

**NOTE**

Send original recorded document to:

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

THIS COVER SHEET HAS BEEN ADDED TO THIS DOCUMENT TO PROVIDE SPACE FOR ANCHORAGE RECORDING DISTRICT DATA. THIS COVER SHEET APPEARS AS THE FIRST PAGE OF THE DOCUMENT IN THE OFFICIAL PUBLIC RECORD.

DO NOT DETACH

NOTICE OF ZONING ACTION

This notice announces that a conditional use for a Planned Unit Development with variances has been duly approved by the Planning and Zoning Commission of the Municipal Planning Department providing for the development of the herein described property in accordance with the provisions of the Anchorage Municipal Code of Ordinances and the terms and conditions of the conditional use approval as set forth in the Municipal zoning file 2022-0034. Under the provisions of the specified ordinance the subsequent development of the subject property shall be in accordance with the terms of the approved conditional use or any subsequent amendments hereto.

LEGAL: Tract A2, Checkpoint Subdivision (Plat 2018-39), S.M., Anchorage Recording District, Anchorage, Alaska. Generally located south of Whisperwood Park Drive, west of Shageluk Street, north of Honeysuckle Avenue and east of Newell Street

PETITIONER: Spinell Homes, Inc.

REQUEST: Conditional Use for a Residential Planned Unit Development per AMC 21.07.115B with variances to provide relief from specific PUD requirements to include open space, building spacing, site perimeter landscaping requirements and variance from AMC 21.07.060E.2. to install sidewalks on one side of the street.

ATTACHMENT: Copy of the Municipality of Anchorage, Planning and Zoning Commission Resolution No. 2022-023

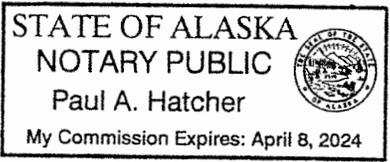


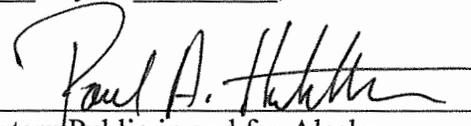
Director
Municipality of Anchorage
Planning Department

STATE OF ALASKA)
)
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the 5th day of OCTOBER 2022 before me, the undersigned, a Notary Public in and for Alaska, personally appeared Dave Whitfield, to me known to be the duly appointed representative of the Director of the Planning Department and acknowledged to me that he had in his official capacity aforesaid executed the forgoing instrument as an act and deed of the Municipality of Anchorage for the uses and purposes therein stated.

WITNESS my hand and notarial seal on the 5th day of OCTOBER, 2022 in this certificate first above written.





Notary Public in and for Alaska
My Commission expires: 4-8-2024

**MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2022-023**

A RESOLUTION APPROVING A CONDITIONAL USE FOR A PLANNED UNIT DEVELOPMENT WITH VARIANCES IN THE R-3 (MIXED RESIDENTIAL) DISTRICT; WITHIN CHECKPOINT SUBDIVISION, TRACT A2 PER PLAT 2018-39; GENERALLY LOCATED NORTH OF EAST 6TH AVENUE, EAST OF THE NEWELL STREET RIGHT-OF-WAY ALIGNMENT, SOUTH OF WHISPERWOOD PARK DRIVE, AND WEST OF SHAGELUK STREET, IN ANCHORAGE.

(Case 2022-0034; Tax ID. No. 006-421-41)

WHEREAS, a request has been received from Spinell Homes to approve a conditional use for a planned unit development and variances; generally located north of east 6th Avenue, east of the Newell Street right-of-way alignment, south of Whisperwood Park Drive, and west of Shageluk Street, in Anchorage; and

WHEREAS, a public hearing was held before the Municipal Planning and Zoning Commission on July 11, 2022.

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

- A. The Commission makes the following findings of fact:
1. This application meets the approval criteria required by AMC 21.03.080D. for conditional use approval. The proposed development complies with General Land Use Policy 7 and Residential Policy 14 of *Anchorage 2020* and Policy 4.3 of the *Anchorage 2040 Land Use Plan*.
 2. The approval criteria for a residential planned unit development are met as required by AMC 21.07.110H. Also, the variance approval criteria are met, in accordance with AMC 21.03.240, for the zoning variances.
 3. Some of the requirements of a residential planned unit development are designed for multifamily developments and those do not apply and do not fit in the same way for development of this nature.
 4. The site plan provides open space for the enjoyment of the residents.
 5. The Commission supports a prohibition on parking next to the sidewalk because it will have a rolled curb and a member of the public testified that vehicles drive up onto the sidewalk to park.



- B. The Commission APPROVES the conditional use for a residential planned unit development, subject to the following:
1. The Commission approves the variances from AMC 21.07.060E.2.b., *Sidewalk*, to allow Takotna Street to have a sidewalk on only one side.
 2. The Department recommends APPROVAL of the variance from AMC 21.07.110H.2.b., *Open Space*, to allow individual yards to count as open space.
 3. The Department recommends APPROVAL of the variance from AMC 21.07.110H.2.c.iii., *Design*, to allow a reduction in landscaping along the west lot boundary adjoining the Newell Street right-of-way from L2 buffer landscaping to one tree per lot.
 4. The Department recommends APPROVAL of the variance from AMC 21.07.110H.2.c.iv., *Design*, to allow a reduction in landscaping around the perimeter of the site.
 5. The Department recommends APPROVAL of the variance from AMC 21.07.110H.2.c.v., *Design*, to allow building to be separated by a minimum of ten feet.
 6. The Department recommends APPROVAL of the conditional use for a residential planned unit development, subject to the following condition:
 - a. This approval is subject to all standards for a residential planned unit development in AMC Title 21, the petitioner's application, narrative, submittals, and the plans on file at the Planning Department.
 - b. A notice of zoning action and a final approved site plan shall be filed with the State Recorder's Office. Proof of such shall be submitted to the Planning Department.
 - c. Parking is not allowed on the side of the street encompassing the sidewalk.



PASSED AND APPROVED by the Municipal Planning and Zoning Commission
this 11th day of July, 2022.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this
8th day of August, 2022. This written decision/resolution of the Planning and Zoning
Commission is final and any party may appeal it within twenty (20) days to the Board
of Adjustment pursuant to Anchorage Municipal Code 21.03.050A.



Craig H. Lyon
Secretary



Jared Gardner
Chair

(Case 2022-0034; Tax ID. No. 006-421-41)

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