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Municipality of Anchorage

Planning Department

Memorandum

Date: December 12, 2022

To: Planning and Zoning Commission

Through: Craig H. Lyon, Director

From: Kristine Bunnell, Manager, Long-Range Planning Division

Subject: Case No. 2022-0134, Proposed Ordinance Amending the *Our Downtown: Anchorage Downtown District Plan 2021*

Request
The Planning and Zoning Commission is scheduled to take public comment on the text amendments to the *Our Downtown: Anchorage Downtown District Plan 2021* (*Our Downtown Plan*), A.O. No. 2022-27) on Monday, December 12, 2022. The *Our Downtown Plan* and a list of text amendments are included in this packet for your review and information. The Commission will conduct a public hearing, deliberate the matter, and forward its recommendations to the Assembly for consideration.

Background
During the Title 21 *Chapter 11 Downtown* zoning code update, there were several inconsistencies identified between the *Our Downtown Plan* and the proposed zoning code. Many of these inconsistencies came to attention as the Downtown Code Update Working Group proposed new design guidelines, including such things as step-backs, the deletion of the bonus point table, revised landscape guidelines, and deletion of bulk building requirements.

Additionally, and as recommended by 21.03.070 Comprehensive Plan Amendments, a capacity study and analytical report of issues and conditions was completed comparing the draft code update and the *Our Downtown Plan*. Recommendations from that report are included in the attached table (Attachment 2) text amendments to the *Our Downtown Plan*.

Approval Process
AMC 21.03.070 Comprehensive Plan Amendments
This section allows concurrent comprehensive plan amendments to occur following the same procedures for substantial amendments including initiation, public notice, department review, planning and zoning and assembly action. Approval criteria for the proposed amendment ensure that the "internal consistency" of the *Our Downtown Plan* will be maintained.

Working Group Concurrence
The Downtown Code Update Working Group was presented with the capacity study and analytical report and recommendations on fixes between the downtown code and the downtown plan. The working group discussed the recommendations at length and concurred with staff that such edits would be useful in clarifying information on design guidelines for buildings, viewshed protection, solar access, and the number of dwelling units allowed per acre. Most recommendations in Attachment 2 refer to Chapter 6: Urban Design in the *Our Downtown Plan*.

Plan Edits
Maps were replaced or renumbered for clarity. An updated proforma table was inserted. The land use plan map was updated. The Merrill Field Height Restrictions map was included. Several design standards were edited to be consistent with the proposed code update. Additional diagrams were added to provide clarity on the guidance. Implementing downtown partners were added. As noted above, the full text amendment is included in Attachment 2.

Public Engagement
The plan edits were posted on the Downtown Plan and Code Project website and in CityView for municipal departments and community council information and comment. Additionally, staff discussed the plan amendments during public open houses and presentations held on:

- November 2 – Downtown Community Council meeting
- November 4 – Public Open House at the Anchorage Museum
- November 8 – Lunch & Learn at the Pioneer Schoolhouse
- November 9 – Public Open House at the Pioneer Schoolhouse
- November 29 – Anchorage Community Development Authority (ACDA) Board Meeting.

Comments Received
Five agency comments of *no comment* or *objection* were received from (1) the Alaska Department of Transportation and Public Facilities and MOA's (2) Traffic Department, (3) Development Services' Right-of-Way Section, (4) Development Services' Private Development Division, and the (5) Anchorage Water and Wastewater Utility.

Department Recommendation
The Planning Department recommends approval to the Anchorage Assembly of PZC Case No. 2022-0134, the Proposed Ordinance Amending the *Our Downtown: Anchorage Downtown District Plan 2021* text amendments as proposed by staff.

Recommended Findings

1. The text amendment meets the approval criteria of AMC 21.03.070 – Comprehensive Plan Amendments by maintaining the internal consistency, while providing consistent direction in Chapter 6: Urban Design of the *Our Downtown Plan* as adopted on April 26, 2022 (A.O. No. 2021-27).

2. The text amendment will bring the *Our Downtown Plan* into alignment with the downtown zoning district code in Title 21, Chapter 11: Downtown. Providing consistent direction between the code and adopted plans gives clear direction on intent and requirements of the code, therefore reducing the need for unnecessary interpretation between code and comprehensive plan guidance.

Attachments: 1. Proposed Draft Ordinance
2. Table of Amendments to the Plan
3. Comments Received

Attachment 1

Draft Ordinance

PZC Case No. 2022-0134

Proposed Ordinance Amending
Our Downtown:
Anchorage Downtown District Plan 2021

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Submitted by: Chair of the Assembly at the Request of the Mayor
Prepared by: Planning Department
For Reading: _____

ANCHORAGE, ALASKA
AO No. 2023-___

AN ORDINANCE AMENDING THE *OUR DOWNTOWN: ANCHORAGE DOWNTOWN DISTRICT PLAN 2021* AND AMENDING COMPREHENSIVE PLAN ELEMENTS PROVISIONS ANCHORAGE MUNICIPAL CODE SECTION 21.01.080 TABLE 21.01-1.

(Planning and Zoning Commission Case No. 2022-0134)

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. That the *Our Downtown: Anchorage Downtown District Plan 2021* is hereby amended to reflect changes recommended by the Planning and Zoning Commission Resolution, included as Exhibit A.

Section 2. That Anchorage Municipal Code section 21.01.080, Table 21.01-1: Comprehensive Plan Elements, is amended to read as follows *(the remainder of the section is not affected and therefore not set forth)*:

21.01.080 Comprehensive plan.

*** *** ***

B. Elements.
*** *** ***

TABLE 21.01-1: COMPREHENSIVE PLAN ELEMENTS			
Area/Topic	**Plan**	**Adoption Date [1]**	**Amendments**
Anchorage Bowl	*** *** ***		
	Our Downtown: Anchorage Downtown District Plan 2021	AO 2022-27, As Amended May 24, 2022; AO 2007-113; 12-11-2007	AO 2023-___; *(insert effective date of this ordinance)*
	*** *** ***		

*** *** ***

(AO 2012-124(S), 2-26-13; AO 2013-117, 12-3-13; AO No. 2013-151, § 3, 1-14-14; AO No. 2014-63, § 3, 6-24-14; AO No. 2013-132(S), § 3, 7-8-14; AO No. 2014-79, § 3, 7-22-14; AO No. 2014-108, § 3, 9-9-14; AO No. 2014-134, § 3, 11-18-14; AO No. 2014-139(S), § 3, 12-2-14; AO No. 2015-17, § 3, 3-3-15; AO No. 2015-18, § 5, 3-3-15; AO No. 2015-46, § 3, 5-14-15 ; AO No. 2015-140, § 2, 3-8-16; AO No. 2016-101, § 2, 9-13-16; AO No. 2017-67, 5-9-2017; AO No. 2017-116, § 6, 9-26-17; AO No. 2018-23, § 3, 3-20-

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18; AO No. 2019-142, § 3, 12-17-19; AO No. 2020-74, § 2, 9-15-20; AO No. 2021-25(S), § 3, 8-24-21; AO No. 2022-27, § 2, 4-26-22; AO No. 2022-54, § 2, 5-24-22)

Section 3. This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____ 2023.

_____
Chair of the Assembly

ATTEST:

_____
Municipal Clerk

(Planning and Zoning Commission Case No. 2022-0134)

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Attachment 2

Table of Amendments to Plan

PZC Case No. 2022-0134

Proposed Ordinance Amending
Our Downtown:
Anchorage Downtown District Plan 2021

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Chapter 6, Urban Design, was updated to remove duplicative goals found on pages 79 and 85 of the public hearing draft to reflect the Downtown Code Update Working Group's input and to ensure there were no conflicts between the plan's Chapter 6 Urban Design guidelines and the proposed code update, which is intended to help catalyze new development including housing.

Of special note, the bonus point table in Chapter 11 of Title 21 and any references to incentives identified in either the plan or the code was removed.

Where the municipal Design Criteria Manual would prevail on public rights of way, any conflicting Plan goals or design guidelines were also removed or edited as reflected in the table below.

The table reflects the Downtown Code Update Working Group's input.

This included new building design options, the introduction of step-backs to preserve view protection and the pedestrian sidewalk experience, and reductions to other development burdens.

Page(s) in Public Hearing Draft	Page(s) in new version	Change
	Throughout	Photographs from summer 2022 added throughout.
11	12	Added Visit Anchorage, Anchorage Museum, and Downtown Community Council as partners.
12	24	Moved Map #1 to become Map #4.
34	29	Replaced Table #1 Downtown Housing Estimate with Figure #1 Downtown Housing Estimate to provide a larger more visible table.
35	31	Replaced summary pro-forma findings table (table 2) with Gap Per Unit table, and paragraph on the Downtown Plan 2021 Housing Target.
37	33	Replaced Map #6.
45	39	Revised text for succinctness.

Page(s) in Public Hearing Draft	Page(s) in new version	Change
60	50	Replaced 2007 seismic diagram with Map #8 Current Seismic data. Reduced and bulleted narrative text for clarity.
65-69	53-57	Revised land use plan map district descriptions based on public comment provided in the comment response table for the PZC and Assembly public hearings.
	54	Added Map # 10: Merrill Field Height Restrictions Map
85	70	Public View Protection: The second sentence of the design guideline has been changed from encouraging viewshed protection through “incentives” to encouraging it through “design.”
86	70	Sidewalk Widths: The street sidewalk cross-section diagram for the design guideline has been deleted.
88	72	Lighting: The third bulleted design guideline, “Ensure public lighting accommodates baskets and seasonal lighting” has been deleted.
89, 72-73	72-73, 82	Pedestrian Shelter: The Pedestrian Shelter urban design guideline including its 8 bulleted guideline statements has been deleted, and some of its content merged with wording changes into a revised version of “Interior Public and Semi-Public Spaces” on page 82 of the revised version. The first paragraph of the Pedestrian Shelter design guideline, and its first two bulleted guidelines are deleted. The remaining six bulleted design guidelines for sheltering exterior spaces has been revised and moved to page 82 to be a part of the design guideline for interior public spaces

Page(s) in Public Hearing Draft	Page(s) in new version	Change
89	73	Building Setbacks: The first paragraph has changed. Its first sentence has been reduced in length by removing some of the purposes for why wider setbacks may be used. All five bulleted design guidelines for building setbacks are deleted and replaced with an emphasis on human-scale development.
90	74	Massing and Stepping: Refers the reader to follow Title 21 code requirements. The massing and stepping diagram has been replaced by a new diagram consistent with what was proposed for in the Chapter 11 update.
90	75	Sunlight Access: The beginning of the 4th bullet, "Evaluate the impact of…" has been changed. The three bulleted design guidelines under "Private developments should…" were revised to reflect table options in the code.
91	75	Wind Protection was revised and reorganized under new stepback requirements in Chapter 11.
91	75	Ground Level Treatment was revised and reorganized under new facade requirements in Chapter 11. Two photographs were added to provide visual examples of what is encouraged.
92	76	Materials and Texture guidelines were updated to eliminate confusion between the plan and Chapter 11. Several photographs were added to provide visual examples of what is encouraged.

Page(s) in Public Hearing Draft	Page(s) in new version	Change
92	77	Building Lighting: guidelines were updated to eliminate confusion between the plan and Chapter 11. Several photographs were added to provide visual examples of what is encouraged. Two photographs were added to provide visual examples of what is encouraged.
92-93	77	Skywalks: The last bulleted design guideline on page 92, listing street-level alternatives for enhanced pedestrian street crossings, is deleted to eliminate confusion. There is no definition for an enhanced pedestrian street crossing in code.
	78-81	Additional design diagram and bicycle parking images added.
93	78	Parking Treatment: The first and second bulleted design guidelines for Parking Treatment are deleted to reduce confusion in interpretation, other bulleted guidelines revised to be more direct.
94	79	Residential Treatment: The fourth and fifth bulleted design guidelines for Residential Treatment are deleted to reduce confusion in interpretation, other bulleted guidelines revised to be more direct.
94	82	Interior Public and Semi-Public Spaces: Guidelines for exterior sheltering elements such as canopies have been added to clarify guidelines for interior atria.
95	83	Urban Design and Utilities Subcommittees Recommendations were edited. A full report on this committee's recommendations is posted online.

Page(s) in Public Hearing Draft	Page(s) in new version	Change
95/119	83/105	UD-1: Update the Bonus Point System recommended for deletion. The bonus point system and table are recommended for deletion from Chapter 11.
108	96	Replaced Anchorage Bike Map with Map #12 Bike Routes Downtown Municipality of Anchorage.
116	102	Added ACDA to RVS-3, RVS-4, and LU-4 at their request.

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Attachment 3

Comments Received

PZC Case No. 2022-0134

Proposed Ordinance Amending
Our Downtown:
Anchorage Downtown District Plan 2021

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Kimmel, Corliss A.

From: Walters, Michael S.
Sent: Sunday, November 6, 2022 12:00 PM
To: Blake, Lori A.; Kimmel, Corliss A.
Subject: 2022-0134 Request for Reviewing Agency Comments

All:

ROW has the following comments for case number 2022-0134:

ROW has no comment or objections on the proposed action.

Regards,

Michael S Walters
Senior Plan Reviewer
Right of Way Section
michael.walters@anchorageak.gov
Office:907-343-8226
Cell: 907-727-7637
Fax: 907-249-7910

MUNICIPALITY OF ANCHORAGE

Traffic Engineering Department

TRAFFIC ENGINEERING

MEMORANDUM

DATE: November 7, 2022

TO: Current Planning Division Supervisor,
Planning Department

THRU: Kristen A. Langley, Traffic Safety Section Supervisor,
Traffic Engineering Department

FROM: Randy Ribble PE, Assistant Traffic Engineer

SUBJECT: 2022-0134 Amendment Update to the Our Downtown: Anchorage Downtown District Plan

Traffic Engineering has no objection to proposed amendments to the Anchorage Downtown District Plan.

MUNICIPALITY OF ANCHORAGE

Development Services Department | Private Development Section

Mayor Dave Bronson

MEMORANDUM

Comments to Planning and Zoning Commission Applications/Petitions

DATE: November 9, 2022

TO: Planning Department

FROM: Judy Anunciacion, Private Development Engineer

SUBJECT: PZC Case 2022-0134

Case 2022-0134 – Proposed Ordinance Amending the Our Downtown: Anchorage Downtown District Plan 2021

Department Recommendations: The Private Development section has no objection to the Proposed Ordinance Amending the Our Downtown: Anchorage Downtown District Plan 2021.

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Transportation and Public Facilities

Program Development and Statewide Planning
Anchorage Field Office

4111 Aviation Avenue
P.O. Box 196900
Anchorage, AK 99519-6900
Main number: 907-269-0520
Fax number: 907-269-0521
Website: dot.state.ak.us

November 9, 2022

David Whitfield, Current Planning Manager
MOA, Community Development Department
Planning Division
P.O. Box 196650
Anchorage, Alaska 99519-6650

[Sent Electronically]

Re: MOA Zoning Review

Dear Mr. Whitfield:

The Alaska Department of Transportation and Public Facilities (DOT&PF) has reviewed the following zoning cases and has no comments:

- **2022-0129 – Title 21 Text Amendment to Update Downtown Code**
- **2022-0133 – Proposed Ordinance Amending the Anchorage 2040 LUP**
- **2022-0134 – Proposed Ordinance Amending the Our Downtown: Anchorage Downtown District Plan 2021**

The Alaska Department of Transportation and Public Facilities (DOT&PF) has reviewed the following zoning cases and has the following comments:

- **2023-0003 – Costco Business Center – Admin Site Plan Review Minor Amendment**
  - No objection to the parking amendment, provided it meets all municipal, state, and federal requirements.
  - The site plan submitted for the pre-application indicated that the removed Sam's Club fueling station maybe reestablished. DOT&PF recommends that if the fueling station is redeveloped that its orientation and access be developed to ensure that the fueling station's access does not impact the main access road or the Muldoon intersection.

All properties accessing DOT&PF roads must apply to Right-of-Way for a driveway permit, subject to provisions listed in 17 AAC 10.020. Any previously issued driveway permits become invalid once the property undergoes a platting action and must be reissued.

We recommend the petitioner verify all section line easements and DOT&PF road rights-of-way adjacent to their property. For assistance, the petitioner may contact the Engineering group within the Right of Way section in DOT&PF at (907) 269-0700. The petitioner is liable to remove any improvements within the easements and rights-of-way that impede the operation and maintenance of those facilities even if they are not shown on the plat, so it is in the petitioner's best interest to identify the exact locations and widths of any such easements or rights-of-way before they improve the property.

If any section line easements or road rights-of-way exist within the bounds of their plat, we recommend the petitioner dedicate them. If there is an existing right-of-way or easement, the petitioner is unable to develop that portion of the property yet continues to pay property taxes on it; dedicating will remove that cost to the petitioner.

If there are any questions regarding these comments, please feel free to contact me at (907) 269-0522 or mark.eisenman@alaska.gov.

Sincerely,

Mark Eisenman
Anchorage Area Planer, DOT&PF

cc: Scott Thomas, P.E., Regional Traffic Engineer, Traffic Safety and Utilities, DOT&PF
Sean Baski, P.E., Highway Design Group Chief, DOT&PF
Jacob Ciufo, P.E., Regional Hydrologist, Hydrology DOT&PF
James Starzec, AMATS Transportation Planner, DOT&PF
Danika Simpson, Property Management Supervisor, Right of Way, DOT&PF
Corliss Kimmel, Office Associate, Current Planning, MOA
Noah King, P.E. Project Manager, DOT&PF

MEMORANDUM

DATE: **November 16, 2022**

TO: **Dave Whitfield, Planning Manager, Planning Section, Planning Division**

FROM: **Seth Wise, Engineering Technician III, Planning Section, AWWU**

RE: **Zoning Case Comments**
Decision date: September 12, 2022
Agency Comments due: November 14, 2022

AWWU has reviewed the materials and has the following comments:

2022-0134 PZC Case No. 2022-0134, Proposed Ordinance Amending the *Our Downtown: Anchorage Downtown District Plan 2021* — Request for Public Comments

1. AWWU has no comments or objections to the Proposed Ordinance.

If you have any questions pertaining to public water or sewer, please call 564-2757 or send an e-mail to seth.wise@awwu.biz.