

**ANCHORAGE, ALASKA
AO No. 2020-100**

1 **AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE**
2 **REZONING FROM R-2M (MIXED RESIDENTIAL DISTRICT) TO B-3 (GENERAL**
3 **BUSINESS DISTRICT) FOR TRACT A-1, ADAMSVILLE SUBDIVISION,**
4 **GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF DEBARR**
5 **ROAD AND BEAVER PLACE.**
6

7 (Northeast Community Council) (Planning and Zoning Commission Case 2019-0154)
8

9 **THE ANCHORAGE ASSEMBLY ORDAINS:**

10
11 **Section 1.** The zoning map shall be amended by designating the following
12 described property as B-3 (General Business):
13

14 Tract A-1, Adamsville Subdivision, as shown on "Exhibit A," attached.
15

16 **Section 2.** The Director of the Planning Department shall change the zoning map
17 accordingly.
18

19 **Section 3.** This ordinance shall be effective immediately upon passage and
20 approval by the Assembly.
21

22 PASSED AND APPROVED by the Anchorage Assembly this _____ day
23 of _____, 2020.
24

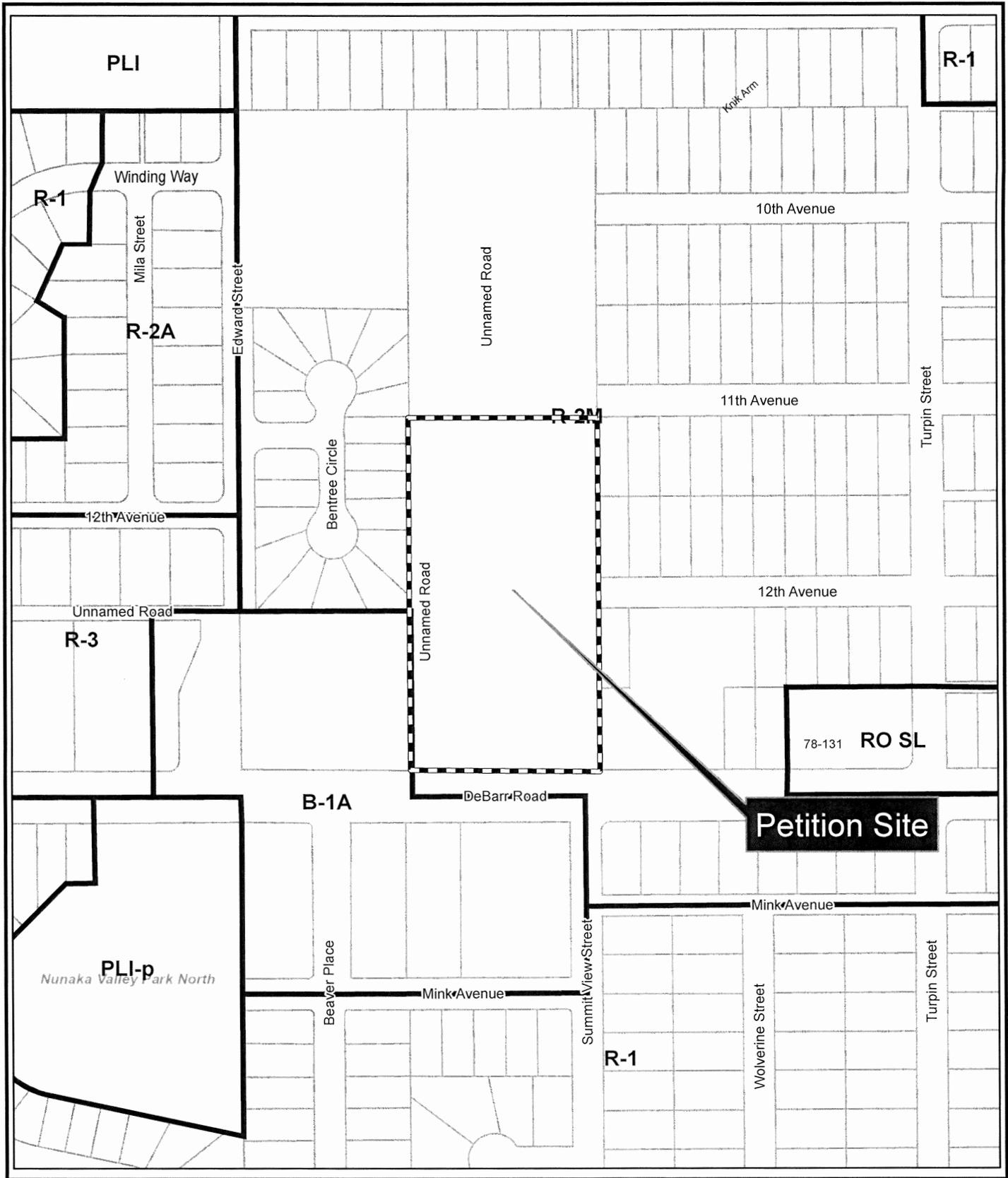
25
26
27 _____
28 Chair of the Assembly

29 ATTEST:
30
31

32
33 _____
34 Municipal Clerk
35

36 (006-141-07)
37

Exhibit A



MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2020-011

A RESOLUTION RECOMMENDING DENIAL WITH PREJUDICE THE REZONING OF APPROXIMATELY 5.61 ACRES OF LAND FROM R-2M (MIXED RESIDENTIAL DISTRICT) TO B-3 (GENERAL BUSINESS DISTRICT) FOR TRACT A-1, ADAMSVILLE SUBDIVISION; GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF DEBARR RD AND BEAVER PL, IN ANCHORAGE.

(Case 2019-0154)

WHEREAS, a request has been received from Arcticorp, LLC, petitioner, to rezone approximately 5.61 acres of land from R-2M (Mixed Residential District) to B-3 (General Business District) for Tract A-1, Adamsville Subdivision; generally located northeast of the intersection of Debarr Rd and Beaver Pl; and

WHEREAS, notices were published, posted, and mailed, and a public hearing was held on May 11, 2020.

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

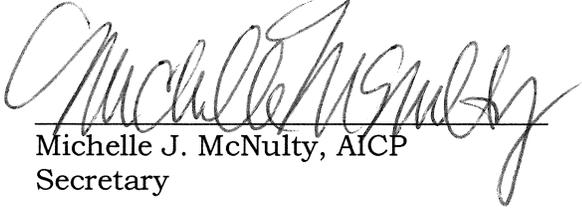
A. The Commission makes the following findings of fact:

1. This rezone request does not comply with the approval criteria (1-9) as required by AMC 21.03.160E and with other applicable sections of AMC Title 21.
2. This parcel is identified as "Compact Mixed-Residential-Low" per the *Anchorage 2040 Land Use Plan*, Land Use Plan Map and "Medium-Intensity Residential" per the *2014 East Anchorage District Plan*, Land Use Plan Map. These classifications were determined based upon community input during the drafting of both the *Anchorage 2040 Land Use Plan*, and the *2014 East Anchorage District Plan*. This rezone request is not consistent with these land use classifications.
3. The Commission has considered not only the proposed use, but also any other use that may be permitted within the requested B-3 zoning district. The B-3 district allows for uses which are not compatible with the surrounding zoning districts, specifically the adjacent B-1A and R-2M districts.
4. There was no public testimony for this case.

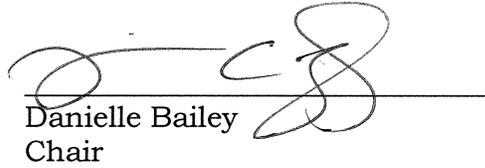
B. The Commission recommends denial with prejudice this request to rezone from R-2M to B-3.

DENIAL WITH PREJUDICE RECOMMENDED by the Municipal Planning and Zoning Commission on the 11th day of May, 2020.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 1st day of June, 2020.



Michelle J. McNulty, AICP
Secretary



Danielle Bailey
Chair

(Case 2019-0154, Tax ID # 006-141-07)

ry

**PLANNING DEPARTMENT
STAFF ANALYSIS
ZONING MAP AMENDMENT**

DATE: April 6, 2020

CASE NUMBER: 2019-0154

APPLICANT: Arcticorp
Ken Fuller

REQUEST: A request to rezone from R-2M (Mixed-Residential District) to B-3 (General Business District)

PROPERTY DESCRIPTION: Tract A-1, Adamsville Subdivision

COMMUNITY COUNCIL: Northeast Community Council

ATTACHMENTS:

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

RECOMMENDATION SUMMARY: DENIAL

SITE

Acres: ±5.61 acres

Vegetation: Site has been mostly cleared, but large patches of mature birch, spruce, and aspen remain along the eastern property boundary

Current Zoning: R-2M (Mixed Residential)

Topography: Generally flat

Utilities: Public water and wastewater

COMPREHENSIVE PLAN

Classification: “Compact Mixed-Residential-Low” per the *Anchorage 2040 Land Use Plan*, Land Use Plan Map; “Medium-Intensity Residential” per the *2014 East Anchorage District Plan*, Land Use Plan Map

SURROUNDING AREA

	<u>NORTH</u>	<u>EAST</u>	<u>SOUTH</u>	<u>WEST</u>
Zoning:	R-2M	R-2M	B-1A	B-1A/R-2M
	Mixed Residential	Mixed Residential	Local and Neighborhood Business	Local and Neighborhood Business/Mixed Residential

PROPOSAL

Arcticorp is requesting to rezone one ±5.61 acre parcel of land from R-2M (Mixed-Residential District) to B-3 (General Business District). The petition site is located northeast of the intersection of DeBarr Road and Beaver Place, in Anchorage.

BACKGROUND

The applicant would like to develop the petition site into a self-storage facility with possibly other permitted general commercial uses within the B-3 district. The site is currently zoned R-2M which does not allow self-storage facilities or general retail. Development is likely to occur in the summer or fall of 2020 pending approval of this request. There are no special limitation currently imposed on the property.

This site is classified as “Compact Mixed-Residential-Low” in the *Anchorage 2040 Land Use Plan*, and “Medium-Intensity Residential” in the *2014 East Anchorage District Plan*. Because the petition site’s current classification is not compatible with the proposed rezone, an accompanying amendment to the comprehensive plan is required (Planning Case 2020-0044). The Commission and Assembly shall decide upon this amendment prior to deciding upon the re-zone request.

DEPARTMENTAL COMMENTS

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

COMMUNITY COMMENTS

On February 18, 2020, the Planning Department mailed 433 public hearing notices in accordance with AMC 21.03.200H.3. A public hearing notice was also mailed to the Northeast Community Council. The Northeast Community Council did not submit comments for this rezone. As of this writing, three public comments have been received.

FINDINGS

21.03.160 REZONINGS (ZONING MAP AMENDMENTS)

Pre-Application Conference

A pre-application conference was held on May 7, 2019 in accordance with 21.03.020B.

Community Meeting

A community meeting was held at the petition site on June 17, 2019, in accordance with 21.03.020C. A summary of this meeting is included in the application. The applicant also presented this request to the Northeast Community Council (NECC) on June 20, 2019. The NECC adopted a resolution of support for this rezone, but subject to the following design limitations:

- 1) Site perimeter landscaping of L2 along DeBarr Road, an arterial road;
- 2) Front setback of 20 feet;
- 3) Maximum structure height of 30 feet.

The Planning Department acknowledges this recommendation for special limitations from the Northeast Community Council. However, the Department does not believe this rezone is compliant with the comprehensive plan and is recommending denial of this request. Because of this, we are not carrying the Community Council's recommendations forward.

21.03.160E. APPROVAL CRITERIA

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

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

The criteria is not met.

This rezone is not in the long-term interests of the citizens of Anchorage. Anchorage's population is predicted to grow approximately 20% by the year 2030. Rezoning this parcel from residential to commercial could result in a potential loss of approximately 84 residential dwelling units, and would establish an inconsistent use of land within an area otherwise containing medium to low intensity uses. The latest Anchorage Housing Market Analysis completed in 2012, predicts a need for 6,909 new multifamily dwelling units by 2030 to accommodate for population growth. Given other factors such as stagnant income wages and an aging population, this predicted demand in compact housing options may be conservative.

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

The criteria is not met.

This rezone request does not comply, nor conform with current and historical comprehensive plans. The petition site has been classified for residential use dating back to the *1982 Anchorage Bowl Comprehensive Development Plan*. Currently, the *Anchorage 2040 Land Use Plan* designates this site as "Compact Mixed Residential-Low" and is included within the "Transit-Supportive Development Growth-Supporting Feature." In addition, the *East Anchorage District Plan* designated the parcel as "Medium Intensity Residential". The current R-2M zoning meets the intended character of these classifications and intended housing density. The requested B-3 zoning would represent a significant loss of future housing units (approx. 84 dwelling units) and has not been recognized as an appropriate zoning for this area.

The arguments in support for this rezoning presented by the applicant mostly reflect current conditions and do not represent a response to long term

projections and housing deficits. The change from a residential designation to commercial would represent a significant loss of residential units and is not consistent with stated policies, strategies, or designations of applicable land use plans. This area has undergone three housing capacity analyses and the residential designation continues to best address community needs.

This rezone is inconsistent with the following policies of the comprehensive plan:

Anchorage 2040 Land Use Plan:

LUP 1.4 *Use the 2040 LUP and area-specific plans in conjunction with other elements of the Comprehensive Plan to determine appropriate zoning in the Bowl, and evaluate proposed changes to land use regulations.*

This rezone request conflicts with its intended use within the Anchorage 2040 Land Use Plan, Anchorage 2020, and the 2014 East Anchorage District Plan.

LUP 4.1 *Provide sufficient land to meet the diverse housing needs of Anchorage’s citizens, where the integrity of the residential neighborhood area is protected from expanding commercial corridors or non-neighborhood employment activities.*

Converting this 5.61 acre parcel to General Business will result in a potential loss of approximately 84 residential dwelling units. The last three housing studies conducted by the Municipality have concluded that there is a shortage of available housing given the population and development predictions over the next 20 years. This loss in dedicated residential land could have a substantial impact on Anchorage’s housing market in the long-term.

East Anchorage District Plan

1.1.14 *Review zoning requests for consistency with the Comprehensive Plan and the District Land Use Map so that private development can do the following:*

- Maintain a healthy balance of jobs and households*
- Protect and stabilize existing neighborhoods*
- Provide land use consistent with the established housing targets in the Anchorage Housing Market Analysis*

Placing a General Business district at this location would not provide a consistent land use that is consistent with the latest Anchorage Housing Market Analysis. The B-3 district is not compatible with the surrounding zoning districts,

which could cause disturbance to the existing neighborhood.

Anchorage 2020

Policy #14

Conservation of residential lands for housing is a high community priority. New residential development at densities less than identified in the Neighborhood or District Plans is discouraged. No regulatory action under Title 21 shall result in a conversion of dwelling units or residentially zoned property into commercial or industrial uses unless consistent with an adopted plan.

This policy clearly states that no action of Title 21 shall convert residential land to commercial unless supported by the Comprehensive Plan. This rezone request is not supported by the Comprehensive Plan and is not consistent with this important land use policy. The petition site has been classified as “residential” going back as far as the *1982 Anchorage Bowl Comprehensive Development Plan*. Converting this parcel to General Business is not supported by Anchorage 2020, East Anchorage District Plan, or the Anchorage 2040 Land Use Plan.

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

The criteria is partially met.

This rezone is not entirely consistent with the purpose of the B-3 (General Business) zoning district. This parcel abuts DeBarr Rd which sees over 20,000 vehicle trips daily and may appear to be suitable for general commercial use. However, surrounding neighborhood commercial and residential uses are not compatible with the potentially imposing general business uses which could be located on this site. High-traffic commercial districts are best suited near the intersections of major arterials such as nearby Muldoon Town Center.

The purpose of the B-3 (General Business) district as stated in AMC 21.04.030D. is as follows:

AMC 21.04.030D. B-3: General Business District

1. Purpose

The B-3 district is intended primarily for general commercial uses in commercial centers and areas exposed to heavy traffic. These commercial uses are intended to be located on arterials, or within commercial centers of town, and to be provided with adequate public services and facilities. They are subject to the public view and should provide an attractive appearance with landscaping, sufficient parking,

and controlled traffic movement. Environmental impacts should be minimized. Abutting residential areas should be protected from potentially negative impacts associated with commercial activity. While B3 district areas shall continue to meet the need for auto-related and other auto-oriented uses, it is the municipality's intent that the B-3 district also shall provide for safe and convenient personal mobility in other forms. Planning and design shall accommodate pedestrians and bicyclists. In addition to a wide range of commercial office, retail and commercial services, other use categories such as residential and community uses, and mixed-use projects, are allowed.

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 criteria is not met.

This rezone is not compatible with surrounding zoning districts and existing development surrounding the petition site. The proposed B-3 zoning allows for greater land use intensity than allowed within surrounding districts. The petition site is bordered by B-1A (Local and Neighborhood Business District) to the west and south, and R-2M to the east and north.

The B-1A district is intended for small, compact commercial sites or areas which can provide services and goods to surrounding residential uses. Within this area of B-1A there is currently a small strip-mall which houses a number of restaurants, general personal service providers, and a laundromat. These services fit well within the intended characteristics of the B-1A district. Locating a B-3 district directly abutting this district would cause a disproportional use intensity within the immediate area.

The R-2M district is intended for single-family, two-family, and multi-family dwellings at a density between 5-15 dwelling units per acre. Considering the intended density and the required dimensional standards of multi-family dwellings in the R-2M district, approximately 84 dwelling units could be located within the petition site. This type of development would be compatible with the surrounding zoning designations of abutting parcels and would be of an appropriate scale.

In addition, the Town Center land use designation for areas east of here is meant to consolidate commercial B-3 uses. Contrary to the Comprehensive Plan, moving B-3 to this site expands that designation beyond its intended location and exposes commercial use to surrounding established residential neighborhoods.

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

The criteria is met.

Public water and sewer services are available to this parcel. The petition site is within the Police and Fire Service Areas, Building Safety Service Area, Anchorage Roads and Drainage Service Area, and the Parks and Recreation Service Area. Fixed-route public transportation is available at this site on 15-minute headways. Increasing the land use intensity in this area is unlikely to stretch the capabilities of existing services beyond their capacity.

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

The criteria is met.

The proposed rezone is unlikely to adversely impact the existing natural environment. While some vegetation clearing is anticipated, municipal code places preference on using existing vegetation and trees to achieve compliance with any and all landscaping requirements. The applicant is encouraged to retain as much mature vegetation as possible.

In addition to landscaping requirements, this site may be required to construct driveways and parking facilities which meet the minimum requirements of Title 21 and Title 23 at the time a land use permit is applied for. Along with constructed vehicular facilities, this site will also be required to install all necessary utilities including stormwater and drainage facilities.

This site has access from both DeBarr Rd and E. 12th Ave. DeBarr Rd is classified as a "Class III-Major Arterial" seeing over 20,000 vehicle trips per day, and E. 12th Ave is classified as a "Local Street," seeing between 2,000-10,000 vehicle trips per day. It is unlikely that the additional traffic generation to this site will increase the adverse impacts to the surrounding natural environment.

The petition site lies within a FEMA mapped Special Flood Hazard Area. In the event of a major flood, any hazardous material stored on site may contaminate local waterways. However, this risk has a low probability and should not be the main consideration for impacts to the natural environment.

While there may be noise originating from the site during any future development activity, site operations will not be permitted to exceed noise control standards of AMC 15.70.

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

The criteria is not met.

When analyzing a rezone, the Planning Department cannot only consider the planned use, but rather the shift from what is and is not allowed under the current zoning designation, and what could be allowed under the proposed zoning. Given this methodology, rezoning the petition site to B-3 would cause a disproportional use and building bulk intensity in this area. Although the applicant has plans to develop this parcel into self-storage facilities, this may not be what is ultimately developed. All potential uses and allowable dimensional standards need to be considered. Some examples of uses that are permitted in the B-3, but would likely be incompatible with the surrounding residential uses are telecommunications facilities, animal boarding facilities, nightclubs, vehicle sales, and hotels. In addition, the dimensional standards of the B-3 district allow for much more building bulk than what is allowed under the current R-2M district. This differences are shown in the tables below:

AMC 21.06.020A. Table of Dimensional Standards-Residential Districts

Use	Minimum lot dimensions ⁷			Minimum setback requirement (ft)			Max Number of Principal Structures per lot or tract	Maximum Height (ft)
	Area (sq ft)	Width (ft)	Max lot coverage (%)	Front	Side	Rear		

R-2M: Mixed Residential District								
Dwelling, single-family detached	6,000	50	40	20	5	10	1	Principal: 30, not to exceed two and one-half stories Accessory garages/carports : 25 Other accessory: 12
Dwelling, two-family	6,000	50	40	20	5	10	1	
Dwelling, single-family attached	3,000	35 (40 on corner lots)	40	20	N/A on common lot line; otherwise 5	10	1	
Dwelling, townhouse	2,400	24 (30 on corner lots)	60	20		10	1	
Dwelling, multifamily (up to 8 units permitted per building)	8,500 + 2,300 for every unit over 3	50	40	20	10	10	More than one principal structure may be allowed on any lot or tract in accordance with subsection 21.07.110F.2.	
Dwelling, multifamily, with single- or two-family style construction of multiple buildings on a lot	3,000 per unit	50	40	20	10	10		
All other uses	6,000	50	40	20	5	10		

AMC 21.06.020B. Table of Dimensional Standards: Commercial and Industrial Districts

Use	Minimum lot dimensions ⁷			Minimum setback requirement (ft)			Maximum height (ft)
	Area (sq ft)	Width (ft)	Max lot coverage (%)	Front	Side	Rear	
B-3: General Business							
Residential household living uses	6,000	50	50	10	5 plus one foot for each 5 feet in height exceeding 35 feet	10	45 ¹⁰
All other uses	6,000	50	Unrestricted	10	15 if adjacent to a residential district; otherwise 0 or at least 10	15 if adjacent to a residential district; otherwise 0 or at least 5	45 ¹¹ , except in the Midtown area bounded by the Seward Highway, Tudor Road, Arctic Boulevard, and Fireweed Lane, where there is no maximum height, and except in the U-MED District area bounded by Tudor Road, Elmore Road, Ambassador Drive, and the north and east alignments of Tudor Centre Drive, where the maximum height is 75

The applicant is not proposing any special limitations to mitigate these impacts.

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

The criteria is not met.

This request is not consistent with this parcel’s designation and land use policies within all applicable comprehensive plans. The petition site has been classified as a residential use dating back to the 1982 *Anchorage Bowl Comprehensive Development Plan*, and is presently designated as “Compact Mixed-Residential-Low” in the *Anchorage 2040 Land Use Plan*. The immediate area around the petition site is classified as “Neighborhood Center” and “Compact Mixed Residential-Low.” The underlying zoning classifications for these areas are consistent with these classifications. Placing a B-3 zoning district within this area will exacerbate a land use pattern that is inconsistent with applicable comprehensive plans. Anchorage’s population is anticipated to grow 20% by the year 2030, and vacant residentially zoned land such as the petition site will be needed to provide additional housing opportunities.

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

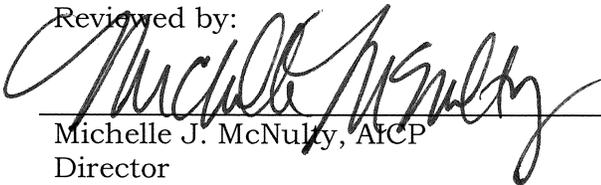
The criteria is met.

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

DEPARTMENT RECOMMENDATION

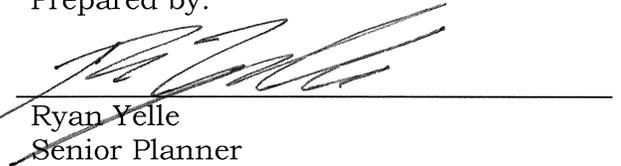
The Department finds that the approval criteria for a rezone is not met. The Department recommends DENIAL of the rezoning from R-2M to B-3. However, a draft Assembly ordinance has been enclosed for review, if after a public hearing the Planning and Zoning Commission finds that all approval criteria are met.

Reviewed by:



Michelle J. McNulty, AICP
Director

Prepared by:



Ryan Yelle
Senior Planner

(Parcel ID No. 006-141-07)