

CITY OF ANCHORAGE

RESOLUTION NO. 5, SERIES 2014

**A RESOLUTION RELATING TO THE DOWNZONING OF ALL PROPERTY
WITHIN THE CITY OF ANCHORAGE THAT LIES WEST OF OLD HARRODS CREEK
ROAD AND BLOCK 805, LOT 295 ON SURREY LANE R-4 TO R-2.**

WHEREAS, at the time of the development of the area of Anchorage known as the Stone Bridge Subdivision, the City, and the developer of that subdivision, and of the Owl Creek Subdivision, were in a dispute as to annexation of the entirety of the property by the City of Anchorage; and,

WHEREAS, the Minutes of the City Council of Anchorage indicate that the resolution of the controversy regarding annexation was achieved by the agreement of the developer and the City to restrict the area to be annexed into the City of Anchorage to the area now known as Stone Bridge and the land occupied by Church of the Epiphany, and that those properties would be rezoned by the developer from R-4 to R-1; and,

WHEREAS, there are other documents in the records of the City that indicate there was discussion between the City and the developer to achieve the goals of the City by deed restricting the various lots and blocks of Stone Bridge Subdivision to development standards equal to R-1 zoning; and,

WHEREAS, the residential lots in Stone Bridge were all developed to zoning standards equivalent to R-1 restrictions that existed at the time of development; and,

WHEREAS, when the City undertook a community-wide rezoning and adopted its current zoning code in 1988, it was done with the understanding that all of the lot and block numbers in Stone Bridge Subdivision, and that property occupied by Church of the Epiphany, Lot No. 65, Block 22, and that property at 805 Surrey Lane, Lot No. 36, Block 295, were all zoned or restricted to R-1 standards; and,

WHEREAS, the Zoning Code for the City of Anchorage does not now include R-4 zoning; and,

WHEREAS, a resident of the Stone Bridge Subdivision recently discovered and brought it to the attention of the City that no action was ever taken by the developer of that subdivision to either rezone or deed- restrict all of the lots in that subdivision, and the property on which Church of the Epiphany resides, to R-1 standards; and,

WHEREAS, it was an oversight during the community-wide rezoning that the property located at 805 Surrey Lane was not rezoned from R-4 to R-1; and,

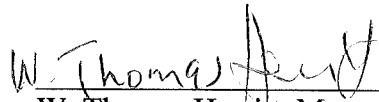
WHEREAS, the existence of lots within the City zoned as a classification no longer recognized by the City's Zoning Code creates significant land use and legal issues; and,

WHEREAS, the Floor Area Ratio for the various residential zones of the City have been reduced since the adoption of the current Zoning Code in 1988 such that downzoning the various R-4 lots to R-1 would result in many of the lots being non-conforming lots; and,

WHEREAS, R-2 is part of the Zoning Code of the City and would appear to be an appropriate classification for the lots subject to this Resolution;

NOW, THEREFORE, be it resolved by the City Council of the City of Anchorage as follows:

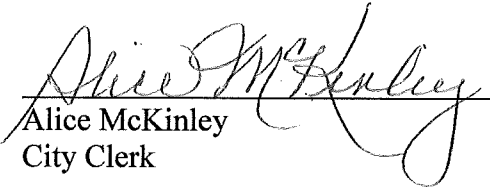
The Louisville Metro Planning Commission is hereby requested to examine the downzoning of all of the lots of the Stone Bridge Subdivision, as more specifically described on Exhibit A attached hereto and incorporated herein by reference, and the property on which the Church of the Epiphany is located at 914 Old Harrods Creek Road, and the lot located at 805 Surrey Lane from R-4 to R-2, and to make its recommendations to the City including such appropriate variances as the Commission believes are reasonably required for any lots that for which the downzoning might create non-conforming setbacks or other non-conforming issues.



W. Thomas Hewitt, Mayor
City of Anchorage

This Resolution was passed by a vote of the City Council of the City of Anchorage on this 11th day of August, 2014, by the following vote:

	<u>YES</u>	<u>NO</u>
Hagan, Cecelia	<u>✓</u>	<u> </u>
Heiskell, Dan	<u> </u> <u>ABSENT</u>	<u> </u>
Cook, Diane	<u>✓</u>	<u> </u>
Ramsey, Neil	<u>✓</u>	<u> </u>
Rublein, Brian	<u>✓</u>	<u> </u>
Wetherton, Bill	<u> </u> <u>ABSENT</u>	<u> </u>



Alice McKinley
City Clerk