ANALYSIS  
REZONING**

**DATE** February 2, 2009

**CASE NO.** 2009-014

**APPLICANT** David Thompson

**REQUEST** A request to rezone approximately 1.4 acres from R-5 (Rural Residential) to B-3 SL (General Business with Special Limitations)

**LOCATION** Beacon Park Subdivision, Block 1, Lots 1, 2, 3, 37, 38, 39 and 40 (Plat No. 65-81) all located within the NW1/4 of Section 29, T12N, R3W, S.M., Alaska. Generally located at the southeast corner of the intersection of Huffman Road and Brandon Street

**SITE ADDRESS** 1430 Huffman Road

**COMMUNITY COUNCIL** Old Seward/Oceanview

**TAX NUMBERS** 018-022-01; 018-022-02; 018-022-03; 018-022-04; 018-022-38; 018-022-39; and 018-022-40

**ATTACHMENTS**

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

**RECOMMENDATION SUMMARY: Approval of B-3 SL zoning**

**SITE**

Acres: 60,983 square feet/ 1.4 acres

Vegetation: Spruce and Birch

Zoning: R-5

Topography: Sloping uphill from north to south

Existing Use: 2 two-story single-family houses, 3 mobile homes (one of which has a home occupation tailoring business), and 2 vacant lots

Soils: Public water and sewer

## COMPREHENSIVE PLAN

Classification: Huffman Town Center per the *Anchorage 2020 Land Use Policy Map*

Residential per the 1982 *Anchorage Bowl Comprehensive Development Plan*

Intensity: 3 to 6 D.U.A.

## APPLICABLE LAND USE REGULATIONS

	<u>Proposed B-3 Zoning</u>	<u>Current R-5 Zoning</u>
Height limitation:	Unrestricted/FAA	Unrestricted/FAA
Minimum lot size:	6,000 SF/50 feet	7,000 SF/50 feet
Lot coverage:	Unrestricted	30%
Density/acre:	12 DUA minimum	6-10

## SURROUNDING AREA

	NORTH	EAST	SOUTH	WEST
Zoning:	B-4	B-4 SL, R-5	R-5	B-3
Land Use:	Carrs Grocery Store; Wells Fargo Bank	Holiday Gas Station and Convenience Store; a mobile home and a house	A house and a mobile home	Commercial strip mall consisting of several restaurants

## PROPERTY HISTORY

March 24, 1972	Zoning	General Area-wide Rezoning to R-5.
July 21, 1965	Plat 65-81	Beacon Park Subdivision
September 10, 2007	Platting Case S-11623-1	Huffman Road Reconstruction Project. This is a right-of-way acquisition plat that will acquire property from this petition site in order to construct a roundabout at the Huffman Road and Brandon Street intersection. This project will also construct pedestrian amenities on both sides of Huffman Road.

#### **PAST SURROUNDING LAND USE**

March 31, 1987	Rezone Case 87-16	An ordinance amending the zoning map and providing for the rezoning from R-5 to B-4 with special limitations for Lots 1, 2, 39, and 40 of Block 2, Beacon Park Subdivision.
December 6, 1988	Plat 88-119	Plat of Beacon Park Subdivision, Lot 1A, Block 2. A 0.83 acre resubdivision of Lots 1, 2, 39, and 40, Block 2 Beacon Park, per Plat 65-81.

#### **SITE DESCRIPTION AND PROPOSAL**

This is a request to rezone seven lots containing 1.4 acres from R-5 to B-3 SL. The special limitations offered by the petitioner are to: 1) eliminate vehicular access to Huffman Road and limit access to one driveway each to Brandon and Hace Streets; 2) require an administrative site plan review; 3) allow a public hearing site plan review if the petitioner does not support the administrative decision regarding the site plan review; and 4) prohibit various permitted uses in the B-3 district.

The petition site is located south of Huffman Road, between Brandon Street and Hace Street. Within the petition site there are two houses and three mobile homes, one of which has a home occupation tailoring business. The remaining two lots are vacant. Effectively, three of the seven lots are not used as residential lots.

The petitioner has provided a concept site plan which would resubdivide the petition site into a single lot in order to build a 14,490 square foot Walgreen's Store with a drive through pharmacy. The R-5 district allows home occupations, but otherwise, does not permit commercial businesses. The petition site abuts a B-3 district to the east, a B-4 district to the north, B-4 SL and R-5 districts to the east, and an R-5 district to the south. The site is kiddy-corner from an I-1 district to the northwest and an R-2M district to the southwest. The surrounding properties include a commercial strip mall to the west, a Wells Fargo Bank and a Carrs Grocery Store to the north, a Holiday Gas Station and convenience store to the east, and developed residential lots to the east and south. There is a vacant R-2M lot located southeast of the petition site.

This site is located within the Huffman Town Center area and is less than one-quarter mile from both the Old Seward and New Seward Highways. Currently, there is no funding identified for a Huffman Town Center plan, which would develop a land use plan and provide design standards for future development in the area.

#### **COMMUNITY COMMENTS**

Of the 97 public hearing notices that were mailed, none have been returned as of the writing of this report. Also, there has been no response from the Old Seward/Oceanview Community Council.

## FINDINGS

21.20.090 Standards for Zoning Map Amendments and 21.05.080.C, D, and E.

### A. Conformance to the Comprehensive Plan

This standard appears to be met.

The proposed rezone is located within the Huffman Town Center. Town centers "are design to function as a focal point for community activities for seven discrete geographic subareas of the Bowl." The core of a town center is to be a "mix of community-serving retail, public services, and public/civic facilities, including and/or surrounded by medium- to high-density residential development." Town centers need to be designed with "an efficient pedestrian-access network connecting the core uses, residential neighborhoods, and transit facilities." The intent of the town center is:

*A wide range of retail shopping and services is important to the life of town centers. Most of the daily needs of residents should be obtainable from shops located in the town center core, with grocery stores probably being the most important. . . . The configuration of the shops in the core area should seek a balance between pedestrian and auto comfort, visibility, and accessibility. Anchor stores and smaller shops should reflect the character of the area and be located closer to the street-side property line with most of the parking in the rear.*

The current zoning of the petition site (R-5) does not meet the intent of the Huffman Town Center. The intent of the R-5 is rural residential lots with low population density (6-10 DUA). Commercial Policy #24, which guides the development of town centers, states that new town centers shall be characterized by: "Medium- to high-density residential development in and surrounding the core, consisting of a combination of duplexes, townhouses, and apartment buildings with overall density targets of 12-40 dwelling units per acre." The B-3 zoning district allows residential with a minimum of 12 DUA, or dwellings in commercial structures with gross floor area not less than 5,000 square feet.

There are additional policies that are applicable to this proposal:

- General Land Use Policy #5: *Rezones and variances shall be compatible in scale with adjacent uses and consistent with the goals and policies of Anchorage 2020.*

The petitioner has assembled 1.4 acres of land with seven separate ownerships for the rezoning and, if approved, there would be one owner which would make a unified development possible. A concept site plan for a Walgreens Store has been provided. The petitioner's concept site plan and



proposed special limitations make the rezone compatible with the adjacent uses and consistent with the goals of the Huffman Town Center and *Anchorage 2020*.

- General Land Use Policy #7: *Avoid incompatible uses adjoining one another.*

The proposed rezone is compatible with adjoining districts. The petition site is surrounded by commercial development on the east, north, and west sides and a minor arterial runs along north boundary. The petition site abuts a B-3 district to the east, a B-4 district to the north, and a B-4 SL district to the west. Furthermore, the petitioner's concept site plan and proposed special limitations can mitigate impacts on the neighboring residential lots to the south and east. The proposed commercial use of the petition site can be adequately buffered from these residential lots.

- Residential Policy #12: *New higher density residential development, including that within Transit-Supportive Development Corridors, shall be accompanied by the following: a) Building and site design standards; b) Access to multi-modal transportation, to include transit, and safe pedestrian facilities; and, c) Adequate public or private open space, parks or other public recreational facilities located on site or in close proximity to the residential developments.*

The petitioner has provided a concept site plan that shows adequate buffering from neighboring residential lots. The buffering will consist of screening and landscaping.

- Residential Policy #14: *Conservation of residential lands for housing is a high community priority. New residential development at densities less than identified in the Neighborhood or District Plans is discouraged. No regulatory action under Title 21 shall result in a conversion of dwelling units or residentially zoned property into commercial or industrial uses unless consistent with an adopted plan.*

The 1982 Generalized Land Use Map identifies the petition site as Residential, and the Generalized Residential Intensity Map calls for low density (3-6 DUA). *Anchorage 2020* identifies the petition site as being located within the Huffman Town Center. As of yet, there is no adopted Huffman Town Center plan. *Anchorage 2020* calls for "anchor stores and smaller shops" that reflect the character of the area. Huffman Road is developed as a commercial corridor between the Old Seward and New Seward Highways. The petition site was subdivided in 1965 and still three of the seven lots within the petition site have not developed as residential. Moreover, the existing R-5 is intended for low density rural residential development which is not appropriate in this location which abuts Huffman Road. As an R-5 district, the petition area does not meet the intent of the Huffman Town Center, and these lots will likely remain undeveloped. The proposed rezoning to B-3 SL is congruent with the commercial zoning that

exists on three sides of the petition site. On balance, the overriding public good is for the petition site to be developed as commercial.

- Commercial Policy # 21: *All new commercial development shall be located and designed to contribute to improving Anchorage's overall land use efficiency, compatibility, traffic flow, transit use, pedestrian access, and appearances. 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; b) In order to use existing commercial land more efficiently, redevelopment, conversion, and reuse of underused commercial areas shall be encouraged; c) Rezoning of property to commercial use is only permitted when designated in an adopted plan; d) Architectural and site design standards shall improve the function, appearance, and land use efficiency of new commercial developments; e) New strip commercial development is strongly discouraged.*

The petition site is an appropriate location for commercial uses. The petition site abuts a commercial strip mall to the west, a Wells Fargo Bank and Carrs Grocery Store to the north, and a Holiday Gas Station to the east. Also, ADOT&PF plans to acquire a portion of the petition site in order to construct a roundabout at the intersection of Huffman Road and Brandon Street. The proposed B-3 SL suits this location better than the existing R-5 district because of the surrounding commercial uses and the high traffic volumes on Huffman Road.

AMC 21.05.080.C. provides zoning map amendments shall conform to the land use classification maps, except where the approving authority finds one of the following:

Existing uses that do not conform to the land use classification maps are integrated compatibly into the area;

See the discussion under "Conformance to the Comprehensive Plan."

The proposed use may be made compatible with conforming uses by special limitations or conditions of approval concerning such matters as access, landscaping, screening, design standards and site planning, or

The petitioner has proposed several special limitations and has provided a concept site plan, which successfully mitigates impacts on neighboring residential lots.

The proposed use does not conflict with the Anchorage Bowl Comprehensive Plan goals and policies pertaining to the surrounding neighborhood or the general area. Zoning map amendments at a

boundary between land use categories shall be subject to design standards that will make the zoning map amendment compatible with land uses in the adjacent land use category.

The existing R-5 zoning conflicts with the Huffman Town Center. Furthermore, three of the lots abutting Huffman Road have not developed as residential. The proposed rezone to B- SL meets the intent of the Huffman Town Center and is congruent with existing commercial uses along Huffman Road. The petitioner's proposed concept site plan provides adequate landscaping and screening to buffer the neighboring residential lots from the petition site.

**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.

**Land Use Patterns**

The petition site borders commercial districts to the east, north, and west. The petition site abuts residential lots to the south and east.

**Transportation/Drainage**

The OS&HP designates Huffman Road as a Class II Minor Arterial. A development setback of 40-feet from the centerline of the road is required. Huffman Road is a state owned and maintained road. ADOT&PF plans to reconstruct Huffman Road and install a roundabout at the Brandon Street intersection. The Traffic Department, Transportation Planning, and ADOT&PF have no comment on this rezoning request. Drainage issues should be addressed during a replat. Furrow Creek is located within a pipe along Huffman Road. There is no stream protection setback required because the creek is located within a pipe.

### **Public Services and Facilities**

**Roads:** The petition site is located within the Anchorage Roads and Drainage Service Area (ARDSA). Portions of both Hace Street and Brandon Street should be upgraded if the petition site is replatted.

**Utilities:** Public water, sewer, gas, and electrical utilities are available to this property. Water easements run north-south through the middle of the block. These water easements should be relocated if the property replatted.

**Schools:** There is no change to schools.

**Parks:** The 1997 *Areawide Trails Plan* indicates that there is a proposed multi-use unpaved trail along the south side of Huffman Road where it abuts the petition site. Also, there is an existing paved multi-use trail on the north side Huffman Road across from the site.

**Public Safety:** The petition site is located within the Police, Fire, Building Safety, and Parks 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 vacant land zoned B-3 within the General Area (one mile radius) of the petition site.

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.

The application states that the owner wishes to open a Walgreens Store on site by November of 2009.

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.

See the discussion under "Conformance to the Comprehensive Plan."

### **DISCUSSION**

The proposed rezone from R-5 to B-3 SL would provide a clear overriding benefit to the public and meet the intent of the Huffman Town Center. The existing R-5 district is intended for low density rural residential development, which conflicts with the intent of the Huffman Town Center. The R-5 district does not encourage residential

development in this location. The petition site was originally subdivided in 1965, and still, three of the seven lots near Huffman Road have not developed as residential. This is largely because the petition site is surrounded on three sides by commercial and industrial districts. Huffman Road has developed as a commercial corridor with high traffic volumes. Additionally, ADOT&PF plans to acquire property on the south side of Huffman Road in order to construct a roundabout at the intersection of Huffman Road and Brandon Street and install pedestrian amenities. The proposed rezone to B-3 SL is a better fit for this location than the existing district. The B-3 SL will fill in the last remaining vacant property which abuts Huffman Road between the Old Seward and New Seward Highways. Furthermore, the proposed rezone to B-3 SL meets the intent of the Huffman Town Center as described in Commercial Policy #24.

The petitioner has provided a draft ordinance which includes several special limitations. The Department has prepared a different list of special limitations that include design standards, which can mitigate impacts on the neighboring residential lots. There is no need for a special limitation prohibiting direct vehicular access to Huffman Road since this would be a condition of a replat. The petitioner has also provided a concept site plan, which the Department generally supports. The details of the final site plan can be worked out during an administrative site plan review.

#### **DEPARTMENT RECOMMENDATION**

The Department recommends APPROVAL of the rezoning to B-3 SL, subject to:

##### **A. Effective clause:**

- a. Zoning shall become effective upon recordation of a replat into a single lot.

##### **B. Special limitations:**

- a. A non-public hearing site plan review is required prior to the issuance of any permits.
- b. All development or redevelopment on this site shall be subject to an administrative site plan review, which shall comply with the following design standards to the greatest extent possible:
  - i. Building Orientation – The building face shall be oriented to Huffman Road.
  - ii. Building Entry – There shall be at least one primary building entrance located on the Huffman Road frontage, or at the corners of the building abutting Huffman Road.
  - iii. Building Windows – A minimum of 50% of the length and 25% of the wall area on the ground floor on the north frontage and at least the first 40-feet of the east frontage shall be compromised of

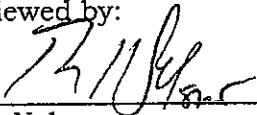
transparent windows into the building. The windows shall allow views into active habitable interior space such as working areas, lobbies, entrances, or sales areas.

- iv. Architectural Treatment – The north façade and the northeast and northwest corners of the building shall have a high level of quality, detail, and architectural interest.
- v. Pedestrian Connections – Pedestrian connections, without cross vehicle driveways or parking, shall be provided from the primary entrance(s) to Huffman Road sidewalks.
- vi. Drive-Through Service – Drive-through queuing spaces and service windows shall be located to the rear of the building, not between the building and Huffman Road. To the maximum extent possible, ordering boards shall not face residential property.
- vii. Parking – No on-site parking shall be placed between the building and Huffman Road. The parking shall be placed to the rear of the building to the extent reasonably feasible.
- viii. Residential Neighborhood Protection – The Planning Department shall be authorized to impose site plan review conditions necessary to reduce or avoid impacts on residential property. Such conditions may address noise, lighting and glare, placement of garbage receptacles, snow removal, and landscaping.

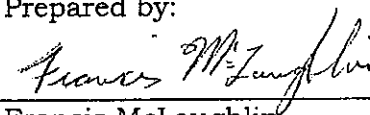
**C. Prohibited Uses:**

- a. Automotive-related services, including gas stations, auto repair and maintenance, car wash, and vehicle rental or sales
- b. Retail sale of alcoholic beverages
- c. Gun shops
- d. Adult entertainment
- e. Pawn shops
- f. Community correctional facilities
- g. Self-storage facility and vehicle storage
- h. Transmission towers
- i. Utility substations

Reviewed by:

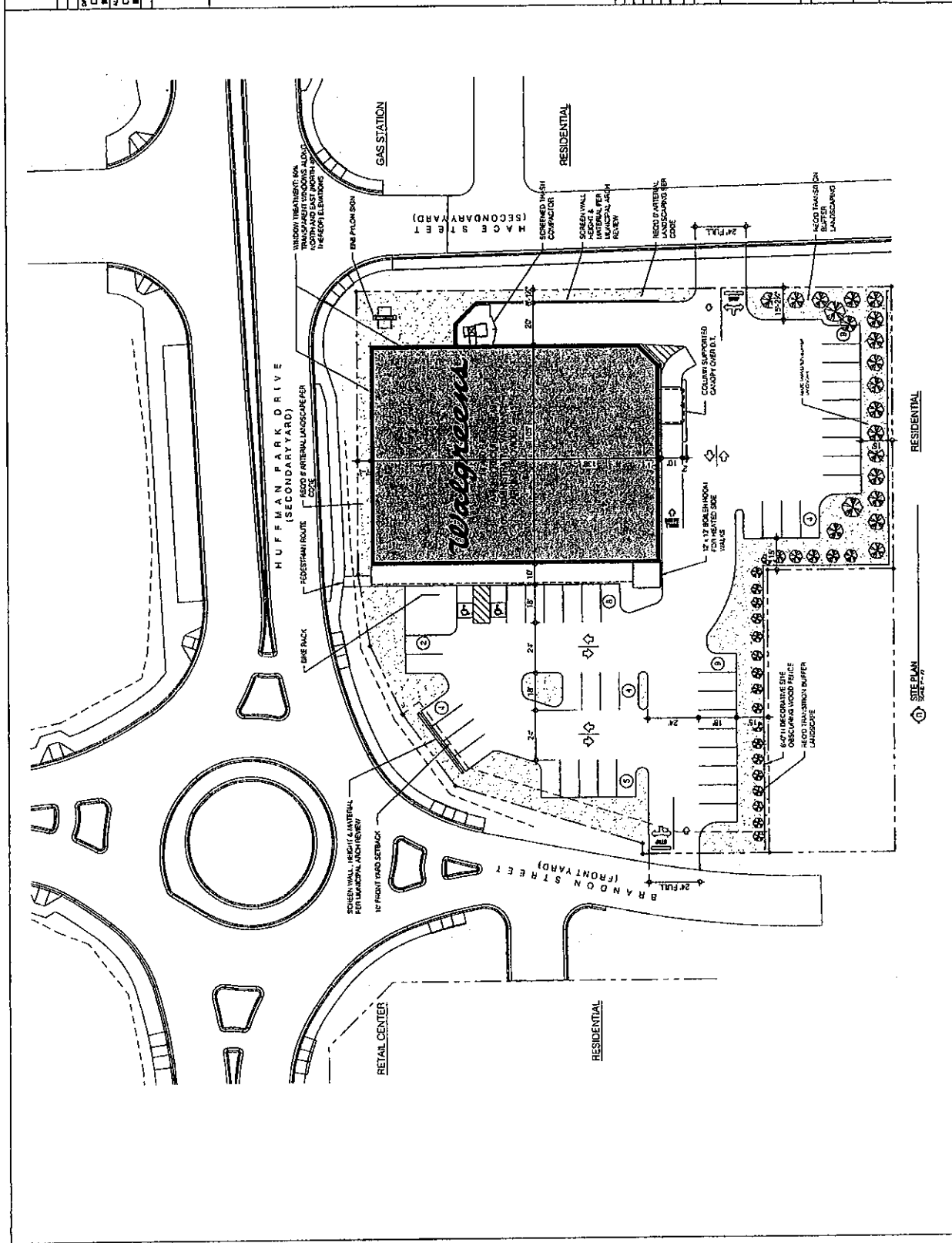
  
\_\_\_\_\_  
Tom Nelson  
Director

Prepared by:

  
\_\_\_\_\_  
Francis McLaughlin  
Associate Planner

(Parcel ID: 018-022-01; 018-022-02; 018-022-03; 018-022-04; 018-022-38; 018-022-39; 018-022-40)

<b>Walgreens</b> FACILITIES PLANNING, DESIGN & ENGINEERING 10000 W. 100th Ave. Overland Park, KS 66213-4416	
CONSULTANT PROJECT NO. PROJECT TYPE	DRAWING INFORMATION BY: WALGREENS ALL CONSTRUCTION WORK, UNLESS NOTED OTHERWISE, BY: <input type="checkbox"/> LANDSCAPE & CONSTRUCTION <input type="checkbox"/> ARCHITECTURAL <input type="checkbox"/> MECHANICAL/ELECTRICAL/PLUMBING <input type="checkbox"/> CIVIL/STRUCTURAL/FOUNDATION/GEOTECHNICAL
BUILDING STORE NEW REMODEL/ALTER CONVERSION NEW SHELL ONLY	BUILDING NEW REMODEL/ALTER CONVERSION NEW SHELL ONLY
SITE PLAN - 100 x 130 WALGREENS STORE SEC BRANCH AND HUFFMAN ANCHORAGE, KS	
SHEET NO. SCALE DATE CHECKED BY DESIGNED BY	DRAWING NO. 330 11/18/10 J. J. J.
A0.1 OF 01-05	



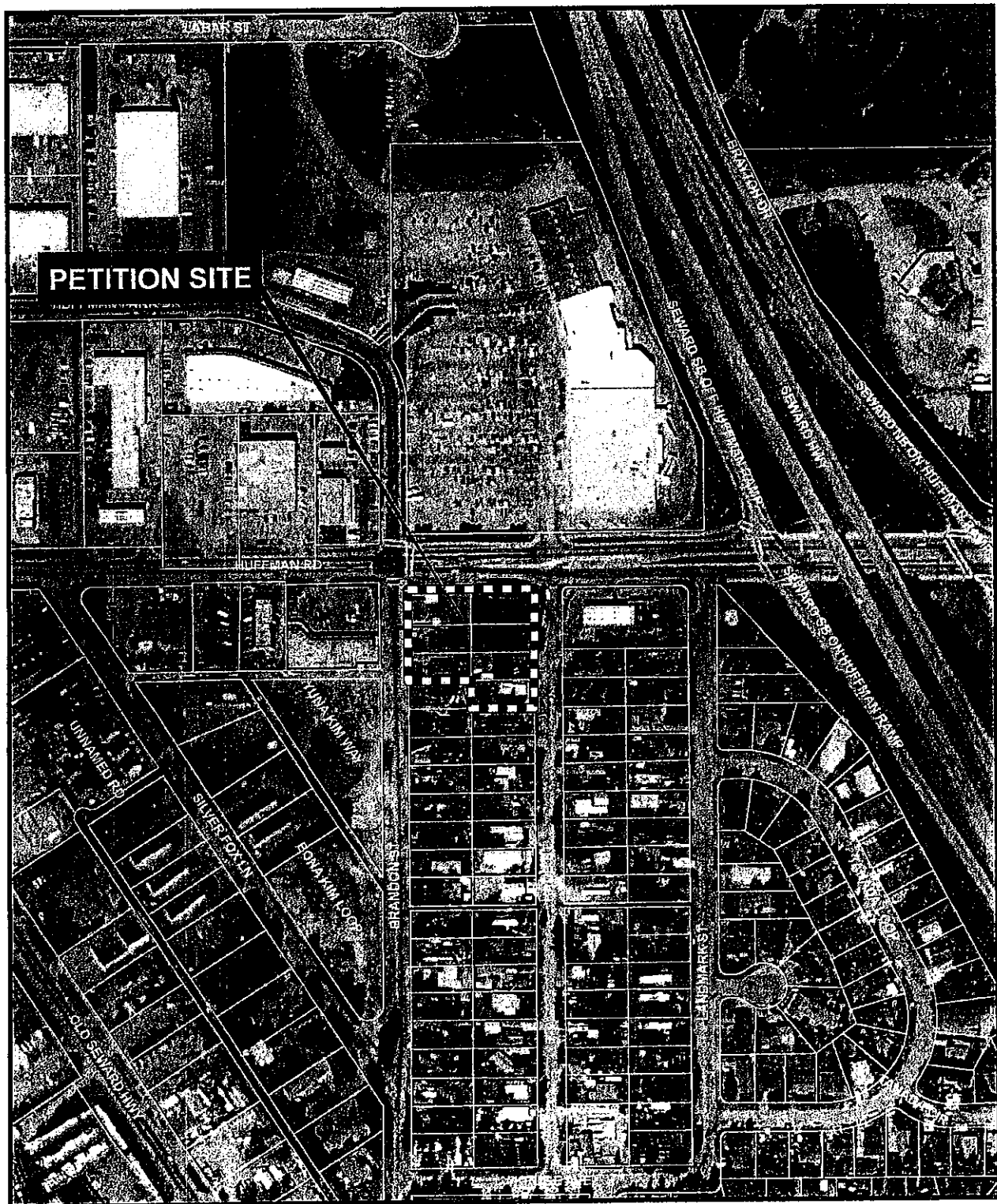




**1**

# **MAPS**

**2009-014**



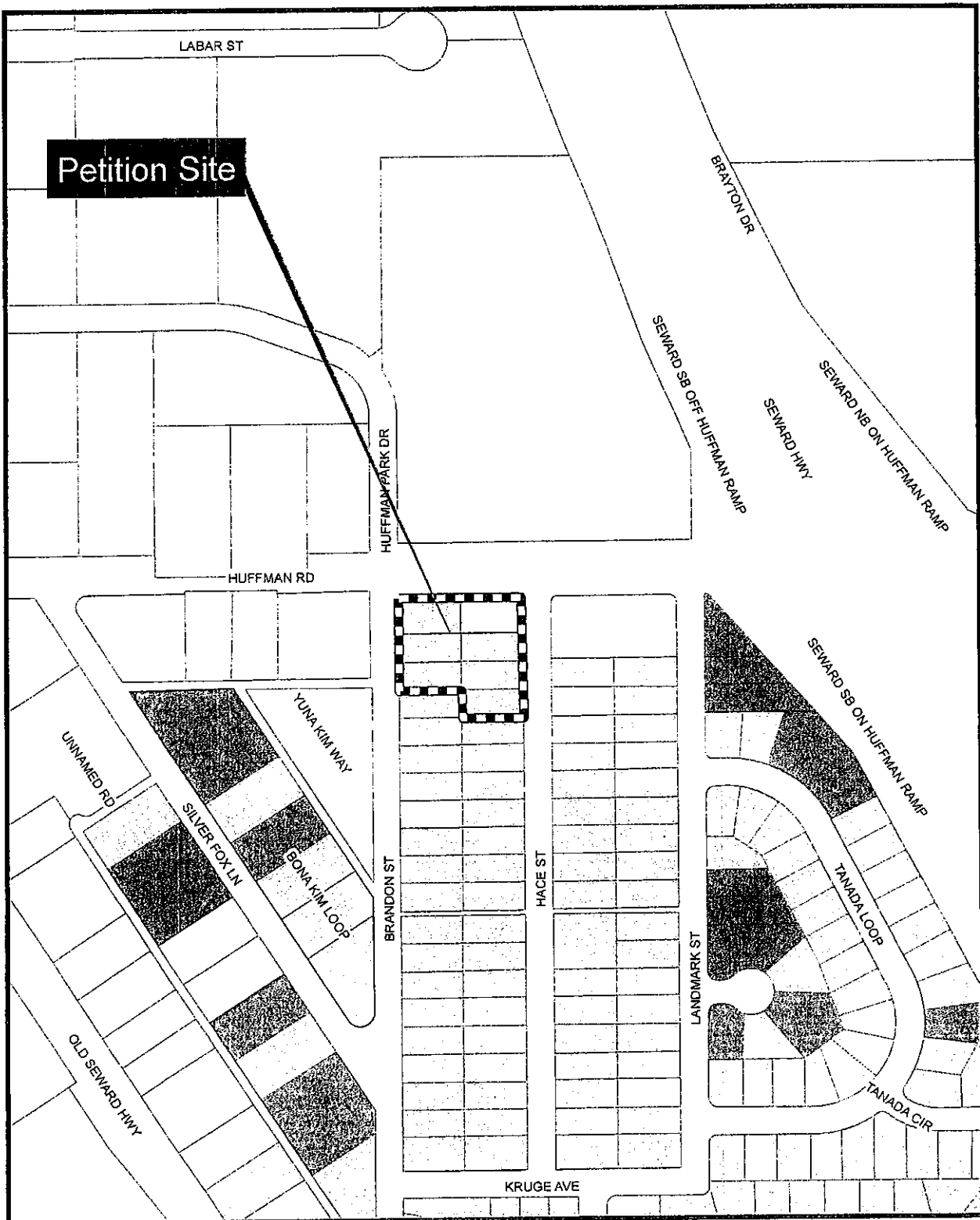
Municipality of Anchorage  
Planning Department

Date: December 17, 2008






0 145 290 580 Feet

2009-014



Municipality of Anchorage  
Planning Department

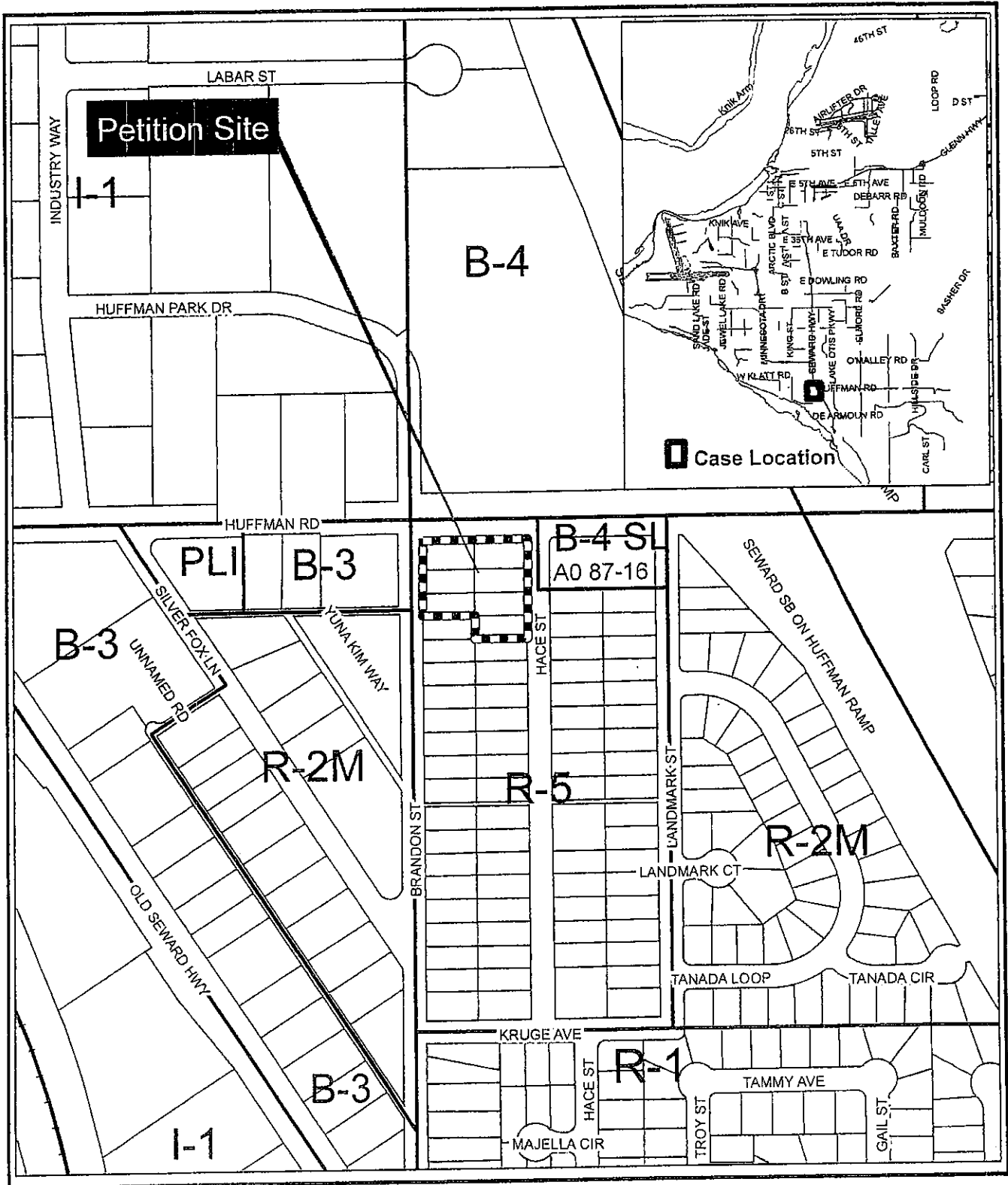
Date: December 17, 2008

-  Mobile Home Park
-  Multi-Family
-  Single Family



0 145 290 580 Feet




# 2009-014

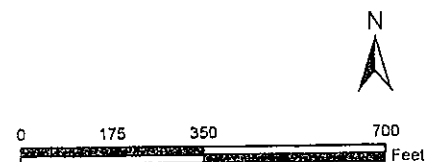


Municipality of Anchorage  
Planning Department

Date: December 8, 2008

## Flood Limits

-  100 Year
-  500 Year
-  Floodway



**2**

# **APPLICATION**



S.E. GRAINGER DEVELOPMENT GROUP, LLC

**VIA FEDERAL EXPRESS:**

December 3, 2008

Jerry Weaver  
Zoning Division Administrator  
Municipality of Anchorage  
4700 Elmore Road  
Anchorage, AK 99507-1554

RECEIVED

DEC 9 2 2008

Municipality of Anchorage  
Zoning Division

RE: S.E. Grainger Development Group, L.L.C.  
Application for Zoning Map Amendment  
1430 Huffman Road – Anchorage, AK

Dear Jerry:

Pursuant to our November 24<sup>th</sup> conference call with Tom Nelson, Mary Autor, and Tylor Robinson, enclosed please find the following:

- An Application Form for Zoning Map Amendment;
- Check Number 5012 in the amount of \$4,000.00;
- Standards For Zoning Map Amendments Form and Supplemental Addendum including a letter from Robert Congdon (Owner of Lot 39);
- Location Map;
- Letters of Authorization from all involved property owners;
- Project Narrative; and
- Draft Assembly Ordinance (including special limitations).

As per our teleconference, the optional site plan and building elevations we be submitted after I hold additional site plan negotiations with the Planning Department. I will schedule a follow-up meeting next week after I confirm the application is deemed complete. If you have any questions about the enclosed materials, please call me at 206-380-7400 or email me at [dave@crgrealty.com](mailto:dave@crgrealty.com).

Sincerely,

David Thompson  
Development Manager

033

## Project Narrative:

Developer/Applicant: SE Grainger Development Group, LLC

Subject Site: Lots 1, 2, 3, 37, 38, 39 and 40 Beacon Park Subdivision (SEC of Huffman Road and Brandon Street)

Applicant is proposing rezoning 7 R-5 zoned lots to one B3-SL lot in order to construct 13,350 square foot free standing drugstore.

The subject site is surrounded on three sides with B -3 and B – 4 zoned property. The proposed amendment improves the consistency of land use at the intersection of Brandon and Huffman which is designated to become a roundabout in 2010. Currently one of the subject lots is a dry cleaning business and two of the lots have remained vacant for several years. The proposed development offers a marketable improvement to the current blighted condition of the Huffman Frontage.

The amendment proposes eliminating vehicular access to Huffman Road and reducing the 7 access points on Brandon and Haze Streets to two. This reduction in access points will improve pedestrian safety, trip distribution and level of service at both intersections. The amenity created by the development offsets the displacement of residentially zoned property as the project will attract and promote future higher density residential development in conjunction with the Town Center designation.

The rezone amendment includes special limitations including site plan review and prohibition of uses that would create a nuisance to the surrounding neighbors.

The proposed facility will be a Class A commercially constructed single story building maximum height not to exceed 35' above finished grade. Parking ratio shall be code compliant. Snow shall be stored off site. Maintenance and delivery vehicles servicing the development will typically not exceed small truck and panel van vehicles with a Semi-tractor trailer truck making one to two deliveries per week. Landscaping shall exceed code compliance with special emphasis on the screening and buffering of existing residences to the south. The project will provide new sidewalks around the entire frontage of the project (currently none exist) and Applicant will install street lights and pedestrian amenities as the municipality deems appropriate.

The project was presented to the Old Seward Oceanview Community Council on November 12<sup>th</sup> where it received strong initial support. Applicant has contacted neighbors adjacent to the project to address buffering their homes from retail operations. Site plan and elevations will be provided as a supplement to this application pending further site plan discussions with the Municipality.

Subject to rezoning, site plan and replat approval, Applicant's intends to commence construction in the spring of 2009.



# Application for Zoning Map Amendment

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

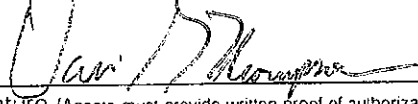
Please fill in the information asked for below.

PETITIONER*		PETITIONER REPRESENTATIVE (IF ANY)	
Name (last name first) S.E. Granger Development Group, LLC		Name (last name first) David Thompson	
Mailing Address 845 106 <sup>th</sup> Avenue NE, #100 Bellevue, WA 98004		Mailing Address Same	
Contact Phone: Day: 425-451-2000 Night:		Contact Phone: Day: 206-380-7400 Night: 360-668-8009	
FAX: 425-451-2025		FAX: 425-451-2025	
E-mail:		E-mail: dave@cr4realtyn.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): 018-022-01, 02, 03, 04, 38, 39, 40 - 000		
Site Street Address: 1430 Huffman Road		
Current legal description: (use additional sheet if necessary)  Lots 1, 2, 3, 37, 38, 39 & 40, Block 1 Beacon Park, Plat # 65-81		
Zoning: R-5	Acreage: 1.4	Grid # SW 2832

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 12/1/08	Signature (Agents must provide written proof of authorization) 
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Accepted by:	Poster & Affidavit:	Fee \$4,000	Case Number 2009-014
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**COMPREHENSIVE PLAN INFORMATION**Anchorage 2020 Urban/Rural Services: ☒ Urban ☐ RuralAnchorage 2020 West Anchorage Planning Area: ☐ Inside ☒ Outside

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

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

Eagle River-Chugiak-Peters Creek Land Use Classification:

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

Girdwood- Turnagain Arm

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

**ENVIRONMENTAL INFORMATION** (All or portion of site affected)

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

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

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

**APPLICATION ATTACHMENTS**

- Required: ☒ Area to be rezoned location map ☒ Signatures of other petitioners (if any) letters of authorization  
☒ 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 (see draft ordinance) ☐ Traffic impact analysis ☐ Site soils analysis  
☐ Photographs

**APPLICATION CHECKLIST**

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



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

## STANDARDS FOR ZONING MAP AMENDMENTS (SEE ATTACHED ADDENDUM FOR ALL)

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

### A. Conformance to Comprehensive Plan.

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

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

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

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

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

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

a. Environment;

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b. Transportation;

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c. Public Services and Facilities;

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d. Land Use Patterns;

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

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

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

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

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STANDARD FOR ZONING MAP AMENDMENTS  
ADDENDUM:

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

A. 1. a. Proposed amendment is compatible with adjacent commercial uses. Neighboring properties zoning include B4-SL (Holiday Gas), B-3 (strip retail center), and B-4 (Carr's Grocery Store) to the north. The current R 5 zoning is less compatible adjacent property. Already a portion of subject property is currently an operating dry cleaner/alteration shop and two residential properties have remained vacant due to their proximity to Huffman Road (See attached letter from property owner Robert Congdon). With respect to the R-5 zoned property to the south, the proposed amendment would allow a use that will serve as buffer between the increased traffic volumes of Huffman Road and provide a unique neighborhood amenity that will further the retail diversity in the Huffman corridor. The amendment would allow a project that would provide residences to the south with a convenience amenity featuring first class construction, ADA compliant and improved pedestrian access (Currently no sidewalks exist along Hace or Brandon).

A. 1. b. Applicant has proposed the following special limitations:

1. Transitional Landscape Buffering consistent with Chapter 21.45.200 including a decorative wood fence eight feet in height;
2. Use Restrictions banning those uses which are generally considered a nuisance to residential neighborhoods.
3. Site Plan Review – The site plan will be submitted to the Planning and Zoning Commission for review and approval.

A. 1. c. The proposed use supports the following Anchorage 2020 Goals:

Topic 1: Land Use & Transportation-

"Commercial, Industrial, Institutional, and Transportation Uses: A balance supply of commercial, industrial, institutional and transportation land uses which are compatible with adjacent land uses and has good access to transportation networks."<sup>1</sup>

*Proposed Use is compatible with adjacent commercial uses. Neighboring properties zoning designations include B-4 SL (Holiday Gas to the east), B-3 (strip retail center to the west and Carr's Grocery Store to the north). A portion of subject property is currently an operating dry cleaner/alteration shop. Proposed use will allow for a development that will eliminate all access points on Huffman and is designed in conjunction with the roundabout proposed for the intersection of Brandon and Huffman.*

"Mobility and Access: A transportation system based on land use that move people and goods safely, conveniently, and economically, with minimal adverse impact on the community."<sup>1</sup>

*Proposed amendment allows for a project that integrates new sidewalks for Brandon, Huffman and Hace frontages in conjunction with the proposed roundabout and reduces eight access points to two controlled commercial access points.*

"General Land Use Issues: A forward looking approach to community growth and redevelopment."<sup>2</sup>

*The Alaska 2020 Land Use Policy Map designates a Town Center along the Huffman Corridor between Old Seward and New Seward Highways. The proposed amendment*

*is compatible with this designation. Per the intent of Town Centers, the amendment would allow for a project that provides a "community serving-retail" that "seek[s] a balance between pedestrian and auto comfort, visibility and accessibility."<sup>3</sup> The project will add a neighborhood amenity that will promote more medium to high density residential development in the immediate area.*

*Regarding Transportation – The proposed amendment allows for a project that supports the Alaska Department of Transportation's efforts to "provide increased capacity, address accident issues along the Old Seward Highway [and Huffman] corridor[s], improve access to adjacent businesses, provide pedestrian improvements, and extend the service life of the existing roadways" <sup>4</sup> by designing the project in conjunction with the proposed roundabout and median installations proposed along Huffman Road at the intersections of Brandon and Haze Streets. Additionally, the project eliminates all access points along Huffman Road.*

## Topic 2: Design & Environment-

*"Neighborhood Identity and Vitality: A variety of safe, pleasant, and distinctive neighborhoods responsive to the diverse needs of residents, with good access to schools, recreation, natural areas, and community facilities."<sup>5</sup>*

*The amendment would allow for a convenience drug store - an integral component to a neighborhood's vitality. No specific Town Center site plan exists for the Huffman Corridor, however the proposed building will enhance the vitality of the neighborhood by replacing blighted property (Lots 39 and 40) with Class A architecture and construction and will transition well with any future Town Center. The building's design includes covered and heated 10' sidewalks, primary parking in close proximity to the entrance, designated ADA/pedestrian access corridors and the prescription drive-up window all contributing to create a structure that is safe and convenient for both pedestrian and automotive customers.*

*"Economic Viability: A built environment based on design standards that sustain long-term economic viability and growth and that promote affordable residential, commercial and industrial development."<sup>6</sup>*

*The amendment allows for a project that would promote future commercial and higher density housing development in the nearby properties.*

## Additional Goals:

### Housing and Community Development Consolidated Plan Goals:

*"Family: A healthy environment that provides for the emotional, physical, economic, and spiritual well-being of families and children."<sup>7</sup>*

*The amendment allows for a project that would inject economic vitality into a blighted area and significantly enhance pedestrian connectivity to the neighboring properties to the south.*

*"Health: A sustainable community that promotes health and well-being."*

*Generally, the amendment allows for a project that by its very nature contributes to the health and well being of a community by offering more price competition for prescription medicine.*

*Specifically, Walgreens is committed to improving customers' lives across America. Last year, Walgreens gave over \$1 million to numerous charities, donating over \$250,000 to the treatment and cure of HIV/AIDS alone. Some donations are earmarked for specific fundraising events such as the American Cancer Society's Relay for Life, while others are made to research programs or given to areas showing greatest need. Each agency works to cure specific diseases afflicting our customers.*<sup>3</sup>

#### Work Force and Economic Development Goals:

"Job Opportunities: A wide variety of job opportunities that provide good income and benefits and that advance economic self-sufficiency."<sup>8</sup>

*Generally, the amendment allows for a project that would generate jobs.*

*Specifically, Walgreens values the diverse backgrounds, experiences, knowledge, and skills of all employees, and is committed to equal employment without regard to race, color, religion, sexual orientation, gender identity, age, disability, or veteran status.*

"Business Support and Development: A quality of life and a financial climate that encourage businesses to start up, expand, or relocate in Anchorage."<sup>9</sup>

*Applicant recognizes that the proposed amendment requires the exchange of residential property for commercial. The property owners selling their properties for this development are all receiving above market prices for their property and will be able to comfortably relocate to better homes and/or larger properties with their sales proceeds. Beyond this immediate economic mitigation of the current residences, the project will promote more residential units by attracting higher density residential projects in the immediate vicinity and in conjunction with a future Town Center.*

A. 2. a. The proposed amendment does not result in a greater residential intensity.

A. 2. b. The proposed development would result in a lesser residential intensity on the subject property, however the amendment would provide a clear and overriding benefit to the surrounding neighborhood in the following ways.

- *Currently Lot 1 is used for commercial purposes (Dry Cleaners and surplus auto dealership), which indicates that the organic evolution of this location is trending towards commercial uses;*
- *Even if Lot 1 were currently a residence, the roundabout contemplates taking this lot for right of way. The proposed project monetarily benefits the state by reducing the amount of property the state has to acquire for their roundabout;*
- *Lots 40 and 39 have remained vacant and undesirable as residential properties because their proximity to Huffman Road's traffic volumes (See attached letter from the property owner of Lot 39). The advent of the roundabout will not only perpetuate the blight occurring on these lots but most likely spread to Lot 2;*
- *Given the point above, the proposed development results in a net displacement of four existing and marketable residential units. The potential for attracting higher densities in the future would more than offset the loss of existing residential units.*
- *The Property would better compliment surrounding zonings to the north (I-1 and B-4), west (B-3) and east (B-4) because the proposed project would convert these blighted, non-conforming properties into a planned retail development;*

- The amendment would allow for a project that eliminates all access to Huffman Road, directly supporting ADOT's efforts to decrease traffic congestion along Huffman;
- The amendment would allow for a project that would serve the consumer needs of both existing as well as future higher density residents to the south who would prefer not to cross Huffman to purchase basic sundries;
- The amendment would allow for a project that would introduce sidewalks and pedestrian amenities currently not existing on the property;

A. 2. c. The Municipality recommends the surrounding commercially zoned properties be changed to mixed use designations to encourage higher densities. The amendment allows for a development that would provide a first class retail amenity requisite to attracting the desired higher densities. The Alaska 2020 Land Use Policy Map designates a Town Center along the Huffman Corridor between Old Seward and New Seward Highways. The proposed project is a compatible with this designation. Per the intent of Town Centers, It provides a "community serving-retail" that "seek[s] a balance between pedestrian and auto comfort, visibility and accessibility."<sup>10</sup> The amendment will allow for a project that will add a neighborhood amenity that will promote more medium to high density residential development in the immediate area.

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

**B. 1. a. Environment;**

*Earth - During construction, erosion control measures would be implemented pursuant to SWPPP and Municipal regulations. The overall amount of impervious area would increase over existing levels; however the storm water plan for the development would comply with current municipal standards. Little no impact is anticipated for the surrounding neighborhood, and no impact to the general area and community.*

*Air - Appropriate measures to control dust created during construction such as gravelling and site watering would be implemented as needed. When completed, the project will emit standard HVAC exhaust only. Little or no impact is anticipated for the surrounding neighborhood, and no impact to the general area and community.*

*Surface Water - There is no surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands). The development will not require surface water withdrawals or diversions, and does not lie within a 100-year floodplain and does not involve any discharges of waste materials to surface waters. Little or no impact is anticipated for the surrounding neighborhood, and no impact to the general area and community.*

*Ground Water - No ground water will be withdrawn or discharged. No waste material will be discharged into the ground from septic tanks or other sources. Runoff from roof drains and parking area will flow to catch basins and discharge to the city system. All retention/detention shall be provided per city standards. Little no impact is anticipated for the surrounding neighborhood, and no impact to the general area and community.*

*Plants - No known threatened or endangered species known to be on or near the site. Existing vegetation to be replaced with approved landscaping per final permitted landscape plan. Landscaping plan to be provided in accordance with landscape*



municipal code. Regarding impact on the surrounding neighborhood, the privacy of neighbors directly to the south of the project is of greatest concern. Applicant shall provide adequate landscaping to address their concerns. Landscaping will be of a higher quality and greater area than what has been provided in many of the commercial developments in the general area. The community will only receive the residual benefits of a commercial project complying with the revised Chapter 21 standards.

*Animals* – No birds and animals, other than domestic pets, have been observed on or near the site. No threatened or endangered species are known to be on or near the site. Proposed measures to preserve or enhance wildlife include landscaping as required by city code. Little or no impact is anticipated for the surrounding neighborhood, and no impact to the general area and community.

Environmental impact would be predominantly limited to only the surrounding neighborhood.

**B. 1. b. Transportation;**

Site is directly bounded by Brandon Street to the West, Huffman Road to the North and Hace Street to the east. A full access driveway is proposed approximately 160 feet south of Huffman on both Brandon and Hace Streets, reducing eight existing access points to 2 and eliminating all access to Huffman. Development will require improvements to existing roads including curb, gutter and sidewalk improvements.

The development will not directly use water, rail, or air transportation.

The project is designed around the Brandon and Huffman roundabout. The elimination of access points on Huffman combined with the roundabout and median restrictions will improve trip distribution and improve the level of service at the intersection.

The effect of the development would predominantly benefit the surrounding neighborhood and general area.

**B. 1. c. Public Services and Facilities;**

The proposed development is part of a larger network of drugstores that will provide prescription medicine, healthcare and convenient sundries to the surrounding neighborhood, general area and greater Anchorage community.

**B. 1. d. Land Use Patterns;**

The current land use patterns support commercial development, as previously stated, Lot 1 is currently an operating dry cleaner/alteration shop and two residential properties have remained vacant due to their proximity to Huffman Road (See attached letter from property owner Robert Congdon). The pattern for commercial development along the Huffman Corridor is clear and logical. The proposed development will compliment future efforts to create a Town Center. Much like the surrounding retail structures, the proposed development would serve as a transitional buffer between the Huffman corridor and residences to the south.

- B. 2.** Within the General Area (one mile radius) of the proposed site, there is no vacant land zoned B-3. The nearest vacant parcels are zoned I1 (016-191-81-000) and PLI SL (016-191-41-000).

- B. 3. *Development would occur upon completion of the zoning and short plat process. Applicant has held preliminary discussions with ADOT and the utility companies. Public services exist but the proposed roundabout and Applicant's proposed project will necessitate underground relocations.*  
*Roads: Applicant's development contemplates the roundabout scheduled for construction in the Spring of 2010.*  
*Electric: Attached please find a hand sketch schematic provided by Chugach Electric Association showing the proposed path for relocating the primary electrical service.*  
*Water: Attached please find a schematic design provided by Anchorage Water and Waste Utility showing the proposed path for relocating water under Hace Street.*  
*Gas and Phone: Gas will follow a similar relocation as water and electric.*  
*Storm Water: On-site retention as required by municipal code. There is an existing storm drain line that is going to be reconstructed along roundabout curb line. Applicant will work with DOT to tie in to the existing with a system that can reconnect with the future system or an alternative a storm drain extension along Hace as an alternative.*  
*Sewer: Development contemplates tying into existing sewage lines that flow to the south of the project.*
- B. 4. *The loss of residentially zoned property is justifiable as currently 28,400 sf of the property no longer supports residential housing, the remaining 32,400 sf of R5 would by code allow only five total additional residential units. The project will increase residential units by attracting higher density residential projects in the immediate vicinity. The increase in actual residential units from future higher density housing projects would readily absorb the lost residential units theoretically displaced by the development.*

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<sup>1</sup> Anchorage 2020 Comprehensive Plan, Chapter 3. Page 37.

<sup>2</sup> Anchorage 2020 Comprehensive Plan, Chapter 3. Page 38.

<sup>3</sup> Anchorage 2020 Comprehensive Plan, Chapter 4, Page 53 -- Town Centers

<sup>4</sup> Alaska Department of Transportation Draft Conformity Document: Old Seward Highway And O'Malley Road Intersection Old Seward Highway - Brandon Street To O'Malley Road Project No. Rs-M-0537(1)/53178 September 2007.

<sup>5</sup> Anchorage 2020 Comprehensive Plan, Chapter 3. Page 38

<sup>6</sup> Anchorage 2020 Comprehensive Plan, Chapter 3. Page 39.

<sup>7</sup> Anchorage 2020 Comprehensive Plan, Chapter 3. Page 40.

<sup>8</sup> Anchorage 2020 Comprehensive Plan, Chapter 3. Page 41.

<sup>9</sup> Anchorage 2020 Comprehensive Plan, Chapter 3. Page 41.

<sup>10</sup> Anchorage 2020 Comprehensive Plan, Chapter 4, Page 53 -- Town Centers.

ROBERT E. CONGDON  
Attorney and Counselor at Law  
7300 South Park Drive  
Anchorage, Alaska 99516-3254  
Tel: (907) 345-1062; Fax: (907) 348-0546

October 20, 2008

Planning and Zoning Commission  
P.O. Box 19650  
Anchorage, AK 99519-6650

RE: SE Grainger Development Group, LLC  
Walgreens on Huffman  
Lot 39, Block 1 Beacon Park Sub

Dear Commissioners:

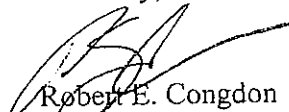
This letter is in support of the SE Grainger Development Group Application for Plat Amendment eliminating 7 residential units for commercial use

I co-own Lot 39, second in from Huffman on Hace Street. The lot has been vacant for nearly a decade after the Municipality required us to remove the residential trailer and adjoining structure. We have fairly consistently posted the property for sale since then and received several inquiries regarding and some serious effort toward sale for commercial use. I recall only one telephone inquiry several years ago about sale of the property for residential use.

The property is zoned to allow mobile homes. The cost to place a mobile on the property, however, is inconsistent with the prevailing commercial use of property along Huffman: an owner or tenant would soon have to remove the mobile to make way for use consistent with the neighbors. Further, the traffic noise and volume along Huffman makes our lot undesirable and unmarketable for residential use, particularly considering the roundabout planned for the Huffman/Brandon corner. There are other mobile home areas nearby (O'Malley area) and virtually the entire land mass south of the lots affected by this application is residential.

Effectively, our lot is not usable for anything but a commercial use, and I can think of no better, quieter, or convenient occupant of the lot than a Walgreens or similar neighborhood-friendly store.

Sincerely,



Robert E. Congdon  
Attorney at Law

cc David Thompson, SE Grainger

Soo Jin Lee  
6421 Cobblecreek Street  
Anchorage, Alaska ~~99507~~ 99507

David Thompson  
S.E. Grainger Development Group, LLC  
845 106<sup>th</sup> Avenue NE, Suite 100  
Bellevue, WA 98004

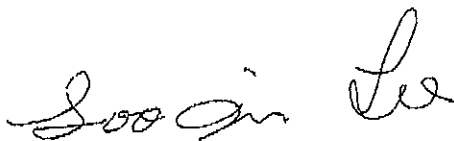
RE: Authorization to Apply for Permits  
12401 Brandon Street

Dear David:

This letter serves as Owner's authorization allowing SE Grainger Development Group, LLC and/or their agents to apply for all necessary municipal and utility permits required for the development of the property located at Lot 1, Block 1 BEACON PARK SUBDIVISION, Plat Number 65-81.

Sincerely,

Soo Jin Lee



Date: 10-11-08

*DENALI PAYEE SERVICES  
P.O. Box 201962  
Anchorage, AK 99520*

September 30, 2008

David Thompson  
S.E. Grainger Development Group, LLC  
845 106<sup>th</sup> Avenue NE, Suite 100  
Bellevue, WA 98004

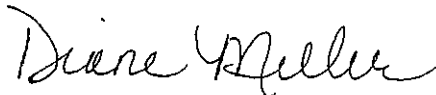
RE: Authorization to Apply for Permits  
Estate of Hilton Earley  
12411 Brandon Street

Dear David:

Denali Payee Services is the Court Appointed Conservator to the Estate of Hilton C. Earley and authorized to act on behalf of the legal owner of the above referenced property.

This letter serves as Owner's authorization allowing SE Grainger Development Group, LLC to apply for all necessary municipal and utility permits required for the development of the property located at Lot 2, Block 1 BEACON PARK SUBDIVISION, Plat Number 65-81.

Sincerely,



Diane Miller  
Owner  
Denali Payee Services

*Bradley and Rhonda Bowman  
12421 Brandon Street  
Anchorage, AK 99515*

October 9, 2008

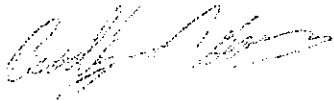
David Thompson  
S.E. Grainger Development Group, LLC  
845 106<sup>th</sup> Avenue NE, Suite 100  
Bellevue, WA 98004

RE: Authorization to Apply for Permits  
12411 Brandon Street

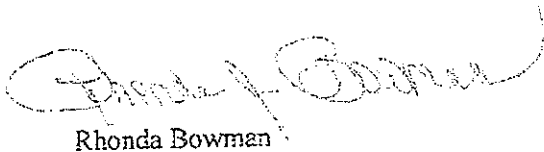
Dear David:

This letter serves as Owner's authorization allowing SE Grainger Development Group, LLC and/or their agents to apply for all necessary municipal and utility permits required for the development of the property located at Lot 3, Block 1 BEACON PARK SUBDIVISION, Plat Number 65-81.

Sincerely,



Brad Bowman



Rhonda Bowman

*Patrick C. Herter*  
4321 Rabbit Creek Road  
Anchorage, AK 99516

David Thompson  
S.E. Grainger Development Group, LLC  
845 106<sup>th</sup> Avenue NE, Suite 100  
Bellevue, WA 98004

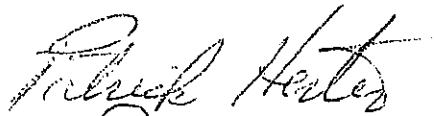
RE: Authorization to Apply for Zoning Map Amendment  
1430 Huffman Road

Dear David:

This letter serves as Owner's authorization allowing SE Grainger Development Group, LLC and/or their agents to apply for all necessary municipal and utility permits required for the development of the property located at Lot 40, Block 1 BEACON PARK SUBDIVISION, Plat Number 65-81.

Sincerely,

Patrick Herter



Date:

10-7-8

*Robert Congdon  
7300 South Park Drive  
Anchorage, AK 99516-3254*

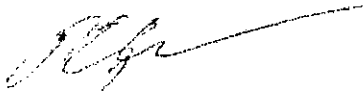
David Thompson  
S.E. Grainger Development Group, LLC  
845 106<sup>th</sup> Avenue NE, Suite 100  
Bellevue, WA 98004

RE: Authorization to Apply for Zoning Map Amendment  
12420 Hacc Street

Dear David:

This letter serves as Owner's authorization allowing SE Grainger Development Group, LLC and/or their agents to apply for all necessary municipal and utility permits required for the development of the property located at Lot 39, Block 1 BEACON PARK SUBDIVISION, Plat Number 65-81.

Sincerely,



Robert Congdon

Date: 10.8.08



*Jim and Susan Adkison  
12420 Hace Street  
Anchorage, AK 99515-3865*

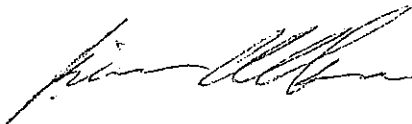
David Thompson  
S.E. Grainger Development Group, LLC  
845 106<sup>th</sup> Avenue NE, Suite 100  
Bellevue, WA 98004

RE: Authorization to Apply for Zoning Map Amendment  
12420 Hace Street

Dear David:

This letter serves as Owner's authorization allowing SE Grainger Development Group, LLC and/or their agents to apply for all necessary municipal and utility permits required for the development of the property located at Lot 38, Block 1 BEACON PARK SUBDIVISION, Plat Number 65-81.

Sincerely,



Jim Adkison

Date: 10/16/08



Susan Adkison

Date: 10/16/08

*Rick Eiben*  
*P.O. Box 111712*  
*Anchorage, AK 99511*

David Thompson  
S.E. Grainger Development Group, LLC  
845 106<sup>th</sup> Avenue NE, Suite 100  
Bellevue, WA 98004

RE: Authorization to Apply for Zoning Map Amendment  
12430 Hace Street

Dear David:

This letter serves as Owner's authorization allowing SE Grainger Development Group, LLC and/or their agents to apply for all necessary municipal and utility permits required for the development of the property located at Lot 37, Block 1 BEACON PARK SUBDIVISION, Plat Number 65-81.

Sincerely,

*Rick Eiben*

Rick Eiben

*Rick Eiben*

Date:

*Oct 10<sup>th</sup> 2008*

Submitted by: Planning and Zoning Department  
Prepared by: SE Grainger Development Group,  
LLC, Applicant  
For Reading:

ANCHORAGE, ALASKA  
AO NO. 2009-

1 AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING FROM R-5  
2 (RURAL RESIDENTIAL DISTRICT) TO B-3 SL (GENERAL BUSINESS DISTRICT WITH SPECIAL  
3 LIMITATIONS) FOR LOTS 1, 2, 3, 37, 38, 39 AND 40 – BLOCK 1, BEACON PARK SUBDIVISION, PLAT  
4 NUMBER 65-81, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION  
5 OF HUFFMAN ROAD AND BRANDON STREET (OLD SEWARD OCEANVIEW COMMUNITY  
6 COUNCIL)  
7

---

8  
9  
10 THE ANCHORAGE ASSEMBLY ORDAINS:

11  
12 **SECTION 1.** That the zoning map be amended by designating the following described property as a B-3  
13 SL (General Business District with Special Limitations) zone:  
14

15 LOTS 1, 2, 3, 37, 38, 39 AND 40 – BLOCK 1, BEACON PARK SUBDIVISION, PLAT NUMBER 65-81.

16  
17 **SECTION 2.** The zoning map amendment for the B-3 SL (General Business District) use designation for  
18 the property described in Section 1 above is restricted with the following special limitations:  
19

- 20 1. That lots described in Section 1 above be subject to a single suitable replat.
- 21  
22 2. That all vehicular access to Huffman Road be eliminated; access to Hace and Brandon Streets  
23 be reduced to one vehicular access point respectively.
- 24  
25 3. That the site plan be subject to an administrative site plan review.
- 26  
27 4. That in the event the administrative site plan review yields an unfavorable recommendation, a  
28 public hearing before the Planning and Zoning Commission be held to confirm or override the  
29 administrative recommendation.  
30
- 31 5. That the property be subject to the following prohibited uses:  
32 cocktail lounge, bar, any other establishment that sells alcoholic beverages for on-  
33 premises consumption (except in connection with a fast food restaurant, sandwich shop  
34 or accommodation food user as described above), disco, bowling alley, pool hall, billiard  
35 parlor, skating rink, roller rink, amusement arcade, a theater of any kind, children's play or  
36 party facility, adult book store, adult theatre, adult amusement facility, any facility selling  
37 or displaying pornographic materials or having such displays, second hand store, odd lot,  
38 closeout or liquidation store, auction house, flea market, educational or training facility  
39 (including, without limitation, a beauty school, barber college, school or other facility  
40 catering primarily to students or trainees rather than customers), gymnasium, sport or  
41 health club or spa, blood bank, massage parlor, funeral home, sleeping quarters or  
42 lodging, the outdoor housing or raising of animals, the sale, leasing or storage of  
43 automobiles, boats or other vehicles, any industrial use (including, without limitation, any  
44 manufacturing, smelting, rendering, brewing, refining, chemical manufacturing or  
45 processing, or other manufacturing uses), any mining or mineral exploration or  
46 development except by non-surface means, a car wash, a carnival, amusement park or  
47 circus, off track betting establishment, any use involving the use, storage, disposal or

1 handling of hazardous materials or underground storage tanks, except as necessary to  
2 comply with any remediation required under applicable Environmental Law, any use  
3 which may materially or adversely affect the water and sewer services supplied to the  
4 proposed retail structure, any facility for the sale of paraphernalia for use with illicit drugs,  
5 office use or any use which creates a nuisance.  
6

7 **SECTION 3.** All district and supplemental district regulations that are applicable to a B-3 (General  
8 Business District) zone not specifically affected by the limitations set forth in Section 2 above shall apply  
9 to the subject property in the same manner as if the district were not subject to special limitations.  
10

11 **SECTION 4.** This ordinance shall become effective within 10 days after the later of (a) the final site plan  
12 review approval as set forth in Section 2 above or (b) the approval of the required replat.  
13

14  
15 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_ day of \_\_\_\_\_, 2008.  
16  
17  
18  
19

20 \_\_\_\_\_  
21  
22 Chair  
23  
24

25  
26 ATTEST:  
27  
28

29 \_\_\_\_\_  
30  
31 Municipal Clerk



**3**

**REVIEWING  
AGENCY &  
PUBLIC  
COMMENTS**

PM&E  
Private Development  
1/5/2009

**Case No. 2009-014 – Rezoning to B3-SL General business district with special limitations**

PM&E has no objection to this site plan. However, the petitioner is alerted that, should this plan be approved, Hace Street will have to be upgraded to the southern end of this property. Likewise, those portions of Brandon Street not upgraded by the roundabout project but still adjacent to this property will have to be upgraded.

The petitioner is also alerted to the requirement to coordinate submission of a drainage analysis and calculations to PM&E under the land use permit process

**Case No. 2009-016 – Zoning conditional use for a water reservoir**

PM&E supports approval of the conditional use. The petitioner's representative is also alerted to the requirement to coordinate submission of a drainage analysis and calculations to PM&E under the land use permit process.

**Case No. 2009-017 – General land use planning issue – lot size for a hospital**

PM&E has no objection to the request for approval of the proposed lot size.

**Case No. 2009-018 – Site plan review for an office/retail complex**

PM&E has no objection to this site plan. However, the petitioner is alerted that the common access easement between Tracts 9 and 10 and Creekside Drive will also have to be constructed as part of this project, with design requirements to be resolved with PM&E. This is in keeping with conditions listed in the purchase and sale agreements for these parcels, to wit, that the first tract to develop will be responsible for constructing the access easement common to itself and an adjacent tract. These conditions were specifically created to substitute for including the construction of the access easements in the subdivision agreement for The Alaska Village. Construction of this access easement will also provide the proper emergency vehicle route between Tracts 8, 9, 10 and Creekside Dr.

The petitioner is also alerted to the requirement to coordinate submission of a drainage analysis and calculations to PM&E under the land use permit process.

**Case No. 2009-019 – An amendment to a site master plan**

PM&E has no objection to the proposed amendment.



**MUNICIPALITY OF ANCHORAGE**  
Traffic Department



**RECEIVED**

DEC 24 2008

City of Anchorage  
Zoning Division

**MEMORANDUM**

DATE: December 23, 2009  
TO: Jerry T. Weaver, Platting Supervisor, Planning Department  
FROM: Mada Angell, Assistant Traffic Engineer  
SUBJECT: Traffic Engineering and Transportation Planning Comments for  
February 2, 2009 Planning and Zoning Commission

**09-012 Ordinance amending Title 21**

Traffic Engineering and Transportation Planning have no comment.

**09-013 Portions of Sec. 19, Elena area; Rezone from R-7 to I-3; Grids  
50113 & 50114**

Traffic Engineering and Transportation Planning have no comment.

**09-014 Beacon Park; Rezone from R-5 to B3-SL; Grid 2832**

Traffic Engineering and Transportation Planning have no comment.

**90-016 Golden view Gate Tracts, Tract 3; Conditional Use to permit a  
water reservoir; Grid 51208**

- Access road to reservoir to be constructed to a standard approved by PM&E.

**90-017 Tudor Center; Rezone from I-1 to RO-SL; Grid 1736**

Traffic Engineering and Transportation Planning have no comment.



# 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)

January 6<sup>th</sup>, 2009

RE: MOA Zoning Review

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

RECEIVED

JAN 08 2009

Municipality of Anchorage  
Zoning Division

Dear Mr. Weaver:

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

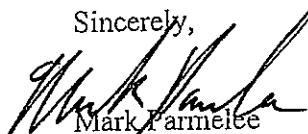
2009-012; Ordinance Amending Title 21

2009-014; S.E. Grainger Development Group Re-Zoning Application

2009-016; Goldenview Reservoir Conditional Use Application

2009-017; Southcentral Foundation Re-Zoning Application

Sincerely,



Mark Farnelce  
Area Planner

/aj



## MUNICIPALITY OF ANCHORAGE

Development Services Department  
Right of Way Division  
Phone: (907) 343-8240 Fax: (907) 343-8250



**RECEIVED**

**DATE:** December 31, 2008  
**TO:** Planning Department, Zoning and Platting Division  
**THRU:** Jack L. Frost, Jr., Right of Way Supervisor  
**FROM:** Lynn McGee, Senior Plan Reviewer  
**SUBJ:** Comments on Planning and Zoning Commission case(s) for February 2, 2009.

DEC 31 2008

Municipality of Anchorage  
Zoning Division

Right of Way Division has reviewed the following case(s) due January 5, 2009.

**09-012 Ordinance Amendment**

**(Title 21 for Girdwood Land Use Regulations)**

Right of Way Division has no comments at this time.  
Review time 15 minutes.

**09-013 Section 19, T16N R1E, Parcels 1-8, grids  
(Rezoning Request, T & R-7 to I-3)**

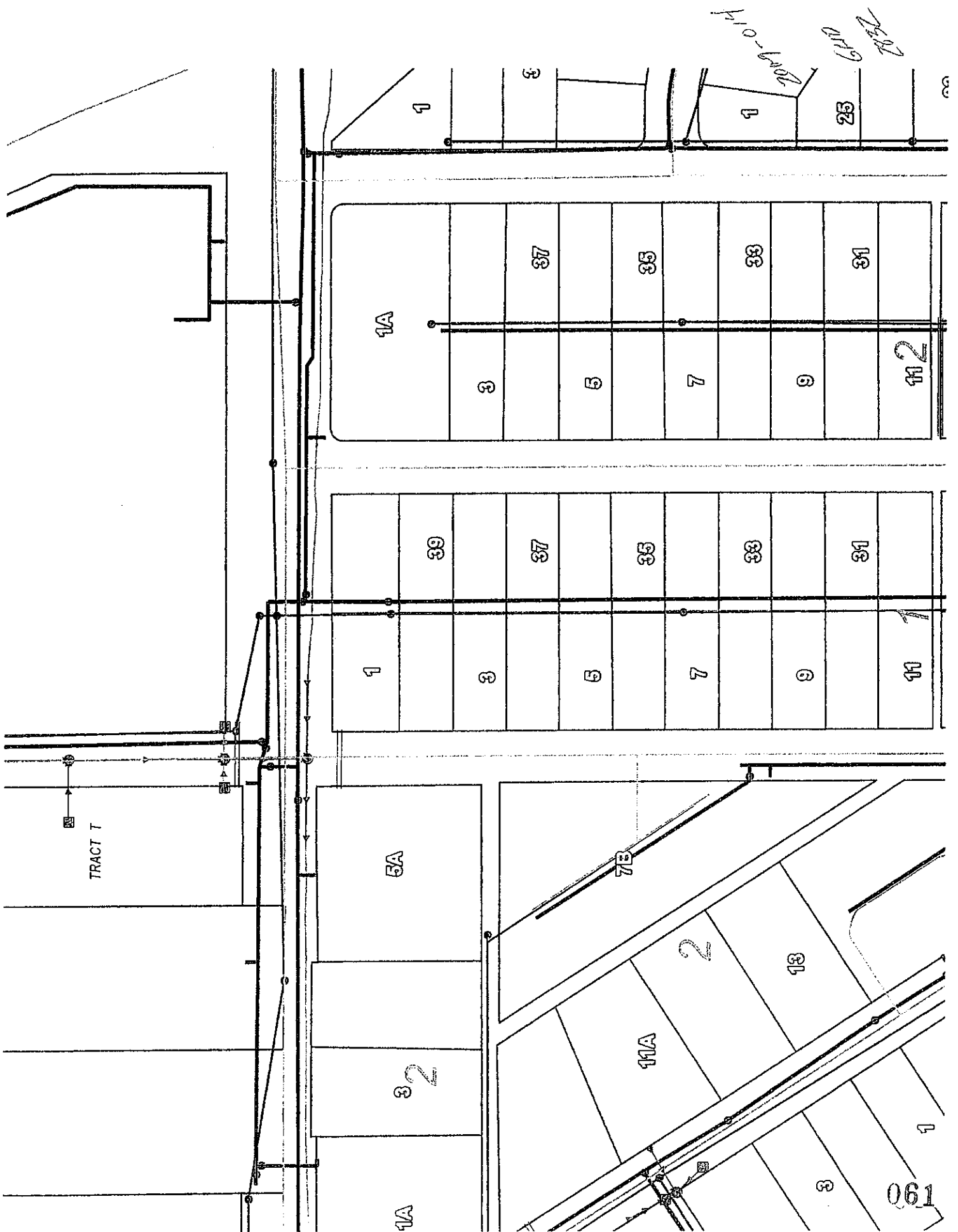
There are several existing roads and possibly utilities across these parcels accessing parcels beyond the subject lands. Documentation and platting action needs to be accomplished to ensure the existing accesses are protected with access agreements, access easements or rights of way dedication(s).  
Review time 15 minutes.

**09-014 Beacon Park, Block 1, Lots 1, 2, 3, 37, 38, 39, & 40, grid 2832  
(Rezoning Request, R-5 to B-3SL)**

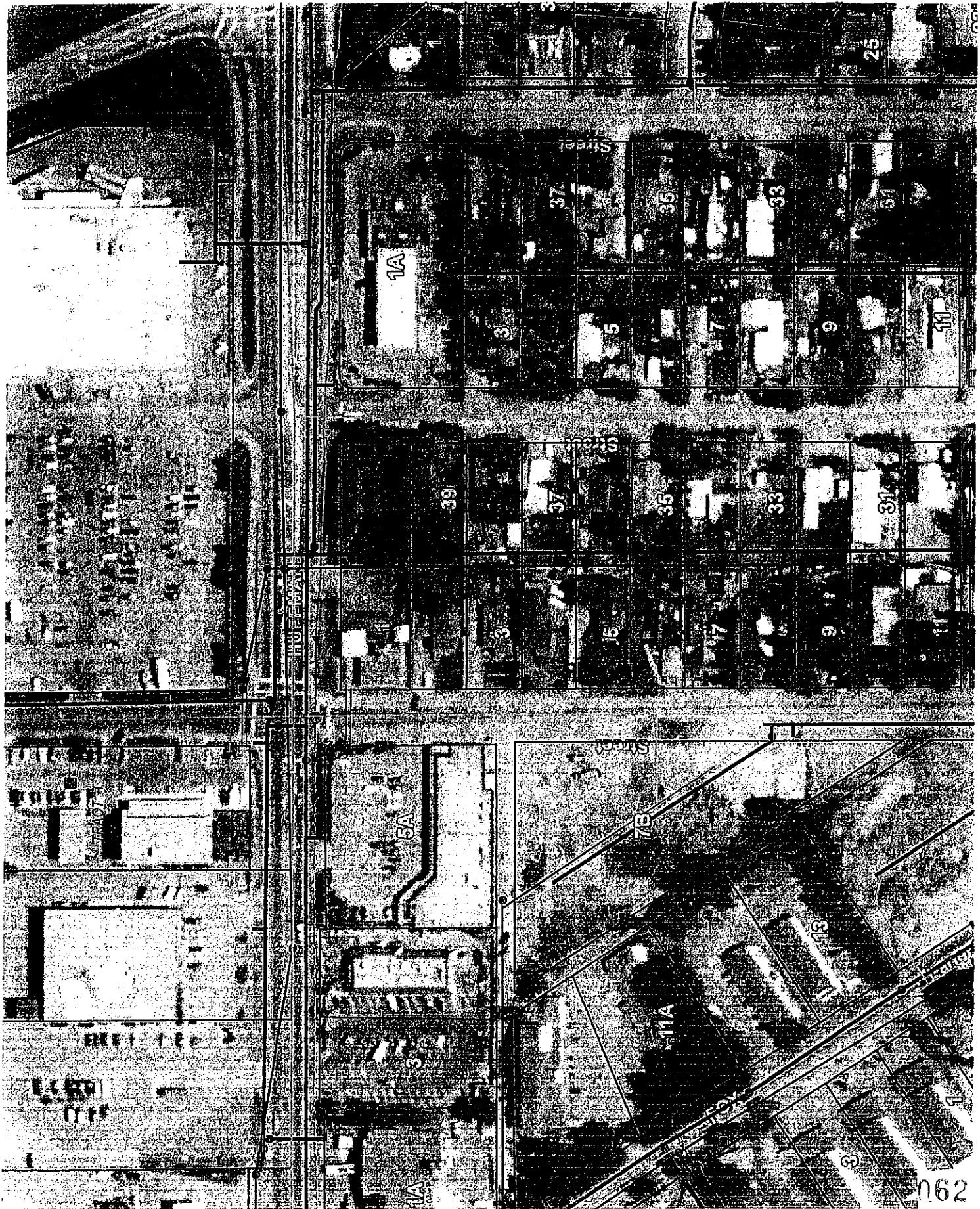
Resolve road improvements with the PME, Traffic, Fire, and Planning Departments. Adjust the design to accommodate the Huffman Road improvement project. The proposed building cannot be sited at the location depicted because it will be straddling the water and sewer mains in the existing 20' wide Utility Easement on the north-south common lot line. Resolve drainage design issues as there is no existing storm drainage system proximate to the building site. Redesign the site or resolve with AWWU relocation of the mains. The Zoning Map Amendment discussion does not address the mapped stream on the north parcel boundaries. Also no stream setback is shown on the drawings.  
Review time 30 minutes.

**09-016 Goldenview Gate Tracts, Tract 3, grid 3338  
(Conditional Use, Water Reservoir)**

Right of Way Division has no comments at this time.  
Review time 15 minutes.



2009-01-14  
2009-01-14



Fire Plan Review Comments:

RECEIVED

DEC 31 2008

City of Anchorage  
Zoning Division

S11597-2	East Addition	No Objection
S11719-1	Charles Smith Sub. #2	No Objection
2009-012	Ordinance amending title 21	No Comment
2009-013	Rezone to I-3, Eklutna power plant	No Objection
2009-014	Beacon Park	No Objection
2009-016	Goldenview Reservoir	No Objection
2009-017	Tudor Center SCF, Health Care Fac.	Comment

What is the height of the proposed building? Per IFC D104.1 buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.

2009-018	Alaska Village	No Objection
S11680-2	Creekview Estates	No Objection
S11717-1	Anchorage Townsite	No Objection
S11718-1	Bella Vista sub. Add. #2	No Comment
2009-015	East Northern Lights Sound Barrier	No Objection
2009-023	PAC	No Comment
2009-020	Arctic Valley ski club	No Objection
2009-021	Haxby Sub	No Objection
2009-022	Dimond Industrial	No Objection

Municipality Of Anchorage  
ANCHORAGE WATER & WASTEWATER UTILITY

MEMORANDUM

RECEIVED

JAN 08 2009

Municipality of Anchorage  
Zoning Division

DATE: December 26, 2008  
TO: Jerry Weaver, Zoning Division Administrator, Planning Department  
FROM: Paul Hatcher, Engineering Technician III, AWWU PAH  
SUBJECT: Zoning Case Comments  
Planning & Zoning Commission Hearing January 28, 2009  
Agency Comments due December 31, 2008

AWWU has reviewed the materials and has the following comments.

09-012 TITLE 21, An ordinance amending Title 21 code sections,

1. AWWU has no objection to this Title 21 amendment.

09-013 T16N R1E SEC 19 SE4 PORTION, Rezoning to I-3 industrial district, NE2001

1. AWWU water and sanitary sewer are currently not available to these parcels.
2. This property is currently outside AWWU's serviceable area.
3. AWWU requests that the AWWU Planning Department be involved in the upcoming design review and any construction projects that pertain to this project.
4. AWWU has no objection to the rezoning.

09-014 BEACON PARK BLK 1 LTS 1,2,3,37,38,39 & 40, Rezoning to B-3SL General business district with special limitations, SW2832

1. AWWU water mains located in Huffman Drive and easement running north to south between lots is currently available to these lots.
2. AWWU sanitary sewer main located in Huffman Drive and easement running north to south between lots is currently available to these lots.
3. AWWU requests that the AWWU Planning Department be involved in the upcoming design review and any construction projects that pertain to this project.
4. AWWU has no objection to the rezoning.



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



**MEMORANDUM**

**RECEIVED**

**DATE:** December 30, 2008  
**TO:** Jerry Weaver, Jr., Platting Officer, CPD  
**FROM:** Daniel Roth, Program Manager, On-Site Water and Wastewater Program  
**SUBJECT:** Comments on Cases due January 5, 2009

DEC 30 2008

Municipality of Anchorage  
Building Safety Division

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

2009 - 012 An ordinance amending Title 21 Code Sections

No objection

2009 - 013 Rezoning to I-3 Rural Industrial District

No objection

2009 - 014 Rezoning to B-3SL General Business District with special limitations

No objection

2009 - 016 Zoning conditional use for a water reservoir

No objection

2009 - 017 General land use planning issue a hospital

No objection

2009 - 018 Site plan review for an office/retail complex

No objection



## FLOOD HAZARD REVIEW SHEET

Date: 12/30/08

Case: 2009-014

Flood Hazard Zone: C

Map Number: 0360B

RECEIVED

DEC 9 1 2008

City of Anchorage  
Planning Department

- ☐ 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, CFM



**4**

# **POSTING AFFIDAVIT**

RECEIVED  
JAN 22 2009  
PLANNING DEPARTMENT



# AFFIDAVIT OF POSTING

CASE NUMBER: 2009-14

I, Debra Dahlstrom 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 re-zoning. The notice was posted on 1/9/09 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 12<sup>th</sup> day of January, 2009

Signature

## LEGAL DESCRIPTION

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

Block \_\_\_\_\_

Subdivision \_\_\_\_\_

# 5

## **Property and Related Case History**



# CERTIFICATE OF OWNERSHIP AND DEDICATION

I, James C. Allgood, hereby certify that I do hold the herein specified property interest in the property described in the plat of Beacon Park, Block 1, Subdivision of Beacon Park, Anchorage, Alaska, and hereby dedicate to the Municipality of Anchorage, Alaska, the property described in the plat of Beacon Park, Block 1, Subdivision of Beacon Park, Anchorage, Alaska, for the purpose of providing and maintaining the same for the use and enjoyment of the public.

Owner: Toppers Oil Corporation, Inc.  
1500 S. Delmar  
Tulsa, Oklahoma 74119

By: James C. Allgood  
James C. Allgood, V.P.

STATE OF OKLAHOMA }  
COUNTY OF TULSA }

Subscribed and sworn to before me this 26 day of August, 1988, by James C. Allgood, Vice President of Toppers Oil Corporation, Inc., an Alaska Corporation.

Notary Public in and for the State of Oklahoma, County of Tulsa  
Richard W. Williams  
Notary Public

My Commission Expires: July 3, 1990

REVISIONS: \_\_\_\_\_ DATE: \_\_\_\_\_ BY: \_\_\_\_\_

YICINITY MAP SCALE: N.T.S.

BEACON PARK  
LOT 1A, BLOCK 2

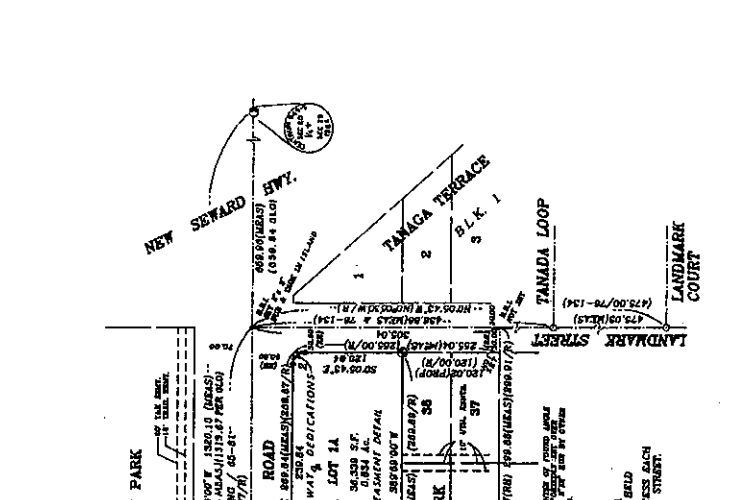
0.25 ACRE RESUBDIVISION OF LOTS 1, 2, 39 AND 40, BLOCK 2, OF ANCHORAGE PLAT 65-51, INCLUDING THE VACATION OF LOT 39, ASSESSOR'S MAP NO. 53173, ANCHORAGE RECORDING DISTRICT 29, T.12N, R.35W, S.M. AK.

ANCHORAGE ENGINEERS 4040 B STREET, ANCHORAGE, AK

Grid 2032 Scale 1" = 100' Date 8/19/88 Cont. No. S-8729

DRAWN SLM ACAD C-PRM 18232 W.D.M. 53173 DOWL PLOT NO.

Ref. Field Book 1002-40 114-06



NOTES:  
1. ALL MEASUREMENTS BEARING INTERSECTION (65-51/7) MEASUREMENT DATA FROM PLAT 65-51 BEING USED.  
2. ALL MEASUREMENTS BEARING INTERSECTION (65-51/7) MEASUREMENT DATA FROM PLAT 65-51 BEING USED.  
3. FOR HUFFMAN ROAD, MEASUREMENT AND BEARING INTERSECTION.

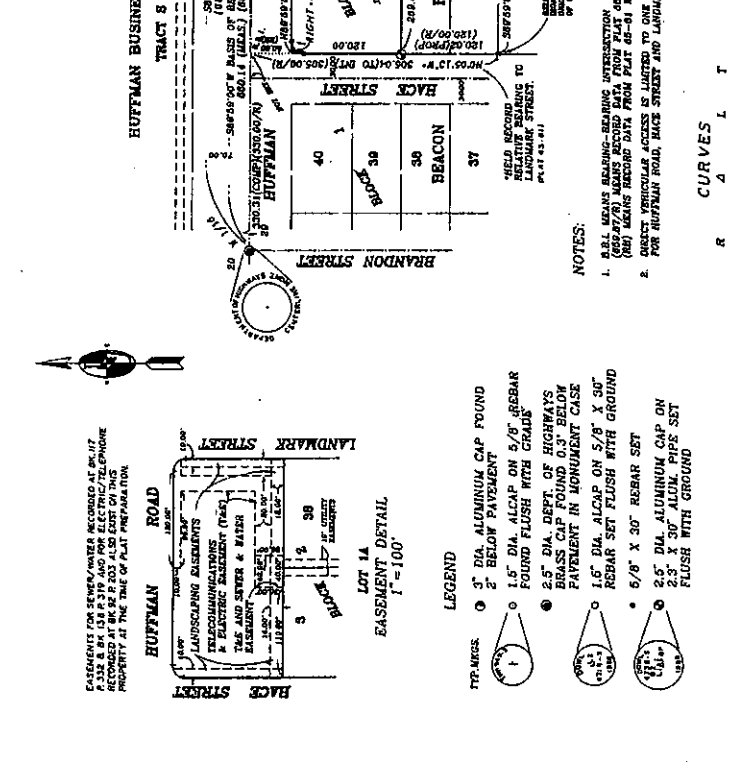
CURVES  
1 15.00 90°04'13" 23.38 15.02  
2 15.00 89°55'17" 23.54 14.96

ACCEPTANCE OF DEDICATION  
The Municipality of Anchorage hereby accepts the public use of the property described in the plat of Beacon Park, Block 1, Subdivision of Beacon Park, Anchorage, Alaska, for the purpose of providing and maintaining the same for the use and enjoyment of the public.

APPROVALS  
Signature: [Signature] Date: 8/19/88  
Planning Officer: [Signature]  
Municipal Surveyor: [Signature]

TAX CERTIFICATION  
All real property taxes levied by the Municipality of Anchorage on the property described in the plat of Beacon Park, Block 1, Subdivision of Beacon Park, Anchorage, Alaska, for the purpose of providing and maintaining the same for the use and enjoyment of the public, shall be paid by the owner of the property.

RECORDED - FILED 2006  
ANCHORAGE, AK DIST.  
DATE 12-6-88  
TIME 10:30 A.M.  
BY [Signature]



LEGEND  
TOP MARKS: 3" DIA ALUMINUM CAP FOUND  
2" BELOW PAVEMENT  
1.5" DIA ALUMINUM CAP FOUND  
FOUND FLUSH WITH GRADE  
2.5" DIA. DEPTH OF HIGHWAYS  
BEARS CAP FOUND 0.5' BELOW  
PAVEMENT IN MONUMENT CASE  
1.5" DIA. ALUMINUM CAP ON 5/8" X 30"  
REBAR SET FLUSH WITH GROUND  
6/8" X 30" REBAR SET  
2.5" DIA ALUMINUM CAP ON  
2.5" X 30" ALUM. PIPE SET  
FLUSH WITH GROUND

SURVEYOR'S CERTIFICATE  
I, Tyler J. Sweet, a duly Licensed Professional Land Surveyor, do hereby certify that the plat of Beacon Park, Block 1, Subdivision of Beacon Park, Anchorage, Alaska, for the purpose of providing and maintaining the same for the use and enjoyment of the public, was prepared by me or under my direct supervision and that I am a duly Licensed Professional Land Surveyor in the State of Alaska.

PLAT APPROVAL  
No subdivision agreement.  
Plat approved by the Municipal Planning Authority  
this 19 day of August, 1988.

Authorized Official: [Signature]

ANCHORAGE ENGINEERS 4040 B STREET, ANCHORAGE, AK

Grid 2032 Scale 1" = 100' Date 8/19/88 Cont. No. S-8729

DRAWN SLM ACAD C-PRM 18232 W.D.M. 53173 DOWL PLOT NO.

Ref. Field Book 1002-40 114-06

ANCHORAGE ENGINEERS 4040 B STREET, ANCHORAGE, AK

Grid 2032 Scale 1" = 100' Date 8/19/88 Cont. No. S-8729

DRAWN SLM ACAD C-PRM 18232 W.D.M. 53173 DOWL PLOT NO.

Ref. Field Book 1002-40 114-06

Submitted by: Chairman of the Assembly  
At the Request of the Mayor  
Prepared by: Department of Community Planning  
For reading: February 24, 1987

APPROVED

Date: 3-31-87

ANCHORAGE, ALASKA  
AO NO. 87-16

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING FROM R-5 (RURAL RESIDENTIAL DISTRICT) TO B-4 (RURAL BUSINESS DISTRICT) WITH SPECIAL LIMITATIONS FOR LOTS 1, 2, 39 AND 40 OF BLOCK 2, BEACON PARK SUBDIVISION (OLD SEWARD/OCEANVIEW BAYSHORE/KLATT COMMUNITY COUNCILS).

THE ANCHORAGE ASSEMBLY ORDAINS THAT:

Section 1. The zoning map shall be amended by designating the following described property as a B-4 (Rural Business District) with Special Limitations zone:

Lots 1, 2, 39 and 40 of Block 2, Beacon Park Subdivision as shown on the attached Exhibit A (Planning and Zoning Commission Case 86-068).

Section 2. This zoning map amendment is subject to the following special limitations regarding the uses of the property described in Section 1:

The following uses are permitted:

- A. All those uses listed under Section 21.40.140.
- B. Auxiliary self service gas pumps.

Section 3. This zoning map amendment is subject to the following special limitations establishing design standards for the property described in Section 1:

- A. Maximum structure height shall be limited to one story, 25 feet.
- B. Fifteen (15) foot wide transition buffer landscaping (per Section 21.45.125.C.2) shall be maintained adjacent to the southern boundary of the

~~Am 195-87~~  
Am 195-87

property. A ten (10) foot wide landscaped buffer (per Section 21.45.125.C.2) shall also be provided along Hace and Landmark Streets.

- C. Access shall be limited to one curb cut each onto Landmark Street, Hace Street, and Huffman Road.
- D. New development on the property shall be subject to a non-geobase public hearing site plan review. This shall include, but not be limited to, the following aspects:
  - 1. lighting;
  - 2. location of refuse containers;
  - 3. parking layout plan review;
  - 4. arterial landscaping;
  - 5. urban transition and buffer standards (21.45.200.D. & E.);
  - 6. building exterior and facade;
  - 7. fences and their location;
  - 8. signage;
  - 9. access.
- E. Prior to any new development on the property the petitioner shall work jointly with the State of Alaska Department of Transportation and Public Facilities and Municipal Traffic Engineering to determine the necessity for a raised traffic median along Huffman Road, extending past Hace Street. If extension of such a raised median along Huffman Road past Hace Street is determined necessary by a joint consensus of the above two government entities, the petitioner shall construct such median prior to submission of the above site plan review.

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 Limitation set forth in this ordinance shall apply in the same manner as if the district

Assembly Ordinance No.  
Zoning Map Amendment  
Page 3

classifications applied by this ordinance were not subject to special limitations.

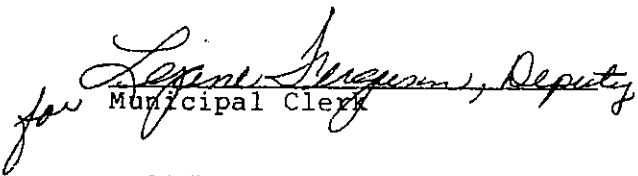
Section 5. The Director of Community Planning shall change the zoning map accordingly.

Section 6. This ordinance becomes effective upon the recordation of a plat combining the 4 lots described in Section 1 into one parcel.

PASSED AND APPROVED by the Anchorage Assembly this  
31st day of March, 1987.

  
Chairman

ATTEST:

  
for Lepine, Deputy  
Municipal Clerk

sml9/bao6

(86-068)  
(018-021-02, 03, 40 & 41)



## REZONING



# EXHIBIT A

**PLANNING & ZONING  
COMMISSION  
MEETING**

**February 2, 2009**

**Supplemental Information**

**G.2. Case 2009-014**

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

# Zoning and Platting Cases On-line

## View Case Comments

[Submit a Comment](#)

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

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

1. Select a Case: 2009-014

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JAN 26 2009

City of Anchorage  
Zoning Division

**Case Num:** 2009-014

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

**Location:** A request to rezone approximately 1.4 acres from R-5 (Rural Residential) to B-3 SL (General Business with Special Limitations). Beacon Park Subdivision, Block 1, Lots 1, 2, 3, 37, 38, 39 and 40 (Plat No. 65-81) all located within the NW1/4 of Section 29, T12N, R3W, S.M., Alaska. Generally located at the southeast corner of the Intersection of Huffman Road and Brandon Street.

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

## Public Comments

**1/26/09**

Janice & Brock Shamberg

PO Box 110295

Anchorage AK 99511-0295

We are writing in support of the applicant SE Grainger's in case #2009-014, rezoning to B-3SL General business district with special limitations. This is an appropriate land use and business use by an exceptional occupant. 1. The competition that Walgreens will bring back to our community is very important at this time in Anchorage's development. As you remember, Longs Drugs entered our market in 1977 and closed in mid 1995. Rite Aid sold the prescription files from its 4 Anchorage stores to Fred Meyer and closed in the spring of 1998. For ten years we have not had a national drugstore presence in Anchorage and never had one the Old Seward/Oceanview community before this. Since those closings we have been "a desert for national drugstore chains." (see Anchorage Daily News article by Elizabeth Bluemink published: May 30th, 2008) 2. The congestion of the Dimond Boulevard corridor will be lessened by providing additional shopping choices along Huffman Road. This application is consistent with existing businesses all along Huffman Road between the Old and New Seward highways. 3. The applicant's request is consistent with the Huffman Road reconstruction project that will begin soon. The Old Seward-Oceanview Community is being revitalized with significant road widening, roundabouts, bike paths and other improvements. This new first class business construction and landscaping is consistent with how the State is developing the area. Thank you for your time in reviewing this application. Your continued service and commitment to Anchorage is appreciated Brock & Janice Shamberg

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[View Comments](#)

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JAN 28 2009

2. View Comments:

Municipality of Anchorage  
Zoning Division

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## Public Comments

1/27/09

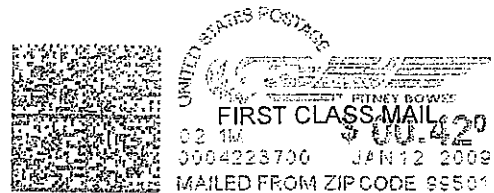
Bernadette Bradley

P.O. Box 111369

Anchorage AK 99511

Walgreens presented their plans to the Old Seward/Oceanview Community Council, November 12th of 2008. The presentation notice was distributed by going door to door to residences in the Brandon/Hace Road vicinity. The Walgreen owners were receptive to reasonable requests by the community and have been keeping the council informed of changes since the meeting. Those in attendance were asked to pass information on to their neighbors and forward further comments or concerns. None were received by the council. The council welcomes the addition of Walgreens to the neighborhood and appreciates their taking the time to keep us informed. It will be a much more attractive use for the land than multi-unit housing along Huffman. Bernadette Bradley, President, Old Seward/Oceanview Community Council

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



018-021-36-000  
SPRY VESTAL CARSON  
2000 W 36TH AVENUE  
ANCHORAGE, AK 99517

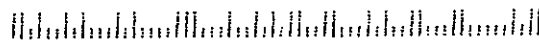
RECEIVED

JAN 29 2009

Municipality of Anchorage  
Zoning Division

## NOTICE OF PUBLIC HEARING - - Monday, February 02, 2009

Planning Dept Case Number ~~5567+2602009-014~~ 5567+2602009-014



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

CASE: 2009-014  
PETITIONER: S.E. Grainger Development Group, LLC  
REQUEST: Rezoning to B-3SL General business district with special limitations  
TOTAL AREA: 1.390 acres  
SITE ADDRESS:  
CURRENT ZONE: R-5 Rural residential district  
COM COUNCIL(S): 1---Old Seward-Oceanview

LEGAL/DETAILS: A request to rezone approximately 1.4 acres from R-5 (Rural Residential) to B-3 SL (General Business with Special Limitations). Beacon Park Subdivision, Block 1, Lots 1, 2, 3, 37, 38, 39 and 40 (Plat No. 65-81) all located within the NW1/4 of Section 29, T12N, R3W, S.M., Alaska. Generally located at the southeast corner of the intersection of Huffman Road and Brandon Street.

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30 p.m., Monday, February 02, 2009 in the Assembly Chambers of the Z. J. Loussac Library, 3600 Denali Street, Anchorage, Alaska.

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

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

Name: VESTAL CARSON SPRY

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

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

Comments: I "do not" approve of the Re-Zoning of

these 7 lots from R-5 to B-3SL

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# Zoning and Platting Cases On-line

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MAR 02 2009

Municipality of Anchorage  
Zoning Division

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

## 2. View Comments:

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

## Public Comments

**2/28/09**

kevin johnson  
12551 brandon st  
anch ak 99515

I do not agree with the Walgreens going in on Huffman road and brandon st. Since Haze st. and Landmark St. were blocked off a few yrs. ago, our traffic has doubled. We have a big problem with too fast of traffic coming down Brandon st, along with the people from Colonial Manor and Oceanview cutting through as a shortcut to Huffman Rd. We also have alot of foot & bike traffic on Brandon St. Brandon St. is just a chip seal road with no storm drains or sidewalks, I don't believe it is even as wide as the zoning says it should be.

080

# Zoning and Platting Cases On-line

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[View Comments](#)

FEB 27 2009

## 2. View Comments:

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

## Public Comments

**2/27/09**

Michele Shockley  
12540 Hace Street  
Anchorage AK 99515

I, too, look forward to Walgreens entering our market, and think it would be grand to have the store within walking distance (just a few houses down). But I am concerned regarding street traffic on Hace Street. We currently have a problem with 'fast' cars down our street. And how does this affect the proposed round-about that has been discussed but not approved (that I know of). I would not be adverse to closing the street off at Huffman, even though it would make me have to drive further to get home. I want to preserve the neighborhood feeling here. I do not know if this zoning case/project addresses increased traffic and how to deal with that flow. I was unable to attend the community meeting due to other commitments. If there is a way to view the ideas/concepts on-line, or if there is another way for me to find out about it let me know and I will educate myself further. To recap, my concern is with traffic flow, increased traffic, keeping Hace Street a neighborhood street and how this affects the proposed round-about that is tentatively planned. I would appreciate being advised of the hearing date. Thanks

**1/27/09**

Bernadette Bradley  
P.O. Box 111369  
Anchorage AK 99511

Walgreens presented their plans to the Old Seward/Oceanview Community Council, November 12th of 2008. The presentation notice was distributed by going door to door to residences in the Brandon/Hace Road vicinity. The

081

Walgreen owners were receptive to reasonable requests by the community and have been keeping the council informed of changes since the meeting. Those in attendance were asked to pass information on to their neighbors and forward further comments or concerns. None were received by the council. The council welcomes the addition of Walgreens to the neighborhood and appreciates their taking the time to keep us informed. It will be a much more attractive use for the land than multi-unit housing along Huffman. Bernadette Bradley, President, Old Seward/Oceanview Community Council

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082



**Content ID:** 007489**Type:** Ordinance - AO

AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING FROM R-5 (RURAL RESIDENTIAL DISTRICT) TO B-3 SL (GENERAL BUSINESS DISTRICT) WITH SPECIAL

**Title:** LIMITATIONS FOR BEACON PARK SUBDIVISION, BLOCK 1, LOTS 1, 2, 3, 37, 38, 39 and 40 (PLAT 65-81), CONTAINING APPROXIMATELY 1.4 ACRES, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF HUFFMAN ROAD AND BRANDON STREET.

**Author:** weaverjt**Initiating Dept:** Planning**Date Prepared:** 3/4/09 9:05 AM**Director Name:** Tom Nelson**Assembly Meeting Date:** 3/24/09**Public Hearing Date:** 4/14/09

<b>Workflow Name</b>	<b>Action Date</b>	<b>Action</b>	<b>User</b>	<b>Security Group</b>	<b>Content ID</b>
Clerk_Admin_SubWorkflow	3/12/09 3:19 PM	Exit	Joy Maglaqui	Public	007489
MuniMgrCoord_SubWorkflow	3/12/09 3:19 PM	Approve	Joy Maglaqui	Public	007489
MuniManager_SubWorkflow	3/12/09 9:38 AM	Approve	Michael Abbott	Public	007489
Legal_SubWorkflow	3/9/09 1:14 PM	Approve	Dean Gates	Public	007489
Finance_SubWorkflow	3/6/09 4:35 PM	Approve	Sharon Weddleton	Public	007489
OMB_SubWorkflow	3/6/09 4:10 PM	Approve	Wanda Phillips	Public	007489
ECD_SubWorkflow	3/4/09 3:19 PM	Approve	Tawny Klebesadel	Public	007489
Planning_SubWorkflow	3/4/09 2:51 PM	Approve	Jerry Weaver Jr.	Public	007489
AllOrdinanceWorkflow	3/4/09 2:47 PM	Checkin	Jerry Weaver Jr.	Public	007489
OMB_SubWorkflow	3/4/09 2:29 PM	Reject	Wanda Phillips	Public	007489
ECD_SubWorkflow	3/4/09 11:55 AM	Approve	Tawny Klebesadel	Public	007489
Planning_SubWorkflow	3/4/09 9:50 AM	Approve	Jerry Weaver Jr.	Public	007489
AllOrdinanceWorkflow	3/4/09 9:48 AM	Checkin	Jerry Weaver Jr.	Public	007489