

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Public Works Department
For Reading: August 30, 2011

CLERK'S OFFICE

APPROVED

Date: 9-13-11 **ANCHORAGE, ALASKA**
AR No. 2011-229

1 **A RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE APPROPRIATING**
2 **ONE HUNDRED SIXTY-FOUR THOUSAND TWO HUNDRED NINETY-FIVE**
3 **DOLLARS (\$164,295) AS PAYMENT IN LIEU OF SUBDIVISION AGREEMENT**
4 **OBLIGATION FOR INTERSECTION SIGNALIZATION AT EAST 100TH AVENUE**
5 **AND KING STREET, LANE IMPROVEMENTS, AND VARIOUS OTHER STREET**
6 **IMPROVEMENTS FROM TARGET CORPORATION (TARGET) TO THE**
7 **ANCHORAGE ROADS AND DRAINAGE SERVICE AREA CAPITAL**
8 **IMPROVEMENT FUND (441), PUBLIC WORKS DEPARTMENT, PROJECT**
9 **MANAGEMENT AND ENGINEERING DIVISION (PM&E), FOR IMPROVEMENTS**
10 **ON EAST 100TH AVENUE AND KING STREET.**
11

12
13 WHEREAS, on August 6, 2007, the Municipal Planning and Zoning Commission
14 passed and approved a site plan review for Target for the construction of a large
15 retail establishment in the I-2 zoning district and generally located at the southeast
16 corner of C Street and 100th Avenue. Reference Planning and Zoning Commission
17 Resolution 2007-55 adopted September 17, 2007; and
18

19 WHEREAS, among the conditions of this approval, Target was required to complete
20 intersection signalization at East 100th Avenue and King Street, lane improvements,
21 and various other street improvements required by the approved Traffic Impact
22 Analysis (TIA) prior to the opening of the Target facility; and
23

24 WHEREAS, Resolution 2007-55 also acknowledged that the Municipality would
25 improve East 100th Avenue from King Street to C Street and install intersection
26 signalization at East 100th Avenue and C Street; and
27

28 WHEREAS, the intersection of East 100th Avenue and King Street is common to
29 both the Municipality's project location and Target's project location, and the two
30 projects were expected to run concurrently; and
31

32 WHEREAS, to efficiently and effectively coordinate the work of designing and
33 constructing the two (adjacent) intersection signalization improvements, the
34 Municipality and Target agreed that the Municipality would design and construct
35 both intersection signalizations and Target would reimburse the Municipality for
36 Target's obligations at the East 100th Avenue and King Street intersection as set
37 forth in a subdivision agreement between the Municipality and Target dated June
38 26, 2008; and
39

40 WHEREAS, Target agreed to reimburse the Municipality a lump sum payment of
41 \$164,295 for the Municipality having completed East 100th Avenue and King Street
42 intersection signalization improvements on their behalf; and

1 WHEREAS, Target has reimbursed the Municipality the amount of \$164,295; now
2 therefore,
3

4 **THE ANCHORAGE ASSEMBLY RESOLVES:**
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6 **Section 1.** That ONE HUNDRED SIXTY-FOUR THOUSAND TWO HUNDRED
7 NINETY-FIVE DOLLARS (\$164,295) from Target Corporation be appropriated to
8 the Anchorage Roads and Drainage Service Area Capital Improvement Fund
9 (441) Public Works Department, Project Management and Engineering Division,
10 for improvements on East 100th Avenue and King Street.
11

12 **Section 2.** That this resolution shall take effect immediately upon passage and
13 approval by the Anchorage Assembly.
14

15 PASSED AND APPROVED by the Anchorage Assembly this 13th day of
16 September, 2011.
17

18 
19 Chair of the Assembly
20
21

22 ATTEST:
23

24 
25 _____
26 Municipal Clerk
27

28 **Department of Appropriation:**
29 Public Works Department

\$164,295



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM 463-2011

Meeting Date: August 30, 2011

FROM: MAYOR

SUBJECT: A RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE APPROPRIATING ONE HUNDRED SIXTY-FOUR THOUSAND TWO HUNDRED NINETY-FIVE DOLLARS (\$164,295) AS PAYMENT IN LIEU OF SUBDIVISION AGREEMENT OBLIGATION FOR INTERSECTION SIGNALIZATION AT EAST 100TH AVENUE AND KING STREET, LANE IMPROVEMENTS, AND VARIOUS OTHER STREET IMPROVEMENTS FROM TARGET CORPORATION (TARGET) TO THE ANCHORAGE ROADS AND DRAINAGE SERVICE AREA CAPITAL IMPROVEMENT FUND (441), PUBLIC WORKS DEPARTMENT, PROJECT MANAGEMENT AND ENGINEERING DIVISION (PM&E), FOR IMPROVEMENTS ON EAST 100TH AVENUE AND KING STREET.

On August 6, 2007, the Municipal Planning and Zoning Commission passed and approved a site plan review for Target for the construction of a large retail establishment in the I-2 zoning district located at the southeast corner of C Street and 100th Avenue (Exhibit A).

Among the conditions of this approval, Target was required to complete intersection signalization at East 100th Avenue and King Street, lane improvements, and various other street improvements required by the approved Traffic Impact Analysis (TIA) prior to the opening of the Target facility.

Concurrent with the Target construction, the Municipality had plans to improve East 100th Avenue from King Street to C Street and install intersection signalization at East 100th Avenue and C Street.

To efficiently and effectively coordinate the work of designing and constructing the two adjacent intersection signalization improvements, the Municipality and Target agreed that the Municipality would design and construct both intersection signalizations and Target would reimburse the Municipality for Target's obligations at the East 100th Avenue and King Street intersection as set forth in a subdivision agreement between the Municipality and Target dated June 26, 2008. The project has been completed and the reimbursement was an agreed upon amount based upon the actual work that was accomplished.

The budgetary detail is as follows:

REVENUE ACCOUNT

Account Number	Account Name	Amount
441.7251.9609.M15R110.BP2011	Restricted Contribution	\$164,295

EXPENDITURE ACCOUNT

Account Number	Account Name	Amount
441.7251.5302.M15R110.BP2011	Infrastructure-Any Costs	\$164,295

THE ADMINISTRATION RECOMMENDS APPROVAL OF A RESOLUTION APPROPRIATING ONE HUNDRED SIXTY-FOUR THOUSAND TWO HUNDRED NINETY-FIVE DOLLARS (\$164,295) AS PAYMENT IN LIEU OF SUBDIVISION AGREEMENT OBLIGATION FOR INTERSECTION SIGNALIZATION AT EAST 100TH AVENUE AND KING STREET, LANE IMPROVEMENTS, AND VARIOUS OTHER STREET IMPROVEMENTS FROM TARGET CORPORATION TO THE ANCHORAGE ROADS AND DRAINAGE SERVICE AREA CAPITAL IMPROVEMENT FUND (441), PUBLIC WORKS DEPARTMENT, PROJECT MANAGEMENT AND ENGINEERING DIVISION, FOR IMPROVEMENTS ON EAST 100TH AVENUE AND KING STREET.

Prepared by: Robert J. Moore, Public Works Superintendent
Public Works Department
Approved by: Ron Thompson, P.E., Director
Public Works Department
Fund Certification: Lucinda Mahoney, CFO
441.7251.9609.M15R110.BP2011 \$164,295
(2011 Restricted Contribution)
Concur: George J. Vakalis, Municipal Manager
Respectfully submitted: Daniel A. Sullivan, Mayor

EXHIBIT A

**MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2007-55**

A RESOLUTION GRANTING APPROVAL OF A SITE PLAN REVIEW FOR TARGET CORPORATION FOR THE CONSTRUCTION OF A LARGE RETAIL ESTABLISHMENT IN THE I-2 ZONING DISTRICT, IN ACCORDANCE WITH AMC 21.35.020, AMC 21.40.200 b.(1) (EEE) AND AMC 21.50.320, LOCATED AT T12N, R3W, SECTION 18, NE4SW4 REM PARCEL 12; GENERALLY LOCATED AT THE SOUTHEAST CORNER OF 'C' STREET AND 100TH AVENUE

(Case 2007-101; Tax ID. No. 016-042-02)

WHEREAS, a petition has been received from Target Corporation, requesting site plan approval for the Anchorage South Retail Mall, located on T12N, R3W, Section 18, NE4SW4 REM Parcel 12, zoned I-2 District, consisting of approximately 35.88 acres; generally located at the southeast corner of 'C' Street and 100TH Avenue, and

WHEREAS, notices were published, posted and mailed and a public hearing was held on August 6, 2007, and

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

A. The Commission makes the following findings of fact:

1. Target will develop a large retail and commercial center consisting of approximately 370,000 square feet of gross leasable retail space, on an undeveloped vacant 35.88 acre parcel. The parcel is located in southwest Anchorage, directly east of C Street, south of the right-of-way for 100th Avenue, north of the right-of-way for 104th Avenue and west of King Street. The proposed development will include large and small scale retail stores, restaurants, and enhancement of an existing pond and wetlands area in the center of the property.
2. Target is the proposed developer and owner of this project, and will own and develop approximately half of the project and then market the second half to developers and retailers. The project will be developed in three phases. Development in Phases II and III will conform to established design guidelines to establish a consistent design theme as specified in the Operation and Easement Agreement (OEA). Guidelines address construction, maintenance and operation. As fragment lots are leased or sold, Target will conduct in-house reviews to ensure tenants meet the required quality and design guidelines, followed by MOA administrative approval.
3. Phase I includes construction of a 161,443 square foot Target store (160,000 square feet), identified as Major 1 on the Phase Plan drawing, and the associated access to 100th Avenue and King Street and parking for the store. Phase I is generally located on the north side of the site. Phase II

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- involves partial paving and utility stubs to the out parcels: Phase II will be constructed in conjunction with Phase I. Phase II will front along C Street and provides for six lots for shops and restaurants, totaling approximately 44,000 square feet.
4. Phase III is located at the southeast corner of the site and includes 100,000 square feet for a second Major retailer, two smaller retail footprints of 30,000 square feet and 22,000 square feet, and a retail shop of 12,000 square feet.
 5. Phase I will commence in 2008 and be completed in 2009. Remaining phases are expected to be completed within the following five years.
 6. Total required parking is 1,480 spaces: 1,530 spaces are provided. The parking plan was modified to include diagonal parking on both sides of the curved section of road resulting in a loss of 21 parking spaces, leaving 29 extra spaces. Most projects provide a ratio of 5-10% open space to paved surface while this project provides a ration of 35%. The focal point of the mall will be a pond classified as Class A wetlands. The biggest issue with the pond and recharge is ensuring that water is not stripped out of the site so quickly that it cannot go to the pond. Drainage comes from the east of King Street and the petition site to the mid point of the pond. A sedimentation pond will receive water and then direct it into a pipe that drains into the pond.
 7. The winter safety merits of back-in diagonal, preferred by the Traffic Engineer, versus front-in diagonal parking, preferred by the developer, were debated. The petitioner submitted a parking diagram is entitled "Front-in Diagonal Parking Site Plan" dated 8/6/07. The Commission clarified that they are adopting the site plan with regard to diagonal parking, but not whether it is front in or back in, and specifying that the Municipal Traffic Engineer will resolve the issue of a drop off zone near Target and the parking spaces opposite the driveway to King Street.
 8. Target will install a signal at 100th Avenue and King Street. MOA will improve 100th Avenue and install a signal at C Street, 104th Avenue and King Street will be improved. There are two primary circulation routes interior to the property that incorporate a man street concept with a curvilinear design and traffic calming.
 9. Much of the landscaping will be carved out from existing vegetation. There is a pedestrian trail along C Street with two pedestrian access ways into the site, and a trail around the pond. There will be a large paved sidewalk zone along the Target site with landscaping. There are two public spaces at the edge of the pond.

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10. The Commission finds the site plan generally meets the site plan procedures of AMC 21.15.030, and the standards for site plan review for a large retail establishment in accordance with AMC 21.50.320.
 11. The developer agreed to proposed amendments.
 12. The Commission voted 8 in favor, zero opposed to approve the site plan as amended.
- B. The Commission approves the site plan for the Anchorage South Retail Mall, subject to the following conditions:
1. All construction and improvements related to this approval shall be substantially in compliance with the review application, narrative, the Traffic Impact Analysis as approved by the State and the Municipality of Anchorage, and the most recent plans on file with the Planning Department (including those listed below), except as modified by conditions of this approval.
 - a. Elevations: May 17, and July 20, 2007
 - b. Monument Signs: July 20, 2007
 - c. Pedestrian Circulation Plan: July 20, 2007
 - d. Phasing Plan: July 20, 2007
 - e. Site Plan (Sheets C1.0 through C12.0): July 20, 2007
 - f. Grading and Drainage Plan (Sheets C13.0 through C24.0): July 20, 2007
 - g. Landscape Plan (sheets L1.0 through L12.0, L2.0): July 20, 2007
 - h. Electric Plan (sheets E1.1 through EX3): July 19, 2007
 2. Resolve with the Planning Department a lighting plan addressing all exterior lighting including building lighting, parking area lighting, and pedestrian path and trail lighting shall conform to Municipal and IESNA standards.
 3. Review of the future phases of development on this site shall be subject to administrative approval by the Planning Department. All development shall comply substantially with the submitted design standards and pedestrian and traffic circulation and landscaping layout. These reviews will be for the exterior designs of the structures, and said structures will have to meet current standards at the time of review. Major deviations from the site plan for pedestrian and traffic circulation, landscaping, or the design standards, shall be required to be reviewed by the Planning and Zoning Commission as a non-public hearing item.

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4. No outdoor storage or parking of shipping containers shall be in areas of public parking, except during site construction.
5. Roof-mounted mechanical equipment shall be screened from view from within the site.
6. Resolving the need to submit the following to Project Management and Engineering (PM&E):
 - a. A comprehensive site grading and drainage plan for the entire site to resolve the need for drainage easements and drainage improvements and to demonstrate that post development drainage will not adversely impact adjacent properties or rights of way prior to recording a final plat.
 - b. An erosion and sediment control plan and an approved drainage and grading plan shall be approved by Project Management and Engineering prior to obtaining any building permit, other than a clearing permit, including a grubbing, grading or fill permit.
7. Intersection signalization, lane improvements, or other improvements required by the approved Traffic Impact Analysis (TIA) shall be installed per the phasing plan prior to the opening of any facility.
8. Provide details of all screening walls for loading and refuse collection for each phase of development. Outdoor refuse containers shall be screened on all three sides, with details to be approved by the Planning Department.
9. Construction fencing shall be required to be installed prior to construction to protect the pond and wetlands. Pre and post construction inspections of this fencing by Land Use Enforcement shall be required.
10. Prior to the issuance of any permits, other than a clearing permit, including a grubbing, grading or fill permit, resolve with Municipal Traffic Engineering and the Planning Department a final internal parking lot circulation and design plan affecting all phases, namely, parking that backs into the two north-south cross lot travel lanes.
11. An Individual Wetlands Permit from the Corps of Engineers (COE) is required prior to development of this site. The final site plan shall reflect the COE permit conditions, such as a non disturbance setback from the pond and wetlands. Snow storage is not permitted in the wetland retention areas.


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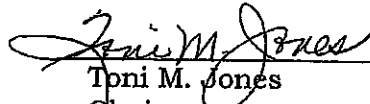
12. Outdoor sales or storage areas are to be approved administratively with each phase of development.
13. Signage shall conform to AMC 21.47 and the number of monument signs shall be limited to those shown on the site plan and adding one additional 8-foot tall single tenant sign.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission this 6th day of August, 2007.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 17th day of Sept. 2007. If the secretary received a written request and intent to appeal, this written decision/resolution of the Planning and Zoning Commission is final and any party may appeal it within twenty (20) days to the Board of Adjustment pursuant to Anchorage Municipal Code 21.30.030 and Anchorage Municipal Code of Regulations 21.10.304. If the secretary did not receive a written request and intent to appeal within seven (7) calendar days of the date the decision was made on the record, August 6, 2007, then this written decision is final and not appealable to any other administrative body. Final administrative decisions with no further administrative remedy may be appealed to the Superior Court within thirty (30) days.

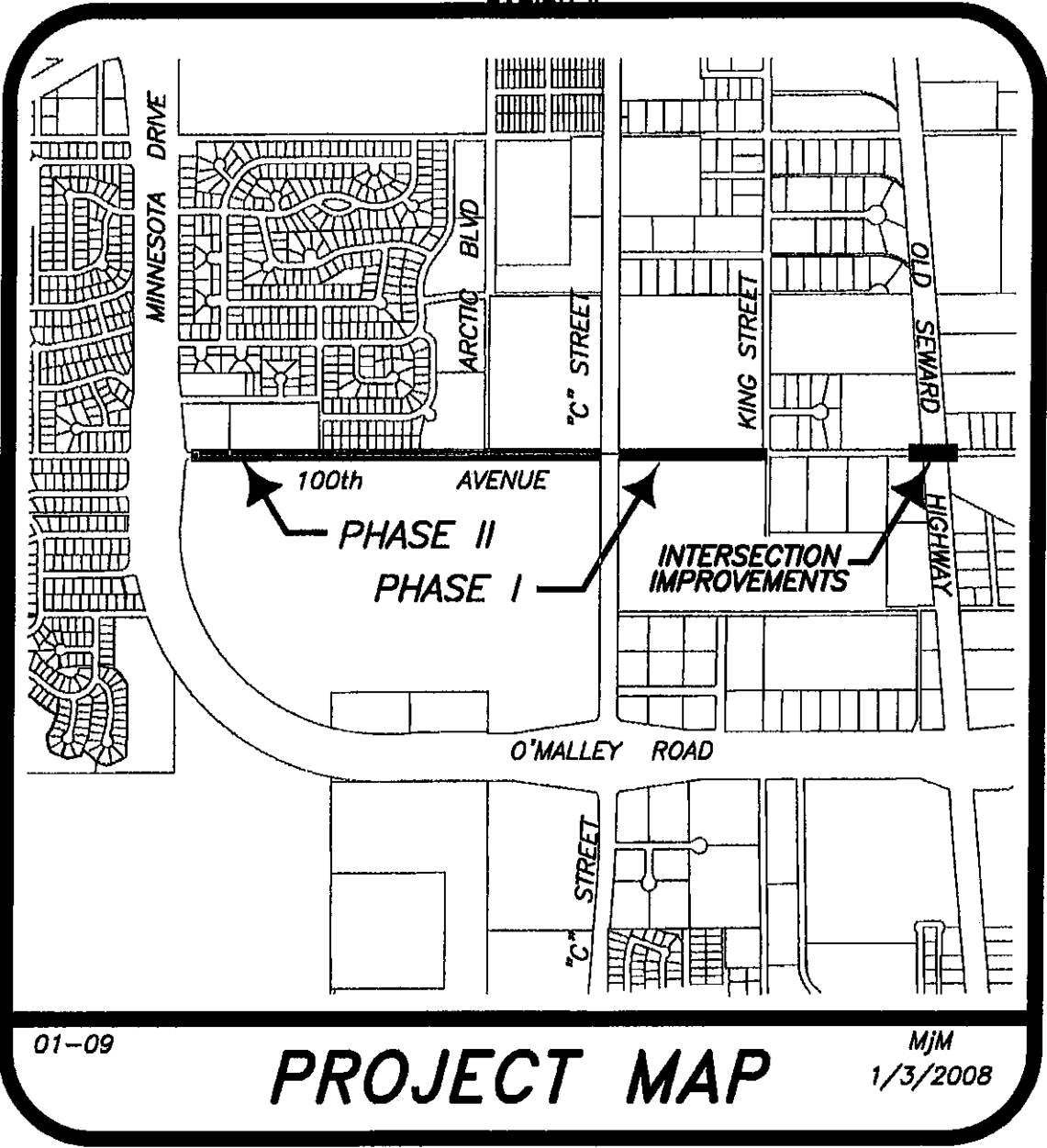


Tom Nelson
Secretary



Toni M. Jones
Chair

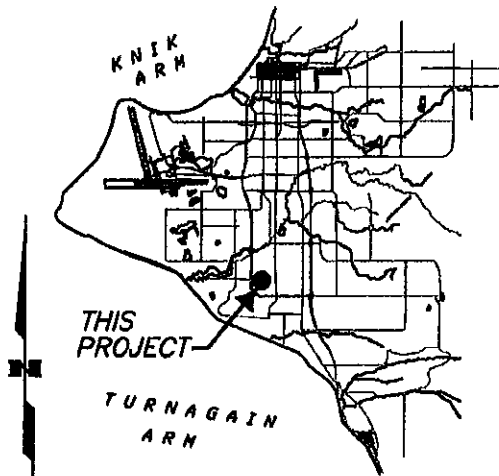
(Case 2007-101; Tax ID. No. 016-042-02)



01-09

PROJECT MAP

MJM
1/3/2008



ROADWAY

100th AVE EXTENSION

PHASE I—"C" STREET to KING STREET
PHASE II—MINNESOTA DR to "C" STREET
INTERSECTION IMPROVEMENTS—OLD SEWARD HIGHWAY AT 100TH AVENUE

Project Management and Engineering Department