

CLERK'S OFFICE  
**AMENDED AND APPROVED**  
Date: 12-11-07

Submitted by:

Chair of the Assembly at  
the Request of the Mayor  
Planning Department  
December 11, 2007

Prepared by:  
For reading:

Anchorage, Alaska  
AO 2007-141(S)

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.40.020 PLI PUBLIC LANDS AND INSTITUTIONS DISTRICT, TO PERMIT HOTELS AS A CONDITIONAL USE, TO PERMIT REDUCTION OR ABATEMENT OF SIDE AND REAR YARDS UNDER CERTAIN CONDITIONS, AND TO PERMIT LARGE CAMPUS INSTITUTIONAL DEVELOPMENTS WITH MULTIPLE PRINCIPAL BUILDINGS TO LOCATE REQUIRED PARKING ANYWHERE WITHIN THE DESIGNATED CAMPUS.

Planning and Zoning Commission Case 2007-170

#### THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1.** Anchorage Municipal Code section 21.40.020 is hereby amended to read as follows (*the remainder of the section is not affected and therefore is not set out*):

**21.40.020**      **PLI public lands and institutions district.**

The following statement of intent and use regulations shall apply in the PLI district:

A. *Intent.* The PLI district is intended to include areas of significant public open space, major public and quasi-public institutional uses and activities and land reserves for which a specific use or activity is not yet identified.

\*\*\*      \*\*\*      \*\*\*

D. Conditional Uses

\*\*\*      \*\*\*      \*\*\*

**21. Hotels. When located on the campus of, and associated with, an educational program of an accredited college/university offering undergraduate and postgraduate degrees, or on the campus of a "general acute-care" hospital, as defined in 7 AAC 12.105 (a).**

**a. When associated with the college/university, hotel uses shall demonstrate to the approving authority at the time of conditional use application that the hotel use is intended to have a permanent and significant programmatic affiliation with an academic use.**

**b. When associated with a hospital, hotel uses shall demonstrate to the approving authority at the time of**

application that the hotel use is specifically designed for and situated in proximity to the hospital for the use by hospital patrons and their families.

- c. If the college/university or hospital is included in an overlay district, a master development plan, or similar management plan, the hotel shall be subject to the same development standards and design criteria contained in the plan or overlay district.**

\*\*\*      \*\*\*      \*\*\*

F. Minimum yard requirements. Minimum yard requirements are as follows:

1. Front yard: A minimum of 25 feet or not less than the front yard of the abutting use district, whichever is the greater when the abutting district is PLI or residential, otherwise equal to the minimum front yard requirement in the district abutting the front yard.

2. Side yard:

- a. A minimum of 25 feet or not less than the side yard of the abutting use district, whichever is the greater when the abutting district is PLI or residential, otherwise equal to the minimum side yard requirement in the district abutting the side yard.

- b. A side yard may be reduced or abated provided the properties sharing the common side lot line where the reduction or abatement occurs are zoned PLI and under the same ownership. The common ownership shall be maintained as long as the reduced or abated side yard exists, and documented with a recorded property ownership transfer restriction. The document to be recorded shall be approved by the administrative official as to form and content, and serve as constructive notice to subsequent purchasers and mortgagees the affected properties are inseparable.

- c. Any two lots under common ownership sharing a side yard lot line may reduce or abate the side yard setback at an interior lot line. The setback reduction on the first lot may be added to the setback required on the second lot, unless an approved master plan establishes a different distance.**

- d. In lieu of subsection c. above, prior to the issuance of a complete building permit related to the conditional use the applicant shall submit a master plan for development of its lands. The master plan shall be submitted to the Planning and Zoning Commission for**

a public hearing and transmission to the Assembly for review and approval.

e.[d.] Subject to the approval of the Fire Department, the buildings on both lots may be placed at the interior lot line.

3. Rear yard:

a. A minimum of 30 feet or not less than the rear yard of the abutting use district, whichever is the greater when the abutting district is PLI or residential, otherwise equal to the minimum rear yard requirement in the district abutting the rear yard.

b. A rear yard may be reduced or abated provided the properties sharing the common rear lot line where the reduction or abatement occurs are zoned PLI and under the same ownership. The common ownership shall be maintained as long as the reduced or abated rear yard exists and documented with a recorded property ownership transfer restriction. The document to be recorded shall be approved by the administrative official as to form and content and serve as constructive notice to subsequent purchasers and mortgagees the affected properties are inseparable.

c. Any two lots under common ownership sharing a rear yard lot line may reduce or abate the rear yard setback at an interior lot line. The setback reduction on the first lot may be added to the setback required on the second lot unless an approved master plan establishes a different distance.

d. Subject to the approval of the Fire Department, the buildings on both lots may be placed at the interior lot line.

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J. Parking.

1. Adequate off-street parking shall be provided in connection with any permitted use, and shall conform to the minimum requirements set forth in Section 21.45.080. The number of required parking spaces shall be that specified in Section 21.45.080 unless it is demonstrated to the administrative official and the traffic engineer that the patrons and employees of the land use will generate a lower-parking demand than anticipated by the supplementary district regulations. The burden of proof and demonstration of the lower parking demand lie with the property owner. Information that could demonstrate the lower-parking demand may include mass transit routing, carpooling,

1 joint parking arrangements or other parking and transit means as  
2 set out in a written parking and transportation impact plan  
3 submitted to the traffic engineer for approval. Variances to  
4 Section 21.45.080, pertaining to minimum off-street parking  
5 requirements, may be granted by the administrative official in  
6 this use district upon the recommendation of the traffic engineer.  
7 Any change in the land use to which the variance was granted  
8 shall automatically terminate the variance granted by the  
9 administrative official. Any variances granted shall be executed  
10 by the recording of a standard parking agreement.

11 2. **Parking lots and structures in PLI may be located anywhere**  
12 **within a campus provided the institutional uses and required**  
13 **parking are included in a master plan approved by the**  
14 **institution(s) and the Municipality for the unified campus**  
15 **development. The number of parking spaces shall meet the**  
16 **requirements of section 21.45.080, or a variance shall be**  
17 **obtained per sections 21.40.020J. and 21.45.080A.4.**

18  
19 [THE NUMBER OF REQUIRED PARKING SPACES  
20 SHALL BE THAT SPECIFIED IN SECTION 21.45.080  
21 UNLESS IT IS DEMONSTRATED TO THE  
22 ADMINISTRATIVE OFFICIAL AND THE TRAFFIC  
23 ENGINEER THAT THE PATRONS AND EMPLOYEES OF  
24 THE LAND USE WILL GENERATE A LOWER PARKING  
25 DEMAND THAN ANTICIPATED BY THE  
26 SUPPLEMENTARY DISTRICT REGULATIONS. THE  
27 BURDEN OF PROOF AND DEMONSTRATION OF THE  
28 LOWER PARKING DEMAND LIE WITH THE  
29 PROPERTY OWNER. INFORMATION THAT COULD  
30 DEMONSTRATE THE LOWER PARKING DEMAND  
31 MAY INCLUDE MASS TRANSIT ROUTING,  
32 CARPOOLING, JOINT PARKING ARRANGEMENTS OR  
33 OTHER PARKING AND TRANSIT MEANS AS SET OUT  
34 IN A WRITTEN PARKING AND TRANSPORTATION  
35 IMPACT PLAN SUBMITTED TO THE TRAFFIC  
36 ENGINEER FOR APPROVAL. VARIANCES TO  
37 SECTION 21.45.080, PERTAINING TO MINIMUM OFF-  
38 STREET PARKING REQUIREMENTS, MAY BE  
39 GRANTED BY THE ADMINISTRATIVE OFFICIAL IN  
40 THIS USE DISTRICT UPON THE RECOMMENDATION  
41 OF THE TRAFFIC ENGINEER. ANY CHANGE IN THE  
42 LAND USE TO WHICH THE VARIANCE WAS  
43 GRANTED SHALL AUTOMATICALLY TERMINATE  
44 THE VARIANCE GRANTED BY THE ADMINISTRATIVE  
45 OFFICIAL. ANY VARIANCES GRANTED SHALL BE

EXECUTED BY THE RECORDING OF A STANDARD  
PARKING AGREEMENT.]

[3. Institutional uses with unified campus development and multiple principle buildings may locate required parking anywhere within a designated campus area provided that total number of required parking spaces for all principal uses within the campus is provided in conformance with paragraphs 1 or 2 above. The designated campus boundary shall be documented and include the location of the parking areas with the parking space quantity noted at each location. A copy of the most current boundary site plan with depicted parking areas shall be retained by the Planning Department to verify compliance.]

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(GAAB 21.05.050.A; AO No. 77-355; AO No. 79-25; AO No. 81-67(S); AO No. 81-178(S); AO No. 82-24; AO No. 83-78; AO No. 84-34; AO No. 85-18; AO No. 85-28; AO No. 85-78; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 86-19; AO No. 86-90; AO No. 88-7(S), 7-4-88; AO No. 90-152(S); AO No. 92-93; AO No. 93-148, § 3, 11-16-93; AO No. 95-68(S-1), § 4, 8-8-95; AO No. 96-131(S), § 3, 10-22-96; AO No. 99-62, § 3, 5-11-99; AO No. 99-131, § 6, 10-26-99; AO No. 99-149, § 1, 12-14-99; AO No. 2002-109, § 3, 9-12-02; AO No. 2003-132, § 2, 10-7-03; AO No. 2005-9, § 2, 3-1-05; AO No. 2005-42(S), § 1, 5-31-05; AO No. 2005-150(S-1), § 2, 2-28-06; AO No. 2005-185(S), § 2, 2-28-06; AO No. 2005-124(S-1A), § 5, 4-18-06).

**Section 2.** This ordinance shall become effective immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 11<sup>th</sup> day of December 2007.

ATTEST:

Chairman

Municipal Clerk

**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects -- General Government**

AO Number: 2007-141(S)

Title: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.40.020 PLI PUBLIC LANDS AND INSTITUTIONS DISTRICT, TO PERMIT HOTELS AS A CONDITIONAL USE, TO PERMIT REDUCTION OR ABATEMENT OF SIDE AND REAR YARDS UNDER CERTAIN CONDITIONS, AND TO PERMIT LARGE CAMPUS INSTITUTIONAL DEVELOPMENTS WITH MULTIPLE PRINCIPAL BUILDINGS TO LOCATE REQUIRED PARKING ANYWHERE WITHIN THE DESIGNATED CAMPUS. Planning and Zoning Commission, Case 2007-170

Sponsor: MAYOR

Preparing Agency: Planning Dept for Planning & Zoning Commission

Others Impacted:

<b>CHANGES IN EXPENDITURES AND REVENUES:</b>		<b>(In Thousands of Dollars)</b>			
	<u>FY07</u>	<u>FY08</u>	<u>FY09</u>	<u>FY10</u>	
<b>Operating Expenditures</b>					
1000 Personal Services					
2000 Non-Labor					
3900 Contributions					
4000 Debt Service					
<b>TOTAL DIRECT COSTS:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
<b>FUNCTION COST:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>REVENUES:</b>					
<b>CAPITAL:</b>					
<b>POSITIONS: FT/PT and Temp</b>					

**PUBLIC SECTOR ECONOMIC EFFECTS:**

Approval of this AO should have no significant impact on the public sector.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

Approval of this AO should have no significant economic impact on the private sector. The hotel use will add a commercial use in support of a hospital or university.

Prepared by: Jerry Weaver Jr., Zoning Administrator  
Planning Department

Telephone: 343-7939



## MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 761-2007

Meeting Date: December 11, 2007

From: MAYOR

Subject: AO 2007-141 and 141(S):

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.40.020 PLI PUBLIC LANDS AND INSTITUTIONS DISTRICT, TO PERMIT HOTELS AS A CONDITIONAL USE, TO PERMIT REDUCTION OR ABATEMENT OF SIDE AND REAR YARDS UNDER CERTAIN CONDITIONS, AND TO PERMIT LARGE CAMPUS INSTITUTIONAL DEVELOPMENTS WITH MULTIPLE PRINCIPAL BUILDINGS TO LOCATE REQUIRED PARKING ANYWHERE WITHIN THE DESIGNATED CAMPUS.

Planning and Zoning Commission Case 2007-170

Planning and Zoning Commission recommendation for an ordinance amendment to Anchorage Municipal Code Section 21.040.020 Public Lands and Institutions (PLI) Zoning District to add hotels as Conditional Uses; to amend the side yard and rear yard setbacks; and to allow off-site parking.

1  
2 The original ordinance (AO 2007-141) proposes amendments to three sections of  
3 Anchorage Municipal Code section 21.40.020. The Planning and Zoning  
4 Commission version – AO 2007-141(S) adds additional language and clarification.

5  
6 The new language proposed by the Planning Commission in the S-version is  
7 reflected in **bold and underlined**; deletion of current code language is reflected in  
8 **[BOLD, BRACKETS AND ALL CAPS]**; and deletion of new language in the  
9 original ordinance is reflected in **[bold, brackets, underlined and strikethrough]**.

10  
11 The changes proposed by the Planning Commission are summarized as follows:

- 12  
13 1. Allowing Hotels in the PLI District, under certain circumstances, as a  
14 Conditional Use.  
15

1 The original ordinance allows hotels as a conditional use anywhere in the PLI  
2 district. In the S-version, the use is more restricted. The Planning Commission was  
3 concerned that PLI could become a hotel district if no limits were in place. The  
4 Commission added a restriction that, as part of the conditional use application, a  
5 hotel must demonstrate that the hotel has a significant and permanent affiliation with  
6 a university or hospital. For example, the hotel might demonstrate that the hotel is  
7 part of a college degree program with a "permanent and significant programmatic  
8 affiliation with an academic use." Or, the hotel might indicate that it reserves a  
9 certain percentage of rooms for use by the families of hospital patients.

10  
11 The Planning Commission reasoning for this modification to the original ordinance  
12 is to prevent the PLI from turning into a hotel district.

13  
14 2. Under certain circumstances, allowing the reduction or abatement of required  
15 side and rear yard setbacks.

16  
17 In the original ordinance, side yard setbacks and rear yard setbacks can be reduced  
18 from the current requirement of twenty-five feet for side yards and thirty feet for rear  
19 yards, as long as the properties are under permanent, common ownership. The (S)  
20 version also allows the setback reduction, but specifies that the side or rear setbacks  
21 must be interior lot lines, and that the specific amount of the setback will be  
22 determined on a case-by-case basis, during permit review and requires the approval  
23 of the Fire Department.

24  
25 The Planning Commission reasoning for this modification to the original ordinance  
26 is to provide minimum safe fire separation distances between buildings and provide  
27 for orderly placement of structures.

28  
29 3. Allowing required parking to be on a separate lot rather than on the same lot  
30 as the principal use.

31  
32 Parking lots and structures in the original ordinance may be located anywhere within  
33 the PLI property provided the institutional use is part of a unified campus  
34 development, and the parking area is within a "designated campus area." "Unified  
35 campus" and "designated campus area" are not defined terms, so the (S) version has  
36 deleted the word "designated" and added that a common master plan or overlay, or  
37 some type of unified development plan for the area, adopted by the Institution and  
38 the Municipality as a requirement.

39  
40 The Planning Commission reasoning for this modification to the original ordinance  
41 is to prevent haphazard placement of large parking lots and structures across PLI  
42 property without regard to an organized development plan associating the uses  
43 served with the parking areas.  
44



1 There was no opposition to the s-version of the ordinance at the Planning  
2 Commission public hearing, and the Planning and Zoning Commission supports the  
3 ordinance change in the S-version.  
4

5 **THE ADMINISTRATION RECOMMENDS APPROVAL OF AO 2007-141(S),**  
6 **AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE**  
7 **SECTION 21.40.020 PLI PUBLIC LANDS AND INSTITUTIONS DISTRICT,**  
8 **TO PERMIT HOTELS AS A CONDITIONAL USE, TO PERMIT**  
9 **REDUCTION OR ABATEMENT OF SIDE AND REAR YARDS UNDER**  
10 **CERTAIN CONDITIONS, AND TO PERMIT LARGE CAMPUS**  
11 **INSTITUTIONAL DEVELOPMENTS WITH MULTIPLE PRINCIPAL**  
12 **BUILDINGS TO LOCATE REQUIRED PARKING ANYWHERE WITHIN**  
13 **THE DESIGNATED CAMPUS.**  
14

15  
16 Prepared by: Jerry T. Weaver Jr., Zoning Administrator  
17 Planning Department  
18 Approved by: Tom Nelson, Director, Planning Department  
19 Concur: Mary Jane Michaels, Executive Director  
20 Office of Economic and Community Development  
21 Concur: James N. Reeves, Municipal Attorney  
22 Concur: Denis C. LeBlanc, Municipal Manager  
23 Respectfully submitted, Mark Begich, Mayor

Draft

**MUNICIPALITY OF ANCHORAGE  
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2007-082**

A RESOLUTION RECOMMENDATION OF APPROVAL OF ASSEMBLY ORDINANCE 2007-141 AS AMENDED BY 2007-141(S), AMENDING ANCHORAGE MUNICIPAL CODE SECTION 21.40.020 D. TO ADD HOTELS TO THE USES ALLOWED UNDER CONDITIONAL USES, IN THE PUBLIC LANDS AND INSTITUTIONS DISTRICT (PLI); AND TO REDUCE SIDE AND REAR YARD SETBACKS; AND TO ALLOW PARKING LOTS AND STRUCTURES ANYWHERE WITHIN A CAMPUS.

(Case 2007-170)

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WHEREAS, a request has been received from the Anchorage Assembly for a recommendation on Assembly Ordinance 2007-141 which would amend Anchorage Municipal Code section 21.40.020 D. to add hotels to the uses allowed under conditional uses, in the Public Lands and Institutions District (PLI); and to reduce side and rear yard setbacks; and to allow parking anywhere within a campus; and

WHEREAS, based on Planning Department research and discussion at the public hearing, the Planning Commission believes further refinement of the ordinance is needed and recommends AO 2001-171(S); and

WHEREAS, notices were published, posted and a public hearing was held on November 19, 2007.

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

A. The Commission makes the following findings of fact:

1. In researching other cities, the Planning Department found that hotels are allowed either by right or as a conditional use in the same zoning district as universities and hospitals. Many other cities consider hotels to be complementary to universities and hospitals.
2. The conditional use application process will allow sufficient time for reviewing agencies and the public to decide if a hotel is appropriate for a given location.
3. A.O. 2007-141(S) requires a hotel to demonstrate it is associated with a university and hospital.
4. Setback requirements in the PLI district are appropriate because PLI uses are often large buildings such as hospitals and university buildings. In addition to aesthetic character, adequate separation is often required by the Fire Department for access.
5. A.O. 2007-141(S) would allow side and rear yard setback reductions for lots under common ownership and sharing an interior lot line to reduce

the side yard and rear yard setback on one lot if the setback reduction on one lot is added to the other lot. The total setback would be maintained, however, this would give an institution more flexibility to choose the best placement for a building.

6. A.O. 2007-141(S) would also allow a setback to be eliminated, thereby placing two buildings on the lot line, subject to Fire Department approval.
7. In the current code, parking must be located on the same lot, or adjacent lot, as the use it serves. It is appropriate to allow parking lots or structures anywhere within a campus, when the campus and parking areas are part of a plan or overlay that has been adopted by the institution and the Municipality.

B. The Commission recommends ordinance 2007-141 be APPROVED by the Anchorage Assembly, subject to the following changes in AO 2007-141(S) :

1. Page 1, line 24. "Hotels. When located on the campus of, and associated with an educational program of, an accredited college/university that offers undergraduate and postgraduate degrees, or on the campus of a "general acute care" hospital, as defined in 7 ACC 12.105(a). When associated with a hospital, hotel uses must demonstrate to the approving authority at the time of application that the hotel use is specifically designed for and situated in proximity to the hospital for the use by hospital patrons and their families."

Page 1, line 31 "If the college/university or hospital is included in an overlay district a master development plan, or a similar management plan, the hotel shall be subject to the same development standards and design criteria contained in the plan or overlay district."

2. Page 2, line 21 "Any two lots under common ownership sharing a side yard lot line may reduce or abate the side yard setback at an interior lot line. The setback reduction on the first lot may be added to the setback required on the second lot, unless an approved master plan establishes a different distance."

"Subject to Fire Department approval, the buildings on both lots may be placed at an interior lot line (no setback on either lot)."

3. Page 3, line 5 "Any two lots under common ownership sharing a rear yard lot line may reduce or abate the rear yard setback at an interior lot line. The setback reduction on the first lot may be added to the setback required on the second lot, unless an approved master plan establishes a different distance."

"Subject to Fire Department approval, the buildings on both lots may be placed at an interior lot line (no setback on either lot)."

4. Page 3, line 33. "Parking lots and structures in PLI maybe located anywhere within a campus provided that the institutional uses and required parking are included in a master plan approved by the institution(s) and the Municipality, for the unified campus development. The number of parking spaces shall meet the requirements of AMC 21.45.080, or a variance shall be obtained per AMC 21.40.020 J. and 21.45.080 A.4."

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 19<sup>th</sup> day of November 2007.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this \_\_\_\_\_ day of \_\_\_\_\_ 2007. If the Planning and Zoning Commission recommends that the Assembly disapprove a zoning map amendment, that action is final unless within 20 days of the Commission's written resolution recommending disapproval, the applicant may file a written statement with the municipal clerk requesting that an ordinance amending the zoning map in accordance with the application be submitted to the Assembly.

\_\_\_\_\_  
Tom Nelson  
Secretary

\_\_\_\_\_  
Toni M. Jones  
Chair

(Case 2007-170)

AYE: Josephson, Jones, Isham, Fredrick, Phelps, Wang, Cotten  
NAY: None

PASSED

**F. REGULAR AGENDA**

**G. PUBLIC HEARINGS**

1.     **2007-117**           C & T Construction Inc. A conditional use for a PUD (planned unit development). Tundra Jewel Ranch Subdivision, Lot 20. Generally located south of Needles Loop and west of Wildwood Drive.

***POSTPONED INDEFINITELY***

2.     **2007-045**           Fred Stauber. An amendment to a conditional use for an impound yard to define impound yards as conditional uses. Southtown Industrial Park Subdivision, Lot 8. Located at 641 E. 57<sup>th</sup> Place.

***POSTPONED TO DECEMBER 19, 2007***

3.     **2007-170**           Municipality of Anchorage. An ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 21.40.020 PLI Public Lands and Institutions District, to permit hotels as a conditional use, permit reduction or abatement of side and rear yards under certain conditions and to permit large campus institutional developments with multiple principal buildings to locate required parking anywhere within the designated campus.

Staff member FRANCIS McLAUGHLIN noted that late comments have been laid before the Commission this evening. AO 2007-141 proposes to change the PLI zoning district in three ways: adding hotels to the list of conditional uses if associated with the university or hospital; by giving consideration to flexibility of side and rear setbacks;

and by allowing parking on an associated lot within a designated campus. In researching other cities, the Department found hotels are allowed either by right or as a conditional use in the same zoning district as universities and hospitals. Other cities consider hotels and other commercial uses to be complementary to universities or hospitals. The Department would not support adding hotels to the PLI district as a by-right use, but does support it as a conditional use. The conditional use application process will allow sufficient time for reviewing agencies and the public to decide if a hotel would or would not benefit the community. The Department's S version of the ordinance requires that hotels be programmatically affiliated with a hospital or academic use. In the current PLI district, setbacks are a minimum of 25 feet for side yards and 30 feet for rear yards. These large setback requirements are appropriate as PLI uses are often large buildings. In addition to aesthetic character, adequate separation is often required by the Fire Department for access. The Department's S version would allow two lots under common ownership and sharing a lot line to reduce side and rear yard setbacks on one lot if it is added to the other lot. The setback would be maintained, but it would give an institution the flexibility to improve building placement. The S version would allow the setback to be completely eliminated, thereby putting two buildings together, subject to a conditional use and Fire Department approval. In the current code, parking must be located on the same lot as the use it serves. This does not make sense with respect to these uses since parking areas for hospitals, universities, and other large institutional uses are often placed in a central location. It is logical to allow parking anywhere on an approved campus as part of a master plan. The S version addresses this.

COMMISSIONER PHELPS asked if "or similar long-term growth plan" on page 1, line 31 of the ordinance could be changed to "or similar management plan." MR. McLAUGHLIN supported this change. COMMISSIONER PHELPS was confused by the additional flexibility in the S version regarding side and rear yards. He was not sure how the change improves flexibility. MR. McLAUGHLIN explained he was trying to describe that the ordinance identifies a situation when it would be appropriate to locate another building closer to a lot line in order to deal with topography or roads or another complicating issue, but the required setbacks would be retained overall. This change would allow a building to locate closer to the lot line, creating an encroachment under the current code. COMMISSIONER PHELPS understood that the language "subject to the conditional use approval and fire Department approval, the

buildings on both lots can be placed at the lot line," could create a situation where buildings abut each other. He asked why that would be a good idea. MR. McLAUGHLIN explained the Department believes in certain circumstances it would be sensible for buildings to abut; however, it is important to protect access for emergency services. The Fire Department does not object to two buildings touching, but they do object to buildings located one foot apart, for instance.

COMMISSIONER PHELPS asked how it would be desirable to eliminate side and rear yard setbacks rather than using the variance process. MR. McLAUGHLIN explained that this code revision would allow for the closer placement of the buildings rather than requiring a variance in order to do so. COMMISSIONER PHELPS noted that the approval standards for variance approval relate to dimension, whereas conditional use approval standards do not address the same things. He could not see the advantage of using the conditional use process when the variance process exists.

COMMISSIONER ISHAM found it difficult to imagine two buildings abutting unless they were designed and built at the same time. MR. BARRETT replied that this standard is allowed in the B-3 district, there is either a minimum setback or the building can be set at the lot line, regardless of ownership. This provision provides flexibility for the applicant. A conditional use process would allow the applicant to save time. In such instances, although there is no setback on one side, it would be included on the other side under this ordinance revision.

COMMISSIONER JOSEPHSON asked if the fundamental difference with the Assembly version of the ordinance is that it would allow a hotel in any PLI district. MR. BARRETT replied that the hotel must be programmatically affiliated with the institution. The ordinance limits the location to the UAA/APU/Providence campus. The most significant difference between the Assembly and the S version are the setback provisions. Under the Assembly version theoretically there could be a one-foot separation. COMMISSIONER JOSEPHSON asked if these changes could have been effected through a zoning change. MR. BARRETT replied in the affirmative, but explained that the zoning would be B-3 in order to allow hotels or I-1, neither of which is appropriate for those properties.

COMMISSIONER WANG asked about the term "programmatically affiliated," which is not defined. He believed that might not work as intended when outside the context of the specific program that it appears this ordinance amendment is intended to accommodate. MR.

McLAUGHLIN replied that the conditional use would require the petitioner to prove that the hotel would be programmatically associated with the university or hospital use. COMMISSIONER WANG asked what this would mean in terms of a programmatic affiliation with a hospital, other than providing accommodation for friends and family of patients at the hospital. MR. McLAUGHLIN suggested that this be addressed by representatives of Providence.

COMMISSIONER PHELPS asked that Staff consider alternative wording to "programmatically affiliated" either "functionally associated with" or "is necessary to the functions of."

CHAIR JONES understood the applicant in this case is the Municipality. MR. BARRETT explained the ordinance was laid on the table at the Assembly, but the Department is the applicant as it is proposing the S version.

The public hearing was opened.

TIM POTTER, proponent of the S version, explained there are three items before the Commission related to parking, yard setback, and adding hotels. Regarding the latter, he believed that in the PLI district there is a clause that says desirable adjunct uses to principal uses are permitted. In evaluating projects with APU, UAA and Providence Hospital, it has become clear there are large scale elements of the overall campus that are small in context and are appropriate adjuncts. He displayed an outline of the hotel operated by Marriott on the Cornell campus, renowned for hotel management training. There is a proposal for a hotel operated by NANA as a Marriott facility and located on the APU campus. It would be associated with the education program, not necessarily the function of the University. This is essentially an on-campus "laboratory" to provide training to students with professionals in the field. This campus wants to draw people from around the world to this specialty program. The language in the S version ties the use to the program of the school and specifically the university with undergraduate and graduate programs and/or a certain class of medical facility of which there is only one in the PLI district, Providence Hospital. Other hospitals have hotels for friends and families and the new Hickel House could also be considered in this category.

COMMISSIONER ISHAM asked that Mr. Potter address the parking issue. MR. POTTER explained that, using the 70-acre Providence campus as an example, there are public streets going through the campus and when the count for parking is done there is an issue with having to provide parking on



the lot or the abutting lot, and not across the street. If there is a parking garage serving the parking needs of the campus and there is a grade-separated crossing, the code does not allow counting the spaces in that structure as meeting the parking requirements of the developments on the campus. This proposed ordinance is an interim means of dealing with the hoped for change in Title 21 to address campus planning. Building setback changes are proposed in order to maintain the green space on the exterior edge of the campus and avoid problems that arise with the numerous interior lot lines and associated setbacks; going through a replat is extremely onerous. The University and Providence do not necessarily want to go through the replatting process. The owners will still own the lots in common. The requirement for setbacks is not sensible in these circumstances. He explained that the conditional use approval process allows for review by all pertinent agencies and by the Commission. Anchorage developers are trying to push buildings on campuses together in order to facilitate the movement of users in this arctic climate.

COMMISSIONER PHELPS asked if use of the word "campus" would constitute a problem if it were not defined. MR. POTTER replied that it could either be defined or a recommendation could be made to the Assembly to adopt a definition or it could be defined in the Commission's findings. COMMISSIONER PHELPS asked why would it be desirable to add the reduced side yard to the adjacent lot if the site plan proves that the placement on the lots is appropriate, given that there is a public facility site plan review. MR. POTTER agreed that there is a site plan review process. COMMISSIONER PHELPS asked for an explanation of the conditional use process that would allow buildings to locate on the lot lines themselves. MR. POTTER felt it was redundant, given that the Commission will see the site plan in any case, but he believed the intent was to allow public review in order to allow comment on whether or not the buildings could appropriately abut a lot line. He did not know that this adds to the process. COMMISSIONER PHELPS asked regarding the reference to "within a designated campus" whether there are designated campuses. MR. POTTER replied that those uses that believe they are a campus and are located in the PLI district would write a letter to the City and indicate they would like the City to determine that they are a campus. COMMISSIONER PHELPS thought there were essentially two institutions of uses that could be considered a campus and this issue could be dealt with in terms of a definition of "campus". This ordinance revision also refers to a municipally adopted master plan or overlay district, which means that a university or hospital master plan would not be sufficient. He felt the use of this section is constrained by this language. MR. POTTER agreed with Commissioner Phelps and believed this language goes back to a time when there was a

significant disagreement in the way UAA was doing its planning and not bringing it to the Commission. He noted that within the Title 21 Rewrite there is an institutional master planning component and in the near future something of this nature will be adopted in Title 21. Both APU and UAA have master plans that have not come to the Commission for adoption and Providence has a master plan that has come to the Commission for adoption. COMMISSIONER PHELPS felt that to the extent the Commission has approved the master plans for these institutions, those plans should be used rather than a municipally approved master plan or an overlay district. MR. POTTER indicated that there is ongoing discussion and no agreement as to the level of detail required for the master plans in the code. Once those are adopted, and so long as there are no significant modifications to the plans, those should govern the development. The Municipality has suggested that if a 100,000 SF building is modified by 1,000 SF, it has to come back through the approval process. Those issues will be debated over the next year. COMMISSIONER PHELPS noted that the existing institutions would not be able to move forward under the code revision as stated because they do not have approved master plans; this would not address the issue of parking, which is most critical. He believed that this code would not allow anything to be done without a municipally approved master plan or overlay district, so this is not an interim solution. MR. POTTER agreed that this assessment was correct. COMMISSIONER PHELPS understood that there might be an approved master plan by the entities. MR. POTTER replied that this is the case, and the plan has been approved by the Board of Regents. He believed the Assembly could address this problem. COMMISSIONER PHELPS asked how the problem could be solved. MR. POTTER believed the Assembly would modify that portion of the S version to accommodate the ability to identify a campus and provide parking anywhere within the campus. COMMISSIONER PHELPS noted that the Commission could change this now.

CHAIR JONES remarked that when institutions of this nature develop master plans, they are not only land use, but programmatic in nature. There must be flexibility given that requirements and/or technology changes.

COMMISSIONER JOSEPHSON understood that the general premise behind the parking issue is not to delimit the parking in structures, but rather to span the campus as the university or hospital sees fit. He asked what is to stop a campus that is already difficult to travel from loading parking in one area, if there is no master plan. MR. POTTER replied that whatever facility comes forward must be reviewed by either the Commission or UDC. COMMISSIONER JOSEPHSON stated there are other institutions, such as Charter College or Wayland Baptist. MR. POTTER replied that such uses might have zoning that allows hotels, such as R-O.

COMMISSIONER WANG asked what is the programmatic affiliation between a hotel and a hospital. MR. POTTER explained that the tie is not necessarily programmatic, the code refers to a hospital of a certain type and the only two in the state are Providence and Alaska Regional. Alaska Regional can build a hotel on their property as a permitted use in the R-O zoning district. When the Administration indicated concern to the Assembly over the language that had been submitted, a decision was made to limit what is allowed so that the hotel use is limited to one associated either programmatic to a university or to a hospital of a certain type. This limits the use to UAA, APU or Providence Hospital. COMMISSIONER WANG asked why hospitals were included. MR. POTTER explained that outside of Alaska it is common to have hotels on the campus to service the needs of patients and their families. Also the Hickel House has a charge and the petitioner wished to be sure it is not considered a nonconforming use.

CHAIR JONES believed with the cancer center opening, there would be an increased demand for nearby overnight accommodations.

GUNNER KNAPP, area resident, suggested a stronger statement in the ordinance relating to hotel uses associated with university or hospital uses, such as "Hotel uses must demonstrate to the approving authority at the time of conditional use application that the hotel use will have a significant and permanent programmatic affiliation with a hospital or academic use." He thought the issue is whether this use is really compatible with the use of the property. He did not want a commercial operation masquerading as a programmatic use by having a low number of students involved. He hoped that if the ordinance were adopted, the party granting a conditional use permit would consider whether this use is significant and whether it is permanent. He questioned what would happen if a hotel management program fails, but the hotel remains. He wanted to ensure that, if such a conditional use is granted, there is care to ensure that the hotel use is significant and continuing.

TOM NELSON explained regarding the language on the parking requirement that the phrase "municipally adopted master plan" does not refer to a municipal plan, but rather to one generated by Providence or UAA, for instance. The Department is in the process of developing a procedure whereby large institutions can create a master plan that goes through a municipal process and then the institutions can proceed with their developments without further municipal review. He was not aware that this ordinance was being used as an interim tool until the other amendment is

adopted. If this ordinance were intended to be more permanent in nature, he would object to deleting reference to the plan being municipally adopted.

COMMISSIONER ISHAM asked if "accepted" would be better than "adopted". MR. NELSON preferred "adopted" because it has the effect of being policy. CHAIR JONES asked who would adopt the plan. MR. NELSON replied that in the institutional master planning process, the Assembly would be the ultimate adopting authority. This is a process where the institution takes the initiative to produce the plan. COMMISSIONER ISHAM felt the correct word is "approved." MR. NELSON agreed.

COMMISSIONER PHELPS suggested revising the language to delete "designated" and "Municipally adopted" and insert after "master plan" the phrase "approved by the institution and the Municipality." MR. NELSON stated this is the intent of the ordinance.

COMMISSIONER JOSEPHSON was concerned with the language that makes municipal approval mandatory given that these institutions have existed for decades.

COMMISSIONER PHELPS asked about the ability to place buildings on the lot line and why a conditional use process rather than variance process is preferable. MR. NELSON stated that if the matter involves an internal lot line, the issue of a setback is not that important. If the lot line is on the boundary of a property, the circumstance is different. He was not aware that building on a lot line requires a conditional use. MR. BARRETT explained the petitioner would simply show during the conditional use site plan what he wants to build on the site so there is no separate review. It would not be done by variance because variances have seven fairly strict standards that must be met and the most difficult is that there is something physically significant that inhibits the development of the property. There is little flexibility in a variance. COMMISSIONER PHELPS understood it was preferable to deal with the setback issue in the conditional use process so there is not a separate process for a variance. MR. BARRETT stated this is correct.

MR. McLAUGHLIN stated Staff had conferred and agrees with the Commission's concerns related to the language of "conditional use" as it applies to the entire PLI district, not just to the issue of hotels. He suggested revising the language to remove conditional use as a requirement for changing setbacks. He amended page 2, line 26 and page 3, line 10 of the ordinance to delete "the conditional use approval and."

COMMISSIONER JOSEPHSON assumed this change is being done because the issue being addressed in those sections is a right for some uses. MR. NELSON replied that some uses could be permitted and would not be required to undergo a conditional use review.

COMMISSIONER PHELPS asked if "interior lot line" could be inserted in each of these sections. MR. NELSON felt this added clarification.

CHAIR JONES noted that Dr. Knapp had raised the issue of what happens if there is a programmatic change and the hotel is no longer providing a programmatic function. She asked what happens to the conditional use at that time. MR. McLAUGHLIN responded that the reason behind this language was to not allow the PLI to become a hotel district. The Department supports this when the use is associated with a university or hospital. MR. NELSON stated that there is a question of nonconforming rights or integral use; something that would need to be investigated before the Department could provide the Commission with a definitive answer. The language suggested by Dr. Knapp would be problematic; there would be a question whether the use has grandfather rights. CHAIR JONES asked for comment by Mr. Potter. MR. POTTER explained that a case is coming forward where this language is incorporated into the land lease. APU will continue to own the land, the hotel operator will build a building and, upon the end of the lease that is 30 years plus two 10-year periods, the ownership goes to APU. Regardless of who operates the hotel, it is still a conditional use and subject to those requirements. Programmatic connection to the university is specified in the lease agreement with APU. The Commission can judge whether or not this addresses this concern. CHAIR JONES suggested there could be periodic reporting to the Municipality that the use continues to comply.

COMMISSIONER JOSEPHSON believed the ordinance does not allow a hotel on the APU campus to request another accessory use such as a restaurant. MR. NELSON replied that much would depend on the intensity of the use and its relation to the hotel. MR. BARRETT noted that if a restaurant use were not shown in the original site plan conditional use, a major amendment would be required to allow one.

The public hearing was closed.

COMMISSIONER PHELPS moved for approval of case 2007-170, ordinance 2007-141(S) to allow hotels as a conditional use and to amend the parking and setback requirements in the PLI district, subject to the Department's recommended changes: page 1, line 24 "Hotels. When located on the campus of, and associated with an educational program of, an accredited

college/university that offers undergraduate and postgraduate degrees, or on the campus of a "general acute care" hospital, as defined in 7 AAC 12.105(a)." Hotel uses must demonstrate to the approving authority at the time of conditional use application that the hotel use will have a significant and permanent programmatic affiliation with a hospital or academic use. Findings to this effect must be made by the approving authority." Page 1, line 31 "If the college/university or hospital is included in an overlay district a master development plan, or a similar management plan, the hotel shall be subject to the same development standards and design criteria contained in the plan or overlay district." Page 2, line 21 "Any two lots under common ownership sharing a side yard lot line may reduce or abate the side yard setback between an interior lot line. The setback reduction on the first lot may be added to the setback required on the second lot, unless an approved master plan establishes a different distance." Page 3, line 5 delete "the conditional use approval and" and delete "the lot line" while inserting "an interior lot line." Page 3, line 5 add ", unless an approved master plan establishes a different distance." Page 3, line 10 delete "the conditional use approval and" and delete "the lot line" while inserting "an interior lot line." Section J.3 to delete "designated" and insert after "included in a" the phrase "master plan approved by the institution and the Municipality" and delete "municipally adopted master plan." COMMISSIONER FREDRICK seconded and amended 3) a) and 3) c) to delete "between" and insert "at". *This was accepted as a friendly amendment.*

COMMISSIONER PHELPS supported his motion, noting that the PLI district is one that deals with a wide variety of uses. In this particular case the ordinance deals with hotels associated with universities. Based on the Department's research on how other communities handle this type of development, he believed that a hotel use related to a university or hospital where there is some functional association with the university or hospital is appropriate. Further, he believed that it makes sense to change some of the requirements relating to side lot lines so there is added flexibility in the situating of buildings on the site. This could enhance the design and the utilization of space in a campus environment. He believed that the change related to parking is very important because it recognizes that most properly inside a campus it is unlikely that parking would be on the same lot. It is important that these approvals be done within an integrated framework that is approved by the entity and the Municipality.

COMMISSIONER JOSEPHSON believed the language proposed by Commissioner Phelps appears to not require approval by a municipal agent, whereas the parking would require that. COMMISSIONER PHELPS replied

that this was how the language was developed and presented to the Commission.

COMMISSIONER WANG felt that a hotel near a hospital is different than a hotel affiliated with a university. In the case of a hospital he was thinking of language that might focus on the hotel being designed for and physically situated in proximity to the hospital for the use of hospital patrons and their families. He felt that using the term "programmatic" in relation to the hospital associated with the hospital and the university dilutes the term as it relates to the university. He proposed replacing the language in page 1, line 24 to delete "Hotel uses must demonstrate to the approving authority at the time of conditional use application that the hotel use will have a significant and permanent programmatic affiliation with a hospital or academic use. Findings to this effect must be made by the approving authority." and insert "When associated with the university, hotel uses must demonstrate to the approving authority at the time of conditional use application that the hotel use is intended to have a permanent and significant programmatic affiliation with an academic use. When associated with a hospital, hotel uses must demonstrate to the approving authority at the time of application that the hotel use is specifically designed for and situated in proximity to the hospital for the use by hospital patrons and their families." COMMISSIONER FREDRICK seconded. *The amendment was accepted as friendly.*

COMMISSIONER JOSEPHSON felt that the changes offered by Staff, Mr. Potter and Commissioner Phelps have improved this ordinance. He felt that these campuses are one of the better parts of town and this version is a more progressive version than the Assembly's.

CHAIR JONES supported the ordinance, finding that the version before the Commission is more progressive. She appreciated the amendments that have been made by the Commission, particularly the language changes regarding the master plan approval by both the institution and the Municipality. She noted that universities and hospitals have different missions. Many hospitals have adjacent hotels for the convenience of patrons, particularly regional medical facilities.

AYE: Josephson, Jones, Isham, Fredrick, Phelps, Wang, Cotten

NAY: None

PASSED

4. 2007-165

Venture Development Group. A conditional use for an off street parking garage

**MUNICIPALITY OF ANCHORAGE  
PLANNING DEPARTMENT  
MEMORANDUM**

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**DATE:** November 19, 2007

**TO:** Planning and Zoning Commission

**THROUGH:** Tom Nelson, Division Director *TN*

**FROM:** Alfred Barrett, Senior Planner *AB*

**APPLICANT:** Municipality of Anchorage

**REPRESENTATIVE:** Planning Department

**SUBJECT:** **Case 2007-170:** AO 2007-141 Amendment to the PLI (Public lands and institutions) district to allow hotels as a conditional use; and to amend the parking and setback requirements in the PLI district, generally.

**LOCATION:** Municipality-wide

**TAX PARCEL NO.** N/A

**Background:**

AO 2007-141 is proposing changes to the PLI district in three sections of the Code, AMC 21.40.020:

- 1) adding the use of HOTELS, under certain circumstances, as a conditional use;
- 2) reducing side and rear yard setbacks throughout the PLI district, without obtaining a variance; and
- 3) allowing required parking for a particular use to be located anywhere within a designated campus area, and not on the same lot as the use served by the parking, throughout the PLI district.

Item 1) applies only to hotels, whereas, items 2) and 3) would apply to all PLI property whether or not there is a hotel on the property. These changes will be discussed separately.

- 1) In the PLI district, AMC 21.40.020, "hotel" is not a permitted, accessory or conditional use. Certain residential and commercial uses are allowed in the



PLI: convents, monasteries, child care homes, adult care facilities, correctional institutions, habilitative care facilities, dormitories, and homeless/transient shelters, temporary commercial uses and associated temporary structures, natural resource extraction on tracts of at least five acres, large domestic animal facilities, and snow disposal sites are all allowed as either principal permitted uses or conditional uses.

The basic difference with a hotel is that the above uses are generally institutional, as in a convent or a correctional institution, or are a public service, as in a child care home or a homeless shelter; whereas a hotel is usually a privately owned, stand-alone commercial enterprise. Planning Department research has generally found that in other cities around the United States, hotels are generally not allowed on land zoned for institutional or public uses. These other jurisdictions have very strict use limitations in their zoning districts for Institutional or Public Use. However, these same cities usually have specialized zoning districts, overlay districts, or some type of conditional use review which may allow hospitals, universities, and hotels.

Around the country, universities with hotel management degree programs often have a hotel on the campus for use in the degree program. In all instances we found, the hotels are owned by the university. In some of the cases, the hotel is operated for profit by a private company and used in the degree program, but is still owned by the university. In other instances, the hotel is available to the public, but is run by the university hotel management degree program.

Alaska Pacific University (APU) is proposing to lease land to a privately owned company which would build and operate a franchise hotel. The hotel would be open to the public, and a small portion of the hotel would be made available to APU and or the University of Alaska, Anchorage (UAA) for use in a hotel management degree program. APU in the past has had a four year, undergraduate degree program in hotel and tourism management, but the hotel and tourism management degree program is not currently active. In the ordinance the applicant is proposing that a college/university must be "programmatically associated" with the hotel. The term "programmatically associated" is not defined.

2) The ordinance as proposed would allow reduction of side and/or rear yard setbacks, on a PLI-wide basis, without limit. The current PLI setbacks are 25 feet for side yards and 30 feet for rear yards. PLI buildings are often large, institutional looking buildings and separation of buildings for both aesthetic

reasons and fire access should be maintained. Where lot lines are interior to an institution's larger land area consisting of two or more parcels, setbacks from such lines may inhibit good building placement unless a variance is obtained. This ordinance amendment would alleviate the need for a variance in order to obtain good building placement.

3) Allowing parking in PLI anywhere within a designated campus may be appropriate. Parking on university campuses or hospital grounds is usually in a central location, some distance from the actual use. The number of required spaces can be handled with an administrative variance, but the location of the parking must meet code. See discussion below.

**Discussion:**

1. Ordinance 2007-141, as introduced by the Assembly, would allow hotels on PLI property in the Municipality by conditional use. The (S) version of the ordinance adds that the hotel must be associated with a university or hospital. Under existing development, only the APU – UAA – Providence campus would meet this requirement. Alaska Native Medical Center (ANMC) is zoned B-3 and Alaska Regional Hospital is zoned R-O. Within the Municipality of Anchorage, there are currently approximately seventy-seven (77) parcels, vacant or developed, of privately owned land zoned PLI. Forty of the parcels are smaller than four acres in size. Thirty-seven of the parcels are four acres or larger.

Allowing a hotel as a stand-alone, principal use would dramatically change the nature of the PLI district. While residential and some commercial use is appropriate in PLI, a commercial hotel needs to be associated with an institutional use in order to prevent PLI from turning into a hotel district, as has happened with the I-1, the light industrial zoning district. "Hotel" on a hospital campus or on a university campus, when programmatically associated with the university, is an appropriate use.

2. The ordinance also allows for an unlimited reduction of the side yard and rear yard setback requirement. In the current PLI district, side yards are a minimum of 25 feet and rear yards are a minimum of 30 feet. These large setback requirements are appropriate because PLI uses are often large, institutional style buildings, such as hospitals and universities. In addition to aesthetic character, adequate separation is often a Fire Department building access consideration as well.

The way the ordinance is written, building separation on each lot could be reduced to a few feet from the lot line. This might result in very large buildings being almost adjacent without adequate room for fire egress. Yard setbacks should have some flexibility when a common interior lot line is under same ownership, but the flexibility should ensure that the intent of the PLI yard setback is met. Yard setbacks have the possibility of being further adjusted by a variance, if the variance standards can be met.

3. In the current code, parking must be located on the same lot as the use it serves. Required parking not located on the same lot as the use normally would require a variance, as would the yard setback reduction. In PLI district, the "Administrative Official" (Planning Director and Traffic Engineer) may grant a variance to the parking requirements for the number of spaces, but not for the requirement that the parking area must be on the same lot or adjacent lot as the use it serves.

Because parking areas at hospitals, universities, and other large institutional uses are often in a central location, it is appropriate to allow parking anywhere within a designated campus, as part of an approved master plan.

**Department recommendation:**

The Planning Department version of the ordinance, AO 2007-141(S), with recommended changes shown in bold, italic, underline is attached.

Below are the recommended changes with the page and line number referred to in the Assembly ordinance 2007-124.

1) Blanket allowance of hotels within all PLI property would not be appropriate. The definition of hotel adequately limits the use in PLI to a conditional use. The Department recommends the following additions:

Add the following language under D. Conditional Uses, 21. Hotels, beginning at Page 1, line 24:

**Hotels. When located on the campus of, and programmatically associated with an accredited college/university which offers undergraduate and postgraduate degrees, or on the campus of a "general acute care" hospital, as defined in 7 AAC 12.105 (a).**

and:

**Hotel uses must demonstrate to the approving authority at the time of conditional use application that the hotel use is programmatically affiliated with a hospital or academic use.**

2) Because it is possible the university or hospital has been, or will be developed, under a master plan or overlay district, add the following language immediately after the above language and beginning at:

Page 1, line 31:

**If the college/university or hospital is included in a master development plan, overlay district, framework plan, or similar long term growth plan, the hotel shall be subject to the same development standards and design criteria contained in the plan or overlay district.**

3) In order to maintain aesthetic appearance and adequate Fire Department separation, the Department suggests the following ordinance language be added under:

F. Yard requirements, Side yard, beginning at:

**a) Page 2, line 21: Any two lots under common ownership sharing a side yard lot line may reduce or abate the side yard setback between the shared lot line. The setback reduction on the first lot shall be added to the setback required on the second lot.**

and

**b) Page 2, line 26: Subject to the conditional use approval and Fire Department approval, the buildings on both lots may be placed at the lot line (no setback on either lot).**

and, Rear yard

**c) Page 3, line 5: Any two lots under common ownership sharing a rear yard lot line may reduce or abate the rear yard setback between the shared lot line. The setback reduction on the first lot shall be added to the setback required on the second lot.**

and

**d) Page 3, line 10: Subject to the conditional use approval and Fire Department approval, the buildings on both lots may be placed at the lot line (no setback on either lot).**

3. Section J. 3. which begins on page 3, line 6, pertaining to parking anywhere within a designated campus area:

**Parking lots and structures in PLI maybe located anywhere within a designated campus provided that the institutional uses and required parking are included in a Municipally adopted master plan or overlay district for the unified campus development. The number of parking spaces shall meet the requirements of AMC 21.45.080, or a variance shall be obtained per AMC 21.40.020 J. and 21.45.080 A.4.**

Submitted by: Chairman of the Assembly at the  
Request Assemblymember  
Prepared by: Assemblymember  
For reading:

Anchorage, Alaska  
AO 2007-141(S)

AN ORDINANCE AMENDING THE ANCHORAGE MUNICIPAL CODE OF ORDINANCES  
SECTION 21.40.020 PLI PUBLIC LANDS AND INSTITUTIONS DISTRICT, TO PERMIT  
HOTELS AS A CONDITIONAL USE, TO PERMIT REDUCTION OR ABATEMENT OF  
SIDE AND REAR YARDS UNDER CERTAIN CONDITIONS, AND TO PERMIT LARGE  
CAMPUS INSTITUTIONAL DEVELOPMENTS WITH MULTIPLE PRINCIPAL  
BUILDINGS TO LOCATE REQUIRED PARKING ANYWHERE WITHIN THE  
DESIGNATED CAMPUS.

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THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. That subsection 21.40.020 of the Anchorage Municipal Code of Ordinances is hereby  
amended to read as follows:

21.40.020 PLI public lands and institutions district.

The following statement of intent and use regulations shall apply in the PLI district:

A. *Intent.* The PLI district is intended to include areas of significant public open space,  
major public and quasi-public institutional uses and activities and land reserves for which a  
specific use or activity is not yet identified.

D. Conditional Uses

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**21. Hotels. When located on the campus of, and  
programmatically associated with an accredited  
college/university which offers undergraduate and  
postgraduate degrees, or on the campus of a "general acute  
care" hospital, as defined in 7 AAC 12.105 (a).**

**Hotel uses must demonstrate to the approving authority at  
the time of conditional use application that the hotel use is  
programmatically affiliated with a hospital or academic use.**

**If the college/university or hospital is included in a master  
development plan, overlay district, framework plan, or  
similar long term growth plan, the hotel shall be subject to**

**the same development standards and design criteria  
contained in the plan or overlay district.**

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F. Minimum yard requirements. Minimum yard requirements are as follows:

1. Front yard: A minimum of 25 feet or not less than the front yard of the abutting use district, whichever is the greater when the abutting district is PLI or residential, otherwise equal to the minimum front yard requirement in the district abutting the front yard.

2. Side yard:

a. A minimum of 25 feet or not less than the side yard of the abutting use district, whichever is the greater when the abutting district is PLI or residential, otherwise equal to the minimum side yard requirement in the district abutting the side yard.

b. A side yard may be reduced or abated provided the properties sharing the common side lot line where the reduction or abatement occurs are zoned PLI and under the same ownership. The common ownership shall be maintained as long as the reduced or abated side yard exists and documented with a recorded property ownership transfer restriction. The document to be recorded shall be approved by the administrative official as to form and content and serve as constructive notice to subsequent purchasers and mortgagees the affected properties are inseparable.

**Any two lots under common ownership sharing a side yard lot line may reduce or abate the side yard setback between the shared lot line. The setback reduction on the first lot shall be added to the setback required on the second lot].**

**Subject to the conditional use approval and Fire Department approval, the buildings on both lots may be placed at the lot line (no setback on either lot).**

3. Rear yard:

a. A minimum of 30 feet or not less than the rear yard of the abutting use district, whichever is the greater when the abutting district is PLI or residential, otherwise equal to the minimum rear yard requirement in the district abutting the rear yard.

b. A rear yard may be reduced or abated provided the properties sharing the common rear lot line where the reduction or abatement occurs are zoned PLI and under the same ownership. The common ownership shall be maintained as long as the reduced or abated rear yard exists and documented with a recorded

1 property ownership transfer restriction. The document to be recorded shall be  
2 approved by the administrative official as to form and content and serve as  
3 constructive notice to subsequent purchasers and mortgagees the affected  
4 properties are inseparable.

5 **Any two lots under common ownership sharing a rear yard**  
6 **lot line may reduce or abate the rear yard setback between**  
7 **the shared lot line. The setback reduction on the first lot**  
8 **shall be added to the setback required on the second lot.**

9 **Subject to the conditional use approval and Fire**  
10 **Department approval, the buildings on both lots may be**  
11 **placed at the lot line (no setback on either lot).**

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13 J. Parking.

- 14 1. Adequate off-street parking shall be provided in connection with any permitted use  
15 and shall conform to the minimum requirements set forth in Section 21.45.080. The  
16 number of required parking spaces shall be that specified in Section 21.45.080 unless  
17 it is demonstrated to the administrative official and the traffic engineer that the  
18 patrons and employees of the land use will generate a lower parking demand than  
19 anticipated by the supplementary district regulations. The burden of proof and  
20 demonstration of the lower parking demand lie with the property owner. Information  
21 that could demonstrate the lower parking demand may include mass transit routing,  
22 carpooling, joint parking arrangements or other parking and transit means as set out in  
23 a written parking and transportation impact plan submitted to the traffic engineer for  
24 approval. Variances to Section 21.45.080, pertaining to minimum off-street parking  
25 requirements, may be granted by the administrative official in this use district upon  
26 the recommendation of the traffic engineer. Any change in the land use to which the  
27 variance was granted shall automatically terminate the variance granted by the  
28 administrative official. Any variances granted shall be executed by the recording of a  
29 standard parking agreement.

30 **Parking lots and structures in PLI maybe located anywhere within**  
31 **a designated campus provided that the institutional uses and**  
32 **required parking are included in a Municipally adopted master**  
33 **plan or overlay district for the unified campus development. The**  
34 **number of parking spaces shall meet the requirements of AMC**  
35 **21.45.080, or a variance shall be obtained per AMC 21.40.020 J.**  
36 **and 21.45.080 A.4.**

37 \*\*\*

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(GAAB 21.05.050.A; AO No. 77-355; AO No. 79-25; AO No. 81-67(S); AO No. 81-178(S); AO No. 82-24; AO No. 83-78; AO No. 84-34; AO No. 85-18; AO No. 85-28; AO No. 85-78; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 86-19; AO No. 86-90; AO No. 88-7(S), 7-4-88; AO No. 90-152(S); AO No. 92-93; AO No. 93-148, § 3, 11-16-93; AO No. 95-68(S-1), § 4, 8-8-95; AO No. 96-131(S), § 3, 10-22-96; AO No. 99-62, § 3, 5-11-99; AO No. 99-131, § 6, 10-26-99; AO No. 99-149, § 1, 12-14-99; AO No. 2002-109, § 3, 9-12-02; AO No. 2003-132, § 2, 10-7-03; AO No. 2005-9, § 2, 3-1-05; AO No. 2005-42(S), § 1, 5-31-05; AO No. 2005-150(S-1), § 2, 2-28-06; AO No. 2005-185(S), § 2, 2-28-06; AO No. 2005-124(S-1A), § 5, 4-18-06)

Section 2. This ordinance shall become effective immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Municipal Clerk

11-19-01

9814  
Laid on the Table

PH 12/11  
referred to PHZ

Submitted by: Chairman of the Assembly at the  
Request Assemblymember Ossiander

For reading: October 9, 2007

Anchorage, Alaska  
AO 2007- 141

AN ORDINANCE AMENDING THE ANCHORAGE MUNICIPAL CODE OF ORDINANCES  
SECTION 21.40.020 PLI PUBLIC LANDS AND INSTITUTIONS DISTRICT, TO PERMIT  
HOTELS AS A CONDITIONAL USE, TO PERMIT REDUCTION OR ABATEMENT OF  
SIDE AND REAR YARDS UNDER CERTAIN CONDITIONS, AND TO PERMIT LARGE  
CAMPUS INSTITUTIONAL DEVELOPMENTS WITH MULTIPLE PRINCIPAL  
BUILDINGS TO LOCATE REQUIRED PARKING ANYWHERE WITHIN THE  
DESIGNATED CAMPUS.

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. That subsection 21.40.020 of the Anchorage Municipal Code of Ordinances is hereby  
amended to read as follows:

21.40.020 PLI public lands and institutions district.

The following statement of intent and use regulations shall apply in the PLI district:

A. *Intent.* The PLI district is intended to include areas of significant public open space,  
major public and quasi-public institutional uses and activities and land reserves for which a  
specific use or activity is not yet identified.

D. Conditional Uses

\*\*\*

21. Hotels

\*\*\*

F. Minimum yard requirements. Minimum yard requirements are as follows:

1. Front yard: A minimum of 25 feet or not less than the front yard of the abutting  
use district, whichever is the greater when the abutting district is PLI or  
residential, otherwise equal to the minimum front yard requirement in the district  
abutting the front yard.

2. Side yard:

a. A minimum of 25 feet or not less than the side yard of the abutting use district, whichever is the greater when the abutting district is PLI or residential, otherwise equal to the minimum side yard requirement in the district abutting the side yard.

b. A side yard may be reduced or abated provided the properties sharing the common side lot line where the reduction or abatement occurs are zoned PLI and under the same ownership. The common ownership shall be maintained as long as the reduced or abated side yard exists and documented with a recorded property ownership transfer restriction. The document to be recorded shall be approved by the administrative official as to form and content and serve as constructive notice to subsequent purchasers and mortgagees the affected properties are inseparable.

3. Rear yard:

a. A minimum of 30 feet or not less than the rear yard of the abutting use district, whichever is the greater when the abutting district is PLI or residential, otherwise equal to the minimum rear yard requirement in the district abutting the rear yard.

b. A rear yard may be reduced or abated provided the properties sharing the common rear lot line where the reduction or abatement occurs are zoned PLI and under the same ownership. The common ownership shall be maintained as long as the reduced or abated rear yard exists and documented with a recorded property ownership transfer restriction. The document to be recorded shall be approved by the administrative official as to form and content and serve as constructive notice to subsequent purchasers and mortgagees the affected properties are inseparable.

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J. Parking.

1. Adequate off-street parking shall be provided in connection with any permitted use and shall conform to the minimum requirements set forth in Section 21.45.080.

2. The number of required parking spaces shall be that specified in Section 21.45.080 unless it is demonstrated to the administrative official and the traffic engineer that the patrons and employees of the land use will generate a lower parking demand than anticipated by the supplementary district regulations. The burden of proof and demonstration of the lower parking demand lie with the property owner. Information that could demonstrate the lower parking demand may include mass transit routing, carpooling, joint parking arrangements or other parking and transit means as set out in a written parking and transportation impact plan submitted to the traffic engineer for approval. Variances to Section 21.45.080, pertaining to minimum off-street parking

requirements, may be granted by the administrative official in this use district upon the recommendation of the traffic engineer. Any change in the land use to which the variance was granted shall automatically terminate the variance granted by the administrative official. Any variances granted shall be executed by the recording of a standard parking agreement.

3. Institutional uses with unified campus development and multiple principle buildings may locate required parking anywhere within a designated campus area provided that total number of required parking spaces for all principal uses within the campus is provided in conformance with paragraphs 1 or 2 above. The designated campus boundary shall be documented and include the location of the parking areas with the parking space quantity noted at each location. A copy of the most current boundary site plan with depicted parking areas shall be retained by the Planning Department to verify compliance.

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(GAAB 21.05.050.A; AO No. 77-355; AO No. 79-25; AO No. 81-67(S); AO No. 81-178(S); AO No. 82-24; AO No. 83-78; AO No. 84-34; AO No. 85-18; AO No. 85-28; AO No. 85-78; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 86-19; AO No. 86-90; AO No. 88-7(S), 7-4-88; AO No. 90-152(S); AO No. 92-93; AO No. 93-148, § 3, 11-16-93; AO No. 95-68(S-1), § 4, 8-8-95; AO No. 96-131(S), § 3, 10-22-96; AO No. 99-62, § 3, 5-11-99; AO No. 99-131, § 6, 10-26-99; AO No. 99-149, § 1, 12-14-99; AO No. 2002-109, § 3, 9-12-02; AO No. 2003-132, § 2, 10-7-03; AO No. 2005-9, § 2, 3-1-05; AO No. 2005-42(S), § 1, 5-31-05; AO No. 2005-150(S-1), § 2, 2-28-06; AO No. 2005-185(S), § 2, 2-28-06; AO No. 2005-124(S-1A), § 5, 4-18-06)

Section 2. This ordinance shall become effective immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

Chairman

Municipal Clerk

Submitted by: Chairman of the Assembly at the  
Request Assemblymember  
Prepared by: Assemblymember  
For reading:

Anchorage, Alaska  
AO 2007-

AN ORDINANCE AMENDING THE ANCHORAGE MUNICIPAL CODE OF ORDINANCES  
SECTION 21.40.020 PLI PUBLIC LANDS AND INSTITUTIONS DISTRICT, TO PERMIT  
HOTELS AS A CONDITIONAL USE, TO PERMIT REDUCTION OR ABATEMENT OF  
SIDE AND REAR YARDS UNDER CERTAIN CONDITIONS, AND TO PERMIT LARGE  
CAMPUS INSTITUTIONAL DEVELOPMENTS WITH MULTIPLE PRINCIPAL  
BUILDINGS TO LOCATE REQUIRED PARKING ANYWHERE WITHIN THE  
DESIGNATED CAMPUS.

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Section 1. That subsection 21.40.020 of the Anchorage Municipal Code of Ordinances is hereby  
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The following statement of intent and use regulations shall apply in the PLI district:

A. *Intent.* The PLI district is intended to include areas of significant public open space,  
major public and quasi-public institutional uses and activities and land reserves for which a  
specific use or activity is not yet identified.

D. Conditional Uses

\*\*\*

21. Hotels. When located on the campus of, and programmatically associated with an  
accredited college/university which offers undergraduate and postgraduate  
degrees, or on the campus of a "general acute care" hospital, as defined in 7 AAC  
12.105 (a).

\*\*\*

F. Minimum yard requirements. Minimum yard requirements are as follows:

1. Front yard: A minimum of 25 feet or not less than the front yard of the abutting  
use district, whichever is the greater when the abutting district is PLI or  
residential, otherwise equal to the minimum front yard requirement in the district  
abutting the front yard.

2. Side yard:

a. A minimum of 25 feet or not less than the side yard of the abutting use district, whichever is the greater when the abutting district is PLI or residential, otherwise equal to the minimum side yard requirement in the district abutting the side yard.

b. A side yard may be reduced or abated provided the properties sharing the common side lot line where the reduction or abatement occurs are zoned PLI and under the same ownership. The common ownership shall be maintained as long as the reduced or abated side yard exists and documented with a recorded property ownership transfer restriction. The document to be recorded shall be approved by the administrative official as to form and content and serve as constructive notice to subsequent purchasers and mortgagees the affected properties are inseparable.

3. Rear yard:

a. A minimum of 30 feet or not less than the rear yard of the abutting use district, whichever is the greater when the abutting district is PLI or residential, otherwise equal to the minimum rear yard requirement in the district abutting the rear yard.

b. A rear yard may be reduced or abated provided the properties sharing the common rear lot line where the reduction or abatement occurs are zoned PLI and under the same ownership. The common ownership shall be maintained as long as the reduced or abated rear yard exists and documented with a recorded property ownership transfer restriction. The document to be recorded shall be approved by the administrative official as to form and content and serve as constructive notice to subsequent purchasers and mortgagees the affected properties are inseparable.

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J. Parking.

1. Adequate off-street parking shall be provided in connection with any permitted use and shall conform to the minimum requirements set forth in Section 21.45.080.

2. The number of required parking spaces shall be that specified in Section 21.45.080 unless it is demonstrated to the administrative official and the traffic engineer that the patrons and employees of the land use will generate a lower parking demand than anticipated by the supplementary district regulations. The burden of proof and demonstration of the lower parking demand lie with the property owner. Information that could demonstrate the lower parking demand may include mass transit routing, carpooling, joint parking arrangements or other parking and transit means as set out in

a written parking and transportation impact plan submitted to the traffic engineer for approval. Variances to Section 21.45.080, pertaining to minimum off-street parking requirements, may be granted by the administrative official in this use district upon the recommendation of the traffic engineer. Any change in the land use to which the variance was granted shall automatically terminate the variance granted by the administrative official. Any variances granted shall be executed by the recording of a standard parking agreement.

3. Institutional uses with unified campus development and multiple principle buildings may locate required parking anywhere within a designated campus area provided that total number of required parking spaces for all principal uses within the campus is provided in conformance with paragraphs 1 or 2 above. The designated campus boundary shall be documented and include the location of the parking areas with the parking space quantity noted at each location. A copy of the most current boundary site plan with depicted parking areas shall be retained by the Planning Department to verify compliance.

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(GAAB 21.05.050.A; AO No. 77-355; AO No. 79-25; AO No. 81-67(S); AO No. 81-178(S); AO No. 82-24; AO No. 83-78; AO No. 84-34; AO No. 85-18; AO No. 85-28; AO No. 85-78; AO No. 85-23; AO No. 85-91, 10-1-85; AO No. 86-19; AO No. 86-90; AO No. 88-7(S), 7-4-88; AO No. 90-152(S); AO No. 92-93; AO No. 93-148, § 3, 11-16-93; AO No. 95-68(S-1), § 4, 8-8-95; AO No. 96-131(S), § 3, 10-22-96; AO No. 99-62, § 3, 5-11-99; AO No. 99-131, § 6, 10-26-99; AO No. 99-149, § 1, 12-14-99; AO No. 2002-109, § 3, 9-12-02; AO No. 2003-132, § 2, 10-7-03; AO No. 2005-9, § 2, 3-1-05; AO No. 2005-42(S), § 1, 5-31-05; AO No. 2005-150(S-1), § 2, 2-28-06; AO No. 2005-185(S), § 2, 2-28-06; AO No. 2005-124(S-1A), § 5, 4-18-06)

Section 2. This ordinance shall become effective immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of

\_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Municipal Clerk







⊕ **7 AAC 12.105. Services required**

⊕ (a) A general acute care hospital must provide surgical, anesthesia, perinatal, medical, nursing, pharmaceutical, dietetic, laundry, medical records, radiological, laboratory, and emergency care services. A general acute care hospital must also provide speech, occupational, or physical therapy services.

(b) A rural primary care hospital or a critical access hospital must provide the services described in (a) of this section, except that the provision of surgical, anesthesia, perinatal, speech, occupational therapy, or physical therapy services is optional.

(c) A long-term acute care hospital must provide medical, nursing, pharmaceutical, dietetic, occupational therapy, physical therapy, laundry, medical records, radiological, social work, respiratory, and laboratory services.

⊕ **History:** Eff. 11/19/83, Register 88; am 5/4/97, Register 142; am 9/1/2000, Register 155; am 6/23/2006, Register 178

⊕ **Authority:** AS 47.32.010

AS 47.32.030



# STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION - PLANNING

SARAH PALIN, GOVERNOR

4111 AVIATION AVENUE  
P.O. BOX 196900  
ANCHORAGE, ALASKA 99519-6900  
(907) 269-0520  
(TTY 269-0473)

**RECEIVED**

October 29, 2007

OCT 30 2007

RE: MOA Zoning Review Municipality of Anchorage  
Zoning Division


Mr. Jerry Weaver, Platting Officer  
Municipality of Anchorage  
P.O. Box 196650  
Anchorage, Alaska 99519-6650

Dear Mr. Weaver:

The Alaska Department of Transportation and Public Facilities, ADOT&PF, has reviewed the following zoning applications and has no comment:

**2007-154; Request for Site Plan Review for a Public School (additional info); Chugiak**  
**2007-162; Public Facility Site Plan Review for 6<sup>th</sup> Ave to Oklahoma St.**  
**2007-170; Request for an Ordinance Amending Title 21 for PLI District**  
**2007-172; Zoning Conditional Use for a Hotel; NANA**

Sincerely,



Mark Parmelee  
Area Planner

/mm

cc: Tom Grman, Anchorage M&O Superintendent  
Louise Hooyer, RLS, Engineering and Survey Supervisor, Right of Way  
Tucker Hurn, Right of Way Agent, Right of Way  
Scott Thomas, P.E., Regional Traffic Engineer, Traffic Safety



**MUNICIPALITY OF ANCHORAGE**  
Traffic Department



**MEMORANDUM**

OCT 25 2007

DATE: October 19, 2007

**Municipality of Anchorage  
Zoning Division**

TO: Jerry T. Weaver, Platting Supervisor, Planning Department

THRU: Leland R. Coop, Associate Traffic Engineer *LC*

FROM: Mada Angell, Assistant Traffic Engineer *MA*

SUBJECT: Traffic Engineering and Transportation Planning Comments for  
November 19, 2007 Planning & Zoning Commission

**07-170**

**Ordinance amending Title 21; to allow hotels in PLI zoning, and  
other considerations**

- Traffic Engineering and Transportation Planning believe that this Ordinance Amending Title 21 is written to allow broad interpretation.
- If this Assembly Ordinance is approved, the approval should include wording to require a Master Plan be approved by the Planning and Zoning Commission for each specific development under this Assembly Ordinance. The review of a Master Plan by the Planning & Zoning Commission can address broad interpretations.

**07-172 University Lake, APU; Conditional Use for a hotel**

- Traffic Engineering and Transportation Planning require an Approved Traffic Impact Analysis be in place prior to making substantive comments to address this hotel. We understand that the first draft of TIA for this hotel will be submitted to Traffic Department for review on approximately the date that the case goes to the Planning & Zoning Commission.
- Traffic Engineering and Transportation Planning request a postponement of this case until an Approved TIA is in place.

**S-11637 APU Endowment; Tracts A, B, C, D, E and F; Resubdivision of  
portions of Tract A, University Lake; Grid 1736**

- Traffic Engineering and Transportation Planning require an Approved Traffic Impact Analysis be in place prior to making substantive comments to address this hotel. We understand that the first draft of TIA for this hotel will be

**EMAILED**

Municipality Of Anchorage  
ANCHORAGE WATER & WASTEWATER UTILITY

RECEIVED

OCT 23 2007

MEMORANDUM

Municipality of Anchorage  
Zoning Division

**DATE:** October 22, 2007  
**TO:** Jerry Weaver, Zoning Division Administrator, Planning Department  
**FROM:** Paul Hatcher, Engineering Technician III, AWWU PH  
**SUBJECT:** **Zoning Case Comments**  
Planning & Zoning Commission Hearing November 19, 2007  
Agency Comments due October 22, 2007

AWWU has reviewed the materials and has the following comments.

**07-170** **PLI Public lands & institutions district, an ordinance amending Title 21 for PLI Public lands and institutions district**

1. AWWU has no objection to the proposed amendment.

**07-172** **T13N R3W SEC 27 N2SW4 LESS TR A UNIV LK SUB, Zoning conditional use for a hotel, Grid SW1736**

1. AWWU water mainlines located in University Lake Drive currently serves property.
2. AWWU sanitary sewer lines located in University Lake Drive currently serves property.
3. AWWU has no objection to the proposed zoning variance.

If you have any questions pertinent to public water and sanitary sewer, you may call me at 564-2721 or the AWWU planning section at 564-2739, or e-mail [paul.hatcher@awwu.biz](mailto:paul.hatcher@awwu.biz).



## FLOOD HAZARD REVIEW SHEET

**RECEIVED**

OCT 23 2007

Municipality of Anchorage  
Zoning Division

Date: 10/22/07

Case: 2007-170

Flood Hazard Zone: NA

Map Number: NA

- ☐ Portions of this lot are located in the floodplain as determined by the Federal Emergency Management Agency.
- ☐ Flood Hazard requests that the following be added as a condition of approval:

"Portions of this subdivision are situated within the flood hazard district as it exists on the date hereof. The boundaries of the flood hazard district may be altered from time to time in accordance with the provisions of Section 21.60.020 (Anchorage Municipal Code). All construction activities and any land use within the flood hazard district shall conform to the requirements of Chapter 21.60 (Anchorage Municipal Code)."

- ☐ A Flood Hazard permit is required for any construction in the floodplain.
- ☐ Other:
- ☒ I have no comments on this case.

Reviewer: Jeffrey Urbanus




**Municipality of Anchorage  
Development Services Department  
Building Safety Division**



**MEMORANDUM**

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**DATE:** October 17, 2007 OCT 17 2007  
**TO:** Jerry Weaver, Jr., Platting Officer, CPD  
**FROM:**  Daniel Roth, Program Manager, On-Site Water and Wastewater Program  
**SUBJECT:** Comments on Cases due October 22, 2007

---

The On-Site Water & Wastewater Program has reviewed the following cases and has these comments:

2007 - 170 An ordinance amending Title 21 for PLI Public lands & institutions district.

No objection

2007 - 172 Zoning conditional use for a hotel

No objection

S11637 Plat for review by the Planning and Zoning Commission

No objection

**07-166 Original Townsite, Block 53, Lots 7A, 9, 9B, & 12, grid 1230  
(Variance Request for a Multi Use Tower With No Setbacks)**  
Right of Way Division has no comments at this time.  
Review time 15 minutes.

**07-170 Ordinance Amendment  
(Title 21 for PLI District)**  
Right of Way Division has no comments at this time.  
Review time 15 minutes.

**07-172 Section 27, T13N R3W, Less Tract A, University Lake, grid 1736  
(Conditional Use for a Hotel)**  
Right of Way Division has no comments on the conditional use, but has provided comments on preliminary plat S-11637-1.  
Review time 15 minutes.

**S-11637-1 Section 27, T13N R3W, Less Tract A, University Lake, grid 1736**  
Provide application for the vacation of a portion of the Section Line Easement.  
Enter into a subdivision agreement to build University Lake Drive, including the temporary cul-de-sac, to MOA standards.  
Provide additional Utility easements and Drainage Easements as required.  
Provide access agreement for the driveway on proposed Tract B serving existing Tract B1-B, if required.  
Correct the title block to add Tract "F".  
Review time 30 minutes.

**PLANNING & ZONING  
COMMISSION  
MEETING  
November 19, 2007**

**Supplemental Information**

**G.3. Case 2007-170  
Ordinance PLI**

Double-sided



*Parks & Rec*

**2007-162 Site plan review for a public roadway (East 6<sup>th</sup> Ave. Reconstruction, Patterson St. to Muldoon)**

The Parks and Recreation Department generally supports the project with respect to its relationship to adjoining Creekside Park. In particular, Parks and Recreation supports the proposed gateway feature which we believe would be an aesthetic improvement to the park edge and streetscape. Parks and Recreation recommends that design of and materials used for this architectural feature provide maximum durability with little or no maintenance required to retain good appearance and structural integrity. Parks and Recreation recommends that lighting be removed from the gateway feature, in particular from the internally illuminated components with cut-out letters. We believe it is unlikely that such features could be demonstrably designed for necessary extreme (vandal- and weather-proof) durability and minimal maintenance.

Parks and Recreation supports the on-street parallel parking as depicted in the plan, as head-in parking, or off-street parking shown on past park plans, do not appear to be feasible alternatives at this time. Parks and Recreation believes that on-street parallel parking should be adequate for many park uses such as the picnic pavilion, tennis, and passive recreational use of the park. Uses such as for organized sports may share use of the nearby school parking lot.

Parks and Recreation supports the proposed curb-cut at the "red gate" for maintenance or other limited vehicular access to the pavilion and play area.

**2007-165 Zoning conditional use for an off-street parking structure with more than 50 spaces (Augustine Energy Ctr., 539 H St.)**  
No comment.

**2007-166 Variance—Bulk for a multi-use tower with no setbacks (Augustine Energy Ctr., 539 H St.)**  
No comment.

**2007-170 Ordinance amending AMC Title 21 for PLI Public lands and institutions district**  
(permitting hotels as a conditional use in PLI zoning districts; permitting reduced setbacks in certain cases; and amending requirements for location of parking in certain developments)

The Parks and Recreation Department does not believe that hotels are consistent with the intent of the PLI zoning district; that is, for significant public open space as well as major public and quasi-public institutional uses and activities, rather than for uses that appear to be primarily commercial in nature. It is unclear what unintended effects may result from this type of ordinance amendment, or what undesirable precedent may be set, when applied areawide.

Parks and Recreation believes that it may be more appropriate to consider a change of zoning of a particular property so that current land use code would apply, provided careful consideration be given to including special limitations to help assure the compatibility of potential adjacent development. The Parks and Recreation Department recognizes, however, the public benefit that generally results when significant development proposals are subject to public review and comment, in particular where such development may have significant direct or indirect impacts on public lands. Although neighborhood benefits may be greater when park areas are located adjacent to residential areas, Parks and Recreation does not object in principle to development of hotels adjacent to PLI-zoned lands.

Cc: Monique Anderson, Parks Superintendent

Pierce, Eileen A

**RECEIVED**

**From:** Staff, Alton R.  
**Sent:** Wednesday, November 07, 2007 10:11 AM  
**To:** McLaughlin, Francis D.; Stewart, Gloria I.; Pierce, Eileen A  
**Subject:** Planning and Zoning Comments

NOV 07 2007

**Municipality of Anchorage  
Zoning Division**

Zoning Case 2007-169 The Public Transportation Department has worked with Glacier Valley Transportation in establishing local transit service in Girdwood. Pedestrian connections to the established public transportation corridor should be encouraged.

The Public Transportation Department has no comment on the following Zoning Cases:

2007- 170  
171  
173  
174  
178  
183  
187

The Public Transportation Department has no comment on the following short plats:

S11039-4  
S11624-2  
S11629-2  
S11638-1  
S11639-1

Thank you for the opportunity to review.

Alton R. Staff  
Planning Manager  
Public Transportation Department  
3650A East Tudor Road  
Anchorage, AK 99507  
907-343-8230

**Anchorage Original Townsite, Block 53, Lots 7A, 9W2, 9B and 12**

**Case No. 2007-165**, variance from bulk regulations in B-2B Zoning District

**Case No. 2007-166**, zoning conditional use for an off street parking structure more than 50 spaces

*Project Management and Engineering has neither objection nor comment to the variance and the conditional use. Petitioner is alerted to PM&E comments provided during review of a concurrent platting case S-11636-1 for this same property.*

**Case No. 2007-170**, an ordinance amending Title 21 for PLI district

*Project Management and Engineering has no objection to this ordinance's side and rear yard proposals, but with the following observations and caveats. Strict interpretation of the proposed changes could in effect result in "reduced or abated" being promoted as "eliminated", which under the most serious scenario, could create both side-by-side and back-to-back structures, i.e. a mall appearance. This could create real dilemmas for emergency services, and possibly drainage provisions. If approved, PM&E recommends a master plan approval requirement for, and prior to, any such applications, much like requirements for master plans on phased developments. PM&E has no comment on the parking proposal.*

**N $\frac{1}{2}$  S $\frac{1}{4}$  Section 27, T13 N, R3W, SM Alaska less Tract A, University Lake Subd (per plat 58-299)**

**Case No. 2007-172**, Zoning conditional use for a hotel

*In addition to drainage illustrations depicted in the application, the petitioner is alerted to requirement to provide drainage analysis and calculations to PM&E under land use permit processes. An analysis will be required to address storm runoff and impact to downstream storm drain infrastructure.*

**Case No. S11637**, APU Endowment Subdivision, Tracts A, B, C, D, E

*Project Management and Engineering reserves additional comment on this case until a Traffic Impact Analysis has been prepared and submitted, approved by municipal traffic engineering, and made available to PM&E. Preliminarily, petitioner may expect PM&E's recommendation for conditions of approval to include the following:*

- 1. Subdivision Agreement Required: Enter into a subdivision agreement for required improvements (combination of permanent and temporary) per AMC 21.08.060 implemented by AO 2007-82, for urban (commercial) improvements per AMC 21.85.030 and as modified by accepted recommendations of the traffic impact findings/analysis.*

# NECC

Northeast Community Council

Resolution 1

TO: Planning & Zoning Commission  
MOA Planning Department (fax: 343-7927)  
Anchorage Assembly Members Selkregg, Bauer, Ossiander, &  
Starr

FROM: Peggy Robinson, President North East Community Council  
333-1831 or 632-6436

SUBJECT: Case 2007-170: An ordinance amending Title 21 for PLI Public  
Lands and Institutions District

DATE: November 15, 2007

The NECC membership discussed this proposed ordinance amending Title 21 for PLI districts to permit hotels as a conditional use, permit reduction or abatement of side and rear yards under certain conditions and to permit large campus institutional developments with multiple principal building to locate required parking anywhere within the designated campus.

**The following motion was passed 11 for, 0 opposed, and 4 abstaining:**

"NECC does not approve of the proposed ordinance 2007-170 because it allows too much freedom for development without regard for safety and landscape protections.

We are also opposed to long-term changes to Municipal ordinances where the motivation for the change is for a specific site or use.

However, if ordinance 2007-170 moves forward, we wish the inclusion of at least the following restrictions:

1. Affiliation/Ownership: Hotels approved under a conditional use must be affiliated with and owned by the PLI Institution.
2. Building Separation: If reducing property line setbacks are allowed, the adjoining property must be owned by the applicant wanting to reduce the building setback. If the building being proposed is approved to be built on the property line, then the adjoining property line must maintain the building setback for both properties.
3. Parking: If parking separation is approved, it must be from a master plan for the entire PLI property.

4. We will also support any additional staff recommendations that identify further restrictions on the proposed 2007-170 ordinance."

We ask that you consider our motion as you make decisions in the best interests of the NECC and the community of Anchorage as a whole. Please contact me if you have any questions.

Sincerely,

*Peggy Robinson*

2007-170  
RECEIVED

NOV 19 2007

UNIVERSITY LAKE SUBDIVISION

Municipality of Anchorage  
Zoning Division

APU--DOWL CHANGING CONDITIONAL USE, 16.72 ACRES

At the last UNIVERSITY COMMUNITY COUNCIL MEETING DOWLS presentation did not convey the extreme problems and far reaching problems to the adjoining lands. In Notification of the MUNICIPALITY of Code change lacks information of what large concentrated development and code change would cause to sensitive creek and lakeside property.

1. Applicants quotation: The maximized efficient utilization of APU Land. A three story building with 162 rooms, no eating facilities, and at this time no Hotel classes at College to tie in land and education.
2. To reduce side and rear yard setbacks. This will bring the

structure closer to the creek and Lake and concentrate parking closer to the waterways.

3. To interchange on-site parking with off-site parking and add bus fumes with student cars, with out of town cars
- Will the existing lots be brought up to the new standard of  
Standards

P. 1

A P U - DOWL

3#.cont. a new standard of capacity and drainage and Bus and car polution. How many outside campus parking lots meet old requirements and soon to increased use? UAA damaged Chester Creek with their large parking lot. Up grades of runoff water, chemicals and general polution. Upgrades of collecting and treating run off water and the limitations of Chester Creek and its fish population must be made before using off site parking lots. Set backs should be increased NOT REDUCED because of the University Lake fish populaiaon, bird life, and Humane use.

The placement and deveopment of each lot with its use should come to public review.

Chester Creek is in extreme danger of the deveopment of the .SOUTHWest corner of the Hotel and parking spaces. They have requested reduction of side and Back yards. Roof and much of parking run off will crash into the creek. There is already runoff from the Bluff: its parking lot, street drainage into Chester Creek. Chester Creek runs from its wet headlands, through subdivisions all the way to the Inlet. State and Federal protection as well as local laws protect its value. This propsed subdivion does not.

P. 2 -

Thank you,

J. P. Burrell  
Burrell

**Content Information****Content ID :** 005773**Type:** Ordinance - AO

**Title:** Planning and Zoning Commission recommendation for an ordinance amendment to Anchorage Municipal Code Section 21.040.020 Public Lands and Institutions (PLI) Zoning District to add hotels as Conditional Uses; to amend the side yard and rear yard setbacks; a

**Author:** maglaquijp**Initiating Dept:** Planning

**Description:** Planning and Zoning Commission recommendation for an ordinance amendment to add hotels as Conditional Uses; to amend the side yard and rear yard setbacks; and to allow off-site parking in the PLI district.

**Date Prepared:** 12/3/07 2:56 PM

**Assembly Meeting Date:** 12/11/07

**Public Hearing Date:** 12/11/07

M.O.A.  
2007 DEC -7 PM 12:53  
CLERKS OFFICE

**Workflow History**

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
AllOrdinanceWorkflow	12/3/07 4:31 PM	Checkin	weaverjt	Public	005773
Planning_SubWorkflow	12/3/07 5:22 PM	Approve	nelsontp	Public	005773
ECD_SubWorkflow	12/4/07 10:02 AM	Approve	thomasm	Public	005773
OMB_SubWorkflow	12/4/07 11:14 AM	Approve	alatervora	Public	005773
Legal_SubWorkflow	12/6/07 3:04 PM	Approve	fehlenrl	Public	005773
MuniManager_SubWorkflow	12/6/07 3:10 PM	Checkin	maglaquijp	Public	005773
MuniManager_SubWorkflow	12/7/07 10:09 AM	Approve	maglaquijp	Public	005773
MuniMgrCoord_SubWorkflow	12/7/07 12:02 PM	Approve	abbottmk	Public	005773

*Admission -*

NEW PUBLIC HEARINGS