

Attachment 3

Comment-Response Table

PZC Case No. 2022-0129

Title 21 Text Amendments
to Update the Downtown Code

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Planning and Zoning Commission Case No. 2022-0129 Title 21 Text Amendments to Update the Downtown Code

Comment # Date	Source	Comment	Staff Response	PZC Comment/Action
1 12/1/2022	Miles Garrod	<p>A stated goal of the “Our Downtown” plan and this rewrite is to simplify the bonus table. In the rewrite, the bonus table is eliminated and replaced with a design menu that applies regardless of scale. This makes the largest scale of development easier but yields a net increase of complexity for small-to-medium-scale development and improvements to existing buildings.</p> <p>Tying code complexity to larger scale as in the current code makes intuitive sense. I welcome the simplification from bonus formulas to design menu, but I recommend that the design menu only apply beyond a certain height or FAR.</p>	<p>Downtown has the highest tax rate in Anchorage. The Central Business District will over time redevelop with taller buildings to maximize investments. In the interim, new 2-, 3-, or 4-story buildings should be able to provide great designs for downtown using the menu of optional design standards provided in the code update.</p> <p>No recommended change.</p>	

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2 12/1/2022	Miles Garrod	<p>The stated priority of the rewrite's frontage menu in the design standards is to include items that good design would incorporate anyway. However, the menu is too restrictive and renders many good buildings downtown legally non-conforming. This makes improvements to existing buildings much more complicated given the provisions of 21.13 regarding "Bringing Characteristics of Use into Compliance"</p> <p>Because downtown' problems are not architectural, this added complexity may yield no return.</p> <p>Alaskan buildings are already burdened with more daunting upgrades than other locales given advances in thermal efficiency and seismic requirements. We shouldn't add marginal cost and complexity that makes it more likely for a building to be neglected and fall into disuse or replacement with parking.</p>	<p>The regulations of Chapter 13 apply throughout the Municipality.</p> <p>Overall, this amendment clarifies code requirements, by removing many zoning restrictions, thus on the whole reducing the possibilities of non-conformities over time. In the cases where a structure becomes non-conforming, there is no requirement that the building change until the use is changed, or a significant amount of construction be performed.</p> <p>Design standards existed in the previous Chapter 11 code, and this amendment simplifies them to the extent the working group felt was most viable. The standards that remain were included to address the goals and values of the Downtown District Plan.</p> <p>This code amendment prohibits surface parking lots as a use and requires parking structures to go through a conditional use process.</p> <p>No recommended change.</p>	

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3 12/1/2022	RVSA Leadership Group	<p>The individuals and organizations that make up the community-wide effort called Roadmap to a Vital, Safe, Anchorage (RVSA) support the proposed changes to Anchorage Municipal Code Title 21 Chapters 21.07 and 21.11 and as outlined in PZC Case No. 2022-0120. We collectively look forward to these changes being made as we see them as helpful in making long-term improvements in downtown Anchorage that will benefit the entire municipality by allowing for economic development as we improve infrastructure and opportunities for housing, mixed use development and commercial investment.</p> <p>The Roadmap to a Vital and Safe Anchorage (RVSA) was born out of a need to make Anchorage more resilient and sustainable. Businesses, non-profit organizations, and industry leaders answered this call to action and began the process of developing a plan focused on implementation, execution, and clearly defined results.</p> <p>Since the early days of RVSA, the issue of improving downtown to encourage investment has been of paramount importance. We believe some of the changes to Title 21 Chapter 11 will</p>	<p>Thank you for this letter of support.</p> <p>It was a pleasure working with each of the agencies and businesses to develop a downtown zoning districts code that will bring new design and revitalization to Our Downtown.</p>	

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		<p>help modernize our city code and therefore encourage positive changes that will benefit residents and visitors. We hope that changes such as those affecting parking and utility coordination will encourage more housing and other dwelling unit changes will result in more dense housing over time as well.</p> <p>We encourage the Planning and Zoning Commission to approve this document to keep the public process moving so needed updates can be finalized and incorporated into the downtown code as soon as possible.</p>		
4 12/2/2022	LaQuita Chmielowski, DOWL	<p>Table 21.11-5 Max Heights Near Town Square: The current code has height limits on Block 69 and 71. I may have missed the meeting where this was discussed, and I wanted to better understand the intent. Has a shadow study been completed that would support the height limitations? How were the heights determined? Especially for block 41 and 69, which is further north of the park.</p>	<p>Shadow modeling was included as part of the working group process.</p> <p>No recommended change.</p>	

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5 12/2/2022	LaQuita Chmielowski, DOWL	<p>21.11.070C.d.: requires doors every 70 feet if the building is located within 20 feet of the ROW. This could become restrictive, especially for the core of downtown, since the building programming along with fire life/safety requirements dictate the needed location for doors. How was the 70 feet determined?</p> <p>Shouldn't we let design and life/safety requirements be the determining factor for doors? I can just see an instance where someone needs a door 75 feet or 80 feet in distance and not have a way to accommodate the programming while meeting the code requirement.</p>	<p>The door placement requirement came from working group testing and research on existing structures downtown. The 70' number was established to allow buildings on a single 50' standard frontage from being required to have more than one door but breaking the space for longer frontages.</p> <p>We recommend that a reference to the fire code requirements and potential building programming.</p> <p>The Alternative Equivalent Compliance procedure can provide additional flexibility.</p>	
6 12/2/2022	LaQuita Chmielowski, DOWL	<p>21.11.070C.3.f. and g.: Given that we are encouraging vertical development downtown and there are already fire codes that dictate when buildings are adjacent to each other, why would we require that the buildings be separated by 20 feet. In the core area of downtown, this requirement seems restrictive and could hinder development opportunities.</p>	<p>This provision was included to allow for light and air circulation in cases where towers are built close together. It can be removed if it seems like a burden on development.</p> <p>Staff recommends deletion: <u>"Development with multiple towers on one property, towers shall be located a minimum of 20 feet from each other."</u></p>	

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7 12/2/2022	LaQuita Chmielowski, DOWL	21.11.070D.2.d.: Landscaping: I fully support providing landscaping and other amenities along the street fronts in downtown anchorage. However, my recent experience is that there are concerns with any pedestrian amenities within the clear zone along 5 th and 6 th , since they are part of the highway system. On a recent project, we were not allowed to install trees within the ROW since they would be in the clear zone. Coordinating with DOT and MOA to obtain approval for amenities within the ROW along 5 th and 6 th can be argues and put a large burden on the developer. To be successful, I believe there would need to be a blanket MOU or other agreement along 5 th and 6 th that allowed MOA the ability to determine amenities along the sidewalk. Until then, these sorts of design elements will be difficult, if not impossible to implement.	We understand 5 th and 6 th avenues are managed differently. Thank you for the comment. Standards for 5 th and 6 th avenues may change with the Downtown Streets Engineering Study. No recommended change.	
8 12/2/2022	LaQuita Chmielowski, DOWL	21.11.070D.2.e.: Decorative Street Lighting: This came up on a recent project and discussions about allowing a light fixture that was complimentary with the development, but also with the existing lighting in the area. The concern was long term maintenance and replacement poles if the	The amendment sought to avoid encumbering property owners with contract requirements or the MOA with enforcement obligations. The Alternative Equivalent Compliance procedure can provide additional flexibility.	

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		lighting was different than what is already in downtown. I would suggest having some parameters of lighting that would be allowed without requiring a maintenance agreement for the Owner to maintain the lights. Also, to allow the director/municipal engineer some discretion on allowing different light fixtures to give developers some flexibility.	No recommended change.	
9 12/2/2022	LaQuita Chmielowski, DOWL	21.11.070D.2.e.iv.: the lighting height is limited to 15 feet. However, the decorative lighting that was recently installed along 4 th Avenue was just over 18 feet. What is the intent of limiting the height to 15 feet? A lighting analysis is needed for the lighting to be replaced within the right-of-way and there are newer poles that are being installed within the downtown area that would help to inform the height that is needed (see appended submittals from the 4 th Avenue project). Should consider removing the height limitations.	Staff will look into harmonizing this section with current projects. It may be helpful to create a distinction between street lighting intended to light the entire ROW for vehicle travel and street lighting intended to light the sidewalk for pedestrian use or to qualify as a pedestrian frontage standard. We will change this reference to “up to 18 feet consistent with height and design of what PM&E has installed along 4th Avenue.” P 33 of 63 Line 30	
10 12/2/2022	LaQuita Chmielowski, DOWL	21.11.070D.2.e.v.: this section on the style seems very restrictive and does not allow for flexibility for a developer to propose a light fixture that may be complimentary to the development and downtown lighting scheme. Suggest	The language “ <u>Decorative street lighting design shall be compatible in style, fixture color, and lamp color with other principal decorative street lighting fixture assemblies which may exist within the project street corridor</u> ” was intended to allow general flexibility in interpretation,	

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		softening the language to allow flexibility in design.	but staff will look at ways to simplify this. The Alternative Equivalent Compliance process can apply here.	
11 12/2/2022	LaQuita Chmielowski, DOWL	21..11.070D.2.f.: Canopies: in my recent experience canopies along 5 th and 6 th will require an encroachment permit from DOT that is typically only good for 5 years and cannot be transferred with the property. The canopies also have to be removable. I support canopies as an amenity. Just challenging to implement along 5 th and 6 th Avenue.	We understand 5 th and 6 th avenues are managed differently. Thank you for the comment. Standards for 5 th and 6 th avenues may change with the Downtown Streets Engineering Study. No recommended change.	
12 12/2/2022	LaQuita Chmielowski, DOWL	21.11.070D.2.f.iv.: Can the lighting be part of the pedestrian and street lighting or is it intended that the canopies have a lighting system within them? If this is a small canopy element, the cost of including lighting within the canopy itself could be costly and adequate lighting could be provided through other means.	Staff will look into amendment this language in this section to make canopy lighting optional if lighted exterior building entry is provided. Staff recommends an edit to code to improve this guideline.	
13 12/2/2022	LaQuita Chmielowski, DOWL	21.11.070D.2.g.: Plaza: This section feels very prescriptive and takes away the freedom of the designer. 601 W 5 th has a plaza area that will not have all of the elements that are described in this section but will be very appealing and a vast improvement over the previous plaza. We should allow flexibility to	Alternative equivalent compliance can be applied here.	

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		<p>the designers to create a space that is appealing and has to follow some guidelines. In this section of code it was unclear why a plaza would have to connect to a sidewalk that is a minimum of 14 feet wide. Would this include sidewalk that is created on property for the plaza? If not, it will be difficult to meet this requirement. Also, there is a requirement for seating, which is not always desirable by owners. The landscape requirements also should consider hardscape treatments and not just plantings.</p>		
<p>14 12/2/2022</p>	<p>LaQuita Chmielowski, DOWL</p>	<p>21.11.070G.: Downtown Street Landscaping: I support the need for landscaping in downtown. I only flagged this due to the ability to be able to implement these requirements along 5th and 6th avenue. Also, for the 601 W 5th Avenue project we were not allowed to have planters that were more than 0.5 inches high within the ROW due to the clear zone concerns for vehicles.</p>	<p>The amendment sought to avoid encumbering property owners with contract requirements or the MOA with enforcement obligations.</p> <p>The Alternative Equivalent Compliance procedure can provide additional flexibility.</p> <p>No recommended change.</p>	

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15 12/5/22	Melisa Babb	Alternative Equivalent Compliance was inadvertently deleted from Chapter 11 with the deletion of the bonus point table. Should be added back in.	Thank you for that catch. Staff is adding a separate section 21.11.020 for Alternative Equivalent Compliance.	
15 12/5/22	Melisa Babb	Delete foot note #2 in Table 21.11-4 Table of Dimensional Standards. Building "Step Back" requirements are included in Chapter 11.	Thank you for the comment. We found that error and have deleted in the PH D Draft Code. Staff made recommended change.	
16 12/5/22	Melisa Babb	Line 17/64 lines 22-23: Change "building setbacks to just building forms"	Staff agrees with this edit.	
17 12/5/22	Melisa Babb	28/64, lines 34-37: Change: <u>"d. The reduction must be applied so that a maximum of 20 feet or 10% of the frontage (whichever is greater) is aligned with the property line adjacent to the space governing the reduction."</u> To <u>"The reduction must be applied so that a maximum of 20 feet or 10% of the frontage (whichever is greater) is aligned with the facade of the floor governing the reduction."</u>	Staff agrees with this edit.	

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18 12/5/22	Melisa Babb	42/64, far right column of Table 21.11-9: Landscape Requirements for Downtown Districts: Change " <u>Up to 1/2 of total required shrubs may be substituted with</u> " To: " <u>All total required shrubs may be substituted with perennial.</u> "	Staff agrees with this edit.	