



## **GOVERNMENT HILL COMMUNITY COUNCIL**

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March 3, 2006

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

Subject: 2nd Public Review Draft of Title 21

To Whom It May Concern:

The Government Hill Community Council at their February 2006 meeting delegated responsibilities for commenting on this important land use document to the Neighborhood Plan Committee. The reason for this was the short public comment window established by the Planning Department.

The Committee has had an opportunity to examine the proposed changes and has met with representatives of the Historic 4 Councils (Government Hill, Fairview, Downtown, and South Addition) to discuss common concerns.

In general terms we are concerned that Title 21 does not recognize the unique challenges and circumstances of the Anchorage Original Townsite which comprises the Historic 4 Community Councils. We are especially concerned that the revitalization of old derelict buildings in the Historic 4 are blocked by otherwise well meaning codes restrictions. One common feature in the Anchorage Original Townsite is that the business properties, and most properties in general are much smaller than in the rest of Anchorage; lots as small as 4,000 to 9,000 square feet are common. With such small lots the landscaping, set-back and off-street parking requirements mean that it is not economically justifiable to tear down old derelict buildings, and effect the urban renewal that our communities need. A quick look at the buildings in the eastern part of Downtown, or Fairview, or the business portion of Government Hill makes our concerns immediately evident.

The resulting continued decay of older buildings, where they can't be demolished and can't be renovated because the building codes do not recognize the unique circumstances of the Anchorage Original Townsite lots is against the best interests of the our communities, the best interests of Anchorage and it is a violation of the policies established by the Anchorage Bowl Comprehensive Development Plan. This is especially exacerbated where small business lots are surrounded by residential lots on one or more sides. Many businesses in older buildings on small lots, cannot even conduct necessary repairs, without triggering the requirements to bring the entire property up to current codes.

One solution to this is for the Planning Department to establish an Anchorage Original Townsite Overlay District (AOTOD) in Chapter 4 Zoning Districts. Within the AOTOD, the site development and

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design standards would be modified to reflect more of a Central Business District pattern than a suburban one. The new overlay district could reduce the setbacks from street frontage, alter the landscaping requirements to accommodate a denser form, reduce the amount of off-street parking required, and in general facilitate the mixed use development model that encourages people to live and work in the Historic 4 Communities.

Another solution might be to have specific code requirements for smaller lot sizes, say less than 10,000 square feet. Other options might be to allow for additional flexibility in setbacks, landscaping, and off-street parking with direct case-by-case input from the Community Councils for such zoning variances, or to codify such community values into Neighborhood or District Plans created by each Community Council.

**Our comments on specific sections follow:**

**1. Chapter 21.03.020 G. 2. B. Community Meetings:** We are very supportive of the necessity for Community Meetings; don't allow these to be diluted. In our opinion the waivers might be subjective, and we request that the written waivers be published well prior to any other actions taken on the applications by the PZC or other boards.

**Action Required:** Insert language that requires written waivers of Community Meetings be published as part of the notifications about Public Hearings.

**2. Chapter 21.03.240, subsection A2:** Current language under this subsection implies that some funding and professional resources may need to come from the neighborhood initiating a neighborhood plan. This could be an insurmountable burden for some neighborhoods, especially some target neighborhoods that lack financial means and professional expertise. Neighborhood plans are often grass roots efforts that are heavily supported and subsidized by planning departments in cities across the country. In fact, many cities the size of Anchorage have planning teams whose sole responsibility is to facilitate planning and writing neighborhood plans. Failing to identify what resources will be provided to neighborhoods could prevent some neighborhoods from pursuing a neighborhood plan.

**Action Required:** Insert language that provides a specific Municipal financial commitment as well as staff resources to help with guiding and writing neighborhood plans. This Municipal commitment would also provide neighborhoods with maps and other necessary documents to complete a public process and draft a working document.

**3. Chapter 21.04:** New mixed-use zoning calls for businesses at street level and apartments/residences above. Developers must be held to mixed-use development in new mixed-use zones. Already, there have been examples within the U-Med District where developers have claimed that there was no current market for such development. They then proceeded to construct commercial property, saying that another developer could come in later and add residential. The mixed-use development, to be successful, must take a holistic approach and must integrate commercial and residential. Continuing to make exceptions for developers building in mixed-use zones violates the intent of mixed use areas, which is to reduce driving, to provide services in close proximity to residences, and to promote town centers.

**Action Required:** Insert language requiring developers working in mixed-use areas to construct mixed-use structures, require that mixed use be integrated within a single set of plans, and require that the two uses be constructed simultaneously.

**4. Chapter 21.04.010, General Provisions:** We are concerned that the switch from existing zones will in some cases change an allowed use from one with little impact on the community, to one with much more impact, due to height or allowed uses. This is of concern especially in zone RM-4, where the allowed heights are 85 feet. The “Plywood Skyscraper” at the corner of 5th and Barrow is an example of stretching the codes as far as they can go, when it technically has 4 stories, but has 6 elevator stops!

**Action Required:** Carefully consider changes for each parcel when translating from the existing zoning district to the new zoning district. The changes must be compatible with the neighborhood.

**5. Table 21.07-2 Applicability of Site Perimeter Landscaping:** The landscape Edge Treatment L1 allowed in the CBD needs to be extended into the Historic 4 Community Councils due to the typically smaller lot sizes in the original Townsite. Eight foot landscaping buffer is too big, and restricts development too much on these small lot sizes.

**Action Required:** Extend the Landscape Edge Treatment L1 to the entire Historic 4 Community Council areas.

**6. Chapter 21.07.050 E. Target Areas:** We support the efforts to require the under-grounding of utilities, but feel that the target area is too small.

**Action Required:** We encourage the expansion of the target areas for under-grounding of utilities to the entire Historic 4 Community Councils.

**7. Chapter 21.07.070 E. 4. b Maintenance and Snow Removal:** This section needs to state who is responsible for snow removal in order to be enforceable: This might be the “owner” of the sidewalk, which in many cases is the MOA, as they own the road right of way or the actual owner of the adjacent property.

**Action Required:** We suggest that this section read that the Owner of the adjacent property is responsible for snow removal.

**8. Chapter 21.07.080 D. 2. Alternative Equivalent:** We support the exceptions hinted at under “redevelopment in older areas”. The details of how these exceptions might be handled needs to be spelled out.

**Action Required:** Add details regarding how these exceptions might be handled, and include exceptions that mirror the predominant existing landscaping, buffers, fences, etc. in adjacent parcels.

**9. Chapter 21.07.080.g.1:** We support and appreciate the effort to enhance the wintertime environment.

**Action Required:** None at this time.

**10. Chapter 21.07.080 H. 2. Refuse Screening:** We support the exceptions for alley ways.

**Action Required:** None at this time.

**11. Chapter 21.07.080 I.3. Fence Heights:** NC zone is missing from these sections. We feel that 8 foot fences in the CBD, AC, NMU, etc. are detrimental to the good-neighbor policies that these zones are supposed to foster, and provide hiding areas for nefarious elements.

**Action Required:** Specify the requirements for NC zone, and lower the height to 6 feet.

**12. Chapter 21.07.090 H. 6. a iii, Snow storage and handling:**

This section would seem to require that snow be removed from landscaping, thereby likely destroying landscaping, even if the snow just fell there, and was not placed there by a snow plow.

**Action Required:** Clarify this section. Snow storage on some forms of landscaping may be acceptable and even beneficial to the plants.

**13. Chapter 21.07,090, Off-Street Parking:** Reduce requirements for off-street parking for small businesses operating on city-sized lots within a neighborhood. Currently, businesses are required to provide off-street parking, the amount of which is based on square footage of the business. On a city-sized lot, most of which is already occupied by building, there is not enough vacant space to comply with current zoning without tearing down part of the existing structure. This impedes development of small businesses within neighborhoods, and ultimately, the town center concept. Furthermore, on-street parking has proven to be an effective way to slow traffic traveling through neighborhoods.

**Action Required:** Include an overlay district (AOTOD) where city lots are small and where off-street parking is impossible to achieve without compromising the business and/or the structure. Include language that significantly reduces required number of off-street parking spaces for small businesses operating within a neighborhood. Consider a business's location, the existing availability of on-street parking, and the anticipated amount of traffic that a type of business might generate when determining the amount of off-street parking that is required. This revision is common sense, it could encourage business growth within neighborhoods, and it could ultimately reduce traffic by providing services for residents within a walkable distance.

We appreciate the opportunity to comment on this draft and hope that our comments are included in future revision to this important guiding document.

Sincerely,

Sent in via e-mail

Bob French, Member  
Neighborhood Plan Committee

Cc: Executive Board, Government Hill Community Council  
Mayor Begich  
Assemblyman Tesche