

CLERK'S OFFICE

APPROVED

9-15-09

Date: _____

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Planning Department
For reading: August 11, 2009

Anchorage, Alaska
AO 2009-92

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3
4 AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING THE
5 ZONING MAP AND PROVIDING FOR THE REZONING OF
6 APPROXIMATELY 43,858 SQUARE FEET FROM B-3 (GENERAL BUSINESS
7 DISTRICT) TO R-2M (MULTIPLE-FAMILY RESIDENTIAL DISTRICT) FOR
8 LOT 54 LESS THE NORTH 150 FEET, T14N, R2W, SECTION 11;
9 GENERALLY LOCATED SOUTH OF ARTILLERY ROAD, AND EAST OF
10 THE GLENN HIGHWAY AND VFW ROAD.

11
12 (Eagle River Community Council) (Planning and Zoning Commission Case 2009-078)

13 **THE ANCHORAGE ASSEMBLY ORDAINS:**

14
15 **Section 1.** The zoning map shall be amended by designating the following
16 described property as R-2M (Multiple-Family Residential) District:

17
18 Lot 54, Less the North 150 Feet, T14N, R2W, Section 11, consisting of
19 43,858 square feet; generally located south of Artillery Road, and east of
20 the Glenn Highway and VFW Road, as shown on Exhibit "A" attached.

21
22 **Section 2. Effective Clause:**

23
24 The property is subject to the following effective clause:

25
26 R-2M zoning shall not become effective until the subject property is
27 registered as a Nonconforming Lot in conformance with AMC
28 21.55.020B.

29
30 **Section 3.** This ordinance shall become effective 10 days after the Director of
31 the Planning Department has received the written consent of the owners of the
32 property within the area described in Section 1 above to the special limitations
33 contained herein. The rezoning approval contained herein shall automatically
34 expire, and be null and void, if the written consent is not received within 120
35 days after the date on which this ordinance is passed and approved. In the
36 event no special limitations are contained herein, this ordinance is effective
37 immediately upon passage and approval. The Director of the Planning
38 Department shall change the zoning map accordingly.

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PASSED AND APPROVED by the Anchorage Assembly this
15th day of September 2009.

ATTEST:

Debbi Ossinger
Chair

Salma E. Quenster
Municipal Clerk

8

(Case 2009-078; Tax I.D. No. 050-261-23)

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2009-92

Title: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 43,858 SQUARE FEET FROM B-3 (GENERAL BUSINESS DISTRICT) TO R-2M (MULTIPLE-FAMILY RESIDENTIAL DISTRICT) FOR LOT 54 LESS THE NORTH 150 FEET, T14N, R2W, SECTION 11; GENERALLY LOCATED SOUTH OF ARTILLERY ROAD, AND EAST OF THE GLENN HIGHWAY AND VFW ROAD.

Sponsor:
 Preparing Agency: Planning Department
 Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:	(In Thousands of Dollars)			
	<u>FY09</u>	<u>FY10</u>	<u>FY11</u>	<u>FY12</u>
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 this rezone should have no significant impact on the public sector. No additional public improvements are required.

PRIVATE SECTOR ECONOMIC EFFECTS:

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

Prepared by: Jerry T. Weaver Jr.

Telephone: 343-7939



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 431-2009

Meeting Date: August 11, 2009

From: Mayor

Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 43,858 SQUARE FEET FROM B-3 (GENERAL BUSINESS DISTRICT) TO R-2M (MULTIPLE-FAMILY RESIDENTIAL DISTRICT) FOR LOT 54 LESS THE NORTH 150 FEET, T14N, R2W, SECTION 11; GENERALLY LOCATED SOUTH OF ARTILLERY ROAD, AND EAST OF THE GLENN HIGHWAY AND VFW ROAD.

1 On June 1, 2009, the Planning and Zoning Commission recommended approval
2 of the rezone for the subject property owned by Marjorie J. Jones, from B-3 to
3 R-2M.
4

5 Single family uses and structures are prohibited in the B-3 district. This
6 rezoning from B-3 to R-2M will allow construction of a single-family residential
7 structure to replace the family home that was destroyed by fire in 2008. The
8 former single family dwelling and use had legal nonconforming rights in the B-3
9 since it was constructed in 1964, prior to areawide zoning to the B-3 district in
10 1974.
11

12 Property to the south is zoned R-2M and developed residentially. Property to
13 the west, north and east is zoned B-3. Duplex and single-family use is
14 developed to the east and west, and a church and other commercial uses are
15 located to the north.
16

17 Although the subject property conforms with the B-3 and R-2M land use
18 requirements for lot size and lot width, it is an *illegal subdivision*. It was
19 subdivided by deed, and not a recorded subdivision plat sometime between
20 1954 and 1977. The deed created two lots: Lot 54 less the north 150 feet,
21 T14N, R2W, Section 11, and Lot 54 less the south 150 feet, T14N, R2W,
22 Section 11. AMC 21.55.020.B allows the registration of a nonconforming lot
23 with the Planning Department. The Commission recommendation includes this
24 requirement as an effective clause. This registration will alleviate any future
25 questions as to the legitimacy of the lot.
26

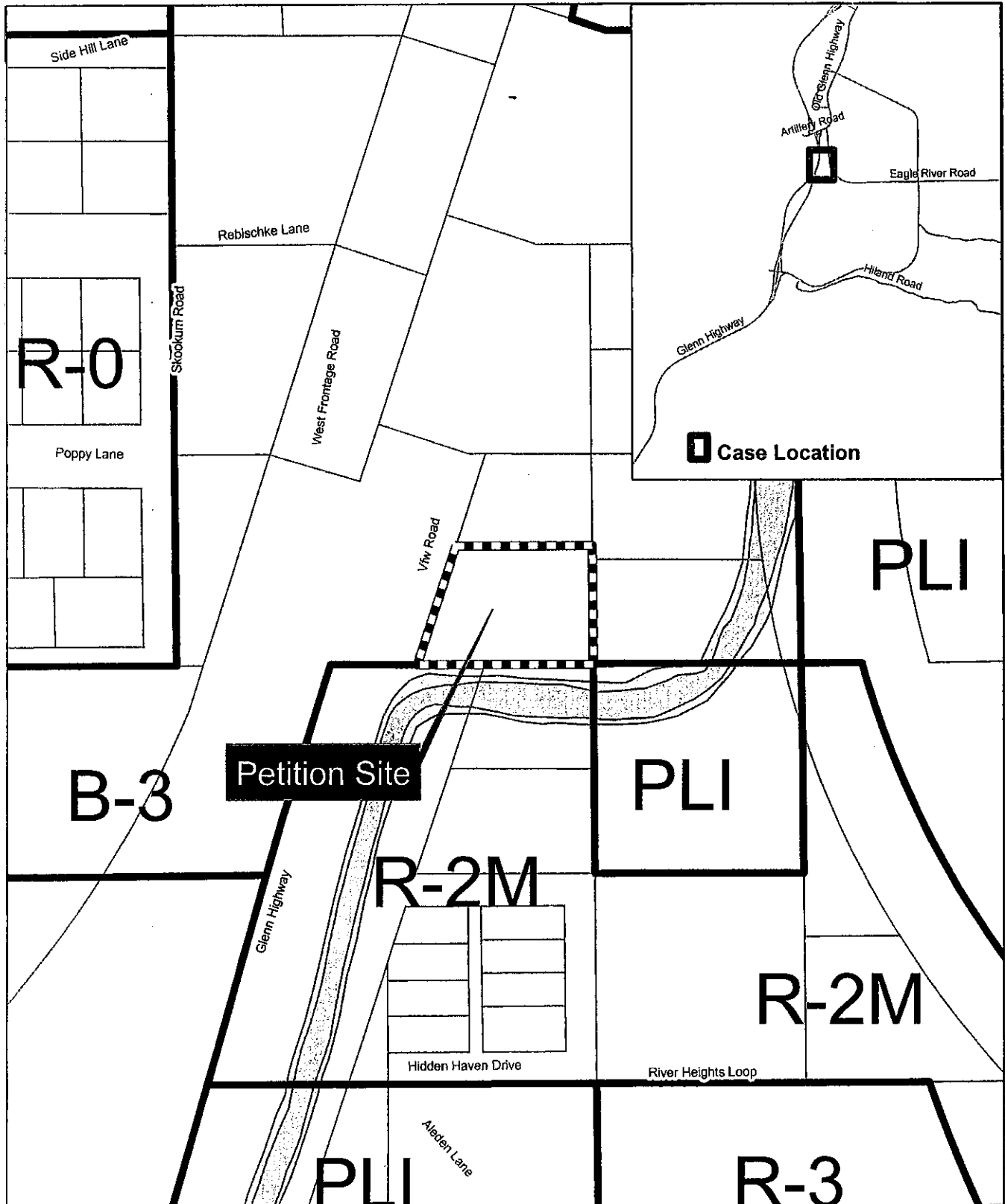
1 The *Chugiak-Eagle River Comprehensive Plan* land use map provides a visual
2 representation of long-term goals: it is not a detailed blueprint for future
3 development, nor is it a zoning map which establishes specific land uses on a
4 lot-by-lot basis. It is, in conjunction with the plan's *Guidelines for Growth*, a
5 policy guide and legal basis for future zoning changes and development
6 decisions. Rezoning this property, which is immediately adjacent to R-2M
7 zoned land, is consistent with the *Housing and Residential Development* goal,
8 and is consistent with the objective that encourages the retention and
9 rehabilitation of existing housing stock. This rezoning generally meets the
10 rezoning standards in AMC 21.20.090.

11
12 The Planning and Zoning Commission recommends APPROVAL of the rezone
13 to R-2M for the subject property by a vote of seven yeas and zero nays.

14
15 THE ADMINISTRATION RECOMMENDS ADOPTION OF THE PROPOSED
16 ORDINANCE.




17
18 Prepared by: Jerry T. Weaver Jr., Zoning Administrator,
19 Planning Department
20 Concur: Tom Nelson, Director, Planning Department
21 Concur: Mary Jane Michael, Executive Director, Office of
22 Economic and Community Development
23 Concur: Rhonda Fehlen Westover, Acting Municipal Attorney
24 Concur: George J. Vakalis, Municipal Manager
25 Respectfully submitted, Daniel A. Sullivan, Mayor
26
27

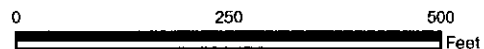
(Case 2009-078; Tax I.D. No 050-261-23)



Municipality of Anchorage
Planning Department
Date: April 13, 2009

Flood Limits

-  100 Year
-  500 Year
-  Floodway



MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2009-027

A RESOLUTION RECOMMENDING APPROVAL OF A REZONE OF APPROXIMATELY 43,858 SQUARE FEET FROM B-3 (GENERAL BUSINESS DISTRICT) TO R-2M (MULTIPLE-FAMILY RESIDENTIAL DISTRICT) FOR T14N, R2W, SECTION 11, LOT 54 LESS NORTH 150 FEET; GENERALLY LOCATED SOUTH OF ARTILLERY ROAD, EAST SIDE OF THE GLENN HIGHWAY AND VFW ROAD.

(Case 2009-078; Tax I.D. No. 050-261-23)

WHEREAS, a request has been received from Marjorie Jane Jones to rezone approximately 43,858 square feet from B-3 (General Business District) to R-2M (Multiple-Family Residential District) for T14N, R2W, Section 11, Lot 54 less north 150 feet; generally located south of Artillery Road, east side of the Glenn Highway and VFW road; and

WHEREAS, notices were published, posted, public hearing notices were mailed, and a public hearing was held on June 1, 2009.

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

- A. The Commission makes the following findings of fact:
1. The property owner requests R-2M zoning to allow construction of a single family residential structure to replace the family home that was destroyed by fire in 2008. Under B-3 zoning, a single family dwelling and use is not allowed. The former single family dwelling and use had legal nonconforming rights in the B-3 District. The subject property is adjacent to R-2M zoning.
 2. The subject property conforms with the land use requirements in the B-3 District and R-2M District for lot size and lot width, however, the subject property it is an illegal subdivision: it was subdivided by deed, and not a recorded subdivision plat, sometime between 1954 and 1977 creating two lots: T14N, R2W, Section 11, Lot 54 less the north 150feet, and T14N R2W, Section 11, Lot 54 north 150 feet. The property owner must register the property as a nonconforming lot per AMC 21.55.020.B. The property was zoned B-3 in 1974 areawide rezone, which allowed the single-family home as a legal nonconforming use.
 3. The *Chugiak-Eagle River Comprehensive Plan* land use map provides a visual representation of long-term policies: it is not a detailed blueprint for future development, nor is it a zoning map which establishes specific land uses on a lot by lot basis. It is, in conjunction with the *Guidelines for Growth*, a policy guide and legal basis for future zoning changes and development decisions. Rezoning this property, which is immediately adjacent to R-2M zoned land, is consistent with the Housing and

Residential Development goal and is consistent with the objective that encourages the retention and rehabilitation of existing housing stock.

4. Property to the south is developed residential, property to the west, north and east are zoned B-3. The B-3 to the east is developed with a duplex and single family dwelling; to the north is a church and other commercial uses; and to the west (across the Glenn Highway) is developed with single family residential.
 5. This rezoning request generally meets the rezoning standards in AMC 21.20.090.
 6. The Commission recommended approval of the request by a unanimous vote: 8-yes, 0-nea.
- B. The Commission recommends to the Anchorage Assembly that the subject property be rezoned to R-2M, subject to the following effective clause:

Effective clause:

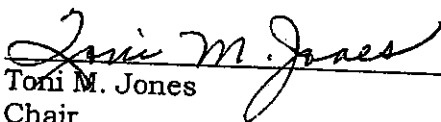
1. R-2M zoning shall not become effective until the subject property is registered as a nonconforming lot in conformance with AMC 21.55.020.B.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 1st day of June, 2009.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 13th day of July, 2009.



Tom Nelson
Secretary



Toni M. Jones
Chair

(Case 2009-078; Tax I.D. No. 050-261-23)

ma

COMMISSIONER WEDDLETON understood Commissioner Pease's request is additional information on finances from KABATA and Mr. Wilber stated this should be considered on a level equivalent to the LRTP. The LRTP is a year-by-year 20-year presentation and asked if KABATA has details on their 3P for 20 years. MR. WILBER stated he would visit with KABATA tomorrow to produce equitable information in a similar format. COMMISSIONER WEDDDLETON understood that the motion on the floor deals only with the KAC and asked if the Commission would need to make an additional motion on June 8 to address the other aspects of the request before it. MR. WILBER confirmed that this is the case.

F. REGULAR AGENDA

- a. **Planning & Zoning Commission Report for Mayor-Elect Sullivan's Transition Team**

Dealt with later in the agenda

G. PUBLIC HEARINGS

1. **2009-078** Marjorie Jane Jones. A request to rezone approximately 43,858 square feet from B-3 (General Business District) to R-2M (Multiple-family Residential District). T14N, R2W, Section 11, Lot 54 less N150 ft.

Staff member AL BARRETT stated 69 public hearing notices were received, one response was in support and two were in opposition from two property owners signing one letter. This is a straightforward matter dating back to the areawide rezoning. During the time of areawide rezonings, property owners were often given the choice of requesting a district that made the existing use legal or one that they would like to have in the future that resulted in the existing use becoming nonconforming, but that gave the possible benefit of realizing some advantage in the future. The petitioner inherited the home from her parents and the property is zoned B-3, which allowed the single-family home as a legal, but nonconforming, use at the time of the areawide rezoning. The house recently burned and she does not want a B-3 use, but would like to rebuild the single-family home, however, a single-family use is not permitted in the B-3 district. The property is adjacent to R-2M zoning, which allows single-family and multi-family units and that zoning district is being requested. The lot is nonconforming. It was subdivided by deed. The lot consists of Lot 54 less the north 150 feet. One of the conditions is to register the lot as a

nonconforming lot of record. The *Chugiak/Eagle River Comprehensive Plan* designates the area as general commercial, but that is a representation of the zonings that resulted from the areawide rezoning. The impacts to the area will be lessened as a result of rezoning from B-3 to R-2M. The property to the north is a church and other commercial uses, to the east is B-3 that are in use as single-family, and to the south is R-2M used as duplexes and to the south of that is higher density multi-family. Impacts to public facilities are less with R-2M than with B-3. The Department finds the rezoning appropriate for this property. The Department suggests the petitioner contact the property owner to the north to defray costs as they share this nonconforming subdivision. He reminded the petitioner that she must apply for a permit to develop the property once the rezoning is addressed.

The public hearing was opened.

MARJORIE JANE JONES, petitioner, asked to proceed with rezoning her property in order for her to build her house. She had an historical pavilion home and she did not anticipate the need to rebuild, but that situation has arisen. She wants to continue living on this property and raising children and grandchildren and give it to her children to raise their children. She stated that the use has existed since 1952.

JOE SPURLOCK, neighboring property owner, stated their families have been in the area for four or five decades and he stood in this Chamber five years ago bringing the same situation before the Commission. He found incongruities through the public record in regard to ordinance 7466. No one from Earl and Lillian Carter's property down VFW Road, then known as Old Glenn Highway, recalls receiving notification of a public hearing or signs posted as required by municipal code. He has a box in the back containing \$40,000 worth of public record documentation and those hearings pointed to north Eagle River zoning areas: namely, the Old Glenn Highway and Eagle River Loop. Through a Freedom of Information Act request, documentation came to light that the City did not keep required bookkeeping and could not produce documents required by municipal code to be recorded, namely of a public hearing. Other documents show false testimony by Earl and Lillian Carter that there were businesses on the properties but they have been residential since before the Municipality of Anchorage was formed. The properties do not meet the intent of the B-3 district and they did not meet the intent of the B-3 district four decades ago. The intent five years ago was to rezone the parcels to R-2M. He had support from the Eagle River Community

Council and individuals to do that. There is no infrastructure down VFW Road. He asked that all four parcels be rezoned to R-2M.

COMMISSIONER WEDDLETON understood Mr. Spurlock to say that the properties were rezoned B-3 years ago and should have been residential. MR. SPURLOCK stated that they were suddenly zoned B-3 and he has zoning maps showing the properties as R-2M. The topographic break referenced in the staff analysis of ordinance 7466 is drawn in the wrong location. He had evidence of code violations of heavy industrial equipment in a B-3 district. Under B-3, heavy equipment and trucks, storage repair and maintenance are prohibited, but heavy equipment is still being sold out of the B-3 district in violation of municipal code. COMMISSIONER WEDDLETON asked if the land use map in the Title 21 Rewrite corrected this problem. MR. SPURLOCK replied that it did not. The property has been R-2M and now it is B-3. He questioned why no notice was received of the rezoning. This area was overlooked in the 1980 areawide rezoning and apparently under the new areawide Eagle River Comprehensive Plan.

COMMISSIONER ISHAM asked if Mr. Spurlock objects to the requested rezoning to R-2M, explaining that is the subject of this public hearing. MR. SPURLOCK had no opposition to the original residential properties being rezoned residential.

The public hearing was closed.

COMMISSIONER YOSHIMURA moved to approve a rezoning from B-3 to R-2M in case 2009-078. COMMISSIONER ISHAM seconded.

COMMISSIONER YOSHIMURA noted this is the first time in the time she has served on the Commission that she has seen a request to rezone from B-3 to residential. She was pleased to see this request. She hoped at some point in time there would be an administrative process to handle cases of rebuilding due to fire. It seemed a burden for an individual property owner to have to go through this public process when it is a matter of rebuilding something that previously existed.

COMMISSIONER ISHAM supported the motion, noting that he is familiar with this property and he thought it was mis-zoned in the areawide rezoning. It abuts R-2M so there is reasonable justification to continue that zoning.

AYE: Phelps, Wang, Weddleton, Isham, Jones, Yoshimura, Fredrick, Pease
NAY: None

PASSED

2. **2009-050** Municipality of Anchorage. An Ordinance of the Anchorage Municipal Assembly to Amend Anchorage Municipal Code and the Zoning Map of the Municipality of Anchorage by Enacting a New Chapter 21.66, Establishing The Downtown Eagle River Overlay District.

Staff member ERIKA McCONNELL explained this is the first overlay district brought before the Commission. A work session was held on this item in April and, at that time, an error in the notification requirements was discovered and the matter was postponed from early May. A total of 697 public hearing notices were mailed and two comments were received. Commissioner Weddleton also submitted written comments and an Issue Response was prepared to respond to those. The overlay district was not prepared by Planning Department staff, but rather came from the Eagle River Chamber of Commerce. She deferred to the Chamber and to their consultant to provide history.

MICHAEL MULILLOW, past president of the Chugiak-Eagle River Chamber of Commerce and small business owner within the overlay district, explained that the Chamber is a nonprofit organization that has been in the area for 40 years. The membership of the Chamber includes hundreds of individuals and small and large businesses. All of these members have a stake in the downtown core of Eagle River. The Chamber has been consistently asked by the community to work on three goals: create a cohesive town center, create a vibrant business district, and maintain the small town character consistent with community values. The Chamber believes this overlay district will help move toward the completion of these goals. Eagle River has grown quickly from 12,000 people 30 years ago to almost 36,000 today. Some downtown parcels were nicely developed, while others caused public outcry. Three years ago several things occurred that resulted in calls to the Chamber office with complaints. These projects included the building of a public storage facility on Business Boulevard, the Larry Baker condominiums above Carl's Junior, and the Department of Transportation fencing along the Old Glenn Highway in the downtown area. All of those things were legal.

**PLANNING & ZONING
COMMISSION
MEETING**

June 1, 2009

**Supplemental Comments Received
After Packet Delivery**

**G.1. Case 2009-078
Rezoning to R-2M multiple-family
residential district,
Marjorie Jane Jones.**

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



050-261-32-007
GARBE JAMES & ANNE
16660 RIVER HEIGHTS LOOP
EAGLE RIVER, AK 99577

RECEIVED

JUN 01 2009

Municipality of Anchorage
Zoning Division

NOTICE OF PUBLIC HEARING - - Monday, June 01, 2009

Planning Dept Case Number: 2009-078

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

CASE: 2009-078
PETITIONER: Marjorie Jane Jones
REQUEST: Rezoning to R-2M Multiple-family residential district
TOTAL AREA: 1.010 acres
SITE ADDRESS: 10309 VFW RD
CURRENT ZONE: B-3 General business district
COM COUNCIL(S): 1---Eagle River

LEGAL/DETAILS: A request to rezone approximately 43,858 square feet from B-3 (General Business District) to R-2M (Multiple-family Residential District). T14N, R2W, Section 11, Lot 54 less N150 ft.

I recently received notification of a possible zoning change from the Municipality of Anchorage's Planning and Zoning Commission. At present the 1.010 acre parcel is zoned B-3 (General Business District). The petitioner and owner is requesting a zoning change to R-2M (Multiple-family residential district. She wishes to build a duplex. This site is heavily treed, ten feet from a major King salmon spawning stream and approximately 100 yards from the entrance to Chugach State Park. Land use adjacent to the lot includes homes on similar sized lots and a church. The petitioner lost her home to a fire and is simply trying to rebuild. Her plans have been on hold for a year and a half. This area located on VFW Road should remain residential. The impact on surrounding homes, the salmon stream and the state park would be substantial and negative if this parcel were to remain commercial. If you believe as I do, please make you views known to the planning commission in writing or plan on attending the public hearing at 6:30 P.M. in the Assembly Chambers of the Loussac Library.

For more information call 343-7943, case # 2009-078.

We, the under signed property owners within three hundred feet of the area described below, hereby file a protest to the Municipality of Anchorage Assembly (pursuant to Chapter 21.20.110) against the proposed zoning map amendment for the area described as:

Legal Description:

T14N, R2W, Section 11, Lot 54 ~~less N400 ft~~

RECEIVED

Planning and Zoning Commission case number:

2009-078

JUN 01 2009

Petitioner:

Marjorie Jane Jones

Municipality of Anchorage
Zoning Division



The current property does not meet the minimum square-footage of 1.75 acres for a rezone and is extremely viable as B3 property due to the direct public road access it enjoys to VFW Road unlike those of T14N, R2W, Section 11, Lot 55; both the north & south halves. The Planning Department's assessment that there is good drainage is true with the exception that all drainage from said such property and all along VFW Road enters into Meadow Creek and Eagle River; both of which harbor salmon that spawn in the summer months. To this end, the number of dilapidated vehicles that have been left in disrepair on said such property leaves speculation and the possibility that vehicular fluids could escape into the creek or river, having an extreme impact on any future generations of salmon in this area; not to mention that of the senior property owners water table.

Let the public record show that within OR 74-66, passed on April 29th 1974; that the topographic break as mentioned has been erroneously drawn since the ordinance's inception, that legally required due process notification did not take place as required by Title 21 and that false testimony from those who were not the owners of record for the said lots mentioned had a vested interest in their property becoming B3 without having their property value degraded by being placed abutting the aforementioned residential district.

Public record information obtained through the FOIA process could not produce documentation that is required to be legally recorded by the Municipality but did produce documentation that plainly shows the intent of the ordinance was that the properties in the proposed B3 district were above both lots that comprise Lot 55 along with documentation showing the false testimony previously mentioned.

Furthermore, the senior property owners of Lots 55 vehemently protest any residential rezone of the afore mentioned parcel to R2M without remediation from the Municipality of Anchorage to become R2M inclusive of both halves of lots 54 & 55 at it's cost.

As such, without direct public road access to Eagle River Road to which our properties abut, without having an approved private drive, public water, public sewer, buried utilities, having excessive easements and lack of buildable property, Lot 55 as a whole should be included within any consideration of R2M zoning of this parcel.

Name (Please Print)	Mailing Address	Legal Description	Signature
Joe Spurlock	10335 VFW Road Eagle River, Alaska, 99577	T14N, R2W, Section 11, Lot 55 N2 REM	
Carol Van Ornum	10311 VFW Road Eagle River, Alaska, 99577	T14N, R2W, Section 11, Lot 55 S2 REM	

**PLANNING DEPARTMENT
PLANNING STAFF ANALYSIS
REZONING**

DATE: June 1, 2009

CASE NO.: 2009-078

APPLICANT: Marjorie Jane Jones

REPRESENTATIVE: Self

REQUEST: Rezoning from B-3 (General Business) District to R-2M (Multiple-Family Residential) District to

LOCATION: T14N, R2W, Section 11, Lot 54 Less North 150 Feet
Generally located south of Artillery Road, east side of the Glenn Highway and VFW Road.

SITE ADDRESS: 10309 VFW Road

COMMUNITY COUNCIL: Eagle River

TAX NUMBER: 050-261-23

ATTACHMENTS:

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

RECOMMENDATION SUMMARY: Approval

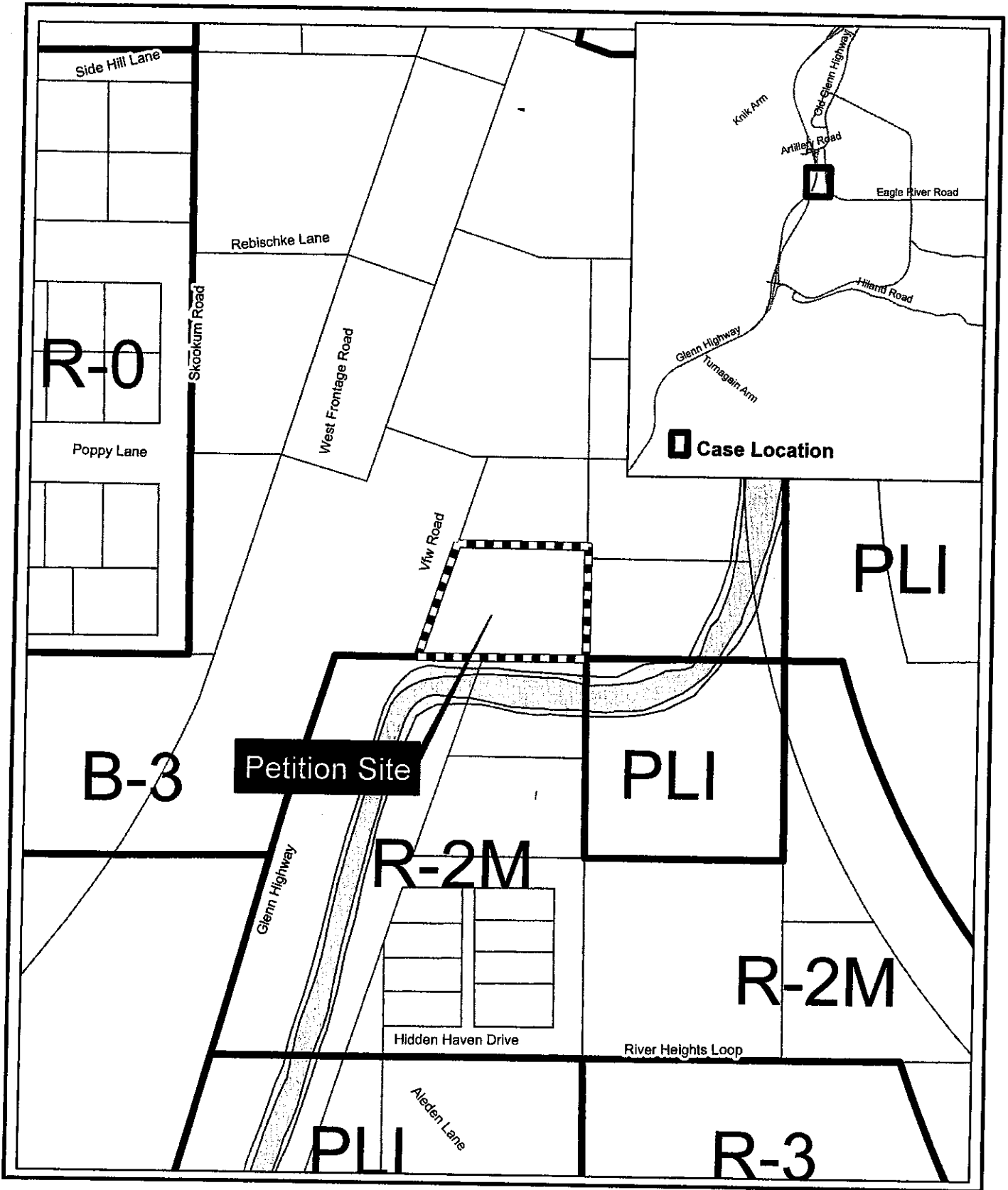
SITE:

Acres: 43,858 square feet/Grid NW 0051
Vegetation: None
Zoning: B-3
Topography: Level
Existing Use: Vacant,
Soils: Public Water & Sewer Not Available

CHUGIAK – EAGLE RIVER COMPREHENSIVE PLAN UPDATE:




2006 Classification: Commercial adjacent to Residential
Density n/a

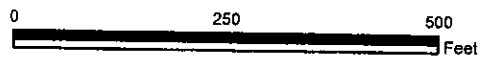
2009-078



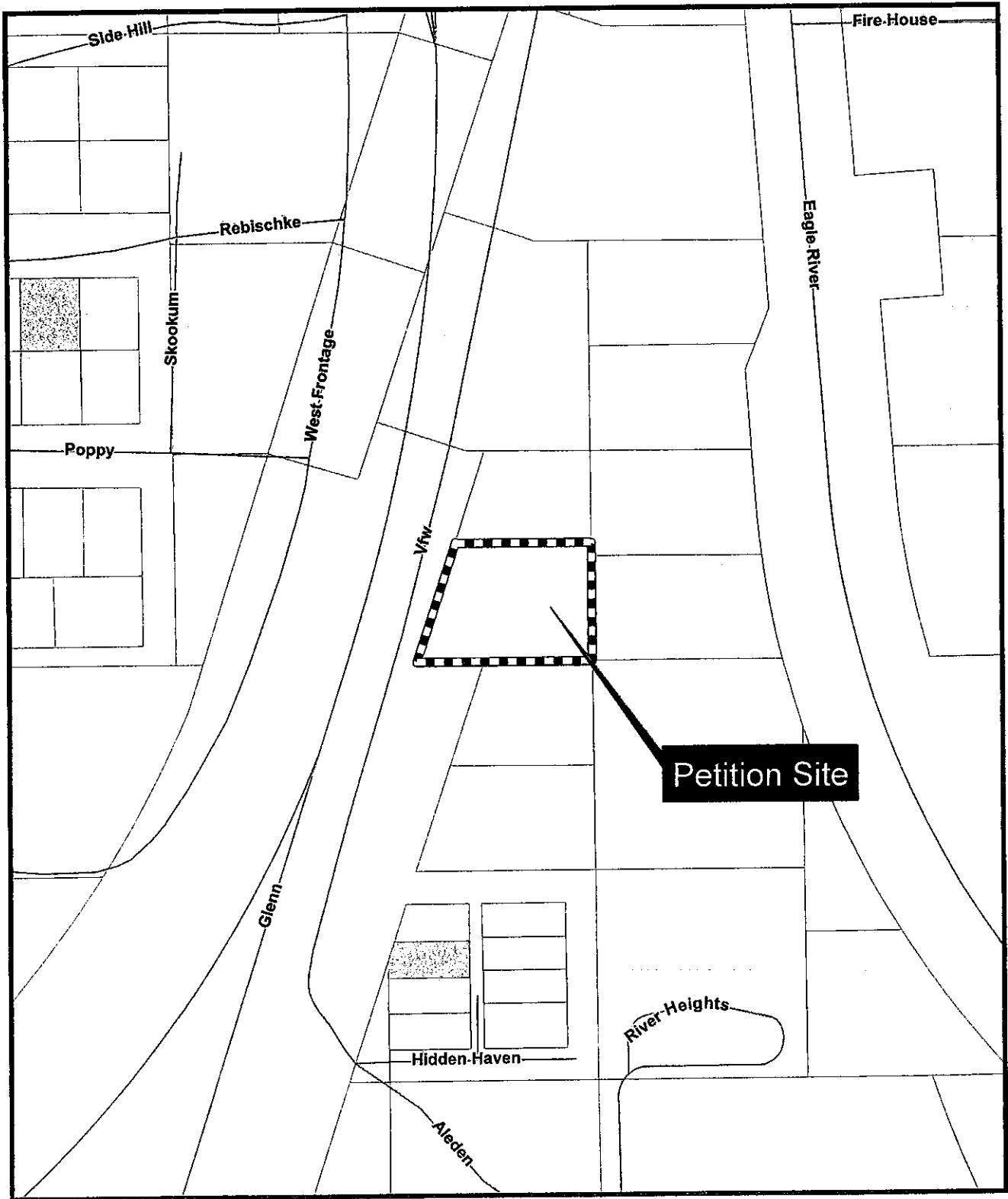
Municipality of Anchorage
 Planning Department
 Date: April 13, 2009

Flood Limits




-  100 Year
-  500 Year
-  Floodway

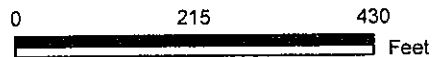


2009-078

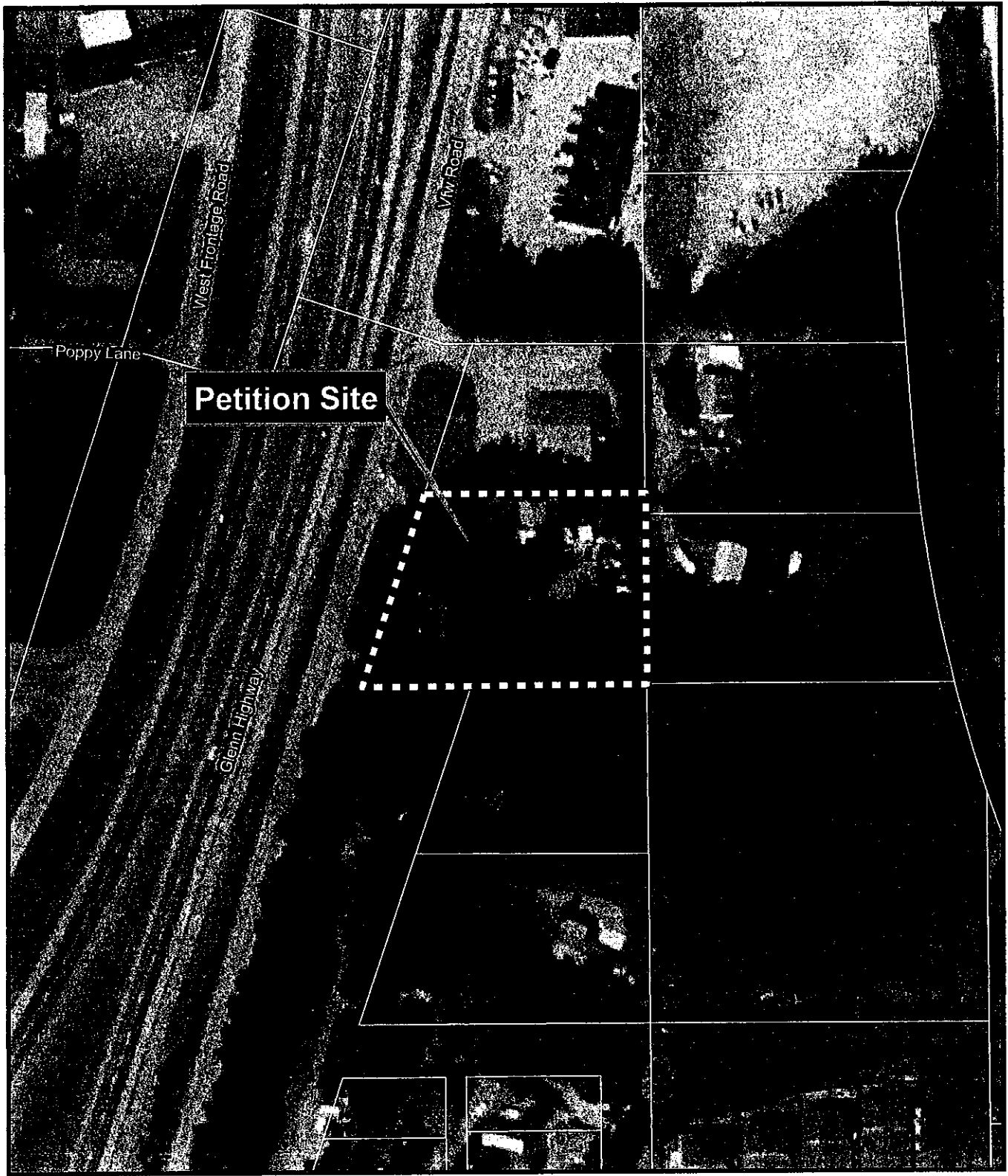


Municipality of Anchorage
Planning Department
Date: April 13, 2009

-  Mobile Home Park
-  Multi-Family
-  Single Family



2009-078



HISTORY:

09-22-53	1978-1880	Retracement plat 1978-1880 of T14N, R2W, Section 11, 12, 14 of the Seward Meridian, Alaska.
01-20-54	Lot 54	Patent #1157972 for SM, AK, T14N, R2W, Section 11, Lot 54 consisting of 1.87 acres. This patent is subject to a right-of-way not exceeding 50 feet in width, for roadway and public utilities purposes, to be located along the north, east and south boundaries of said land.
1964		Single family with attached garage consisting of 1,095 square feet constructed on subject parcel.
04-29-74	B-3	GAAB Eagle River Areawide rezoning OR 74-66
03-15-77		Subdivision by Deed of Lot 54 less the north 150 feet (37,599 square feet) recorded.
10-22-81	Plat 81-238	SOA Department of Highways Right of Way Map, F-042-1(38) AO 6192, Ski Bowl Road to Eagle River recorded.
11-13-08	Complaint	Complaint case opened of construction of a structure one hundred or more square feet in area without a land use permit, LUEE95980. A stop work order was issued for a nearly completed residential building foundation. The house had been destroyed by fire: it had enjoyed nonconforming rights as a single family use and structure in the B-3 District.

APPLICABLE LAND USE REGULATIONS:

Proposed:

R-2M: Permits medium-density multiple-family dwelling uses allowing up to eight dwelling units per acre on 20,000 square foot lots. Allows single-family, two-family and multi-family dwellings. Maximum lot coverage is 40%, 20-5-10 foot front/side/rear yards. Maximum height is 30 feet.

Existing:

B-3: Permits general commercial uses, business, business services and professional services and personal services, and limits residential uses to multi-family at a minimum of 12 dwelling units per acre. Maximum lot coverage unrestricted unless predominately a residential development, and side and rear yards abated unless adjacent to residential, with a 10 foot front yard setback. Maximum height is unrestricted.

SURROUNDING AREA:

	NORTH	EAST	SOUTH	WEST
Zoning:	R-4	R-4	B-3	B-3

Land Use:	Multiple-Family Residential	Service Station	Vacant (former hotel/trailer park	Commercial Retail Mall
-----------	-----------------------------	-----------------	-----------------------------------	------------------------

REQUEST

This is a request by the petitioner, Marjorie Jane Jones, to rezone the subject property from B-3 to R-2M, consisting of 43,858 SF to match the adjacent R-2M zoning to the south. R-2M zoning will allow her to construct a single family residential structure, to replace the family home that was destroyed by fire in 2008. A single family dwelling is not allowed in the B-3. The former single family dwelling and use had legal nonconforming rights in the B-3.

Although the subject property conforms with the B-3 (and R-2M) land use requirements for lot size, lot width, it is an illegal subdivision: it was subdivided by deed, and not a recorded subdivision plat, sometime between 1954 and 1977 creating two lots – T14N, R2W, Section 11, Lot 54 less the north 150 feet, and T14N, R2W, Section 11, Lot 54 north 150 feet. AMC 21.55.020.B allows the registration of a nonconforming lot with the planning department.

COMMUNITY COMMENTS:

At the time this report was written, there was no returned public hearing notices (PHN) received out of sixty-nine (69) public hearing notices mailed May 7, 2009.

FINDINGS:

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

A. Conformance to the Comprehensive Plan.

The comprehensive plan designates this property as commercial, but the general area is primarily developed residential, and is adjacent to land classified as residential.

The Land Use Plan map provides a visual representation of long-term policies: it is not a detailed blueprint for future development, nor is it a zoning map which establishes specific land uses on a lot by lot basis. Rather, it is, in conjunction with the Guidelines for Growth (goals and objectives), a policy guide and legal basis for future zoning changes and other development decisions.

This request is consistent with the Housing and Residential Development goal to manage the supply of residential land in ways that meet the needs of present residents, and preserves the community character. It is consistent with the objective that encourages the retention and rehabilitation of existing housing stock, where the need exists and where practical, in order to promote neighborhood stability and continuity, and the objective to protect residential neighborhoods from incompatible land uses on adjoining tracts.

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.

Slopes/Vegetation: The property is mostly level.

Wetlands: There are no wetlands associated with the subject property. Meadow Creek is located east and south of the petition site.

Land Use Patterns

This property borders land classified as Residential, zoned R-2M to the south, B-3 to the west, north and east of the subject property. The B-3 zoned property to the east is developed with a duplex and single family dwelling/use. The B-3 lot immediately to the north is a church (Northern Missionary Baptist Church), B-3 to the west (across the highway) is developed with single family residential. This rezone is compatible with the surrounding uses, which are primarily residential, and it provides for a zoning district in which this property can be redeveloped with a single family use.

Transportation/Drainage

Transportation Planning, Traffic Engineering and the State Department of Transportation and Public Facilities (ADOT&PF) had no objection this rezoning and/or did not provide any comment. Project Management & Engineering had no objection, noting that rezoning will have no impact to roads, drainage or utilities.

Public Services and Facilities

Roads: VFW Road is a frontage road to the New Glenn Highway and is located within the New Glenn Highway right of way. Access to the subject property is from VFW Road, a state owned road.

Utilities: public sewer, water, gas, and electrical utilities are available to the surrounding property. This property has on-site well and septic.

Public Safety: The petition site has Police and Fire services.

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.

Rezoning this property to R-2M will add one acre of land to the supply of residentially zoned land, but more importantly will retain it in the existing single family supply.

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.

Upon approval of this rezoning by the Assembly, the applicant can apply for a Land Use Permit for the construction of her home.

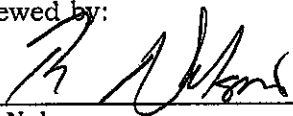
4. The effect of the amendment on the distribution of land uses and residential densities specified in the Comprehensive Plan, and whether the proposed amendment furthers the allocation of uses and residential densities in accordance with the goals and policies of the Plan.

R-2M zoning is compatible with the existing residential land use pattern, and will allow replacement and reconstruction of the family home.

RECOMMENDATION:

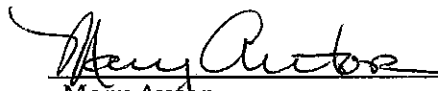
The Department finds that the requested rezoning from B-3 to R-2M is generally consistent with the 2006 Chugiak-Eagle River Comprehensive Plan Update and generally meets AMC 21.20.090 rezoning standards. The Department supports APPROVAL of R-2M zoning with an effective clause requiring the property register as a nonconforming lot with the Planning Department.

Reviewed by:



Tom Nelson
Director

Prepared by:



Mary Aultor
Senior Planner

(Case 2009-060)

(Tax ID No. 050-261-23)

**DEPARTMENTAL
COMMENTS**

Reviewing Agency Comment Summary
Case No.: 2009-078

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

Municipality Of Anchorage
ANCHORAGE WATER & WASTEWATER UTILITY

RECEIVED

MEMORANDUM

MAY 07 2009

*Municipality of Anchorage
Zoning Division*

DATE: May 4, 2009
TO: Jerry Weaver, Zoning Division Administrator, Planning Department
FROM: Paul Hatcher, Engineering Technician III, AWWU *PH*
SUBJECT: **Zoning Case Comments**
Planning & Zoning Commission Hearing June 1, 2009
Agency Comments due May 4, 2009

AWWU has reviewed the materials and has the following comments.

09-073 T15N, R1W, SEC 16, LT 6, GOVT LOT; 6 N 117', GOVT LT; 6 S 50', W 606'; LT 10; S 1/2, NE 1/4, SW 1/4, NE 1/4; SE 1/4, SW 1/4, NE 1/4; SKYLINE VIEW #1 BLK 1 LT 3; BLK 5 LT 1; TR A, Master Plan Review PC Planned community district, Grid NW1158, 1159

1. AWWU water and sanitary sewer are currently not available to these parcels.
2. AWWU has no objection to this master plan review.

09-074 T15N, R1W, SEC 16, LT 6, GOVT LOT; 6 N 117', GOVT LT; 6 S 50', W 606'; LT 10; S 1/2, NE 1/4, SW 1/4, NE 1/4; SE 1/4, SW 1/4, NE 1/4; SKYLINE VIEW #1 BLK 1 LT 3; BLK 5 LT 1; TR A, Zoning conditional use for a natural resource extraction, Grid NW1158, 1159

1. AWWU water and sanitary sewer are currently not available to these parcels.
2. AWWU has no objection to this natural resource extraction.

09-078 T14N, R2W, SEC 11 LT 54 LESS N 50', Rezoning to R-2M Multiple family residential district, Grid NW0051

1. AWWU water and sanitary sewer are currently not available to this parcel.
2. AWWU has no objection to this rezoning.

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



Municipality of Anchorage
Project Management & Engineering Department



Comments to Miscellaneous Planning and Zoning Application RECEIVED

DATE: May 4, 2009
TO: Jerry Weaver, Platting Officer
FROM: Sharen Walsh, P.E. – Private Development - Plan Review Engineer
SUBJECT: Comments for Planning & Zoning Commission Public Hearing date:
June 1, 2009

MAY 05 2009
Municipality of Anchorage
Zoning Division

Case No. 2009-073&074– PC master plan and gravel extraction conditional use.

This essentially continues an existing operation. Access and drainage issues are already addressed as part of the on-going work. Further road and drainage development will not occur until extractions are completed and reclamation plans are implemented. PM&E will evaluate that work in the future when redevelopment platting actions come forward.

For these reasons, Project Management & Engineering has no adverse comment at this time regarding the master plan or the conditional use.

Case No. 2009-078 - Rezoning to R-2M Multiple-family residential district

PM&E understands that this is a house-keeping action to allow rebuilding of a single family home.

It appears that allowing this rezone will have no impact to roads, drainage or utilities.

PM&E has no objection to the rezone request.

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION - PLANNING

SARAH PALIN, GOVERNOR

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

May 8, 2009

RE: MOA Zoning Review

RECEIVED

MAY 11 2009

Municipality of Anchorage
Zoning Division

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

Dear Mr. Weaver:

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

2009-073; PC Master Plan Gravel Pit

2009-078; Rezoning to R-2M

2009-079; Yard Setback Encroachment Variance

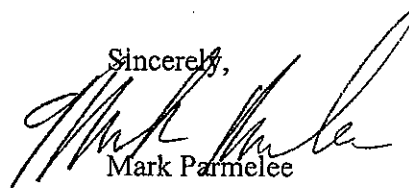
2009-082; Detached Garage Variance, Greatland Estates Unit #3

2009-083; Landscape Variance, Hanson Acres #1

2009-084; Yard Setback Encroachment Variance, Nunaka Valley Subdivision

2009-085; Fence Height Variance, Eagle Glenn Subdivision

Sincerely,

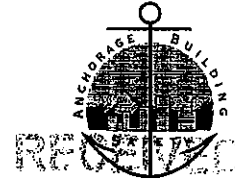


Mark Parmelee
Area Planner

/aj



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



MEMORANDUM

APR 17 2009

DATE: April 17, 2009
TO: Jerry Weaver, Jr., Platting Officer, CPD
FROM: Daniel Roth, Program Manager, On-Site Water and Wastewater Program
SUBJECT: Comments on Cases due May 4, 2009

Municipality of Anchorage
Zoning Division

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

2009 – 073 Amending a Master Plan PC Planned Community district

No objection

2009 – 074 Zoning conditional use for a natural resource extraction

No objection

2009 – 078 Rezoning to R-2M Multiple-family residential district

No objection



MUNICIPALITY OF ANCHORAGE
Traffic Department



MEMORANDUM

RECEIVED

DATE: March 29, 2009
TO: Jerry T. Weaver, Platting Supervisor, Planning Department
THRU: Leland R. Coop, Associate Traffic Engineer
FROM: Mada Angell, Assistant Traffic Engineer
SUBJECT: Traffic Engineering Comments for June 1, 2009 Planning & Zoning Commission

APR 29 2009

Municipality of Anchorage
Zoning Division

09-073 Master Site Plan Review for Chugiak Gravel Pit; Eagle River.

Vehicular access to the site is from State owned Old Glenn Highway right of way.

09-074 Conditional Use Permit for Chugiak Gravel Pit; Eagle River.

Traffic Engineering has no comments.

09-078 Rezone portions of Sec 11 from B-3 to R-2M; Grid NW0051

Traffic Engineering has no comments.

Graves, Jill A.

From: Staff, Alton R.
Sent: Tuesday, May 05, 2009 3:37 PM
To: McLaughlin, Francis D.; Graves, Jill A.; Stewart, Gloria I.
Subject: Zoning and Plat Case Reviews

2009-69 Representatives from the University of Alaska met with People Mover to discuss implications of the Facilities construction at East Providence Loop and the UAA Sports Arena.

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

- 2009 060
- 072
- 073
- 074
- 077
- 078
- 079
- 082 through 086

RECEIVED
MAY 06 2009
MAY 06 2009
MAY 06 2009

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

- S11727-2
- S11729-1
- S11730-1
- S11734-1
- S11735-1
- S11737-1
- S11746-1
- S11747-1
- S11748-1

Thank you for the opportunity to review.

Alton R. Staff
Planning Manager
Public Transportation Department
3600 Dr. Martin Luther King Jr. Ave.
Anchorage, AK 99507
907-343-8230

3

APPLICATION

Monday 10.

Application for Zoning Map Amendment

Municipality of Anchorage
Planning Department
PO Box 196650
Anchorage, AK 99510-6650

Please fill in the information asked for below.

PETITIONER*		PETITIONER REPRESENTATIVE (IF ANY)	
Name (last name first) Jones, Marjorie Jane		Name (last name first)	
Mailing Address 10309 VFW Rd, Eagle River, AK 99577		Mailing Address	
Contact Phone: Day: 694-2149 Night: 694-2149		Contact Phone: Day: Night:	
FAX:		FAX:	
E-mail:		E-mail:	

*Report additional petitioners or disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

PROPERTY INFORMATION

Property Tax #(000-000-00-000):	050-261-23-000		
Site Street Address:	10309 VFW Rd, Eagle River, AK 99577		
Current legal description: (use additional sheet if necessary)	T14N R2W Sec 11 LT 54 Less N 150"		
Existing Zoning:	B-3	Acreage:	43,858 sf
		Grid #	NW0051

PROPOSED ZONING

R-0 R-2M

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	4/13/09	Signature (Agents must provide written proof of authorization)	Marjorie Jane Jones
------	---------	--	---------------------

27

Accepted by:	Poster & Affidavit:	Fee:	Case Number:
- ab -	2	1500.00 4000	2009-078

COMPREHENSIVE PLAN INFORMATION

Anchorage 2020 Urban/Rural Services: Urban Rural

Anchorage 2020 West Anchorage Planning Area: Inside Outside

Anchorage 2020 Major Urban Elements: Site is within or abuts:
 Major Employment Center Redevelopment/Mixed Use Area Town Center
 Neighborhood Commercial Center Industrial Center
 Transit - Supportive Development Corridor

Eagle River-Chugiak-Peters Creek Land Use Classification:
 Commercial Industrial Parks/opens space Public Land Institutions
 Marginal land Alpine/Slope Affected Special Study
 Residential at _____ dwelling units per acre

Girdwood- Turnagain Arm
 Commercial Industrial Parks/opens space Public Land Institutions
 Marginal land Alpine/Slope Affected Special Study
 Residential at _____ dwelling units per acre

ENVIRONMENTAL INFORMATION (All or portion of site affected)

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

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

Rezoning - Case Number:
 Preliminary Plat Final Plat - Case Number(s):
 Conditional Use - Case Number(s):
 Zoning variance - Case Number(s):
 Land Use Enforcement Action for
 Building or Land Use Permit for *fire demo & reconstruction*
 Wetland permit: Army Corp of Engineers Municipality of Anchorage

APPLICATION ATTACHMENTS

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

APPLICATION CHECKLIST

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



Municipality of Anchorage
 Planning Department
 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.

This has been a Grandfathered home site since being built in the 1950's. The surrounding lots are single family and a church.

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.

- 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.

The surrounding neighborhood is residential this house will increase the residential density adjacent zoning is - R-2M

- 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.

The surrounding lots all have either a church or residential built in 70's. This is a request to rezoned to adjacent family home.

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

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

a. Environment;

Will have no adverse effect on the general area or the community. This has been a home on this lot since 1950's until it burned down in Nov 2006.

b. Transportation;

No public transportation on VFW Rd so will not effect.

c. Public Services and Facilities;

This has no adverse effect on Public Services & Facilities. All public utilities are present.

d. Land Use Patterns;

The land use patterns in the surrounding neighborhood and general area are residential homes.

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?

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?

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?

LAND & COMMON PARCEL INFORMATION

APPRAISAL INFORMATION

Legal T14N R2W SEC 11
LT 54 LESS N 150'

Parcel 050-261-23-000 # 01 of 01

Owner JONES RALPH DENNIS &
MARJORIE JANE

Site Addr 10309 VFW RD

10309 VFW ROAD
EAGLE RIVER AK 99577

LAND INFORMATION

Land Use VACANT LAND
Class RESIDENTIAL
Living Units 000
Community Council 007 EAGLE RIVER
Entry: Year/Quality 06 2005 LAND ONLY
01 1980 0
Access Quality GOOD
Access Type
Leasehold (Y=Leasehold)
Drainage GOOD
Front Traffic LOW
Street PAVED
Topography EVEN LEVEL
Utilities PRIVATE WATER SEPTIC SYSTEM
Wellsite N
Wet Land

CONDOMINIUM INFORMATION

Common Area 0
Undivided Interest 0.00

OWNER HISTORY

APPRAISAL INFORMATION	Parcel 050-261-23-000	# 01 of 01	# 01
Legal T14N R2W SEC 11 LT 54 LESS N 150'			
Property Info # Descr VACANT LAND	Site Adress 10309 VFW RD		

<p>Current 03/12/08</p> <p>JONES RALPH DENNIS & MARJORIE JANE</p> <p>10309 VFW ROAD EAGLE RIVER AK 99577 8032</p>	<p>3rd</p> <p>0000 0000 00/00/00</p> <p>SHIPMAN RALPH S & JOANNE ST RT BOX 31</p> <p>EAGLE RIVER AK 99577</p>
<p>Prev</p> <p>0000 0000 00/00/00</p> <p>SHIPMAN RALPH S</p> <p>10247 VFW ROAD EAGLE RIVER AK 99577</p>	<p>4th</p> <p>0000 0000 //</p> <p align="right">00000</p>
<p>2nd</p> <p>0000 0000 00/00/00</p> <p>SHIPMAN RALPH S & JOANNE</p> <p>10247 V F W STREET EAGLE RIVER AK 99577</p>	<p>5th</p> <p>0000 0000 //</p> <p align="right">00000</p>

Aerial

Mon Apr 13, 09:12:42, 2009

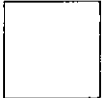
Map: Aerial



Scale 1:2000

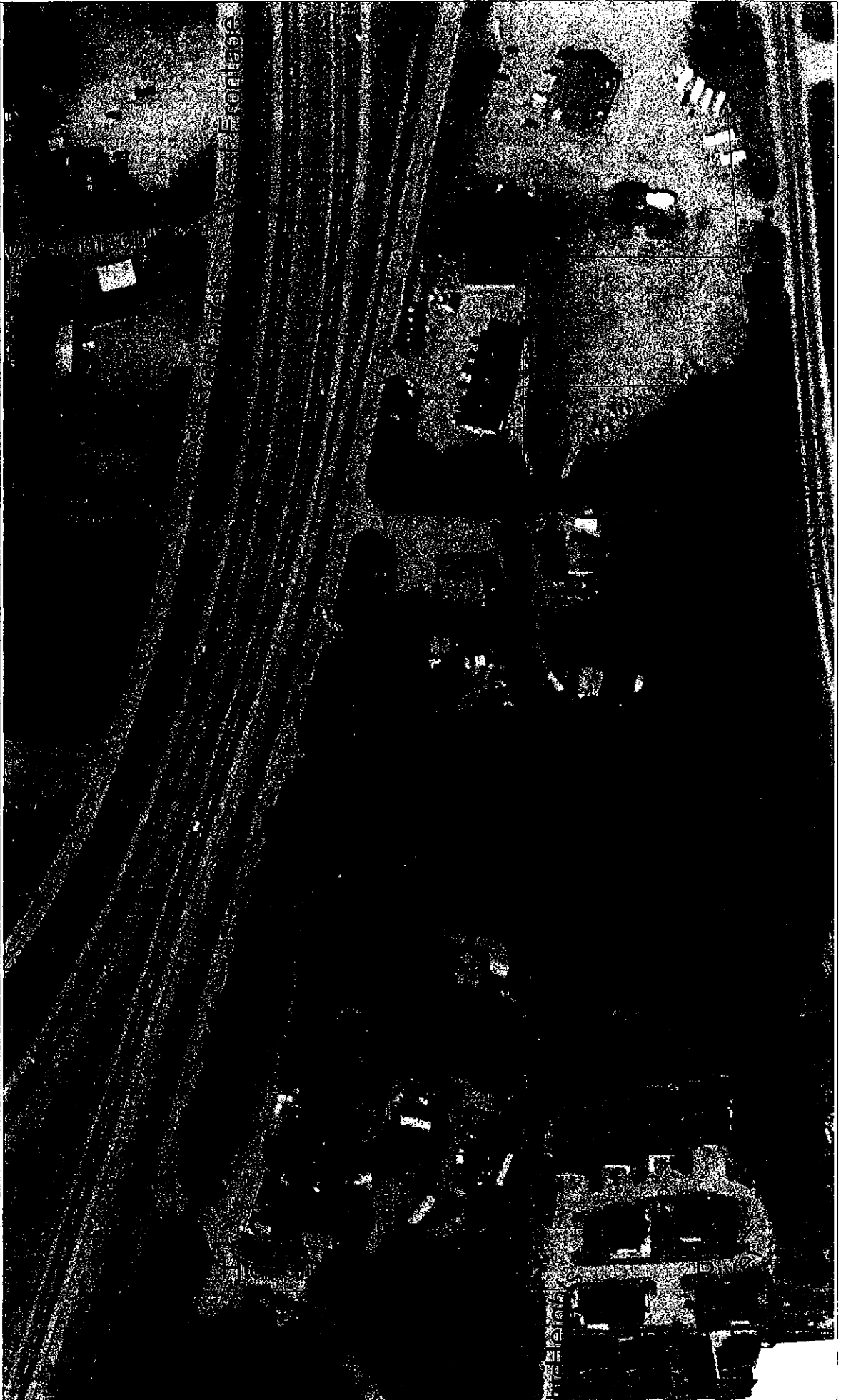
Legend:

Txt STREET_NAME



PARCELS

img MUNICIPALITY_



NW0051 Grid Map

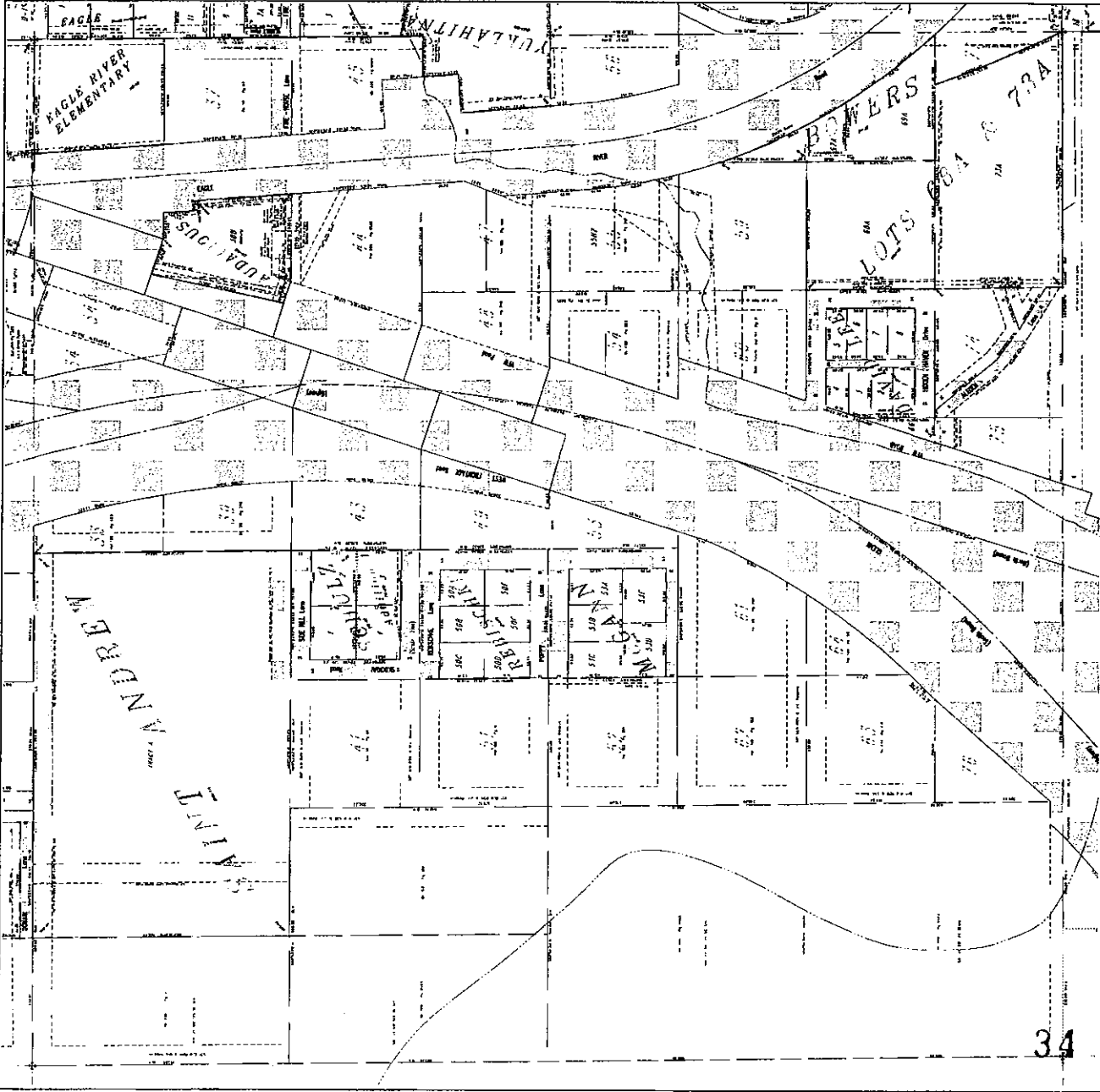
- Parcel Line
- Dashed Parcel Line
- Subdivision Boundary
- Subdivision Address
- Easement Line
- Road Centerline
- Section Line
- Railroad
- Water Way
- Road ROW
- Monument
- BLM Monument
- Whitewash Corner
- Beating Break
- Lot Number
- Block Number
- Subdivision Name
- BLM Lot Number
- Section Number
- ADRRN



Map of the State of Oregon
Department of Transportation
Division of Transportation Planning
1000 NE Oregon Street, Suite 1000
Portland, Oregon 97232
Phone: 503-326-7272
Fax: 503-326-7273
www.oregon.gov/odot



Map of the State of Oregon
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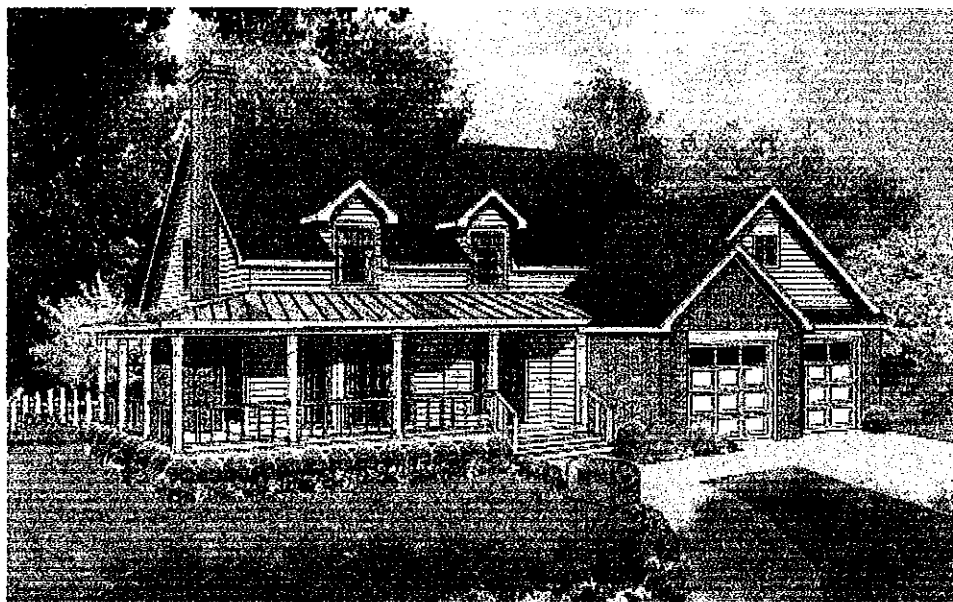
MCA 1/4 Section Grid Map
SE 1/4 S4011 T14N R2W
25-JAN-2008
GRID NW0051

Archway Home Plans - Over 700 House Plans and Garage Plans for Your Dream Home

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- How To Order
- New Plans
- Contact Us

Archway Home Plans > New Angle on a Farmhouse

New Angle on a Farmhouse



Number: HYG-5217

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- Reverse Plans: Plan as Shown

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This lofty three-bedroom has all the classic farmhouse features railed and covered porches, dormers set in a high-peaked roof, a solid chimney anchor. But when you step past the wrapping front porch, you'll find a distinctive new angle to the interior. From the angled entry, a two-story living room takes full

http://www.archwaypress.com/catalog/cart.php?target=product&product_id=2373

35 7/28/2008

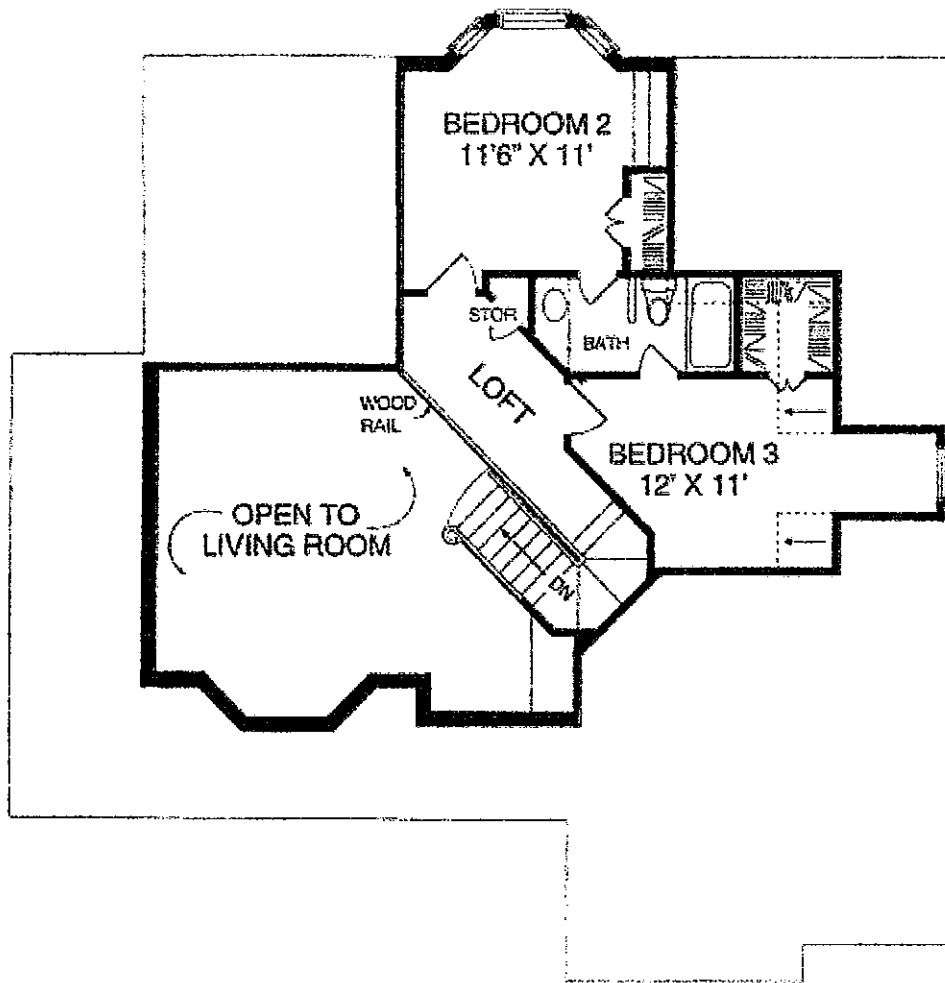
advantage of the high roof. Windows parade around the bay, only to be halted at the central fireplace. A media center tucks into the corner. The angled stairway echoes the entry as well as the entire work center, from kitchen to utilities to garage access. This refreshingly different line leads you gracefully through the formal dining room, where long windows look out on the back porch, into a charming, sunny and very roomy breakfast bay. Kitchen counters form elbows that extend the work area without sacrificing the open airiness. The service corridor holds a powder room, pantry closet and laundry facilities. Away from street noise and other sleeping quarters, the master bedroom on the first floor offers two walk-in closets and a luxury bath, complete with garden tub. The other two bedrooms are reached from the second-floor loft, which looks out over the living room and draws in more light from the two upper dormers. Bedroom 2 shares the brilliantly lit, double height bay column with the breakfast room below, while Bedroom 3 gets its own dormer and sloped ceiling. In between, a dual-access bathroom serves both.

Overall Dimensions: 53'4" x 51'4".

Square Feet: 1,345 first floor; 530 second floor.

Foundation Options: basement, crawlspace and slab.

Floor Plans



A magnificent two-story bay dominates the back, capped with a carousel roof and studded with dozens of window panes.

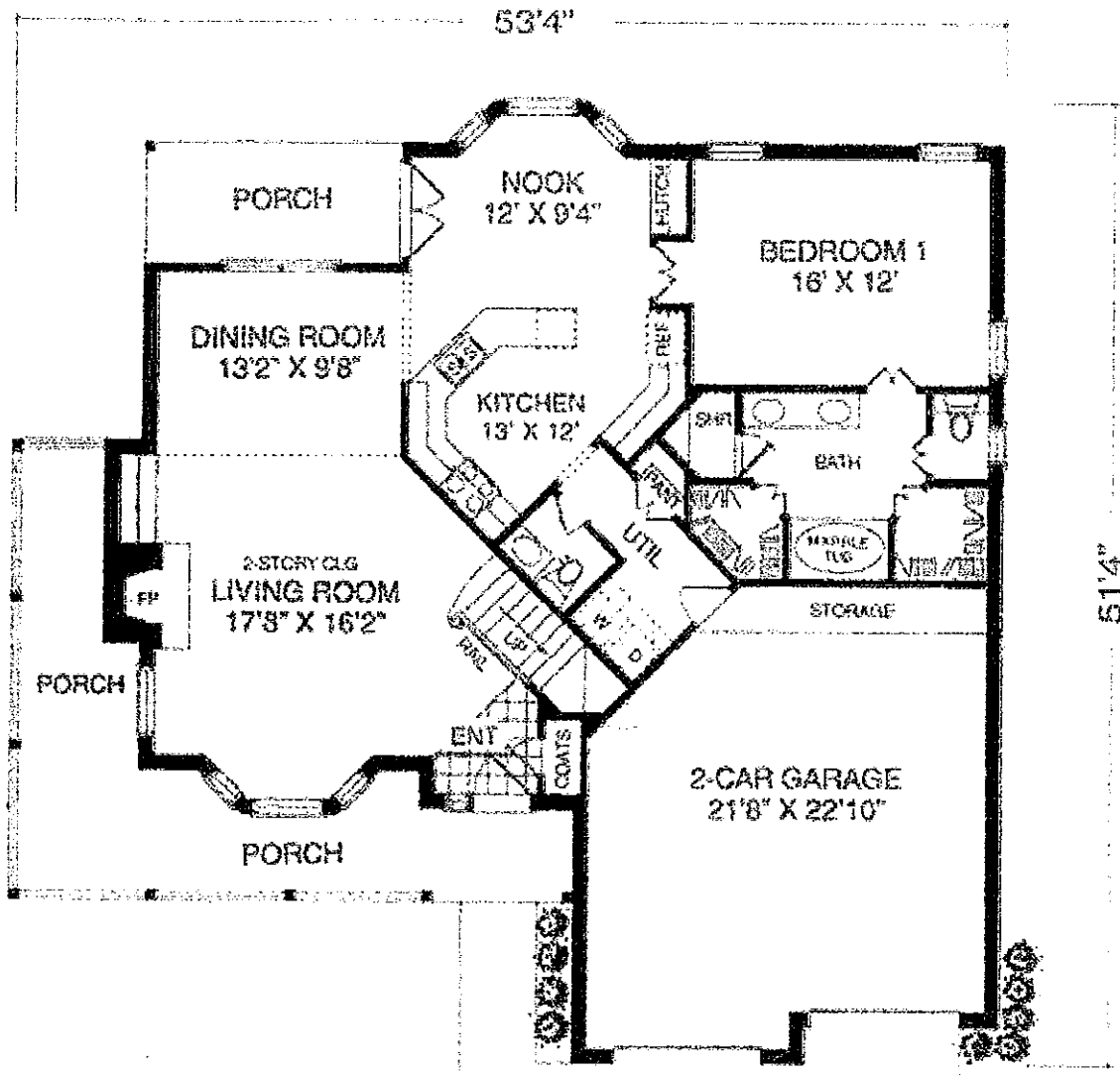


Add to Wishlist

Send to Friend

37

The email addresses and names you provide on this form are used solely to determine to whom to send the message and to inform that person who sent it. We do not save or use these email addresses and will not give them to any other party.







4

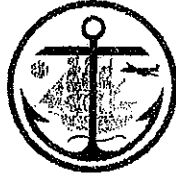
POSTING

AFFIDAVIT

RECEIVED

MAY 05 2009

Municipality of Anchorage
Zoning Division



AFFIDAVIT OF POSTING

CASE NUMBER: 2009-078

I, Majorie Jones 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 5/5/09 which is at least 21 days prior to the public hearing on this petition. I acknowledge this Notice(s) must be posted in plain sight and displayed until all public hearings have been completed.

Affirmed and signed this 5th day of May, 2009

Signature Majorie Jones

LEGAL DESCRIPTION

Tract or Lot _____

Block _____

Subdivision _____

**HISTORICAL
INFORMATION**

Hand It to the Inspector Report

Report date: 5/13/2009 9:25:31AM

Case #: LUE95980

Case Date: 11/13/08

Address: 10309 VFW Rd, Eagle River

Location: 10309 VFW Rd. , Eagle River, AK 99577

Legal Description: T14N R2W SEC 11 LT 54 LESS N 150' G:0051

Agency:	Land Use
Status:	Open
Priority:	Med

Complaint Description:

Construction of a structure one hundred or more square feet in area without a land use permit.

Contacts:

<u>Contact Type</u>	<u>Name</u>	<u>Phone</u>
Complainant	[REDACTED]	[REDACTED]
Owner	Marjorie Jones	(907)694-2149
Staff Assigned to Case	Tim Hamrick	(907)343-8335

Hearings Completed:

<u>Hearing Type</u>	<u>Docket #</u>	<u>Hearing Date</u>	<u>Result</u>
---------------------	-----------------	---------------------	---------------

Inspections:

<u>Inspector / Inspection Type</u>	<u>Result</u>	<u>Inspected on</u>
Tim Hamrick / LUE-Initial Inspection	Re-Inspect	11/13/2008
Tim Hamrick / Follow up inspection		

Log Entries:

- | <u>Date</u> | <u>Log Type</u> | <u>Employee</u> |
|---|-----------------|-----------------|
| <input type="checkbox"/> 11/13/2008 | Not Applicable | Tim Hamrick |
| <p>I inspected this property today with ROW officer Will Pace. We were unable to contact anyone on site so I posted stop work orders on the property. There is a nearly complete foundation being constructed on site. I have not been able to locate a land use permit for the property. The house which was on the property burned down some time ago. The house enjoyed nonconforming rights as it was located in a B3 zoning district. Now that it has been destroyed it can not be rebuilt without being brought into conformity. I spoke with a person on the phone who identified himself as the owners son. He told me his father was deceased that his mother now owned the lot and would need to talk to me about the building being built on it. He said he would have her call me today when she got home from work around 3:00pm. (th)</p> | | |
| <input type="checkbox"/> 11/20/2008 | Not Applicable | Tim Hamrick |
| <p>I have not heard from the owner of this property yet. I called her again today and there was not answer. I spoke with my lead officer Rich Fern and he suggested sending a letter /NOV. It will go out in tomorrows mail. (th)</p> | | |
| <input type="checkbox"/> 05/04/2009 | Not Applicable | Tim Hamrick |
| <p>The owner of the property has applied for a rezone of the property. If approved this would assist in</p> | | |

bringing the property into compliance. A permit could then be obtained for the structure that has been started. I will monitor the progress of the rezone case. (th)

Anchorage 024543

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a certificate of the Land Office at Anchorage, Alaska, is now deposited in the Bureau of Land Management, whereby it appears that pursuant to the act of Congress of June 1, 1938 (52 Stat. 609), as amended by the Act of July 14, 1945 (59 Stat. 467), the claim of Herman Wilson Jones has been established and that the requirements of law pertaining to the claim have been met, for the following-described land:

Seward Meridian, Alaska.
T. 14 N., R. 2 W.,
Sec. 11, Lot 54.

The area described contains 1.87 acres, according to the official plat of the survey of the said land, on file in the Bureau of Land Management: **Dependent Resurvey officially filed January 20, 1954.**

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, DOES HEREBY GRANT unto the said claimant and to the heirs of the said claimant the tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to (1) any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; (2) the reservation of a right-of-way for ditches or canals constructed by the authority of the United States, in accordance with the act of August 30, 1890 (26 Stat., 391, 43 U. S. C. sec. 945), and (3) the reservation of a right-of-way for roads, roadways, highways, tramways, trails, bridges, and appurtenant structures constructed or to be constructed by or under authority of the United States or by any State created out of the Territory of Alaska, in accordance with the act of July 24, 1947 (61 Stat., 418, 48 U. S. C. sec. 321d). There is also reserved to the United States a right-of-way for the construction of railroads, telegraph and telephone lines, in accordance with section 1 of the act of March 12, 1914 (38 Stat., 305, 48 U. S. C. sec. 305). **Excepting and reserving, also, to the United States all oil, gas and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding 50 feet in width, for roadway and public utilities purposes, to be located along the north, east and south boundaries of said land. Reserving unto the United States, its permittee or licensee, the right to enter upon, occupy and use, any part or all of said lands for the purposes provided in the Act of June 10, 1920 (41 Stat. 1063), and subject to the conditions and limitations of Section 24 of said Act as amended by the Act of August 26, 1935 (49 Stat. 846).**

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the **THIRTEENTH** day of **MARCH** in the year of our Lord one thousand nine hundred and **FIFTY-SIX** and of the Independence of the United States the one hundred and **EIGHTIETH**.

[SEAL]

For the Director, Bureau of Land Management.

By Rose M. [Signature]
Acting Chief, Patents ~~and~~ Section

Patent Number 1157972

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Natural Resources [



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Alaska Department of Natural Resources

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Selected Document: 1977-011616-0

in District: 301 - ANCHORAGE

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Document Year: 1977 Number: 011616 Suf: 0	District: 301 - ANCHORAGE
Date Recorded: 03/15/1977 Time: 09:17AM Book: 174 Page: 825 Pages: 1	
Index: D - DEEDS	
Desc: W. DEED	
Grantor - GRIFFITH JAMES E & ELIZABETH J	
Grantee - GREEN THOMAS FRANCIS MD & IRENE	
Location: Lot: 54	
Location: Section: 11 Township: 014N Range: 002W Meridian: S	
Additional Information: N150'	

All information has been displayed

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Selected Document: 1973-001535-0

in District: 301 - ANCHORAGE

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Document Year: 1973 Number: 001535 Suf: 0	District: 301 - ANCHORAGE
Date Recorded: 01/15/1973 Time: 11:33AM Book: 450 Page: 983 Pages: 1	
Index: D - DEEDS	
Desc: PATENT	
Grantor - UNITED STATES OF AMERICA	
Grantee - JONES HERMAN W	
Location: Lot: 54	
Location: Section: 11 Township: 014N Range: 002W Meridian: S	

All information has been displayed

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PARCEL INFORMATION

APPRAISAL INFORMATION

Legal T14N R2W SEC 11
LT 54 LESS N 150'

Parcel 050-261-23-000
Owner JONES RALPH DENNIS &
MARJORIE JANE






Descr VACANT LAND
Site Addr 10309 VFW RD

10309 VFW ROAD
EAGLE RIVER

AK 99577 8032

RELATED CAMA PARCELS

Related Parcel(s)	XRef Type	Leased Parcels
		

Cross Reference (XRef) Type Legend
 Econ. Link Replat Uncouple
 E = Old to New R = Old to New U = Old to New
 I = New to Old F = New to Old Q = New to Old
 Renumbr Combine Lease
 N = New to Old C = New to Old L = GIS to Lease
 X = Old to New P = Old to New M = Lease to GIS

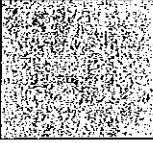
Get "Type" explanation
Bring up this form focused on the related parcel

REZONE



Case Number 2009-078 # of Parcels 1 Hearing Date 06/01/2009
 Case Type Rezoning to R-2M Multiple-family residential district
 Legal A request to rezone approximately 43,858 square feet from B-3 (General Business District) to R-2M (Multiple-family Residential District). T14N, R2W, Section 11, Lot 54 less N150 ft.

PLAT



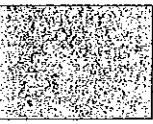
Case Number Grid Proposed Lots 0 Existing Lots
 Action Type Action Date
 Legal

PERMITS



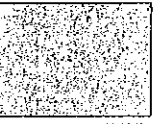
Permit Number
Project
Work Desc
Use

BZAP



Action No.
Action Date
Resolution Status
Type

ALCOHOL LICENSE



Business Address Applicants Name
Conditions 

License Type
Status

PARCEL INFORMATION

OWNER
 JONES RALPH DENNIS &
 MARJORIE JANE

10309 VFW ROAD
 EAGLE RIVER AK 99577 8032

Deed 2008 0013731

CHANGES: Deed Date Mar 12, 2008
 Name Date Apr 26, 2008
 Address Date Apr 26, 2008

PARCEL
 Parcel ID 050-261-23-000
 Status # 01

Renumber ID 000-000-00-00000

Site Addr 10309 VFW RD

Comm Concl EAGLE RIVER

Comments SF CORR 6-23-86 FOR 86 TY.
 47916 SF IN ERROR

TAX INFO

2009 Tax 3,467.87 Balance 7,325.05 District 010

LEGAL

T14N R2W SEC 11
 LT 54 LESS N 150'

Unit SQFT 43,858
 Plat 000000
 Zone B3 Grid NW0051

HISTORY

	Year	Building	Land	Total
Assmt Final	2007	14,600	212,800	227,400
Assmt Final	2008	14,000	222,700	236,700
Assmt Final	2009	0	231,500	231,500
Exemptions				0
State Credit				0
Tax Final				231,500

PROPERTY INFO

#	Type	Land Use
01	RESIDENTIAL	VACANT LAND

SALES DATA

Mon	Year	Price	Source	Type

constructed 1964
~~1204~~
 1095
 ranch
 w/att. garage

LAND & COMMON PARCEL INFORMATION

APPRAISAL INFORMATION

Legal T14N R2W SEC 11
LT 54 LESS N 150'

Parcel 050-261-23-000 # 01 of 01

Owner JONES RALPH DENNIS &
MARJORIE JANE

Site Addr 10309 VFW RD

10309 VFW ROAD
EAGLE RIVER AK 99577

LAND INFORMATION

Land Use VACANT LAND
Class RESIDENTIAL
Living Units 000
Community Council 007 EAGLE RIVER
Entry: Year/Quality 06 2005 LAND ONLY
01 1980 0
Access Quality GOOD
Access Type
Leasehold (Y=Leasehold)
Drainage GOOD
Front Traffic LOW
Street PAVED
Topography EVEN LEVEL
Utilities PRIVATE WATER SEPTIC SYSTEM
Wellsite N
Wet Land

CONDOMINIUM INFORMATION

Common Area 0
Undivided Interest 0.00

OWNER HISTORY

APPRAISAL INFORMATION

Legal T14N R2W SEC 11
LT 54 LESS N 150'

Parcel 050-261-23-000

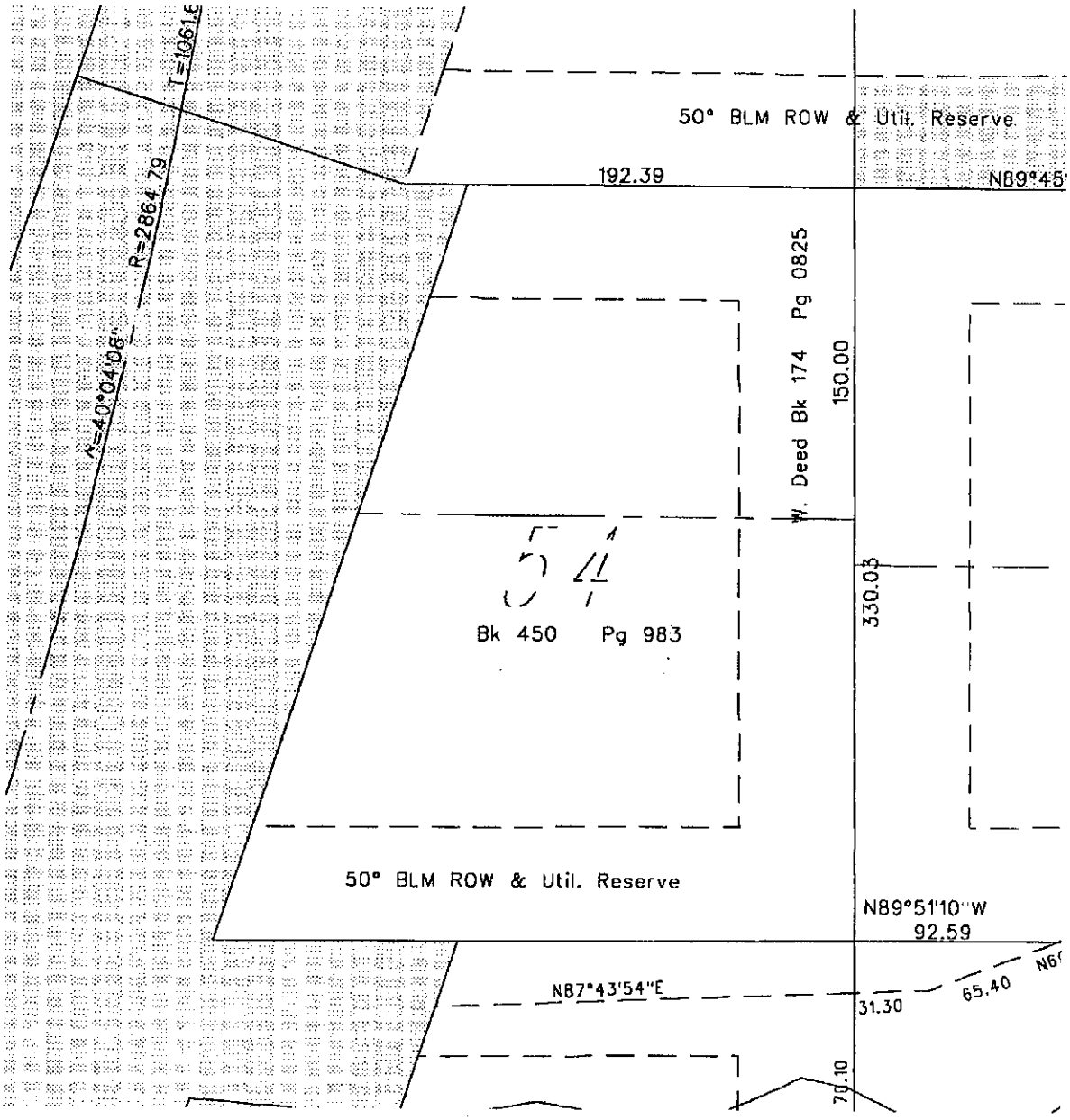
01 of 01

01

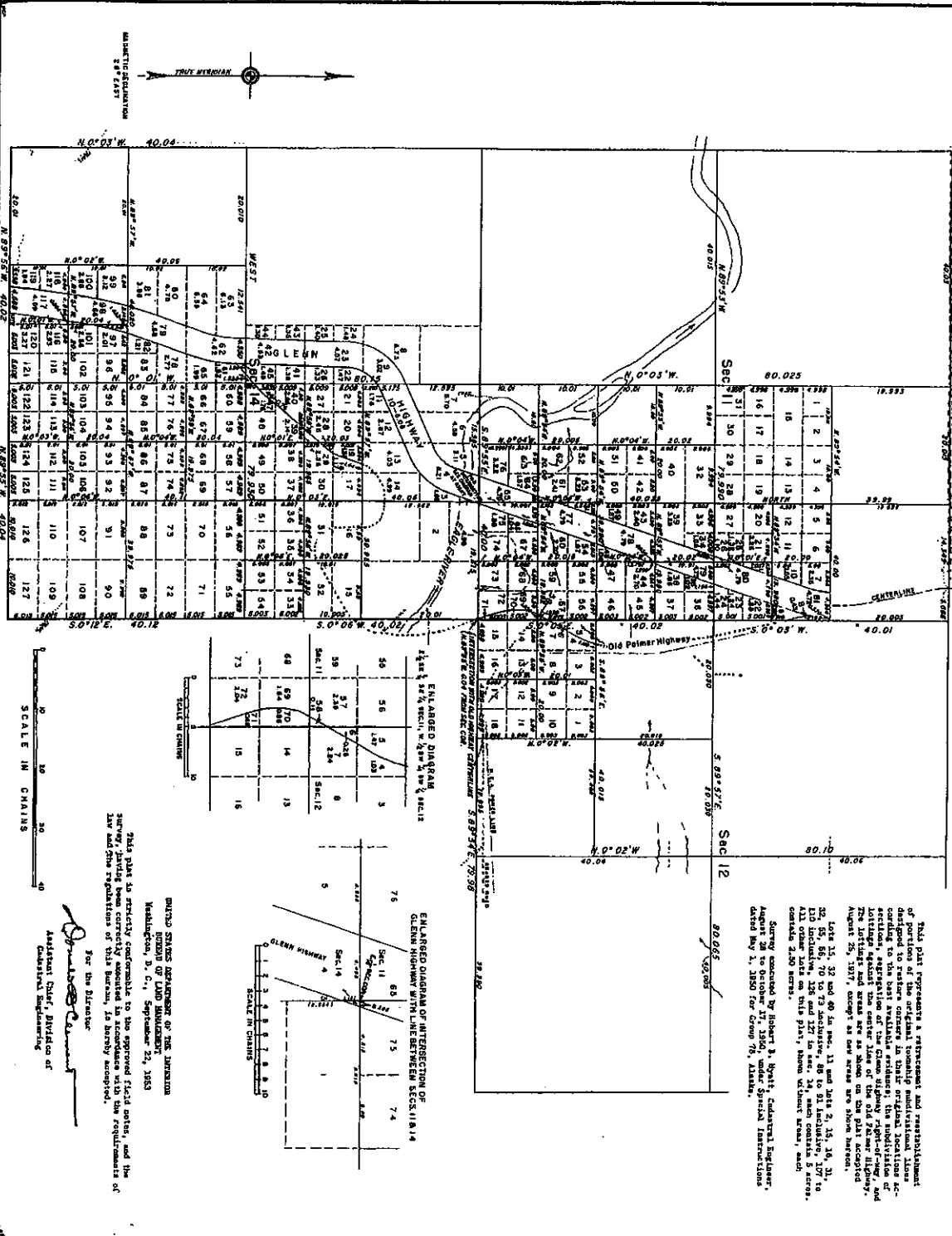
Property Info # Descr VACANT LAND

Site Address 10309 VFW RD

<p>Current 03/12/08 JONES RALPH DENNIS & MARJORIE JANE 10309 VFW ROAD EAGLE RIVER AK 99577 8032</p>	<p>3rd 0000 0000 00/00/00 SHIPMAN RALPH S & JOANNE ST RT BOX 31 EAGLE RIVER AK 99577</p>
<p>Prev 0000 0000 00/00/00 SHIPMAN RALPH S 10247 VFW ROAD EAGLE RIVER AK 99577</p>	<p>4th 0000 0000 // 00000</p>
<p>2nd 0000 0000 00/00/00 SHIPMAN RALPH S & JOANNE 10247 V F W STREET EAGLE RIVER AK 99577</p>	<p>5th 0000 0000 // 00000</p>



TOWNSHIP 14 NORTH, RANGE 2 WEST OF THE SEWARD MERIDIAN, ALASKA
DEPENDENT SURVEY AND SUBDIVISION OF SECTIONS



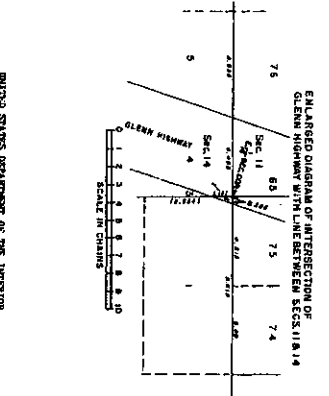
T14N, R2W, Sec 11, 12, 14

1978-1880

ENLARGED DIAGRAM

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51	52	14	13	
50	51	14	13	

SCALE IN CHAINS

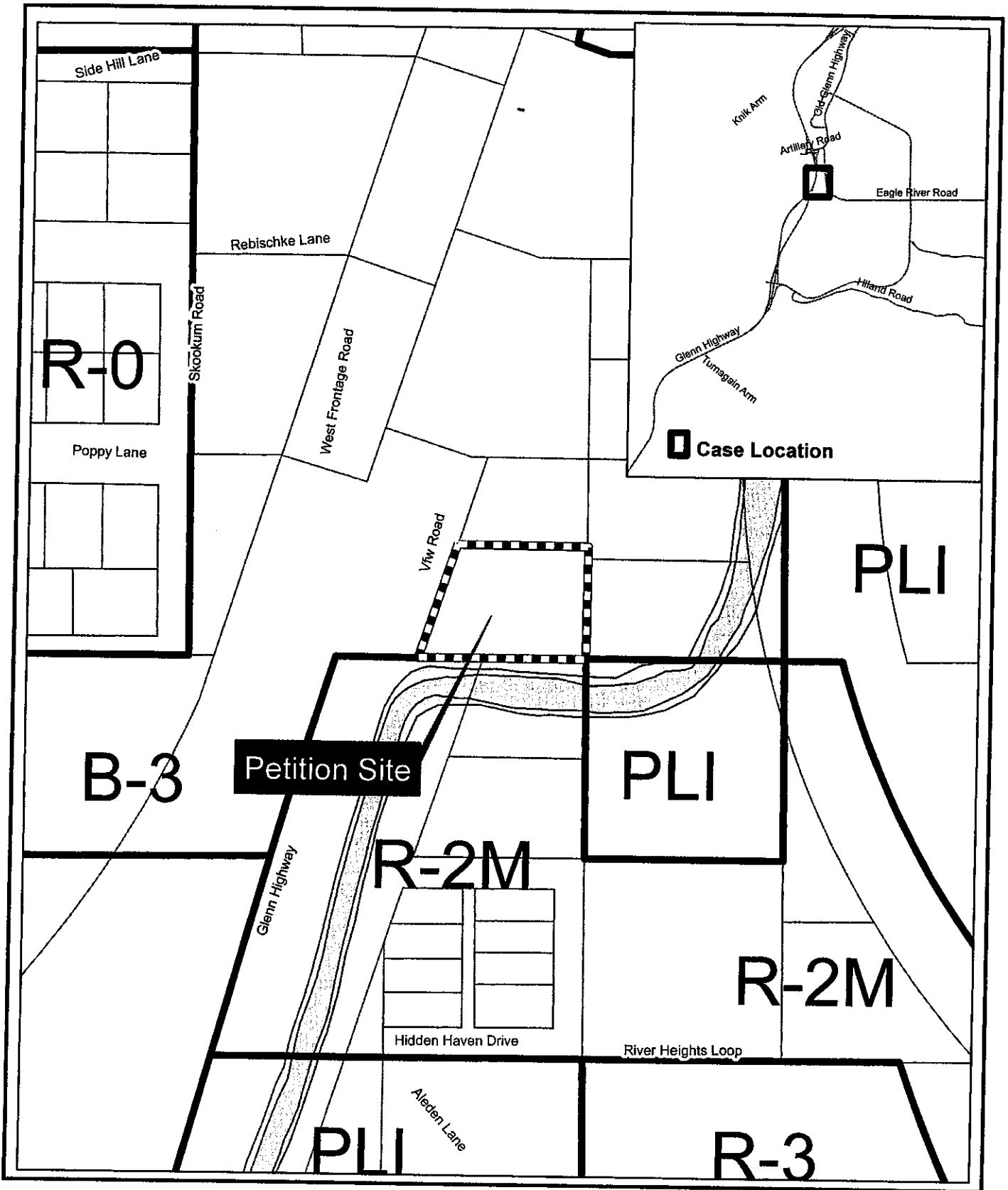


This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director
Assistant Chief, Division of
Cadastral Engineering

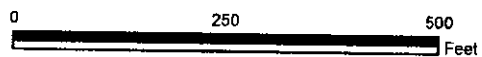
DIVISION OF LAND MANAGEMENT
WASHINGTON, D. C., September 22, 1983

2009-078



Municipality of Anchorage
Planning Department
Date: April 13, 2009

Flood Limits
100 Year
500 Year
Floodway



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