

Attachment 4

Comments Received

PZC Case No. 2022-0129

Title 21 Text Amendments
to Update the Downtown Code

Kimmel, Corliss A.

From: Walters, Michael S.
Sent: Sunday, November 6, 2022 11:56 AM
To: Blake, Lori A.; Kimmel, Corliss A.
Subject: 2022-0129 Request for Reviewing Agency Comments

All:

ROW has the following comments for case number 2022-0129:

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





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: **2022-0129 Text Amendment Update to the Downtown Code amending Chapters 21.07 Development Design Standards and 21.11 Downtown.**

Traffic Engineering has no objection to proposed text amendments as indicated in the proposed assembly ordinance.

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 2022-0129

Case 2022-0129 – Title 21 Text Amendment to Update the Downtown Code, Amending Chapters 21.07, Development and Design Standards, and 21.11, Downtown – Request for Public Comments

Department Recommendations: The Private Development section has no objection to the Title 21 Text Amendment to Update the Downtown Code, Amending Chapters 21.07, Development and Design Standards, and 21.11, Downtown.



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 Planner, 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:

2022-0129 PZC Case No. 2022-0129, Title 21 Text Amendment to Update the Downtown Code, Amending Chapters 21.07, Development and Design Standards, and 21.11, Downtown—Request for Public Comments

1. AWWU has no comments or objections to the Title 21 Text Amendment.

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.



Public Comments: 2022-0129

Commenter	Email	Phone Number	Submitted
Miles Garrod 1645 Wickersham Dr. Anch., AK 99507	milesg@ecialaska.com	907-565-5003	12/1/2022 11:01:36 AM
	<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>Typing 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>		
Miles Garrod 1645 Wickersham Drive Anchorage, AK 99507	milesg@ecialaska.com	907-565-5003	12/1/2022 11:16:14 AM
	<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>		

Roadmap to a Vital and Safe Anchorage

[Roadmap to a Vital and Safe Anchorage - Anchorage Chamber](#)

November 29, 2022

Kristine Bunnell
Manager, Planning Department
Municipality of Anchorage
kristine.bunnell@anchorageak.gov

Sent by email

To Whom it May Concern:

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.

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.

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 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.

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.

Sincerely,

The RVSA Leadership Group

Bruce Bustamante, Anchorage Chamber of Commerce
Debbie Rinckey, Chugiak Eagle River Chamber of Commerce
Julie Saupe, Visit Anchorage
Silvia Villamides, Alaska Hospitality Retailers
Bill Popp, Anchorage Economic Development Corporation

From: [LaQuita Chmielowski](#)
To: [Bunnell, Kristine R.](#); [Lyon, Craig H.](#)
Cc: [Mckenna-Foster, Daniel R.](#); [Kate Silber](#)
Subject: Downtown Code Changes - Follow-up
Date: Friday, December 2, 2022 9:14:05 AM
Attachments: [SC39108 \(FINAL REV. 081321\) KE Review.pdf](#)
[SC39105 \(FINAL REV. 081321\) KE Review.pdf](#)

[EXTERNAL EMAIL]

Hello, Everyone.

I want to thank everyone for all your hard work in putting together the downtown code changes. It is a tremendous amount of work to get to this point!

I do apologize for the lateness of my input. I recently had a chance to thoroughly go through the proposed code changes and compare it to planned real life projects to get a better sense of how the code might work. I am supportive of the code and think there are a lot of positives and will lead to more development in downtown to meet the community goals. However, there are a few items that I see in the code that could possibly hinder development and I have summarized my concerns below:

- 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.
- 21.11.070.C.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? 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.
- 21.11.070.C.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.
- 21.11.070.D.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 5th and 6th, 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 5th and 6th 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 5th and 6th 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.
- 21.11.070.D.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

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.

- 21.11.070.D.2.e.iv: the lighting height is limited to 15 feet. However, the decorative lighting that was recently installed along 4th 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 4th Avenue project). Should consider removing the height limitations.
- 21.11.070.D.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 softening the language to allow flexibility in design.
- 21..11.070.D.2.f: Canopies: in my recent experience canopies along 5th and 6th 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 5th and 6th Avenue.
- 21.11.070.D.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.
- 21.11.070.D.2.g: Plaza: This section feels very prescriptive and takes away the freedom of the designer. 601 W 5th 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 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.
- 21.11.070.G: 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.

Again, thank you for all your hard work and I am happy to meet and discuss these items further.

Thank you,
LaQuita

LaQuita Chmielowski, PE, LEED AP
Senior Land Use Planning Manager

DOWL

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