

**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
REZONING**

DATE:	June 5, 2017
CASE NO:	2017-0070
APPLICANT:	Ridge Equipment LLC
REPRESENTATIVE:	The Boutet Company - Tony Hoffman
REQUEST:	Rezone a strip of land 330' x 69' from R-2M (Mixed Residential) district to I-2 (Heavy Industrial) district
LOCATION:	The north 120 feet of Government Lot 5, Section 18, T12N, R3W (remnant), generally located south of West 92 nd Avenue between Arctic Boulevard to the west and King Street to the east
SITE ADDRESS:	No street address
COMMUNITY COUNCIL:	Bayshore-Klatt
TAX NUMBER/GRID:	016-291-20 / SW2430

ATTACHMENTS:

1. Zoning & Location Maps
2. Application Departmental Comments
3. Departmental Comments
4. Posting Affidavit
5. Historical Information

RECOMMENDATIONS SUMMARY:

Approval of the request to rezone a strip of land 330' x 69' to I-2/SL subject to installing screening landscaping along the north petition site boundary.

SITE:

Acres:	±0.52 acres (22,770 SF)
Vegetation:	Low brush and black spruce
Zoning:	R-2M (Mixed Residential) district
Topography:	Relatively level
Existing Use:	Undeveloped
Soils/Utilities:	Developable wetlands; public water/sewer available

COMPREHENSIVE PLAN:

Classification:	Industrial Reserve per the <i>Anchorage 2020</i> Land Use Policy Map
Density:	NA

APPLICABLE LAND USE REGULATIONS:

	Proposed I-2 Heavy Industrial District AMC21.04.060C.	Current R-2M Mixed Residential District AMC 21.04.020F.
Intent:	An industrial activity area and reserved for public and private heavy manufacturing, warehousing and distribution, equipment and materials storage; vehicle and equipment repair; freight terminals, waste and salvage; resource extraction and processing, and other related activities.	Primarily for residential areas that allow a variety of single-family, two-family and multi-family dwellings with gross densities between five and 15 dwelling units per acre.
Uses:	Any legal business, commercial, manufacturing or industrial use.	Residential, group living, community service, cultural, educational, park, police and fire stations, private airstrips/heliports, or utility substations.
Yards: Front Side Rear	10 feet 20 if adjacent to residential, otherwise none	20 feet 5 feet 10 feet
Lot Coverage:	Unrestricted	40%
Height:	Unrestricted/FAA	30 feet, not to exceed 2-1/2 stories
Landscaping	None, except L2 (buffer) next to residential	L2 (buffer) adjoining industrial district

SURROUNDING AREA:

	NORTH	EAST	SOUTH	WEST
Zoning:	R-2M	I-2	I-2	R-1
Land Use:	Residential	Industrial	Industrial	Undeveloped paper plat

PROPERTY HISTORY:

03/24/72	Ordinance 150-71	The north 69 feet of Government Lot 5, Section 18, T12N, R3W, S.M., Alaska zoned R-2 (Two Family Residential) district during the Areawide Rezoning of Area F.
03/26/85	AO 85-18	The R-2M district created. All remaining R-2 property designated R-2M (Multi Family Residential) district.
03/03/97	Case 97-022	Petition to rezone the north 69 feet of Government Lot 5, Section 18, T12N, R3W, S.M., Alaska from R-2M (Multiple-Family Residential) district to I-2 (Heavy Industrial District) was DENIED by the Planning and Zoning Commission. (PZC Resolution 97-20)

PAST SURROUNDING LAND USE

05-14-68	Plat P-323	Final plat recorded for Newland Subdivision, Blocks A-M, creating 216 lots, located north of West 92 nd Avenue.
01-30-86	Plat 86-18	Final plat recorded for Tracts A & B, Southwest School Site, a resubdivision of Section Lots 6, 7, & 8, adjoining the west and south boundaries of the current petition site.

SITE DESCRIPTION AND PROPOSAL:

Site Description

Government Lot 5, Section 18, T12N, R3W, S.M., Alaska contains 4.63 acres. The lot is subject to two zoning districts. The northern portion of the lot, measuring 69' x 330' contains 0.52 acres and is zoned R-2M (Mixed Residential) district. The southern portion of the lot, containing 4.11 acres, is zoned I-2 (Heavy Industrial) district. The split-zoning of the lot was created during the Areawide Rezoning of Area F by Assembly approval of Ordinance 150-71.

The petition site is located on the south side of West 92nd Avenue, on the east side of C Street, west of Arctic Boulevard, and North of West 96th Avenue. The *Official Streets and Highways Plan* (OS&HP) designates the adjoining streets as follows: West 92nd Avenue is a Class II Minor Arterial experiencing 10,000 – 20,000 average daily traffic (ADT); C Street is a Class IIIA Major Arterial experiencing over 20,000 ADT, and West 92nd Avenue is a Class I Collector, experiencing 2,000 – 10,000 ADT.

Access to the site is limited. Arctic Boulevard is not constructed south of Dimond Boulevard. C Street is a controlled access right-of-way. However, there vehicular access from and to C Street at the intersection of West 92nd Avenue provides access to Government Lot 5.

Plat 86-18 was recorded for Tracts A & B, Southwest School Site which adjoins the west and south boundary of the Government Lot 5. These tracts are impacted by Type A wetlands. Type B wetlands impact the western two-thirds of government Lot 5.

Newland Subdivision located to the north of West 92nd Avenue is zoned R-5 (Low Density Residential) district. A final plat was recorded in 1968, with the majority of the lots containing 7,500 square feet. Corner lots are somewhat larger with sizes ranging from 8,054 square feet up to 10,632 square feet. All lots within the subdivision are developed with single-family residential uses. Dimond Estates Trailer Court is located northwest of the petition site and is zoned R-2M.

Property to the west across the Arctic Boulevard right-of-way has been subdivided as Laurel Acres (Plat 71-327), but has never been developed. The property is impacted by Type B wetlands.

Proposal

The property that is the subject of this rezone request is a strip of land measuring 69' x 330' of Government Lot 5, Section 18, T12N, R3W, S.M., Alaska, containing approximately 0.52 acres.

SECTION 21.03.160E. APPROVAL CRITERIA

The planning and zoning commission may recommend approval, and the assembly may approve a rezone, 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.

This standard can be met.

Newland Subdivision located on the north side of West 92nd Avenue is zoned R-5 and was developed with single-family residential uses since the property was platted in 1968. The zoning history indicates that the R-2M zoning of the north 69' x 330' portion of Government Lot 5 was deliberately zoned residential in 1972, and not left entirely I-2, to retain and preserve a residential transitional buffer between residential to the north and industrial to the south.

AMC 21.07.080A. states "...that new landscaping and the retention of existing vegetation is an integral part of all development." The landscape

requirements are intended to “[V]isually enhance industrial, commercial, community use, and residential development through retention of existing native or ornamental vegetation or through new landscaping improvements.” To minimize impacts from the I-2 zoning district, screening landscaping needs to be installed along the north property boundary.

In accordance with Table 21.07-1, screening landscaping requires the following:

- A minimum 30-foot planting bed width;
- Three trees and 10 shrubs per 20 linear feet of property line;
- A minimum 75% of all trees to be coniferous.
- Trees and shrubs shall be evenly distributed along the frontage.
- The planting bed shall be covered with living ground cover, turf, or mulch.
- All trees, shrubs, and ground covers shall be chosen for suitable hardiness and length of season for the specific area to be planted.

As noted above, vehicular access to the property is limited to West 92nd Avenue via C Street. There will need to be a break in the landscape buffer to provide a driveway for vehicular access to the property.

Currently, there are no trees within the portion of the petition site that is zoned R-2M. The 30-foot planting bed width will provide a vegetated buffer to mitigate the impact of noise from future I-2 development. The screening landscaping should provide a more effective buffer from noise, vibration, smoke or dust that may result from the ultimate use of the I-2 zoned property.

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

This standard is met.

Policy #26: Key industrial lands, such as the Industrial Reserves designated on the Land Use Policy Map, shall be preserved for industrial purposes.

Policy #27: Commercial/light industrial parks:

- a. Shall integrate safe and efficient customer and freight access to and from the industrial site;
- b. May include complementary uses that are compatible with surrounding uses and areas; and,
- c) Shall include design features such as pedestrian facilities, landscaping, and compatible signage.

The petition site is located in an area identified as an Industrial Reserve on the *Anchorage 2020* Land Use Policy Map. “Industrial reserves contain large

vacant areas zoned for industrial use and are strategically located in relation the port, railroad, and TSAIA.” The Plan states that improved transportation links to the industrial reserves will be needed. C Street was extended and serves the I-2 zoned property on the east and west sides of C Street. Property on the east side of C Street is developed with warehousing, an auto service garage and parking lots. Unlike the petition site, the developed I-2 land is not impacted by wetlands. Some of the I-2 zoned property remains vacant.

The Plan notes that a “significant portion of Anchorage’s land base has been lost to non-industrial uses.”

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

This standard is met.

In accordance with AMC Sect. 21.04.050G. states, in part, that the “I-2 district is intended primarily as an industrial activity area and reserve for public and private heavy manufacturing, warehousing and distribution, equipment and materials storage, vehicle and equipment repair, major freight terminals, waste and salvage, resource extraction and processing and other related uses. Some commercial uses that support or are compatible with industrial uses, are also permitted or conditionally allowed. Non-industrial uses are more limited than in other districts, to prevent land use and traffic conflicts,

Anchorage 2020 describes industrial reserves as areas that are “intended to ensure that strategically located industrial land is primarily used for industrial purposes. Government Lot 5 contains 4.11 acres of land that is zoned I-2. The rezoning of the petition site will add one-half acre to the inventory of I-2 zoned land. The site is served by public water and sanitary sewer, and telephone, electric, and gas utilities. The property has vehicular access to a major transportation link. Preservation of industrial land meets the intent of Policy #26, the intent of which is to maintain the I-2 zoning designation of the petition site.

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

This standard is met.

The I-2 zoning district boundary to the railroad right-of-way on the east; to Arctic Boulevard on the west; to O’Malley Road and West Klatt Road on the south; and to West and East 92nd Avenue on the north. Much of this land has been developed with industrial uses. Property to the east between the

railroad right-of-way and the Old Seward Highway is zoned I-1 (Light Industrial), which has been developed.

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.

This standard is met.

Public water and sanitary sewer are available to the petition site. Storm drain facilities are located in West 92nd Avenue. The site is served by gas, telephone and electric utilities. The petition site is located within the Building Safety, Police and Fire, Anchorage Roads and Drainage, and Parks and Recreation service areas.

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.

This standard can be met through the building permit process.

Wetlands: The majority of the 5 acre parcel, including most of the petition site, is impacted by developable wetlands that are classified as Type B wetlands in the 1995 *Anchorage Wetlands Management Plan*. “This area has known drainage problems and moderate to high migratory habitat. The Plan further notes “fill avoidance zones may be required. Hydrology, habitat, and drainage information shall be required in the permit and platting process. The site is extremely disturbed, drained and ditched and is typically dry after May.”

Noise: All uses are subject to AMC 15.70 Noise Ordinance. The I-2 zoning district could represent a future source of noise, vibration, smoke or dust depending on the future use of the land.

The Department of Health and Human Services provided the following comments:

Noise levels produced in heavy industrial areas may cross property boundaries and cause a noise disturbance to the citizens currently living in the residential area to the north. Anchorage Municipal Code 1570 Noise Control, allowable dBA levels:

Daytime hours of 7:00 am to 10:00 pm (6:00 am to 10:00 pm April 1-October 31):

- Residential property boundary to a residential property boundary: 60dBA
- Industrial property to residential property boundary: 70 dBA

Nighttime hours from 10:00 pm to 7:00 am (or 10:00 pm to 6:00 am from April through October 31)

- Residential property to residential property boundary: 50 dBA
- Industrial property to residential property boundary: 65dBA (this level is higher than allowed during daytime for residential property to residential property boundary)

These levels are provided as reference for planning and zoning consideration regarding buffering zones.

Air: All uses are subject to 15.30 South Central Clean Air Ordinance and 15.35 South Central Clear Air Ordinance Regulations,

Hazards: This site is in an area of moderate ground failure susceptibility according to the Anchorage Geotechnical Hazard Assessment of 1979. Significant ground shaking and some differential settlement could occur on the site during a major nearby event.

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.

This standard can be met.

A special limitation is recommended to install L3 Screening Landscaping along the north property boundary to soften the impact of heavy industrial uses on the single-family residential subdivision to the north across West 92nd Avenue.

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

This standard is met.

The property is located in an industrial reserve on the Land Use Policy Map of *Anchorage 2020 – Anchorage Bowl Comprehensive Plan*. The strip of land along the northern boundary of Government Lot 5 was zoned R-2M in 1972 to act as a buffer for Newland Subdivision that was developed as a single-family residential subdivision. The residential uses pre-date the Areawide Rezoning adopted by GAAB Ordinance 150-71.

This standard is met.

The request to rezone the petition site, if approved, will eliminate the split-lot zoning of Government Lot 5.

PUBLIC COMMENTS:

On May 12, 2017, 106 public hearing notices were mailed. One notice was returned unclaimed. Two comments were received opposing the request to rezone the petition site which are included in the report.

Taku/Campbell and Bayshore/Klatt Community Councils: Comments were not received for the affected community councils.

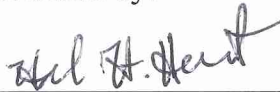
DEPARTMENT RECOMMENDATION:

Approval of the request to rezone a strip of land 330' x 69' from R-2M (Mixed Residential) district to I-2 (Heavy Industrial) district, subject to the following special limitation:

Installing screening landscaping along the north petition site boundary that requires the following:


- A minimum 30-foot planting bed width;
- Three trees and 10 shrubs per 20 linear feet of property line;
- A minimum 75% of all trees to be coniferous;
- Trees and shrubs shall be evenly distributed along the frontage;
- The planting bed shall be covered with living ground cover, turf, or mulch;
- All trees, shrubs, and ground covers shall be chosen for suitable hardiness and length of season for the specific area to be planted.

Reviewed by:



Hal H. Hart, AICP
Director

Prepared by:



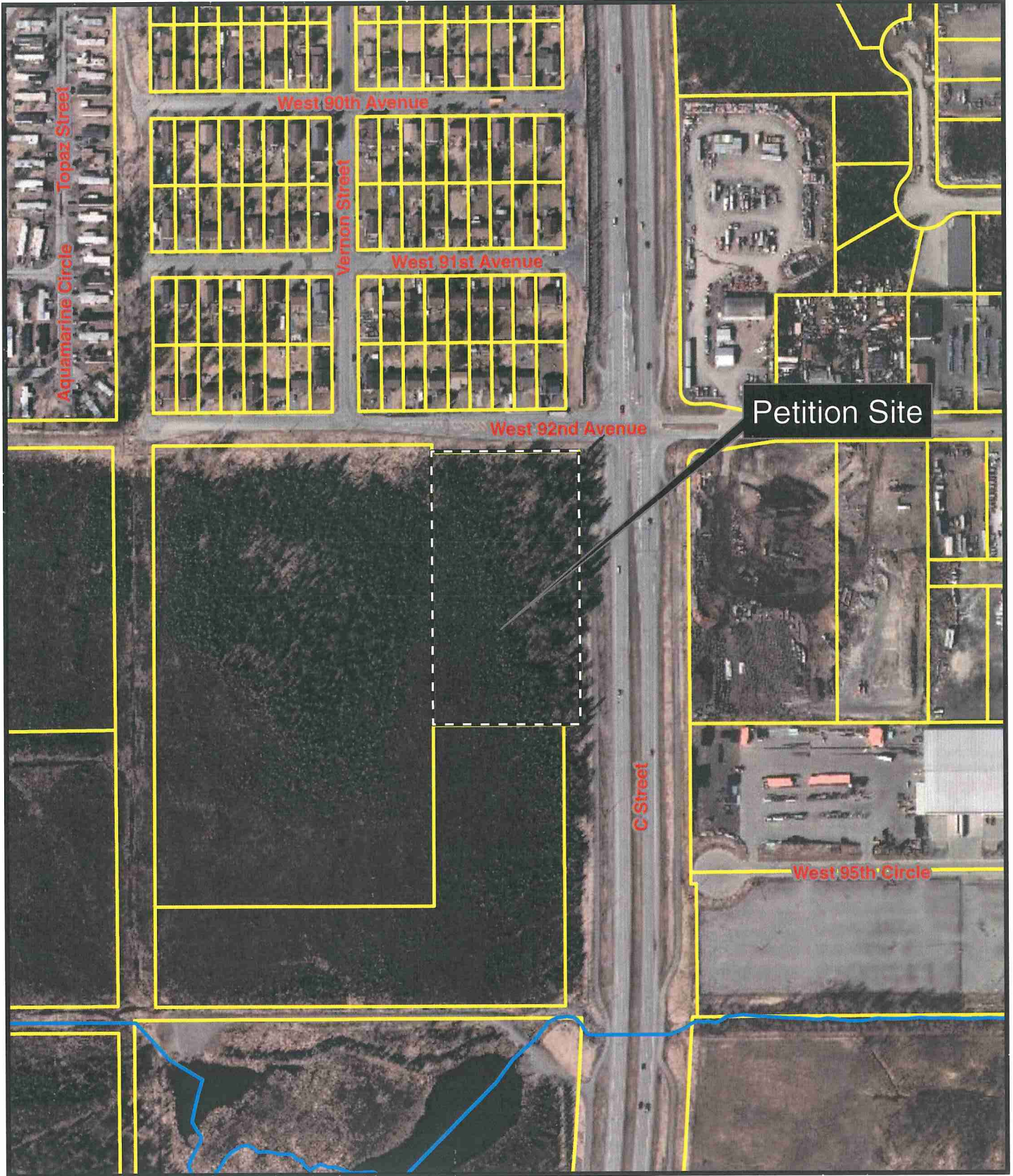
Margaret O'Brien
Senior Planner

(Case No. 2017-0070)
(Tax ID No. 016-291-20)

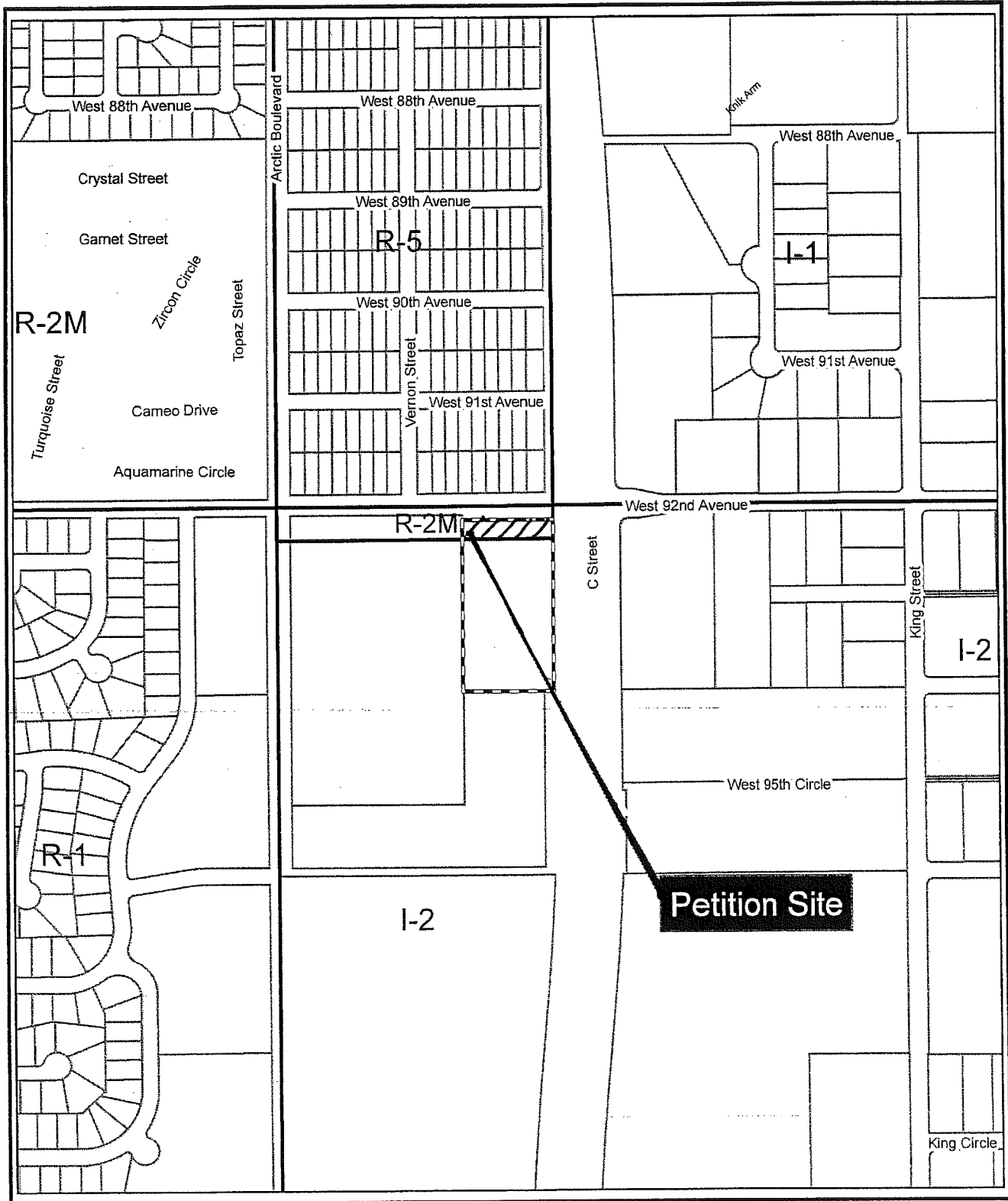
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MAPS

2017-0070



2017-0070



Municipality of Anchorage
Planning Department

Date: April 12, 2015



2

APPLICATION



The Boutet Company, Inc.
601 E. 57th Place, Suite 102
Anchorage, Alaska 99518

Phone 907.522.6776
Fax 907.522.6779

5/12/17

Mr. Ron Jordan
President, Taku-Campbell Community Council
1057 West Fireweed Lane, Suite 100
Anchorage, AK.

Subject: Zoning Map Amendment, "C" Street and 92nd Avenue

Dear Mr. Jordan

Thank you for allowing me to present our case for the rezone applications on the property located at the southwest quadrant of the intersection of "C" Street and 92nd Avenue.

The municipal parcel number is 016-291-20-000. Currently, there is a strip of land (0.52 acres) that is designated R-2M (Multi Family Residential) along the north boundary on 92nd Avenue. The request is to change the designation to I-2, which will match the remaining 4.11 acres, which is currently zoned I-2.

The presentation included the purpose for the rezone. It was also mentioned during the presentation that many options utilizing I-2 zoning as allowed under the current zoning were reviewed by the owner, and could still be implemented. One thing that cannot be done is subdivide the land, as Title 21 does not allow split zoned property to be subdivided.

Questions and concerns voiced by attendees included:

- Why was no buffer left in place when the land was cleared? Will the buffering be vegetated with plantings when the site is developed? Why were the tree trunks left in place?
- What will be the use of the property? What are the uses allowed in I-2 zoning?
- What about the previous rezone attempt (97-022)? What conditions have changed that will allow the rezone?

While it was obvious that most comments were not favorable to any development of the property, we tried to explain to the participants that the rezone process in itself does not specify any set development use or construction. Simply put, the answers to most questions asked are not available, nor are they necessarily applicable. The public was encouraged to reach out to planning staff and to attend the Planning and Zoning hearing next month.

Thank you for allowing us the opportunity to present the project, and don't hesitate to contact me if you have any questions.

Sincerely
Tony Hoffman, PLS
The Boutet Company

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): Ridge Equipment LLC		Name (last name first): Hoffman, Tony (The Boutet Company)	
Mailing Address: 9600 Vanguard Drive		Mailing Address: 601 East 57th Place, Suite 102	
Anchorage, AK., 99507		Anchorage, AK., 99518	
Contact Phone – Day:	Evening:	Contact Phone – Day:	Evening:
		907-522-6776	
Fax:		Fax:	
E-mail: Drew@ridgecontracting.org		E-mail: thoffman@tbcak.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): 016-291-20-000		
Site Street Address:		
Current legal description: (use additional sheet if necessary) T.12N., R.3W. Section 18 Government Lot 5 (Remnant)		
Existing Zoning: R-2M	Acreage: 0.52 Acres	Grid #: SW2430
Proposed Zoning: I-2		
Existing use: Vacant Land	Proposed use (if any):	

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 3/28/17

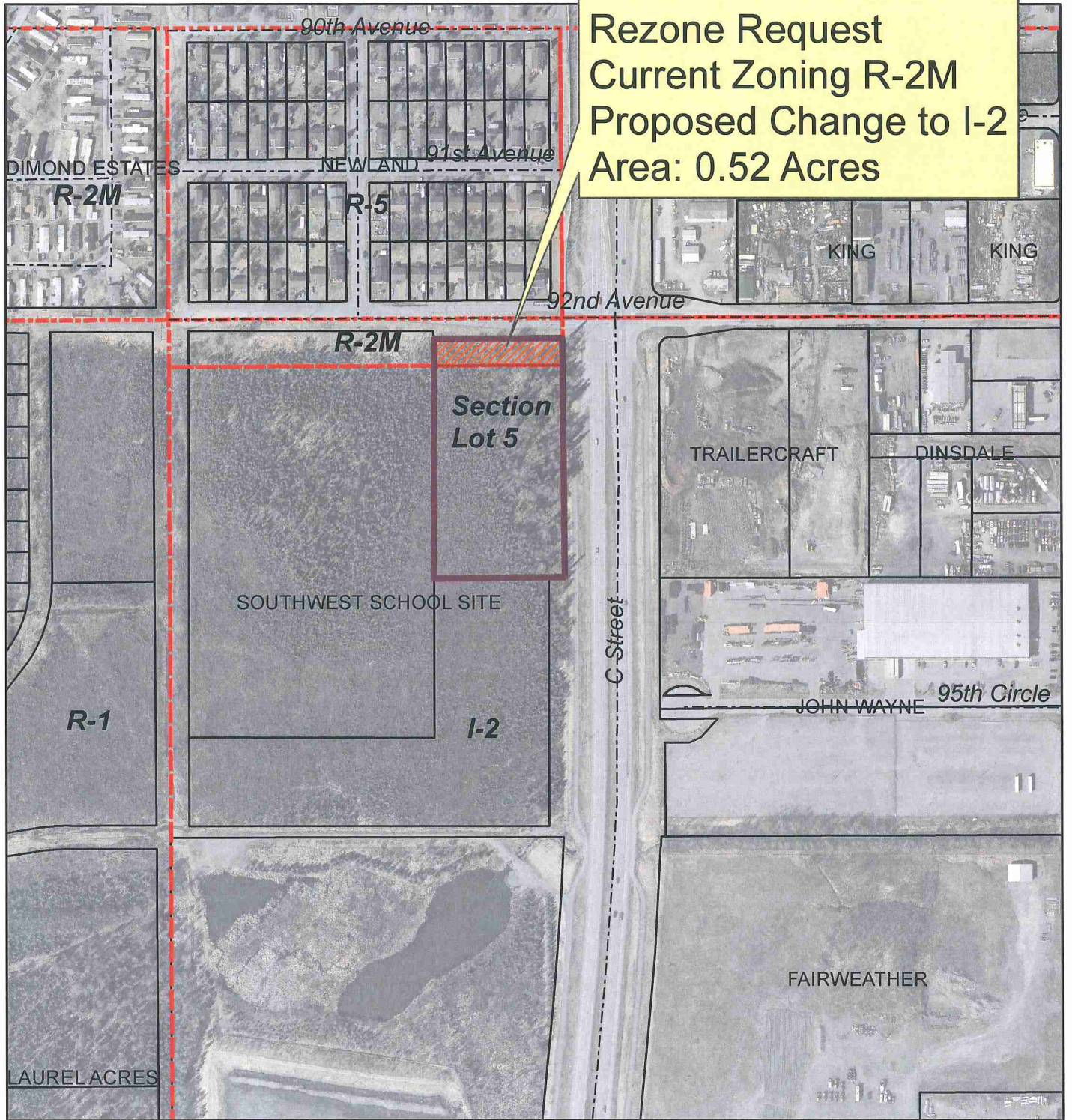
Print Name Tony Hoffman

Accepted by: <u>FM</u>	Poster & Affidavit: <u>2 + affidavit</u>	Fee: <u>\$2,077.50</u>	Case Number: <u>2017-0070</u>	Requested Meeting Date: <u>P2C 06/05/17</u>
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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 extent or exacerbate a land use pattern that is inconsistent with the comprehensive plan.
9. The rezoning does not result in a split-zoned lot.



Rezoning Request
 Current Zoning R-2M
 Proposed Change to I-2
 Area: 0.52 Acres

"C" Street Rezone



Legend

 C St Rezone

Legal Description:
 Section Lot 5, Section 18, T12N, R3W
 MOA Parcel 016-291-20-000





The Boutet Company, Inc.
601 E. 57th Place, Suite 102
Anchorage, Alaska 99518

Phone 907.522.6776
Fax 907.522.6779

3/28/2017

Mr. Hal Hart, AICP, Director
Economic and Community Development Department
Municipality of Anchorage
PO Box 196650
Anchorage, AK. 99519-6650

Subject: Zoning Map Amendment-C Street and 92nd Avenue

Dear Mr. Hart:

This is a request to revise the Municipal Zoning map of a strip of land 330 feet by 69 feet located at the southwest corner of the intersection of "C" Street and West 92nd Avenue. The municipal parcel number is 016-291-20-000. Currently, the property is designated R-2M. The request is to change the designation to I-2, removing the split zoning that currently exists.

Included in this application are the following:

- Application (New Code)
- Supplemental narrative (appended to this letter)
- Community meeting notice mailer
- Written summary letter of the community meeting
- Owner authorization of representation
- Map exhibit (1 page)

Thank you for considering this request. Please let me know if you have any questions or comments regarding our proposal.

Sincerely

Tony Hoffman, PLS
The Boutet Company

ZONING MAP AMMENDMENT NARRATIVE

Project Location, Proposal and Background

The project location is at the southwest corner of the intersection of “C” Street and West 92nd Avenue.

The legal description for the property is “A portion of U.S. Government Lot 5, located in Section 18, Township 12 North, Range 3 West, Seward Meridian”. The property is a remnant of a U.S. Government Lot, left over after the “C” Street Right of Way was established.

This proposed rezone action is designed to harmonize the subject property with the surrounding Industrial property, and to eliminate the existing split zoning. Currently, the subject property is zoned both R-2M, and I-2. The property to the south and east (across “C” Street) is zoned I-2, and the property to the north across 92nd Avenue is zoned R-5.

Existing Conditions

The subject site has utility services “stubbed” out to the property. West 92nd Avenue, adjacent to the property on the north, was fully improved when “C” Street was improved. The property is heavily wooded, and is fairly flat. The property has some “B” wetlands on the west side.

Owner/Developer

The property is owned by Ridge Equipment, LLC.

Public Involvement

After the pre-application meeting with Municipal Planning personnel on February 21, 2017, the proposal to rezone was presented to the Bayshore-Klatt Community Council on Thursday, March 23rd. More than 60 mailers were sent out announcing the proposal.

Approval Criteria (AMC 21.03.160 E)

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

Response: This rezone will clean up an existent “split zoning that is not in the public’s welfare. It is still unclear how or when the zoning was enacted, but it prevents effective development (either residential or industrial) of any sort on the lot.

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

Response: While this parcel is identified as “residential” in the currently adopted 1980 Comprehensive Plan, the current draft of the 2040 Comprehensive Plan clearly indicates the area as Industrial.

Following is one of the applicable 2040 Land Use Plan Policies:

LUP 9.1. Identify and preserve a suitable, predictable supply of industrial land in areas most appropriate for existing and future high-priority industrial uses.

Response: As this property is adjacent to other industrial uses along the “C” Street corridor, it is appropriate to develop this property as industrial, compatible with the other uses south, east and west. The residential development across the ROW to the north can be protected through Title 21 provisions for setback, screening and use hours.

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

Response: The proposed zoning will allow Industrial uses as specified in code.

- 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;*

Response: This property is currently “Split Zoned”, with the southern portion of the Lot zoned I-2. This rezone is essentially a “house cleaning” type of process, cleaning up an existent and inappropriate spot zoning. While the properties to the North are zoned R-5 (Low Density Residential) there are plenty of provisions in Title 21 that will “buffer” the residential properties to the north from the higher intensity uses allowed by I-2 (i.e. landscaping, setbacks etc.). Utilizing a split zoning “strip” to buffer lands is not appropriate. Additionally, it should be pointed out that the ROW in front of this property is 100 feet wide, which adds another 40 foot setback to the standard ROW width of 60 feet.

- 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;*

Response: All utilities are available immediately adjacent to the site. The “C” Street corridor is designated as a “Major Arterial” roadway in the 2014 MOA Streets and Highways Plan, which is supportive of Industrial uses. Additionally, all utilities are available immediately adjacent to the site in 92nd Avenue, eliminating the need for any utility extensions to the site. Additionally, there is a full width walking and biking pathway along “C” Street that provides pedestrian access. Also, when the approach to “C” Street from 92nd Avenue was constructed during “C” Street construction, a curb barrier “nose” was constructed at the entrance to 92nd, which will help control traffic onto 92nd Avenue and “C” Street.

- 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;*

Response: As the majority of the property is already zoned I-2, the proposed rezone will create no additional impacts to the site than already implemented. As stated previously, there are plenty of provisions existent in Title 21 that will mitigate any potential impacts to the environment or wildlife.

Additionally, it should be pointed out that the US Fish and Wildlife Service (specifically Fisheries and Ecological Services, aka FES) was contacted in February to discuss the eagles that occasionally perch on the high trees on the property. Personnel at FES stated that to their knowledge, there are no nest sites anywhere in that area. They also provided guidelines for documenting the site conditions, which has been accomplished.

Finally, Title 21 (21.05.060) provides additional mitigation regulations to uses allowed for I-2 zoning. These standards (referred to as “use specific standards”) provide additional protections to potential impacts to residential areas from “heavy” industrial uses.

- 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;*

Response: As already mentioned, the high density housing north of the property will be adequately protected and buffered by the provisions outlined in Title 21, as well as the extra width ROW that exists on 92nd Avenue.

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

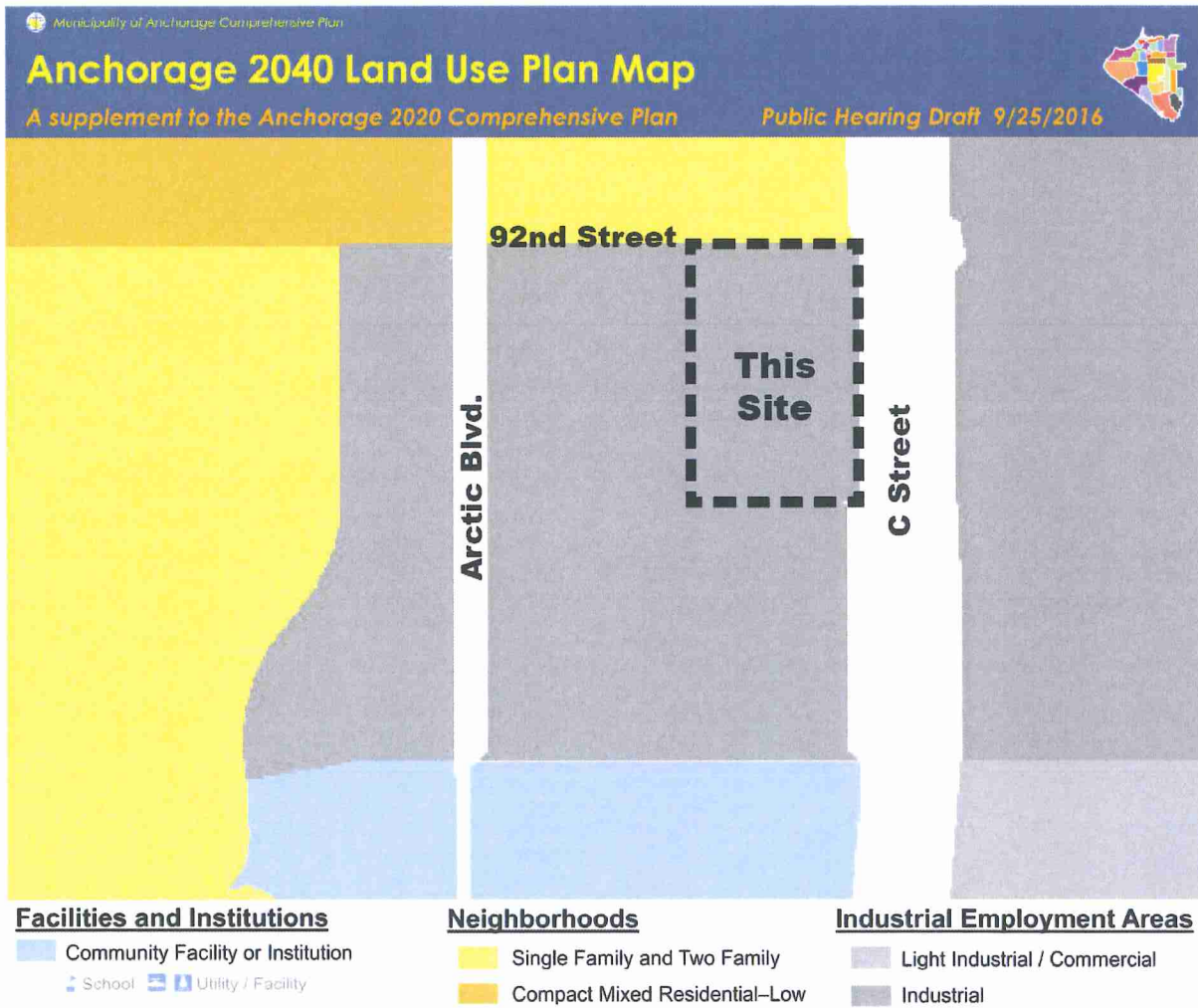
Response: This zoning is fully consistent with the goals and uses outlined in the proposed 2040 Comprehensive Plan. While the area is designated as “residential” in the currently adopted 1980

Comprehensive Plan, it is recognized in the goals and policies of the 2040 plan that the need for employment supportive Industrial and Commercial needs are paramount for the continuation of growth in Anchorage.

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

Response: The proposed rezone actually rectifies an existent split zone situation.

Current Version of the 2040 Land Use Map





The Boutet Company, Inc.
601 E. 57th Place, Suite 102
Anchorage, Alaska 99518

Phone 907.522.6776
Fax 907.522.6779

3/28/2017

Mr. Bob Hoffman
President, Bayshore Klatt Community Council
1057 West Fireweed Lane, Suite 100
Anchorage, AK.

Subject: Zoning Map Amendment, "C" Street and 92nd Avenue

Dear Mr. Hoffman:

This letter will serve as the written summary of the of the Community Meeting, as required by Title 21, for the rezone and platting applications on the property located at the southwest quadrant of the intersection of "C" Street and 92nd Avenue.

The municipal parcel number is 016-291-20-000. Currently, there is a strip of land (approximately 69 feet by 330 feet, 0.52 acres) that is designated R-2M (Multi Family Residential) along the north boundary on 92nd Avenue. The request is to change the designation to I-2, which will match the remaining 4.11 acres, which is currently zoned I-2.

The petitioner's representative made a brief presentation to the Bayshore Klatt Community Council on 3/23/2017. There were approximately 35-40 people in attendance. The presentation described the purpose for the rezone, which is to eliminate the split zoning on this parcel. It was mentioned during the presentation that several options utilizing I-2 zoning are being considered by the owner, and can still be implemented under the current zoning.

Questions and concerns voiced by attendees included:

- Environmental concerns were paramount. Questions included what would happen to the wetlands and what about the eagles and other wildlife that are currently present?
- What will be the future use of the property? What is the benefit of the rezone?
- Who is the owner of the property?
- What is the public process for rezoning a parcel of land? What are the public opportunities to speak out?
- Is 92nd Avenue built to adequate standards for the use envisioned by the owner? Can the future development be accessed from C Street? When will construction begin?
- Is this meeting adequate for the "public involvement" requirement set out in Title 21?
- What are the minimum setback and buffer distances for R-2M and I-2 uses?

Most comments expressed concern about the impact of future development on the nearby residential district. The petitioner's representative tried to explain to the participants that the rezone process in itself does not specify any set development use or construction activity. Simply put, the answers to most questions asked are not yet available, nor are they necessarily applicable. The public was encouraged to reach out to planning staff once an application is made.

Thank you for allowing us the opportunity to present the project, and don't hesitate to contact me if you have any questions.

Sincerely
Tony Hoffman, PLS
The Boutet Company

Public Meeting Announcement

You are invited to attend the Bayshore/Klatt Community Council meeting to discuss a proposed Rezone for a parcel off "C" Street in Anchorage. The land is currently zoned R-2M and the proposal is to rezone to I-2. The legal description for the property is a Portion of U.S. Govt. Lot 5, Section 18, T.12N., R.3W., Seward Meridian, Alaska. It is located at the SW corner of the intersection of "C" Street and West 92nd Avenue, MOA Tax Parcel 016-291-20-000.

Event: Bayshore/Klatt Community Council

Date: March 23, 2017

Time: 7:00 p.m.

LOCATION: Klatt Elementary School, 11900 Puma Drive, Anchorage, AK., 99515

If you have any question, please contact Tony Hoffman at (907) 522-6776

Boutet Company

601 East 57th Place, #102
Anchorage, AK., 99518



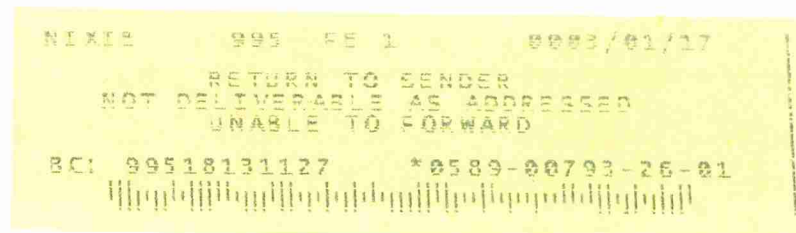
A 17,702250 2339



Resident

521 W 91ST AVE

ANCHORAGE, AK, 99515



Authorization Certificate

Date: 2/20/2017

Current Project Legal: U.S. Govt. Lot 5, Section 18, T.12N., R.3W.,
Seward Meridian, Alaska

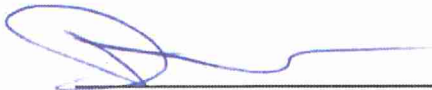
Proposed Legal: Same

Type of Authorization: Rezone Application

Statement:

I hereby authorize Tony Hoffman of The Boutet Company Inc. to represent me in the Municipality of Anchorage Rezone Application of the above described property.

Thank you,


2-20-17
Ridge Equipment LLC: *Managing member*

Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional
Licensing

State of Alaska > Commerce > Corporations, Business, & Professional Licensing > Corporations Search

NAME(S)

Type	Name
Legal Name	RIDGE EQUIPMENT, LLC

ENTITY DETAILS

Entity Type: Limited Liability Company
Entity #: 71614D
Status: Good Standing
AK Formed Date: 11/20/2000
Duration/Expiration: Perpetual
Home State: ALASKA
Next Biennial Report Due: 1/2/2018
Entity Mailing Address: 9600 VANGAURD DR, ANCHORAGE, AK 99507
Entity Physical Address: 9600 VANGAURD DR, ANCHORAGE, AK 99507

REGISTERED AGENT

Agent Name: RICHARD M. ROSSTON
Registered Mailing Address: 1031 W. 4TH AVE, STE 600, ANCHORAGE, AK 99501
Registered Physical Address: 1031 W. 4TH AVE, STE 600, ANCHORAGE, AK 99501

OFFICIALS

AK Entity#	Name	Titles	Percent Owned
	DREW MCLAUGHLIN	Member	100

FILED DOCUMENTS

Date Filed	Type	Filing	Certificate
11/20/2000	Creation Filing		
12/20/2000	Biennial Report		
11/27/2002	Admin Dissolution		
1/2/2003	Reinstatement		
1/2/2003	Biennial Report		
1/30/2003	Agent Change		
1/30/2003	Agent Change		
12/3/2003	Biennial Report		
1/3/2006	Biennial Report		
4/14/2010	Biennial Report		
4/14/2010	Biennial Report		
4/23/2010	Agent Change		
8/15/2011	Agent Change		
1/12/2012	Biennial Report		
11/22/2013	Biennial Report		

3

**REVIEWING
AGENCY &
PUBLIC
COMMENTS**

MUNICIPALITY OF ANCHORAGE



Development Services Department

Private Development Section
RECEIVED

Mayor Ethan Berkowitz

MAY 11 2017

MEMORANDUM

PLANNING DEPARTMENT

Comments to Planning and Zoning Commission Applications/Petitions

DATE: May 11, 2017
TO: Dave Whitfield, Acting Planning Section Supervisor
FROM: Brandon Telford, Plan Review Engineer
SUBJECT: Comments for Planning and Zoning Commission
Public Hearing date: June 5, 2017

Case 2017-0070 – Request to Rezone a strip of land measuring approximately 330 feet x 69 feet from R-2M Mixed Residential District to I-2 Heavy Industrial District.

Department Recommendations:

The Private Development Section has no objection to the Request to Rezone.

MUNICIPALITY OF ANCHORAGE



Planning & Development Services Dept.
Development Services Division

RECEIVED Building Safety

APR 17 2017

MEMORANDUM

PLANNING DEPARTMENT

Comments to Miscellaneous Planning and Zoning Applications

DATE: April 17, 2017

TO: Terry Schoenthal, Manager, Current Planning

FROM: Ron Wilde, P.E
Structural Plan Reviewer
Building Safety
343-8371

SUBJECT: Comments for Case 2017-0070
Rezone strip of land – Vacant Land

No Comment.



MUNICIPALITY OF ANCHORAGE

Department of Health and Human Services



RECEIVED

MAY 12 2017

Date: May 11, 2017
To: Department of Planning, Zoning and Platting Division
Thru: *DWF* DeeAnn Fetko, Deputy Director
From: *SG* Shelley Griffith, Environmental Health Program Manager
Subject: CUP 2017-0070, Ridge Equipment LLC, Rezone a strip of land (330 ft x 69 ft) from R-2M to I-2

PLANNING DEPARTMENT

Directly across 92nd Avenue from lot #016 291 20 000, which has been requested to change from "Residential" to "Heavy Industrial", is a residential neighborhood. Noise levels produced in heavy industrial areas may cross property boundaries and cause a noise disturbance to the citizens currently living in the residential area to the north.

Anchorage Municipal Code 15.70 Noise Control, allowable dBA levels:

Daytime hours of 7:00 am to 10:00 pm (6:00 am to 10:00 pm April 1 – October 31)

- Residential property boundary to a residential property boundary: 60 dBA
- Industrial property to residential property boundary: 70 dBA

Nighttime hours from 10:00 pm to 7:00 am (or 10:00 pm to 6:00 am from April 1 through October 31)

- Residential property to residential property boundary: 50 dBA
- Industrial property to residential property boundary: 65 dBA (this level is higher than allowed during daytime hours for residential property to residential property boundary)

These levels are provided as reference for planning and zoning consideration regarding buffering zones.

CC: Clara Park, Sr. Office Associate
 Janine Nesheim, Environmental Health Specialist – Plan Review
 Shannon Kuhn, HHS, Public Information Officer

Municipality of Anchorage

Planning Department Long-Range Planning Division

Memorandum

Date: May 23, 2017

To: Margaret O' Brien, Senior Planner, Current Planning Division
Corliss Kimmel, Office Associate, Current Planning Division

From: Jon Cecil, Senior Planner, Long-Range Planning Division

Subject: Case 2017-0070, "C" Street & 92d Avenue / Rezone of a strip of land from R-2M (Mixed Residential) District to I-2 (Heavy Industrial) District

The Long-Range Planning Division has reviewed the Zoning Map Amendment packet for a proposed rezone of a strip of land measuring 330-ft by 69-ft located at the southwest corner of the intersection of "C" Street and West 92nd Avenue. The amount of acreage totals 0.52-acres in South Anchorage. The applicant is seeking a rezone from R-2M (Mixed Residential) to I-2 (Heavy Industrial).

The *Anchorage Bowl – Anchorage 2020 Comprehensive Plan* is the applicable comprehensive plan.

Applicable policies from *Anchorage 2020* related to the zoning change include:

- Policy #1** The Land Use Policy Map shall guide land use decisions until such time as other strategies are adopted that provide more specific guidance.
- Policy #5** Rezones and variance shall be compatible in scale with adjacent uses and consistent with the goals and policies of Anchorage 2020.
- Policy #6** Areas designated for specific uses on the Zoning Map shall be protected from encroachment by incompatible land uses.
- Policy #7** Avoid incompatible uses adjoining one another.
- Policy #26** Key industrial lands, such as the Industrial Reserves designated on the Land Use Policy Map, shall be preserved for industrial purposes.

The subject property is located within an area identified as the Central Subarea of the *Anchorage 2020 – Anchorage Bowl Comprehensive Plan*. The Central Subarea is described as "an area of diverse land uses, with access to north-south transportation corridors. It has successful single- and multi-family subdivisions, plus examples of incompatible mixed uses and scattered small residential pockets. The growth allocation assumes: infill development of remaining residentially zoned parcels; extensive multi-family housing development along transit corridors; redevelopment of mobile home parks; and conversion of some under-used industrial tracts along the Campbell Creek Greenbelt for residential use."

The 1982 Generalized Land Use Plan of the Anchorage Bowl Comprehensive Development Plan is the applicable land use map for the Anchorage Bowl. The land use designation for this site is "Residential." The 1982 LUP map is 34-years out-of-date and does not reflect current land use patterns or market

realities in Anchorage. The Planning Department is carrying forward an update to the land use plan map that is anticipated to be completed in the fall of 2017. The Draft LUP designates the subject property as industrial.

A rezone of the property was proposed in February 1997 as part of Case #97-022. Planning Staff stated that there was “no justification to rezoning” R-2M to I-2 and recommended denial to the Planning and Zoning Commission (PZC). The PZC, at that time, made a finding that the rezone to I-2 was “not in conformity with the Comprehensive Plan, stating: “The existing R-2M portion of this property was rezoned one year after most of the area had been zoned I-2 with the intention of providing a multi-family transition between the I-2 and the fully developed single family residential development to the north.” Furthermore, “The rezone does not meet the standards for approval as required by AMC 21.20.090.” The PZC voted to deny the rezone on March 3, 1997.

Now, the proposed rezone from R-2M to I-2 zoning would resolve a conflict between an out-of-date land use plan map and goals and policies of the comprehensive plan and recently adopted zoning code. Furthermore it would eliminate the existing split zoning. Title 21 discourages split zoning.

The subject property contains some Class “B” wetlands which are classified by the MOA as having “a moderate overall functional valuation, but still providing significant support to key watershed and drainage area functions. B Wetlands usually contain a mixture of wetland features reflecting both higher and lower functional performance” (see MOA Wetlands Atlas, Vol. 1 - Map 77).

Zoning

The I-2 Heavy Industrial District as defined in Title 21 is “intended primarily as an industrial activity area and reserve for public and private heavy manufacturing, warehousing and distribution, equipment and materials storage, vehicle and equipment repair, major freight terminals, waste and salvage, resource extraction and processing, and other related uses. ... This district is applied to areas designated as industrial/industrial reserve by the comprehensive plan.”

The *Anchorage 2020 – Anchorage Bowl Comprehensive Plan Land Use Policy Map* designates this area as “Industrial Reserve” which is described as areas that are “intended to ensure that strategically located industrial land is primarily used for industrial purposes.” Preservation of the Industrial Reserve is one of the key policy objectives of the comprehensive plan.

2015 Industrial Land Use Assessment

In 2015 an industrial land use assessment of the Anchorage Bowl and Chugiak-Eagle River was conducted utilizing up-to-date GIS data. The results indicate that there are between 130 and 230 acres remaining of buildable, industrial zoned lands that are likely to be available for future industrial development. Results of the analysis indicated that the Anchorage Bowl and Chugiak-Eagle River combined supply of existing industrial land does not ensure sufficient capacity to accommodate employment gains under growth scenario planning. Rezoning of this small amount of land to industrial will add to the need for industrially zoned land in the Anchorage Bowl.

Rezone

The zoning history of this parcel indicates that it was deliberately rezoned as R-2 in 1972 as part of an areawide rezoning (GAAB 71-150). In 1985 Assembly Ordinance 85-18 amended the R-2 district regulations by separating R-2A and R-2D uses from multifamily R-2M. This changed the zoning of the

subject property from R-2 to R-2M. The purpose of which was to “retain and preserve a residential transition buffer between residential to the north and industrial to the south.”

The rezoning approval criteria that were in effect in 1997 are exactly the same as those found in new Title 21. AMC 21.03.160E. Planning Staff must analyze those criteria against the proposed rezone application in order to make a determination whether the rezone should be approved or not.

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 rezoning will remove the split zoning which is discouraged by Title 21. This will allow industrial uses on the property but this action will remove the buffer area that was enacted by AO 85-18 in order to protect the multifamily subdivision to the north of the subject property. The intent of the buffer requirement should be maintained. Title 21 landscape buffer (L2) requirements between this I-2 property and residential R-5 zoned property is appropriate.

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

There is a built-in conflict in meeting this criteria because the Anchorage 2020--Anchorage Bowl Comprehensive Plan Land Use Policy Map designates this area as part of the Industrial Reserve, which under Comprehensive Plan Policy #26 encourages its preservation for industrial use. The 1982 Generalized Land Use Plan map, however, designates this area as residential. The proposed 2040 Land Use Plan Map (pending) designates this area as industrial.

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

The proposed rezoning will bring the parcel into greater conformity with the comprehensive plan.

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 will remove the existing split zoning. 92nd Avenue demarcates the boundary between the multifamily residential subdivisions to the north while industrial uses are located to the south of the roadway. Continuance of a strip of R-2M on the south side of 92nd Avenue prevents the owner from using this piece of property for industrial purposes. It is too small for any residential purpose. Title 21 landscape buffer requirements can buffer the residential uses on the north side of the street.

5. Facilities and services ... 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 developments.

All facilities and services are available to site and would not negatively impact adjacent land uses.

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.

Potential adverse impacts (i.e., eagle nests) have been identified and checked with the appropriate wildlife agency and determined to be insignificant and/or mitigated. Otherwise, any other impacts can be addressed through Title 21 use specific standards at the time of development.

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

Title 21 use specific standards will mitigate potential adverse impacts on adjacent land uses or can be included as special limitations.

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

As noted, the present zoning does not meet the land use designation in the 1982 Land Use Plan map. However, it does meet the 2020 Anchorage—Anchorage Bowl Comprehensive Plan Land Use Policy Map and comprehensive plan policies, particularly policy #27, which encourages preservation of industrially-zoned land. This policy is further supported by the recent industrial land use study that found that supply of industrially zoned land is in short supply in the Bowl.

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

The rezoning would eliminate a split-zoned lot and bring it into greater conformity with the comprehensive plan and Title 21.

Summary

An Industrial land use designation is the most appropriate land use designation.

Recommendation

We recommend a Special Limitation that requires installation of L-2 buffer landscaping. Further, AMC 21.07.01 Optional Design Standards shall not be available in order to avoid maintaining the full 15'-00" landscaping buffer. Long-Range Planning supports the rezone request as recommended and recommends approval of the rezone application, as amended.



Municipality of Anchorage
Project Management and Engineering
MEMORANDUM



DATE: May 5, 2017

To: Dave Whitfield

FROM: Kyle Cunningham

SUBJECT: 2017-0070; Comments from Watershed Management Services.

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MAY 09 2017

PLANNING DEPARTMENT

Watershed Management Services (WMS) has the following comments for June 5, 2017, Planning and Zoning Commission Meeting.

2017-0070 Request to Rezone a strip of land measuring approximately 330 feet x 69 feet from R-2M Mixed Residential District to I-2 Heavy Industrial District;

- Prior to recording the final plat resolve with Watershed Management Services (WMS) the need for a drainageway easement.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Transportation and
Public Facilities

DIVISION of PROGRAM DEVELOPMENT
Anchorage Field Office

4111 Aviation Avenue
P.O. Box 196900
Anchorage, Alaska 99519-6900
Main Phone: (907)269-0520
Fax: (907)269-0521
Web site: dot.state.ak.us

May 3, 2017

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

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MAY 04 2017

PLANNING DEPARTMENT

RE: MOA Zoning Review

Dear Mr. Whitfield:

The Alaska Department of Transportation and Public Facilities (DOT&PF), Central Region Platting Review Board has no comments on the following zoning case:

- **2017-0035: 365 Cortina Road**

The DOT&PF Central Region Platting Review Board has comments on the following zoning cases:

- **2017-0038: 15510 Old Seward Highway**
 - Apply for driveway permits from DOT&PF.
 - Drainage will need to be re-established between driveways.
 - Ensure landscaping does not impede on DOT&PF Right of Way.
- **2017-0066: Tract A, Odom Industrial Park Subdivision**
 - Westbound International Airport Road is inaccessible from Electron Drive. Consider altering route to go east onto Arctic Boulevard and south to Raspberry Road to avoid left turns, particularly at Minnesota off ramp and International Airport Road.
 - Property Tax Number on application is for 6300 Changeport Drive. Correct number should be 012-02-211-000.
- **2017-0070: T12N R3W SEC 18 Lot 5 REM**
 - No direct access to C Street will be granted.
- **2017-0072: 13301 Messinia Street**
 - Recommend approval of rezone if the following conditions are met:
 - Provide two points of access for fire safety reasons in accordance with Hillside District Plan, Goal 9.
 - Access development from Messinia Street, Canyon Road or DeArmoun Road. DeArmoun access must align with Jeanne Road.
 - Two cul-du-sacs from DeArmoun Road will not be acceptable.

The DOT&PF Planning Division has a comment on the following zoning case:

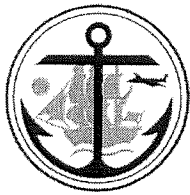
- **2017-0075: PTN of N ½ of Government Lot 1, Section 2, T14N R2W, Seward Meridian**
 - Downzoning this parcel will reduce the number of housing units allowed on this parcel and may exacerbate the difficulties in meeting the housing goals of the Chugiak-Eagle River Comprehensive Plan.

Sincerely,



James Starzec
Anchorage Area Planner

Cc: Tucker Hurn, Right of Way Agent, Right of Way, DOT&PF
Morris Beckwith, Right of Way Agent II, Right of Way, DOT&PF
Scott Thomas, P.E., Regional Traffic Engineer, Traffic Safety and Utilities, DOT&PF
Jim Amundsen, P.E., Highway Design Group Chief, DOT&PF



MUNICIPALITY OF ANCHORAGE

Traffic Department



MEMORANDUM

DATE: May 9, 2017

TO: Current Planning Division Supervisor.
Planning Department

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

FROM: Randy Ribble, Assistant Traffic Engineer

SUBJECT: **2017-0070 Request to rezone a strip of land measuring approximately 330 feet x 69 feet from R-2M to I-2**

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MAY 09 2017

PLANNING DEPARTMENT

Traffic has no objection to rezoning this parcel.

MEMORANDUM

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APR 18 2017

DATE: April 18, 2017

PLANNING DEPARTMENT

TO: Terry Schoenthal, Planning Manager, Planning Section, Planning Division

FROM: Paul Hatcher, Engineering Technician III, Planning Section, AWWU

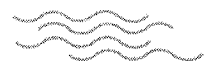
RE: Zoning Case Comments
Plats to be heard June 5, 2017
Comments due May 8, 2017

AWWU has reviewed the materials and has the following comments.

2017-0070 T12N R3W SEC 18 LT 5 REM, Request to Rezone a strip of land measuring approximately 330 feet x 69 feet from R-2M Mixed Residential District to I-2 Heavy Industrial District, Grid SW2430

1. AWWU water and sewer are available to this parcel.
2. AWWU has no objection to this rezone.

If you have any questions pertaining to public water or sewer, please call 564-2721 or send an e-mail to paul.hatcher@awwu.biz





MUNICIPALITY OF ANCHORAGE

Development Services Division
Right of Way Section
Phone: (907) 343-8240 Fax: (907) 343-8250

DATE: April 18, 2017
TO: Planning Division, Current Planning Section
THRU: Jack L. Frost, Jr., Right of Way Supervisor
FROM: Lynn McGee, Senior Plan Reviewer
SUBJ: Comments on Planning and Zoning Commission case(s) for June 5, 2017.

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APR 18 2017

PLANNING DEPARTMENT

Right of Way Section has reviewed the following case(s) due May 8, 2017.

**2017-0070 Section 18, T12N, R3W, Lot 5 Rem, grid SW2430.
(Rezone from R-2M to I-2)**
Right of Way Section has no comments at this time.
Review time 15 minutes.

2017-0070

Koko Mikel
441 W.92nd Ave.
Anchorage, AK 99515-
1732

mikelkoko@gci.net (907) 344-0374 5/28/2017 3:57:24 AM

I live on 92nd Ave. across from the property where Ridge Heavy Equipment Contractor Inc. owns and has already clear cut the area which is mostly Type B Significantly Constrained Wetland.

I strongly oppose Ridge Heavy Equipment Contractor's petition re. Rezoning the strip along side of 92nd Ave. which is R-2 to I-2 Heavy Industry. I would like to ask Planning and Zoning committee to deny its petition of rezoning for the reasons as follow:

Facts:

1. In 1997 the previous owner of the property petitioned the same petition of rezoning to gain an access to 92nd. but MOA assembly denied the request as he had already an access and there was no reason to rezone.

2. According to MOA ordinance it is illegal for any heavy equipment vehicle to use the residential streets.

Ridge Heavy Equipment Contractor, Inc. has been using residential streets 92nd Ave. and Vernon St. as well as 88th Ave. with the heavy equipment vehicles when they clear cut the property.

The large heavy equipment vehicles cannot enter the afore mentioned property from C St. directly via 92nd as there is a median on 92nd Ave. hence they have to take a route via Dimond, Arctic, 88th, and Vernon to enter 92nd. in order to go into the property.

3. As of 4/25/17 according to Shane McCoy, Chief of Corps of Engineers the way Ridge Heavy Equipment Contractor cleared the type B wetland is under investigation.

Ridge Heavy Equipment Contractor Inc. is going to remove the tree stumps but destroying the root systems in type B wetland is prohibited by Wetland Management Act.

4. The part of property is mostly Significantly Constrained Wetland and lesser part is Unconstrained. The latter lesser part is wider along 92nd and significantly very narrow at the south end of the property which forms an elongated triangle shape. However the owner cleared the area of a large rectangle (almost half of the cleared area consisting of Unconstrained and half of which intruding the Significantly Constrained area.)

Concerns:

1. SAFETY:

a. The 92nd Ave. is the only access to the bike path along side of C St. and south of Dimond which often used by bicyclists. There are many families with small children use this access and I am concerned about the

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MAY 26 2017

PLANNING DEPARTMENT

heavy equipment traffic might cause some safety issues.

b. Even now it is not so easy to go into 92nd from our driveways so I am concerned about the effect of the traffic of heavy equipment vehicles might cause further inconvenience to the residents along side of 92nd and Vernon.

2. INCONVENIENCE & NUISANCE:

a. Noise level: Since they cleared cut the area we can hear the increase of the noise of C St. traffics as well as the effects of the bright street lights.

b. How about the noise/air quality of the heavy equipment vehicles to our environment.

c. Illegal use of residential streets according to City Ordinance

Besides 92nd Ave., Vernon, and 88th are not wide enough for heavy equipment vehicle use.

3. Environmental Issues:

a. Noises and air quality caused by traffics and warming up the vehicles especially in winter

b. By clear cutting the area the effects on the natural environments and wild life we enjoyed such as bald eagles which raised their offsprings and were frequent in the area last decade, ducks nesting and raising ducklings in the water retained in the area, coyotes, foxes, snowshoe hares, owls and hawks, moose, and even occasional black bear are immense.

David Brandt 8911 Vernon St Anch., AK 99515	dlbrandt@gci.net	9072448912	5/28/2017 12:23:11 PM
Cori O'Toole 511 W. 88th Avenue Anchorage, AK 99515	cotoole77@gmail.com	(907) 360-1622	5/29/2017 10:39:01 AM

It's simple, C street was built with federal dollars under limited access. The meridian at 92 and C St. Is to limit access and may not be changed to allow industrial vehicles to drive into this parcel. Rezoning by city still keeps Ridge Equipment from the property legally by city weight constrictions on any road by this parcel. Game Over

Hello,

As a father of two, who lives in the Newland subdivision and who bought a home predicated partially on the possibility of a school going in on 92nd, I am deeply concerned about the proposal to rezone the lot on 92nd Avenue and C Street.

This rezoning would dramatically reduce the neighborhood's access and comfort level. This rezoning to I-2 would enable a heaving equipment contractor to single-handedly alter the access, amount of community space and increase the noise level of the surrounding area.

This proposed rezoning would also, essentially box the subdivision in on all 4 sides with higher speed roadways. As is, there is no possible access to the site entrance without travelling down Vernon Street, which the contractor is not permitted to do so. I have already personally witnessed the contractor dump trucks speeding down Vernon, unpermitted. I was also told by my neighbor that one of the dump truck drivers yelled at and mocked him while the neighbor was monitoring their movements. If this is the level of respect that the contractor is going to show the neighborhood, then I am deeply alarmed that the Planning and Zoning Commission would entertain the proposal.

The neighborhood doesn't need to lose any more green spaces. This rezoning would do away with a much needed buffer between development and the adjoining homes in the area.

Please consider the overall changes that this proposal would have while making your decision.

Thank you

Cori O'Toole

Public Comments: 2017-0070

Commenter	Email	Phone Number	Submitted
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Jeff Schmitz

5/24/2017 12:10:50 PM

RECEIVED

MAY 24 2017

PLANNING DEPARTMENT

While I write this comment as a private citizen it should be noted that I presently serve on the Taku Campbell Community Council. That Council has in fact weighed in on this Case with a Resolution opposing the Rezone. I very strongly oppose the proposed rezone in Case 2017-070 based on the following points:

1. It leaps ~ 24, plus or minus, zoning levels literally from one side of a residential street to the other. (CHAPTER 21.04: ZONING DISTRICTS , Page106) This obscenely violates an anchor tenet of good, healthy community design first brought to my attention by Sheila Selkregg, Assembly member and Municipal Planner some 22 years ago in a Community Council seminar. That tenet was the classified use transition zone, where Business, Industrial, Commercial, etc., zoning did not occur abruptly adjacent to Residential, rather it occurred incrementally. As Ms Selkregg pointed out, the rampant violation of that concept was obvious throughout Anchorage and was a major factor in dysfunctional community health, financial impact and quality of life. Indeed, she hit that nail squarely on the head of my own experience as a first time homeowner. My newly constructed house had only a utility easement separating it from a heavy, salvaged scrap metal industrial lot. It included scrapped, open top, water filled asphalt trailers. Initially, the lot was solidly treed in Birch abutting the easement and hid the industrial scrap graveyard. Plans were made to develop the lot and build on it, resulting in the tree buffer being clear cut. The neighborhood kids suddenly had a new hazard zone to play in. Wonderful. The financing fell through and the lot remained the horror it had been. I sold the house at a loss.

1(a) The application's Approval Criteria (AMC 21.03.160E) narrative is not only, to put it charitably, highly "spun" but contradicts itself within the section. Example: The "Properties" to the North are variously referred to as R-5, Low Density (Item 4) and High Density (Item7). Further, the subject property zoning is arguably far more consistent with that of the immediately adjacent property and neighborhoods than that of the uses significantly further East. The petitioner's package indicates a lot zoned for a School Site immediately to the West. Contrarily, one has to cross C Street to the East to find both Industrial lots and activity. The character of that industrial area is entirely at odds with ALL those West of C Street. To jump from R-5 to I-2 is nuts. If ANY rezoning were to be appropriate it would be to a much more compatible, sequential impact type!

1(b) In Item (1) The response to this requirement is at best twisted. The only significant beneficiary here is Ridge Equipment, those impacted are everyone and anything else. It flunks the laugh test,

1(c) In Item (5) a central issue is sidestepped and thereby ignored, ie the purpose and status of 92 Avenue.

1(d) In Items (2) and (8) The petitioner cites BOTH Current 1980 and Proposed 2040 Comprehensive Plan (Draft) Zoning, using '2040 to justify and suit his narrative. In (2) in particular, LUP 9.1 is stretched/blurred to include Uses well to the East of C Street while ignoring those directly across 92n Ave to the North. How is that appropriate?

2. This rezone has been attempted at least once in the past, Case # 1997-022. That Rezone Request was properly denied.

3. The current run by the owner at Rezoning this property has been disingenuous on multiple levels. At the May Taku Campbell Community Council, the Surveyor

representing Ridge Equipment was highly evasive and opaque in response to future plans for the property. Several Council area residents noted this was at odds with a previous oral presentation at the Bayshore Klatt Community Council.

4. At the worst, this proposed rezone would be a straight ticket to a nightmare. At the least it's an incremental step to a goal that is being actively obscured. The notion of the money expended thus far to merely "clean up" zoning contradictions is ludicrous. Filing fees of \$2600 and the charges incurred to Boutet Corp among others are not just loose change. There is nothing that holds any expectation that the area characteristics would be honored, preserved or even given lip service. The concept of a buffer strip is just that - a concept. Trees die, sometimes naturally, sometimes encouraged. Given the perceptions to date it will ultimately not exist.

5. The expectation is that Ridge Equipment would develop this property as an equipment yard and utilize it at the I-2 level. The street access is not at that grade, the neighborhood literally across the residential classified street would have heavy truck traffic and the property would become a kid magnet. Add to that noise and visual impacts and you have the recipe for a declining neighborhood. Both in community health and property value. The tax base takes a hit to make the whole proposal even more toxic.

In summary, I don't know on what planet this proposal could possibly pass at face value as a candidate for approval. It flunks on policy, redface and laugh test levels. There are endless, known faults in it that all have plausible, if not likely adverse scenarios that neither the Municipality nor the neighborhood have the resources to address. Nor should they have to. And the expectation is that this is the developers best face, best behavior and puts the best spin on a dubious proposal. What could possibly go wrong from here?

Jeff Schmitz

2017-0070

Karen Hanna
500 W. 90th Ave
Anchorage, AK 99515

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5/24/2017 5:24:18 PM

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MAY 24 2017

PLANNING DEPARTMENT

I'm a homeowner with 20+ years of living in this neighborhood. I just recently found out that the owner for the parcel of land on the corner of C St & 92nd has submitted a request to have that it rezoned for commercial and or industrial use. In the 20 years that I've lived in that area we've seen a lot of changes:

The clearing of spruce trees where C st crosses over Dimond up to O'Malley.
Lots of traffic noise because of the Cst extension.
Lots of traffic on Vernon because of the Cst extension.

92nd has homes on it, with a residential street not equipped to handle commercial traffic coming and going from it.

We had a sign up in that area for the last 10 years letting us know that a School would be built in the area. What happened, it's NOT going to be built after all? If the plan is to build a School there at some point having an industrial shop built there doesn't make sense from a safety stand point.

Please, please do not approve the rezoning of that parcel of land!

Regards,
Karen Hanna

4

**POSTING
AFFIDAVIT**



AFFIDAVIT OF POSTING

CASE NUMBER: 2017-0070

I, Tony Hoffland 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 4-17-17 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 April, 2017.

Tony Hoffland
Signature

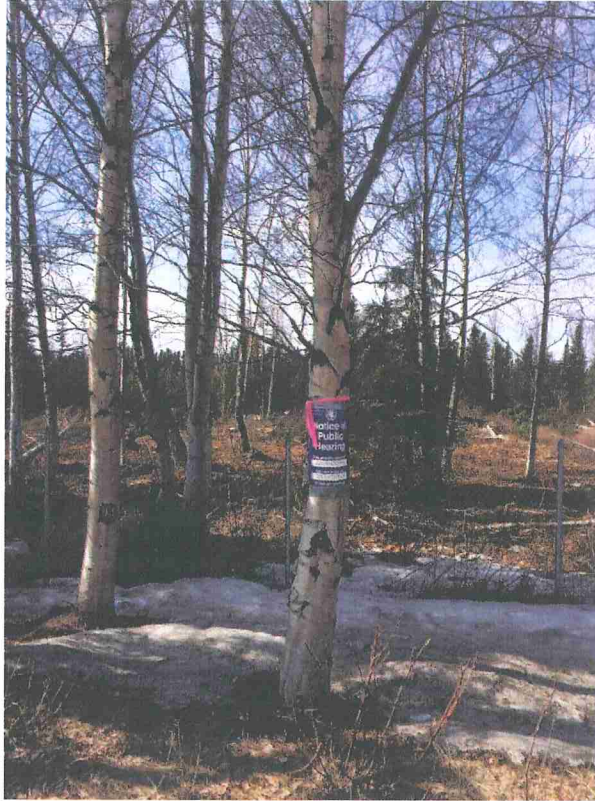
LEGAL DESCRIPTION

Tract or Lot: _____

Block: _____

Subdivision: T.12N. R.3W. Sec.18 Government Lot 5 (Remnant)

**From "C" Street,
facing west.
Posted 4-17-17**



**From 92nd Avenue,
facing south .
Posted 4-17-17**