

**PLANNING DEPARTMENT
STAFF ANALYSIS
ZONING MAP AMENDMENT**

DATE: October 2, 2023

CASE NUMBER: 2023-0097

APPLICANT: Andre Spinelli, Spinell Homes, Inc.

REPRESENTATIVE: Christopher Schutte, Capricorn Alaska

REQUEST: A request to rezone three lots from R-5 (low density residential) district to B-3 (general business) district

PROPERTY DESCRIPTION: Moorehand Subdivision, Lots 16-18

COMMUNITY COUNCIL: Abbott Loop Community Council

PARCEL NUMBERS: 014-291-60, -61, -62

ADDRESS: 9131 Elim Street, 9111 Elim Street, and no address

ATTACHMENTS

1. Application
2. Departmental and Public Comments
3. Affidavit of Posting

RECOMMENDATION SUMMARY: DENIAL

SITE

Acres: ±0.64 acres (28,052 square feet)

Current Zoning: R-5 (low density residential) district

Topography: Flat

Grid: SW2333

Current Use: Mobile home and well house

COMPREHENSIVE PLAN

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

SURROUNDING AREA

	<u>NORTH</u>	<u>EAST</u>	<u>SOUTH</u>	<u>WEST</u>
Zoning:	R-5	R-5	B-3 SL	R-5 and RO SL
Land Use:	Mobile Home	Vacant and Mobile Home	Commercial	Single-Family Home and Photography Studio

PROPOSAL

Spinell Homes is requesting to rezone three lots from R-5 (low density residential) district to B-3 (general business) district. The three lots contain 28,052 square feet (0.64 acres) of land area. The petition site is located at the northeast corner of the intersection of Elim Street and Abbott Road.

Anchorage 2040 designates the petition site to be zoned R-2M, R-3, or R-3A district. In a separate case (Case 2023-0096), the petitioner is requesting a comprehensive plan amendment to change the designation to Town Center. The applicant does not have development plans at this time.

DEPARTMENTAL AND PUBLIC COMMENTS

None of the reviewing agencies object to the rezone. Their comments are attached.

On September 6, 2023, the Planning Department mailed 175 public hearing notices, in accordance with AMC 21.03.200H.3. As of this writing, no public comments have been received. The applicant provided a resolution of support from the Abbott Loop Community Council.

FINDINGS

21.03.160 REZONINGS (ZONING MAP AMENDMENTS)

Pre-Application Conference

A pre-application conference was held on June 15, 2023, in accordance with 21.03.020B.

Community Meeting

A community meeting was held with the Abbott Loop Community Council on February 24, 2022, in accordance with 21.03.020C. A summary of this meeting is included in the application. The Abbott Loop Community Council adopted a resolution of support for the rezone to B-3 district. It is included with the application.

21.03.160E. APPROVAL CRITERIA

The planning and zoning commission may recommend approval, and the assembly may approve a rezoning, if the rezoning meets all of the following criteria:

- 1. The rezoning shall be in the best interest of the citizens of Anchorage and shall promote the public health, safety, and general welfare.**

The criterion is not met.

This rezone to the B-3 (general business) district is not in the best interest of the community. The rezone is likely to exacerbate the housing shortage in

Anchorage because *Anchorage 2040* identifies this site to be zoned for multifamily residential development. The R-3 district allows 15 to 40 dwelling units per acre. Since this site contains 0.64 acre, this rezone causes the loss of up to 25 dwelling units. The B-3 district allows residential uses, but it is extremely rare for there to be any residential development of B-3 zoned property.

2. The rezoning complies with and conforms to the comprehensive plan, including the comprehensive plan map(s).

The criterion is not met.

This rezone request does not comply with *Anchorage 2040*, which designates this site for R-2M, R-3, or R-3A zoning. *Anchorage 2040* identifies this site as Compact Mixed-Residential Medium and has the growth supporting features of Residential Mixed-Use and Transit-Supportive Development. This rezone to B-3 is likely to result in the loss housing, and it will create a domino effect of other rezones of neighboring lots.

This rezone is inconsistent with the following policies of the Comprehensive Plan:

Anchorage 2040
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.

This site is intended to be upzoned from the R-5 district to the R-2M, R-3, or R-3A district. The B-3 district conflicts with the *Anchorage 2040 Land Use Plan*.

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 these three lots containing 0.64 acres to general business is likely to result in the loss of affordable housing at this small site, but it will set off a domino effect of rezoning to B-3 from Abbott Road to East 88th Avenue and Toloff Street to Arlon Street. This loss of dedicated residential land could have a substantial impact on Anchorage's housing market in the long-term.

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 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.

There is an abundance of commercially zoned land in Anchorage and a deficit of residentially zoned land. This rezone trades future housing for commercial uses, like a new gas station.

3. The rezoning is generally consistent with the zoning district purpose in the requested zone, and the purpose of this title.

The criterion is not met.

Flipping this site from residential to commercial will impact all of the surrounding residential lots on Elim Street. The B-3 district allows 45-foot buildings by-right, 60-foot-tall buildings through an administrative site plan review, and 75-foot-tall buildings with a conditional use permit. There is no maximum lot coverage for structures, so only the setbacks prevent a 45-foot-tall building covering 100% of the lot. Also, there is no off-street parking requirement anymore.

AMC 21.04.030D., *B-3 General Business District*, states:

Purpose

The B-3 district is intended primarily for general commercial uses in commercial centers and areas exposed to heavy traffic. These commercial uses are intended to be located on arterials, or within commercial centers of town, and to be provided with adequate public services and facilities. They are subject to the public view and should provide an attractive appearance with landscaping, sufficient parking, and controlled traffic movement. Environmental impacts should be minimized. Abutting residential areas should be protected from potentially negative impacts associated with commercial activity. While B-3 district areas shall continue to meet the need for auto-related and other auto-oriented uses, it is the municipality's intent that the B-3 district also shall provide for safe and convenient personal mobility in other forms. Planning and design shall accommodate pedestrians and bicyclists. 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.

District Location Requirements

- a. *Establishment of the B-3 district or changes to existing B-3 district boundaries shall meet the general rezoning criteria of this code and shall not be expanded along street corridors or into surrounding neighborhoods unless consistent with the comprehensive plan.*
- b. *Future rezonings to B-3 shall take into consideration the desirability of B-3 being located on arterials and being served with adequate public services and facilities.*

This site is located on the northeast corner of the intersection of Abbott Road and Elim Street. Abbott Road is an Arterial street, and Elim Street is a Local road. The petition site is not within a commercial center. The Fred Meyer Commercial Center is located on the south side of Abbott Road. Allowing commercial to spread north of Abbott Road will create pressure for further rezonings to the B-3 district, potentially displacing existing homes on Elim Street and Golovin Street. *Anchorage 2040* designates this site for multifamily residential buildings and townhouses, not for commercial.

4. **The rezoning is compatible with surrounding zoning and development, and protects areas designated for specific uses on the zoning map from incompatible land uses or development intensities.**

The criterion is not met.

This rezone is not compatible with surrounding zoning districts, nor the existing residential development surrounding the petition site. This is a residential neighborhood on the north, east, and west sides, except for the photography studio to the west. The photography studio is within a house and is zoned RO SL (residential office district with special limitations). The B-3 district allows the widest variety of commercial uses of any of the other commercial zoning districts, and this is incongruent with this residential area.

5. **Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) are capable of supporting the uses allowed by the zone or will be capable by the time development is complete, while maintaining adequate levels of service to existing development.**

The criterion is met.

PeopleMover Route #55 runs along Abbott Road. There is a sidewalk on Abbott Road, but not on Elim Street. The *Official Streets and Highways Plan* identifies Abbot Road as an Arterial street and Elim Street as a Local street.

Anchorage Water and Wastewater Utility (AWWU) sewer lines are available to this site. A private water utility is available to provide water to this site.

The petition site is within the Police and Fire Service Areas, Building Safety

Service Area, Anchorage Roads and Drainage Service Area, and the Parks and Recreation Service Area.

- 6. The rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts shall be substantially mitigated.**

The criterion is met.

The proposed rezone does not result in adverse impacts on the natural environment. There is very little vegetation on these three lots and no wildlife.

- 7. The proposed rezoning is not likely to result in significant adverse impacts upon adjacent land uses, or such impacts shall be mitigated through stipulations.**

The criterion is not met.

Any use allowed in the B-3 district has the potential to be developed here. Some examples of uses that are permitted by-right in the B-3 district but would likely be incompatible with the surrounding residential uses are auto service and repair, telecommunications facilities, animal boarding facilities, and nightclubs. The applicant is not proposing any special limitations to limit permitted uses or mitigate the impacts from commercial development.

- 8. The rezone does not extend or exacerbate a land use pattern that is inconsistent with the comprehensive plan.**

The criterion is not met.

The B-3 district is not consistent with the Land Use Plan Map designation, nor the residential policies of the Comprehensive Plan. This rezone would extend commercial zoning to the north side of Abbott Road, which will put pressure for more rezones and displacement of existing residences along Elim Street and Golovin Street. *Anchorage 2040* documents the extent of Anchorage housing needs and finds that there is a 7,900-unit gap between the housing capacity of Anchorage's existing residential zoned lands and the forecast housing units needed between 2015 and 2040. Anchorage needs more residentially zoned land, not less, to meet the projected housing deficit.

- 9. The rezoning shall not result in a split-zoned lot.**


The criterion is met.

The rezoning will not result in a split-zoned lot.

DEPARTMENT RECOMMENDATION

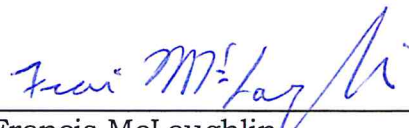
The Department finds that approval criteria 1, 2, 3, 4, 7, and 8 are not met. The Department recommends DENIAL of the request to rezone from R-5 district to B-3 district.

Reviewed by:



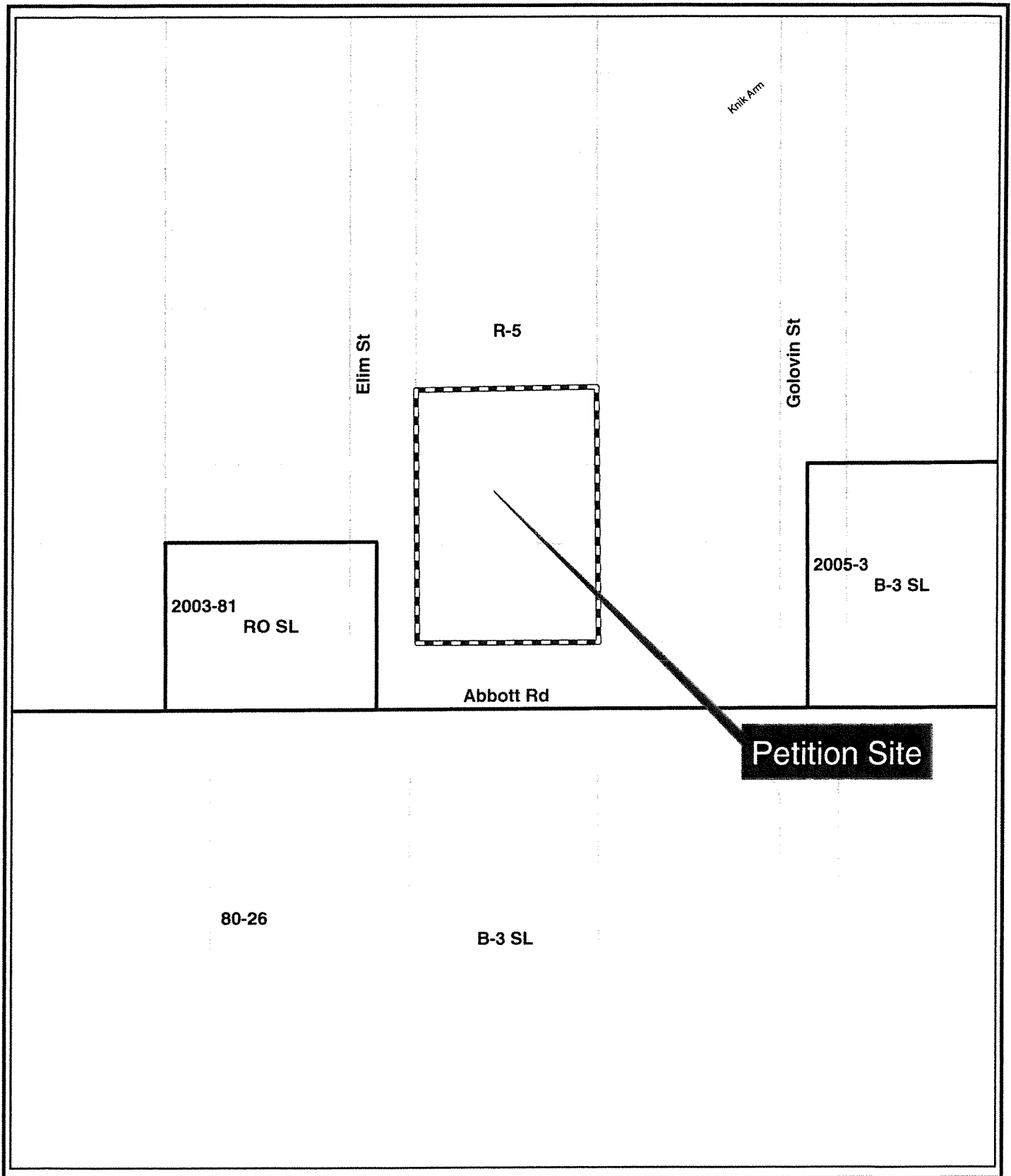
Craig H. Lyon
Director

Prepared by:

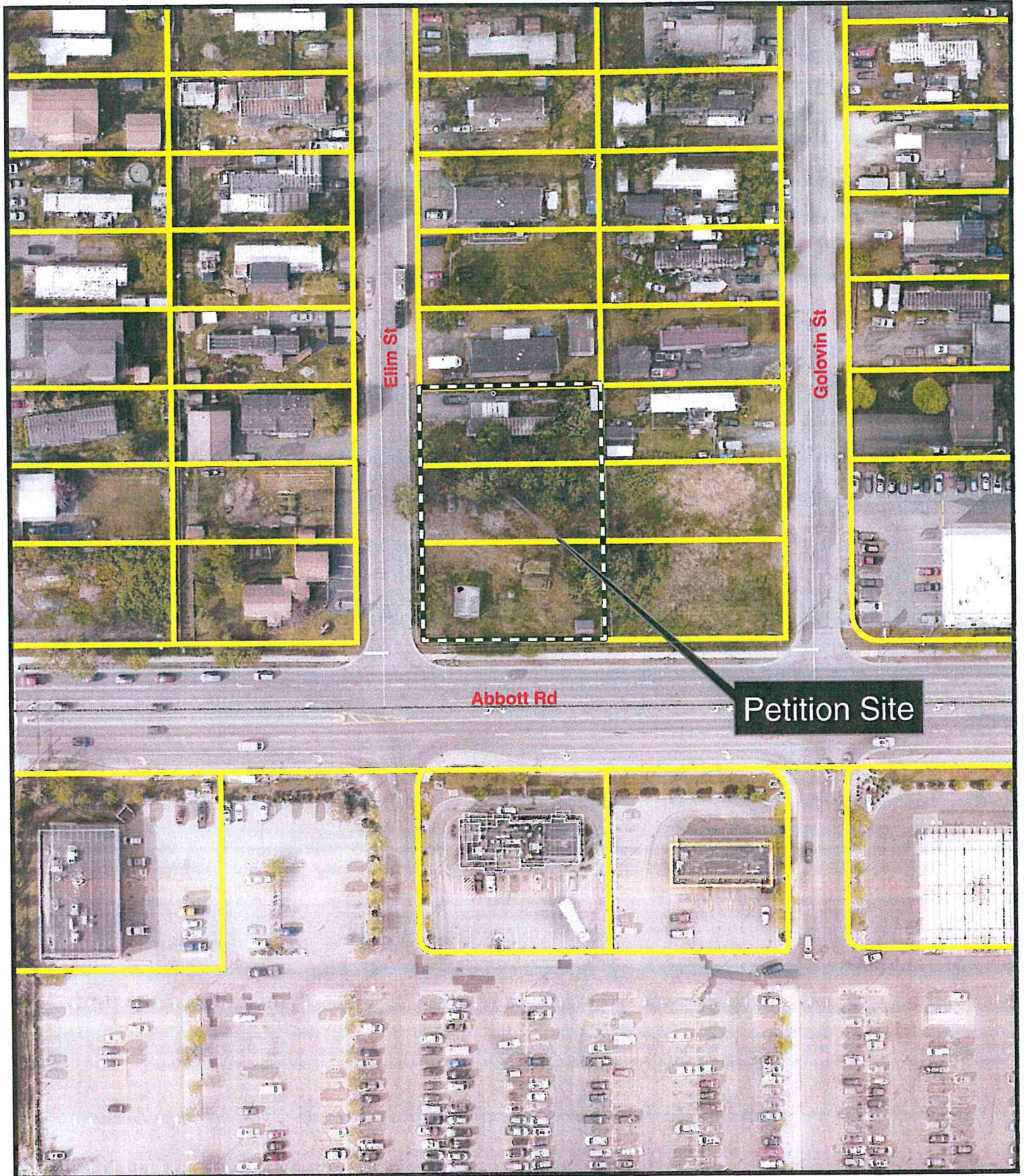


Francis McLaughlin
Senior Planner

(Parcel ID No. 014-291-60, -61, and -62)



2023-0097



Municipality of Anchorage
Planning Department

Date: 8/10/2023



Application

Application for Zoning Map Amendment

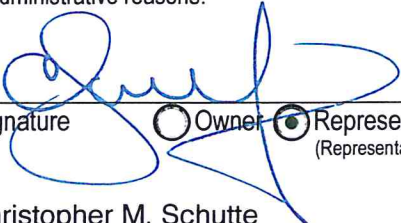
Municipality of Anchorage
Planning Department
PO Box 196650
Anchorage, AK 99519-6650

PETITIONER*			PETITIONER REPRESENTATIVE (if any)		
Name (last name first): Spinell Homes (attn: Andre Spinelli)			Name (last name first): Christopher Schutte (Capricom)		
Mailing Address: 1900 West Northern Lights Blvd, Suite 200			Mailing Address: 3100 Glenn Don Drive		
Anchorage	AK	99517	Anchorage	AK	99054
Contact Phone – Day: +1 (907) 344-5678			Contact Phone – Day: +1 (907) 227-4001		
E-mail: andre@spinellhomes.com			E-mail: chris@capricomalaska.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): 014-291-60-000 + 014-291-61-000 + 014-291-62-000		
Site Street Address: 9131 Elim Street + 9111 Elim Street + N/A		
Current legal description: (use additional sheet if necessary) Moorehand Subdivision Addition #2, Lots 16-18		
Existing Zoning: R-5	Acreage: 28,052 sq. ft. / 0.64 acres	Grid #: 2333
Proposed Zoning: B-3		
Existing use: 2 parcels vacant, 1 w/mobile home	Proposed use (if any): Office, mixed-use	

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.

Signature	<input type="radio"/> Owner <input checked="" type="radio"/> Representative (Representatives must provide written proof of authorization)	Date
		JULY 18, 2023
Christopher M. Schutte		
Print Name		

Accepted by: Karie Lamothe	Poster & Affidavit: 2+1	Fee: \$2,830	Case Number: 2023-0097	Meeting Date:
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COMPREHENSIVE PLAN INFORMATION**Improvement Area (per AMC 21.08.050B.):** ☐ Class A ☒ Class B**Anchorage 2040 Land Use Designation:**

- ☐ Neighborhood (Residential) ☒ Center ☐ Corridor
☐ Open Space ☐ Facilities and Institutions ☐ Industrial Area

Anchorage 2040 Growth Supporting Features:

- ☒ Transit-supportive Development ☐ Greenway-supported Development
☐ Traditional Neighborhood ☐ Residential Mixed-use

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
☐ Wetland permit: ☐ Army Corps of Engineers ☐ Municipality of Anchorage

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

- 1 copy required: ☒ Signed application (original)
☐ Ownership and beneficial interest form
- 16 copies required: ☒ Signed application (copies)
☐ Signatures of other petitioners (if any)
☒ Map of area to be rezoned
☒ Map of area surrounding proposed rezoning, including zoning and existing uses
☒ Narrative statement explaining:
 - ☒ need and justification for the rezoning
 - ☒ the proposed land use and development
 - ☒ the probable timeframe for development
 - ☒ an analysis of how the proposal meets the rezoning criteria on page 3 of this application☒ Summary of community meeting(s)
☐ Proposed special limitations, if any

(Additional information may be required.)

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 zoning district. (For exceptions, see AMC 21.03.160B.)
2. In the case of multiple owners, the petitioning property owners must provide documentation showing ownership of at least 51% of property to be rezoned.

ZONING MAP AMENDMENT STANDARDS (AMC 21.03.160)

A rezoning request may only be approved if it meets the approval criteria stated in AMC 21.03.160E. Please explain how the proposal meets the required criteria:

1. The rezoning shall be in the best interest of the citizens of Anchorage and shall promote the public health, safety, and general welfare.
2. The rezone complies with and conforms to the comprehensive plan, including the comprehensive plan map(s). (If the proposed rezone does not conform to the comprehensive plan, it may be considered along with a comprehensive plan amendment.)
3. The rezoning is generally consistent with the zoning district purpose in the requested zone, and the purpose of this title.
4. The rezoning is compatible with surrounding zoning and development, and protects areas designated for specific uses on the zoning map from incompatible land uses or development intensities.
5. Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) are capable of supporting the uses allowed by the zone or will be capable by the time development is complete, while maintaining adequate levels of service to existing development.
6. The rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts shall be substantially mitigated.
7. The proposed rezoning is not likely to result in significant adverse impacts upon adjacent land uses, or such impacts shall be mitigated through stipulations.
8. The rezone does not extend or exacerbate a land use pattern that is inconsistent with the comprehensive plan.
9. The rezoning does not result in a split-zoned lot.



May 17, 2023

Andre Spinelli, President
Spinell Homes, Inc.
1900 West Northern Lights Blvd
Suite 200
Anchorage, AK 99517

May 18, 2023

Re: Comprehensive Plan and Zoning Map Amendment for Moorehand subdivision, Lots 16-18

Municipality of Anchorage,

I hereby authorize Capricom to act for and on behalf of Spinell Homes, owner of Moorehand Subdivision, Lots 16-18, in our application for a Comprehensive Plan and Zoning Map Amendment.

Sincerely,

Andre Spinelli

Andre Spinelli

Application Narrative

Spinell Homes, Inc., owns Moorehand Subdivision Addition No. 2, Lots 16 through 18, and is requesting to rezone the petition site from R-5 ("Low-Density Residential District") to B-3 ("General Business District"), pending approval of the concurrent request for comprehensive plan map amendment. Following approval of this rezone, Spinell Homes, Inc., will initiate design and construction of a small office building and/or mixed-use office and residential development (see *Attachment O*).

Executive Summary

"One of these things is not like the others."

Moorehand Subdivision Addition No. 2, Lots 16 through 18, is currently zoned R-5 despite being located along a transit corridor with historical commercial development patterns. Rezoning the petition site to B-3 would increase their potential density, uses, and efficiency, thus increasing likelihood for redevelopment in a manner that more closely aligns the land use outcomes with the goals, objectives, and guidelines of the comprehensive plan than the current zoning.

Additionally, the rezone will increase potential residential capacity above current capacity under R-5 zoning and allow residential development to occur in conjunction with commercial development, providing more housing choices, more efficient use of limited developable land within the municipality, and implements actions of the *Anchorage 2040 Land Use Plan* (see *Attachment C*).

Zoning Map Amendment Standards

Spinell Homes requests concurrent Comprehensive Plan and Zoning Map amendments for Moorehand Subdivision Addition No. 2, Lots 16-18, (see *Attachment E*) pursuant to the process in Anchorage Municipal Code 21.03.070C. This Zoning Map amendment (rezone) request meets the criteria for approval in AMC 21.03.160E:

AMC 21.03.160E.1. *The rezoning shall be in the best interest of the citizens of Anchorage and shall promote the public health, safety, and general welfare;*

The proposed rezone will allow for redevelopment of three underutilized parcels directly adjacent to the Abbott Road commercial corridor that stretched between New Seward Highway to the west and Lake Otis Parkway to the east. Redevelopment options available through rezoning of the petition site includes small-scale, neighborhood-serving businesses (like the neighboring businesses already in operation along the Abbott Road commercial corridor) to small-scale mixed-use commercial and residential development.

Regardless of the final development plans, proposed rezone will improve the appearance, livability, and functionality of the petition site that contribute to the economic success of the surrounding

neighborhoods. It is in the best interest of the citizens of Anchorage and promotes the public health, safety, and general welfare.

AMC 21.03.160E.2. *The rezoning complies with and conforms to the comprehensive plan, including the comprehensive plan map(s);*

This is being processed as a concurrent Comprehensive Plan Amendment and Zoning Map Amendment. If the Comprehensive Plan Amendment is approved, this request for rezoning will comply with and conform to the intent of the *Anchorage 2040 Land Use Plan* and *Anchorage 2040 Land Use Plan Map* when interpreted with flexibility (per AMC 21.03.160F):

- This proposed rezoning is being processed concurrently with a related amendment to the comprehensive plan map following AMC 21.03.070C.3.
- The petition site of the proposed rezone and comprehensive plan amendment are located on or near the boundaries of existing comprehensive plan map designations and fulfill the intent, goals, objectives, policies, and guidelines of the comprehensive plan, including locational criteria for designations on the *Anchorage 2040 Land Use Plan Map*.

AMC 21.03.160E.3. *The rezoning is generally consistent with the zoning district purpose in the requested zone, and the purpose of this title;*

The proposed rezoning is generally consistent with the broad zoning district purpose and intent for “Commercial Districts” as described in AMC 21.04.030A. and demonstrated below:

CODE SECTION	INTENT
AMC 21.04.030A.1. AMC 21.04.030A.2.	<p>Proposed rezone will allow appropriately located retail, service establishments, or office uses needed by the municipality, should future development of these types occur on the petition site. Additionally, the petition site provide adequate area to meet the needs of any future commercial development.</p> <p>The current zoning prohibits <u>any</u> by right commercial uses and allows only a few Conditional Uses, such as:</p> <ul style="list-style-type: none">• Parking lot or structure (50+ spaces);• Parking lot or structure (less than 50 spaces); and• Commercial horticulture.

AMC 21.04.030A.3.*	<p>Proposed rezone will encourage redevelopment of underused commercial corridor along Abbott Road between Lake Otis and Independence Drive.(* see “Residential Capacity” below)</p> <p>Lots 17 and 18 are both vacant parcels; Lot 16 contains an old mobile home. Rezoning will allow the petition site to be redeveloped for uses more compatible with the adjacent commercial corridor.</p>
AMC 21.04.030A.4.	<p>Proposed rezone can minimize and/or reduce vehicle miles traveled by concentrating commercial uses along Abbott Road within the Abbott Town Center, as designated on the <i>Anchorage 2020: Anchorage Bowl Comprehensive Plan</i> “Land Use Policy Map” (pg. 50) and <i>Anchorage 2040 Land Use Plan Map</i>.</p> <p>Additionally, petition site benefits from being included in the <i>Anchorage 2040 Land Use Plan</i> growth supporting feature “Transit-supportive Development” (pg. 60) corridors where transit service supports more compact and walkable patterns of commercial, residential, and/or mixed-use development. TSD can “expand housing opportunities, as well as commercial land uses,” and encourage “more residences (including workforce and affordable housing) and commercial building space are needed in the corridor to support more frequent, all-day transit service” that connects to “local and regional destinations: Town Centers, City Centers, and other service/ employment centers, such as the UMED.” (pg.60).</p>
AMC 21.04.030A.5.	<p>Given the location of the petition site, directly adjacent to higher intensity commercial uses and traffic, proposed rezone will allow development in an area of the municipality best developed for traffic and access.</p> <p>Abbott Road, between New Seward Highway and Lake Otis Parkway, is classified as a Class III Major Arterial (OSHP, pg. 49) that is predominantly a commercial arterial corridor. Commercial streets like Abbott Road are designed to balance traffic mobility with land access (OSHP, pg. 21).</p> <p>Abbott Road (E/W) traffic volumes on October 6, 2021: Vehicle Volumes E: 8,578 Vehicle Volumes W: 7,666</p>

	AADT: 19,300 Abbott Road (E/W) traffic volumes on October 27, 2021: Vehicle Volumes E: 7,688 Vehicle Volumes W: 7,339 AADT: 25,200 (see Attachment H)
AMC 21.04.030A.6.	Proposed rezone will strengthen and further concentrate the economic base of the Municipality and provide employment opportunities.
AMC 21.04.030A.7.	Proposed rezone will allow commercial land uses that meet the needs of and attract local residents, as well as regional and statewide populations. Given the relatively small size of the petition site, however, any commercial use is anticipated to be smaller in scale and intensity.
AMC 21.04.030A.9.	With required setbacks, building placement, and other Title 21 development and design standards for B-3, proposed rezone will minimize land use impacts of any potential commercial and/or mixed-use development on adjacent residential districts.
AMC 21.04.030A.10.	While there are no adjacent stream corridors, wetlands, and other important natural resources near the petition site, no adverse impacts of commercial development are anticipated.
AMC 21.04.030A.11.	While no utility or telecommunications uses are envisioned for the petition site, proposed rezone could allow for future public and semi-public uses such as utilities and telecommunications infrastructure needed to complement commercial development.

***RESIDENTIAL CAPACITY**

While proposed rezone deviates from the general purpose/intent of commercial districts in AMC 21.04.030A.3. (“... discourage further geographic expansion of commercial areas not designated in the comprehensive plan...”), this request for B-3 zoning actually increases the by right residential development capacity for the petition site above the maximum capacity allowed under R-5.

Additionally, proposed rezone would allow residential development to occur in conjunction with commercial development, which could both (a) provide more housing than current zoning allows and (b) result in more efficient use of limited developable land within the Municipality.

Consider the following comparison of three different zoning designations for the petition site: R-5, B-3, and R-4A (see Attachment N).

CURRENT ZONING (R-5):

- all three parcels only allow 1 principal structure on each lot;
- all three parcels only allow 1 single-family dwelling or mobile home on each lot;
- DUA for Lots 16 and 17 is 5.19 DUA and for Lot 18 is 3.87;
- maximum building footprint (based on maximum allowable lot coverage) for Lots 16 or 17 is 2,520 sq. ft. and for Lot 18 is 3,375 sq. ft. ; and
- maximum height of structures is 45 feet.

PROPOSED ZONING (B-3):

- all three parcels would allow more than 1 principal structure on each lot;
- all three parcels would allow “Dwelling, mixed- use” and “Dwelling, multifamily” residential uses by right, and “Dwelling, townhouse” residential use following Administrative Site Plan Review;
- under different “Residential household living” use scenarios available in B-3:
 - “Dwelling, multifamily” on Lots 16 or 17 at 3 units yields 15.56 DUA;
 - “Dwelling, multifamily” on Lots 16 or 17 at 4 units yields 20.74 DUA;
 - “Dwelling, multifamily” on Lot 18 at 4 units yields 15.45 DUA; and
 - “Dwelling, multifamily” on Lot 18 at 8 units yields 30.98 DUA.
- maximum building footprint (based on maximum allowable lot coverage) for Lots 16 or 17 is 4,201 sq. ft. and for Lot 18 is 5,625 sq. ft.; and
- maximum height of structures is 45 feet.

COMPARISON ZONING (R-4A):

- all three parcels would allow more than 1 principal structure on each lot following Administrative Site Plan Review;
- all three parcels would allow “Dwelling, mixed- use” and “Dwelling, multifamily” residential uses by right, and “Dwelling, townhouse” residential use following Administrative Site Plan Review;
- under different “Residential household living” use scenarios available in B-3:
 - “Dwelling, multifamily” on Lots 16 or 17 at 3 units yields 15.56 DUA;
 - “Dwelling, multifamily” on Lots 16 or 17 at 4 units yields 20.74 DUA;
 - “Dwelling, multifamily” on Lot 18 at 4 units yields 15.45 DUA; and
 - “Dwelling, multifamily” on Lot 18 at 8 units yields 30.98 DUA.

- maximum building footprint (based on maximum allowable lot coverage) for Lots 16 or 17 is 6,301 sq. ft. and for Lot 18 is 8,438 sq. ft.; and
- maximum height of structures is 75 feet for “Dwelling, multifamily” or 70 feet for “Dwelling, mixed- use.”

Anchorage 2020: Anchorage Bowl Comprehensive Plan adopted a residential development policy (#9) to require “residential development located within ¼ mile of the major street at the center of a Transit-Supportive Development Corridor shall achieve an overall average of equal to or greater than 8 dwelling units per acre” (pg. 72). And the *Anchorage 2040 Land Use Plan* identifies transit corridors as a Growth-Supporting Feature that encourages development “to be generally in the range of 8 to 20 housing units per acre” (pg. 60). Yet, current zoning for the petition site, all of which are located directly on the Abbott Road transit corridor, does not achieve this residential density.

In summary, proposed rezone will increase *potential* residential capacity above current capacity under R-5 zoning and allows residential development to occur in conjunction with commercial development, providing more housing choices, more efficient use of limited developable land within the Municipality, and support resilient Growth-Supporting Features.

AMC 21.03.160E.3. *The rezoning is generally consistent with the zoning district purpose in the requested zone, and the purpose of this title;*

This is being processed as a concurrent Comprehensive Plan Amendment and Zoning Map Amendment. If the Comprehensive Plan Amendment is approved, the petition site will be designated as “Town Center” land use and, thus, will be eligible for rezone to B-3. Additionally, the proposed rezoning also is generally consistent with the B-3 zoning district purpose and intent for “General Business District” as described in AMC 21.04.030D.:

CODE PURPOSE	HOW REZONE REQUEST MEETS PURPOSE
<i>The B-3 district is intended primarily for general commercial uses in commercial centers and areas exposed to heavy traffic. These commercial uses are intended to be located on arterials, or within commercial centers of town, and to be provided with adequate public services and facilities.</i>	<p>Petition site is located along a commercial corridor directly adjacent to higher intensity commercial uses and heavy traffic along Abbott Road, a Class III Major Arterial (OSHP, pg. 49).</p> <p>Abbott Road traffic volumes between New Seward Highway and Lake Otis Parkway on October 6, 2021: Vehicle Volumes E: 8,578 Vehicle Volumes W: 7,666 AADT: 19,300</p>

	<p>Abbott Road traffic volumes between New Seward Highway and Lake Otis Parkway on October 27, 2021: Vehicle Volumes E: 7,688 Vehicle Volumes W: 7,339 AADT: 25,200 (see Attachment H)</p> <p>The proposed B-3 zoning district is compatible with surrounding higher intensity commercial uses and heavy traffic along Abbott Road. Additionally, fully maintained sidewalks exist along both sides of Abbott Road (see Attachment M).</p>
<i>They are subject to the public view and should provide an attractive appearance with landscaping, sufficient parking, and controlled traffic movement.</i>	Title 21-required development and design standards will ensure any future developments provide an attractive appearance with landscaping, sufficient parking, some pedestrian amenities, and controlled traffic movement off Elim Street (no direct access to Abbott Road will be allowed.)
<i>Environmental impacts should be minimized.</i>	Proposed rezone can minimize and/or reduce vehicle miles traveled by concentrating commercial and/or office uses along a transit-served commercial corridor within the Town Center designated on the Land Use Policy Map of <i>Anchorage 2020: Anchorage Bowl Comprehensive Plan</i> (pg. 50) and "Town Center" land use designation of the <i>Anchorage 2040 Land Use Plan Map</i> .
<i>Abutting residential areas should be protected from potentially negative impacts associated with commercial activity.</i>	With required setbacks, building placement, and other Title 21 development and design standards for B-3, proposed rezone will minimize land use impacts of any potential commercial and/or mixed-use development on adjacent residential districts.
<i>While B-3 district areas shall continue to meet the need for auto-related and other auto-oriented uses, it is the municipality's intent that the B-3 district also shall provide for safe and convenient personal mobility in other forms. Planning and</i>	The <i>Anchorage 2040 Land Use Plan</i> locational criteria for "Town Centers" as "arterial streets served by public transit" (pg. 43). The petition site is located along Abbott Road, a Class III arterial per the <i>Official Streets & Highways Plan</i> (pg. 21) and owned by the Municipality of Anchorage (see Attachment G). Additionally, the entire Abbott Road

<i>design shall accommodate pedestrians and bicyclists.</i>	corridor enjoys 30-minute headway transit service via People Mover route 55 (see <i>Attachment D</i>), with stops located at Independence / Toloff and Lake Otis Parkway.
<i>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.</i>	Proposed rezone will allow commercial land uses that meet the needs of and attract local residents, first, followed by regional and statewide populations. Given the relatively small gross acreage of the petition site, however, any commercial use is anticipated to be smaller in scale and intensity.

AMC 21.03.160E.4. *The rezoning is compatible with surrounding zoning and development, and protects areas designated for specific uses on the zoning map from incompatible land uses or development intensities;*

The rezoning is compatible with surrounding zoning and development, and protects areas designated for specific uses on the zoning map from incompatible land uses or development intensities:

- Petition site will help the municipality fulfill the growth-supporting purpose of **Transit-Supportive Development**, contained within the *Anchorage 2040 Land Use Plan* (pg. 60), and are located along a **Transit-Supportive Development Corridor**, as depicted on the “Actions Map” (pg. 94).
- Petition site is in the immediate vicinity of **Targeted Area Rezoning**s, as depicted on the *Anchorage 2040 Land Use Plan* “Actions Map” (pg. 94).
- Petition site fall within the “Town Center” land use designation, as depicted on the *Anchorage 2040 Land Use Plan Map*, and the “Uses,” “Character,” and “Density” described in the *Anchorage 2040 Land Use Plan* (pg. 43).
- Petition site adjacent to other B-3 zoning designations similarly situated along the Abbott Road corridor, as depicted on the Zoning Map (see *Attachment F*).

AMC 21.03.160E.5. *Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) are capable of supporting the uses allowed by the zone or will be capable by the time development is complete, while maintaining adequate levels of service to existing development;*

The petition site enjoys adequate facilities and services to accommodate the proposed zoning with existing public water and sewer infrastructure available (see *Attachment I*); existing publicly maintained stormwater assets (see *Attachment J*); and existing publicly maintained sidewalks along Abbott Road (see *Attachment M*.)

AMC 21.03.160E.6. *The rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts shall be substantially mitigated;*

The rezoning will not result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation.

AMC 21.03.160E.7. *The proposed rezoning is not likely to result in significant adverse impacts upon adjacent land uses, or such impacts shall be mitigated through stipulations;*

The proposed rezoning will not result in significant adverse impacts upon adjacent land uses.

By allowing more intense development density directly along Abbott Road, rezoning the petition site will accommodate a wider assortment of commercial, residential, or mixed-uses that benefit the surrounding area while also providing a direct buffer between the high traffic volumes (see Attachment H) of Abbott Road and the residential neighborhood to the north.

Additionally, with required setbacks, building placement, landscaping, pedestrian amenities, and other Title 21 development and design standards for B-3, proposed rezone will minimize land use impacts of any potential commercial and/or mixed-use development on adjacent residential districts.

AMC 21.03.160E.8. *The rezone does not extend or exacerbate a land use pattern that is inconsistent with the comprehensive plan; and*

The rezone does not extend or exacerbate a land use pattern that is inconsistent with the comprehensive plan. While the Abbott Town Center Plan was never approved, the last draft version of the plan laid out a vision for the Abbott Town Center that projected the petition site would be classified as "Town Center General" and "Office" as both an allowable land use for "Town Center General" and an allowable building and lot type.

AMC 21.03.160E.9. *The rezoning shall not result in a split-zoned lot.*

The rezoning shall not result in a split-zoned lot.



Moorehand Land Use and Zoning Amendment
Summary of Community Meeting
February 28, 2022

MOA Planning Division Director
4700 Elmore Road
Anchorage, AK 99507

116 notices were mailed on 01/11, 0 returned, see attached for content of notices.

Date: 02/24/2022 @ 6:30 PM

Duration: 2 hours

Participants: 28, including 3 presenters

Location: Zoom Meeting, see attached

Subject: Proposed Moorehand Land Use and Zoning Amendment

This community meeting was held by the Abbott Loop Community Council on February 24, 2022. The presentation covered the details of the proposed land use amendment and rezone for five lots north of Abbott Rd. The community members were asked what they would like to see happen with the project site. The following is a brief summary of the questions, comments, and requests made by the community.

Q: Do you have specific plans on what to build on the site?

A: Not yet, but some sort of small office building is the current vision.

Q: With the current housing shortage, why does it make sense to rezone this to B-3?

A: With the current price of building it would be difficult to build economically priced units on this site. The site also abuts Abbott Road, across from Fred Meyer, a major thoroughfare and is not an enticing place to live. There are much better sites than this one for residential development.

Q: What about a mixed-use zoning, where residential development isn't excluded from the options?

A: Actually, B-3 zoning allows for residential development. A zoning change to B-3 would enhance the development possibilities of this lot.

Overall, the community commented on how the Municipality has a housing shortage, but the majority of the commenters also stated that they would not like to live on a busy street. Some community members said they would love to see the Lake Otis / Abbott Road area become more of a Mixed-Use Town Center than it currently is.



The following is a list of screen names, as they appeared on the Zoom participant list:

- | | | |
|--------------------|--------------------|---------------------|
| 1. Andre Spinelli | 11. Frank Lahr | 21. Randy Sulte |
| 2. Anna Petersen | 12. Greg | 22. Sarah Lopez |
| 3. Andy Holleman | 13. Jason Henning | 23. Samantha Harris |
| 4. Bruce Roberts | 14. Jon and Dale | 24. Sara Harris |
| 5. Cindy Lelake | 15. Kathy Easley | 25. Sarah Rudder |
| 6. Calvin Schrage | 16. Kari | 26. Susan Soule |
| 7. Craig Bennett | 17. Kate Sauve | 27. Tom Roth |
| 8. Dan R | 18. Lizzie Newell | 28. T Losey |
| 9. Emma | 19. Mark Frishkorn | |
| 10. Erik Gunderson | 20. Patti Higgins | |

Community Meeting Notification: Moorehand Land Use and Zone Amendment

Abbott Loop Community Council Meeting
Date & Location:

FEBRUARY 24 @ 6:30 PM

Via Zoom

See Abbott Loop Council page on
communitycouncils.org for information.

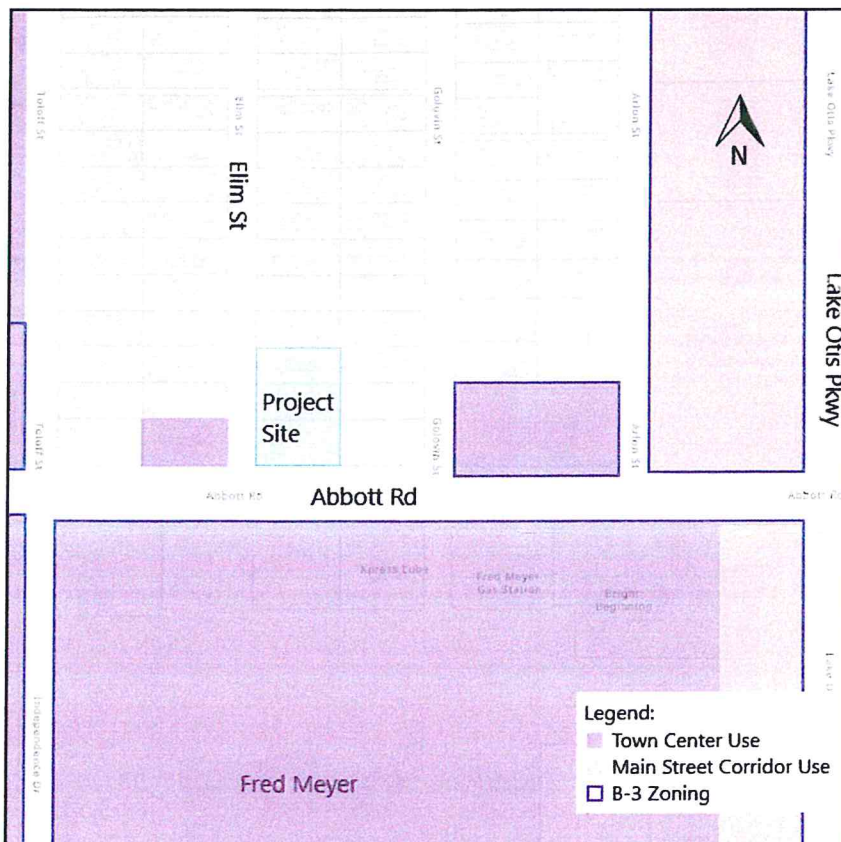
Please check the Abbott Loop Council page on
communitycouncils.org for possible meeting
changes or updates.

S4 Group, LLC will be presenting a Land Use and Zoning Amendment action to the Abbott Loop community council at their regularly scheduled February 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 (Low Density Residential) to B-3 (General Business District).

Representatives of the proposed project will provide an overview of the rezone action, 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: craigb@s4ak.com or (907) 306-8104.

The project site of approximately 0.64 acres is located north east of the intersection of Abbott Rd and Elim St, described as Moorehand Subdivision No. 3 Lot 16, 17, & 18.

For more information go to: s4ak.com/notice



«Name»

«Street»

«City», «State» «Zip»

Abbott Loop Community Council

AGENDA

GENERAL MEMBERSHIP MEETING

February, 24th, 2022, 6:30-8:30 PM

LOCATION: Zoom

NEW ZOOM for 2022

<https://us02web.zoom.us/j/88969066143?pwd=M3I0TVFTWDI0b1FhRkZvV2dTWkQ5Zz09>

Meeting ID: 889 6906 6143 Passcode: 863421 One tap mobile
+12532158782,,88969066143#,,,,*863421# US (Tacoma)

If you would like to receive email notifications from the Federation of Community Councils about ALCC meetings, click here: www.communitycouncils.org or go to www.communitycouncils.org and choose "Sign-Up" in the upper right-hand corner.

On entering the meeting, please go to the participant list and indicate if you are:

- A member of the Abbott Loop Community Council by adding the initials ALCC after your name. A member is anyone who resides in or has a business in the ALCC district.
- A guest by adding the word **Guest** or your affiliation after your name.

Please do not use the chat for private conversations or to ask questions. The chat should be used only to add relevant information (links, contact information etc.)

To ask a question or make a comment use the "raise hand" function.

Prior to speaking each speaker should state their name, address (street and cross street is ok) if a member, or guest if a guest.

Individuals calling in via the telephone must identify themselves as ALCC with name or Guest with their name and affiliation. The host can assist you. To mute/unmute tap *6. To raise your hand *9

This meeting is open to the public and will be recorded therefore, there is no expectation of privacy.

Call to order

- Round of Introductions
- Changes or additions to agenda
- Approval of minutes: Kathleen Easley
- Approval of treasurer's report: Heather Schrage

APD Officer if available

- Report and Q & A

Legislative Reports: Q & A <http://akleg.gov/>

- Senator: Josh Revak: Newsletter and report for February
- Representative: Calvin Schrage: Newsletter and report for February
- Representative Laddie Shaw

Assembly & School Board: Q & A www.muni.org/departments/assembly

- Assembly member Felix Rivera
- Assembly member Meg Zaletel
- Assembly member Suzanne LaFrance
- Assembly member John Weddleton
- School Board member: Andy Holleman
- JBER Community Engagement Rep Luke Waack

Candidate Introductions

Reports

FCC Representative Bruce Roberts

Roads & Projects Committee: Emily Sullivan
o CIP update

Parks & Rec Committee: Mark Miner

Planning & Zoning Committee (munimaps.muni.org/planning/allcomments.cfm): ****Needs Chair****

- Craig Bennett- Three small lots located off of Abbott Rd, across from Fred Meyer. Owner would like to change the land use designation of the site from *Compact Mixed Residential* to *Town Center* and the zoning designation of the site from *R-5 (Low Density Residential)* to *B-3 (General Business District)*, this would then match the use and zoning designations of property to the south and west of the lots.

Cannabis & Alcohol Committee: ****Needs Chair****

Membership & Events: Lizzie Newell

Abbott Loop Community Patrol: Dan Rudder, Lead; <http://www.accpatrols.org/>

Old Business

- Statewide Redistricting Maps: Update <https://www.akredistrict.org/>

New Business

Announcements/Comments

Next Meetings:

March, 31st, 2022 Abbott Loop Community Council Monthly Meeting
April, 28th, 2022 Abbott Loop Community Council Monthly Meeting
May, 26th, 2022 Abbott Loop Community Council Monthly Meeting
June/July will be ALCC picnics- more information coming

Comments:

Adjourn

Resources

- Abbott Loop Community Council: <http://communitycouncils.org/servlet/content/2.html>
- Abbott Loop Community Forum: <https://www.facebook.com/abbottloopcc/?fref=ts>
- Whisper Faith Kovach Playground & Fenced Dog Park: <https://www.facebook.com/groups/720624007969641/>
- Abbott Loop South Next Door: https://abbottloopsouth.nextdoor.com/news_feed/
- Abbott Loop North Next Door: <https://nextdoor.com/neighborhood/abbottloopnorthak--anchorage--ak/>
- Information about the Academy Dr.-Vanguard Dr. Project <http://www.academyandvanguard.com/>
- Anchorage Bowl Land Use Plan:
<http://www.muni.org/Departments/OCPD/Planning/Projects/AnchLandUse/Pages/default.aspx>
- State of Alaska DOT Seward Highway project can be found here: <http://www.sewardhighway.info/>
- APD safety message emails or text alerts: <https://local.nixle.com/register/> or send a text to 888777
- Alaska Redistricting- <https://www.akredistrict.org/>
- Assembly 101 playlist for those wanting to learn all about Assembly procedures, how to participate, etc.
<https://www.youtube.com/playlist?list=PLylc7U989Xcav5eQC9FmjAEofZD576ecb>

The Abbott Loop Community Council generally meets the last Thursday of the month from 6:30pm to 8:30pm at Abbott Loop Elementary except in May (date change due to school closure), June (Summer Picnic), July (Potluck Picnic), November and December (combined meeting). If you have agenda items, please send your requests to both: Bruce Roberts brucearoberts@hotmail.com 907-952-9969 & Kathleen Easley katmandu26@hotmail.com 907-748-6076.

Dena'inaq ełnen'aq' gheshtnu ch'q'u yeshdu. (Dena'ina)

I live and work on Dena'ina land. (English) ~ Translation by Joel Isaak and Sondra Shaginoff-Stuart

ABBOTT LOOP COMMUNITY COUNCIL

OFFICERS		DIRECTORS		
PRESIDENT	Bruce Roberts	Pat O'Hara	Lizzie Newell	Dan Rudder
VICE-PRESIDENT	Susan Soule	Mark Miner	Yolanda Meza	Emily Sullivan
SECRETARY	Kathleen Easley	Kari Nore	Patti Higgins	Marilyn Russel
TREASURER	Heather Schrage			

STANDING COMMITTEES SPECIAL COMMITTEES

PARKS & REC	Roads & Projects	P & Z	Cannabis & Alcohol	Membership & Events	Community Patrol	By-Laws Committee
Mark Miner Chair	Emily Sullivan Chair	Needs Chair	Needs Chair	Lizzie Newell Chair	Dan Rudder Lead	Kari Nore Chair
Sheila Cernich	Dan Boland	Akis Gialopsis		Kari Nore	Patti Higgins	Susan Soule
Patti Higgins	Mike Moeglein	Dan Boland		Sheila Cernich	Pat Higgins	Patti Higgins
Susan Soule	Bruce Roberts			Patti Higgins	Thomas Greenman	
					Phil Parks	

Anchorage 2040 Land Use Plan Map



6/7/2023, 9:07:36 AM

Property Information

Anchorage 2040 Land Use Designations

Single-Family and Two-Family

Compact Mixed Residential - Low

Compact Mixed Residential - Medium

Town Center

Main Street Corridor

Community Facility or Institution

ROW (White)

Subject parcels

1:4,514

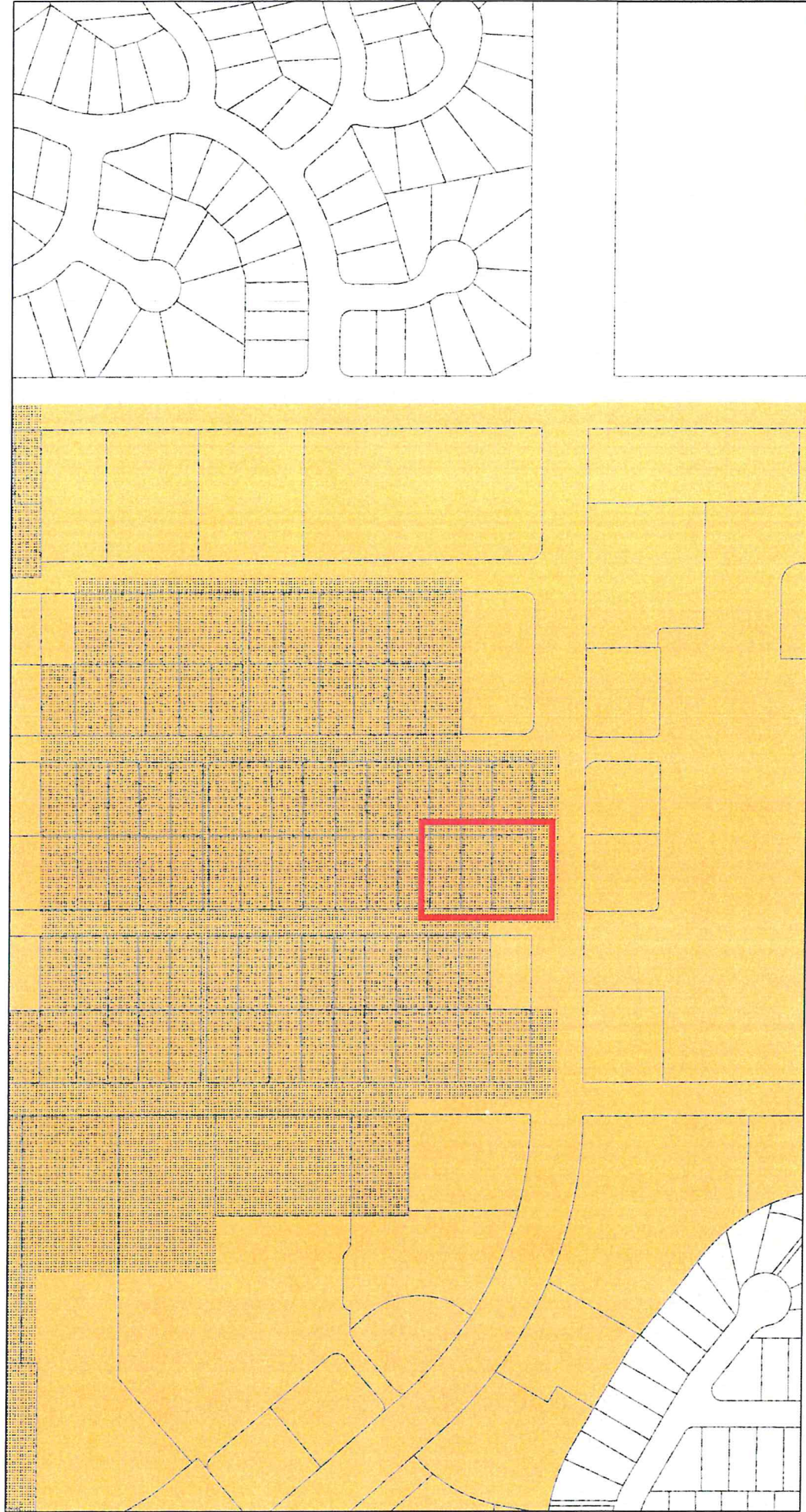
0 0.02 0.04 0.06 0.07 mi

0 0.03 0.06 0.11 km

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasyrisen, Rijkswaterstaat, GSA, Geoland, FEMA,

Provided by Municipality of Anchorage
Municipality of Anchorage

Areas of Growth and Change by 2040



6/6/2023, 5:58:29 PM

Anchor 2040 Land Use Plan Boundary

Little Growth

Property Information_Hosted

Land Use Designation Change from Uses Currently Allowed by Existing Zoning

Areas of Growth and Change

Subject parcels

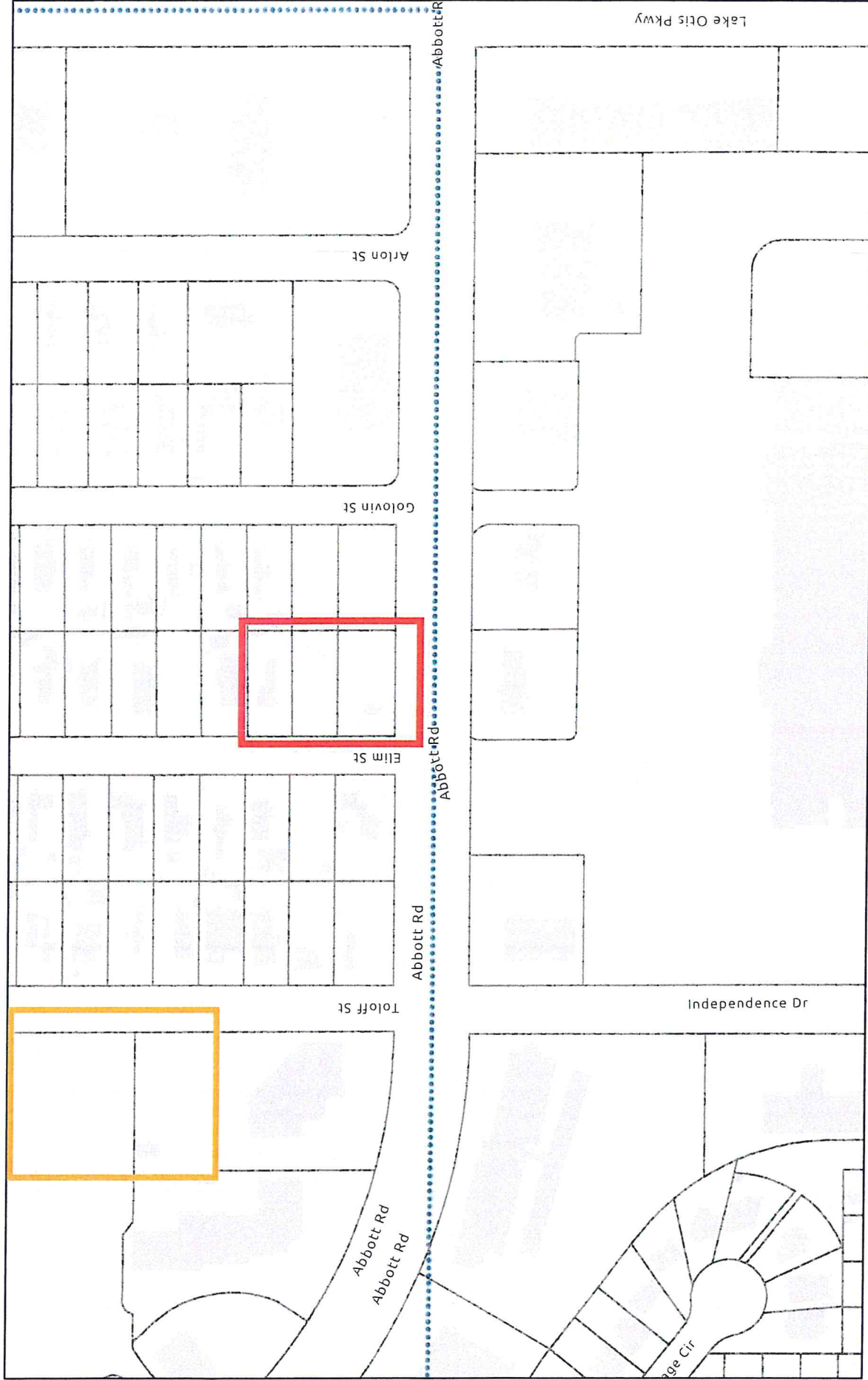
Moderate Growth

1:4,514

0 0.03 0.06 0.09 0.11 mi
0 0.04 0.09 0.17 km

MOA GDIC, MOA Planning, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasylsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community,

LUPM Implementation Actions Map



6/7/2023, 9:15:07 AM

- Anchorage 2040 Land Use Plan Boundary
- Transit-Supportive Development Corridors
- Property Information
- Subject parcels
- Targeted Area Rezonings*

1:4,514

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MOA GDIC, MOA Planning, Kenai Peninsula Borough, Matanuska-Susitna Borough GIS, Municipality of Anchorage, State of Alaska, © OpenStreetMap, MOA Planning

Kenai Peninsula Borough, Matanuska-Susitna Borough GIS, Municipality of Anchorage, State of Alaska, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, MET/NASA, USGS, EPA, NPS, US Census Bureau, USDA | MOA GDIC, MOA Planning | Kenai

MOA People Mover



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○ Bus Stops

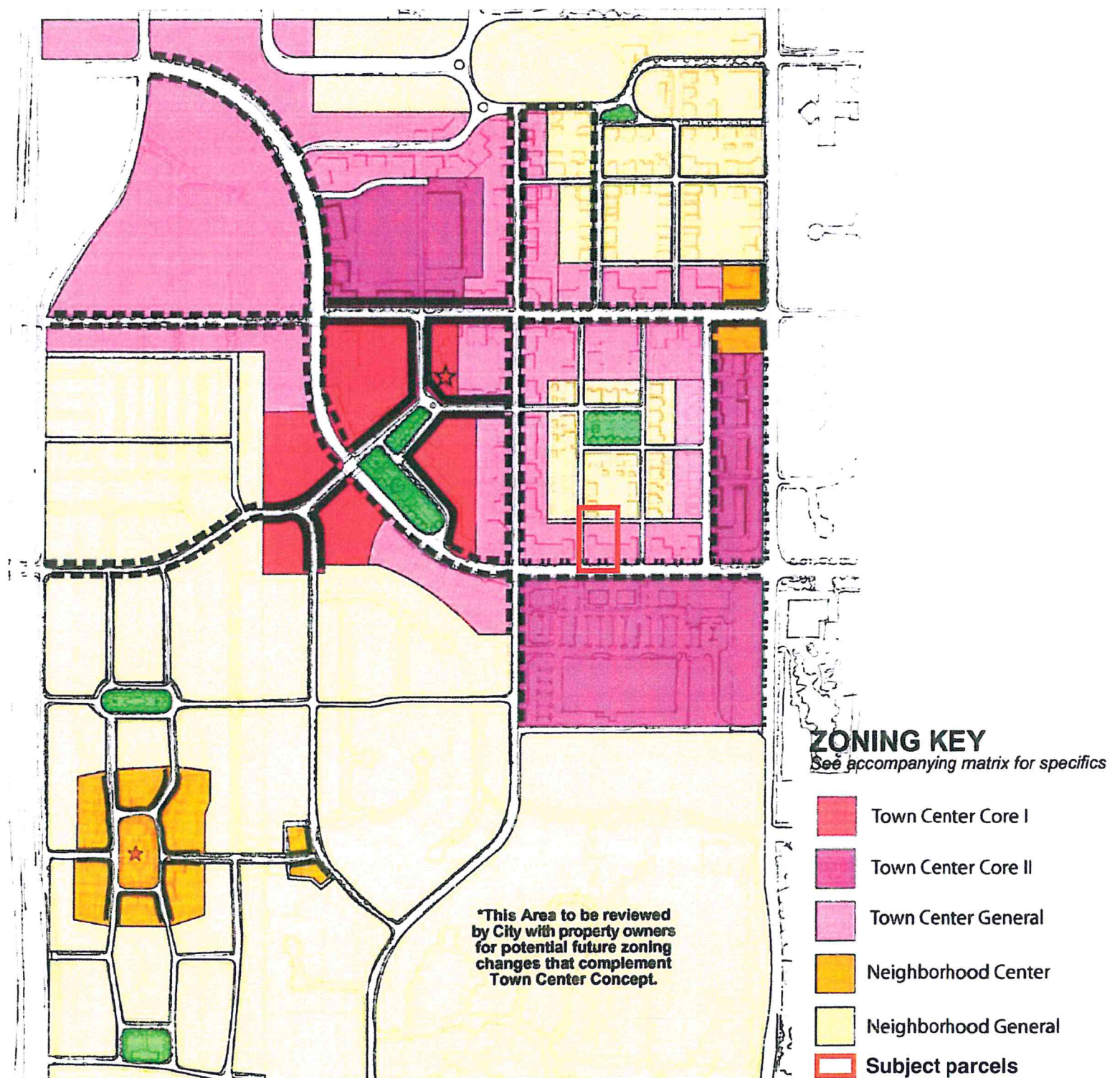
□ Subject parcels

1:4,514

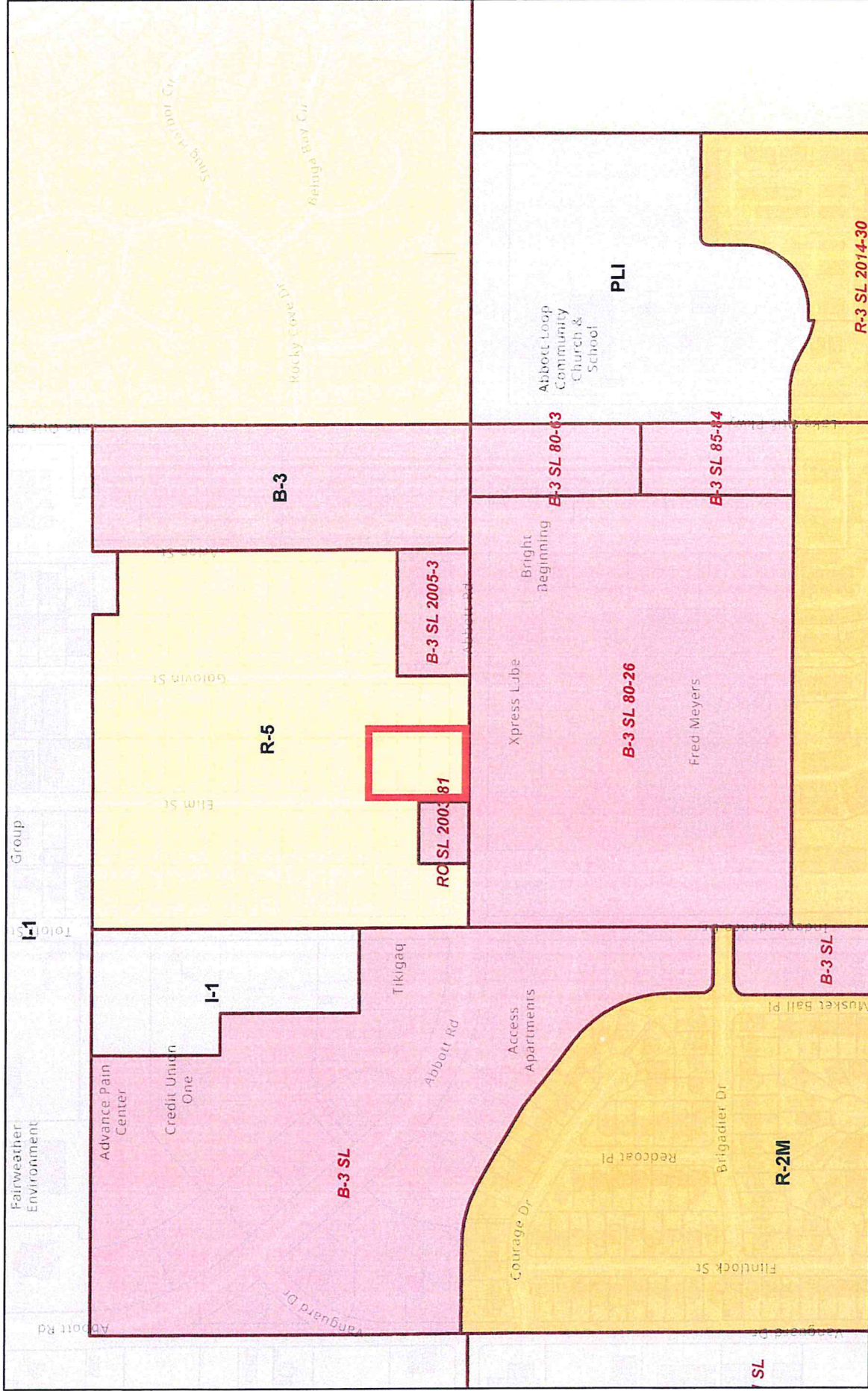
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0 0.03 0.06 0.11 km

Kenai Peninsula Borough, Matanuska-Susitna Borough GIS, Municipality of Anchorage, State of Alaska, © OpenStreetMap, Microsoft, Esri, HERE,



MOA Zoning



7/13/2023, 1:22:16 PM

☐ Zoning Outlines

☐ Zoning

☐ Single Family Residential

☐ Multiple Family Residential

☐ Commercial

☐ Light Industrial

☒ Subject Parcels

☐ Public Lands and Institutions

☐ Parks

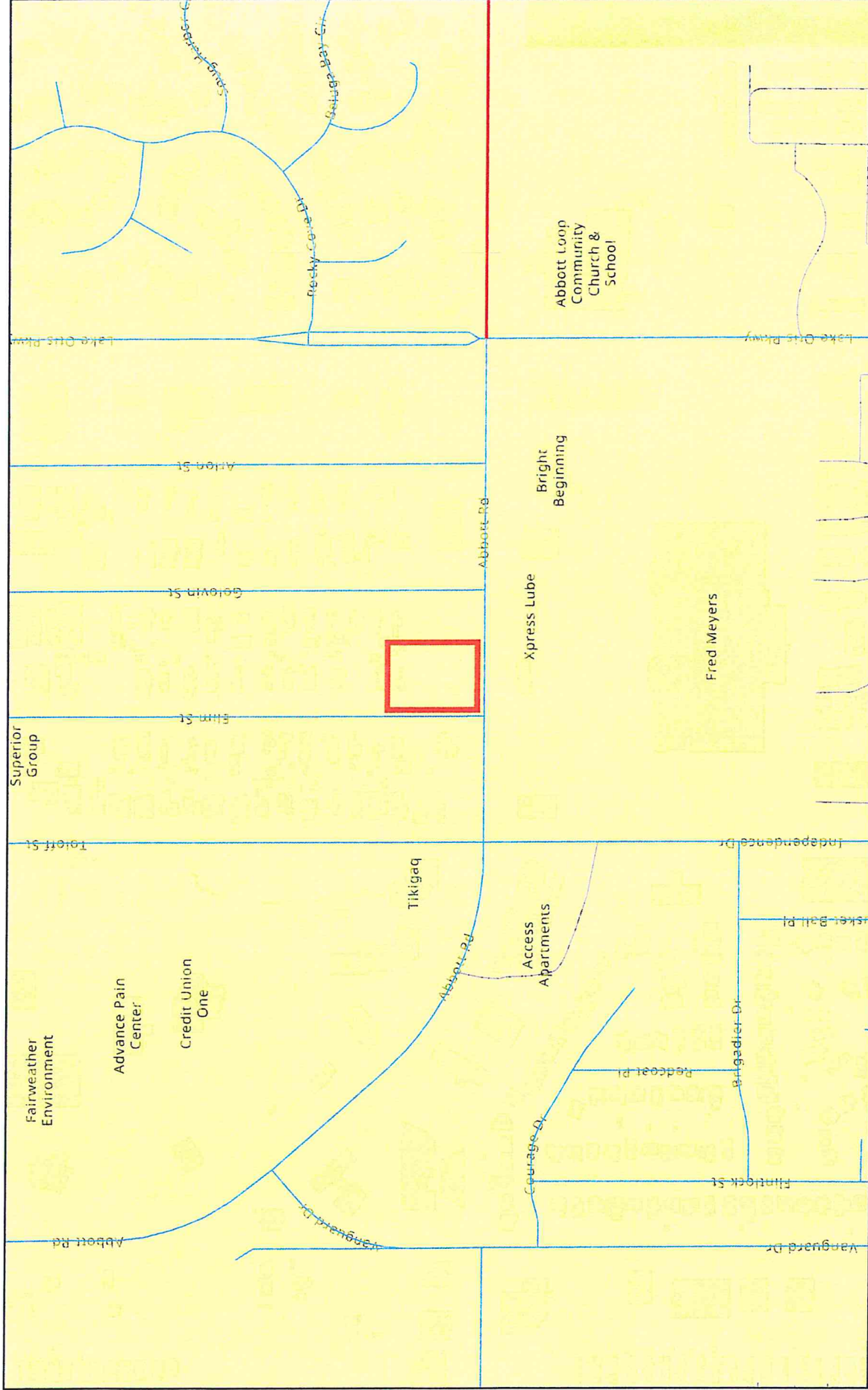
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Street Ownership Map



6/7/2023, 12:07:12 PM

State (DOT & PF)

Road_Service_Areas

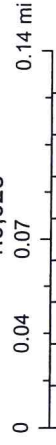
— Anchorage Street Maintenance

— Anchorage Service Area (ARDSA)

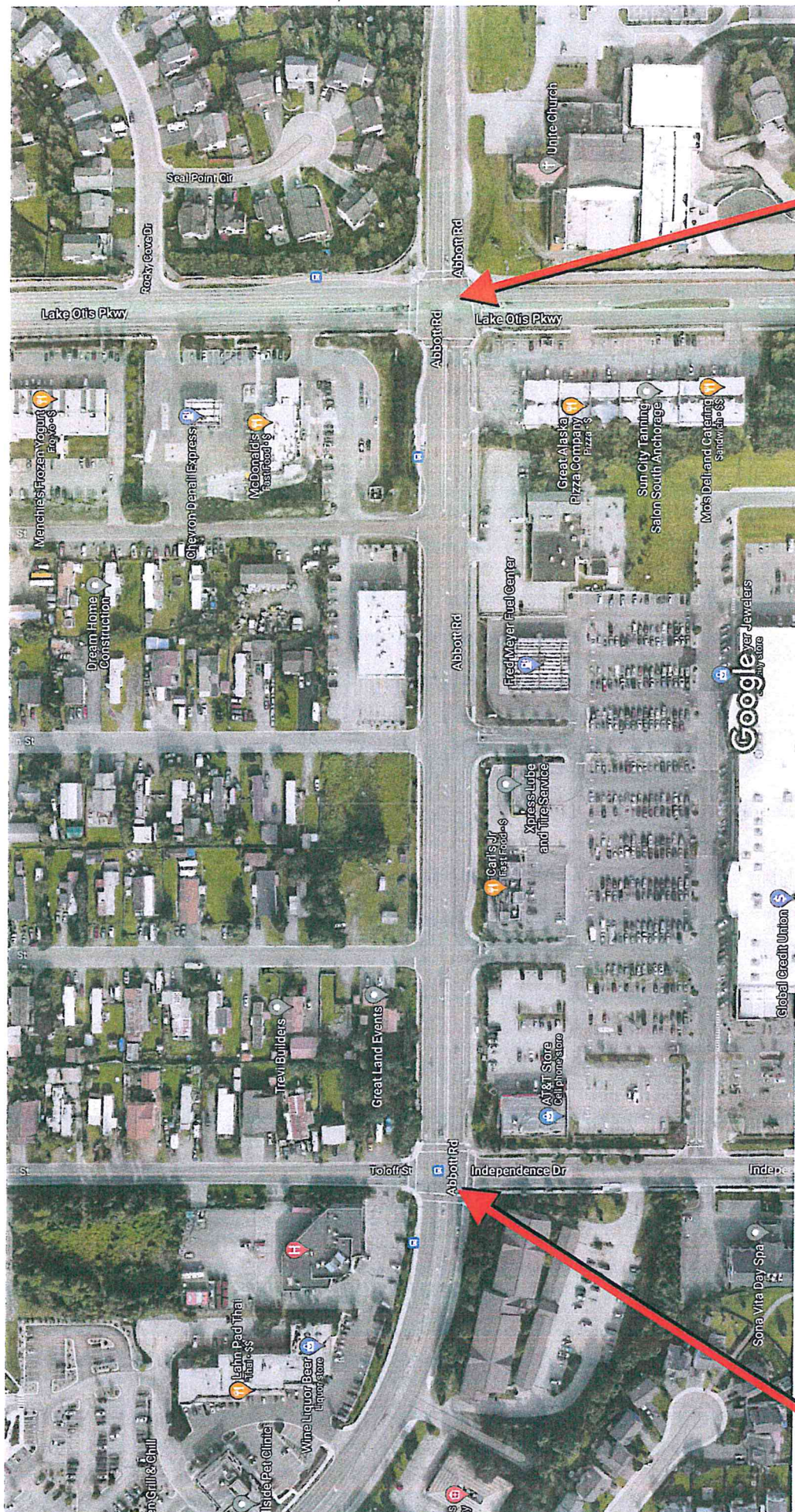
— Other Agencies or Private

▭ Subject parcels

1:9,028



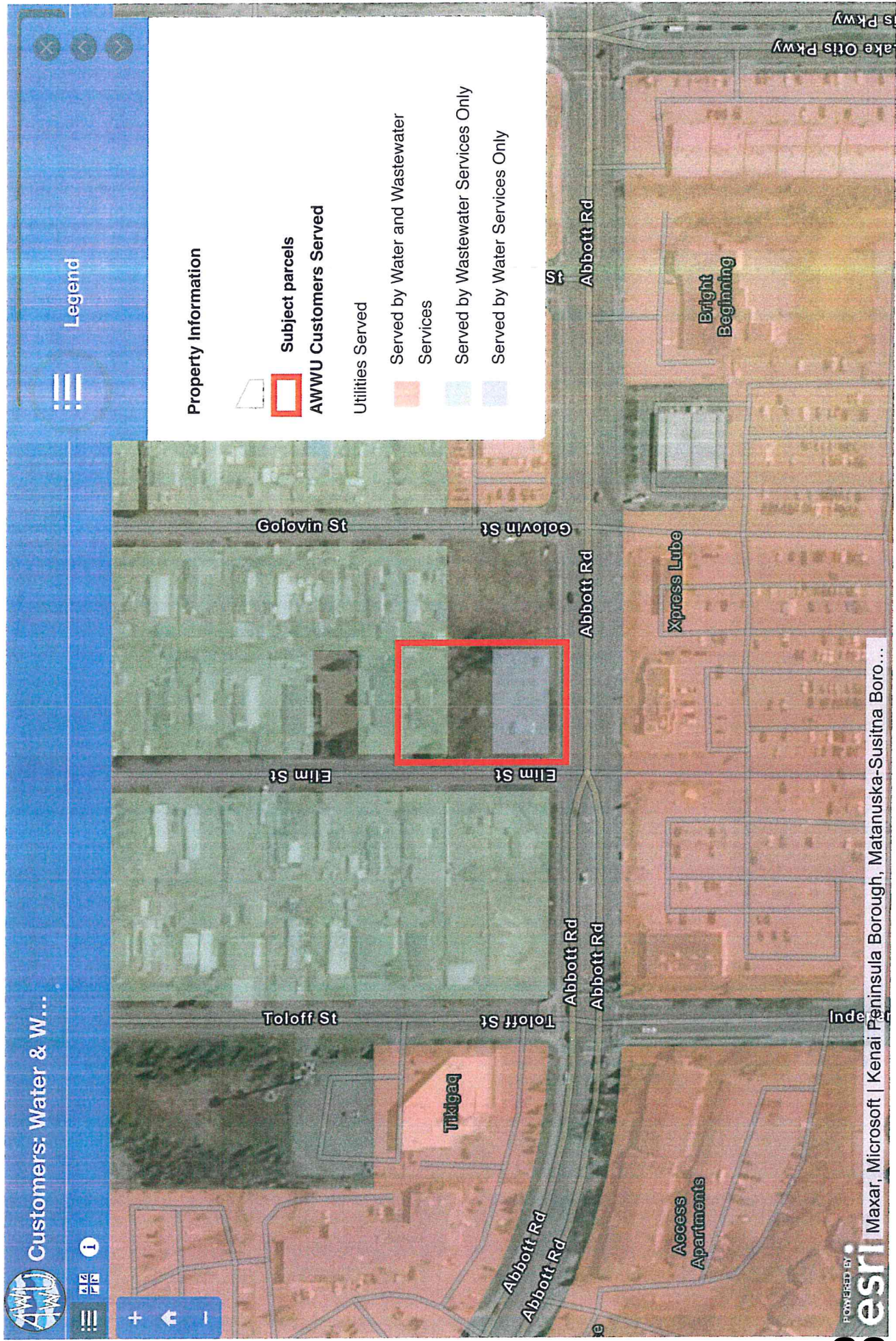
Esri, USGS, FEMA, Kenai Peninsula Borough, Matanuska-Susitna Borough
GIS, Municipality of Anchorage, State of Alaska, © OpenStreetMap,
Web AppBuilder for ArcGIS
Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

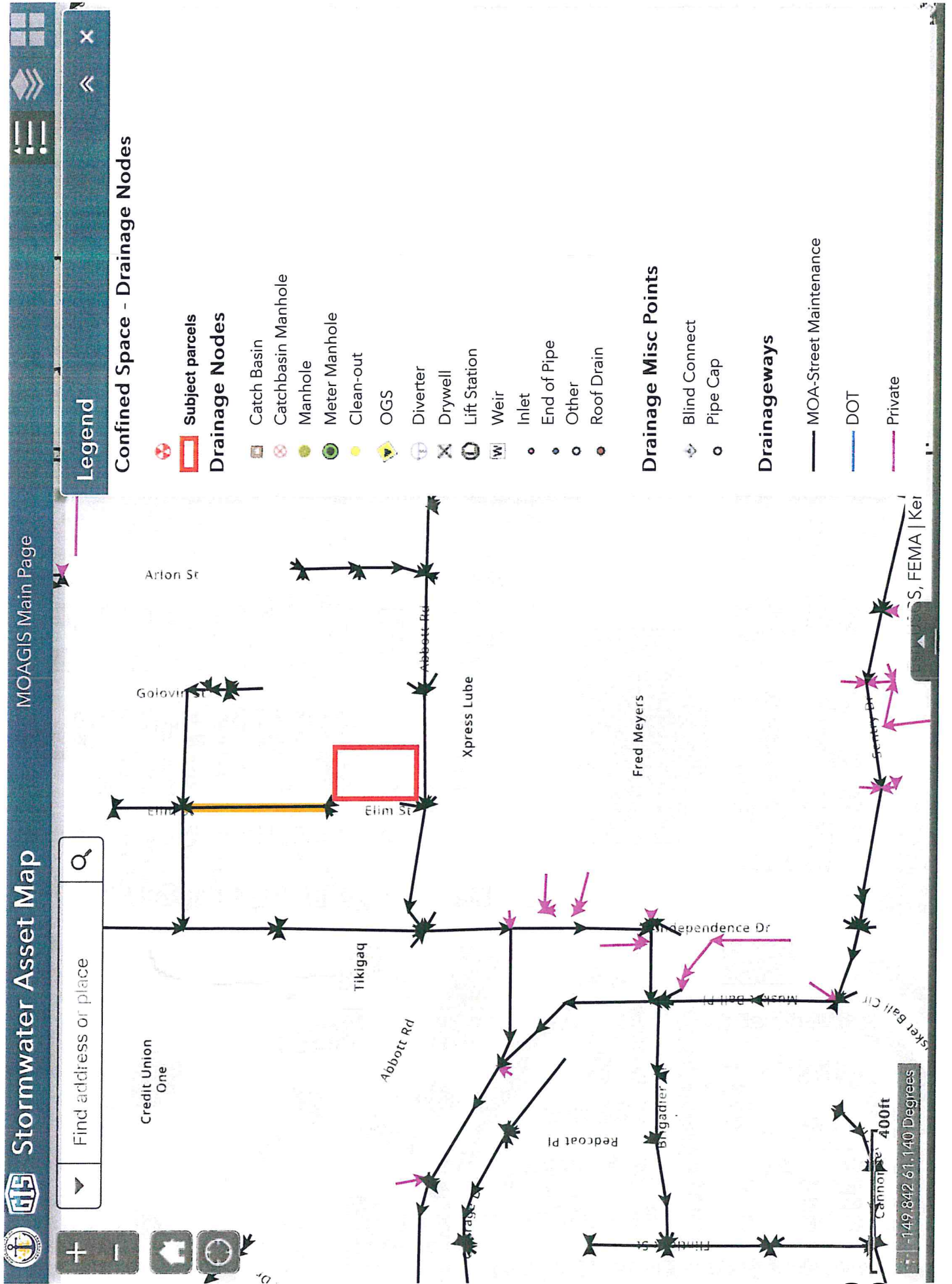


Imagery ©2023 Google, Imagery ©2023 CNES / Airbus, Maxar Technologies, Municipality of Anchorage, U.S. Geological Survey, Map data ©2023

N/S: Independence Drive
E/W: Abbott Road
 Date: 10/06/2021
 Vehicle Volumes N: 3,451
 Vehicle Volumes S: 1,209
 Vehicle Volumes E: 8,578
 Vehicle Volumes W: 7,666
 Vehicle Volumes TOTAL: 20,904
 AADT: 19,300

N/S: Lake Otis Parkway
E/W: Abbott Road
 Date: 10/27/2021
 Vehicle Volumes N: 5,678
 Vehicle Volumes S: 6,992
 Vehicle Volumes E: 7,688
 Vehicle Volumes W: 7,339
 Vehicle Volumes TOTAL: 27,697
 AADT: 25,200





2022 Capital Improvement Budget Project Management & Engineering Department

(in thousands)

Projects	Bonds	State	Federal	Other	Total
100th Ave Surface Rehab - Victor Rd to Minnesota Dr	500	-	-	-	500
2nd Ave/Nelchina St Area Storm Drain Improvements Phase II	2,100	-	-	-	2,100
36th Ave Resurfacing Phase II - Latouche St to Lake Otis Pkwy	500	-	-	-	500
42nd Ave Upgrade - Lake Otis Pkwy to Florina St	2,000	-	-	-	2,000
Abbott Rd Surface Rehab - 88th Ave to Lake Otis Pkwy	500	-	-	-	500
ARSA Improvements	500	-	-	-	500
Airguard Rd Improvements Phase I	300	-	-	-	300
Alaska Railroad Crossing Rehabs	500	-	-	-	500
AMATS: 4th Ave Signals and Lighting - Cordova St to Ingra St	-	-	7,100	-	7,100
AMATS: Dr. Martin Luther King Jr. Ave Extension	100	-	-	-	100
AMATS: Mountain Air Dr - Rabbit Creek Rd to E 164th Ave	-	-	1,500	-	1,500
AMATS: Potter Dr Rehabilitation - Arctic Blvd to Dowling Rd	-	-	150	-	150
AMATS: Spenard Rd Rehabilitation - Benson Blvd to Minnesota Dr	400	-	2,500	-	2,900
ARDSA Alley Paving	300	-	-	-	300
ARDSA Sound Barrier/Retaining Wall Replacement	250	-	-	-	250
ARDSA Street Light Improvements	500	-	-	-	500
Campbell Woods Subd Area Road and Drainage Improvements	3,500	-	-	-	3,500
Camrose Dr Area Storm Drain Improvements	1,000	-	-	-	1,000
Crawford St/Terry St Area Resurfacing Phase II	400	-	-	-	400
Dimond Dr Curb and Resurfacing	200	-	-	-	200
Dowling Rd Surface Rehab - Lake Otis Pkwy to Elmore Rd	500	-	-	-	500
Downtown Lighting and Signals Upgrades	3,000	-	-	-	3,000
Eagle River/Chugiak Road and Drainage Rehab	-	-	-	600	600
Facility Safety/Code Upgrades	500	-	-	-	500
Flooding, Glaciation, and Drainage Annual Program	750	-	-	-	750
Image Dr/Reflection Dr Area Road Reconstruction Phase II	2,900	-	-	-	2,900
Intersection Resurfacing	150	-	-	-	150
Lakehurst Dr Area Drainage Improvements Phase V	200	-	-	-	200
Low Impact Development Annual Program	250	-	-	-	250
Maudest Pl Drainage and Surface Rehab	350	-	-	-	350
Old Seward Hwy/Int'l Airport Rd Area Storm Reconstruction	2,500	-	-	-	2,500
Pavement and Subbase Rehabilitation	1,000	-	-	-	1,000
Pedestrian Safety and Rehab Annual Program	500	-	-	-	500
Road and Storm Drain Improvements Annual Program	1,000	-	-	-	1,000
Storm Drain Condition Assessment and Rehabilitation Program	500	-	-	-	500
Zodiac Manor Subd Area Surface Rehab Phase IV	200	-	-	-	200
Total	27,850	-	11,250	600	39,700

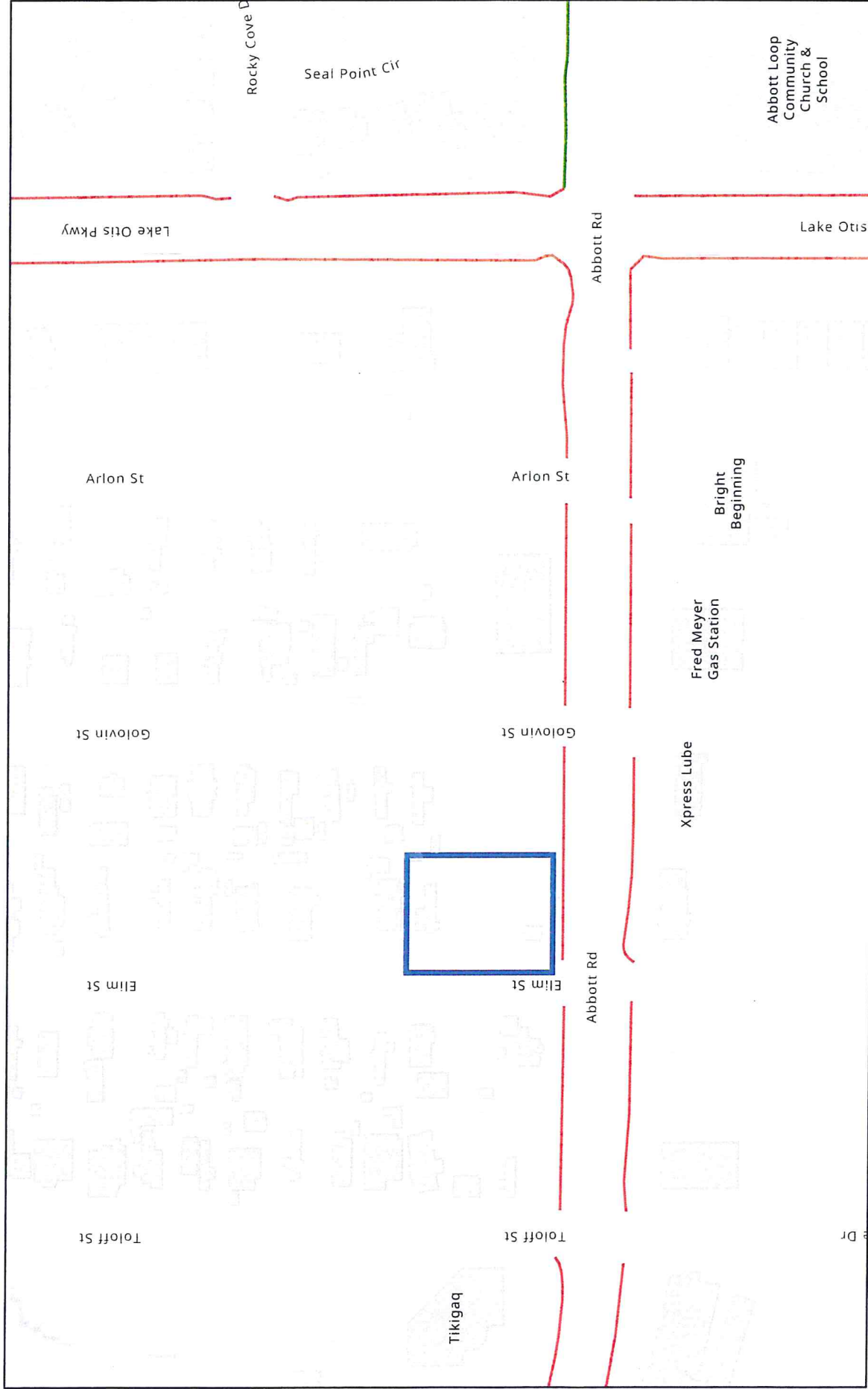
Table 8. National Highway System (NHS)
AMATS FFY 2023-2026 TIP

STIP Need ID	Responsible Agency	TIP Need ID*	PROJECT LOCATION	PROJECT PHASING PLAN	FEDERAL FISCAL PROGRAMMING YEAR (\$ in Thousands)				Estimated funding needs after 2026	Est project cost 2023- 2026	Est total project cost
					2023	2024	2025	2026			
29730	DOT&PF	NHS0002	Seward Highway Dowling Road Interchange Rehabilitation - Project will improve the Dowling Road roundabouts, the associated highway ramps, and make other improvements as needed to enhance safety and increase traffic flow.	Underway	\$0	\$0	\$0	\$0	\$0	\$0	\$0
30691	DOT&PF	NHS0004	Seward Highway O'Malley Road to Diamond Boulevard Reconstruction Phase II - This is the second phase of the Seward Highway project, and will reconstruct the Seward Highway from Diamond Boulevard to O'Malley Road. Project includes an underpass to connect 92nd Avenue (west of the Seward Highway) with Academy Drive (east of the Seward Highway). The design and first construction phase are under Need ID 29731.	2023 - U/C	\$105,000	\$0	\$0	\$0	\$76,500	\$105,000	\$181,500
18924	DOT&PF	NHS0005	Pavement and Bridge Preservation - Crack sealing, surface treatment drainage, signage, guardrail, illumination, and other refurbishments to prolong the life of road pavement and bridges and their safety related structures. Project includes NHS Lane Delineators, Destination & Distance Signing, Pavement Markings and Signalization, Abandoned Vehicle Program, Road Surfacing and Transfer, Road Surface Treatments, and improve curb ramps to meet ADA standards (in coordination with Need ID 30397). The scope does not include landscaping or other elements inconsistent with a pavement preservation focus. This is a DOT&PF central region wide program with approximately \$25M going to projects within the AMATS area on an annual basis with a majority going to the NHS.	2023-2026+ - All Phases	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$100,000	\$125,000
31274	DOT&PF	NHS0006	Glenn Highway: Airport Heights to Parks Highway Rehabilitation - Projects consists of rehabilitation of the Glenn Highway between Airport Heights and the Parks Highway to be coordinated with HSIP safety improvements.	2023 - ROW 2024 - C	\$50	\$66,500	\$0	\$0	\$0	\$66,550	\$66,550
	DOT&PF	NHS0007	Seward Highway MP 98.5-118 Reconstruction - Project will reconstruct the Seward Highway from MP 98.5-118 to a 4-lane highway.	2023 - D	\$2,500	\$662,500	\$0	\$0	\$0	\$665,000	\$665,000
	DOT&PF	NHS0008	Tudor Road Interchange - Project will reconstruct the Tudor Road Interchange. Interchange is at the end of its design life and has operational issues. Reconstruction will improve the vertical clearance, widen the bridge, reconstruct ramps and intersections, improve non-motorized facilities, and incorporate other improvements to bring the interchange up to current standards.		\$0	\$36,000	\$0	\$0	\$0	\$36,000	\$36,000
	DOT&PF	NHS0009	Glenn Highway Incident Management - Project will construct modifications and improvements to facilitate efficient travel along the Glenn Highway and nearby roads between Airport Heights and the Parks Highway so that during times when lanes are blocked by crashes or other events, ensuring traffic congestion is mitigated, and gridlock does not preclude travel between Anchorage, Eagle River, and the Matanuska Valley.		\$0	\$18,900	\$0	\$0	\$0		
	DOT&PF	NHS0010	Glenn Highway Hiland Interchange - Project will make short term improvements to the Glenn Highway at Hiland Road interchange utilizing the existing bridge and delaying the need for eventual bridge overpass replacement and interchange reconstruction. This project will reconfigure the interchange and make other associated improvements to increase the efficiency and functionality of the interchange, and reduce associated safety concerns.		\$0	\$8,640	\$0	\$0	\$0		
	DOT&PF	NHS0011	Matdoon Road - Debarr Road to Glenn Highway - Extend service life of the existing roadway. Work may include ADA improvements, structural improvements in specific areas, roadside hardware, signal hardware, utilities, minor safety and improvements, (and stormwater treatment if required).		\$0	\$14,400	\$0	\$0	\$0		
	DOT&PF	NHS0012	Abbott Road - Lake Otis to New Seward Highway - Extend service life of the existing roadway. Work may include ADA improvements, structural improvements in specific areas, roadside hardware, signal hardware, utilities, minor safety and improvements, (and stormwater treatment if required).		\$0	\$6,600	\$0	\$0	\$0		
The contingency list of projects for each year will consist of the following year's projects.					312,462,500	30,308,240	32,500,000	32,500,000	310,100,000	337,422,500	340,422,500

*Projects are not listed in priority order. Project totals include match. The match is funded with State funding.

Project estimates are shown in Year of Expenditure Dollars.

Maintained Sidewalks Map



6/7/2023, 12:12:57 PM

Maintained Sidewalks

Parks



Subject parcels

Street Maintenance

1:4,514

0 0.02 0.04 0.07 mi

0 0.03 0.06 0.11 km

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasystemen, Rijkswaterstaat, GSA, Geoland, FEMA,

Kenai Peninsula Borough, Matanuska-Susitna Borough GIS, Municipality of Anchorage, State of Alaska, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, MET/NASA, USGS, EPA, NPS, US Census Bureau, USDA | Web AppBuilder for ArcGIS

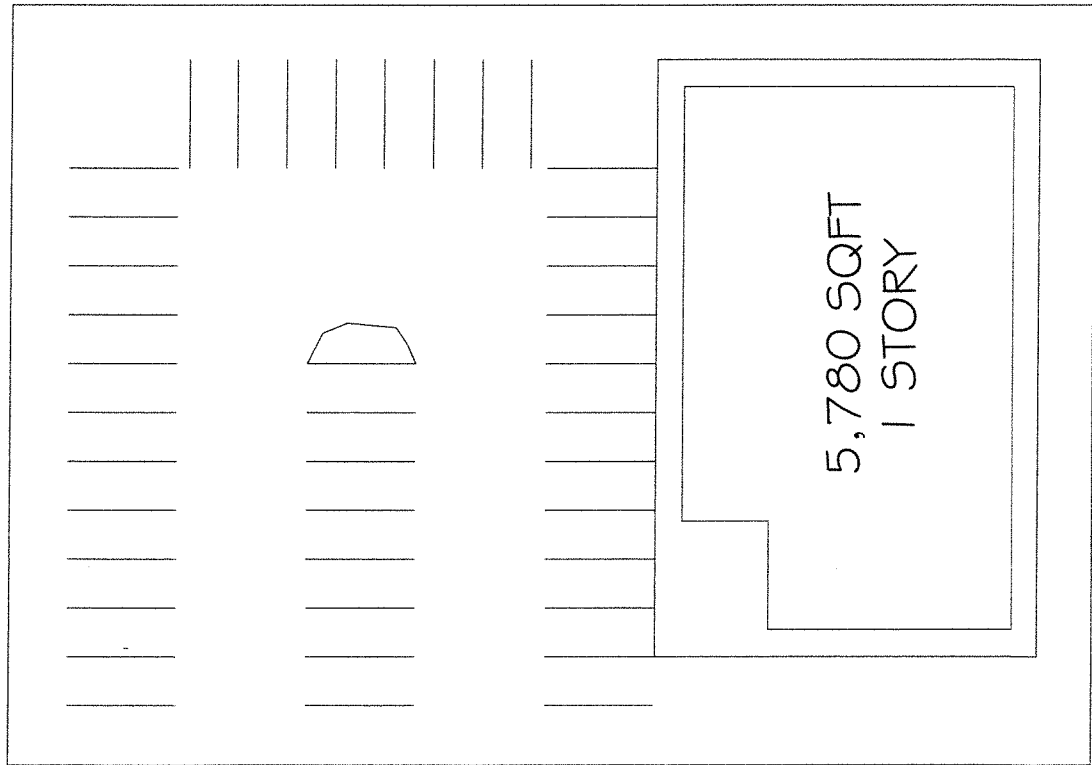
Attachment N

Zoning Comparisons

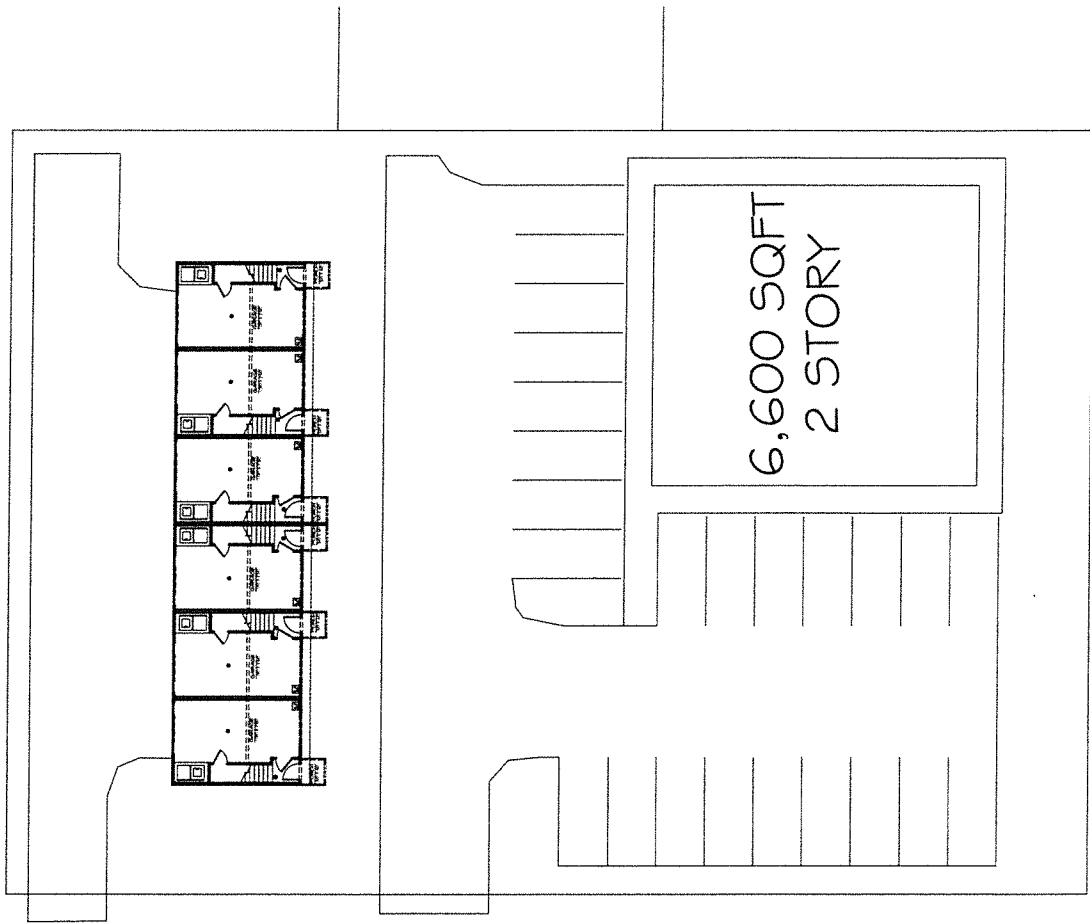
	Area (sq ft)	Minimum lot dimensions		Max lot coverage (%)	Mooreband (max bldg)	Minimum Setback Requirements (ft)			Max number of principal structures per lot or tract	Maximum height of structures (ft)
		Mooreband	Width (ft)			Front	Side	Rear		
R-5: Low-Density Residential District										
Dwelling, single-family, or one mobile home	7,000	50	30	L116: 2,520 L117: 2,520 L118: 3,375	20	5	10	1	Principal: 30 Accessory garages / carports: 25 Other accessory: 12	
Dwelling, two-family	13,000	100	30	L116: 2,520 L117: 2,520 L118: 3,375	20	5	10	1		
All other uses	7,000	50	30	L116: 2,520 L117: 2,520 L118: 3,375	20	5	10	N/A		
B-3: General Business										
Residential household living uses	6,000	50	50	L116: 4,201 L117: 4,201 L118: 5,625	10	5 plus one foot for each 5 feet in height exceeding 35 feet	10	N/A	45	
All other uses	6,000	50	Unrestricted	N/A	10	15 if adjacent to a residential district; otherwise 0 or at least 10	15 if adjacent to a residential district; otherwise 0 or at least 5	N/A	45, except in the Midtown area bounded by the Seward Highway, Tudor Road, Arctic Boulevard, and Fireweed Lane, where there is no maximum height, and except in the U-MED District area bounded by Tudor Road, Elmore Road, Ambassador Drive, and the north and east alignments of Tudor Centre Drive, where the maximum height is 75	
R-4A										
Dwelling, townhouse	2,000	L116: 8,401 L117: 8,401 L118: 11,250	20 (30 on corner lots)	60	L116: 5,041 L117: 5,041 L118: 6,750	Min: 10 Max: 20 5 A minimum of 50% of the front building elevation shall be within the maximum front setback (see 21.06.030 C.5.)	N/A on common lot line; otherwise 5	15 if adjacent to a residential district (except R-4 or R-4A); otherwise 10	More than one principal structure may be allowed on any lot or tract in accordance with subsection 21.07.110F.2.	35
Dwelling, mixed-use	6,000	L116: 8,401 L117: 8,401 L118: 11,250	50	75	L116: 6,301 L117: 6,301 L118: 8,438	10 if adjacent to a residential district (except for R-4 or R-4A); otherwise 5				70
Dwelling, multi-family	6,000	L116: 8,401 L117: 8,401 L118: 11,250	50	75	L116: 6,301 L117: 6,301 L118: 8,438					75
All other uses	6,000	L116: 8,401 L117: 8,401 L118: 11,250	50	75	L116: 6,301 L117: 6,301 L118: 8,438					

Lot 16
0.1928604 acres
Lot 17
0.1928604 acres
Lot 18
0.25826446 acres

B-3 CONCEPT



MIXED USE CONCEPT

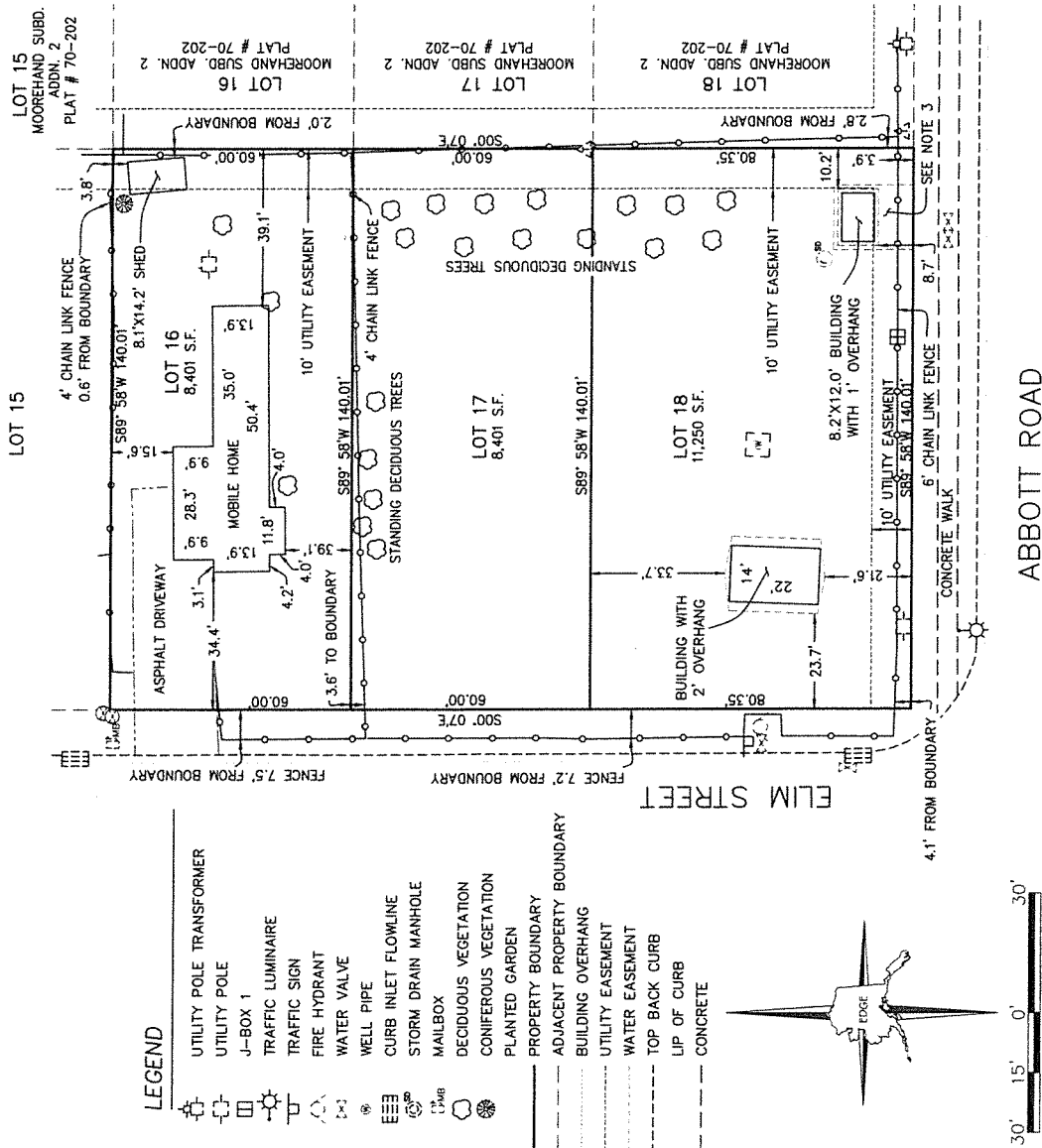


SURVEYOR CERTIFICATE

I HEREBY CERTIFY THAT I HAVE PERFORMED AN AS-BUILT SURVEY ON THE PROPERTY SHOWN HEREON AND THE IMPROVEMENTS EXIST AS SHOWN. FIELD SURVEY: 5/13/2020



Mark A. Almonetti
 MARK A. ALMONETTI
 PLS 13022 5/18/2020



LEGEND

- UTILITY POLE TRANSFORMER
- UTILITY POLE
- J-BOX 1
- TRAFFIC LUMINAIRE
- TRAFFIC SIGN
- FIRE HYDRANT
- WATER VALVE
- WELL PIPE
- CURB INLET FLOWLINE
- STORM DRAIN MANHOLE
- MAILBOX
- DECIDUOUS VEGETATION
- CONIFEROUS VEGETATION
- PLANTED GARDEN
- PROPERTY BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- BUILDING OVERHANG
- UTILITY EASEMENT
- WATER EASEMENT
- TOP BACK CURB
- LIP OF CURB
- CONCRETE

NOTES

- THIS DRAWING IS BASED ON A FIELD SURVEY PERFORMED BY EDGE SURVEY AND DESIGN, LLC ON 5/13/2020.
- RECORD DATA SHOWN HEREON IS PER PLAT 70-203, ANCHORAGE RECORDING DISTRICT.
- THERE EXISTS A 320 S.F. WATER EASEMENT RECORDED ON 5/11/2020, DOCUMENT #: 2020-018414-0, ANCHORAGE RECORDING DISTRICT.
- THERE EXISTS A BLANKET EASEMENT ON LOT 16 TO CHUGACH ELECTRIC ASSOCIATION, INC RECORDED ON JUNE 20, 1952, BOOK 74, PG. 43, ANCHORAGE RECORDING DISTRICT.
- THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A TITLE REPORT. ADDITIONAL EASEMENTS MAY EXIST THAT ARE NOT SHOWN HEREON.
- IT IS THE RESPONSIBILITY OF THE OWNER TO DETERMINE THE EXISTENCE OF EASEMENTS, COVENANTS, OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION. THIS AS-BUILT SURVEY SHOULD NOT BE USED FOR CONSTRUCTION OR BOUNDARY LOCATIONS.



12501 OLD SEWARD, D ANCHORAGE, AK 99515
 Phone: (907) 344-5950 Fax: (907) 344-7794

AS-BUILT OF LOTS 16-18
 MOOREHAND SUBDIVISION
 ANCHORAGE RECORDING DISTRICT

DRAWN BY:	DATE:	FIELD BOOK:
TD	5/18/2020	19-32
CHECKED BY:	SCALE:	SHEET:
MA	1" = 30'	1 OF 1

Abbot Loop Community Council
RESOLUTION 2023-01

Abbott 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 Meeting, 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



MUNICIPALITY OF ANCHORAGE
ASSEMBLY INFORMATIONAL MEMORANDUM
No. AIM 82-2023

Meeting Date: April 11, 2023

From: Chair LaFrance

Subject: **ABBOTT 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.**

Please see the attached resolution from the Abbott Loop Community Council for your review and information.

Prepared by: Jenna Brister, Executive Administrative Assistant

Approved by: Barbara A. Jones, Municipal Clerk

Respectfully submitted: Suzanne LaFrance, Chair

Departmental and Public Comments

Kimmel, Corliss A.

From: Walters, Michael S.
Sent: Friday, September 8, 2023 7:37 AM
To: Blake, Lori A.; Kimmel, Corliss A.
Subject: 2023-0097 Request for Reviewing Agency Comments

RECEIVED

SEP 08 2023

All:

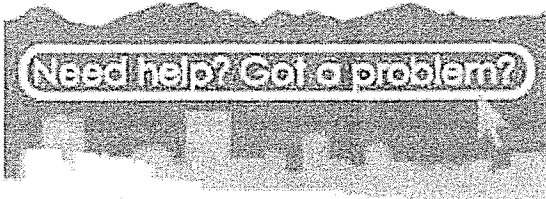
ROW has the following comments for case number 2023-0097:

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



RECEIVED

SEP 06 2023

MEMORANDUM

DATE: September 06, 2023

TO: Dave Whitfield, Planning Manager, Planning Section, Planning Division

FROM: Seth Wise, Engineering Technician III, Planning Section, AWWU

RE: Zoning Case Comments

Decision date: October 02, 2023

Agency Comments due: September 05, 2023

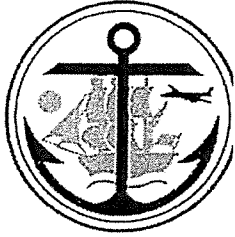
AWWU has reviewed the materials and has the following comments:

2023-0097 LOTS 16, 17 & 18, MOOREHAND SUBDIVISION ADDITION NO. 3 (PLAT 70-203) – Review and Recommendation by the Planning and Zoning Commission of a Request to Rezone three (3) parcels of land from R-5 (Low-Density Residential) District to B-3 (General Business) District, Grid SW2333.

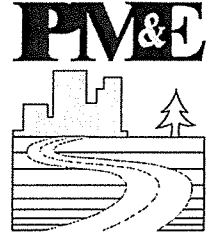
1. These parcels are within AWWU's certificated sanitary sewer service district and are outside of AWWU's water service district.
2. AWWU sanitary sewer service is available to these parcels.
3. AWWU has no other comments or objections to this Review and Recommendation.

If you have any questions pertaining to public water or sewer, please call (907) 564-2757 or send an e-mail to seth.wise@awwu.biz.





Municipality of Anchorage
Project Management and Engineering
MEMORANDUM



DATE: September 5, 2023

RECEIVED

To: Dave Whitfield

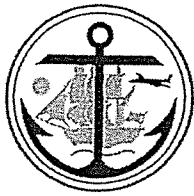
SEP 05 2023

FROM: Kyle Cunningham

SUBJECT: Cases 2023-0096 & 2023-0097: Comments from Watershed
Management Services.

Watershed Management Services (WMS) has the following comments for the October 2, 2023 Planning and Zoning Commission hearing:

- 2023-0096 – Lots 16, 17, & 18, Moorehand Subdivison Addition No. 3 (Plat 70-203);
 - WMS has no comments on or objections to this request.
- 2023-0097 – Lots 16, 17, & 18, Moorehand Subdivison Addition No. 3 (Plat 70-203);
 - WMS has no comments on or objections to this request.



MUNICIPALITY OF ANCHORAGE
Traffic Engineering Department



MEMORANDUM

RECEIVED

DATE: August 28, 2023
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: **2023-0097 Rezone three (3) parcels of land from R-5 (Low Density Residential) to B-3 (General Business) District**

AUG 28 2023

Lots 16-18, Moorehand Subdivision Addition # 3 (Plat 70-203)

Traffic Engineering has no objection to the proposed rezoning of these parcels to B-3 (General Business) District.

MUNICIPALITY OF ANCHORAGE



Development Services Department

Private Development Section

Mayor Dave Bronson

RECEIVED

AUG 28 2023

MEMORANDUM

Comments to Planning and Zoning Commission Applications/Petitions

DATE: August 28, 2023
TO: Francis McLaughlin, Senior Planner
FROM: Judy Anunciacion, Private Development Engineer
SUBJECT: PZC Case 2023-0097

Case 2023-0097 – Review and Recommendation by the Planning and Zoning Commission of a Request to Rezone three (3) parcels of land from R-5 (Low-Density Residential) District to B-3 (General Business) District.

Department Recommendations:

The Private Development section has no objection to the request to rezone three (3) parcels of land from R-5 (Low-Density Residential) District to B-3 (General Business) District.



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Transportation and
Public Facilities

Program Development and Statewide Planning
Anchorage Field Office

4111 Aviation Avenue
P.O. Box 196900
Anchorage, AK 99519-6900
Main number: 907-269-0520
Fax number: 907-269-0521
Website: doi.state.ak.us

August 23, 2023

RECEIVED

AUG 23 2023

David Whitfield, Current Planning Manager
MOA, Community Development Department
Planning Division
P.O. Box 196650
Anchorage, Alaska 99519-6650

[Sent Electronically]

Re: MOA Zoning Review

Dear Mr. Whitfield:

The Alaska Department of Transportation and Public Facilities (DOT&PF) has reviewed the following zoning cases and has no comments:

- ~~2023-0096~~ – Comprehensive Plan Amendment (9131 & 9111 Elim St)
- ~~2023-0097~~ – Zoning Map Amendment (9131 & 9111 Elim St)
- 2023-0108 – Title 21 Parking and Site Access Clean-up Text Amendments

All properties accessing DOT&PF roads must apply to Right-of-Way for a driveway permit, subject to provisions listed in 17 AAC 10.020. Any previously issued driveway permits become invalid once the property undergoes a platting action and must be reissued.

We recommend the petitioner verify all section line easements and DOT&PF road rights-of-way adjacent to their property. For assistance, the petitioner may contact the Engineering group within the Right of Way section in DOT&PF at (907) 269-0700. The petitioner is liable to remove any improvements within the easements and rights-of-way that impede the operation and maintenance of those facilities even if they are not shown on the plat, so it is in the petitioner's best interest to identify the exact locations and widths of any such easements or rights-of-way before they improve the property.

If any section line easements or road rights-of-way exist within the bounds of their plat, we recommend the petitioner dedicate them. If there is an existing right-of-way or easement, the petitioner is unable to develop that portion of the property yet continues to pay property taxes on it; dedicating will remove that cost to the petitioner.

"Keep Alaska Moving through service and infrastructure."

Kimmel, Corliss A.

From: Wilson, Karleen K.
Sent: Tuesday, August 15, 2023 3:02 PM
To: Blake, Lori A.; Kimmel, Corliss A.
Cc: Wilson, Karleen K.
Subject: 2023-0097 Reviewing Agency Comments

No comments from Addressing.

Karleen Wilson
MOA Addressing Official
907.343.8168
[MOA Official Address Map](#)

RECEIVED

AUG 15 2023

From: Stewart, Gloria I. <gloria.stewart@anchorageak.gov>
Sent: Tuesday, August 15, 2023 2:58 PM
To: Wilson, Karleen K. <karleen.wilson@anchorageak.gov>
Subject: RE: 2023-0096 & 2023-0097 Request for Reviewing Agency Comments

2023-0096 is for the Comp Plan Amendment (changes land use and map to "Town Center")
2023-0097 is the Rezone from R-5 to B-3

It is not often you are confused :)



Planning Department
MUNICIPALITY OF ANCHORAGE

Gloria I. Stewart
Senior Planning Technician •
Planning Department
Current Planning Division - Zoning & Platting
Email: gloria.stewart@anchorageak.gov
Phone: (907) 343-7934
4700 Elmore Road, Anchorage, AK 99507
www.muni.org/planning

From: Wilson, Karleen K. <karleen.wilson@anchorageak.gov>
Sent: Tuesday, August 15, 2023 2:55 PM
To: Stewart, Gloria I. <gloria.stewart@anchorageak.gov>
Subject: FW: 2023-0096 & 2023-0097 Request for Reviewing Agency Comments

So are they really applying for two different rezones on the exact same 4 lots? I'm a bit confused. just checking.

Karleen Wilson
MOA Addressing Official
907.343.8168
[MOA Official Address Map](#)

From: Stewart, Gloria I. <gloria.stewart@anchorageak.gov>
Sent: Monday, August 14, 2023 2:46 PM

Affidavit of Posting

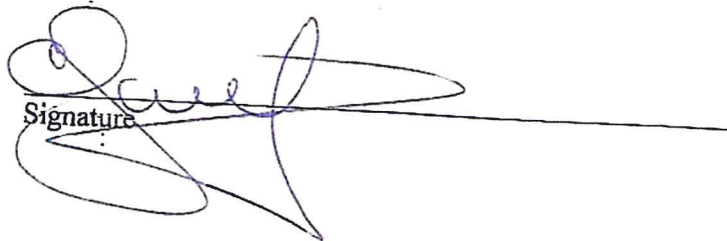


AFFIDAVIT OF POSTING

CASE NUMBER: 2023-0097

I, CHRISTOPHER M. SCHUTTE 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 REZONE. The notice was posted on 08-17-2023 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 17th day of AUGUST, 20 23.


Signature

LEGAL DESCRIPTION

Tract or Lot: LOTS 16-18

Block: _____

Subdivision: MOOREHAND SUB. #3









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

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

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

THE ANCHORAGE ASSEMBLY ORDAINS:

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

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

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

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

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

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


Section 5. This ordinance shall become effective within ten (10) days after the
Director of the Planning Department has received 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 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: A0 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.

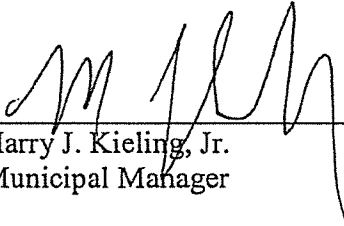
7
8 Mr. David Jensen petitioned to rezone a single lot, approximately 0.26 acres in size,
9 currently zoned R-5 (Rural Residential District) to B-3 (General Business District). It
10 is located at the northwest corner of Elim Street and Abbott Road. The Planning and
11 Zoning Commission found B-3 zoning 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

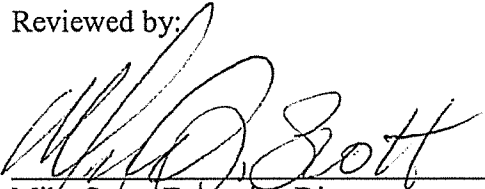
1 The Commission voted unanimously to recommend the Assembly disapprove the
2 rezoning map amendment request.
3
4
5

Reviewed by:



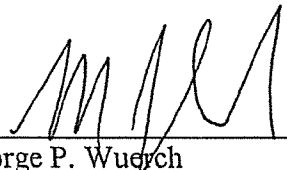
Harry J. Kieling, Jr.
Municipal Manager


Reviewed by:



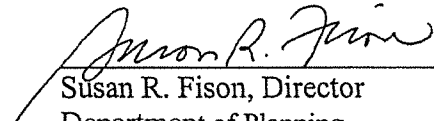
Mike Scott, Executive Director
Office of Planning, Development
and Public Works

Respectfully submitted,



 George P. Wuerch
Mayor

Prepared by:



Susan R. Fison, Director
Department of Planning

EXHIBIT - A

2003-015

ANCHORAGE VICINITY

*** Case Location**

PETITION AREA

B-3 SL
AO 79-176

B-3 SL
AO 80-26

B-3 SL
AO 80-63
PLI

B-3 SL
AO 85-84

R-1

R-2M

R-3 SL
AO 79-175

R-3 SL
AO 79-176

R-3 SL
AO 79-177

R-4 SL
AO 79-174

R-5

R-3

PLI

PLI-p

PLI

Map Legend:

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

Scale: 0 500 1000 Feet

North Arrow

Date: FEBRUARY 25, 2003

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)