

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 10-25-05

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Planning Department
For reading: September 27, 2005

Anchorage, Alaska
No. AO 2005-131

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AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 2.75 ACRES, FROM R-2M (MULTIPLE FAMILY RESIDENTIAL DISTRICT) AND R-O SL (RESIDENTIAL OFFICE DISTRICT WITH SPECIAL LIMITATIONS) TO R-O (RESIDENTIAL OFFICE DISTRICT), FOR O'BRIEN SUBDIVISION, BLOCK 6, LOTS 1, 2, 3, 4 AND 9; GENERALLY LOCATED ON THE WEST SIDE OF LAKE OTIS PARKWAY, BETWEEN 74TH AVENUE AND LORE ROAD.

(Abbott Loop Community Council) (Planning and Zoning Commission Case 2005-063)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The zoning map shall be amended by designating the following described property as R-O (Residential Office District):

O'Brien Subdivision, Block 6, Lots 1, 2, 3, 4 and 9, containing approximately 2.75 acres, as shown on Exhibit A.

Section 2. This zoning map amendment is subject to the following effective clause:

A. This rezoning shall ~~not~~ become effective **immediately. Upon redevelopment.** ~~until~~ the access and driveways for the petition site have **to be been** resolved with the Traffic Department.

Section 3. This ordinance shall become effective within 10 days after the Director of the Planning Department has received the written consent of the owners of the property within the area described in Section 1 above to the special limitations contained herein. The rezone approval contained herein shall automatically expire, and be null and void if the written consent is not received within 120 days after the date on which this ordinance is passed and approved. In the event no special limitations are contained herein, this ordinance is effective immediately upon passage and approval. The Director of the Planning Department shall change the zoning map accordingly.

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PASSED AND APPROVED by the Anchorage Assembly this 25th
day of October 2005.

ATTEST:

Anna L. Fairclough
Chair

Ronnie S. Duenkel
Municipal Clerk

(Tax Identification 014-131-07 through 10 and 014-131-15)

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2005- 131

Title: Planning and Zoning Commission recommendation of approval for a rezoning from R-2M (Multiple Family Residential District) and R-O SL (Residential Office District with Special Limitations) to R-O (Residential Office District) for O'Brien Subdivision, Block 6, Lots 1, 2, 3, 4 and 9; Case 2005-063.

Sponsor:

Preparing Agency: Planning Department

Others Impacted:

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

	FY05	FY06	FY07	FY08
Operating Expenditures				
1000 Personal Services				
2000 Non-Labor				
3900 Contributions				
4000 Debt Service				
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -
Add: 6000 Charges from Others				
Less: 7000 Charges to Others				
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -

REVENUES:

CAPITAL:

POSITIONS: FT/PT and Temp

PUBLIC SECTOR ECONOMIC EFFECTS:

Approval of the rezoning should have no significant economic impact on the public sector.
 Property Appraisal Notes: The rezone would increase the valuation of the split lot zoned property. R-O zoning in a high traffic area such as the subject site typically values higher than a R2-M zoning.

PRIVATE SECTOR ECONOMIC EFFECTS:

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

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

Validated by OMB: _____ Date: _____

Approved by: _____ Date: _____
 (Director, Preparing Agency)

Concurred by: _____ Date: _____
 (Director, Impacted Agency)

Approved by: _____ Date: _____
 (Municipal Manager)



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM 688 -2005

Meeting Date: September 27, 2005

From: Mayor

Subject: Planning and Zoning Commission recommendation of approval for a rezoning from R-2M (Multiple Family Residential District) and R-O SL (Residential Office District with Special Limitations) to R-O (Residential Office District) for O'Brien Subdivision, Block 6, Lots 1, 2, 3, 4 and 9.

1 The applicant is seeking a rezone to R-O for two reasons. First, to relax the special
2 limitations for the R-O SL zoned lots and the east half of Lot 9. Principally, these
3 limitations restrict development to medical office buildings, single and two-family
4 dwellings with a maximum density of one duplex per lot or tract. The special
5 limitations also require a site plan review prior to any development. The petitioner
6 wishes to allow those uses normally permitted within the R-O district and remove the
7 review and design requirements. The second reason is to resolve the split-lot zoning on
8 Lot 9 by removing the special limitations and rezoning the entire lot to R-O. Split lot
9 zoning creates inherent complications with building construction for the applicant and
10 the Municipality.

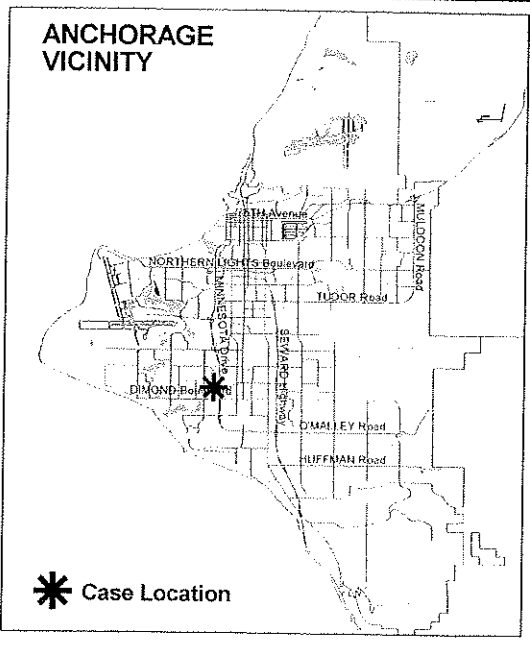
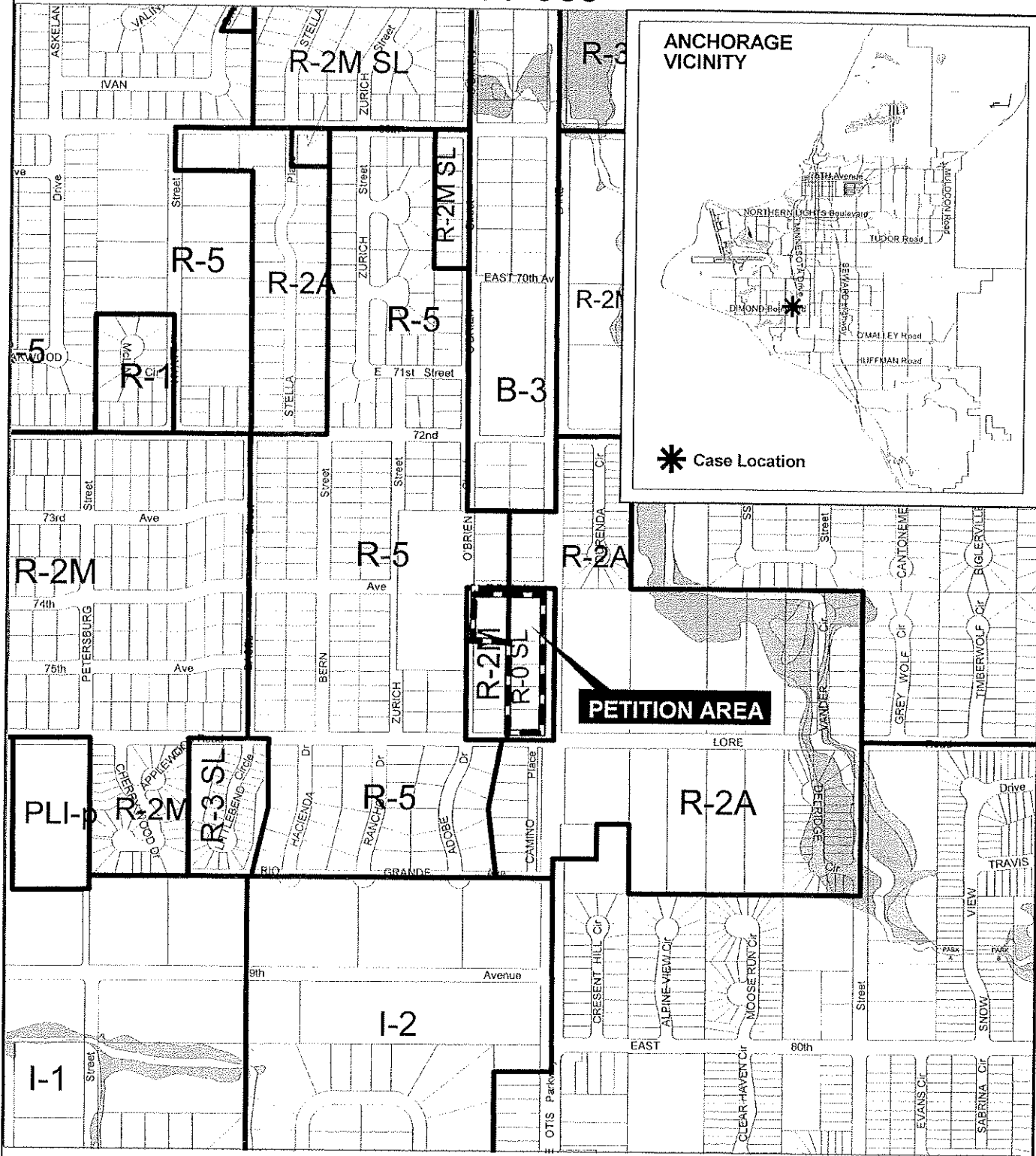
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12 The petitioners did not submit any plans for redevelopment. The five lots are owned by
13 four different entities. All of the lots have improvements, and have an office use
14 component to the residential use. The Traffic Department had no objection to the
15 rezone, but does have concerns about access to/from the site onto Lake Otis Parkway.
16 The Traffic Department would prefer some type of joint access from the lots to either
17 74th Avenue, or Lore Road to reduce traffic conflicts.

18
19 The Planning and Zoning Commission voted unanimously, six ayes, no nays, to
20 recommend approval of the R-O zoning with an effective clause to resolve access and
21 driveways with the Traffic Department. The Commission found that the rezoning met
22 the standards of the *Anchorage 2020 Anchorage Bowl Comprehensive Plan* and AMC
23 21.20.090, the rezoning standards. The Commission determined further that the split
24 zoning presents a myriad of difficulties with Lot 9, and that it is preferable to remove
25 special limitations when it is appropriate to do so and it is appropriate in this case.

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




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

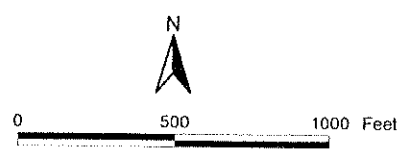
EXHIBIT A REZONE 2005-063



PETITION AREA

Municipality of Anchorage
Planning Department

- Flood Limits
-  100 Year Floodplain
 -  500 Year Floodplain
 -  Floodway



Date: August 10, 2005

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2005-030

A RESOLUTION APPROVING A REZONING FROM R-2M SL (MULTIPLE FAMILY RESIDENTIAL DISTRICT WITH SPECIAL LIMITATIONS) AND R-O SL (RESIDENTIAL OFFICE DISTRICT WITH SPECIAL LIMITATIONS) TO R-O (RESIDENTIAL OFFICE DISTRICT) FOR O'BRIEN SUBDIVISION, BLOCK 6, LOTS 1, 2, 3, 4 AND 9, GENERALLY LOCATED ON THE WEST SIDE OF LAKE OTIS PARKWAY, BETWEEN 74TH AVENUE AND LORE ROAD.

(Case 2005-063, Tax I.D. No. 014-131-07 through 10 and 014-131-15)

WHEREAS, a request has been received from Todd Lindfors to rezone approximately 2.75 acres from R-2M SL (Multiple Family Residential District with Special Limitations) and R-O SL (Residential Office District with Special Limitations) to R-O (Residential Office District) for O'Brien Subdivision, Block 6, Lots 1, 2, 3, 4 and 9, generally located on the west side of Lake Otis Parkway, between 74th Avenue and Lore Road, and

WHEREAS, notices were published, posted and 119 public hearing notices were mailed and a public hearing was held on June 6, 2005.

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

A. The Commission makes the following findings of fact:

1. The subject property was platted in 1953 and rezoned several times. The property was first zoned through the Areawide rezonings to R-5 in 1973, rezoned to R-2M in 1984, and all but the west half of Lot 9 was rezoned to R-O SL in 1986. The site is developed with single family houses, one duplex, of which some are used also as offices. The petition site consists of the east half of Block 6, O'Brien Subdivision, which is all zoned R-O SL. The request is also for the west half of Lot 9, Block 6, which is double the size of the other lots, and is split-lot zoned R-O SL and R-2M. The west half of Block 6 is zoned R-2M. In 1984, only the east half of the block was rezoned to R-O SL from R-2M, creating the split lot zoning of Lot 9.
2. The petition site is generally level, and fronts onto Lake Otis Parkway to the east, Lore Road to the south, and 74th Avenue to the north. Lake Otis is a Class III Divided Major Arterial in the *Official Streets and Highways Plan*. It is also designated as a Transit-Supportive Development Corridor in *Anchorage 2020, Anchorage Bowl Comprehensive Plan*. Neither Lore Road nor 74th Avenue is classified in this location.
3. The applicant is seeking a rezone to R-O for two reasons. First, to relax the special limitations for the R-O SL zoned lots and east half of Lot 9. Principally, these restrict development to medical office buildings, single and two family dwellings, with a maximum density of one duplex per lot or tract. The special limitations also require site plan review prior to any development. The petitioner wishes to allow those uses normally permitted within the R-O district and remove the review and design requirements. The second reason is

to resolve the split lot zoning on Lot 9 by removing the special limitations and rezoning the whole lot to R-O. Split lot zoning creates strong complications in construction and enforcement problems for the Municipality. The major complications are regarding determination of exact locations of a use. With a small lot such as this, there are complications as well with determination of landscaping requirements, locations and designs of parking, and frequently the loss of use of the lower intensity or even higher intensity zoned portion of the lot due to use conflicts in the Municipal Code.

4. There are no plans for redevelopment submitted by the petitioner. The five lots are owned by four different entities. All of the lots are constructed, but the majority have an office use component to the residential use. Future use of an office in any of the residences is constrained by the heavy restriction of office use to primarily only a medical office.
 5. The Traffic Department had concerns about access to/from the site onto Lake Otis. Access concerns are valid whether the property is rezoned or not. The Department recommended to the Commission that before a rezoning becomes effective, access to the site and each of the lots needs to be resolved with the Traffic Department, as they would strongly prefer some type of joint access from the lots to either 74th Avenue or Lore Road to reduce traffic conflicts. The petitioner discussed at the hearing that they had spoken with the Traffic Department, and that it appeared that a resolution could occur soon, with some shared driveway capability.
 6. The Commission finds that this request conforms to the Anchorage 2020 Comprehensive Plan. The Commission further noted that the split zoning presents a myriad of difficulties with Lot 9, and also that it is preferable to remove special limitations when it is appropriate to do so and it is appropriate in this case.
 7. A Commission comment was that it was difficult to analyze whether or not this is a spot zoning in terms of the timing of development and the impact on surrounding properties, and it is also not possible to determine whether this rezoning increases the intensity of development. The Commission noted that the request opens uses beyond home occupations, but Staff indicates higher intensity business uses would be unlikely due to the size of the lots. It was further noted by Commission comment that it is not possible to determine whether this increases or decreases residential density and the Comprehensive Plan requires that residential density be retained.
 8. The Commission finds it supports this action based on the fact that it eliminates split lot zoning.
 9. The Commission recommended approval of the above captioned request by a vote of 6-aye, 0-nay.
- B. The Commission recommends the above rezoning be APPROVED by the Anchorage Assembly subject to the following effective clause:

1. This rezoning shall not become effective until the access and driveways for the petition site has been resolved with the Traffic Department.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 6th day of June 2005.



Tom Nelson
Secretary



Don Poulton
Chair

(2005-063)
(014-131-07 through 10 and 014-131-15)

that it is out of the scope of the original project, but that should not be a precedent for not putting sidewalks wherever possible this close to the U/Med District.

AYE: Pease, Gibbons, Poulton, Simonian, Wielechowski, Isham
NAY: None

PASSED

Case 2005-085

COMMISSIONER PEASE had a question about the proposed relocation of the fence to between the landscaping and the street. She asked if this location is common and necessary. She believed the latest version of the proposal locates the fence adjacent to the street. MS. CHAMBERS indicated that the intent of that fence location is to allow upkeep of landscaping. The Department has no concern with this proposal.

COMMISSIONER PEASE moved for approval of case 2005-085 subject to Staff conditions 1 and 2. COMMISSIONER ISHAM seconded.

COMMISSIONER PEASE stated that it appears this is a minor change to a project that has already been thoroughly reviewed.

AYE: Pease, Gibbons, Poulton, Simonian, Wielechowski, Isham
NAY: None

PASSED

E. UNFINISHED BUSINESS AND ACTIONS ON PUBLIC HEARINGS –
None

F. REGULAR AGENDA - None

G. PUBLIC HEARINGS

1. **2005-063** Todd Lindfors. A request to rezone approximately 2.75 acres from R-O SL (Residential Office with Special Limitations) and R-2M (Multiple Family Residential) to R-O (Residential Office). O'Brien Subdivision, Block 6, Lots 1, 2, 3, 4, and 9. Located at 7746, 7506, 7520, 7536, and 7406 Lake Otis Parkway.

Staff member ANGELA CHAMBERS stated 119 public hearing notices had been mailed, 1 was received against the request and 1 comment was received expressing confusion with the mapping, but the notices were determined to be accurate. The subject property was platted in 1953 and has been rezoned several times. The entire east side of the block was rezoned to R-O SL and the west half has remained R-2M. Lot 9 is split zoned R-O SL and R2M. The reasons for the rezone are to relax the special limitation for the R-O zoned lots on the east side. The special limitations restrict development to medical office buildings and single and two family dwellings with a maximum density of one duplex per lot or tract. The special limitations also require site plan review prior to any development. The petitioner wants to allow the uses normally permitted in the R-O district and remove the review requirements. The other office uses allowed in the R-O district that are prohibited by the special limitation would have no greater impact upon the area. The other reason for the rezone is to resolve the split lot zoning on Lot 9 by removing the special limitations and rezoning the entire lot to R-O. Split lot zoning creates issues with respect to construction and enforcement. The Municipality typically advises that the owner of a split lot zoned parcel develop to the less intense district out of concerns for parking requirements, etc.; this amounts to a loss of use. The five lots are owned by four entities; there are no development plans. The Traffic Department wanted to reduce the number of driveways onto Lake Otis because they thought the property was being redeveloped, but they now think this issue should be addressed at the time of platting or issuance of new permits. The Department finds that the request complies with the code and the Comprehensive Plan and should be approved.

COMMISSIONER WIELECHOWSKI noted that the Traffic Department states "special limitations must include restricting direct vehicular access to Lake Otis." He asked why this should not be included in the special limitations. MS. CHAMBERS explained she spoke with the Traffic Department and the two individuals in charge of driveway accesses. Each lot is currently developed with a single-family home or a duplex with some office use; each lot has a driveway onto Lake Otis. Several owners are involved in this action and there are no plans for redevelopment; the intent of the rezoning is to allow the uses in the R-O district. Because the property is not going to be combined into a single lot, it is difficult to restrict driveway access. The Traffic Department has recommended an effective clause to resolve access and driveways for the petition site with the Traffic Department. They believe individual driveways will be permitted but hope to reduced the number of driveways. Through platting, an alternate access route would be developed.

COMMISSIONER PEASE asked if this rezoning decreases residential density. She asked whether, given that there is no other R-O zoning in this area, this is potentially a spot zoning. MS. CHAMBERS stated that in 1986 when this property was rezoned that action could have been seen as a spot zoning. The Assembly determined this zoning was appropriate for this area in this location. The property is currently zoned R-O SL and there is a small portion zoned R-2M. The rezoning is not truly a rezoning; it is allowing the uses in the R-O district. She thought that removing the special limitations is more of a benefit to the community. The lots are narrow and, even if they were combined into one lot, they are not deep enough to create a true R-O use. She did not foresee redevelopment on any of these lots in the near future, but noted that Lot 9 could accommodate a larger building. This action is not causing a loss of residential use; many of the uses are offices at this time. Removing the special limitation is moving away from a spot zoning situation and also opens the opportunity for higher density because it is easier, due to parking requirements, to build multi-family housing on this size of lot than to build a commercial structure, which has a greater parking requirement. COMMISSIONER PEASE noted there are no proposed developments on the property and R-O development is unlikely, and she was uncertain what is the benefit of the rezone. MS. CHAMBERS replied that the benefit of the rezone is that it allows additional office uses that are larger than a home occupation. Technically, all the lots could be bought and redeveloped.

The public hearing was opened.

DANIEL BOLLES, representing the owner of Lot 1 and Lot 3 and the other lot owners involved in the petition, cited the aerial photograph on page 42 of the packet. Starting at the intersection of Lore Road and Lake Otis Parkway and moving north, the properties involved in this petition include a duplex with a real estate office, a residential building, a residential building with a detached garage, a duplex and with an accounting office, and on Lot 9 is a single-family residence with two detached structures to the rear of the lot. The pre-existing businesses have, through Code Enforcement cases, come into compliance with the requirements for a home occupations. The proposed rezone meets the intent of the Comprehensive Plan to upgrade uses along a transit corridor and to would allow both business and residential uses. There are no plans to redevelop Lot 9, but leaving it split zoned would impede future development, whenever that might occur. MR. BOLLES stated he has spoken with the Traffic Department, which would like a single curb cut rather than the two curb cuts between Lot 9 and Lot 1. If and when the properties are further developed, accesses can be further reduced.

MS. CHAMBERS suggested retaining the effective clause so there is confirmation from the Traffic Department what they want with respect to the driveways. MR. BOLLES indicated he had no objection to this suggestion.

The public hearing was closed.

COMMISSIONER GIBBONS moved for approval of the rezone subject to the effective clause recommended by Staff.

COMMISSIONER ISHAM seconded.

COMMISSIONER GIBBONS supported this rezoning, finding that it conforms to the Anchorage 2020 Comprehensive Plan. He noted that the split zoning presents a myriad of difficulties with Lot 9. It is preferable to remove special limitations when it is appropriate to do so and it is appropriate in this case.

COMMISSIONER PEASE thought this case was confusing. She felt it was difficult to analyze whether or not this is a spot zoning in terms of the timing of development and the impact on surrounding properties. It is also not possible to determine whether this rezoning increases the intensity of development. It opens uses beyond home occupations, but Staff indicates higher intensity business uses would be unlikely due to the size of the lots. She supported the action based on the fact that it eliminates split lot zoning, but reiterated that it is not possible to determine whether this increases or decreases residential density and the Comprehensive Plan requires that residential density be retained.

AYE: Isham, Pease, Gibbons, Poulton, Simonian, Wielechowski

NAY: None

PASSED

- 2. 2005-062** Ersin Aygun. A request to rezone approximately 1.0 acres from R-3SL (Multiple Family Residential with Special Limitations) to B-3SL (General Business). Boettcher Subdivision, Tract 2. Located at 4227 Spenard Road.

Staff member MARY AUTOR stated 81 public hearing notices had been mailed, 3 were returned undelivered, a letter was received from the Spenard Community Council in opposition, and 12 letters were received in support. The special limitations are with regard to landscaping and an administrative site plan review. This is a rather irregularly-shaped parcel that is landlocked between a smaller tract that is zoned B-3 that fronts onto Spenard Road and a larger rectangular-shaped lot to the south that

**PLANNING DEPARTMENT
PLANNING STAFF ANALYSIS
REZONING**

G.1.

DATE: June 6, 2005

CASE NO.: 2005-063

APPLICANT: Todd Lindfors

REPRESENTATIVE: Daniel Bolles

REQUEST: A request to rezone approximately 2.75 acres from R-O SL (Residential Office District with Special Limitations, AO 86-88) and R-2M SL (Multiple Family Residential District) to R-O (Residential Office District)

LOCATION: O'Brien Subdivision, Block 6, Lots 1-4 and Lot 9

SITE ADDRESS: 7446, 7506, 7520, 7536, and 7406 Lake Otis Parkway

COMMUNITY COUNCIL: Abbott Loop

TAX NUMBER: 014-131-07 through 10 and 014-131-15/
Grid 2133

ATTACHMENTS:

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

SITE:

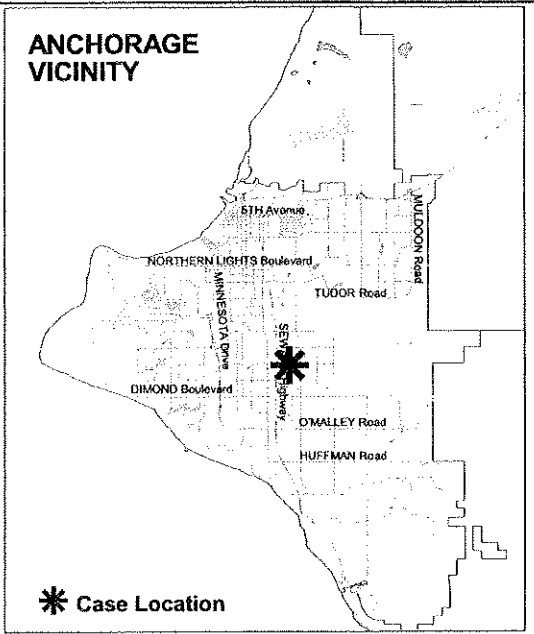
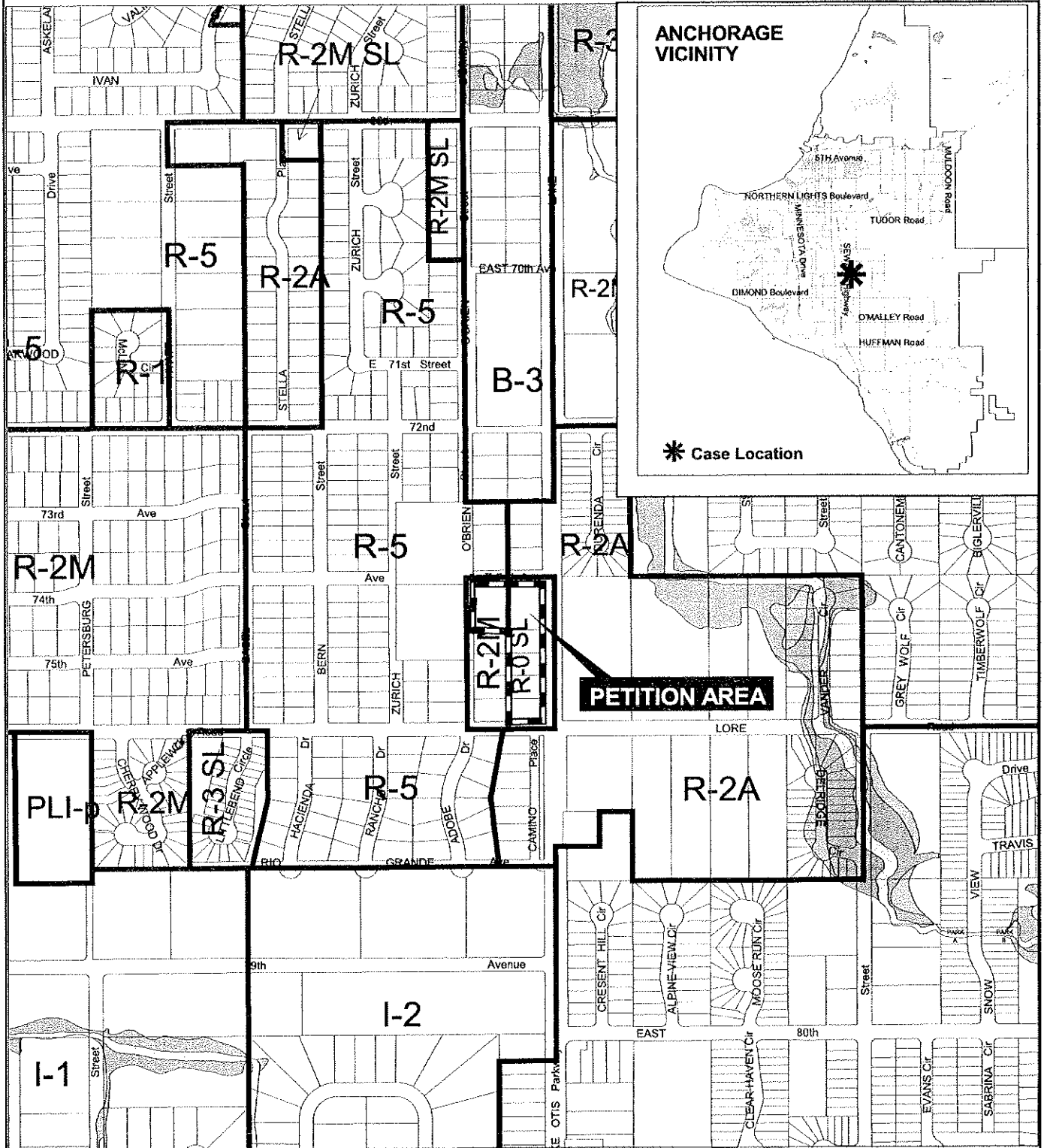
Acres: 2.75 acres

Vegetation: Natural and residential vegetation

Zoning: R-O SL (residential office with special limitations) AMC
21.40.130 and AO 86-88
R-2M (multiple family residential) AMC 21.40.045




Topography: Generally level

REZONE 2005-063



Municipality of Anchorage
Planning Department

Flood Limits

-  100 Year Floodplain
-  500 Year Floodplain
-  Floodway



0 500 1000 Feet

Date: April 12, 2005

Existing Use: Residential and residential-office
Soils: Public Sewer and Water available to site

COMPREHENSIVE PLAN:

Classification: Anchorage 2020 – Transit Supportive Development Corridor;
1982 Plan - Residential
Density: Anchorage 2020 – Average 8 DUA minimum
1982 Plan - 7 to 10 DUA

SURROUNDING AREA:

	<u>NORTH</u>	<u>EAST</u>	<u>SOUTH</u>	<u>WEST</u>
Zoning:	R-2A; R-5	R-2A	R-2A; R-5	R-2M; R-5
Land Use:	Single-Family; Duplex	Single-Family; Duplex	Single-Family; Duplex	Single-Family; Duplex

PROPERTY HISTORY:

04-25-53	Plat P-325	Petition site created.
05-17-73	Zoning	G-1 Areawide rezoning to R-5.
07/84	Rezoning	Petition site zoned R-2M.
07-29-86	Rezoning	Petition site zoned (except for west half Lot 9) R-O SL (AO 86-88)

SITE DESCRIPTION AND PROPOSAL:

The subject property was platted in 1953 and rezoned several times. The property was first zoned through the Areawide rezonings to R-5 in 1973, rezoned to R-2M in 1984, and all but the west half of Lot 9 was rezoned to R-O SL in 1986. The site is developed with single family houses, one duplex, of which some are used also as offices. The petition site consists of the east half of Block 6, O'Brien Subdivision, which is all zoned R-O SL. The request is also for the west half of Lot 9, Block 6, which is double the size of the other lots, and is split-lot zoned R-O SL and R-2M. The west half of Block 6 is zoned R-2M. In 1984, only the east half of the block was rezoned to R-O SL from R-2M, creating the split lot zoning of Lot 9.

The petition site is generally level, and fronts onto Lake Otis Parkway to the east, Lore Road to the south, and 74th Avenue to the north. Lake Otis is a Class III Divided Major Arterial in the *Official Streets and Highways Plan*. It is also designated as a Transit-Supportive Development Corridor in *Anchorage 2020, Anchorage Bowl Comprehensive Plan*. Neither Lore Road nor 74th Avenue is classified in this location.

The applicant is seeking a rezone to R-O for two reasons. First, to relax the special limitations for the R-O SL zoned lots and east half of Lot 9. Principally, these restrict development to medical office buildings, single and two family dwellings, with a maximum density of one duplex per lot or tract. The special limitations also require site plan review prior to any development. The petitioner wishes to allow those uses normally permitted within the R-O district and remove the review and design requirements. The second reason is to resolve the split lot zoning on Lot 9 by removing the special limitations and rezoning the whole lot to R-O. Split lot zoning creates strong complications in construction and enforcement problems for the Municipality. The major complications are regarding determination of exact locations of a use. With a small lot such as this, there are complications as well with determination of landscaping requirements, locations and designs of parking, and frequently the loss of use of the lower intensity or even higher intensity zoned portion of the lot due to use conflicts in the Municipal Code.

There are no plans for redevelopment submitted by the petitioner. The five lots are owned by four different entities. All of the lots are constructed, but the majority have an office use component to the residential use. Future use of an office in any of the residences is constrained by the heavy restriction of office use to primarily only a medical office.

COMMUNITY COMMENTS:

On May 10, 119 public hearing notices (PHN) were mailed. As of the time this report was written, only one response has been received. The commenter appeared to have confusion regarding the rezone request location. There was no response from the Community Council.

FINDINGS:

**21.20.090 Standards for Zoning Map Amendments, and
21.05.080 Implementation – Anchorage Bowl Comprehensive
Development Plan Maps**

A. Conformance to the Comprehensive Plan.

The Generalized Residential Intensity Plan of the *1982 Comprehensive Plan* shows this area to be intended for 7 to 10 dwelling units per acre. However, *Anchorage 2020 Anchorage Bowl Comprehensive Plan* Land Use Policy Map shows the petition sit is located along a Transit-Supportive Development Corridor. Lake Otis Parkway, a Class III Major Arterial, is one of four transit-supportive development corridors identified by the Land Use Policy Map. It connects with the University – Medical Campus, which is a major employment center, as well as Dowling Road and Abbott Road area Town Centers. The Transit-Supportive Development Corridor concept is supported by Transportation Policies #30, #34, and #37; General Land Use Policy # 3; and Residential Policy # 9. Higher density is encouraged along Transit Corridors for a quarter-mile on each side of the designated street.

The R-OSL zoned lots all have structures built on them. There is no other R-OSL in close proximity and essentially constituted a spot zoning when it was rezoned in 1984, as it appeared to have been in conflict with the Comprehensive Plan, and only allowed minimal amounts of uses to benefit a single owner. However, the Commission and Assembly determined at the time of approval, that even though there appeared to be a conflict between the R-O SL rezoning and the *1982 Comprehensive Plan*, they determined it was, in fact, an appropriate deviation from the *1982 Comprehensive Plan*. The reasoning was that the site it is directly adjacent to an R-2M area, and the property is in essence an island of marginal land due to its adjacency also to Lake Otis and Lore Road. The Commission and Assembly also felt that the home occupation limitations were too limited for this area, which could be put to a better and higher use by allowing larger home offices.

The applicant's representative indicated there are no development plans at this time. Two other sites on the east side of Lake Otis have been rezoned to R-2M in the last year. Physical Planning finds that R-2M may be more appropriate for the entirety of Lot 9, which at 60,000 square feet would allow approximately 24 units, (17 dua) along the Transit Corridor. The R-0 zoning district allows 11 or more units to be constructed on 14,000 s. f. with 100' minimum frontage on a class I collector or grater and is limited to a F.A.R. of 2.0. Maximum height of structures is unrestricted except that it can not interfere with Federal Aviation Regulations on approach. The R-0 zoning intensity as a residential development would allow for a much higher density.

However, the request before the Commission is not to down-zone the R-O SL portion to R-2M; it is only to remove the split lot designation and the special limitations placed on the R-O area placed on the site in 1984. The Department finds that the removal of the special limitations is appropriate. Even though there may have been concerns that in the past this rezoning could have been considered a spot zoning, the Assembly determined it was not by rezoning the parcel. The other uses allowed for offices in the R-O district have no greater an impact than the few allowed currently. Concerns about heavier impacts of larger and taller office structures, medical facilities, etc. do not apply to the petition area as the lots are not large enough to develop with larger structures than smaller multi-family and potentially mixed residential/office as currently exists. This R-O area is very narrow at only one lot deep, and all the lots except Lot 9 are only 15,000 square feet in size. Due to characteristics of use that are required with development, such as parking, landscaping, snow storage, etc., it is highly unlikely that the sites could be redeveloped with much larger structures than that which exists.

As the five lots are owned separately (only two lots owned by the same entity), it is unlikely that in the near future they would be reconfigured into one lot to facilitate larger development. Even if that were to occur, more traditional larger office development (larger than a home office or small office) cannot occur in areas with out the depth of at least one to two city blocks. This is a common problem in the B-3 and R-O districts for commercial developments, and it is more than likely this area will stay developed as home offices or small offices only.

Physical Planning Division can only support removal of the special limitations on the existing R-O zoned property. The request to rezone the R-2M to R-0 is premature. If the concern is a split lot zoning (R-2M/R-0) for Lot 9, a replat would alleviate the problem.

Lot 9 has a full block depth and is 30,000 SF in size. This is twice the size/depth of the other R-O lots. There are no current plans for the site, but it could support a somewhat larger office building than the single family/duplex sizes on the lots to the south. However, due to parking and other needs, it could not be developed to the size of the office and medical offices seen along, for example, the west side of Lake Otis Parkway between Tudor Road and 36th Avenue.

The Department supports the removal of the split lot zoning and rezoning to R-O for the entire parcel. With the parcel remaining split-lot zoned, it causes not only enforcement problems with determining the boundary exact location without having a lot line, it also causes serious development issues as the two districts have very different regulations. It becomes very difficult to be able to build much more than lower density urban residential on any portion of the lot, and makes the office use potential of the R-O SL portion rather unlikely, as all the improvements would need to be mainly on the R-O portion.

The Department does not recommend a rezoning of the entire area to R-2M, which would be a downzoning. That is not a part of this request, and any need for potential down zonings for the area as a whole would be better addressed throughout a review of the area as a whole through an area wide rezoning. The Department finds that the split lot zoning makes the existing lot very difficult to develop, and does not find that rezoning the R-2M portion to R-O at this time would cause further inconsistencies with the Comprehensive Plan. It does not remove residential use potential. In fact, it is more likely that the lot could be developed for a positive use. The history of rezoning narrow areas to commercial has proven to make the parcels less likely to be able to develop commercially, as they do not have the site area and depth required for said uses. This request would assist in making not only the lot more developable, but would provide the minimum area required for good site design for a smaller office building.

R-O zoning for this area is compatible with the existing R-2M zoning of the area just west of the subject property by density and by type of permitted single family or duplex dwelling uses, and the existing smaller office uses on the 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.

Seismic: The property is within seismic zone 2 (moderate low ground failure susceptibility).

Land Use Patterns

See earlier discussion. The general land use pattern is single family and duplex homes on lots ranging from 8,450 square feet to 15,000 +/-square feet. The proposed use is to retain the residential and home/office developments in the R-O SL area as exists. Rezoning of the entirety of Lot 9 to R-O could allow a slightly larger office development.

According to the vicinity map, there are no R-O zoned lands in the immediate vicinity. There is some B-3 land to the north, along Lake Otis, but B-3 currently has a minimum residential density of 12 DUA, which would not usually allow for home offices.

Transportation/Drainage

The area is generally developed.

The road circulation system is in place. Lake Otis Parkway is a Class III Divided Major Arterial in the *Official Streets & Highways Plan*. Lore Road is in, as is 74th Avenue to the north, but neither is classified. Traffic Department has no objection to the rezone but does have concerns about access to/from the site onto Lake Otis. Access concerns are valid whether the property is rezoned or not. Before a rezoning becomes effective, access to the site and each of the lots needs to be resolved with the Traffic Department, as they would strongly prefer some type of joint access from the lots to either 74th Avenue or Lore Road to reduce traffic conflicts. Currently, each lot appears to have direct access to Lake Otis.

Redevelopment is not proposed at this time, and the lots are developed. The property owner(s) will need to have full drainage review through the permitting process for any redevelopment.

The *1997 Areawide Trails Plan* shows a paved trail along the east side of Lake Otis.

Public Services and Facilities

Roads: The petition site is located within the Anchorage Roads and Drainage Service Area (ARDSA). Lake Otis is a Class III Divided Major Arterial.

Utilities: water, sewer, gas and electrical utilities are available to this property. AWWU sanitary sewer crosses Lake Otis near the northwest corner of the lot; water mains are located within Lake Otis right-of way.

Schools: Based on the school district's boundary maps dated fall 2000, the petition site is located in the following attendance boundaries: Polaris K-12 (an area-wide alternative school), Service High School, Hanshew Middle School, and Abbott Loop Elementary School. The school district applies a housing stock multiplier based on the individual school district attendance boundary to forecast new students from a given housing type. However, it is unlikely that in the near future the residential intensity will change, nor does it appear that a high-impact high-intensity residential development could occur on these parcels without replatting. At that time, if it occurs, the replat would have to be heard through a public hearing, as it would theoretically be increasing the density. With R-O zoning, it is difficult to gauge the exact number of units that could be constructed, as it is dependant upon a floor-area ratio calculation which exempts underground parking. Technically, a 14-plex could be created on each lot, however that would be highly unlikely due to the cost of under grounding the parking, and the need for landscaping and other improvements which are difficult to fit on these sites. It is more likely that they will be used as smaller office uses (which have to remain smaller due to increased parking requirements and landscaping in the Municipal code).

Parks: The March 2004 Draft Anchorage Bowl Parks, Natural Resource and Recreation Facilities Plan show three parks in the near vicinity of the subject property: Meadow Street Park/2 acres, Morton Street Park/0.69 acres and Lore Park/4.73 acres.

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

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

There appears to be no R-O zoning in the near vicinity, however there is some B-3 to the north along the west side of Lake Otis. Over the past year, there have been two rezonings from R-2A to R-2M, and the supply of R-2M appears to be increasing.

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.

No redevelopment is proposed; rather this will allow additional office use types to be permitted in the existing structures.

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.

Approval of R-O would allow additional types of office uses for the lots in this request. Higher intensity uses in the R-O district, such as banks, hotels and museums and institutions would be unlikely due to the smaller lot sizes of the petition lots. A potential for a slightly larger office size would be possible for Lot 9. Currently, it would be highly difficult to develop, unless the R-O SL use on the east side were ignored and the entire site treated as R-2M for development purposes. With split zoned lots, the lots are generally developed and treated as the lower intensity district, making the higher intensity zoning almost useless. See above discussion on the Comprehensive Plan.

Special Limitations

None are proposed by the petitioner or the Planning Department. Traffic Department requests an effective clause to resolve the access and driveways for the petition site. In conversations with staff, Traffic finds that there are safety issues with the number of direct accesses in this location to Lake Otis, and strongly prefers resolving this through a joint access agreement from the lots in question to either 74th Avenue or Lore Road, or both.

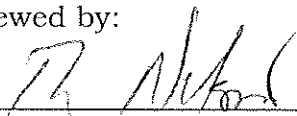
DISCUSSION AND RECOMMENDATION:

The petitioner is requesting the property be zoned from R-O SL and R-2M to R-O. The proposed zoning is consistent with the *Anchorage 2020 Anchorage Bowl Comprehensive Plan* and the range of density and uses called for in the Land Use Policy Map and associated policy of increased density of 8 DUA adjacent to Transit-Supportive Development Corridors. The rezoning proposal meets the requirements of AMC 21.20.090 and 21.05.080.

RECOMMENDATION:

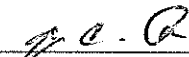
The Department supports rezoning the property to R-O with an effective clause to resolve with the Traffic Department, the access and driveways for the petition site.

Reviewed by:



Tom Nelson
Director

Prepared by:



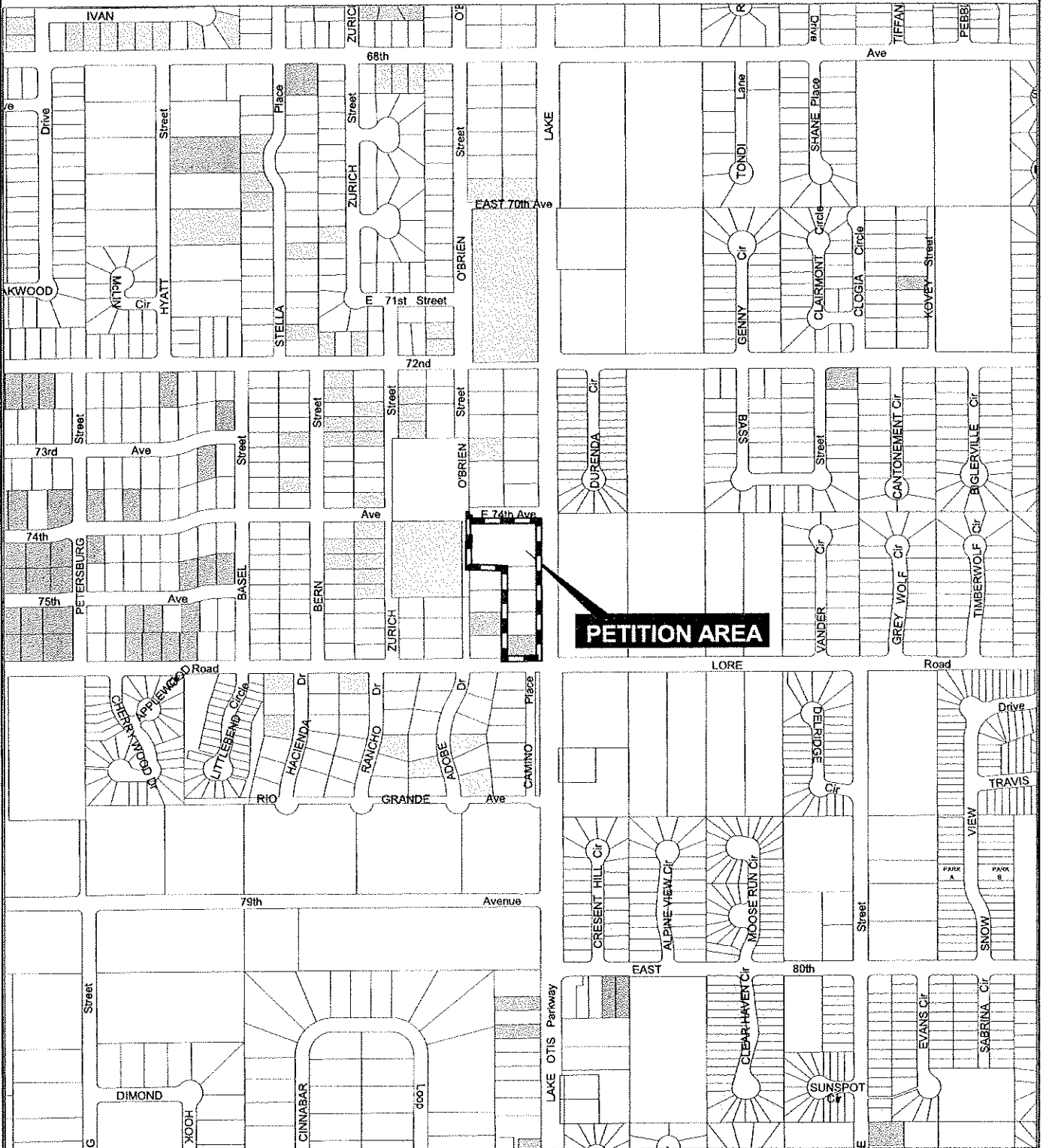
Angela C. Chambers, AICP
Senior Planner

(Case No. 2005-063; Tax ID No. 014-131-07 through 10 and 014-131-15)

2






HISTORICAL MAPS AND AS-BUILTS

REZONE 2005-063



Municipality of Anchorage
Planning Department

Date: April 12, 2005

-  Single Family Detached
-  Single Family Attached, Duplex
-  Mobile home
-  Multi - Family 3 & 4 Plex
-  Multi - Family 5+



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

REZONE 2005-063



Municipality of Anchorage
Planning Department

Date: April 12, 2005



0 500 1000 Feet

Date of Aerial Photography: 2001



3

DEPARTMENTAL

COMMENTS

RECEIVED

MAY 23 2005

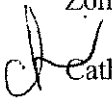
**MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION**

MUNICIPALITY OF ANCHORAGE

MEMORANDUM

DATE: May 19, 2005

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

THRU:  Cathy Hammond, Physical Planning Supervisor

FROM: Physical Planning Division Staff

SUBJECT: Staff comments to be heard June 6, 2005 before Planning & Zoning Commission

2005-063 R-OSL (Residential Office with Special Limitations) and R-2M (Multiple Family Residential) to R-0 (Residential Office)

The Generalized Residential Intensity Plan of the 1982 Comprehensive Plan shows this area to be intended for 7 to 10 dwelling units per acre. However, Anchorage 2020 Land Use Policy Map shows the petition sit is located along a Transit-Supportive Development Corridor. Lake Otis Parkway, a Class III Major Arterial, is one of four transit-supportive development corridors identified by the Land Use Policy Map. It connects with the University – Medical Campus, which is a major employment center, as well as Dowling Road and Abbott Road area Town Centers. The Transit-Supportive Development Corridor concept is supported by Transportation Policies #30, #34, and #37; General Land Use Policy # 3; and Residential Policy # 9. Higher density is encouraged along Transit Corridors for a quarter-mile on each side of the designated street.

The R-OSL zoned lots all have structures built on them. There is no other R-OSL in close proximity and essentially constitutes a spot zoning. The applicant's representative indicated there are no development plans at this time. Lot 9 which is split lot zoned R-OSL/R-2M is vacant. Two other sites on the east side of Lake Otis have been rezoned to R-2M in the last year. R-2M may be more appropriate for Lot 9, which at 60,000 s. f. would allow approximately 24 units, (17 dua) along the Transit Corridor. The R-0 zoning district allows 11 or more units to be constructed on 14,000 s. f. with 100' minimum frontage on a class I collector or greater and is limited to a F.A.R. of 2.0 Maximum height of structures is unrestricted except that it can not interfere with Federal Aviation Regulations on approach. The R-0 zoning intensity as a residential development would allow for a much higher density.

Physical Planning Division can only support removal of the special limitations on the existing R-0 zoned property. The request to rezone the R-2M to R-0 is premature. If the concern is a split lot zoning (R-2M/R-0) for Lot 9, a replat would alleviate the problem.

Arterial landscaping is required along Lake Otis Parkway at the time of the building permit.

Jerry T. Weaver, Jr., Zoning Division Administrator
June 6, 2005 Zoning Cases
Physical Planning Division Comments
Page 2

The 1997 *Areawide Trails Plan* shows an existing paved trail along the east side of Lake Otis Pkwy.

2005-066 ⁶⁴ **Site Plan Review for a Storage Facility in a B-3 General Business District**

The 1982 Comprehensive Plan Land Use Map designates this area for commercial/industrial use. Anchorage 2020 Land Use Policy Map shows this site as an Industrial Reserve area. Industrial Reserves are intended to ensure that strategically located industrial land is primarily used for industrial purposes in relation to port, airport, and railroad. Mini-storage and office are typically found in the commercial zoning district. The current B-3 Commercial Zoning District does allow a mini-storage with a sit plan approval. Physical Planning Division has no objection to the proposed site plan.

2005-065 **Site Plan Review for a Public Roadway**

Physical Planning Division has no objection to the proposal and notes that this project generally complies with the *U-Med Framework Master Plan* design guidelines, the *Anchorage Areawide Trails Plan*, and promotes the policies of *Anchorage 2020*.

Pierce, Eileen A

RECEIVED

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

MAY 23 2005

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

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

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

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

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

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

Thank you for the opportunity to review.

Alton Staff
Operations Supervisor
People Mover
907-343-8230



MUNICIPALITY OF ANCHORAGE
Traffic Department



RECEIVED

MAY 18 2005

**MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION**

MEMORANDUM

DATE: May 3, 2005
TO: Jerry T. Weaver, Platting Supervisor, Planning Department
FROM: Mada Angell, Acting Associate Traffic Engineer
THRU: Leland R. Coop, Associate Traffic Engineer
SUBJECT: **UPDATED** Comments, June 6, 2005, Planning & Zoning Commission

05-062 Boettcher; Rezoning from R-3SL to B-3; Grid 1727

Traffic has no objections regarding this case. Tract 3 can function without physical access to Spenard Road as long as there is a shared access agreement with the property to the north. The shared access agreement must be recorded.

05-063 O'Brien; Rezoning from R-OSL and R-2M to R-O; Grid 2133

No direct vehicular access will be allowed from this site to Lake Otis Blvd. Special Limitations must include restricting direct vehicular access to Lake Otis, and providing a recorded access agreement to either East 74th Avenue or Lore Road.

05-064 Turnagain Add #2; Site Plan Review for a storage facility; Grid 2631

Provide sufficient on-site vehicle maneuvering and stacking for the loading berth at the north side of the building.

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION - PLANNING

FRANK H. MURKOWSKI, GOVERNOR

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

RECEIVED

MAY 18 2005

May 16, 2005

RE: Zoning Case Review

**MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION**

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

Dear Mr. Weaver:

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


2005-058 Little Tree Subd No 2 Lot 6 Blk 3 Variance
2005-060 Original Townsite lot 10 Blk 54/817 W 6th/Conditiona use
2005-062 Boettcher Tract 2 4227 Spenard Rd/Rezone: B-3 General Business district
2005-063 O'Brien Lots 1-4 & 9 Blk 6, 7446, 7526, 7510, 7536, 7406 Lake Otis Rezone
2005-064 Turnagain Subd Addn #2 Lots 3 & 4 Blk 1/921 E 112th Ave Site Plan
2005-069 Original Blk 52A Lot 1 621 W 6th Ave Alaska Center for the Performing Arts

Comments:

2005-059 Gold Pan Estates Lot 1 St Tikhon Russian Orthodox 15390 Old Seward Hwy
Please remind the applicant that they are required to get ADOT&PF approval to access the Old Seward Highway along with a driveway permit. The applicant may contact Lynda Hummel, Right of Way Agent at 269-0698 for an application and assistance.

Thank you for the opportunity to comment.

Sincerely,



Sandra L. Cook
Anchorage Area Planner

/eh



MUNICIPALITY OF ANCHORAGE
Traffic Department



MEMORANDUM

MAY 13 2005

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

DATE: May 3, 2005
TO: Jerry T. Weaver, Platting Supervisor, Planning Department
FROM: Mada Angell, Acting Associate Traffic Engineer
THRU: Leland R. Coop, Associate Traffic Engineer
SUBJECT: Comments, June 6, 2005, Planning & Zoning Commission

05-062 Boettcher; Rezoning from R-3SL to B-3; Grid 1727

Traffic has no comment.

05-063 O'Brien; Rezoning from R-OSL and R-2M to R-O; Grid 2133

Special Limitations should include restricting direct vehicular access to Lake Otis, and providing a recorded access agreement to either East 74th Avenue or Lore Road.

05-065 Piper Street from Lark Street to 40th Avenue; Public Roadway Review; Grids 1735 & 1736;

ADD DAN'S COMMENTS HERE.

05-064 Turnagain Add #2; Site Plan Review for a storage facility; Grid 2631

Provide sufficient on-site vehicle maneuvering and stacking for the loading berth at the north side of the building.



Municipality of Anchorage
Development Services Department
Building Safety Division

MEMORANDUM



MAY 10 2005

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

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

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

2005 - 062 Rezoning to B - 3 General business district

No objection

2005 - 063 Rezoning to R - O Residential-office district

No objection

2005 - 064 Site plan review for a storage facility

No objection

2005 - 065 Site plan review for a public roadway

No objection

MUNICIPALITY OF ANCHORAGE
Anchorage Water & Wastewater Utility

MEMORANDUM

RECEIVED

MAY 09 2005

DATE: May 9, 2005
TO: Zoning and Platting Division, OPDPW
FROM: Hallie Stewart, Engineering Technician, AWWU
SUBJECT: Planning & Zoning Commission hearing of June 6, 2005
AGENCY COMMENTS DUE May 9, 2005

Hallie Stewart

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

05-063 O'Brien, Block 6, Lots 1-4 and 9 (rezone) Grid 2133

1. AWWU water and sanitary sewer mains are available to the referenced lot.
2. AWWU has no comments on the proposed rezone.

05-064 Turnagain #2, Block 1, Lots 3 & 4 (site plan review) Grid 2631

1. AWWU water and sanitary sewer mains are available to the referenced lot.
2. AWWU has no objection to the site being used for a storage facility.

05-065 Piper Street right-of-way from Lark Street to 40th Avenue (site plan review) Grids 1734 & 1735 and 1834 & 1835

1. AWWU water mains are located within the Tudor Road right-of-way; within the Piper Street right-of-way between East 41st & East 42nd; and within the Piper Street right-of-way between Tudor Road and Park Street rights-of-way.
2. AWWU sanitary sewer mains are located within the East 40th Avenue and within a portion of the Piper Street right-of-way, north of Lark Street.
3. Locates must be obtained prior to any excavation or paving.

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



MUNICIPALITY OF ANCHORAGE

Development Services Department
Right of Way Division



MEMORANDUM

DATE: May 6, 2005

TO: Planning Department, Zoning and Platting Division

THRU: Jack L. Frost, Jr., Right of Way Supervisor

FROM: Lynn McGee, Senior Plan Reviewer

SUBJ: Request for Comments on Planning and Zoning Commission case(s) for the Meeting of June 6, 2005.

RECEIVED
MAY 06 2005

Right of Way has reviewed the following case(s) due May 9, 2005.

**05-062 Boettcher, Tract 2, grid 1727
(Rezoning Request, R-3SL to B-3)**
Right of Way Division has no comments at this time.
Review time 15 minutes.

**05-063 O'Brien, Lots 1-4 and 9, grid 2133
(Rezoning Request, R-OSL to R-O)**
Right of Way Division has no comments at this time.
Review time 15 minutes.

**05-064 Turnagain #2, Block 1, Lots 3 & 4, grid 2631
(Site Plan Review, Storage Facility)**
Include the improvements to East 112th Avenue and the proposed connectivity to the Lowe's Improvement Center driveway to the subdivision agreement to improve Gambell Street.
Review time 15 minutes.

**05-065 Piper Street Right of Way, Lark Street to East 40th Avenue, grids 1735, & 1835
(Site Plan Review, Public Roadway)**
Right of Way Division disapproves of the close proximity of most of the gateway trellis, landscaping and light poles to the sidewalks and road pavements as limiting the Street Maintenance Departments ability to maintain the pavements. We will provide additional review comments to this and other features of the project.
Review time 15 minutes.

RECEIVED

APR 26 2005

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION



FLOOD HAZARD REVIEW SHEET for PLATS

Date: 04-26-05

Case: 2005-063

Flood Hazard Zone: C

Map Number: 0243

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

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

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

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

I have no comments on this case.

Reviewer: Jack Puff

APR 26 2005



FLOOD HAZARD REVIEW SHEET for PLATS

Date: 04-26-05

Case: 2005-063

Flood Hazard Zone: C

Map Number: 0243

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

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

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

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

I have no comments on this case.

Reviewer: Jack Puff

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

POSTAGE
FIRST CLASS



014-132-14-000
MUELLER LOWELL D
7436 ZURICH
ANCHORAGE, AK 99507

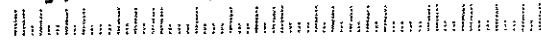
RECEIVED

MAY 13 2005

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

NOTICE OF PUBLIC HEARING - - Monday, June 06, 2005

Planning Dept Case Number: **2005-063**



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

CASE: 2005-063
PETITIONER: Todd Lindfors
REQUEST: Rezoning to R-O Residential-office district
TOTAL AREA: 2.750 acres
SITE ADDRESS: 7746,7506,7520,7536,&7406 LAKE OTIS PKWY
CURRENT ZONE: R-OSL and R-2M
COM COUNCIL(S): 1--Abbott Loop

LEGAL/DETAILS: A request to rezone approximately 2.75 acres from R-O SL(Residential Office with Special Limitations) and R-2M (Multiple Family Residential) to R-O (Residential Office). OBrien Subdivision, Block 6, Lots 1, 2, 3, 4, and 9. Located at 7746, 7506, 7520, 7536, and 7406 Lake Otis Parkway.

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30 p.m., Monday, June 06, 2005 in the Assembly Hall of the Z. J. Loussac Library, 3600 Denali Street, Anchorage, Alaska.

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

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

Name: Lowell Deane Mueller
Address: 7436 ZURICH ANCHORAGE AK 99507
Legal Description:
Comments: I WAS SENT A VERY POOR MAP LOCATIONS ARE NOT CORRECT.
I WISH TO BE LEFT AS IS R5 ZONING
Lowell D Mueller

4

APPLICATION

Application for Zoning Map Amendment

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

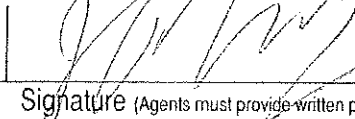
Please fill in the information asked for below.

PETITIONER*		PETITIONER REPRESENTATIVE (IF ANY)	
Name (last name first)	<i>Lindfors, Todd</i>	Name (last name first)	<i>Balles, Daniel</i>
Mailing Address	<i>7520 Lake Otis Parkway Anchorage, AK 99507</i>	Mailing Address	<i>PO Box 220042 Anchorage, AK 99522-0042</i>
Contact Phone: Day:	<i>336-4653</i>	Contact Phone: Day:	<i>952-2244</i>
Night:	<i>244-5398</i>	Night:	<i>349-5370</i>
FAX:	<i>336-1133</i>	FAX:	
E-mail:	<i>goldkeyak.com</i>	E-mail:	<i>anballes@hotmail.com</i>

*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):	<i>014-131-07 through 10 and 014-131-15</i>	
Site Street Address:	<i>7446, 7506, 7510, 7536 and 7406 Lake Otis Pkwy.</i>	
Current legal description: (use additional sheet if necessary)	<i>Lots 1-4 and Lot 9, Block 6, O'Brien Subdivision.</i>	
Zoning:	<i>RO-SL</i>	Grid # <i>2133</i>
Acreage:	<i>2.75</i>	

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	<i>4/13/05</i>	Signature (Agents must provide written proof of authorization)	
------	----------------	--	---

Accepted by:	<i>AC</i>	Poster & Affidavit:	<i>AC</i>	Fee:	<i>\$6,000</i>	Case Number:	<i>2005-063 29</i>
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COMPREHENSIVE PLAN INFORMATION	
Anchorage 2020 Urban/Rural Services:	<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural
Anchorage 2020 West Anchorage Planning Area:	<input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside
Anchorage 2020 Major Urban Elements: Site is within or abuts:	
<input type="checkbox"/> Major Employment Center	<input type="checkbox"/> Redevelopment/Mixed Use Area <input type="checkbox"/> Town Center
<input type="checkbox"/> Neighborhood Commercial Center	<input type="checkbox"/> Industrial Center
<input checked="" type="checkbox"/> Transit - Supportive Development Corridor	
Eagle River-Chugiak-Peters Creek Land Use Classification:	
<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial <input type="checkbox"/> Parks/opens space <input type="checkbox"/> Public Land Institutions
<input type="checkbox"/> Marginal land	<input type="checkbox"/> Alpine/Slope Affected <input type="checkbox"/> Special Study
<input type="checkbox"/> Residential at	dwelling units per acre
Girdwood- Turnagain Arm	
<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial <input type="checkbox"/> Parks/opens space <input type="checkbox"/> Public Land Institutions
<input type="checkbox"/> Marginal land	<input type="checkbox"/> Alpine/Slope Affected <input type="checkbox"/> Special Study
<input type="checkbox"/> Residential at	dwelling units per acre

ENVIRONMENTAL INFORMATION (All or portion of site affected)	
Wetland Classification:	<input checked="" type="checkbox"/> None <input type="checkbox"/> "C" <input type="checkbox"/> "B" <input type="checkbox"/> "A"
Avalanche Zone:	<input checked="" type="checkbox"/> None <input type="checkbox"/> Blue Zone <input type="checkbox"/> Red Zone
Floodplain:	<input checked="" type="checkbox"/> None <input type="checkbox"/> 100 year <input type="checkbox"/> 500 year
Seismic Zone (Harding/Lawson):	<input type="checkbox"/> "1" <input checked="" type="checkbox"/> "2" <input type="checkbox"/> "3" <input type="checkbox"/> "4" <input type="checkbox"/> "5"

RECENT REGULATORY INFORMATION (Events that have occurred in last 5 years for all or portion of site)	
<input type="checkbox"/> Rezoning - Case Number:	
<input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat - Case Number(s):	
<input type="checkbox"/> Conditional Use - Case Number(s):	
<input type="checkbox"/> Zoning variance - Case Number(s):	
<input checked="" type="checkbox"/> Land Use Enforcement Action for <i>Lot 1: Case 2005-00699; Lot 4: Case 2005-00703</i>	
<input type="checkbox"/> Building or Land Use Permit for	
<input type="checkbox"/> Wetland permit: <input type="checkbox"/> Army Corp of Engineers <input type="checkbox"/> Municipality of Anchorage	

APPLICATION ATTACHMENTS	
Required:	<input checked="" type="checkbox"/> Area to be rezoned location map <input type="checkbox"/> Signatures of other petitioners (if any)
	<input checked="" type="checkbox"/> Narrative statement explaining need and justification for the rezoning; the proposed land use and development; and the probable timeframe for development.
	<input checked="" type="checkbox"/> Draft Assembly ordinance to effect rezoning.
Optional:	<input type="checkbox"/> Building floor plans to scale <input type="checkbox"/> Site plans to scale <input type="checkbox"/> Building elevations
	<input type="checkbox"/> Special limitations <input type="checkbox"/> Traffic impact analysis <input type="checkbox"/> Site soils analysis
	<input type="checkbox"/> Photographs

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



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

STANDARDS FOR ZONING MAP AMENDMENTS

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

A. Conformance to Comprehensive Plan.

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

See Narrative Statement.

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

N/A

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

N/A

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

See Narrative Statement.

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;

See Narrative Statement.

b. Transportation;

See Narrative Statement.

c. Public Services and Facilities;

See Narrative Statement.

d. Land Use Patterns;

See Narrative Statement.

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?

See Narrative Statement.

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?

See Narrative Statement.

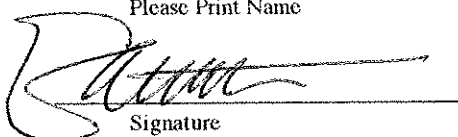
4. If the proposed rezoning alters the use of the property from that which is indicated in the applicable Comprehensive Plan, explain how the loss of land from this use category (i.e., residential, commercial, industrial) might be regained elsewhere in the community?

N/A

Field Tech

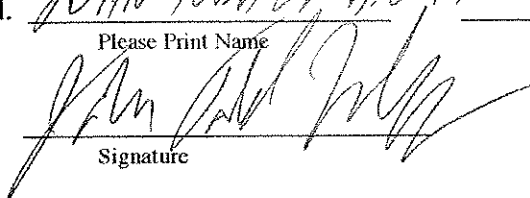
Zoning - Stormwater
Assessment and Inspection

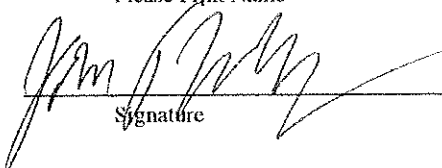
We the under signed property owners of Lots 1 - 4 and Lot 9, of Block 6, O'Brien Subdivision wish to express our support of the proposed rezoning. We understand that the proposed amendments to the RO-SL zoning will be seeking to: 1. reinstate business activities which are normally permitted in the RO district, 2. repeal the special limitations establishing design standards, and 3. bring an end to the split zoning of Lot 9, rendering it RO.


Lot 1, Block 6, O'Brien Subd. Earl W. Hostetter 7446 Lake O'Brien, Anchorage, AK 99507
 014-131-07 Please Print Name Mailing Address
 Signature 4/12/05
 Date

Lot 2, Block 6, O'Brien Subd. _____
 014-131-08 Please Print Name Mailing Address

 Signature Date

Lot 3, Block 6, O'Brien Subd. JOHN TODD LAWRENCE 7520 LAKE O'BRIEN DRIVE
 014-131-09 Please Print Name Mailing Address ANCHORAGE AK 99507
 Signature 4-12-05
 Date

Lot 4, Block 6, O'Brien Subd. LAWRENCE PROPERTIES LLC 7536 LAKE O'BRIEN DRIVE
 014-131-10 Please Print Name Mailing Address ANCHORAGE AK 99507
 Signature 4-12-05
 Date

Lot 9, Block 6, O'Brien Subd. EVAN ROWLAND 3705 ANCHORAGE #2559
 014-131-15 Please Print Name Mailing Address ANCHORAGE AK 99503
 Signature 4-11-05
 Date

Field Tech
Zoning - Stormwater
Assessment and Inspection

Narrative Statement

Block 6, of O'Brien Subdivision, is located within the northwest quadrant of the Lore Road and Lake Otis Pkwy. intersection, about halfway between the proposed Abbott Road and Dowling Road town centers. The current zoning is RO-SL (AO 86-88). The general area is a mix of residential (R-2A, R-2M and R-5), commercial (RO and B-3), and industrial (I-1 and I-2) districts. Lake Otis is a Class III arterial consisting of four traveled lanes with a center turn lane and pedestrian/ bicycle pathways. Lore Road is a Class I collector street, and East 74th Avenue is classified as a local street.

In December of 2004, property owners Todd Lindfors and Earl (John) Hostetter approached Community Planning concerning relaxing some of the stringent limitations placed in the special limitations for this property by AO 86-88. Principally these restrict development to medical office buildings, single and two family dwellings, with a maximum density of one duplex per lot or tract. A site plan through Community Planning is also required prior to any development.

This application for rezoning seeks to relax those restrictions to allow those uses normally permitted within the RO district; removing the design restrictions on height, bringing it in line with the changes made by AO 99-49; eliminate the split zoning of lot 9, Block 6, O'Brien Subd. from RO-SL/ R-2M to RO.

Conformance to Comprehensive Plan

The proposed use does not conflict with the applicable Comprehensive Development Plan goals and policies. Lots 1-4 and 9, of Block 6, O'Brien Subdivision abut Lake Otis Pkwy., which has been designated a Transit-Supportive Development Corridor, as shown on the Land Use Policy Map on page 50 of the Anchorage 2020 Comprehensive Plan. The intent of such a corridor is to link towncenters and at the same time create opportunities for more intensive commercial and residential land use patterns. The Lake Otis transit corridor is located within the Central development subarea as shown on page 59 of the comprehensive plan.

The existing special limitation zoning does not conform to the generalized density for a Transit-Supportive Development Corridor. This application seeks to remedy that deficiency by allowing the area to meet the goals and objectives of the comprehensive plan and the needs of the community. A typical Transit-Supportive Development Corridor includes:

1. Medium to high density housing (over 8 dwelling units per acre) within one-fourth mile of the major street and,
2. Small scale commercial sites oriented to the street.

Under the existing RO-SL zoning the maximum housing density on the existing 15,000 square foot lots would be 5.8 dwelling units per acre. Continuing to restrict residential development to R-2A standards (a single duplex per lot) under the existing special limitation zoning would seem contrary to the intent of the comprehensive plan for this transit corridor.

Growth allocation for the Central development subarea assumes: "infill development of remaining residentially zoned parcels; extensive multi-family housing development along transit corridors; redevelopment of mobile home parks; and conversion of some industrial tracts along the Campbell Creek Greenbelt for residential use." See page 60 of the Anchorage 2020 Comprehensive Plan.

Given the goals of medium to high density housing, along with future needs of some commercially available property within the Central subarea, allowing the housing density to reflect that which is permitted within the RO district, and business uses permitted under AMC 21.40.130.B, would seem in line with the policies of the comprehensive plan.

Proposed residential density conforms with the applicable Comprehensive Development Plan goals and policies.

As stated on page 55 of the Anchorage 2020 Comprehensive Plan for a Transit-Supportive Development Corridor, "Higher residential density is a key to increasing transit ridership along these corridors." That paragraph also states that: "land use policies that establish higher residential densities within one-fourth mile of the major street at the center of the transit corridor are encouraged". Allowing the residential density to become that which is permitted in the RO district will be in line with the goals and policies of the Anchorage 2020 Comprehensive Plan.

It should be noted that the adjacent R-2M district, which includes Lots 5 - 8, of Block 6, O'Brien Subd., allow for 17 dwelling units per acre. The R-2A parcel across Lake Otis Pkwy is occupied by a church, as such little or no impact is anticipated to the remaining R-2A lots behind or to the south of the church parcel. The growth allocation provisions within the comprehensive plan takes into consideration the need to meet future housing and business demands. This application takes into consideration those needs and the anticipated changes to Title 21 in the near future.

While there is some room for change in the proposed new Land Use regulations this area will become either a Mixed-Use district or continue as a Residential-Office district. In either case the intensity of the permitted uses will increase beyond those currently permitted. Moving in the direction of conformity for the RO district will be in conformance with the intended use of a transit corridor and anticipated changes to Land Use Regulations.

Effect of development on surrounding neighborhood, the general area, and community with respect to:

Environment: As shown on the aerial photo all lots within the RO-SL area have structures and are developed. With the exception of Lot 9 there are no anticipated changes for this area. The existing structures consist primarily of single family residences with two lots having both business and residential uses. The area is not affected by slope, wetlands or other environmentally sensitive criteria. Given the existing developed state of the area no additional environmental impacts are foreseen. Lot 9, however, may be subject to change in the future. Depending on need and market viability there may be either residential, business, or a combination of residential and business uses.

Under the provisions of the Anchorage 2020 Comprehensive Plan design and environmental strategies, emphasis needs to be given to the general design of open space, habitat, water resources, and housing. This takes into consideration our northern climate, existing neighborhood and natural settings. Allowing for expanded office use within the neighborhood will encourage pedestrian traffic and help to minimize individual and cumulative air quality impacts. Possible effects to the environment will be mitigated through the Plan Review process by means of best management practices and Municipal oversight.

Transportation: Four of the five lots have single driveway access to Lake Otis Pkwy. and are adequate to meet the needs of the current uses. Lot 4, on the south end of Block 6 has access to Lore Rd. Future development of Lot 9 may require access to E. 74th Avenue. In no case would traffic uses exceed those for which the zoning district currently permits, i.e.: a medical office building.

Visibility to Lake Otis Pkwy. is good, a center turn lane is provided to facilitate traffic turning off of Lake Otis. As a Class III arterial Lake Otis Pkwy. requires a 50 foot developmental setback from the centerline. This requirement is met in the current dedication, as such, there is no reason to anticipate further right of way acquisition.

Public services: Water, sewer, natural gas, telecommunications, and electric are available to all lots. Lake Otis Pkwy. is considered a major transportation corridor, Lore Road is a collector, 74th Ave. a local street. There are no immediate impacts pursuant to this application. Future development of Lot 9 may require upgrading E. 74th Ave., however, at present that lot is served by a driveway from Lake Otis Pkwy.

Land use patterns: The area around Block 6, has a number of different land uses. The west half of Block 6 is zoned R-2M as are the lots immediately to the north and south. The area across Lake Otis is zoned R-2A, a church occupies the tract immediately across Lake Otis. The area to the north, up to a mile from Block 6, includes a mix of residential, commercial and industrial uses. To the west residential uses mix with business and industrial uses to the New Seward Hwy. To the south there are residential uses to Rio Grand Dr. after which there are industrial uses for up to a mile away.

The existing commercial and industrial uses to the north and south, while permitting office uses have historically been more intense uses, i.e.: gravel pit, concrete and asphalt plant, auto service garages, convenience stores, gas stations, heating fuel depot, construction yards auto salvage yards and light manufacturing. By reinstating the elements of the RO district regulations this area will offer less intense but equally necessary services for the surrounding neighborhood.

Amendment of the special limitation zoning will not adversely impact uses within the RO district but will enhance the area through continued Municipal oversight and move the area closer to the vision of the Anchorage 2020 plan.

Amount of undeveloped land in the general area having the same or similar zoning requested: There are four RO zoning districts within one mile of Block 6, O'Brien Subd. Of the 29 or so acres of RO property all are fully developed with the exception of 2.5 acres east of the New Seward Highway on the north of East 68th Ave. These properties are impacted by wetlands. There are, also, 8 lots south of East 72nd Ave, along the west side of Meadow street, in Chugach Meadows Subd. These lots will remain undeveloped until the sewer line is extended up Meadow St. north of East 73rd Ave.

Of the 22.5 or so developed acres of RO property all but the two lots occupied by the GCI parking lot, at Lore Rd. and Meadow Street, have multi-family residential uses. The remaining 6.5 acres will most likely also be developed with multi-family units as has been the pattern for this area. If followed the existing pattern of development will decrease the amount of viable office property in the area. Therefore, allowing the additional office uses within the existing RO-SL district will encourage vital services in the area.

When would development occur under the processed zoning? As previously stated all of the affected lots have viable structures on them at this time. There may be adequate incentive for development of Lot 9 upon the elimination of the split zoning of that lot. However, there has been no communication as to a time line anticipated for development of Lot 9. All public services are available to the petition site. Any new development will be brought through the permit process.

The proposed rezoning in no way alters the use of the property as indicated in the Anchorage 2020 Comprehensive Plan. As stated above the existing special limitation zoning does not conform to the generalized density for a Transit-Supportive Development Corridor. This application seeks to remedy that deficiency by allowing the area to meet the goals and objectives of the comprehensive plan and the needs of the community.

Anchorage, Alaska
DRAFT AO No. 2005-XX DRAFT

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING FROM RO-SL (RESIDENTIAL OFFICE DISTRICT) WITH SPECIAL LIMITATIONS TO RO (RESIDENTIAL OFFICE DISTRICT) FOR LOTS 1, 2, 3, 4 AND THE EAST 150 FEET OF LOT 9, BLOCK 6, O'BRIEN SUBDIVISION AND REZONING FROM R-2M (MULTI-FAMILY RESIDENTIAL DISTRICT) TO RO (RESIDENTIAL OFFICE DISTRICT) FOR THE WEST 150 FEET OF LOT 9, BLOCK 6, O'BRIEN SUBDIVISION (ABBOTT LOOP COMMUNITY COUNCIL).

THE ANCHORAGE ASSEMBLY ORDAINS THAT:

Section 1. The zoning map shall be amended by designating the following described property as an RO (Residential Office District) zone:

Lots 1 through 4 and Lot 9, Block 6, O'Brien Subdivision as shown on the attached Exhibit A (Planning Commission Case 2005-XX).

Section 2. Anchorage Ordinance 86-88 is hereby repealed in its entirety.

Section 3. The Director of the Planning Department shall change the zoning map accordingly.

Section 4. This ordinance becomes effective upon passage and approval.

PASSED AND APPROVED by the Anchorage Assembly this

_____ day of _____, 2005.

Chair

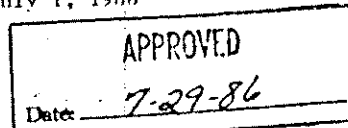
ATTESTED:

Municipal Clerk

(2005-XX)

Submitted by: Chairman of the Assembly
At the Request of the Mayor
Prepared by: Department of Community
Planning
For reading: July 1, 1986

ANCHORAGE, ALASKA
AO NO. 86-88



AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING FROM R-2A (TWO FAMILY RESIDENTIAL DISTRICT - LARGE LOT) TO R-O (RESIDENTIAL OFFICE DISTRICT) WITH SPECIAL LIMITATIONS FOR LOTS 1, 2, 3, 4 AND THE EAST 150 FEET OF LOT 9, BLOCK 6, O'BRIEN SUBDIVISION (ABBOTT LOOP COMMUNITY COUNCIL).

THE ANCHORAGE ASSEMBLY ORDAINS THAT:

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

Lots 1 through 4 and the east 150 feet of Lot 9, Block 6, O'Brien Subdivision as shown on the attached Exhibit A (Planning Commission Case 86-010).

Section 2. This zoning map amendment is subject to the following special limitation regarding the uses of the property:

The following uses are prohibited:

- a. hotels, motels and motor lodges on sites with a minimum area of 14,000 sq. ft., provided that principal access to such uses shall be directly from streets of Class I or greater designation as indicated on the Official Streets and Highways Plan;
- b. boarding and lodging houses;
- c. private clubs and lodges;
- d. public, private and parochial academic schools;
- e. accounting, auditing and bookkeeping services;
- f. engineering, surveying and architectural services;
- g. attorneys and legal services;

- h. real estate services and appraisers;
- i. stock and bond brokerage services;
- j. insurance services;
- k. photographic services;
- l. funeral services, provided, however, that crematoriums are specifically prohibited.
- m. banks, savings and loan associations, credit unions and similar financial institutions;
- n. private employment agencies, placement services and temporary personnel services;
- o. veterinary clinics, provided that such activities shall be conducted within a completely enclosed building.

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

- a. Maximum height of all new structures or additions shall be 25 feet.
- b. Density shall be limited to that of R-2A zone.
- c. The Community Planning Department shall conduct a site plan review in connection with any development of the site to ensure that all structures closely resemble a residential style, including roof lines, exterior finishes, landscaping around the perimeter of the foundations, and scale and orientation of signs. No building permit shall be issued for the site unless the Community Planning Department has approved a site plan.

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

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

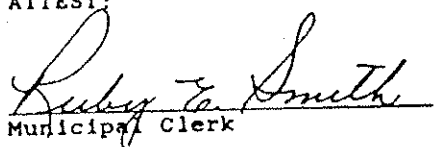
Section 6. This ordinance becomes effective ten days after passage and approval.

PASSED AND APPROVED by the Anchorage Assembly this

29th day of July 1986.

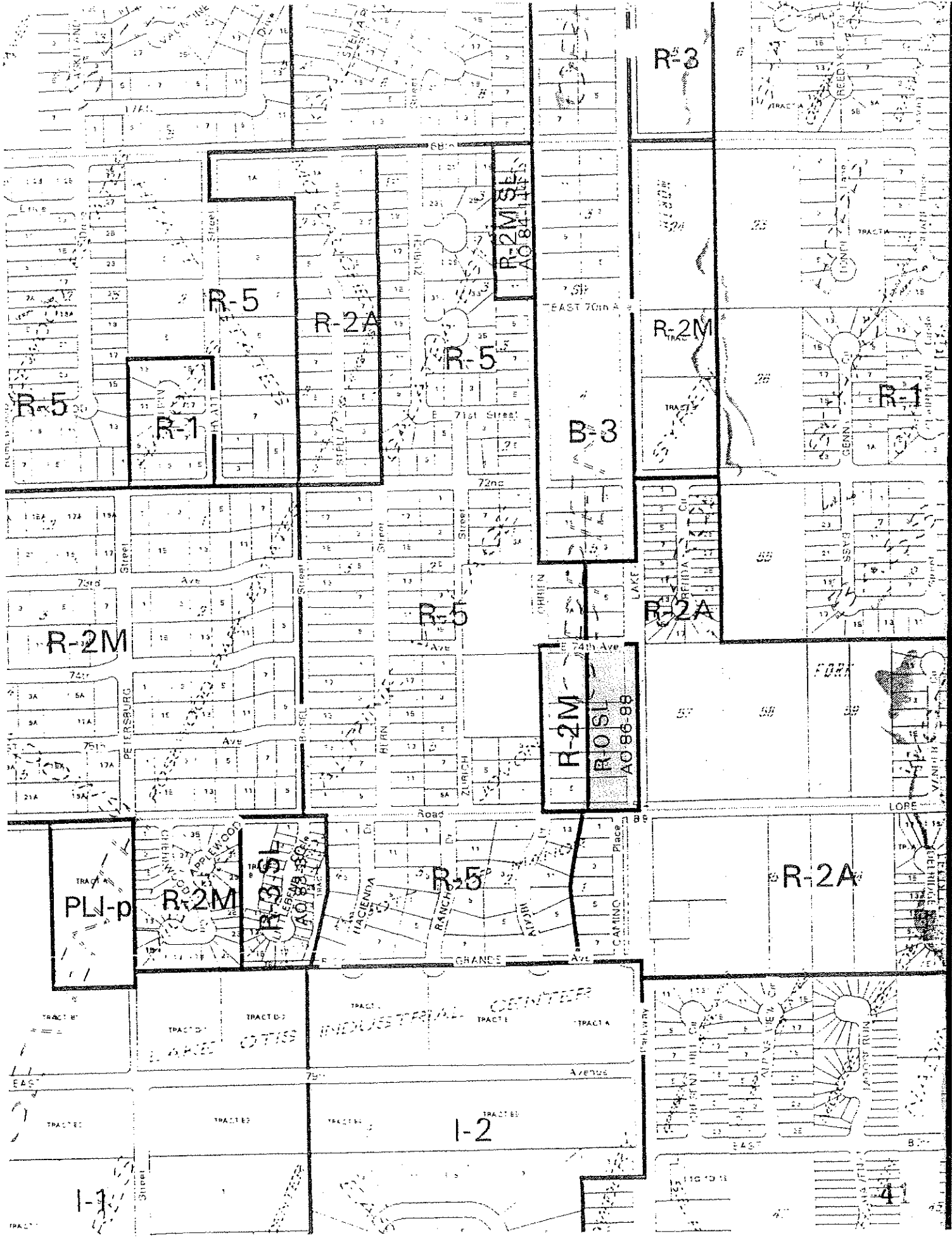

Chairman

ATTEST:


Municipal Clerk

sm16/bao4

(86-010)



R-5

R-5

R-2A

R-5

R-2M
AO 84-114

B-3

R-2M

R-1

R-2M

R-5

R-2M
R-OSI
AO 86-88

R-2A

PLI-p

R-2M

R-5

R-2A

I-2

4



5

POSTING

AFFIDAVIT



AFFIDAVIT OF POSTING

RECEIVED

APR 22 2005

Case Number: 2005-063

PLANNING DEPARTMENT

I, JOHN TERRY LEVONSON, 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 Rezone. The notice was posted on April 22, 2005 which is at least 21 days prior to the public hearing on this petition. I acknowledge this Notice(s) must be posted in plain sight and displayed until all public hearings have been completed.

Affirmed and signed this 22nd day of APRIL, 2005

[Handwritten Signature]
Signature

LEGAL DESCRIPTION

Tract or Lot 1-4 and 9
Block 6
Subdivision O'Brien

6

HISTORICAL INFORMATION

**PLANNING & ZONING
COMMISSION
PUBLIC HEARING
JUNE 6, 2005
SUPPLEMENTAL INFORMATION**

**G.1. Case 2005-063
Rezone to R-O**

Double-sided

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

RECYCLED
FIRST CLASS



014-181-11-000
NIELSEN NIELS K & GAIL
4351 ZODIAK DRIVE
ANCHORAGE, AK 99507

RECEIVED
JUN 01 2005
COMMUNITY PLANNING
AND DEVELOPMENT

NOTICE OF PUBLIC HEARING -- Monday, June 06, 2005

Planning Dept Case Number **2005-063**

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

CASE: 2005-063
PETITIONER: Todd Lindfors
REQUEST: Rezoning to R-O Residential-office district
TOTAL AREA: 2.750 acres
SITE ADDRESS: 7746,7506,7520,7536,&7406 LAKE OTIS PKWY
CURRENT ZONE: R-OSL and R-2M
COM COUNCIL(S): 1---Abbott Loop

LEGAL/DETAILS: A request to rezone approximately 2.75 acres from R-O SL(Residential Office with Special Limitations) and R-2M (Multiple Family Residential) to R-O (Residential Office). OBrien Subdivision, Block 6, Lots 1, 2, 3, 4, and 9. Located at 7746, 7506, 7520, 7536, and 7406 Lake Otis Parkway.

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30 p.m., Monday, June 06, 2005 in the Assembly Hall of the Z. J. Loussac Library, 3600 Denali Street, Anchorage, Alaska.

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

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

Name: NIELSEN NIELS K & GAIL 907.346.3678
Address: _____
Legal Description: Abbott Loop MANOR BLK 7 LT 11
Comments: Not in FAVOR Zoning Change
[Signature]
[Signature]
5/31/05

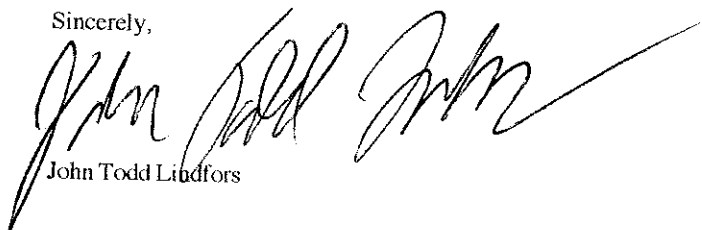
Municipality of Anchorage
Community Planning Department
4700 So. Bragaw St.
Anchorage, AK 99507

April 12, 2005

To Whom It May Concern:

This letter will grant authorization to Mr. Dan Bolles to represent me before the Municipality for the purpose of rezoning the RO-SL property at Lake Otis and Lore Road. If you have any questions I may be reached at my office at 336-4653, or on my cell at 244-5398.

Sincerely,

A handwritten signature in black ink, appearing to read "John Todd Lindfors", with a long horizontal flourish extending to the right.

John Todd Lindfors

Content Information

Content ID : 003221

Type: Ordinance - AO

Title: Planning and Zoning Commission recommendation of approval for a rezoning from R-2M (Multiple Family Residential District) and R-O SL (Residential Office District with Special Limitations) to R-O (Residential Office District) fo

Author: curtiscr2

Initiating Dept: Planning

Date Prepared: 8/24/05 9:31 AM

Director Name: Tom Nelson

Assembly

Meeting Date 9/27/05

MM/DD/YY:

Public Hearing 10/25/05

Date MM/DD/YY:

M.O.A.
 2005 SEP 19 AM 11:51
 CLERKS OFFICE

Workflow History

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
AllOrdinanceWorkflow	8/24/05 9:35 AM	Checkin	weaverjt	Public	003221
Planning_SubWorkflow	8/24/05 12:36 PM	Approve	nelsontp	Public	003221
ECD_SubWorkflow	8/24/05 2:05 PM	Approve	thomasm	Public	003221
OMB_SubWorkflow	8/29/05 6:59 PM	Approve	mitsonjl	Public	003221
AllOrdinanceWorkflow	8/30/05 3:46 PM	Reject	gatesdt	Public	003221
AllOrdinanceWorkflow	8/31/05 10:22 AM	Checkin	weaverjt	Public	003221
Planning_SubWorkflow	8/31/05 12:04 PM	Approve	nelsontp	Public	003221
ECD_SubWorkflow	8/31/05 1:07 PM	Approve	thomasm	Public	003221
OMB_SubWorkflow	9/7/05 11:06 AM	Approve	mitsonjl	Public	003221
Legal_SubWorkflow	9/9/05 5:53 PM	Approve	gatesdt	Public	003221
MuniManager_SubWorkflow	9/15/05 11:39 AM	Approve	leblancdc	Public	003221
MuniMgrCoord_SubWorkflow	9/15/05 5:41 PM	Checkin	curtiscr2	Public	003221
MuniMgrCoord_SubWorkflow	9/16/05 8:19 AM	Approve	abbottmk	Public	003221