

PLANNING DEPARTMENT STAFF ANALYSIS COMPREHENSIVE PLAN AMENDMENT

DATE: December 2, 2024

CASE NUMBER: 2024-0116

APPLICANT: Henry Kim

REPRESENTATIVE: Craig Bennett, S4 Group

REQUEST: A request to change the *Anchorage 2040* land use designation of two lots to Town Center

PROPERTY DESCRIPTION: Moorehand Subdivision #2, Lots 17 and 18 per Plat 70-202

COMMUNITY COUNCIL: Abbott Loop Community Council

ATTACHMENTS

1. Application
2. Reviewing Agency and Public Comments
3. Affidavit of Posting and Historical Information

RECOMMENDATION SUMMARY: Denial

SITE

Acres: ±0.45 acres (19,651 square feet)
Current Zoning: R-5 (low density residential) district
Topography: Flat
Grid: SW2333
Existing Use: Vacant

COMPREHENSIVE PLAN

Classification: Compact Mixed Residential Medium, Residential Mixed-Use Development, and Transit-Supportive Development per *Anchorage 2040*

SURROUNDING AREA

	<u>NORTH</u>	<u>EAST</u>	<u>SOUTH</u>	<u>WEST</u>
Zoning:	R-5	B-3	B-3 SL	B-3
Land Use:	Mobile Home	Office	Commercial	Vacant and Well House

PROPOSAL

This is a request to change the *Anchorage 2040* land use designation of two lots to Town Center. The current land use designations of the property are Compact Mixed Residential Medium, Residential Mixed-Use Development, and Transit-Supportive Development Corridor.

On March 5, 2024, the Assembly approved the same comprehensive plan amendment and rezone to B-3 for the neighboring lots to the west with AO 2024-1. This new comprehensive plan amendment request mirrors the same request that was approved by the Assembly nine months ago for the abutting lots to the west.

The current land use designations support increasing the residential density of these lots with a rezone from the R-5 district to multifamily residential districts (R-2M, R-3, or R-3A), but not to a commercial district (B-3). The applicant's request for a comprehensive plan amendment would allow a corresponding rezone request (PZC Case 2024-0117) to the B-3 (general business) district. This is a speculative rezone to a commercial zoning district because the owner does not have development plans for the property.

COMMUNITY COMMENTS

Public notice was provided in accordance with the procedures of AMC 21.03.020H. *Notice.* As of this writing, no public or community council comments have been received. The applicant provided two resolutions of support from the Abbott Loop Community Council.

FINDINGS

21.03.070C.2. Comprehensive Plan Amendments - Approval Criteria

The planning and zoning commission may submit a recommendation for approval, and the assembly may approve an amendment if, in the judgment of the commission or the assembly, the amendment meets the following approval criteria:

- a. **The proposed amendment is necessary in order to address one or more of the following:**
 - i. **A change in projections or assumptions from those on which the comprehensive plan is based;**
 - ii. **Identification of new issues, needs, or opportunities that are not adequately addressed in the comprehensive plan;**
 - iii. **A change in the policies, objectives, principles, or standards governing the physical development of the municipality or any other geographic areas addressed by the comprehensive plan; or**
 - iv. **Identification of errors or omissions in the comprehensive plan.**

The criterion is not met.

Both *Anchorage 2020* and *Anchorage 2040* do not support rezones from residential zoning districts to commercial zoning districts because the need for housing was apparent when they were adopted, and the need has only grown since then.

The petitioner writes that there has been: "i. a change in the projections or assumptions from those on the comprehensive plan is based." The petitioner argues that the subdivision was originally intended for

residential development, and that is reflected in *Anchorage 2040* residential land use designation, but the surrounding properties have developed with businesses, and, therefore, the petition site should be reclassified as Town Center.

ii. Identification of new issues, needs, or opportunities that are not adequately addressed in the comprehensive plan.

The criterion is not met.

The Planning Department may need to revisit the *Anchorage 2040* Land Use Plan Map designation for this neighborhood given the trend of rezones along this section Abbott Road. This would not happen in time for the current application.

The *Anchorage 2040* land use designations call for the property to be rezoned to the R-2M, R-3, or R-3A, but not B-3. *Anchorage 2040* explains the need to retain existing residential zoning and to increase residential density in appropriate locations, like this site. This existing residential neighborhood is identified to be upzoned to greater residential density to address the shortage of housing in Anchorage. The applicant's request would do the opposite by removing land from the residential category.

iii. A change in the policies, objectives, principles, or standards governing the physical development of the municipality or any other geographic areas addressed by the comprehensive plan; or

This criterion is not met.

There have been no changes to the policies, objectives, principles, or standards governing this parcel or the proposed use. The need to retain the existing housing land base is more critical than ever. *Anchorage 2040* states that Anchorage will need 21,000 new residential units by 2040. Assuming that existing residential zoning is developed with residential, there will still be a housing gap of 7,900 residential units.

iv. Identification of errors or omissions in the comprehensive plan.

This criterion is not met.

The land use designation of these lots, which supports higher density residential, is not an error in the comprehensive plan. The 2012 *Anchorage Housing Market Analysis* shows the need to retain residential land designations, especially the multifamily residential designations. This is particularly important for the creation of rental housing, which is associated with housing affordability.

b. The proposed amendment maintains the internal consistency of the comprehensive plan, and is consistent with the other elements of the

comprehensive plan without the need to change other components of the plan to maintain internal consistency.

The criterion is not met.

Rezoning from residential districts to the commercial district may result in the loss of residential units because residential districts do not allow higher commercial uses, but commercial district do. The applicant contends that changing the land use designation of this site from Compact Mixed Residential Medium (R-2M, R-3, and R-3A) to Town Center (B-3) may lead to more housing. A rezoning to R-3, which allows medium density residential development (e.g., apartment buildings and townhouses), would more closely align with the Comprehensive Plan.

Anchorage 2020 states:

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

The applicant's request is not consistent with the Comprehensive Plan.

- c. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the community.**

The criterion is not met.

If this site were rezoned to the R-3 district, in accordance with *Anchorage 2040*, then there is the potential for 17 housing unit to be developed at this site. That is because the R-3 district allows for up to 40 dwelling units per acre. Changing the land use designation from Compact Mixed Residential Medium to Town Center results in a loss of approximately 0.45 acres of residential land, not including the domino effect of other rezonings that may occur in this area. The *Anchorage Housing Market Analysis* predicted the need for 6,909 new multifamily dwelling units by 2030.

- d. If the proposed amendment is to the comprehensive plan map, the requested land use designation is found to be equally or more supportive of the comprehensive plan goals, objectives, policies, and guidelines, than the old land use designation.**

The criterion is not met.

This request is not consistent with the following policies:

Anchorage 2040
LUP 4.1

Provide sufficient land to meet the diverse housing

needs of Anchorage’s citizens, where the integrity of the residential neighborhood area is protected from expanding commercial corridors or non-neighborhood employment activities.

Converting 0.45-acres of land designated for multifamily residential (R-2M, R-3, and R-3A) to general business (B-3) will result in a loss of potentially 17 housing units. The last three housing studies conducted by the Municipality have concluded that there is a shortage of available housing given the population and development predictions. This loss in dedicated residential land could have an impact on Anchorage’s housing market in the long-term, especially given the domino effect of other rezones that this is likely to cause.

Anchorage 2020
Policy #14

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

This policy plainly states that no action under Title 21 shall convert residential land to commercial unless supported by the Comprehensive Plan. This rezone request is not supported by the Comprehensive Plan.

- e. **If the proposed amendment is to the comprehensive plan map, the subject site is consistent with the adopted description and locational criteria for the requested land use designation, and is physically suitable to accommodate the proposed designation, including but not limited to access, physical constraints, provision of utilities, and compatibility with surrounding designations and development patterns.**

The criterion is not met.

The proposed amendment does not comply with one of the adopted locational criteria for the requested land use description. The Town Center locational description as detailed in *Anchorage 2040* reads as follows:

Location:

- Areas designated by an adopted plan as mixed-use centers or town centers.
- Areas at the intersection of arterial streets served by public transit.
- Areas generally 40 to 80 acres or more in size, 2-4 miles away from other town centers, each serving large subareas of the Anchorage

Bowl.

- Areas with trails and walk-in trade from adjoining neighborhoods.
- Areas well positioned for infill and redevelopment and increased intensities.

The petition site consists of two vacant parcels of land that can be developed for medium density multifamily residential under the existing Comprehensive Plan designation.

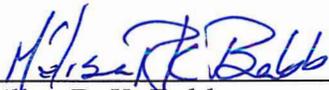
The petition site is located within a mixed-use center and an area with sidewalks on Abbott Road. There are no sidewalks on either side of Golovin Street. Also, Golovin Street only has a 50-foot right-of-way dedication. The standards right-of-way dedication is 60 feet. PeopleMover Route 55 runs along this section of Abbott Road, but the site is not at the intersection of two arterial streets.

DEPARTMENT RECOMMENDATION

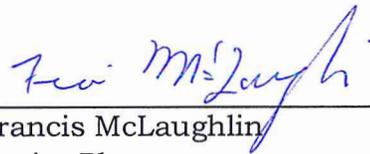
The Department finds that the approval criteria for a comprehensive plan amendment is not met. The Department recommends denial of this amendment.

Reviewed by:

Prepared by:



Melissa R. K. Babb
Director



Francis McLaughlin
Senior Planner

(Parcel ID No. 014-291-58 and -59)

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Planning Department
For reading: (always blank)

ANCHORAGE, ALASKA
AO No. 2024-_____

1 AN ORDINANCE OF THE MUNICIPALITY OF ANCHORAGE AMENDING THE
2 ANCHORAGE 2040 LAND USE PLAN MAP DESIGNATION OF TWO LOTS,
3 CONTAINING 0.45 ACRES, FROM COMPACT MIXED RESIDENTIAL MEDIUM,
4 RESIDENTIAL MIXED-USE DEVELOPMENT, AND TRANSIT-SUPPORTIVE
5 DEVELOPMENT CORRIDOR TO TOWN CENTER FOR MOOREHAND
6 SUBDIVISION #2, LOTS 17 AND 18 (PLAT 70-202), GENERALLY LOCATED
7 NORTH OF ABBOTT ROAD, EAST OF ELIM STREET, SOUTH OF EAST 88TH
8 AVENUE, AND WEST OF GOLOVIN STREET, IN ANCHORAGE.

9
10 (Abbott Loop Community Council) (PZC Case 2024-0116)
11

12 **THE ANCHORAGE ASSEMBLY ORDAINS:**

13
14 **Section 1.** The Anchorage 2040 Land Use Plan Map shall be amended by
15 designating the following described property Town Center:

16
17 Moorehand Subdivision #2, Lots 17 and 18 (Plat 70-202), as shown on
18 "Exhibit A" attached.

19
20 **Section 2.** Anchorage Municipal Code 21.01.080 is amended as follows (*the*
21 *remainder of the subsection is not affected and therefore not set out*):

22
23 **21.01.080 COMPREHENSIVE PLAN**

24
25 **A. Purpose**

26
27 The purpose of the comprehensive plan is to set for the goals,
28 objectives, strategies, and policies governing land use development
29 of the municipality. As adopted, this section and the documents
30 incorporated in this section constitute the comprehensive plan of the
31 municipality.

32
33 **B. Elements**

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35 **1. Adopted Elements**

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37 The comprehensive plan consists of the adopted elements
38 identified in the following table, and which are incorporated in
39 this chapter by reference. Plans or other elements that are not
40 listed below are not official elements of the comprehensive
41 plan, though they may be valid planning tools.

42 *** **

TABLE 21.01-1: COMPREHENSIVE PLAN ELEMENTS			
Area/Topic	Plan	Adoption Date ¹	Amendments
Anchorage Bowl	Anchorage 2020, Anchorage Bowl Comprehensive Plan	AO 2000-119(S); 2-20-2001	AO 2002-119; 9-10-2002
	Anchorage 2040 Land Use Plan	AO 2017-116, as amended; 9-26-2017	AO 2019-142, as amended; 12-17-2019; AO 2021-40, 5-12-2021; AO 2021-78, 11-1-2021; AO 2021-80, 11-1-2021; AO 2022-1, 2-15-2022; AO 2022-54, 5-4-2022; AO 2023-21, 4-11-23; AO 2023-83, 9-12-23; AO 2024-1, 3-5-2024; AO 2024-10, 2-27-2024; <u>AO 2025-_____</u> ; <i>(insert effective date of this ordinance)</i>

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(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO 2013-132(S), 7-8-14; AO 2013-151, 1-14-14; AO 2014-63, 6-24-14; AO 2014-79, 7-22-14; AO 2014-108, 9-9-14; AO 2014-134, 11-18-14; AO 2014-139(S), 12-2-14; AO 2015-46, 5-14-15; AO 2015-17, 3-3-15; AO 2015-18, 3-3-15; AO 2015-140, 3-22-16; AO 2016- 32, 4-12-16; AO 2016-101, 9-13-16 AO 2017-67; 5-9-17; AO 2017-116, as amended; 9-26-17; AO 2017- 134, 11-7-17; AO 2018-23, 3-20-18; AO 2019-123, 11-5-19; AO 2019-142, 12-17-19; AO 2021-40, 5-12- 21; AO 2021-25(S), 8-24-21; AO 2021-78, 11-1-21; AO 2021-80, 11-1-21; AO 2022-1, 2-15-22; AO 2022- 27, 4-26-22; AO 2022-54, 5-24-22; AO 2023-21, 4-11-23; AO 2023-22, 4-11-23; AO 2023-83, 9-12-23; AO 2024-1, 2-27-24; AO 2024-10, 2-27-24)

Section 3. This ordinance shall be effective immediately upon passage and approval by the Assembly.

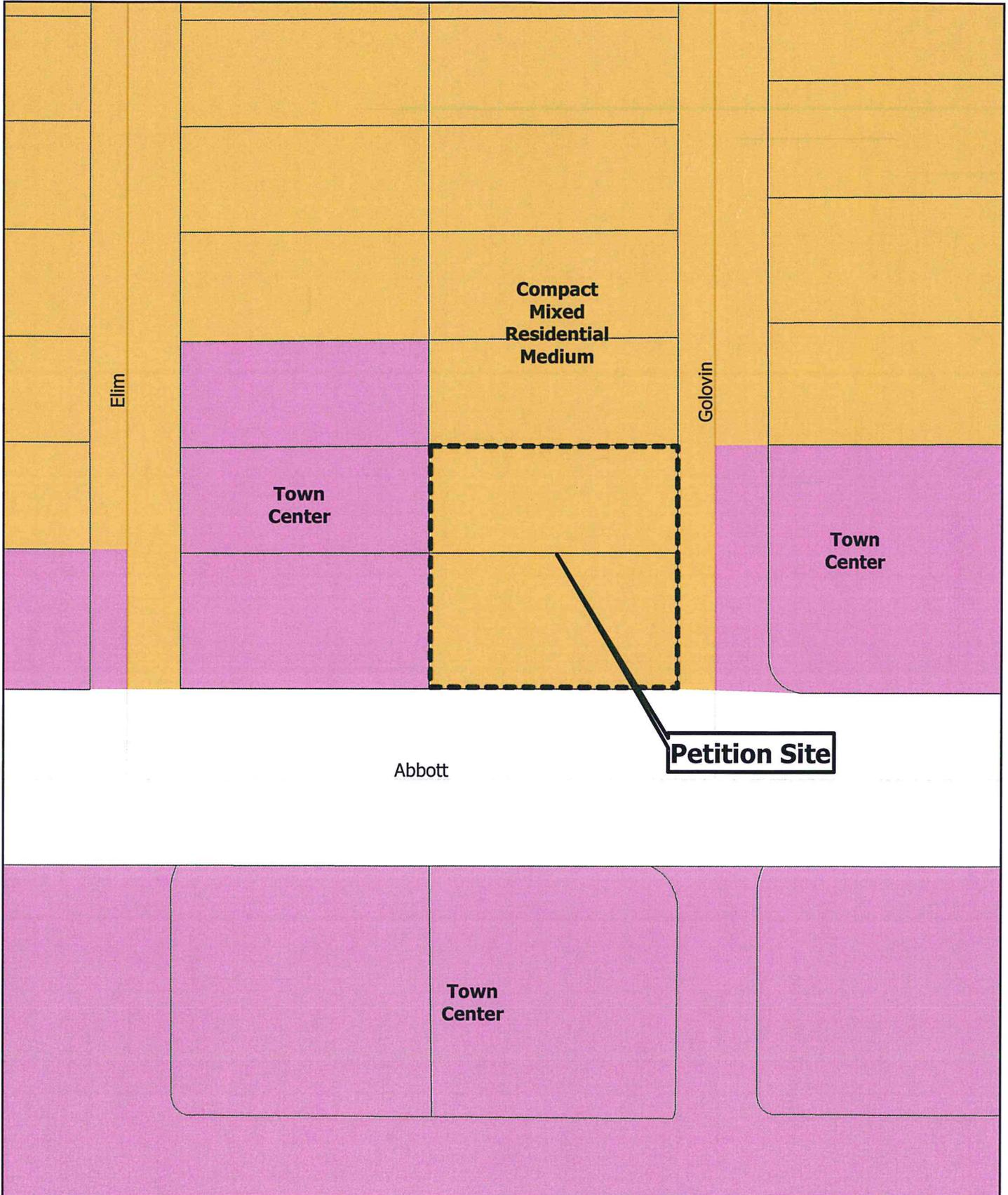
PASSED AND APPROVED by the Anchorage Assembly this ____ day of _____, 2024.

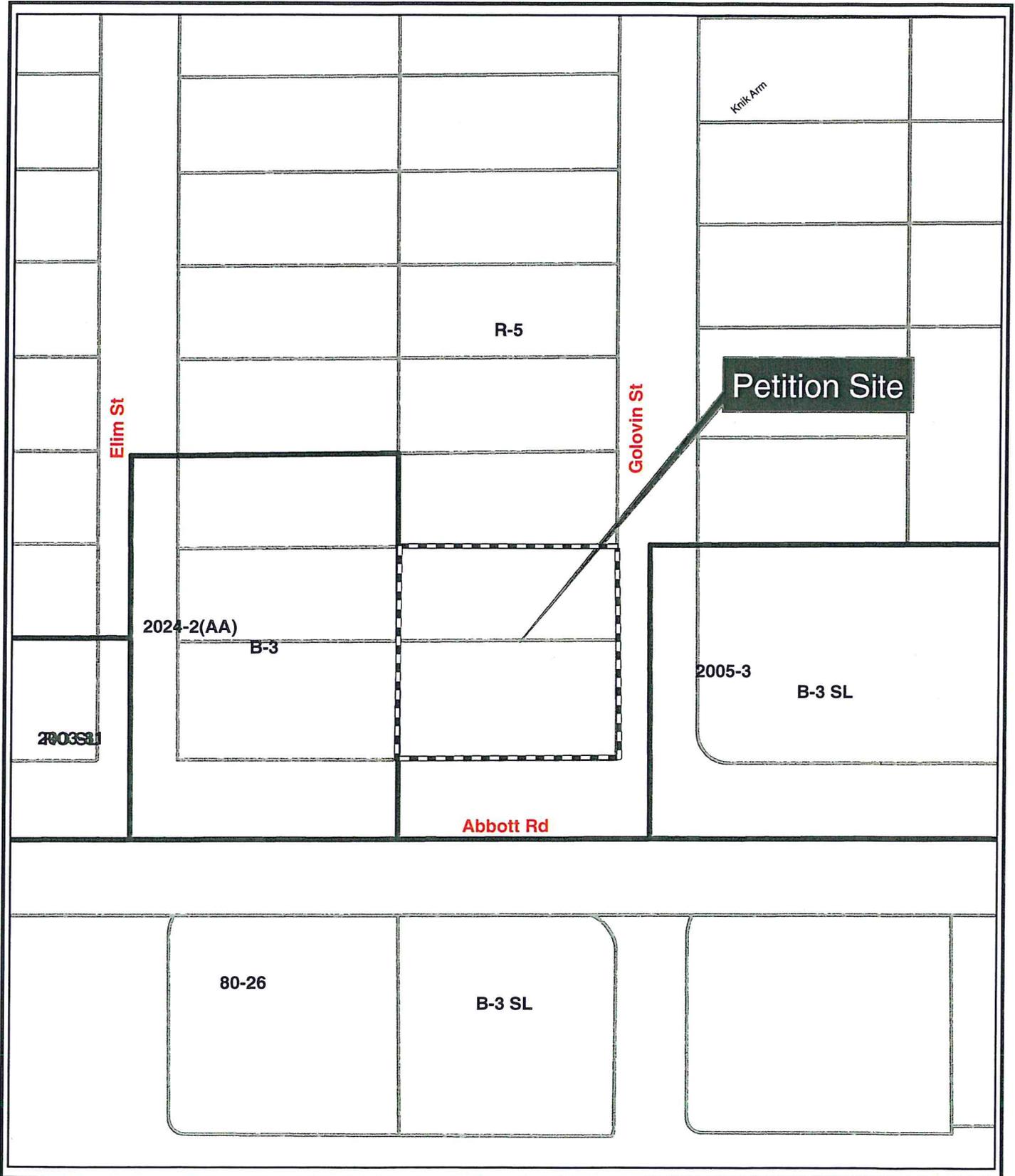
Chair of the Assembly

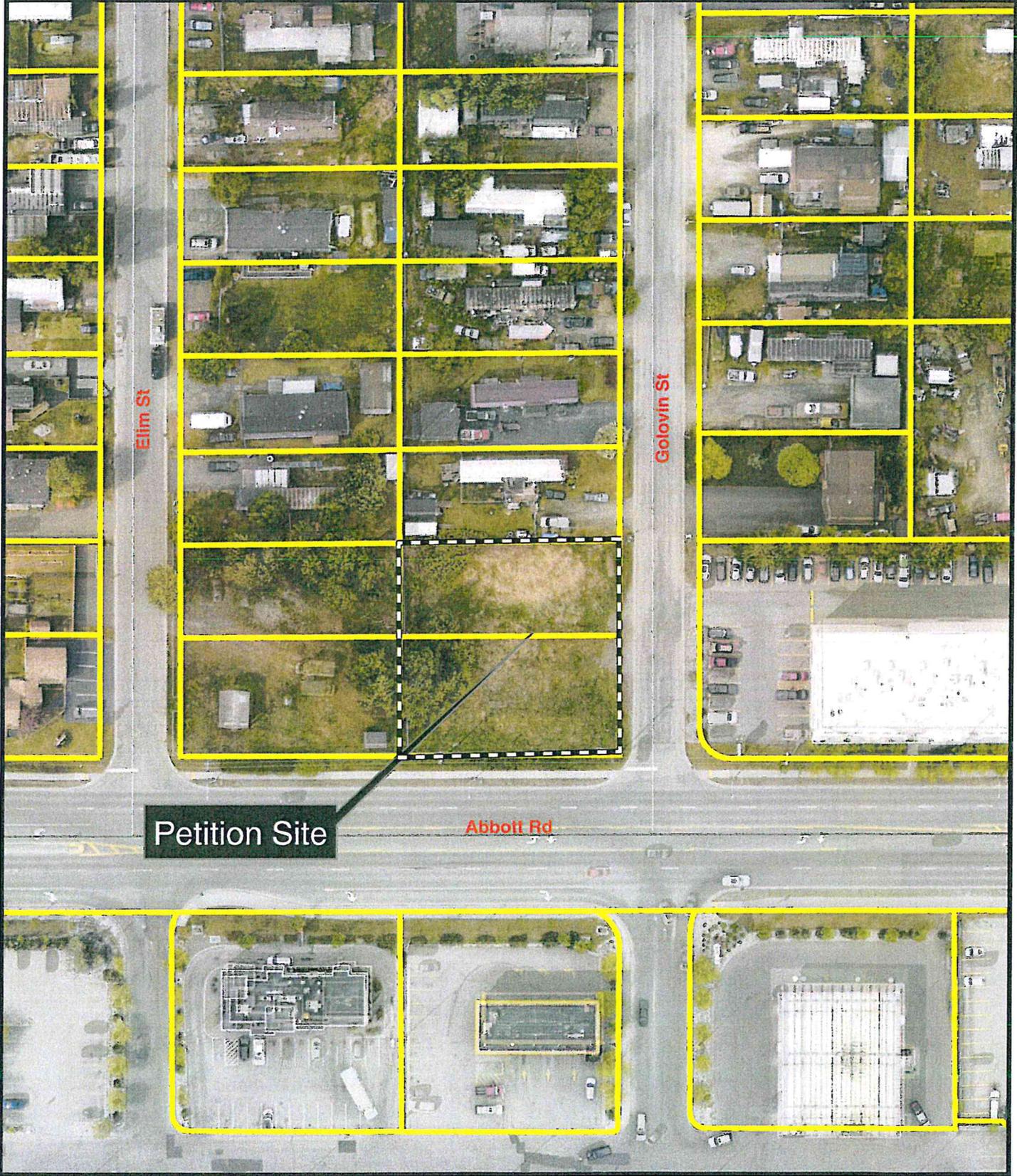
ATTEST:

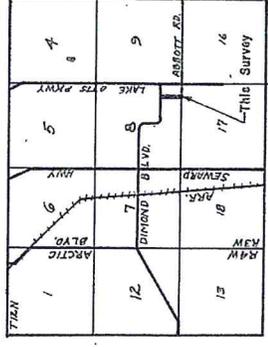
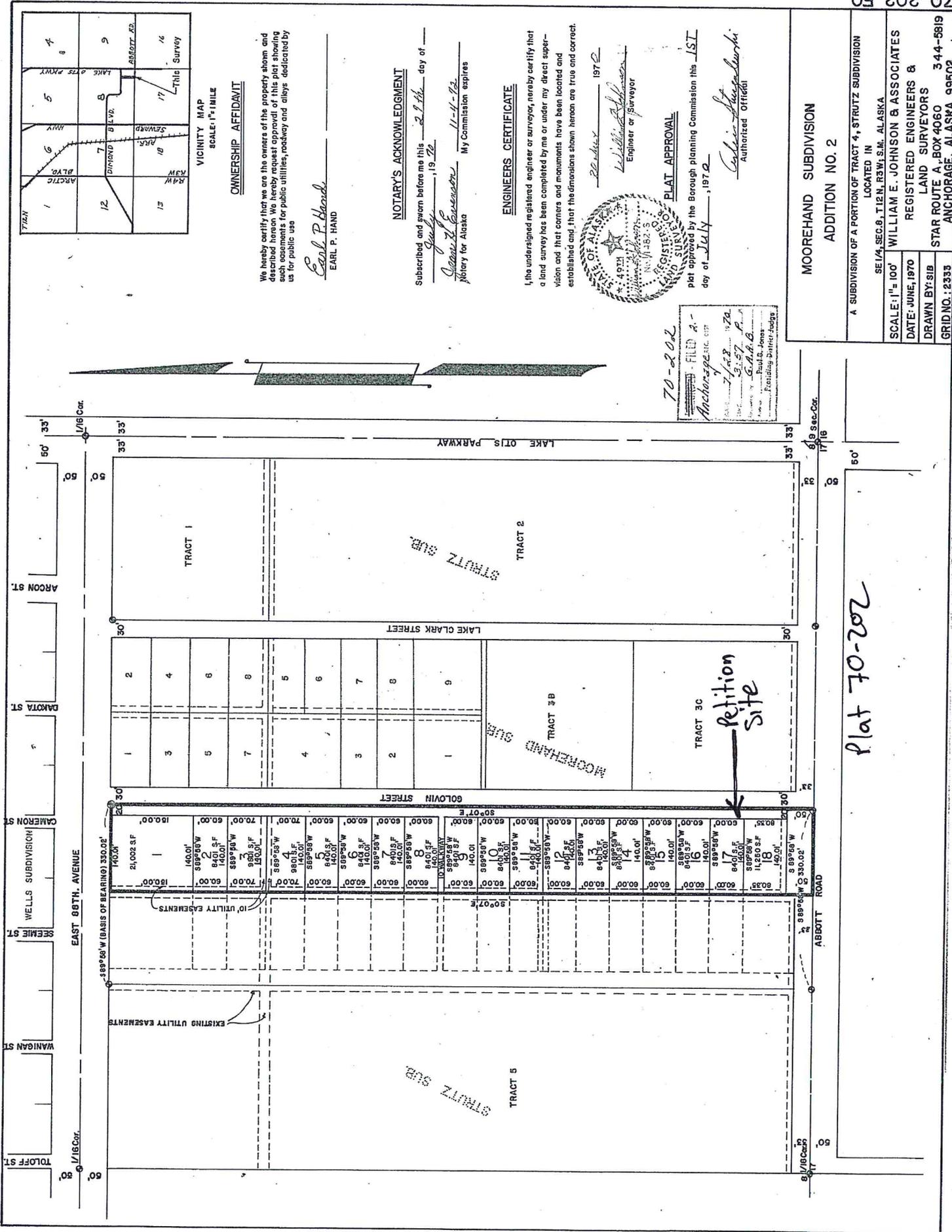
Municipal Clerk

Exhibit A









OWNERSHIP AFFIDAVIT

We hereby certify that we are the owners of the property shown and described hereon. We hereby request approval of this plat showing such easements for public utilities, roadway and always dedicated to us for public use.

Earl P. Hand
EARL P. HAND

NOTARY'S ACKNOWLEDGMENT

Subscribed and sworn before me this 21st day of July, 1970
James J. Greenstein
Notary for Alaska My Commission expires 11-4-72

ENGINEERS' CERTIFICATE

I, the undersigned registered engineer or surveyor, hereby certify that a land survey has been completed by me or under my direct supervision and that corners and monuments have been located and established and that the dimensions shown hereon are true and correct.



William E. Johnson
Engineer or Surveyor

PLAT APPROVAL

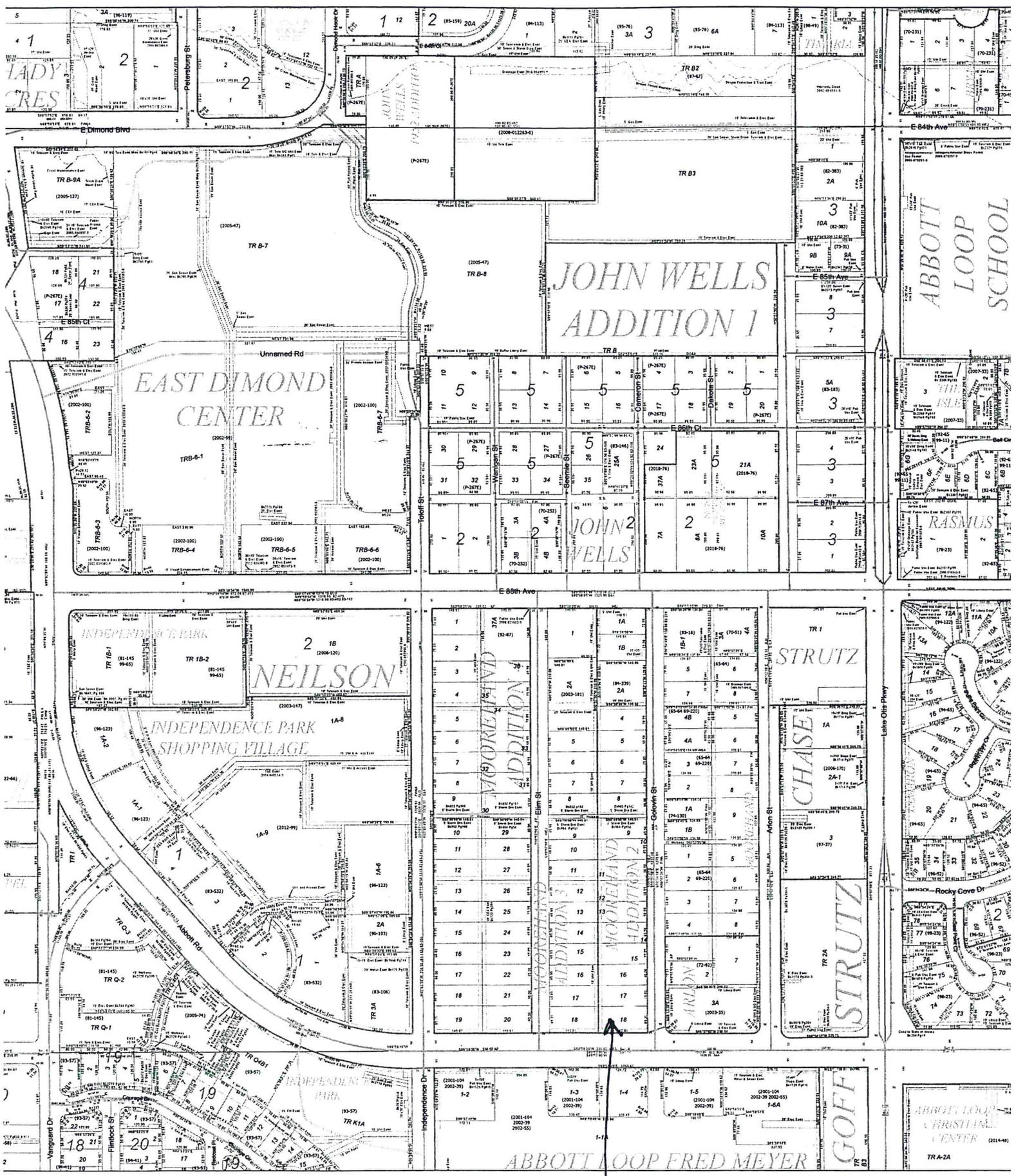
Plat approved by the Borough Planning Commission this 15th day of July, 1970

Calvin Stuebel
Authorized Official

70-202
Anchorage, Alaska
FILED IN
7/28/70
3:57 P.M.
G.A.B.
Public Works
Permitting Section

MOOREHAND SUBDIVISION	
ADDITION NO. 2	
A SUBDIVISION OF A PORTION OF TRACT 4, STRUTZ SUBDIVISION LOCATED IN	
SE 1/4, SEC. 9, T. 12N, R. 3W, S. 4	ALASKA
SCALE: 1" = 100'	WILLIAM E. JOHNSON & ASSOCIATES
DATE: JUNE, 1970	REGISTERED ENGINEERS &
DRAWN BY: SIB	LAND SURVEYORS
GRID NO.: 2333	STAR ROUTE A, BOX 4060
	ANCHORAGE, ALASKA 99502

Plat 70-202



Grid 2333

Petition Site

Application

Comprehensive Plan Amendment

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

PETITIONER*		PETITIONER REPRESENTATIVE (if any)	
Name (last name first): Henry & Charlotte Kim		Name (last name first): S4 Group, LLC	
Mailing Address: 4467 Terra Granada Dr. #48		Mailing Address: 124 E 7th Ave, Anchorage, AK 99503	
Walnut Creek, CA 94595			
Contact Phone – Day: 473-373-6969	Evening:	Contact Phone – Day: 907-306-8104	Evening:
E-mail: man4good@gmail.com		E-mail: kate@s4ak.com	

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

PROPERTY INFORMATION		
Property Tax # (000-000-00-000): 014-291-59, 014-291-58		
Site Street Address: 9130 Golovin Street		
Current legal description: (use additional sheet if necessary) Moorehand Subdivision Addition #2 Lots 17 & 18		
Existing Designation: Compact Mixed Residential	Acreage: 0.45	Grid #: SW2333
Proposed Designation: Town Center		
Existing use: Vacant	Proposed use (if any):	

I hereby certify that (I am) (I have been authorized to act for) the owner of the property described above and that I petition to amend the Comprehensive Plan 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 Comprehensive Plan Amendment. 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.

Signature  <input type="radio"/> Owner <input checked="" type="radio"/> Representative (Representatives must provide written proof of authorization)	Date 09/19/2024
--	--------------------

Kate Sauve
 Print Name

Accepted by: FM	Poster & Affidavit: 2+ affidavits	Fee: \$3,965	Case Number: 2024-0116	Meeting Date: Pzc: 12/02/2024
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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 or <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 type="checkbox"/> Land Use Enforcement Action for
<input type="checkbox"/> Building or Land Use Permit for
<input type="checkbox"/> Wetland permit: <input type="checkbox"/> Army Corps of Engineers <input type="checkbox"/> Municipality of Anchorage

SUBMITTAL REQUIREMENTS (Only one copy of applicable items is required for initial submittal)

1 copy required:	<input type="checkbox"/> Signed application (original)
	<input type="checkbox"/> Ownership and beneficial interest form
16 copies required:	<input type="checkbox"/> Signed application (copies)
	<input type="checkbox"/> Signatures of other petitioners (if any)
	<input type="checkbox"/> Map of the surrounding area, including zoning and existing uses
	<input type="checkbox"/> Narrative statement explaining;
	<input type="checkbox"/> need and justification for the rezoning;
	<input type="checkbox"/> the proposed land use and development; and
	<input type="checkbox"/> the probable timeframe for development.
(Additional information may be required.)	

COMPREHENSIVE PLAN AMENDMENT STANDARDS (AMC 21.03.070)

A comprehensive plan amendment may only be approved if it meets the approval criteria stated in AMC 21.03.070C. Please explain how the proposal meets the required criteria:

- A. The proposed amendment is necessary in order to address one or more of the following:
 - i. A change in projections or assumptions from those on which the comprehensive plan is based;
 - ii. Identification of new issues, needs, or opportunities that are not adequately addressed in the comprehensive plan;
 - iii. A change in the policies, objectives, principles, or standards governing the physical development of the municipality or any other geographic areas addressed by the comprehensive plan; or
 - iv. Identification of errors or omissions in the comprehensive plan.
- B. The proposed amendment maintains the internal consistency of the comprehensive plan and is consistent with the other elements of the comprehensive plan without the need to change other components of the plan to maintain consistency.
- C. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the community.
- D. If the proposed amendment is to the comprehensive plan map, the requested land use designation is found to be equally or more supportive of the comprehensive plan goals, objectives, policies, and guidelines, than the old land use designation.
- E. If the proposed amendment is to the comprehensive plan map, the subject site is consistent with the adopted description and locational criteria for the requested land use designation, and is physically suitable to accommodate the proposed designation, including but not limited to access, physical constraints, provision of utilities, and compatibility with surrounding designations and development patterns.



Moorehand #2
Comprehensive Plan Map Amendment Application Narrative
MOA Case 2024-0116

This is a request for a comprehensive plan map amendment that would change the land use designation of the project site from Compact Mixed Residential - Medium to Town Center. This application is being submitted concurrently with a zoning map amendment application that would change the zoning district of the project site from R-5 Low Density Residential to B-3 General Business. Both of these applications would amend the land use classification and zoning district to match the land to the east, south, and west of the site. This change would adhere to the characteristics of the surrounding Town Center land abutting the busy Abbott Road, a major Arterial Street. The Abbott Loop Community Council signed Resolution 2023-01 in support of this comprehensive plan map amendment on February 23, 2023.

The project site is located at 9130 Golovin Street, directly adjacent to Abbott Road and across from Fred Meyer, legally known as Moorehand Subdivision Addition #2 Lots 17 & 18. The site is 0.45 acres and is currently undeveloped.

Request Conformance with the Approval Criteria for Comprehensive Plan Map Amendment Standards (AMC 21.03.160.E)

- a. **The proposed amendment is necessary in order to address one or more of the following:**
- i. **A change in projections or assumptions from those on which the comprehensive plan is based;**
 - ii. **Identification of new issues, needs, or opportunities that are not adequately addressed in the comprehensive plan;**
 - iii. **A change in the policies, objectives, principles, or standards governing the physical development of the municipality or any other geographic areas addressed by the comprehensive plan; or**
 - iv. **Identification of the errors or omissions in the comprehensive plan.**

The *Anchorage 2040* designates this site as Compact Mixed Residential - Medium, with the growth supporting features: Residential Mixed-Use Development and Transit Supportive Development Center. The *Anchorage 2020* designated this area as Town Center. This site is part of the larger Moorehand Subdivisions which were originally platted as residential lots in the 1970s. It is understandable that the *Anchorage 2040* Land Use Plan would designate a current residential neighborhood as residential, while designating the surrounding land as Town Center, per the *Anchorage 2020*. However, the area has changed drastically in the past 40 years. The surrounding land has been developed into busy businesses and commercial corridors, the land directly across from the site was platted and developed by Fred Meyer in the early 2000's, and Abbott Road has become busier and busier.

A parcel one street to the west of this site, located at 9130 Elim Street, had its land use designation changed from Compact Mixed Residential - Medium to Town Center in 2003. Three parcels of land directly to the west of this site, located at 9138 Arlon Street, had their land use designation changed from Compact Mixed Residential - Medium to Town Center in 2024. A parcel of land directly to the east of this site, located at 9131 Elim Street, had its land use designation changed from Compact Mixed Residential - Medium to Town Center in 2005. Each of these changes to land designation are for properties that sit across from a Town Center commercial district and abut the busy Abbott Road. These changes, approved by the Anchorage Assembly, show a clear pattern of change in the needs of the surrounding community. Additionally, this site and the two similar lots to the west, closest to Abbott Road have remained vacant and undeveloped for the past 15 - 25 years, showing a clear desired buffer between developed residential lots and the busy major arterial road.

The increased intensity in this area and change in land use patterns shows a change in the projections and assumptions from those on which the comprehensive plan is based. The change in the land use designation in the five nearby parcels identifies new needs and issues that are not adequately addressed in the current land use map.

b. The proposed amendment maintains the internal consistency of the comprehensive plan, and is consistent with the other elements of the comprehensive plan without the need to change other components of the plan to maintain internal consistency.

The proposed amendment would adhere to the definition, character, and location requirements for the Town Center land use designation as laid out in *Anchorage 2040*. Which states that, "These centers integrate community-serving retail that meets the daily needs of several surrounding neighborhoods, and include public services and civic facilities. New apartments, compact housing, and live/work units are encouraged to develop alongside long-time properties. With additional housing and public investment, Town Centers can evolve into mixed-use core areas as envisioned in *Anchorage 2020* and area-specific plans."

The *Anchorage 2040* states the characteristics of a Town Center to include; "Infill Design Principles for mixed-use centers, to enhance connections and pedestrian access, and for relationship to surrounding neighborhoods apply" and that these areas should be, "integrated with adjoining compact and medium-density neighborhoods, with convenient, direct walking and bicycle connections to adjoining neighborhoods." This site is well positioned for infill development and would be integrated with the adjoining medium-density neighborhood.

The *Anchorage 2040* location criteria for Town Centers includes "areas designated by an adopted plan as mixed-use centers or town centers", "areas at the intersection of arterial streets served by public transit", and "areas well positioned for infill and redevelopment and increased intensities". This site was designated as Town Center by the *Anchorage 2020* and is currently designated by the *Anchorage 2040* as Compact Mixed Residential - Medium, it directly abuts a major arterial street served by public transit, and is has been undeveloped for over a decade, making it well positioned for infill development.

This change would be consistent with the current adopted plan, per its own specifications, and no other components of the comprehensive plan would need to be changed to maintain internal consistency.

c. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the community.

This site and the two similar lots to the west, closest to Abbott Road have remained vacant and undeveloped for the past 15 - 25 years, showing a clear desired buffer between developed residential lots and the busy major arterial road. Re-designating the land use for this site would allow for desired infill development between a residential district and a major arterial street, which is directly in favor of the public interest and welfare, and would not be detrimental to the health, safety, or convenience of the community.

d. If the proposed amendment is to the comprehensive plan map, the requested land use designation is found to be equally or more supportive of the comprehensive plan goals, objectives, policies, and guidelines, than the old land use designation.

The proposed amendment would adhere to the definition, character, and location requirements for the Town Center land use designation as laid out in *Anchorage 2040*. Which states that, "These centers integrate community-serving retail that meets the daily needs of several surrounding neighborhoods, and include public services and civic facilities. New apartments, compact housing, and live/work units are encouraged to develop alongside long-time properties. With additional housing and public investment, Town Centers can evolve into mixed-use core areas as envisioned in *Anchorage 2020* and area-specific plans."

The *Anchorage 2040* states the characteristics of a Town Center to include; "Infill Design Principles for mixed-use centers, to enhance connections and pedestrian access, and for relationship to surrounding neighborhoods apply" and that these areas should be, "integrated with adjoining compact and medium-density neighborhoods, with convenient, direct walking and bicycle connections to adjoining neighborhoods." This site is well positioned for infill development and would be integrated with the adjoining medium-density neighborhood.

The *Anchorage 2040* location criteria for Town Centers includes "areas designated by an adopted plan as mixed-use centers or town centers", "areas at the intersection of arterial streets served by public transit", and "areas well positioned for infill and redevelopment and increased intensities". This site was designated as Town Center by the *Anchorage 2020* and is currently designated by the *Anchorage 2040* as Compact Mixed Residential - Medium, it directly abuts a major arterial street served by public transit, and is has been undeveloped for over a decade, making it well positioned for infill development.

The *Anchorage 2040* location specifications for the Compact Mixed Residential - Medium land use designation are similar to those for Town Center's, but includes that the designation is for "areas with existing apartment housing". The surrounding neighborhood consists of single-family and mobile home dwelling units, not apartment housing, and the larger surrounding area includes commercial districts.

This change in land use designation is supported by the following *Anchorage 2040* policies and goals:

- Goal 1: Plan for Growth and Livability. Anchorage achieves residential and commercial growth, which improves community resiliency and citizens' quality of life as it supports their vision for the future expressed in the Comprehensive Plan.

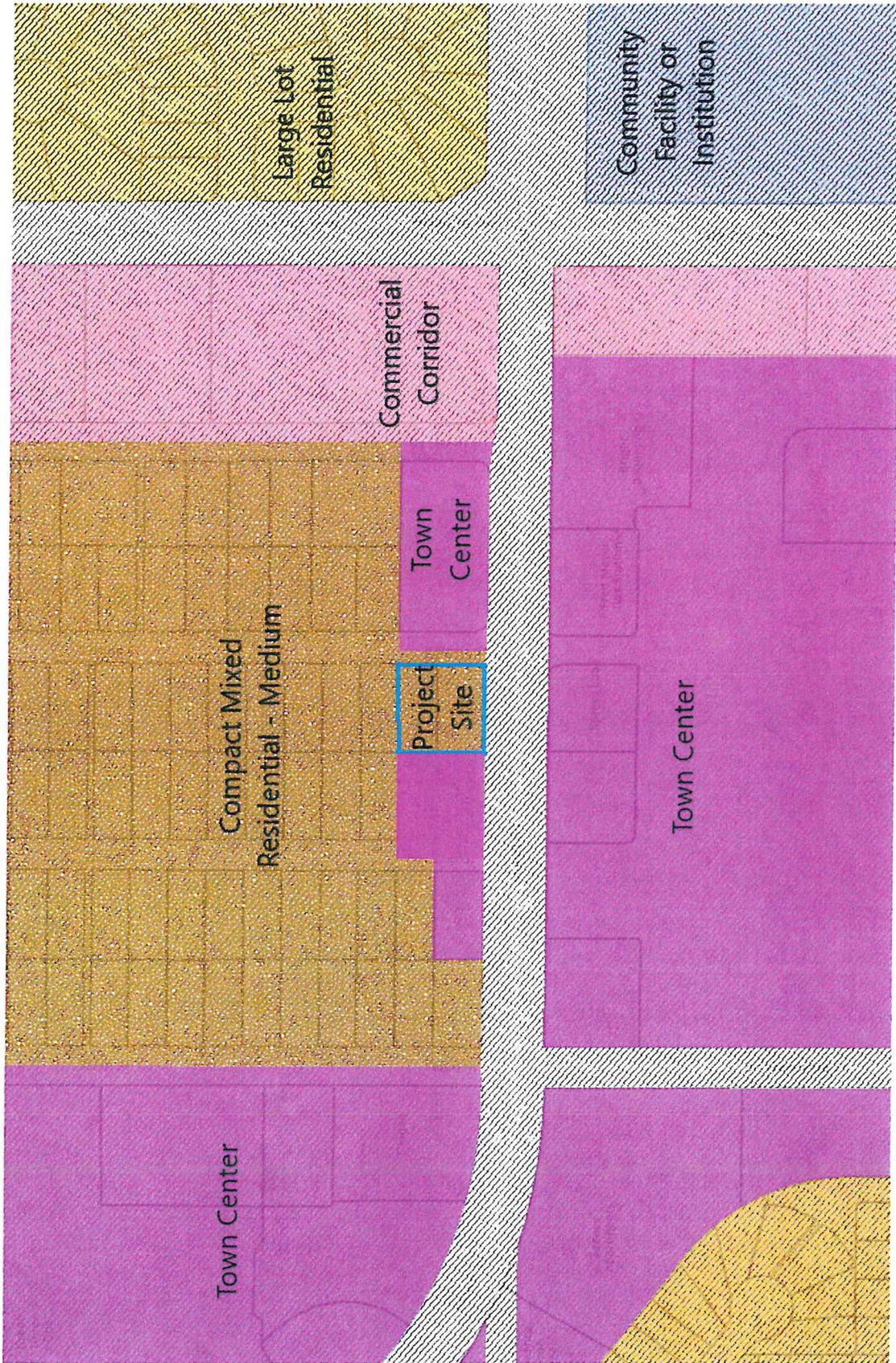
- LUP 1.3: Coordinate area-specific plans and updates so that collectively these maintain or improve Anchorage's capacity to accommodate housing, employment needs, and achieve its goals for growth.
 - LUP 1.4: Use the 2040 LUP and area-specific plans in conjunction with other elements of the Comprehensive Plan to determine appropriate zoning in the Bowl, and evaluate proposed changes to land use regulations.
 - Goal 2: Infill and Redevelopment. Infill and redevelopment meet the housing needs of residents and businesses in Anchorage.
 - LUP 2.2: Coordinate redevelopment incentives and public infrastructure investments with development entitlements to enhance walkability and quality of life, and encourage the market to add new residences, shops, and workplaces.
 - LUP 2.3: Remove barriers to desired infill development and incorporate flexibility in development requirements to promote adaptive reuse of older buildings and compact infill/redevelopment, including that which reflects traditional urban neighborhood design contexts.
 - Goal 3: Center and Corridors. Mixed-use, walkable commercial centers and corridors thrive within their neighborhood context, offer housing affordable to a range of incomes, and enable business growth.
 - LUP 3.2: Promote the development of main street, transit-oriented, and mixed-use corridors that help meet the city's needs for retail, services, jobs, and housing; and that support these uses and adjoining neighborhoods with access to multiple modes of travel and attractive pedestrian environments.
- e. **If the proposed amendment is to the comprehensive plan map, the subject site is consistent with the adopted description and locational criteria for the requested land use designation, and is physically suitable to accommodate the proposed designation, including but not limited to access, physical constraints, provision of utilities, and compatibility with surrounding designations and development patterns.**

The proposed amendment would adhere to the definition, character, and location requirements for the Town Center land use designation as laid out in *Anchorage 2040*. Which states that, "These centers integrate community-serving retail that meets the daily needs of several surrounding neighborhoods, and include public services and civic facilities. New apartments, compact housing, and live/work units are encouraged to develop alongside long-time properties. With additional housing and public investment, Town Centers can evolve into mixed-use core areas as envisioned in *Anchorage 2020* and area-specific plans."

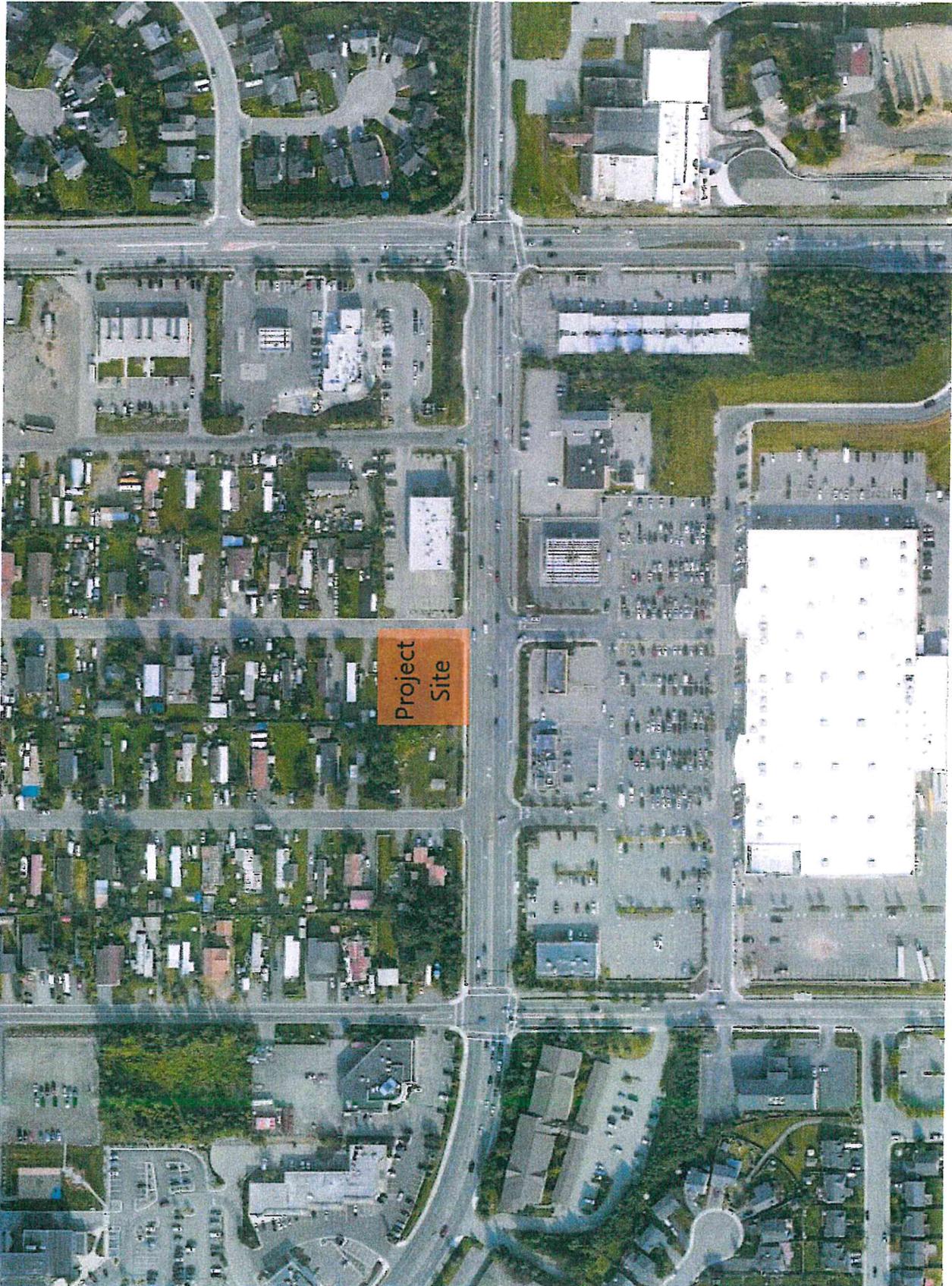
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The *Anchorage 2040* location criteria for Town Centers includes "areas designated by an adopted plan as mixed-use centers or town centers", "areas at the intersection of arterial streets served by public transit", and

“areas well positioned for infill and redevelopment and increased intensities”. This site was designated as Town Center by the *Anchorage 2020* and is currently designated by the *Anchorage 2040* as Compact Mixed Residential - Medium, it directly abuts a major arterial street served by public transit, and is has been undeveloped for over a decade, making it well positioned for infill development.



Map of Surrounding Land Use Designations - Moorehand #2 Lots 17 & 18

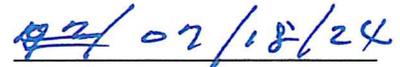


Map of Surrounding Area - Moorehand #2 Lots 17 & 18

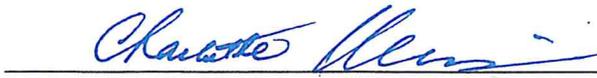
Letter of Authorization

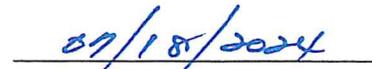
I, Henry Kim, the co-owner of the property located at Moorehand Subdivision Addition # 2 Lots 17 & 18 (MOA Tax ID's 014-291-59-000 and 014-291-58-000), authorize S4 Group to represent me before the Municipality of Anchorage in the request for a zoning action.


Signature


Date

I, Charlotte Kim, the co-owner of the property located at Moorehand Subdivision Addition # 2 Lots 17 & 18 (MOA Tax ID's 014-291-59-000 and 014-291-58-000), authorize S4 Group to represent me before the Municipality of Anchorage in the request for a zoning action.


Signature


Date

Attachment Q

Abbot Loop Community Council
RESOLUTION 2023-01

Abbot Loop Community Council Resolution in Support of the Land Use Amendment and Zone Amendment of Moorehand Subdivision No.2 Lots 17 & 18 and Moorehand Subdivision No. 3 Lots 16, 17, & 18.

WHEREAS, presentations were made at the February 23rd, 2022 and the January 26th, 2023 General Membership Meetings, hosted on Zoom and in person, regarding the intention to amend the current land use and zone designation of 5 lots located off of Abbott Road across from Fred Meyer. The parcels are currently designated as *Compact Mixed Residential - Medium* land use and zoned R-5 (Low Density Residential). It is proposed that the parcels designations be changed to *Town Center* land use and zoned B-3 (General Business District); and

WHEREAS, this change in designation would reflect the character of the surrounding *Town Center* and B-3 zoned parcels along Abbott Road and would work towards the Anchorage 2040 Land Use Plan Goal 3, "Mixed-use, walkable commercial centers and corridors thrive within their neighborhood context, offer housing affordable to a range of incomes, and enable business growth."; and

WHEREAS, per the AMC Title 21, the B-3 zoning district is intended primarily for general commercial uses in commercial centers and areas exposed to heavy traffic, such as this location. They are subject to the public view and should provide an attractive appearance with landscaping, sufficient parking, and controlled traffic movement. Abutting residential areas should be protected from potentially negative impacts associated with commercial activity. In addition to a wide range of commercial office, retail and commercial services, other use categories such as residential and community uses, and mixed-use projects, are allowed;

NOW, therefore Abbott Loop Community Council supports the amendment of Moorehand Subdivision No.2 Lots 17 & 18 and Moorehand Subdivision No. 3 Lots 16, 17, & 18 from *Compact Mixed Residential - Medium* land use to *Town Center* land use and from R-5 zoning to B-3 zoning.

Mover: Sheila Cernich
Seconder: Patti Higgins
Votes: Yes 25 No 03

Passed this 23rd day of February, 2023.



Kathleen Easley
Secretary

02/23/23
Date



Bruce Roberts
ALCC President

2/23/23
Date



Moorehand #2 Comprehensive Plan Amendment and Rezone
Summary of Community Meeting
Aug 29, 2024

MOA Planning Division Director
4700 Elmore Road
Anchorage, AK 99507

125 notices were mailed on 7/30/24, 0 returned, see attached for content of notices.

Date: 08/29/2024 @ 6:30 PM

Location: Zoom Meeting

Subject: Moorehand #2 Comprehensive Plan Amendment and Rezone

The presentation was made at Abbott Loop Community Council's regular August general member meeting and was held via a Zoom meeting. The meeting was originally going to be held at Kasuun Elementary School, but the meeting location was changed. The meeting covered the details of the proposed comprehensive plan amendment and rezone, as well as the timeline, and process of the project. The following is a brief summary of the questions and comments made by the community. 21 people were present.

Q: What kind of businesses could be placed here?

A: A variety of commercial/business uses are allowed in the B-3 district, as well as residential uses.

Q: Are there any restrictions that could be applied to the lots to limit the type of businesses that could be built on them?

A: Title 21 regulates the type of uses permitted in specific zoning areas, it also states in reference to B-3 districts that "Abutting residential areas should be protected from potentially negative impacts associated with commercial activity.

A community member expressed concerns about businesses abutting residential districts and the negative impacts it could have on surrounding lots, including trash and traffic. Another community member stated that they thought this was a good idea and would like to see these lots utilized.

Participants:

Lizzie Newell
Simon Rose
Susan Soule
Juan San Miguel
Patricia O'Hara
Kathleen Easley
Dale

Jon
John Hogue
Calvin Schrage
Felix Riveria
Dominick
Jeremy Houston
Janice Park

Marilyn Russell
John Weddleton
Walter Featherly
Eleilia Preston
Kelly Lessens
Pat Higgins
Jean Lorentzen

Community Meeting Notification: Moorehand

Abbott Loop Community Council Meeting
Date & Location:

AUGUST 29 @ 6:30 PM

Kasuun Elementary School
4000 E 68th Ave
Anchorage, AK 99507

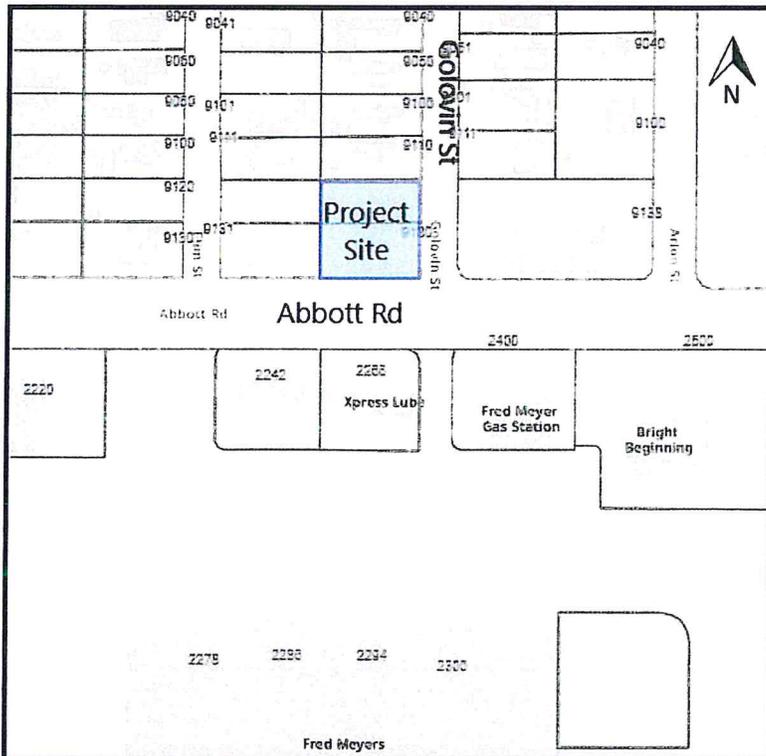
Please check the community council page at communitycouncils.org for any meeting changes.

S4 Group, LLC will be presenting a Land Use and Zoning Amendment action to the Abbott Loop community council at their regularly scheduled August meeting. The project site is proposed to be amended from *Compact Mixed Residential—Medium* land use to *Town Center* land use and rezoned from R-5 to B-3.

Representatives of the proposed project will provide an overview of the project, project schedule, and will be able to answer questions. If you are not able to make this meeting, you can still contact us with any questions or concerns regarding the project at: kate@s4ak.com or (907) 306-8104.

The project site of approximately 0.45 acres is located at 9130 Golovin Street, north of Abbott Road, described as Moorehand Subdivision Addition #2 Lots 17 & 18.

For more information go to: s4ak.com/notice



«Name»
«Address»
«City», «State» «Zipcode»

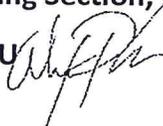
Sent by: S4 Group, LLC, E 7th Ave, Anchorage, AK 99501

Departmental and Public Comments

MEMORANDUM

RECEIVED

NOV 08 2024

DATE: November 11, 2024
TO: Dave Whitfield, Planning Manager, Planning Section, Planning Division
FROM: Alex Prosak, P.E., Planning Section, AWWU 
RE: Zoning Case Comments
Decision date: December 02, 2024
Agency Comments due: November 04, 2024

AWWU has reviewed the materials and has the following comments:

2024-0116 LOTS 17 & 18, MOOREHAND SUBDIVISION ADDITION NO. 2 (PLAT 70-202)
– Review and Recommendation by the Planning and Zoning Commission to the Anchorage Assembly of a request for Comprehensive Plan Amendment to change the land use designation of two (2) parcels of land from Compact Mixed Residential to Town Center, Grid # SW2333.

1. These parcels are outside of AWWU's certificated water service district, and AWWU water is not available to these parcels.
2. These parcels are within AWWU's certificated sanitary sewer service district, and AWWU sewer service is available to these parcels.
3. AWWU has no comments or objections to this Review and Recommendation.

If you have any questions pertaining to public water or sewer, please call (907) 786-5694 or send an e-mail to alex.prosak@awwu.biz.





MUNICIPALITY OF ANCHORAGE

Traffic Engineering Department



MEMORANDUM

DATE: November 4, 2024

TO: Current Planning Division Supervisor,
Planning Department

THRU: Kristen A. Langley, Traffic Safety Section Supervisor,
Traffic Engineering Department

FROM: Randy Ribble PE, Assistant Traffic Engineer

SUBJECT: **2024-0116 Amendment to the comprehensive plan to allow a rezoning of two parcels from R-5 (Low Density Residential) District to B-3 (General Business) District.**

9130 Golovin Street, Anchorage Alaska

Traffic Engineering has no objections to amending the Comprehensive Plan to allow for the rezoning of these two parcels from R-5 to B-3.



Municipality of Anchorage
Project Management and Engineering
MEMORANDUM



RECEIVED

DATE: November 4, 2024

To: Dave Whitfield

FROM: Kyle Cunningham

SUBJECT: Cases 2024-0116 & 2024-0117: Comments from Watershed
Management Services.

NOV 04 2024

Watershed Management Services (WMS) has the following comments for the December 2, 2024 Planning and Zoning Commission hearing:

- 2024-0116 - Lots 17 & 18, Moorehand Subdivision Addition No. 2 (Plat 70-202)
 - WMS has no comments on or objections to this request.
- 2024-0117 – Lots 17 & 18, Moorehand Subdivision Addition No. 2 (Plat 70-202)
 - WMS has no comments on or objections to this request.

Kimmel, Corliss A.

From: Walters, Michael S.
Sent: Tuesday, October 22, 2024 7:05 AM
To: Blake, Lori A.; Kimmel, Corliss A.
Subject: 2024-0116 Request for Reviewing Agency Comments

RECEIVED

OCT 22 2024

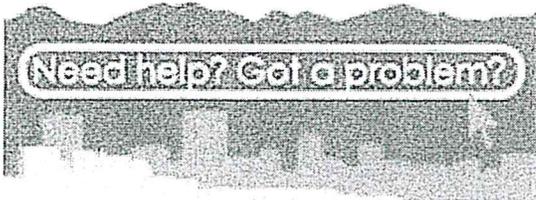
ROW has the following comments for case number 2024-0116:

ROW has no comment or objections on the proposed action.

Regards,

Michael S Walters
Senior Plan Reviewer
Right of Way Section
michael.walters@anchorageak.gov
Office: 907-343-8226
Cell: 907-727-7637
Fax: 907-249-7910

#ANCWORKS!
An online tool for Anchorage



Kimmel, Corliss A.

From: Wilson, Karleen K.
Sent: Friday, October 18, 2024 3:24 PM
To: Blake, Lori A.; Kimmel, Corliss A.
Subject: FW: 2024-0107,S12802,2024-0109,20204-0116,2024-0117 Request for Reviewing Agency Comments
Attachments: 2024-0116 Routing Coversheet.pdf

RECEIVED

OCT 18 2024

No comments

Regards,

Karleen Wilson
Addressing Official
907.343.8168 (desk)
907.343.8466 (shared Addressing)
[Official Address Map](#)

From: Stewart, Gloria I. <gloria.stewart@anchorageak.gov>
Sent: Tuesday, October 15, 2024 5:03 PM
Cc: Stewart, Gloria I. <gloria.stewart@anchorageak.gov>
Subject: 2024-0107,S12802,2024-0109,20204-0116,2024-0117 Request for Reviewing Agency Comments

Hello all. Attached please find our Routing Coversheets for the above referenced cases (2024-0107 & 2024-0116 Comp Plan Amendment; S12802 Long Plat; 2024-0109 & 2024-0117 Rezone) which are scheduled as Public Hearings before the Planning and Zoning Commission on 12/02/24. Routing Materials can be viewed by clicking on the links below, scrolling to bottom of page and selecting Reviewing Agency Routing preceded by the case number of interest. **PLEASE REMIT COMMENTS EITHER BY MAIL OR EMAIL AS FOLLOWS:** by email to Corliss Kimmel & Lori Blake (corliss.kimmel@anchorageak.gov & lori.blake@anchorageak.gov) or by USPS to the address listed in the upper right hand corner of the Routing Cover Sheet.

- 2024-0107 [https://www.muni.org/CityViewPortal/Planning/Status?planningId=18072.](https://www.muni.org/CityViewPortal/Planning/Status?planningId=18072)
- S12802 [https://www.muni.org/CityViewPortal/Planning/Status?planningId=18074.](https://www.muni.org/CityViewPortal/Planning/Status?planningId=18074)
- 2024-0109 [https://www.muni.org/CityViewPortal/Planning/Status?planningId=18075.](https://www.muni.org/CityViewPortal/Planning/Status?planningId=18075)
- 2024-0116 [https://www.muni.org/CityViewPortal/Planning/Status?planningId=18084.](https://www.muni.org/CityViewPortal/Planning/Status?planningId=18084)
- 2024-0117 [https://www.muni.org/CityViewPortal/Planning/Status?planningId=18085.](https://www.muni.org/CityViewPortal/Planning/Status?planningId=18085)

Abbott Loop Community Council
RESOLUTION 2024-04

Abbott Loop Community Council Resolution in Support of the Land Use Amendment and Zoning Amendment of Moorehand Subdivision Addition No. 2 Lots 17 & 18.

WHEREAS, a presentation was made at the August 29th, 2024 General Membership Meeting, hosted on Zoom, regarding the intention to amend the current land use and zoning designation of 2 lots located off of Abbott Road across from Fred Meyer. The parcels are currently designated as *Compact Mixed Residential - Medium* land use and zoned *R-5 Low Density Residential*. It is proposed that the parcel's land use designations be changed to *Town Center* and zoning district be changed to *B-3 General Business*; and

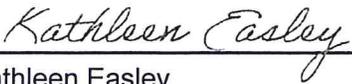
WHEREAS, this change in designation would reflect the character of the surrounding *Town Center* and *B-3* zoned parcels along Abbott Road and would work towards the Anchorage 2040 Land Use Plan Goal 3, "Mixed-use, walkable commercial centers and corridors thrive within their neighborhood context, offer housing affordable to a range of incomes, and enable business growth."; and

WHEREAS, per the AMC Title 21, the *B-3* zoning district is intended primarily for general commercial uses in commercial centers and areas exposed to heavy traffic, such as this location. They are subject to the public view and should provide an attractive appearance with landscaping, sufficient parking, and controlled traffic movement. Abutting residential areas should be protected from potentially negative impacts associated with commercial activity. In addition to a wide range of commercial office, retail, and commercial services, other use categories such as residential and community uses, and mixed-use projects, are allowed;

NOW, therefore Abbott Loop Community Council supports the amendment of Moorehand Subdivision Additional No. 2 Lots 17 & 18 from *Compact Mixed Residential - Medium* land use to *Town Center* land use and from *R-5 Low Density Residential* zoning to *B-3 General Business* zoning.

Mover: Bruce Roberts
Secunder: Leslie Kleinfield

No objections, all in favor.
Passed this 17th day of October, 2024.



Kathleen Easley
Secretary

10/31/2024
Date



Lizzie Newell
President

10/31/2024
Date

Affidavit of Posting and Historical Information



AFFIDAVIT OF POSTING

CASE NUMBER: 2024-0116

I, Kate Save hereby certify that I have posted a Notice as prescribed by Anchorage Municipal Code 21.03.020H.5. on the property that I have petitioned for Comp Plan Amend. The notice was posted on 9/27/24 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 27 day of September, 2024.

Kate Save
Signature

LEGAL DESCRIPTION

Tract or Lot: 17¹18

Block: _____

Subdivision: Moorehand #2





Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Planning Department
For Reading: January 11, 2005

CLERK'S OFFICE
AMENDED AND APPROVED

Date: 2-1-05 Anchorage, Alaska
AO No. 2005- 3

1 AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE
2 REZONING OF LOT 3A, ARLON SUBDIVISION FROM R-O SL (RESIDENTIAL
3 OFFICE WITH SPECIAL LIMITATIONS) TO B-3 SL (GENERAL BUSINESS WITH
4 SPECIAL LIMITATIONS), GENERALLY LOCATED ON THE NORTH SIDE OF
5 ABBOTT ROAD, BETWEEN GOLOVIN STREET AND ARLON STREET.
6

7 (Abbott Loop Community Council) (Planning and Zoning Commission Case 2004-157)
8

9 THE ANCHORAGE MUNICIPAL ASSEMBLY ORDAINS:
10

11 **Section 1.** The zoning map shall be amended by designating the following described
12 property as B-3 SL (General Business with Special Limitations) zone:
13

14 Lot 3A, Arlon Subdivision consisting of approximately 37,630 square feet/0.86 acres as
15 shown on Exhibit A.
16

17 **Section 2.** This zoning map amendment is subject to the following special limitations:
18

19 A. Redevelopment on this site shall be subject to an administrative site plan review,
20 which shall comply with the following items to the greatest extent possible:
21

- 22 1. Building orientation – buildings to front onto Abbott Road.
- 23 2. Parking – onsite parking should be placed to the rear (north) of the building.
24 Parking should only be accessed from the side streets, and should be required
25 to connect through to both adjacent side streets.
26
- 27 3. Building height – building walls facing Abbott Road should measure at least
28 18 feet from finished grade to the top of wall.
29
- 30 4. Building should be built continuously along the frontage of Abbott Road, with
31 no more than a 30-foot gap between buildings fronting this road.
32
- 33 5. Pedestrian accesses should be provided from the walkway along Abbott
34 Road/front of building through to the parking area in the rear of the building.
35
36

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6. The buffer area on the north side of the property shall include an eight-foot sight obscuring fence.

7. The existing 10 foot buffer on the north property line which was put on the original site plan with the R.O. zoning is approved for this site with this zoning. No variance is required.

B. Prohibited Uses:

1. Drive-in services and windows, such as drive-in banks and restaurants.
2. Uses requiring queuing of vehicular traffic.
3. Outdoor display of products.
4. Uses requiring a liquor license other than a restaurant/eating place or beverage dispensary.
5. Pole signs.

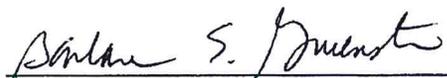
Section 3. This ordinance shall become effective within 10 days after the Director of the Planning Department has received the written consent of the owners of the property within the area described in Section 1 above to the special limitations contained herein. The rezone approval contained herein shall 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.

PASSED AND APPROVED by the Anchorage Assembly this 1st day of February, 2005.



Chair

ATTEST:



Municipal Clerk



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM 21-2005

Meeting Date: January 11, 2005

From: Mayor

Subject: Planning and Zoning Commission Recommendation of Approval to rezone 37,630 square feet (0.86 acres) from R-O SL to B-3 SL for Lot 3A, Arlon Subdivision; generally located on the north side of Abbott Road, between Golovin Street and Arlon Street.

1 Seven C Investments, Inc. petitioned to rezone approximately 0.86 acres from R-O SL
2 (Residential Office District with Special Limitations) to B-3 SL (General Business with
3 Special Limitations). The Planning and Zoning Commission found B-3 SL zoning met the
4 standards for a zoning map amendment as required by AMC 21.20.090, and appears to be
5 consistent with the *Anchorage 2020 Anchorage Bowl Comprehensive Plan*. Abbott Road is a
6 transit-supportive development corridor.

7
8 The present R-O SL zoning requires a development site plan design that conforms to town-
9 center design concepts, such as locating the building closer to the street and placing the
10 parking lot to the rear of the lot. A two-story office building has been constructed under the
11 R-O) SL zoning. Since 2002, there has been considerable development of service related
12 commercial facilities between Lake Otis Boulevard and Dimond Boulevard. The petitioner
13 proposes to allow small commercial retail, mixing professional medical uses on the top floor,
14 and commercial retail uses such as Mailboxes Etc., ACS Wireless Communication Equipment
15 Sales and Service, and a UPS Store on the ground floor.

16
17 The special limitations include providing an eight-foot fence along the north lot line adjacent
18 to residential zoning. The special limitations prohibit high traffic uses involving drive-up
19 windows or queuing of vehicular traffic, pole signs and require the retention of several
20 existing R-O SL special limitations such as requiring town-center design concepts for
21 building orientation and parking.

22
23 The Commission voted unanimous approval of the rezone to B-3 SL.

24
25 THE ADMINISTRATION RECOMMENDS APPROVAL OF THE B-3 SL ZONING FOR
26 THE SUBJECT PROPERTY.

27
28
29 Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning Department
30 Concur: Tom Nelson, Director, Planning Department
31 Concur: Mary Jane Michaels, Executive Director, Office of Economic and
32 Community Development
33 Concur: Denis C. LeBlanc, Municipal Manager
34 Respectively Submitted: Mark Begich, Mayor

**MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2004-073**

A RESOLUTION APPROVING THE REZONING OF 37,630 SQUARE FEET FROM R-O SL (RESIDENTIAL OFFICE ZONING DISTRICT WITH SPECIAL LIMITATIONS) TO B-3 SL (GENERAL BUSINESS WITH SPECIAL LIMITATIONS) FOR LOT 3A, ARLON SUBDIVISION, GENERALLY LOCATED BETWEEN GOLOVIN AND ARLON STREETS, ON THE NORTH SIDE OF ABBOTT ROAD.

(Case: 2004-157; Tax ID 014-294-49)

WHEREAS, a petition has been received from Seven C Investments, Inc., represented by Steve Agni, requesting a rezone of 37,630 square feet from R-O SL (Residential Office District with Special Limitations) to B-3 SL (General Business with Special Limitations) for Lot 3A, Arlon Subdivision, generally located between Golovin and Arlon Streets on the north side of Abbott Road, and

WHEREAS, notices were published, posted and public hearing notices were mailed and a public hearing was held on November 1, 2004.

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

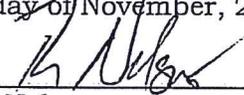
- A. The Commission makes the following findings of fact:
1. This property was rezoned from R-5 to R-O SL in 2002 even though the petitioner had requested B-3 SL at the time. The Assembly was reluctant to rezone it to B-3 SL because there was no adopted Abbott Town Center Plan and the petitioner did not have a development plan. Since the R-O SL became effective, the petitioner has constructed a two-story office building. The purpose of the rezoning at this time is to allow specific service retail uses such as an UPS Store, Vitamin and Nutritional Supplements sales and counseling, optometry services, wireless communication equipment sales and services, hair dresser, etc., and to prohibit drive-up facilities and specific objectionable commercial uses. Another special limitation would allow the building be completed in conformance with the approved site plan and architectural plans as submitted under Building Permit #04-5124.
 2. The petition site is located at the southeast corner of two R-5 zoned subdivisions (Morehand and Arlon) that are classified as Commercial/Industrial in the 1982 Comprehensive Plan. North of the R-5 neighborhood is I-1 property that fronts onto East 88th Avenue. To the east is a B-3 zoned strip mall; to the west of the R-5 is Independence Park Shopping Village, zoned B-3 SL. To the south of the site is the Fred Meyer grocery/retail store.
 3. The Commission noted that the B-3 requires a 15-foot buffer to adjoining residential uses and the back of this site has only a 10-foot buffer. Staff reported that the remedy to this is to seek a variance that would allow the 10-foot landscape buffer (as required by the R-O) and a fence (as requested by the adjoining property owner) or to resolve with Land Use Enforcement whether any grandfather rights might exist due to development having occurred under

the R-O. The R-O SL site plan was approved by the Assembly at the time the R-O SL zoning was approved. To require a 15-foot buffer at this time will affect the required parking that is already provided.

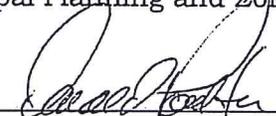
4. The existing special limitations included a number of design requirements for town centers, such as pulling the building closer to the street and providing parking to the rear.
 5. The Commission felt it would be difficult to develop a town center plan in this area now that so much of the western end of the area beginning at West 88th and Abbott has already developed over the past two years as core commercial development. When this building is redeveloped in the future, the R-5 area will have also changed, but how it will have changed cannot be known. They agreed it was not necessary to include a special limitation for windows and glazing because it is not possible to predict the character that will be desired when this building is redeveloped.
 6. The Commission finds that development of the site has followed many of the town center concepts and B-3 SL zoning is consistent with the comprehensive plan. Based on the Assembly's action approving R-O SL zoning it may be arguable that the R-O is more commercial than residential and therefore legislatively already reclassified as commercial.
 7. B-3 SL zoning appears to conform to the Anchorage 2020 Plan, and AMC 21.20.090.
 8. The Commission voted unanimously in favor of the rezoning as amended.
- B. The Department recommends approval of rezoning to B-3 SL, subject to the following special limitations:
1. Special Limitations:
 - a. Redevelopment on this site shall be subject to an administrative site plan review, which shall comply with the following items to the greatest extent possible:
 - 1) Building orientation - Buildings to front onto Abbott Road.
 - 2) Parking – Onsite parking should be placed to the rear (north) of the building. Parking should only be accessed from the side streets, and should be required to connect through to both adjacent side streets. Building height – The building walls facing Abbott Road should measure at least 18 feet from finished grade to the top of wall.
 - 3) Buildings should be built continuously along the frontage of Abbott Road, with no more than a 30-foot gap between buildings fronting this road.

- 4) Pedestrian accesses should be provided from a walkway along Abbott Road/front of building through to the parking area in the rear of the building.
- b. The buffer area on the north side of the site shall include an 8-foot sight obscuring fence.
2. Signs: Pole signs are prohibited.
3. Prohibited Uses: Uses prohibited in the R-O (Residential-Office) zoning district.
 - a. Drive-in services and windows, such as drive-in banks and restaurants.
 - b. Uses requiring queuing of vehicular traffic.
 - c. Outdoor display of products.
 - d. Uses requiring a liquor license other than a restaurant/eating place or beverage dispensary.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 1st day of November, 2004.



Tom Nelson
Secretary



Donald Poulton
Chair

(Case No. 2004-157)
(Tax I.D. No. 014-294-49)

ma

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 6-10-03

Submitted by:
Prepared by: Planning Department
For reading April 22, 2003

Anchorage, Alaska
AO 2003-81

1
2
3
4
5 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY
6 AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF
7 APPROXIMATELY 0.262 ACRES FROM R-5 TO B-3 SL FOR MOOREHAND
8 SUBDIVISION, LOT 20, GENERALLY LOCATED AT THE NORTHWEST
9 CORNER OF ELIM STREET AND ABBOTT ROAD.

10 (ABBOTT LOOP Community Council) (Planning and Zoning Commission Case 2003-015)

11
12 THE ANCHORAGE ASSEMBLY ORDAINS:

13 Section 1. The zoning map shall be amended by designating the following described
14 property as ~~B-3-SL (general commercial with special limitations)~~ ^{R-0} Zone:

15 Moorehand Subdivision, Lot 20 as shown on Exhibit "A" (Planning and Zoning
16 Commission Case 2003-015).

17 Section 2. The zoning map amendment described in Section 1 above shall be
18 subject to the following special limitations regarding the uses of the property:

- 19 1. Resolving access with the Municipal Traffic Engineer prior to the
20 issuance of any building permits.
- 21 2. Providing and maintaining a 10-foot planted screening easement on the
22 south and east property lines wherever the site abuts residential zoning.

23 Section 3. The special limitations set forth in this ordinance prevail over any
24 inconsistent provisions of Title 21 of the Anchorage Municipal Code, unless
25 specifically provided for otherwise. All provisions of Title 21 of the Anchorage
26 Municipal Code not specifically affected by the Special Limitations set forth in this
27 ordinance shall apply in the same manner as if the district classification applied by
28 this ordinance were not subject to Special Limitations.

29 Section 4. The Director of the Planning Department shall change the zoning map
30 accordingly.

31 Section 5. This ordinance shall become effective within ten (10) days after the
32 Director of the Planning Department has received written consent of the owners of
33 the property within the area described in Section 1 above to the special limitations
34 contained herein. The rezone approval contained herein shall automatically expire
35 and be null and void if the written consent is not received within 120 days after the
36 date on which this ordinance is passed and approved. In the event that no special

1 | limitations are contained herein, this ordinance is effective immediately upon
2 | passage and approval.

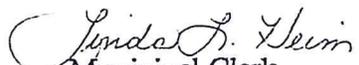
3 | PASSED AND APPROVED by the Anchorage Assembly this

4 | 10th day of June 2003.

5 |


Chair

ATTEST:


Municipal Clerk



MUNICIPALITY OF ANCHORAGE
ASSEMBLY INFORMATION MEMORANDUM

AIM No. 47-2003

Meeting Date: April 22, 2003

From: Mayor

Subject: AO 2003- 81 Transmittal of Planning and Zoning Commission recommendation to the Assembly to disapprove rezoning 0.26 acres from R-5 to B-3 for Moorehand Subdivision No. 4, Lot 20, generally located at the northwest corner of Elim Street and Abbott Road.

1 In accordance with AMC 21.20.100 D., Mr. David Jensen, the petitioner, filed a
2 written statement with the Municipal Clerk requesting that an ordinance amending the
3 zoning map to B-3 from R-5 be submitted to the Municipal Assembly. The Planning
4 and Zoning Commission disapproved the rezone request. That action is final unless the
5 applicant requests an ordinance be forwarded to the Municipal Assembly within 20
6 days of the Commission's decision.

7
8 Mr. David Jensen petitioned to rezone a single lot, approximately 0.26 acres in size,
9 currently zoned R-5 (Rural Residential District) to B-3 (General Business District). It
10 is located at the northwest corner of Elim Street and Abbott Road. The Planning and
11 Zoning Commission found B-3 zoning does not meet the standards for a zoning map
12 amendment as required by AMC 21.20.090, and was not consistent with the
13 requirements for implementation of the *Anchorage 2020 Anchorage Bowl*
14 *Comprehensive Plan*.

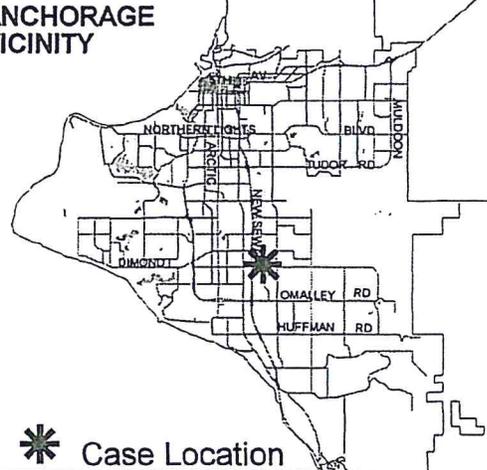
15
16 The Commission also found that the B-3 zoning request would constitute a spot
17 zoning, as established by past court decisions. Mr. Jensen's request was for the
18 specific use of a photographic studio. It is generally held that spot zoning is singling
19 out a small parcel of land for the benefit of the owner to the detriment of other
20 property owners and the community. Spot zoning can be either spatial or non-spatial
21 and in this case is both because it is a small parcel of land 6,000 square feet, and
22 benefits only one property owner for one specific use.

23
24 The February 20, 2001 adopting ordinance for the *Anchorage 2020 Anchorage Bowl*
25 *Comprehensive Plan* (AO 2000-119(S)) directs that the approving authority may
26 approve an application for an entitlement only if it does not conflict with the goals,
27 policies and objectives of the plan. This rezone would directly conflict with policy
28 number twenty-one of the *Anchorage 2020 Anchorage Bowl Comprehensive Plan*.
29

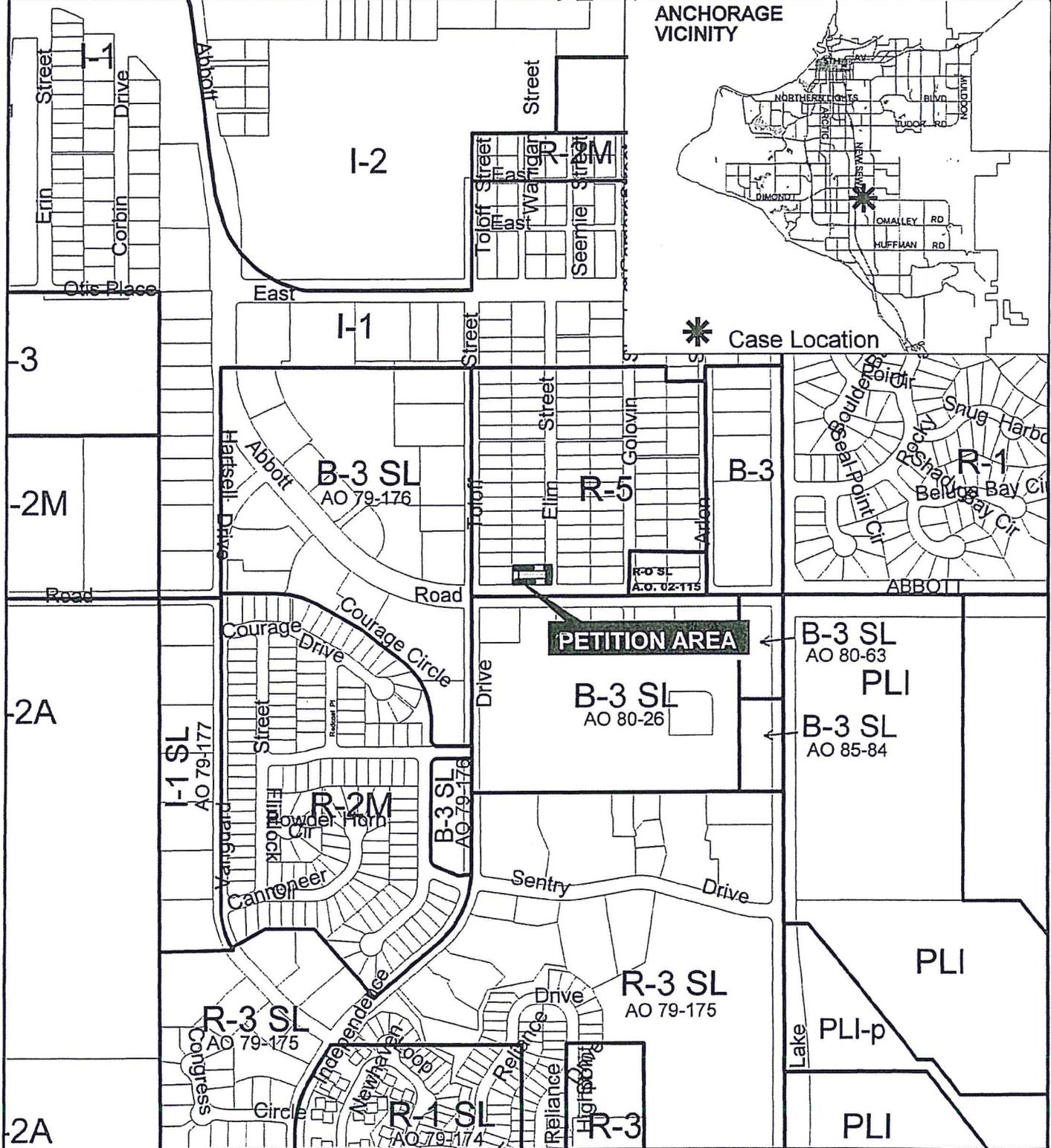
EXHIBIT - A

2003-015

ANCHORAGE VICINITY



* Case Location

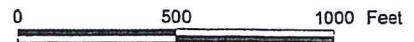


Municipality of Anchorage
Planning Department



Date: FEBRUARY 25, 2003

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



MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2003-006

A RESOLUTION DENYING A REZONING FROM R-5 (RURAL RESIDENTIAL) TO B-3 SL (GENERAL BUSINESS DISTRICT WITH SPECIAL LIMITATIONS) FOR LOT 20, MOOREHAND SUBDIVISION NO. 4; GENERALLY LOCATED AT THE NORTHWEST CORNER OF ELIM STREET AND ABBOTT ROAD.

(Case 2003-015, Tax I.D. No. 014-293-19)

WHEREAS, a request has been received from David Jensen to rezone approximately 0.26 acres of land from R-5 to B-3 SL for Lot 20, Moorehand Subdivision No. 4, generally located at the northwest corner of Elim Street and Abbott Road, and

WHEREAS, notices were published, posted and 72 public hearing notices were mailed and a public hearing was held on January 13, 2003.

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

A. The Commission makes the following findings of fact:

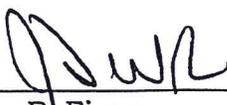
1. This is a request to rezone the site from R-5 to B-3 SL. The special limitations offered are to allow onsite parking expansion from existing to an additional six spaces with access only from Elim Street, and to prohibit pole-mounted signs (see special limitation discussion further below).
2. The petition site consists of an 11,250 square foot (SF) (approximately 0.26 acre) corner lot located on the northwest corner of Elim Street and Abbott Road. The petition site is currently zoned R-5 (Rural Residential District), and is constructed with a single-family home. The existing structure was built in 1974, consisting of approximately 1,280 square feet (SF), with an approximate 240 SF garage. A 6-foot tall wood fence surrounds the lot on the road frontages, and encloses the rear yard. Access to the site is from Elim Street.
3. The petitioner proposes to use the existing single-family home as a photography studio. This use is not permitted in the R-5 district. This use would be permitted as a home-occupation, but the limitations for a home occupation in AMC 21.45.150 severely restrict the amount of square footage that could be used for a business, and would require that the owner live in the house. The maximum use of a dwelling unit for a home occupation is no more than the lesser of 25% or 500 SF of the floor area of the dwelling or 200 SF of an accessory building. It also has other strict regulations on signage, incoming traffic, etc. The purpose of home occupation regulations are to ensure the retention of the residential nature of the zoning district, while permitting minor occupations to occur, so long as they remain clearly accessory and incidental to the principle use of the zoning district.

4. The petition site is surrounded by R-5 zoned property to the west, north and east. The property to the south is zoned B-3 (General Business District). AMC 21.45.
5. The petition site is located at the southwest corner of two R-5 zoned subdivisions (Moorehand and Arlon) that are classified as Commercial/Industrial in the Comprehensive Plan. North of the R-5 subdivisions is I-1 property that fronts onto East 88th Avenue. To the east of the R-5 area is a strip mall zoned B-3, containing a McDonalds Restaurant, a Chevron Gas Station and other retail stores. To the west of the R-5 is the Independence Park Shopping Village Subdivision, zoned B-3 SL and is only partially developed as commercial retail. To the south of the site is the recently constructed Fred Meyer grocery/retail store, which includes a gasoline pump station.
6. This site is located within the Abbott Town Center area, and less than one-quarter mile from the Lake Otis Transit Supportive Development Corridor as shown on the Anchorage 2020 Anchorage Bowl Comprehensive Plan.
7. The Abbott Town Center plan is currently under contract, and community meetings and design charrettes have been underway on this project, with completion of the draft Town Center Master Plan in 2003. The Master Plan will include both a land use plan and urban design guidelines for future development.
8. This request appears to the Department to be a speculative or spot rezoning. A spot zoning exists if all of the following factor's are present: (1) a small parcel of land is singled out for special and privileged treatment; (2) the singling out is not in the public interest but only for the benefit of the land owner; and (3) the action is not in accord with a comprehensive plan.
9. The Commission finds that it is important to hold up Anchorage 2020, especially in these early stages after its approval. It was noted that the Commission is seeing very difficult cases and it is important not to disregard Anchorage 2020.
10. The Commission finds that regarding the rezoning of the property nearby to R-O that it was a larger parcel, it had design standards, and it could accommodate a larger development. The Commission noted it did not doubt the petitioner or that his intent is to have a pleasant looking structure on this lot, but the Commission does not find it is inappropriate to think this could be developed with high-density residential use in the future.
11. The Commission finds that it is false to say that residential does not belong on an arterial roadway, as with this site, and further finds that this rezoning was not appropriate at this time.
12. The Commission noted full faith that this would be a good development, so long as Mr. Jensen owns the property. However, factors could affect the ownership of the property and the rezoning would not institute controls that

prevent the property from, at some point, potentially becoming a B-3 strip commercial development. It is difficult to maintain controls that provide for a transition. The Commission noted that the failure of R-O zoning district is that there is a thin line between strip commercial and what was trying to be achieved through that zoning.

13. The Commission finds that the petitioner's proposed use is a buffer of a light commercial use between the roadway and the residential neighborhood, but does not find in favor of the rezone because of the technical and legal issues of a spot rezoning.
14. The Commission finds that, based on precedent, this is a spot rezoning. The Commission finds that the rezoning request must either be combined with a number of other parcels and come back with specific special limitations or come forward as part of a town center plan. As a small standalone lot, it violates the technical issues with respect to spot zoning.
15. The Commission further finds that this recommendation of denial is due to the finding that this is a spot rezoning, and not due to the fact that this property is located in the vicinity of the town center. The Commission noted that until such time as the Assembly adopts a moratorium on rezonings in an area, the proximity of a property to a town center would not be part of the decision on a rezone request.
16. The Commission voted unanimously (0-8) to deny B-3 zoning.
17. The Commission recommends the above rezoning be DENIED by the Anchorage Assembly

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 13th day of January, 2003.



Susan R. Fison
Secretary



for Toni Jones
Chair

(2003-015)
(014-293-19)