

Application for Design Variance

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



| PETITIONER* | | PETITIONER REPRESENTATIVE (if any) | |
|---|---------|--|-------------------------|
| Name (last name first) Ship Creek Industrial Complex | | Name (last name first) Briggs, Peter | |
| Mailing Address 311 N. Sitka St | | Mailing Address 2506-B Fairbanks Street | |
| Anchorage, AK, 99501 | | Anchorage, AK, 99503 | |
| Contact Phone – Day (907) 561-0125 | Evening | Contact Phone – Day 907-222-2859 | Evening 907-229-1647 |
| Fax | | Fax | |
| E-mail donna@cei-alaska.com | | E-mail pbriggs@corvus-design.com | |

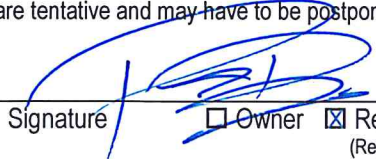
*Report additional petitioners or disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

| PROPERTY INFORMATION | | |
|---|---------------------------|----------------|
| Property Tax # (000-000-00-000): 00205135 | | |
| Site Street Address: 229 East Whitney Road, Anchorage, AK, 99510 | | |
| Current legal description: (use additional sheet if necessary) Ship Creek Crossing, Lt 4 | | |
| Zoning: PCD 12 | Acreage: 4.79954086317723 | Grid #: SW1131 |


| PETITIONING FOR |
|---|
| Landscape variance for the use of art in place of visual enhancement landscaping. See attached narrative. |

| CODE CITATIONS |
|---|
| AMC 21.03.240.G.1 (Approval criteria for variances decided by the urban design commission). |
| AMC 21.07.080 (Landscaping, screening, and fences). |

I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I am petitioning for variance 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 variance. I understand that the burden of evidence to show compliance with the variance standards rests with me, the applicant. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff or the Urban Design Commission for administrative reasons.


2/14/2019
 Signature Owner Representative Date
(Representatives must provide written proof of authorization)

Peter Briggs
 Print Name

| | | | | |
|---|----------------------------|-----------------|---------------------------|------------------------------------|
| Accepted by:  | Poster & Affidavit: 211 | Fee: \$3,905 | Case Number: 2019-0031 | Requested Meeting Date: 4-10-19 |
|---|----------------------------|-----------------|---------------------------|------------------------------------|

| 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 | |
|--|--|
| 1 copy required: | <input type="checkbox"/> Signed application (original) |
| 34 copies required: | <input type="checkbox"/> Signed application (copies) <input type="checkbox"/> Variance narrative, addressing: <ul style="list-style-type: none"> <input type="radio"/> The need for the variance <input type="radio"/> The effect of granting the variance <input type="radio"/> An analysis of how the proposal meets the variance standards below <input type="checkbox"/> As-built survey showing existing conditions, to scale (no more than 2 years old) <input type="checkbox"/> Proposed plot plan, site plan, or building elevations, to scale (new construction) <input type="checkbox"/> Photographs or renderings |
| <small>(Additional information may be required.)</small> | |

| VARIANCE STANDARDS | |
|---|--|
| <p>The Urban Design Commission may only grant a variance if the Commission finds that all of the following 8 standards are substantially met. Each standard must have a response in as much detail as it takes to explain how your property's condition satisfies the standard. The burden of proof rests with you.</p> | |
| <ul style="list-style-type: none"> a. The proposed alternative achieves the intent of the subject design standard to the same or better degree than the subject standard; b. The proposed alternative achieves the goals and policies of the comprehensive plan to the same or better degree than the subject standard; c. The proposed alternative results in benefits to the community that are equivalent to or better than compliance with the subject standard; d. The variance, if granted, will not adversely affect the use of adjacent property as permitted under this code; e. The variance, if granted, does not change the character of the zoning district where the property is located, is in keeping with the intent of the code, and does not permit a use not otherwise permitted in the district in which the property lies; f. Persons with disabilities are provided with access as required by the Americans with Disabilities Act (ADA) and reasonable accommodation; and g. The variance, if granted, does not adversely affect the health, safety, and welfare of the people of the municipality. h. In evaluating the request for a variance from the maximum sign height, the urban design commission may consider whether there are special topographic circumstances that would result in a material impairment of visibility of the sign from the adjacent roadway which significantly diminishes the owner's or user's ability to continue to communicate adequately and effectively with the public through the use of the sign. | |

See attached narrative and exhibits.



Landscape Architecture • Planning • Industrial Design

2506-B Fairbanks Street, Anchorage, Alaska 99805
119 Seward Street, Suite 15, Juneau, Alaska 99801

February 14, 2019

Re: Application for Variance – Ship Creek Industrial Complex MOA Case 2019-0031

Find enclosed (34) copies of an Application for Variance packet, with (1) original signed application.

This variance request (21.03.240.G.1) is for the use of artistic/graphic features along a site perimeter as a means to achieve alternative compliance in place of Site Perimeter Landscaping (L1) Visual Enhancement (21.07.080.E.1.d.). This variance request is sought as the existing location and dimensions of the site, combined with its industrial use, result in a condition where a reduction in the width of the site to accommodate required landscape bed widths significantly impact its function for equipment movement and the general needs of a recycling facility. This request seeks to meet or exceed the intent of code, specifically for aesthetics and community benefit.

The conceptual design included within this packet establishes a baseline for how this concept will be developed. While difficult to quantitatively assess artwork, the intent is that while the design may evolve, the amount of artistic components (as established by square footage perhaps) remain the same or may potentially increase.

Within Department recommended conditions of approval, we would request a condition where the Urban Design Commission would approve this Variance Request, with the final design refinements being reviewed by Department Staff as being within the intent of Commission review and approval.

Thank you for your consideration ,

Peter Briggs
Corvus Design, Inc

(for Ship Creek Industrial Complex, LLC)

CRITERIA FOR APPROVAL OF VARIANCE

- A. The proposed alternative achieves the intent of the subject design standard to the same or better degree than the subject standard;

The design standard that this variance application seeks to meet by alternative means is for Visual Enhancement Landscaping. Along the southern property line for the area in question, the site is required to have Site Perimeter Landscaping (L1) Visual Enhancement Landscaping.

Visual enhancement landscaping is intended to integrate new or renovated development into the surrounding community and is required along property perimeters that abut another zoning district or a public right-of-way. (AMC 21.07.E.1.a)

This variance request (21.03.240.G.1) is for the use of artistic/graphic features along a site perimeter as a means to achieve alternative compliance in place of Site Perimeter Landscaping (L1) Visual Enhancement (21.07.080.E.1.d.). This variance request is sought as the existing location and dimensions of the site, combined with its industrial use, result in a condition where a reduction in the width of the site to accommodate required landscape bed widths significantly impact its function for equipment movement and the general needs of a recycling facility. This request seeks to meet or exceed the intent of code, specifically for aesthetics and community benefit.

The proposed alternative is to provide artwork along the approximately 600 lineal feet of property edge. This edge is composed of modular concrete block retaining wall (up to approximately 8' tall). Concrete block units have a face dimension of 5' length and 30" height). On top of the wall is an approximately 8' height screening wall composed of cargo containers, currently painted a uniform green color.

Specifics of the intended art installation include:

- The proposed alternative is to be installed at the property line adjacent to a public right-of-way, integrated with or mounted to the existing block wall and/or screening wall.
- The art is intended to enhance the visual appearance of the site along East Whitney Road, and provide long-views (where possible) with visual interest.
- The addition of an art piece will aid in integrating this site into the surrounding area.

This alternative method is consistent with the intent of this subject design standard, if not providing a higher level of community benefit. Visual Enhancement Landscape could be described as landscape that provides aesthetic edges to sites. This relates to the visual attractiveness of a site, and also provides benefit in adding a consistent element to other sites that have the same landscaping installed. The proposed artwork provides a much higher level of aesthetics in that it achieves the intent of visual attractiveness, and goes beyond to provide a unique focus within the area. Beyond *visual attractiveness* gained through a uniform community treatment (landscaping), it provides *visual interest* in being unique and contributing character.

- B. The proposed alternative achieves the goals and policy of the comprehensive plan to the same or better degree than the subject standard;

The implementation of an art wall is highly consistent with relevant Anchorage planning. Assessments of Anchorage 2020, the Ship Creek Framework Plan, and the Government Hill Neighborhood plan are included within this document.

C. The proposed alternative results in benefits to the community that are equivalent to or better than compliance with the subject standard;

Integrate new or renovated development into the surrounding context of the community including its neighborhoods and street corridors. (AMC 21.07.A.2)

Repeated from Variance Standard A above:

This alternative method is consistent with the intent of this subject design standard, if not providing a higher level of community benefit. Visual Enhancement Landscape could be described as landscape that provides aesthetic edges to sites. This relates to the visual attractiveness of a site, and also provides benefit in adding a consistent element to other sites that have the same landscaping installed. The proposed artwork provides a much higher level of aesthetics in that it achieves the intent of visual attractiveness, and goes beyond to provide a unique focus within the area. Beyond *visual attractiveness* gained through a uniform community treatment (landscaping), it provides *visual interest* in being unique and contributing character.

D. The variance, if granted, will not adversely affect the use of adjacent property as permitted under this code;

- Adjacent properties are zoned for the same use, and the proposed improvements will not adversely affect these properties in any way.
- The proposed alternative is intended to enhance the visual appearance of the site along East Whitney Road and does not negatively affect or abut conflicting adjacent properties.

E. The variance, if granted, will not and does not change the character of the zoning district where the property is located, is in keeping with the intent of the code, and does not permit a use not otherwise permitted in the district in which the property lies;

- The purpose of this variance is to add visual interest and a new exciting character; therefore, it will not adversely change the character of the zoning district where the property is located.
- The use of artwork to add visual aesthetics and interest is in keeping with code intent.
- The variance request does not affect site use. Site use will remain consistent with code.

F. Persons with disabilities are provided with access as required by the Americans with Disabilities Act (ADA) and reasonable accommodation;

- ADA accessibility is not required for visual enhancement landscaping as it serves an aesthetic purpose.
- All persons, both with and without disabilities, will have equal access to this art.

G. The variance, if granted, does not adversely affect the health, safety, and welfare of the people of the municipality.

- The proposed alternative will not result in any health, safety, and welfare issues for the people of the municipality.
- The proposed alternative will be attached to an existing wall and is purely for the visual enhancement of the site.

H. In evaluating the request for a variance from the maximum sign height, the urban design commission may consider whether that are special topographic circumstances that would result in material impairment of visibility of the sign from the adjacent roadway which significantly diminishes the owner's or user's ability to continue to communicate adequately and effectively with the public through the use of the sign.

Not relevant to this variance request.

ANCHORAGE 2020 COMPREHENSIVE PLAN ASSESSMENT

The use of artwork for alternative compliance with Visual Enhancement Landscaping is consistent with planning goals. Specific components of Anchorage 2020 that directly or indirectly relate to the visual enhancement of a site (whether through landscape or artwork) are provided below. These are as taken from the plan, without additional narrative.

LAND USE & TRANSPORTATION POLICIES AND STRATEGIES

- Infill, redevelopment, and adaptive land reuse principles revitalize the community.
- Neighborhood vitality and quality of life are reinforced through density, street and trail layout, architectural design principles, and neighborhood or district plans.

General Land Use

1. Rezones and variances shall be compatible in scale with adjacent uses and consistent with the goals and policies of ANCHORAGE 2020.
7. Avoid incompatible uses adjoining one another.

Residential – Not Applicable

N/A

Commercial

23. Major Employment Centers, shown on the Land Use Policy Map, exist at the Downtown, Midtown, and University /Medical areas. Characteristics of these centers are as follows:
 - d. Creation or enhancement of public focal points such as plazas or parks, including public art;

Industrial

26. Key industrial lands, such as the Industrial Reserves designated on the Land Use Policy Map, shall be preserved for industrial purposes.
27. Commercial/light industrial parks:
 - c. Shall include design features such as pedestrian facilities, landscaping, and compatible signage.

Transportation

N/A

Transportation Design and Maintenance

N/A

ASSESS AND MITIGATE ADVERSE AIR QUALITY IMPACTS OF MAJOR PUBLIC LAND USE AND TRANSPORTATION DECISIONS.

- Improved building/parking location, orientation, streetscape and form are important in order to achieve efficient and attractive development.
- The visual image and identity of the city are strengthened and promoted.
- The natural environment is embodied in project design.

Design & Environmental Policies and Strategies

41. Land use regulations shall include new design requirements that are responsive to Anchorage's climate and natural setting.
42. Northern city design concepts shall guide the design of all public facility projects, including parks and roads.
47. Provide distinctive public landmarks and other public places in neighborhoods.

Housing

N/A

Open Space

N/A

Habitat

N/A

Water Resources

N/A

PUBLIC FACILITIES & SERVICES POLICIES AND STRATEGIES

N/A

Level of Service

N/A

Utilities

83. The Municipality shall support and encourage recycling and resource recovery.

Parks, Trails, Recreation

N/A

Education & Culture

88. Provide opportunities for integrating arts and culture in developments throughout the community.

GOVERNMENT HILL NEIGHBORHOOD PLAN ASSESSMENT

The Government Hill Neighborhood Plan serves to bring clarity and provide direction for the future goals of the community. “The overarching goal of this neighborhood plan is to promote the orderly growth, improvement, and future development of the Government Hill neighborhood.”

The intent of this neighborhood plan is (as it refers to landscape) to provide visual interest and a special identity to the area. To accomplish this, the plan recommends retaining mature trees and forested areas as much as possible, protecting fish, wildlife habitats, wetlands, and the use of art is also a common theme.

The proposed art installment will serve to enhance the streetscape and add visual interest to the area’s industrial district. This art installment will add a unique visual character to the site as well as the surrounding areas. This addition gives the site a distinct identity, and will serve as a landmark which will aid in wayfinding in the area.

The use of artwork for alternative compliance with Visual Enhancement Landscaping is consistent with planning goals. Specific components of the Government Hill Neighborhood Plan that directly or indirectly relate to the visual enhancement of a site (whether through landscape or artwork) are provided below. These are as taken from the plan, without additional narrative:

- “Provide design concepts and scenarios that, in the event that the KAC project moves forward, will mitigate impacts of that project, and in the event that it does not move forward, will include priorities for the future development and enhancement of the neighborhood in the context of JBER, the Railroad, and the Port of Anchorage.” Pg. 3
- “This plan looks to the future, seeking to establish a framework for good stewardship and strategic improvements that enhance the neighborhood.” Pg. 43
- “The neighborhood’s future will be shaped by a complex set of variables, some of which are difficult to predict. The plan, therefore, must remain flexible, while providing clear direction.” Pg. 47
- “Other buildings may be designed to provide visual interest to pedestrians at the street level by using display cases, decorative architectural treatments, and artwork.” Pg. 52
- Streetscape enhancements would give special identity to the area and encourage pedestrian activity.” Pg. 57
- Goal and Objectives (pg. 59)
 - Enhanced pedestrian streetscape with public art, seating, etc.
 - Enhanced as gateway for neighborhood
 - Clear Government Hill identity
 - Enhanced signage and wayfinding tools
- “Incorporate public art in outdoor uses areas at building entrances and in parks. Include art in heritage interpretation schemes as well, and provide a series of historical markers to convey the history of Government Hill.” Pg. 80 & pg. 116 Policy UD-5
- “Use public art, a water feature, or distinctive plant arrangements to create a distinct identity.” Pg.83
- Provide a pedestrian-friendly street edge. Pg.85
 - Wall art

SHIP CREEK FRAMEWORK PLAN ASSESSMENT

The Ship Creek Framework Plan is a long-term vision for the future of the Ship Creek area. The intent of this framework plan as it refers to landscape is to protect, promote, and enhance existing vegetation and wildlife. A major theme throughout the Framework Plan is that of creating unique, attractive, and visual interesting areas which will serve to enhance the experience of inhabitants and visitors. The proposed installation will reflect and bring attention to Alaska's natural landscape as viewed through the window of a moving train. The train concept integrates the site within the context of the area's historical use. Policy 88 of the Framework Plan states "the integration of arts into the Ship Creek mixed-use development is fundamental to the intent of both the framework plan and the existing design guidelines that exist for most of the subject area."

The use of artwork for alternative compliance with Visual Enhancement Landscaping is consistent with planning goals. Specific components of the Ship Creek Framework Plan that directly or indirectly relate to the visual enhancement of a site (whether through landscape or artwork) are provided below. These are as taken from the plan, without additional narrative:

- Promote historic character and an arts corridor along 1st Avenue. Pg. 9
- Encourage the use of public art to help create memorable places in Ship Creek. Support efforts to create an Arts District in Ship Creek. Pg. 40 & 50



**Ship Creek Industrial
Complex, LLC**

February 12, 2019

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

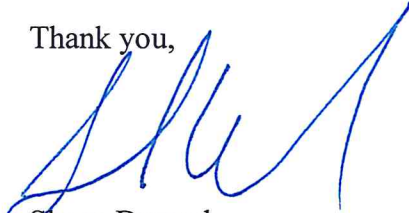
Re: Ship Creek Crossing, Lot 4 - Variance

Dear Planning Department;

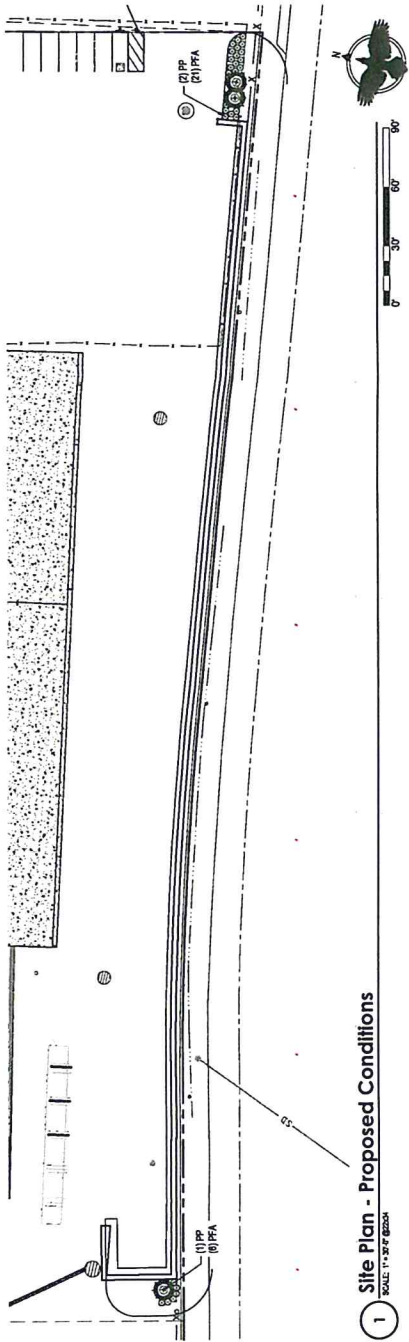
Ship Creek Industrial Complex, LLC (SCIC) would like to designate/authorize Peter Briggs of Corvus Design as our Co-Representative for our Variance request for our property at 229 East Whitney Rd.

Please let me know if there is any further information required for this designation request. I can be contacted via email at shane@cei-alaska.com, or by phone at (907) 561-0125.

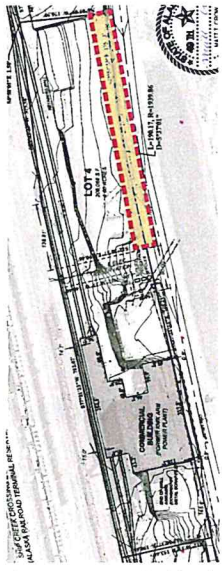
Thank you,



Shane Durand



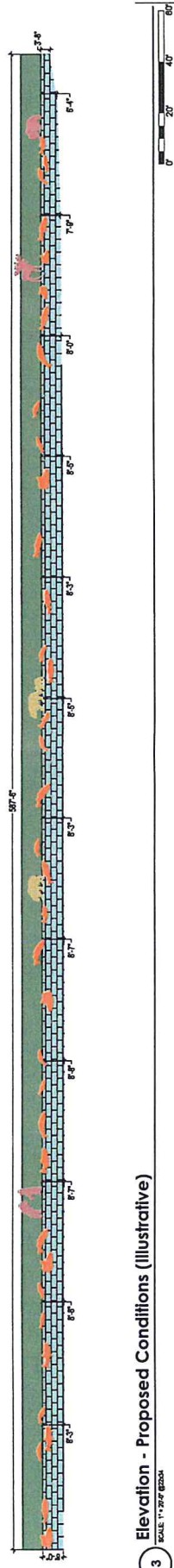
1 Site Plan - Proposed Conditions
SCALE: 1" = 30' @ 2024



Key Plan - Location of Artwork within Lot 4



2 Elevation - Art Shown Over Existing Conditions
SCALE: 1" = 30' @ 2024



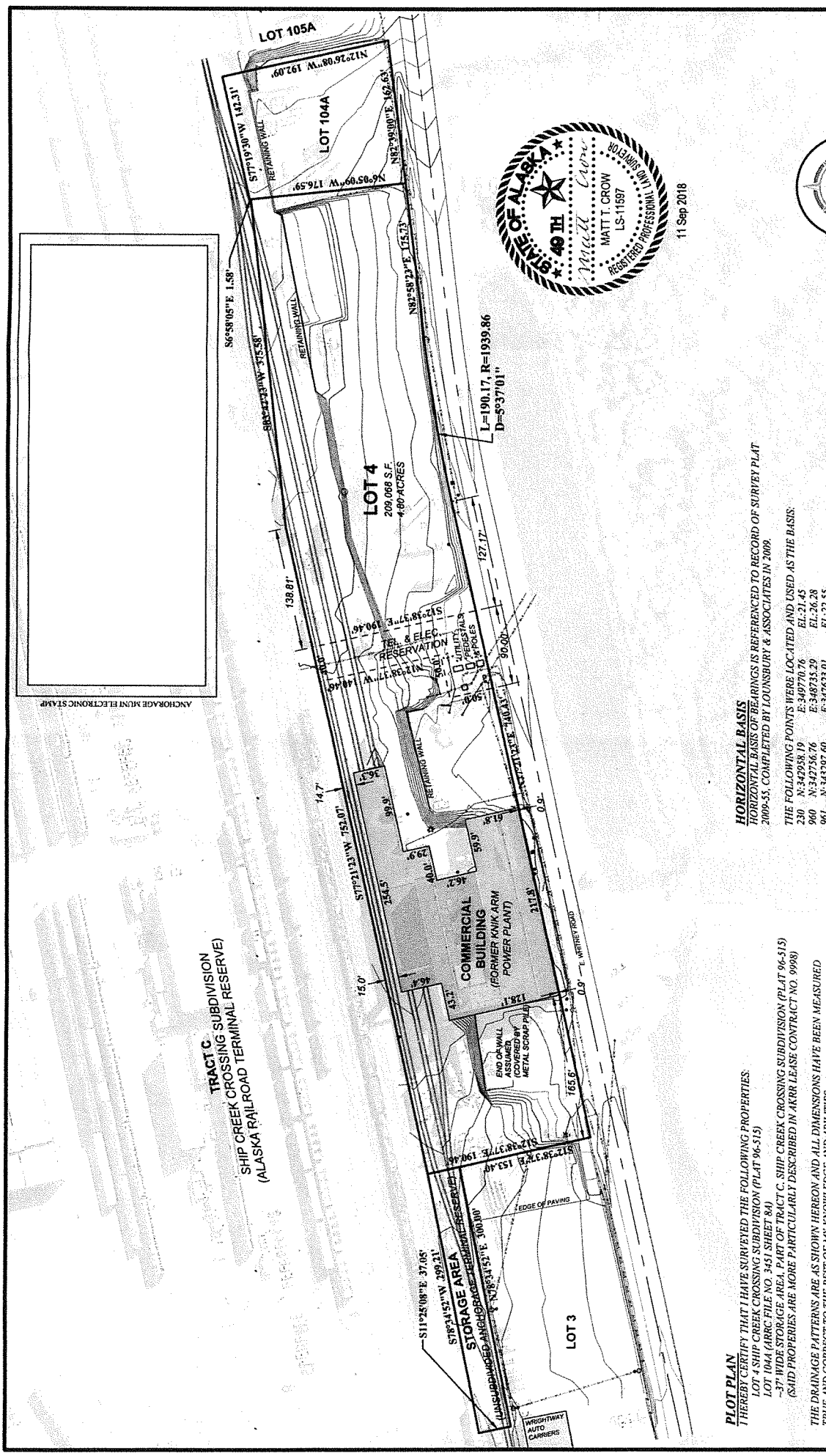
3 Elevation - Proposed Conditions (Illustrative)
SCALE: 1" = 30' @ 2024

Note: Graphic shows illustrative intent for the scene. Animal silhouettes are intended to be plate materials attached to wall and screen wall with stand-offs. Retaining wall is intended to be painted a solid color. Screen wall (composed of cargo containers) will have existing gaps filled, and be painted a solid color.

SHIP CREEK INDUSTRIAL COMPLEX

Artwork Applied to Site Perimeter Wall/Screen

REV: 2019-02-14



11 Sep 2018



Alaska Construction Surveys
 907 E Dowling Rd, Suite 10
 Anchorage, Alaska 99518
 Office (907) 344-5305
 Fax (907) 344-1775
 Email: mtcrow@alaskasurveys.com

Surveyed by: Matt T. Crow
 Checked by: Matt T. Crow
 State of Alaska License No. LS-11697

AKRR LEASE CONTRACT NO. 9998
 SHEET NO. V001

TRACT C
 SHIP CREEK CROSSING SUBDIVISION
 (ALASKA RAILROAD TERMINAL RESERVE)

PLOT PLAN
 I HEREBY CERTIFY THAT I HAVE SURVEYED THE FOLLOWING PROPERTIES:
 LOT 4 SHIP CREEK CROSSING SUBDIVISION (PLAT 96-515)
 LOT 1044 (ARRC FILE NO. 3451 SHEET 84)
 ~37' WIDE STORAGE AREA, PART OF TRACT C, SHIP CREEK CROSSING SUBDIVISION (PLAT 96-515)
 (SAID PROPERTIES ARE MORE PARTICULARLY DESCRIBED IN AKRR LEASE CONTRACT NO. 9998)

THE DRAINAGE PATTERNS ARE AS SHOWN HEREON AND ALL DIMENSIONS HAVE BEEN MEASURED TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND ABILITIES.

EXCLUSIONS
 IT IS THE RESPONSIBILITY OF THE OWNER OR BUILDER, PRIOR TO CONSTRUCTION TO VERIFY PROPOSED BUILDING GRADE RELATIVE TO FINISH GRADE AND UTILITY CONNECTIONS, AND TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, COVENANTS, OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED PLAT.

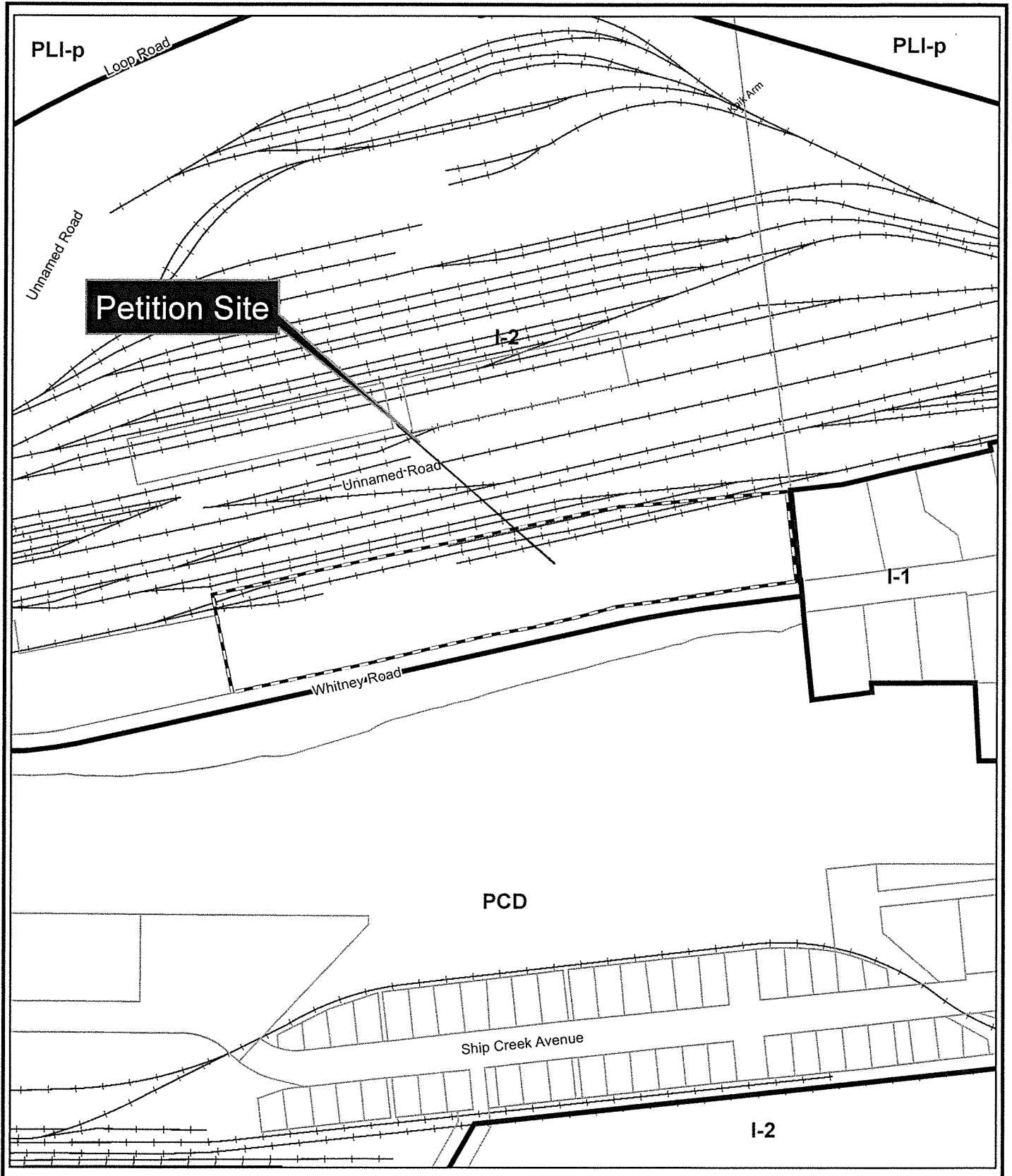
HORIZONTAL BASIS
 HORIZONTAL BASIS OF BEARINGS IS REFERENCED TO RECORD OF SURVEY PLAT 2009-55, COMPLETED BY LOUNSBURY & ASSOCIATES IN 2009.

THE FOLLOWING POINTS WERE LOCATED AND USED AS THE BASIS:

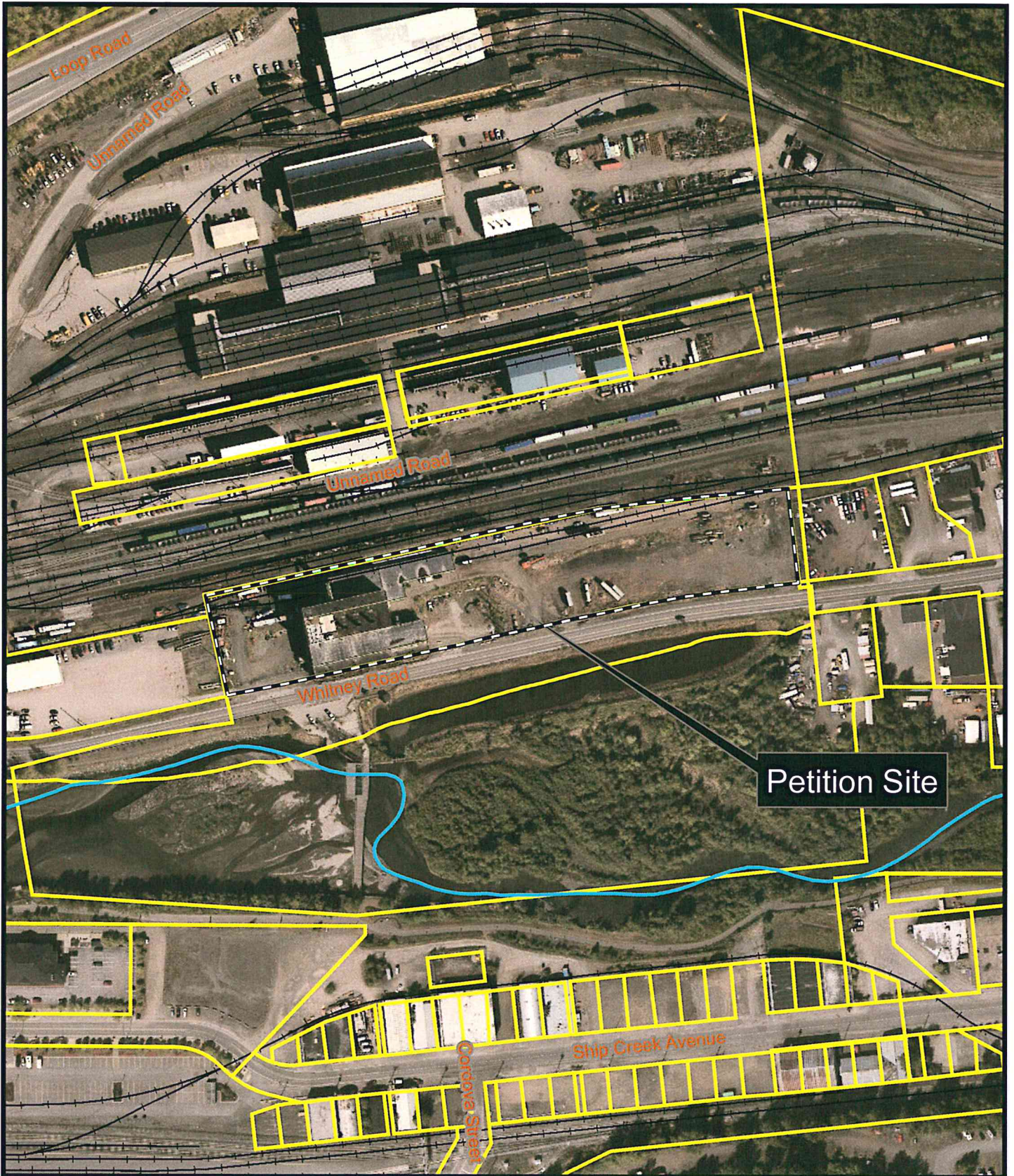
| | | | |
|-----|-------------|-------------|----------|
| 230 | N:342958.19 | E:349770.76 | EL:21.45 |
| 260 | N:342756.76 | E:348735.29 | EL:26.28 |
| 961 | N:343297.60 | E:347623.01 | EL:22.55 |
| 955 | N:344268.79 | E:348931.85 | EL:N/A |

VERTICAL BASIS
 VERTICAL DATUM IS MUNICIPALITY OF ANCHORAGE 1972 NGS ADJUSTMENT, BASED ON PUBLISHED ELEVATIONS. DIFFERENTIAL LEVELING WAS PERFORMED FROM HOA BENCHMARKS TO POINTS 230, 960, AND 961 TO ESTABLISH VERTICAL CONTROL.

2019-0031



2019-0031



Anchorage



2019-0031 PHN map
Distance = 700' (60 fance(5)