

Submitted by: Chair of the Assembly at  
the request of the Mayor  
Prepared by: Planning Department  
For reading: October 7, 2003

CLERK'S OFFICE

**AMENDED AND APPROVED**

Date: 12-1-03

Anchorage, Alaska  
AO 2003-142, **Amended**

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 14 ACRES FROM PLI (PUBLIC LANDS AND INSTITUTIONS) TO B-3 SL (GENERAL BUSINESS DISTRICT) WITH SPECIAL LIMITATIONS FOR TRACT E, MENTAL HEALTH TRUST LAND SUBDIVISION; GENERALLY LOCATED AT THE SOUTHEAST CORNER OF LAKE OTIS PARKWAY AND PROVIDENCE DRIVE.

(University Area Community Council) (Planning and Zoning Commission Case 2003-072)

THE ANCHORAGE ASSEMBLY ORDAINS:

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

Tract E, Mental Health Trust Land Subdivision, as shown on Exhibit "A" (Planning and Zoning Commission Case 2003-072).

**Section 2.** The zoning map amendment described in Section 1 above shall be subject to the following special limitations:

- A. Prior to the issuance of a grading and excavation permit for any development on Tract E, a site plan shall be submitted to the Planning and Zoning Commission for public hearing of each development, except that the internal circulation roadways, as depicted in the "U-Med Study" and utilities may be permitted following an administrative review by the MOA Planning Director. The parcel shall have the road improvements under construction within two years of the effective date of the rezone.
- B. A landscape plan shall be submitted with the site plan that details required and recommended landscaping features.
- C. Building setback standards.
  1. There shall be a building setback of at least 20 feet from the northern property boundary along Providence Drive to maintain the gateway/parkway appearance of Providence Drive.
  2. There shall be a building setback of 50 feet from the southern property boundary to allow for the future construction of East 40th Avenue.

3. The building setback on the western property boundary, along Lake Otis Parkway, shall coincide with the 10-foot Telephone and Electrical easement.

4. Along the east boundary of the property, there shall be an 8-foot landscape buffer.

D. Building height standard: building height shall be limited to 5-stories.

E. Site design standards:

1. On the northern half of Tract E, no parking areas shall be allowed between buildings and Providence Drive, and between buildings and Lake Otis Parkway. On the southern half of Tract E, there shall be no more than one driving aisle between buildings and Lake Otis Parkway. The aisle may have parking rows on both sides.

2. The planned internal access drive shall be designed as a two-lane local access street (as illustrated in the 2003 draft "U-Med District Plan," page 34) with a separated sidewalk on the western side of the street. An 8-foot landscape buffer along this sidewalk shall be provided adjacent to parking areas.

3. Two free-standing signs are allowed on each tract. A free-standing sign shall have a maximum height of 12-feet, and a maximum 80-square foot area. Pole signs are prohibited.

4. Snow storage areas shall be identified on the site plan. To facilitate snow plowing and snow removal, snow storage areas equal to at least 15% of the total area of parking, access drives, walkways, and other snow-clearing surfaces must be designated in the site plan. Half (50%) of snow storage areas shall be exclusive of required parking and required landscaping areas (per minimum code requirements).

5. All dumpsters and trash collection areas outside of buildings shall be surrounded with screens that include the following elements:

a. a roofed structure with a bottom no lower than 3 feet above the highest point of the container, and with a minimum roof height of 8 feet; and

b. an enclosure depth of a minimum 6 feet with placement of stops in back of the enclosure to prevent containers from hitting the back wall; and

c. gates that are hinged to swing open at least 180 degrees (prevent bollards or other structures from blocking the gate swinging open) and can be latched open, or have a roll-up door.

6. All outdoor light fixtures shall direct light toward the ground. The light source must not be visible from abutting streets or properties. All parking lot lighting shall have full cutoff fixtures as defined by the Illuminating Engineering Society of North America (IESNA) and shall use metal halide lamps.

F. Building and site design guidelines.

1. The facade of any building facing Lake Otis Parkway and/or Providence Drive should not appear to be the back or rear of the building. Buildings along these major roadways should include windows and/or other architectural designs/methods that break up the building façade(s).
2. The mass of a single building or group of buildings should appear as an arrangement of smaller-sized, connected structures. Upper level offices, or residential floors, may be incorporated into the roof form to help reduce the apparent height and mass of the buildings.
3. The design of the building(s) and the site should allow pedestrians access to the site via walkways along and between buildings. Access points to buildings should permit direct and easy access to primary building entrances for pedestrians.
4. To maintain an active, vital storefront appearance, at least 30% of the total ground floor (ceiling to floor) wall surface, facing a public right-of-way, should be glazed with clear (or tinted) glass windows. Upper stories should provide fenestrations, appropriate to the building design, which make the upper floors appear as active, occupied space.
5. Use, design and placement of buildings near the intersection of Lake Otis Parkway and Providence Drive should not detract from the gateway image to the U-Med District. A landmark design feature should be considered for a structure at this corner.
6. Surface parking should be designed with clear and direct pedestrian access routes. Landscaping and appropriate lighting should be provided to facilitate pedestrian use.
7. The planned internal access drive should be designed as a private road/driveway incorporating traffic calming techniques.

8. A usable outdoor space, preferably with solar orientation, should be provided for public, customer and employee use.

G. General.

1. The site plan should demonstrate compliance with the intent of mixed-use development as described in Anchorage 2020 and the 2003 draft University-Medical District Framework Master Plan, and with the Design Guidelines recommended in the 2003 draft University-Medical Framework Master Plan, to the maximum extent practicable.

2. Prior to the issuance of a grading and excavation permit for any development other than the internal circulation road and utilities on Tract E, a Traffic Impact Study (TIA) shall be completed and submitted with the first public hearing site plan review by the Planning and Zoning Commission.

H. Uses.

1. Retail uses shall be limited to 40% of the combined gross square footage of all buildings on each tract.

2. No beverage dispensary liquor license shall be allowed unless associated with a Restaurant with more than 50% of its gross business related to food.

3. Prohibited uses.

- a. Package liquor stores.
- b. Gasoline service stations, auto repair maintenance, bulk fuel dealers, primary tire change facilities.
- c. Car washes.
- d. Vehicle rentals or sales.
- e. On-site dry cleaning.
- f. Bars or taverns.
- g. Video or amusement arcades or pool halls.
- h. Adult-style entertainment (adult bookstores, peepshows, topless/bottomless dancers, massage parlors, escort services, and similar uses).
- i. Transmission towers.
- j. Mini-storage facilities.
- k. Taxidermists, meat or game processing and lockers.
- l. Pawn shops.
- m. Gun shops.
- n. Funeral parlors and crematoriums.
- o. Drive-through retail establishments of any kind.

p. Stand-alone video rental stores.

**Section 3.** The special limitations set forth in this ordinance prevail over any inconsistent provisions of Title 21 of the Anchorage Municipal Code, unless specifically provided for otherwise. All provisions of Title 21 of the Anchorage Municipal Code not specifically affected by the Special Limitations set forth in this ordinance, shall apply in the same manner as if the district classification applied by this ordinance were not subject to Special Limitations.

**Section 4.** The Director of the Planning Department shall change the zoning map accordingly.

**Section 5.** This ordinance shall become effective within ten (10) days after the Director of the Planning Department has received written consent of the owners of the property within the area described in Section 1 above to the special limitations contained herein. The rezone approval contained herein shall automatically expire and be null and void if the written consent is not received within 120 days after the date on which this ordinance is passed and approved. In the event that no special limitations are contained herein, this ordinance is effective immediately upon passage and approval.


**Section 6. The Municipal Assessor shall be notified immediately of this rezone.**

PASSED AND APPROVED by the Anchorage Assembly this

2nd day of December 2003.

ATTEST:

  
Chair

  
Municipal Clerk



**MUNICIPALITY OF ANCHORAGE  
ASSEMBLY MEMORANDUM**

**No. AM 789-2003**

**Meeting Date: October 7, 2003**

**From:** Mayor

**Subject:** AO 2003-142      Planning and Zoning Commission Recommendation of Approval to rezone 14 +/- acres from PLI to B-3 SL for Mental Health Trust Lands Subdivision, Tract E; generally located on the southeast corner of Lake Otis Parkway and Providence Drive.

1 The Mental Health Trust Land (MHTL) Office petitioned to rezone approximately 14 +/-  
2 acres from PLI (Public Lands and Institutions District) to B-3 SL (General Business  
3 District) with special limitations. The property fronts onto Lake Otis Parkway and  
4 Providence Drive.

5  
6 MHTL offered design standards, and use limitations as special limitations. The Planning  
7 and Zoning Commission accepted revised special limitations that had been worked out  
8 between MHTL and the Planning Department Staff, which incorporated concepts found in  
9 the *Universities and Medical District Framework Master Plan (U-Med Plan) Final Draft*,  
10 April 2003. The revised special limitations outline use and general special limitations  
11 (including a site plan review and a Traffic Impact Study); standards for building setbacks,  
12 building design, site design; and guidelines for building design and site design.

13  
14 The present zoning code does not easily provide for mixed-use development on this  
15 property without the use of special limitations. While the R-O, residential-office, district  
16 seems more appropriate to the character of development anticipated here, it does not permit  
17 the type of accessory retail use suitable for a mixed-use area. In contrast, the B-3, general  
18 commercial, district essentially permits all commercial uses with a focus on areas exposed  
19 to heavy automobile traffic. Although the B-3 does permit offices and other uses found in  
20 mixed-use areas, retail use on this property should be restricted to accessory use only, not  
21 primary. Given that, the revised special limitations for the proposed B-3 SL rezone would  
22 meet the intent of the mixed-use category in both *Anchorage 2020* and the 2003 draft U-  
23 Med District Framework Master Plan, and prevent the development of strip commercial  
24 along a major arterial.

25  
26 B-3 SL zoning with the revised special limitations generally meets the standards for a  
27 zoning map amendment as required by AMC 21.20.090, the Anchorage 2020 Plan  
28 Transition guidelines required by AMC 21.05.080.C.4.c (how applications would be  
29 viewed in the transition between adoption of *Anchorage 2020* and the adoption of more  
30 specific land use plans and the policies and strategies of *Anchorage 2020*, including  
31 Policies 1, 4-7, 9-14, 21-23). *Anchorage 2020* designates this area as a Major

1 Employment Center and Redevelopment/Mixed-Use Area, and is directly adjacent to the  
2 Lake Otis Transit Supportive Development Corridor making this property desirable for  
3 mixed use development.

4  
5 The Tudor Area Community Council provided a letter asking for special limitations, in  
6 addition to those already proposed, for a 40-foot buffer of trees, a transit center located off  
7 the street; traffic concerns be addressed; minimize parking; provide pedestrian amenities;  
8 require a three story height limitation; require an acoustics study (that lights not shine onto  
9 adjacent property).

10  
11 The Commission voted unanimously to recommend approval to rezone the subject  
12 property to B-3 SL. The Administration supports the proposed B-3 SL zoning for the  
13 subject property.

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15  
16  
17 Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning  
18 Department  
19 Concur: Susan R. Fison, Acting Director, Planning Department  
20 Concur: Mary Jane Michael, Director, Office of Economics and  
21 Community Development  
22 Concur: Denis C. LeBlanc, Municipal Manager  
23 Respectfully submitted: Mark Begich, Mayor  
24

# EXHIBIT A

