

Municipal Clerk's Office

Approved

Date: **January 16, 2024**

Submitted by: Chair of the Assembly at the

request of the Mayor

Prepared by: Planning Department

For reading: November 21, 2023

**ANCHORAGE, ALASKA
AO No. 2023-121**

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING FROM R-3 (MIXED RESIDENTIAL) DISTRICT TO B-3 (GENERAL BUSINESS) DISTRICT WITHIN THE PORTION OF THE NW4NW4 SECTION 32, TOWNSHIP 13 NORTH, RANGE 3 WEST, GENERALLY LOCATED NORTH OF EAST 50TH AVENUE, EAST OF OLD SEWARD HIGHWAY, SOUTH OF EAST 46TH COURT, AND WEST OF THE SEWARD HIGHWAY, IN ANCHORAGE.

(Midtown Community Council) (Planning and Zoning Commission Case 2023-0083)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The zoning map shall be amended by designating the following described property as B-3 (General Business) District:

The portion of the NW4NW4 Section 32, Township 13 North, Range 3 West, as shown on "Exhibit A" attached.

Section 2. The Director of the Planning Department shall change the zoning map accordingly.

Section 3. This ordinance shall be effective upon removal of the storage yard use.

PASSED AND APPROVED by the Anchorage Assembly this 16th day of January, 2024.



Chair

ATTEST:



Municipal Clerk

(Parcel I.D. No. 009-173-15-000)



MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM 884-2023

Meeting Date: November 21, 2023

1 **FROM: MAYOR**

2
3 **SUBJECT: AN ORDINANCE AMENDING THE ZONING MAP AND**
4 **PROVIDING FOR THE REZONING FROM R-3 (MIXED**
5 **RESIDENTIAL) DISTRICT TO B-3 (GENERAL BUSINESS)**
6 **DISTRICT WITHIN THE PORTION OF THE NW4NW4 SECTION**
7 **32, TOWNSHIP 13 NORTH, RANGE 3 WEST, GENERALLY**
8 **LOCATED NORTH OF EAST 50TH AVENUE, EAST OF OLD**
9 **SEWARD HIGHWAY, SOUTH OF EAST 46TH COURT, AND**
10 **WEST OF THE SEWARD HIGHWAY, IN ANCHORAGE.**
11

12 The property owner is requesting to rezone an approximately 1.79-acre parcel of
13 land in Anchorage from the R-3 (Mixed Residential) District to the B-3 (General
14 Business) District. The site has been operated by Harold’s Rent-A-Truck for many
15 decades as a vehicle sales, rental, and parking facility, and the business was first
16 registered in Alaska in 1963. The request to rezone to the B-3 District reflects the
17 intent of the petitioner to redevelop the property with mixed uses. A “storage yard”
18 is not a permitted use within the B-3 District. Thus, the rezoning will be effective
19 upon the removal of the “storage yard” use.
20

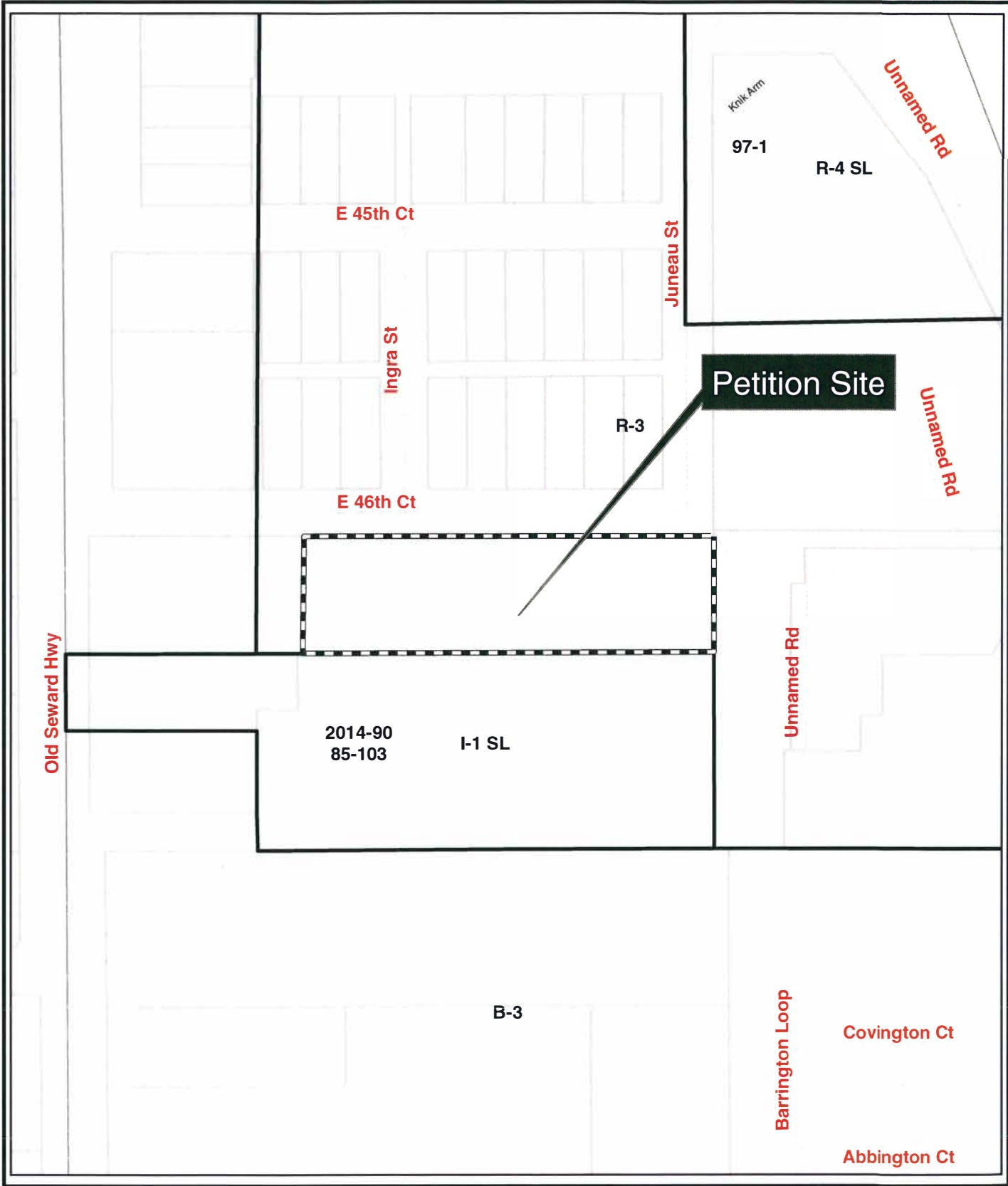
21 The rezone was recommended for approval by the Planning and Zoning
22 Commission on September 11, 2023, and a resolution of approval was adopted on
23 October 2, 2023. The *Anchorage 2040 Land Use Plan* has a land use designation
24 of “Commercial Corridor” for the subject parcel. The B-3 District is a primary
25 implementing district of the “Commercial Corridor” classification. No change is
26 necessary to the Comprehensive Plan.
27

28 This ordinance has no private-sector economic effects, and local government
29 effects are less than \$30,000. Pursuant to AMC 2.30.050B.1., a summary of
30 economic effects is not required.
31

32 **THE ADMINISTRATION RECOMMENDS APPROVAL.**
33

34 Prepared by: Elizabeth Appleby, AICP, Senior Planner Planning
35 Department
36 Approved by: Craig H. Lyon, Planning Director
37 Concur: Lance Wilber, Community Development Director
38 Concur: Marilyn Banzhaf, Acting OMB Director
39 Concur: Anne Helzer, Municipal Attorney
40 Concur: Kent Kohlhase, P.E., Municipal Manager
41 Respectfully submitted: Dave Bronson, Mayor

- 1 Attachments: Exhibit A, Map
- 2 Planning Staff Analysis Packet
- 3
- 4 (Planning and Zoning Commission Case 2023-0083)
- 5 (Parcel I.D. No. 009-173-15-000)



**MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2023-013**

A RESOLUTION RECOMMENDING APPROVAL OF A ZONING MAP AMENDMENT FOR ONE PARCEL CONTAINING APPROXIMATELY 1.79 ACRES FROM R-3 (MIXED RESIDENTIAL) DISTRICT TO B-3 (GENERAL BUSINESS) DISTRICT WITHIN THE PORTION OF THE NW4NW4 SECTION 32, TOWNSHIP 13 NORTH, RANGE 3 WEST, GENERALLY LOCATED NORTH OF EAST 50TH AVENUE, EAST OF OLD SEWARD HIGHWAY, SOUTH OF EAST 46TH COURT, AND WEST OF THE SEWARD HIGHWAY, IN ANCHORAGE.

(Case 2023-0083; Tax I.D. No. 009-173-15-000)

WHEREAS, a request has been received from Harold's Rent-a-Truck, Inc., Owner, for a zoning map amendment for one parcel containing approximately 1.79 acres from R-3 (Mixed Residential) District to B-3 (General Business) District within the portion of NW4NW4 Section 32, Township 13 North, Range 3 West, generally located north of East 50th Avenue, east of Old Seward Highway, south of East 46th Court, and west of the Seward Highway, in Anchorage, and


WHEREAS, notices were published, posted, and mailed, and a public hearing was held on September 11, 2023.

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

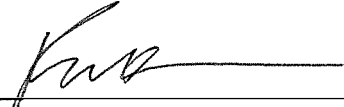
- A. The Commission makes the following findings of fact:
1. This request meets all rezoning approval criteria per Anchorage Municipal Code (AMC) 21.03.160E.
 2. There was no public testimony for this request, with no objections from the public or reviewing agencies.
- B. The Commission recommends APPROVAL of the zoning map amendment from R-3 (Mixed Residential) District to B-3 (General Business) District, effective with the removal of the storage yard use.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 11th day of September, 2023.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 2nd day of October, 2023. This written decision/resolution of the Planning and Zoning Commission is final and any party may appeal it within twenty (20) days to the Board of Adjustment pursuant to the Anchorage Municipal Code 21.03.050A.



Craig H. Lyon
Secretary



Andre Spinelli
Chair

(Case 2023-0083; Tax I.D. No. 009-173-15-000)

ea

**PLANNING DEPARTMENT
STAFF ANALYSIS
ZONING MAP AMENDMENT**

DATE September 11, 2023

CASE NUMBER 2023-0083

APPLICANT Travis Busse (Harold’s Rent-a-Truck, Inc.)

REPRESENTATIVE S4 Group, LLC

REQUEST A request to rezone one parcel from R-3 (Mixed Residential) District to B-3 (General Business) District

GENERAL LOCATION West of Southport Drive, North of Maritime Loop, East of the Excursion Circle right-of-way alignment, and South of West 100th Avenue, in Anchorage

PROPERTY DESCRIPTION T13N R3W SEC 32 NW4NW4 PTN

PARCEL ID NO. 009-173-15-000

COMMUNITY COUNCIL Midtown

ATTACHMENTS

1. Maps
2. Application
3. Reviewing Agency and Public Comments
4. Posting Affidavit

RECOMMENDATION SUMMARY APPROVAL

SITE

Acres: ±1.79 acres (78,000 square feet)
 Current Zoning: R-3 (Mixed Residential)
 Topography: Generally flat
 Utilities: No water or wastewater connections

COMPREHENSIVE PLAN

Anchorage 2040 Land Use Designation: Commercial Corridor

SURROUNDING AREA

	<u>NORTH</u>	<u>EAST</u>	<u>SOUTH</u>	<u>WEST</u>
Zoning:	R-3	R-3	I-1 SL	B-3
	Mixed Residential	Mixed Residential	Light Industrial with Special Limitations	General Business

PROPOSAL

The property owner, Travis Busse, and his representative, S4 Group, are requesting to amend the zoning map for approximately ±1.79 acres of land from R-3 (Mixed Residential) District to B-3 (General Business) District. The petition site does not have an address, but is generally located west of Southport Drive, north of Maritime Loop, east of the Excursion Circle right-of-way alignment, and south of West 100th Avenue, in Anchorage.

BACKGROUND

The site has been operated by Harold's Rent-A-Truck for many decades as a vehicle sales, rental, and parking facility. The business was first registered in Alaska in 1963. The property is within the R-3 District but has not ever had residential uses. The request to rezone to the B-3 District better reflects this historical use and the intent of the petitioner to redevelop the property with mixed uses. The property is a nonconforming lot of record created prior to 1975 and other nonconforming characteristics of the use. Any redevelopment of the property would move these nonconformities towards compliance with Title 21.

REVIEWING AGENCY COMMENTS

Comments from reviewing agencies are included in Attachment 3. No objections to this rezone were received from reviewing agencies.

COMMUNITY COMMENTS

On August 17, 2023, the Planning Department mailed 478 public hearing notices in accordance with AMC 21.03.020H *Notice*. A public hearing notice was also mailed to the Midtown, Campbell Park, and Tudor Area community councils. As of this writing, no public comments have been received. Community councils did not provide formal comments.

FINDINGS

21.03.160 REZONINGS (ZONING MAP AMENDMENTS)

B. Minimum area requirements

The parcel is 1.79 acres, which is over the minimum of 1.75 acres for a rezoning.

D. General Procedure

Pre-Application Conference

A pre-application conference was held with municipal staff on June 20, 2023, in accordance with 21.03.020B.

Community Meeting

A community meeting was held by S4 Group on April 12, 2023, with the Midtown Community Council in accordance with AMC 21.03.020C. A summary of this meeting is included in 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 9 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 criteria is met.

This rezone is in the long-term interest of the citizens of Anchorage, and promotes public health, safety, and general welfare. The proposed rezoning would provide an improved transition from the I-1 property to the south to the R-3 property to the north.

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

The criteria is met.

The *Anchorage 2040 Plan* has a land use designation of “Commercial Corridor” for the subject parcel. The B-3 District is an implementing district of the “Commercial Corridor” classification. No change is necessary to the comprehensive plan.

This rezone is consistent with the following policies of the comprehensive plans:

Anchorage 2040 Land Use Plan:

- LUP 1.1 Use the Anchorage 2040 Land Use Plan in concert with area-specific plans as a framework to guide decisions on future development patterns, land uses, and allocation of growth.***

The proposed rezone furthers the goals the *2040 Land Use Plan provides* and ensures consistent development patterns and land use while providing more opportunity for mixed-use development.

- LUP 2.3 Remove barriers to desired infill development and incorporate flexibility in development requirements to promote adaptive reuse of older buildings and compact infill/redevelopment, including that which reflects traditional urban neighborhood design contexts.***

The proposed rezone would remove a barrier for infill mixed-use development on the property.

LUP 5.1 *Implement recommended land use patterns and growth in contexts with existing infrastructure capacity and planned improvements, for utilities, streets, trails, public transit, parks, green infrastructure, and schools.*

The proposed rezone to B-3 General Business District follows land use patterns and growth in context with existing infrastructure. The site has road access and has a land use designation of a commercial corridor.

LUP 7.1 *Preserve, accommodate, and contribute to the character, scale, and identity of established neighborhoods as new infill housing and mixed-use development occurs. Protect and restore the natural environment as development occurs in these neighborhoods.*

The proposed rezone to B-3 General Business District maintains a compatible and consistent land use within the established neighborhood while allowing new infill mixed-use development on an existing disturbed site.

LUP 7.2 *Ease the transitions between more intensive uses and adjacent lower-density neighborhoods as new infill housing and mixed use development occurs.*

The proposed rezoning would provide an improved transition from the I-1 property to the south to the R-3 property to the north.

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

The criterion is met.

This proposed rezone is consistent with the purpose of the B-3 District as stated in AMC 21.04.030D.1. is as follows:

AMC 21.04.030D.1., B-3 General Business District Purpose

1. 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 B3 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.

The B-3 District also has district location requirements denoted in AMC 21.04.030D.3:

AMC 21.04.030D.3., B-3 General Business 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.*

There is residential property across East 46th Court north of the property within the R-3 District. However, the rezoning to the B-3 District is 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.*

The property fronts East 46th Court, but is less than 300 feet from the Old Seward Highway. The Old Seward Highway is a Class III Major Arterial. There are adequate public services and facilities for the current use, and the property is capable of supporting uses allowed by the B-3 District for a potential future mixed-use redevelopment.

AMC 21.05.010E. Table to Allowed Uses – Residential, Commercial, Industrial, and Other Districts

A storage yard is not a permitted use within the B-3 District. During the pre-application conference, it was discussed how the storage yard use must be removed prior to the rezoning to the B-3 District. The Department recommends addressing this with an effective clause for the storage yard to be removed before the rezoning takes effect.

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 met.

Negative impacts are not anticipated to surrounding properties. Mixed-use development options are being considered by the petitioner. The rezoning and potential mixed-use development are compatible with surrounding properties.

- 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.

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. Curb and sidewalk are present for 46th Court, which is constructed to municipal standards. During the pre-application conference, Anchorage Water and Wastewater Utility (AWWU) noted that a \$6,300 levy is required upon connection to public water. No sewer is available currently and the line would need to be extend and possibly fully front the property. A future mixed-use development would need to address water and sewer connections but is capable of supporting uses allowed by the B-3 District by the time development would be completed. AWWU did not indicate any objection during the pre-application meeting to future connections in conjunction with a redevelopment of the property.

- 5. 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 rezoning is not anticipated to result in significant adverse impacts. There are no wetlands on the property.

- 6. 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 met.

The proposed rezoning is not anticipated to result in significant adverse impacts with adjacent land uses.

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

The criterion is met.

The rezoning is consistent with the comprehensive plan. The *2040 Land Use Plan* has a land use designation of “Commercial Corridor” for this parcel. The B-3 District is an implementing zoning district for this land use designation.

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

The criterion is met.

The proposed rezoning will not result in a split-zoned lot. The entire parcel will be rezoned from the R-3 District to the B-3 District.

DEPARTMENT RECOMMENDATION

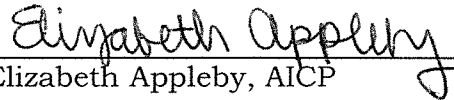
The Department finds that the approval criteria for a rezone is met with an effective clause of the rezoning to remove the storage yard use. The Department recommends APPROVAL of the rezoning from R-3 Mixed Residential District to B-3 General Business District.

Reviewed by:

Prepared by:



Craig H. Lyon
Director



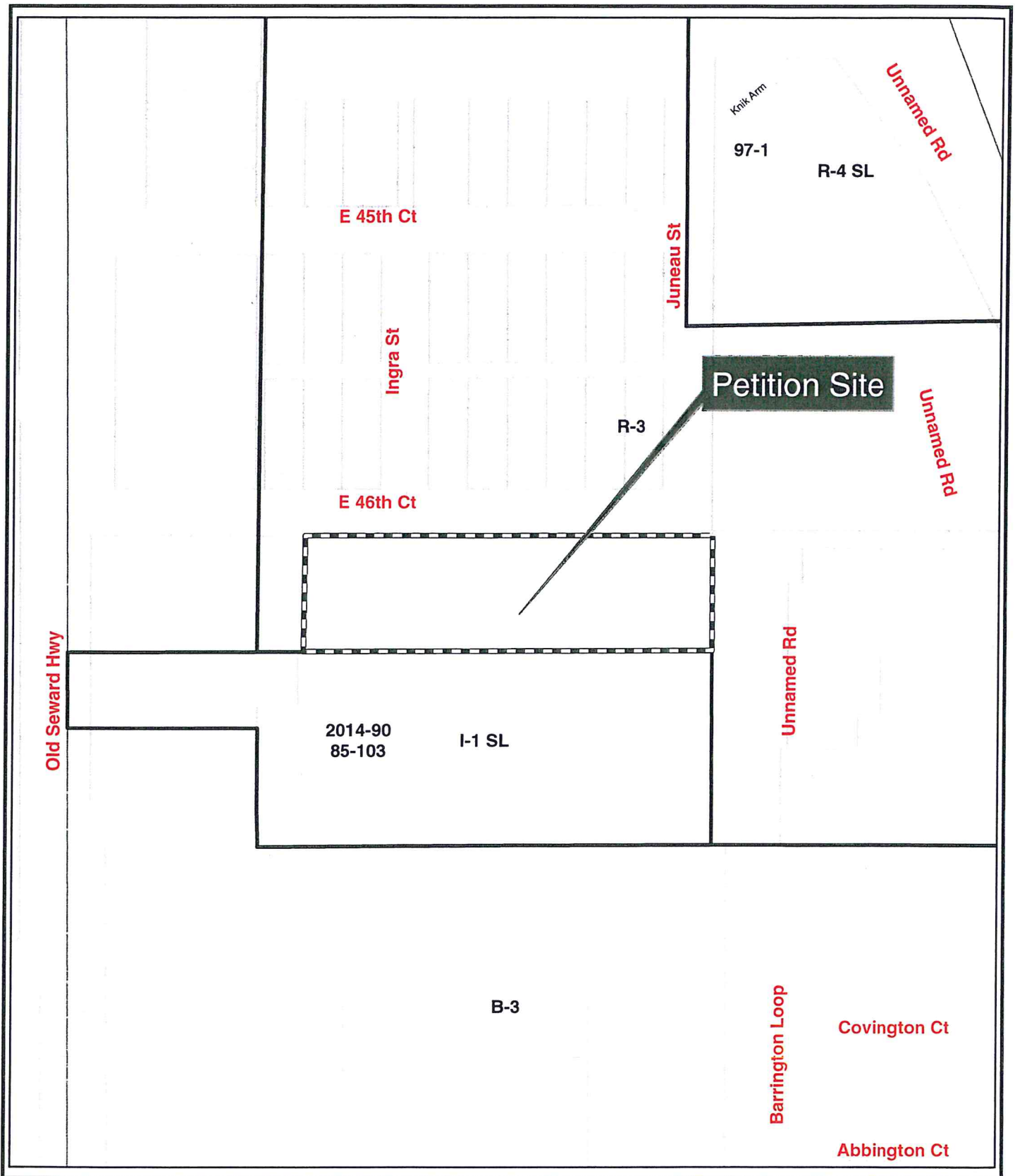
Elizabeth Appleby, AICP
Senior Planner

(Case 2023-0083, Parcel ID No. 009-173-15-000)

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MAPS

2023-0083

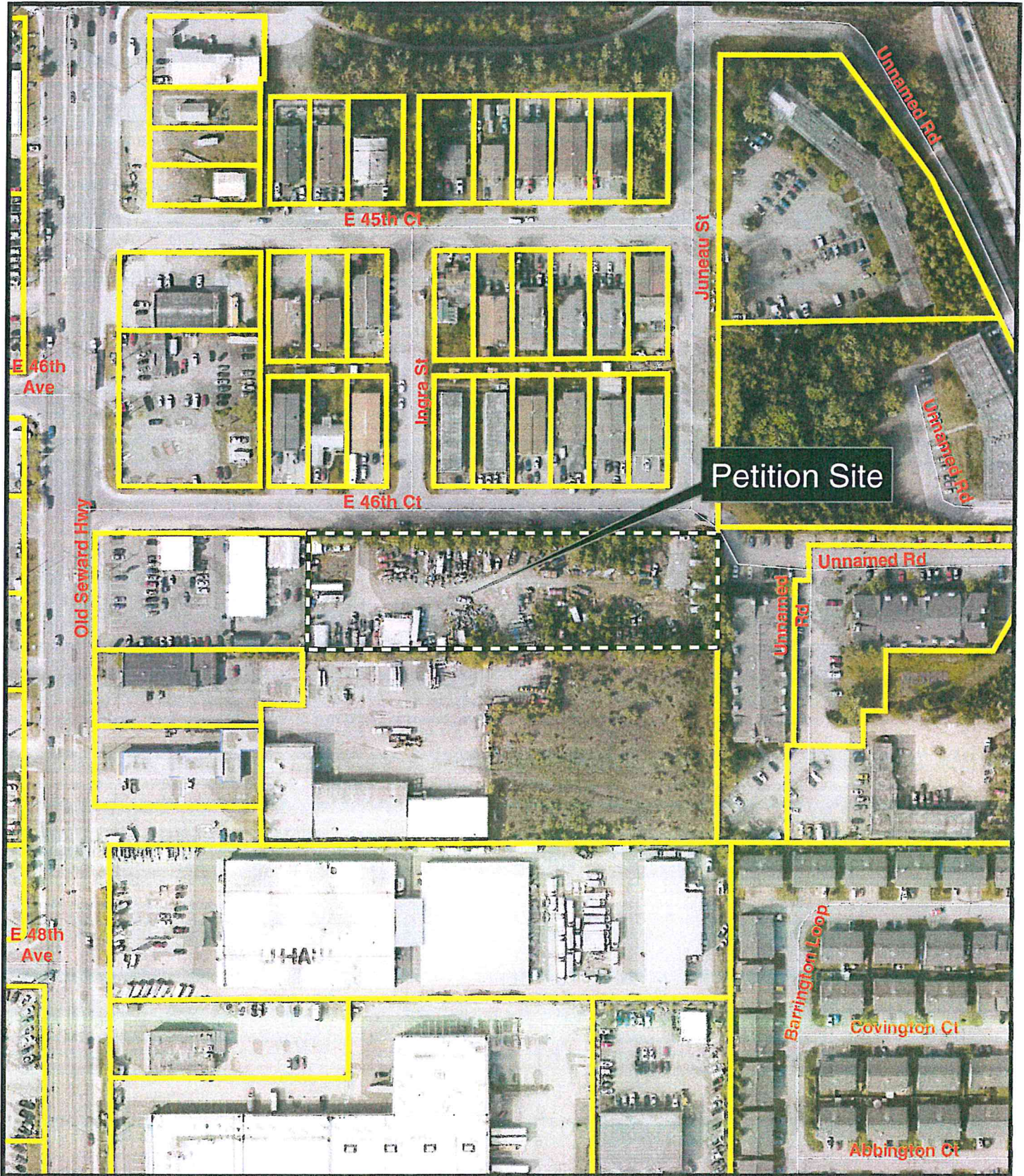


Municipality of Anchorage
Planning Department

Date: 7/12/2023



2023-0083



Municipality of Anchorage
Planning Department

Date: 7/12/2023



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): Travis Busse		Name (last name first): S4 Group LLC	
Mailing Address: 4617 Seward Hwy, Anchorage, AK 99503		Mailing Address: 124 E 7th Ave, Anchorage, AK 99501	
Contact Phone – Day: 907-227-4220		Contact Phone – Day: 907-306-8104	
Evening:		Evening:	
E-mail: travis@busseenterprises.com		E-mail: craigb@s4ak.com, kate@s4ak.com	


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

PROPERTY INFORMATION		
Property Tax # (000-000-00-000): 009-173-15		
Site Street Address: N/A		
Current legal description: (use additional sheet if necessary) T13N R3W SEC 32 NW4NW4 PTN		
Existing Zoning: R-3	Acreeage: 1.79	Grid #: SW1832
Proposed Zoning: B-3		
Existing use: Parking Misc.	Proposed use (if any): 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  Owner Representative (Representatives must provide written proof of authorization)

Date **6/13/23**


 Print Name

Accepted by: FJM	Poster & Affidavit: 1 + affidavit	Fee: \$9,900	Case Number: 2023-0083	Meeting Date: P2C : 09/11/2023
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COMPREHENSIVE PLAN INFORMATION	
Improvement Area (per AMC 21.08.050B.): <input checked="" type="radio"/> Class A <input type="radio"/> Class B	
Anchorage 2040 Land Use Designation: <input type="checkbox"/> Neighborhood (Residential) <input type="checkbox"/> Center <input checked="" type="checkbox"/> Corridor <input type="checkbox"/> Open Space <input type="checkbox"/> Facilities and Institutions <input type="checkbox"/> Industrial Area	
Anchorage 2040 Growth Supporting Features: <input type="checkbox"/> Transit-supportive Development <input type="checkbox"/> Greenway-supported Development <input type="checkbox"/> Traditional Neighborhood <input type="checkbox"/> Residential Mixed-use	
Eagle River-Chugiak-Peters Creek Land Use Classification: <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Parks/opens space <input type="checkbox"/> Public Land Institutions <input type="checkbox"/> Marginal land <input type="checkbox"/> Alpine/Slope Affected <input type="checkbox"/> Special Study <input type="checkbox"/> Residential at _____ dwelling units per acre	
Girdwood- Turnagain Arm <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Parks/opens space <input type="checkbox"/> Public Land Institutions <input type="checkbox"/> Marginal land <input type="checkbox"/> Alpine/Slope Affected <input type="checkbox"/> Special Study <input type="checkbox"/> Residential at _____ dwelling units per acre	
ENVIRONMENTAL INFORMATION <small>(All or portion of site affected)</small>	
Wetland Classification:	<input checked="" type="checkbox"/> None <input type="checkbox"/> "C" <input type="checkbox"/> "B" <input type="checkbox"/> "A"
Avalanche Zone:	<input checked="" type="checkbox"/> None <input type="checkbox"/> Blue Zone <input type="checkbox"/> Red Zone
Floodplain:	<input checked="" type="checkbox"/> None <input type="checkbox"/> 100 year <input type="checkbox"/> 500 year
Seismic Zone (Harding/Lawson):	<input type="checkbox"/> "1" <input type="checkbox"/> "2" <input checked="" type="checkbox"/> "3" <input type="checkbox"/> "4" <input type="checkbox"/> "5"
RECENT REGULATORY INFORMATION <small>(Events that have occurred in last 5 years for all or portion of site)</small>	
<input type="checkbox"/> Rezoning - Case Number:	
<input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat - Case Number(s):	
<input type="checkbox"/> Conditional Use - Case Number(s):	
<input type="checkbox"/> Zoning variance - Case Number(s):	
<input type="checkbox"/> Land Use Enforcement Action for	
<input type="checkbox"/> Building or Land Use Permit for	
<input type="checkbox"/> Wetland permit: <input type="checkbox"/> Army Corps of Engineers <input type="checkbox"/> Municipality of Anchorage	
SUBMITTAL REQUIREMENTS <small>(Only one copy of applicable items is required for initial submittal)</small>	
1 copy required:	<input type="checkbox"/> Signed application (original) <input type="checkbox"/> Ownership and beneficial interest form
16 copies required:	<input type="checkbox"/> Signed application (copies) <input type="checkbox"/> Signatures of other petitioners (if any) <input type="checkbox"/> Map of area to be rezoned <input type="checkbox"/> Map of area surrounding proposed rezoning, including zoning and existing uses <input type="checkbox"/> Narrative statement explaining: <input type="checkbox"/> need and justification for the rezoning <input type="checkbox"/> the proposed land use and development <input type="checkbox"/> the probable timeframe for development <input type="checkbox"/> an analysis of how the proposal meets the rezoning criteria on page 3 of this application <input type="checkbox"/> Summary of community meeting(s) <input type="checkbox"/> Proposed special limitations, if any
<small>(Additional information may be required.)</small>	

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.



E 46th Rezone
Zoning Map Amendment Application Narrative
June 13, 2023

This is a request for a zoning map amendment for one parcel, currently zoned R-3, to be amended to B-3 zoning. The parcel is legally described as the NW1/4 NW1/4 PTN T13N R3W SEC 32 SM, a 1.79 acre parcel located to the south of the intersection of East 46th Court and Ingra Street in Anchorage, Alaska, property Tax ID # 009-173-15.

Need and Justification for the Rezoning

The petition site's existing use is designated as Parking Miscellaneous and has been operated by Harold's Rent-A-Truck since prior to 1976 as a vehicle sales, rental, and parking facility.

To the north and east of the petition site are established neighborhoods in the R-3 Mixed Residential District. To the west, northwest, and southwest are a car dealership, auto repair shop, and a tire shop in the B-3 General Business District. To the south is an instrument store and parking/storage lot in the I-1 Light Industrial District.

The *Anchorage 2040 Land Use Plan Map* designates the site as "Commercial Corridor", which "applies to auto-oriented, low-intensity retail, office, and commercial services along arterial corridors, which support surrounding suburban residential neighborhoods. Most Commercial Corridors are envisioned to evolve through infill commercial and housing development, and investment in streetscape and pedestrian enhancements. Revitalization of commercial properties will promote economic vitality and enhance shopping activities by trending toward a mix of uses."

The *Anchorage 2040 Land Use Plan (LUP)* states that, "Development in corridors adjacent to established neighborhoods will transition from higher-intensity uses to lower intensities on the edges of these corridor areas to be compatible with the adjacent residential neighborhoods."

B-3 General Business District zoning is the preferred zoning district for Commercial Corridor land use, it more accurately reflects the historical use of the site, and it reflects the intended use of Commercial Corridor districts by acting as a transition from higher-intensity uses adjacent to established neighborhoods. Zoning the site as B-3 will bring the site closer to compliance with the *Anchorage 2040 LUP*, without removing any future potential use of the site for residential development.

This rezone is consistent with the following goals and policies of the *Anchorage 2040 Land Use Plan*:



- LUP 1.1. Use the Anchorage 2040 Land Use Plan in concert with area-specific plans as a framework to guide decisions on future development patterns, land uses, and allocation of growth.
- LUP 2.3. Remove barriers to desired infill development and incorporate flexibility in development requirements to promote adaptive reuse of older buildings and compact infill/redevelopment, including that which reflects traditional urban neighborhood design contexts.
- **Goal 3. Center and Corridors.** Mixed-use, walkable commercial centers and corridors thrive within their neighborhood context, offer housing affordable to a range of incomes, and enable business growth.
- LUP 5.1. Implement recommended land use patterns and growth in context with existing infrastructure capacity and planned improvements, for utilities, streets, trails, public transit, parks, green infrastructure, and schools.
- LUP 7.1. Preserve, accommodate, and contribute to the character, scale, and identity of established neighborhoods as new infill housing and mixed use development occurs.
- LUP 7.2. Ease the transitions between more intensive uses and adjacent lower-density neighborhoods—in terms of the built scale, height, level of activity, and character.
- “This plan supports the evolution of auto-oriented commercial corridors to mixed-use, pedestrian oriented and transit-supported environments.”(pg 48)

Proposed Land Use and Development

The petition site will continue to operate as it has historically, as a miscellaneous parking and vehicle rental site. The new B-3 zoning will more accurately reflect the historical use of the site and the *Anchorage 2040 LUP* designated use and purpose of the site as a Commercial Corridor. Mixed-Use options are being considered for this site, but no solid plans have been made at this point.

Probable Timeframe for Development

There is no development planned for this site, at this time.

Rezone Request Conformance with the Approval Criteria for Zoning Map Amendment Standards (AMC 21.03.160)

- 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 B-3 district promotes the general welfare and benefits the community as a whole by providing the development potential for commercial corridor mixed-use development that is supported by the Anchorage Comprehensive Plan.



- 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.)**

The proposed rezone from R-3 to B-3 complies with and conforms to the comprehensive plan. The *Anchorage 2040 Land Use Plan* classifies the petition site as "Commercial Corridor" and states the B-3 district as the preferred zoning district for the Commercial Corridor Land Use Designation.

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

Title 21 states that the purpose of B-3 General Business districts is the following, "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."

The B-3 district has historically met the need for auto-related and auto-oriented uses, which reflects the historical use of this site. The B-3 district is also intended to evolve into a wide range of commercial, residential, and community uses, which reflects the long term goals of the petitioner.

- 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 petition site's existing use is designated as Parking Miscellaneous and has been operated by Harold's Rent-A-Truck since prior to 1976 as a vehicle sales, rental, and parking facility.

To the north and east of the petition site are established neighborhoods in the R-3 Mixed Residential District. To the west, northwest, and southwest are a car dealership, auto repair



shop, and a tire shop in the B-3 General Business District. To the south is an instrument store and parking/storage lot in the I-1 Light Industrial District.

This zoning amendment would conform to the existing pattern of development for the site and surrounding 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.**

All facilities, utilities, and services are capable of supporting the intended use as a General Business District.

- 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 proposed rezone will not result in adverse impacts on the natural environment. Future use of the property as permitted by the B-3 district and intended by the applicant will not significantly impact the current natural environment on the site.

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

This rezoning will not result in adverse impacts on the adjacent land. The petition site will continue to operate as it has historically, until such time that a mixed-use development plan is made. Such a development plan would work carefully to avoid any adverse impacts on adjacent land.

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

The *Anchorage 2040 Land Use Plan Map* designates the site as "Commercial Corridor", which "applies to auto-oriented, low-intensity retail, office, and commercial services along arterial corridors, which support surrounding suburban residential neighborhoods. Most Commercial Corridors are envisioned to evolve through infill commercial and housing development, and investment in streetscape and pedestrian enhancements. Revitalization of commercial properties will promote economic vitality and enhance shopping activities by trending toward a mix of uses."

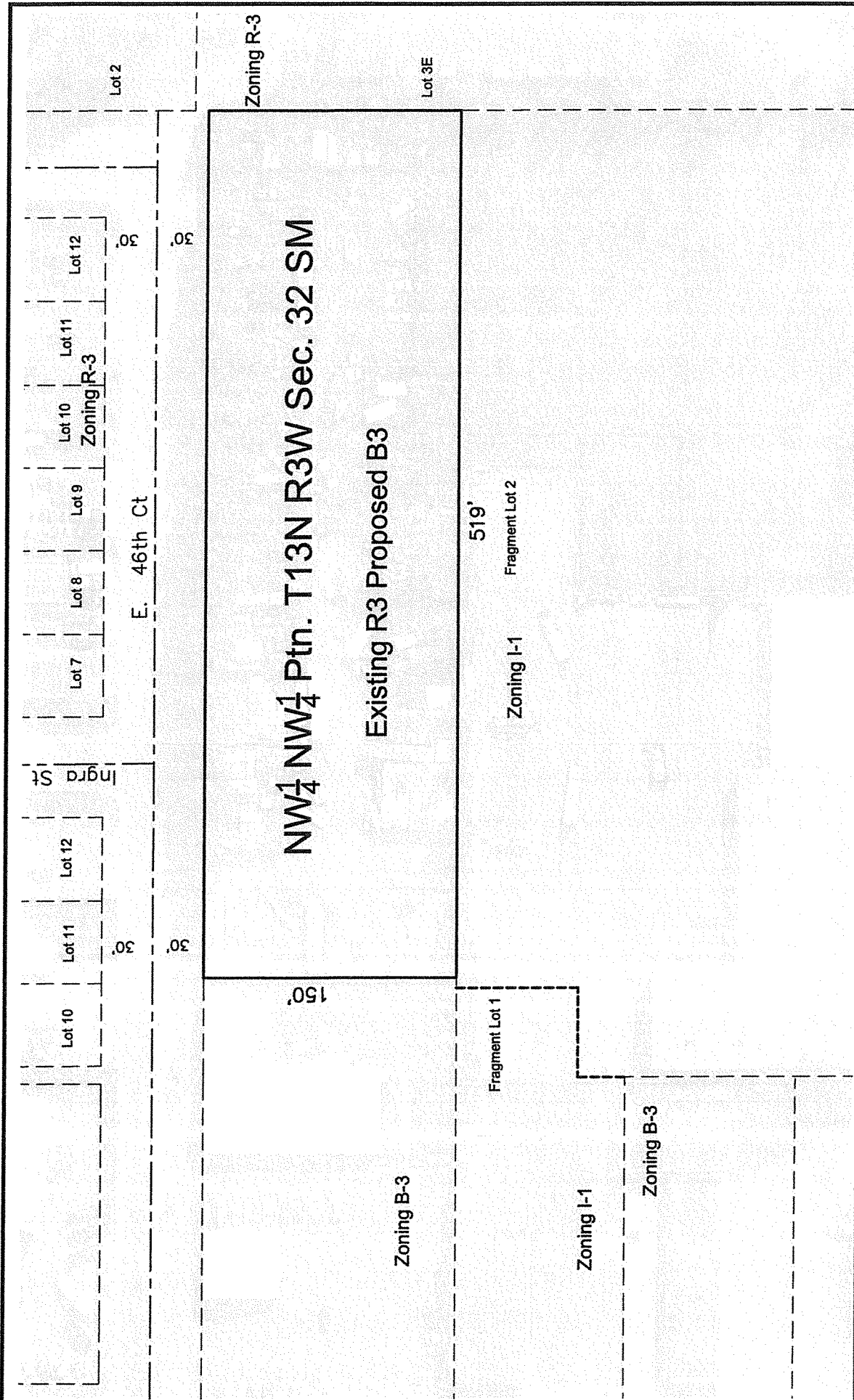


The *Anchorage 2040 Land Use Plan (LUP)* states that, “Development in corridors adjacent to established neighborhoods will transition from higher-intensity uses to lower intensities on the edges of these corridor areas to be compatible with the adjacent residential neighborhoods.”

B-3 General Business District zoning is the preferred zoning district for Commercial Corridor land use, it more accurately reflects the historical use of the site, and it reflects the intended use of Commercial Corridor districts by acting as a transition from higher-intensity uses adjacent to established neighborhoods. Zoning the site as B-3 will bring the site closer to compliance with the *Anchorage 2040 LUP*, without removing any future potential use of the site for residential development.

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

The proposed rezoning does not result in a split-zoned lot.



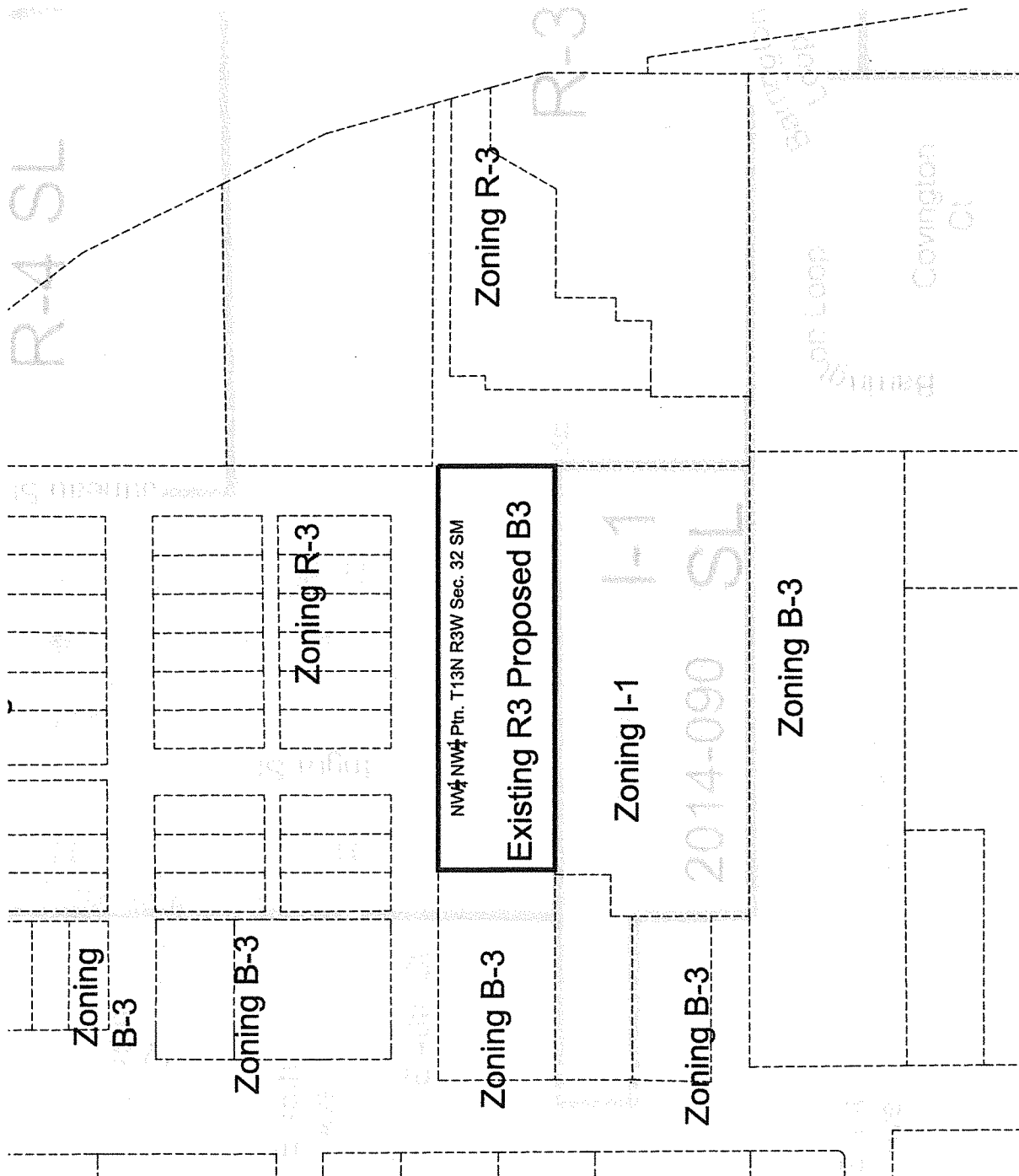
Proposed Rezone

124 E 7th Avenue
 Anchorage, Alaska 99501
 (907) 306-8104
 CraigB@S4AK.com

Scale 1" = 80'
 Date 5/30/2023
 Job 2022-108

S4 Group

Land Surveying
 Land Development Consultants
 Subdivision Specialists
 Construction Surveying



124 E 7th Avenue
 Anchorage, Alaska 99501
 (907) 306-8104
 CraigB@S4AK.com

Scale 1" = 200'
 Date 6/3/2023
 Job 2022-108

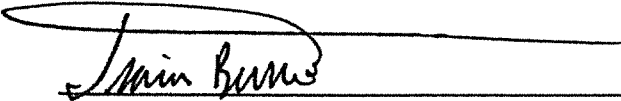
S4
 Group

Land Surveying
 Land Development Consultants
 Subdivision Specialists
 Construction Surveying

Proposed Rezone

Letter of Authorization

I, Travis Busse , the owner of the property located at T13N R3W SEC32 NW4NW4 PTN, Tax ID 009-073-15, authorize S4 Group to represent me before the Municipality of Anchorage in the request for a zoning action and related activities.


Signature TRAVIS M. BUSSE

5-31-23
Date

Supplemental Form: OWNERSHIP AND BENEFICIAL INTEREST DISCLOSURE

PETITIONER: CORPORATE OFFICERS OR PARTNERS

Applicants for an entitlement that will be in possession and the responsibility of more than one individual, such as a co-owner, joint venture, partnerships, corporations, company, or other similar form of ownership, are required to disclose a full and complete list of the name and address of each principal. (use additional paper if necessary)

Name	Title or Office(if any)	Address
Travis Morgan Busse	Pres, Treasurer, Director	6820 Chad St. Anchorage AK, 99518

PROPERTY OWNER: CORPORATE OFFICERS OR PARTNERS

The petitioner of a property owned by more than one individual that will benefit from an entitlement is required to disclose a full and complete list of the name and address of each partner, officer, or co-owner. The other owner interest to be reported is co-owner, joint venture, partnership, corporation, company, or other similar form of ownership. (use additional paper if necessary)

Name	Title or Office(if any)	Address
Travis Morgan Busse	Pres. 100% Shareholder	6820 Chad St. Anchorage AK, 99518

Attach this sheet to your application form

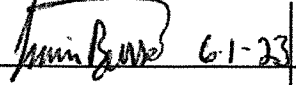
Accepted by:	Date	Application for	Case Number
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Supplemental Form: ADDITIONAL PETITIONERS

ADDITIONAL PETITIONERS:

Applicants for an entitlement involving more than one property description and owned by more than one individual are required to provide the name, legal description of property owned, and signature of each petitioner. Persons signatory to this application supplement are deemed to be petitioners (use additional paper if necessary)

We, the undersigned, hereby apply for: Rezone to B3

Signature	Name (printed or typed)	Legal description of property owned within petition area
1.  6-1-23	Travis Morgan Busse	T13N R3W SEC 32 NW4NW4 PTN
2.		
3.		
4.		
5.		
6.		
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8.		
9.		
10.		
11.		
12.		
13.		
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15.		
16.		
17.		
18.		
19.		
20.		

Attach this sheet to your application form

Accepted by:	Date	Application for	Case Number
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Community Meeting Notification:

Midtown Community Meeting
Date & Location:

APRIL 12 @ 12:00 PM

Conference Room
3000 C St.
Anchorage, AK 99503

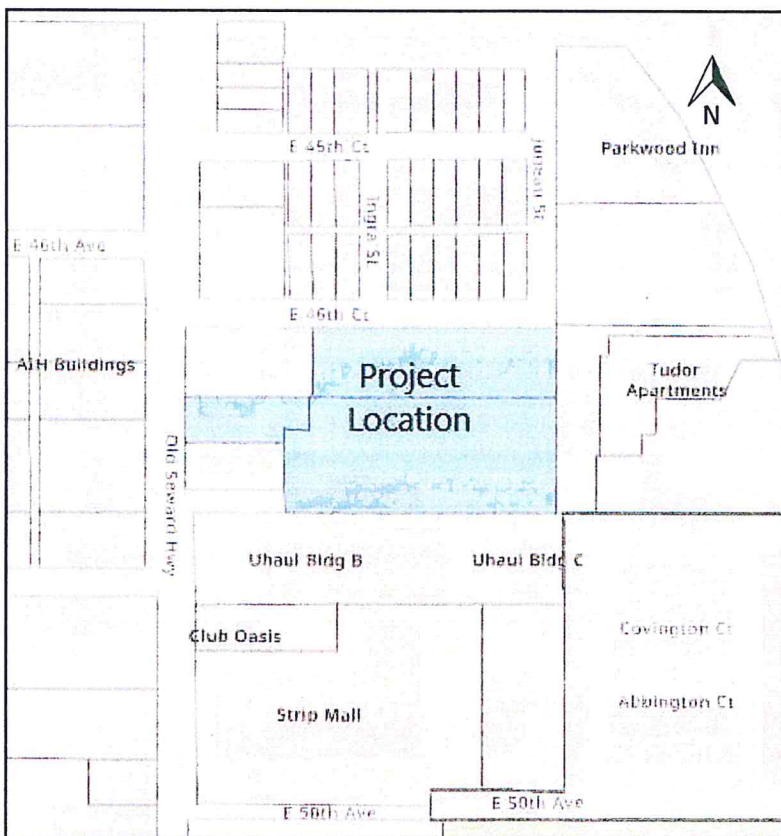
Please check the community council page at
communitycouncils.org for any meeting
changes.

S4 Group, LLC will be presenting platting actions and a zoning action to the Midtown community council at their regularly scheduled April meeting.

Representatives of the proposed project will provide an overview of the platting 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 is located east of Old Seward Hwy and South of E 46th Ct, known legally as McKinley Landscaping Subdivision, Fragment Lots 1 and 2, and the NW 1/4, NW1/4 Ptn. T13N R3W Sec. 32 S.M..

For more information go to: s4ak.com/notice



«Name»

«Address»

«City», «State» «Zip»

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



E 46th Platting and Rezone
Summary of Community Meeting
April 12, 2023

MOA Planning Division Director
4700 Elmore Road
Anchorage, AK 99507

466 notices were mailed on 03/13, 0 returned, see attached for content of notices.

Date: 04/12/2023 @ 12 PM

Participants: 28

Location: 3000 C St, Conference Room

Subject: E 46th Platting and Rezone Project

This community meeting was held by the Midtown Community Council on April 12, 2023. The presentation lasted about 8 minutes and covered the details of the proposed platting actions and rezone action, as well as the timeline and process of the project. The following is a brief summary of the questions and comments made by the community.

Q: Can you tell us what businesses are located near the location?

A: A&A Subaru and U-haul are near this project off of E 46th Ave.

Q: What is the current zoning and proposed zoning for Tract A?

A: The current zoning is R-3 (residential) and the proposed zoning is B-3 which will give the owner more options for the property. The south property is I-1 and is not changing.

Q: What has been done on Tract A historically and what are you planning to use it for?

A: Proposed Tract A has historically been Harolds-Rent-A-Truck, mostly a storage/parking lot. If we are able to rezone the property to B-3, we are possibly looking at more of a mixed use application. The lot to the south would likely be storage and parking.



The following is a list of names of the attendees from the Midtown sign-in sheets:

Katrena Leuthold
Norm Leuthold
Melinda Gant
Brent Fisher
Megan Debenhaum
Sue Link
Greg McDonald
Kirk Hastain
Travis Busse
Allison Biastock

Craig Bennett
Kate Sauve
Trista Espe
Michelle Hodel
Joseph Cron
Lindsay Hyduk
Michael Demoling
Jim Hegedus
Rina Suejue
Mark Friscakaren

Brian Swartzentber
Kalla Peacock
Kirsten Peacock
Jeremy Borchatt
Steve Williams
Kris Stoener
Margo Bellamy
Unkown

COMMENTS

Kimmel, Corliss A.

From: Walters, Michael S.
Sent: Monday, August 14, 2023 5:39 PM
To: Blake, Lori A.; Kimmel, Corliss A.
Subject: 2023-0083 Request for Reviewing Agency Comments

RECEIVED

AUG 14 2023

All:

ROW has the following comments for case number 2023-0083:

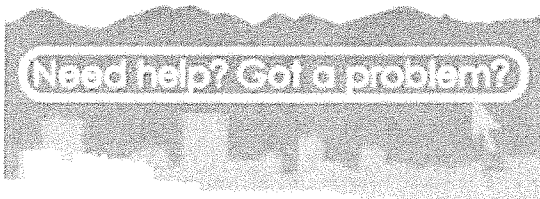
ROW has no comment or objections on the proposed action.

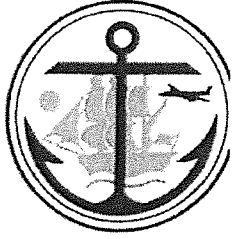
Regards,

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

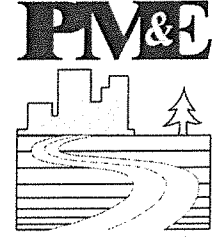
#ANCWORKS!

An online tool for Anchorage





Municipality of Anchorage
Project Management and Engineering
MEMORANDUM



DATE: August 14, 2023

RECEIVED

To: Dave Whitfield

AUG 14 2023

FROM: Kyle Cunningham

SUBJECT: Cases 2023-0078, 2023-0079 & 2023-0083: Comments from Watershed Management Services.

Watershed Management Services (WMS) has the following comments for the September 11, 2023 Planning and Zoning Commission hearing:

- 2023-0078 – C.E.A. Substation Reserve (Plat 76-160);
 - WMS has no comments on or objections to this request.
- 2023-0079 – C.E.A. Substation Reserve (Plat 76-160);
 - WMS has no comments on or objections to this request.
- 2023-0083 – Township 13 North, Range 3 West, Section 32 NW4NW4 PTN, Seward Meridian;
 - WMS has no comments on or objections to this request.

MUNICIPALITY OF ANCHORAGE



Development Services Department

Private Development Section

Mayor Dave Bronson

RECEIVED

AUG 11 2023

MEMORANDUM

Comments to Planning and Zoning Commission Applications/Petitions

DATE: August 11, 2023
TO: Elizabeth Appleby, Senior Planner
FROM: Judy Anunciacion, Private Development Engineer
SUBJECT: PZC Case 2023-0083

Case 2023-0083 – Request for Rezone from R-3 (Mixed Residential) District to B-3 (General Business) District.

Department Recommendations: Private Development has no objection to the request to rezone from R-3 (Mixed Residential) District to B-3 (General Business) District.



MEMORANDUM

DATE: August 11, 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: 2023-0083 Request to Rezone from R-3 to B-3

RECEIVED

AUG 11 2023

Traffic Engineering has no objection the proposed rezoning of this parcel of land. Any change to access or peripheral improvements will be determine at time of development.

**POSTING
AFFIDAVIT**



AFFIDAVIT OF POSTING

CASE NUMBER: 2023-0083

I, Kate Savel 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 Reason. The notice was posted on 7/12 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 12 day of July, 2023.

Signature [Signature]

LEGAL DESCRIPTION

Tract or Lot: _____

Block: _____

Subdivision: T13N R3W SEC 32 NW4 NW4 PTW

