



A Project to Implement the Downtown Comprehensive Plan



OUR DOWNTOWN

Step 1: Downtown Zoning Districts Code Reformat

PZC Case No. 2020-0002

Site Testing of Draft Code Amendment

Appendix A-4

Anchorage 2040 Land Use Plan
Implementation Action 3-2



Appendix A-4

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Appendix A-4

Introduction

In response to a stakeholder's request the Planning Department conducted site tests of the public hearing draft Downtown code reformat amendment standards on several recent residential developments in the central business district. The purpose of the tests was to determine what effects the reformatted Downtown zoning district development standards placed in Current Title 21 would have (if any) on recent residential developments that were permitted under Old Title 21. For example, would any of the reformatted Downtown development standards or the generally-applicable development standards of Current Title 21 have a substantial effect on the development design or number of housing units? Would the tests reveal any unintended effects that would need to be addressed in the public hearing draft?

This Appendix A-4 summarizes the testing results. It is provided as information to assist the project team, Planning and Zoning Commission, and the general public in evaluating the draft Downtown amendments.

Code testing of the development sites was conducted by applying a comprehensive checklist of the draft reformatted Title 21 code provisions to the approved development plans for each development project. Site visits were also conducted. Staff from the *Our Downtown* project team, Development Services Department Zoning Plan Review section, and the Planning Department Land Use Review section conducted the tests.

The following pages provide a summary of findings with regard to compliance for each development. Detailed findings, including each applicable requirement of the draft reformatted Title 21 with the public hearing draft amendments, are provided in the Site Test Analysis Table beginning on page 7.

Two development examples were tested, as shown on the Site Test Analysis Table. Both were permitted in 2019 under the Old Title 21 zoning ordinance provisions for the Downtown districts. Construction was completed on the first development, Elizabeth Place at the corner of 7th Avenue and I Street, in the fourth quarter of 2019. Construction on the second site, Duke's Apartments on 8th Avenue between F and G Streets, is ongoing as of January 2020.

Section 1

Elizabeth Place Site Test Summary

Elizabeth Place is a comprehensive redevelopment of three standard-sized Downtown lots on the corner of 7th Avenue and I Street. The development comprises a three-story mixed-use building containing 50 apartment units and 2,600 square feet of ground-floor commercial space facing the street corner. It is a mixed-income project containing a mix of HUD affordable and market-rate housing units, including studio, one-bedroom, and two-bedroom apartments. Surface parking is provided around the side and along the rear alley.

A checklist of approximately 90 requirements under the draft reformatted Title 21 was reviewed in comparison to the Elizabeth Place development as permitted under Old Title 21 and constructed. Testing indicates that while the terminology for allowed use types is different, there would be no change in the permitted uses, size or type of ground-floor commercial space, or the number or type of residential units built on the site. No changes would be required to the building size, design, or form as a result of the public hearing draft code reformat. No changes would be required to the site plan layout, site size, building placement on the site, or width of the sidewalk as a result of the draft Title 21 reformat, as compared to the downtown standards in Old Title 21.

Several procedural and development requirements were found to be different as a result of the generally-applicable provisions of the Current Title 21 compared to under the Old Title 21. These differences include:

1. The developer would need to enter into a recorded agreement with the Municipality per Title 21 subsection 21.07.040F.5.a. to document that all parking lot plowed snow will be hauled off site. (The approved plan includes a note that snow will be hauled off-site; no changes to the site plan would be necessary.)
2. The development would be eligible to count the large existing birch tree along the western property line toward three of the new trees that were required for parking lot perimeter landscaping bed, per Title 21 subsection 21.07.080F.1.d.
3. A warranty guarantee surety of landscaping material survival with a value of \$5,000 would need to be provided, to remain in effect for two years, to be repaid to the developer, per Title 21 subsection 21.07.080F.4.b.

The code test also identified several items that should be addressed in the draft amendment language. These included clarifying several draft provisions and addressing a few substantive issues. These items include:

- a. Current Title 21 Section 21.07.080G.2. exempts dumpsters which have alley access from any screening requirement. This is a departure from Old Title 21,

which requires all dumpsters in Downtown to be screened, and could result in dumpsters placed in view along or in sidewalks.

- b. Current Title 21 Section 21.07.080G.4. screening requirements for rooftop mechanical equipment were accidentally not applicable, because the draft Downtown Chapter 21.11 missed including a reference to this section. Screening of rooftop equipment is required by Old Title 21, and should carry over.
- c. Draft Title 21 Reformat Section 21.11.050C. language on page 43, lines 6-8 of *Exhibit B: Annotated Zoning Code Amendments* should be clarified. As worded, the public hearing draft is not clear if any of the use-specific standards in Chapter 21.05 apply to the uses listed on page 43.
- d. Draft Title 21 Reformat Section 21.11.060B., Table 21.11-4, on page 50 of *Exhibit B: Annotated Zoning Code Amendments* should be clarified so that “mixed-use dwellings” are clearly exempted the residential use setback requirements. As worded, the public hearing draft seems to include mixed-use dwellings in the “residential household uses” that are subject to residential setbacks. That would not be consistent with Old Title 21.
- e. Draft Title 21 Reformat Section 21.11.070E. on page 63 of *Exhibit B: Annotated Zoning Code Amendments*: For a multifamily development scenario (i.e., if the project had not include without the commercial space), then the draft code amendment would forward the Old Title 21 usable yard requirement. Site testing found that the Old Title 21 usable yard would require 1,250-1,650 square feet more area than if the Current Title 21 private open space requirement were applied instead. This indicates that Downtown housing developments may benefit more from applying the Private Open Space standards of 21.07.030, with exemptions from any specific provisions of 21.07.030 that may not be appropriate for Downtown.

Exhibit A: Staff Report addresses the items identified above with recommended edits to the public hearing draft.

Section 2

Duke's Apartments Site Test Summary

Duke's Apartments is a renovation of an older residential building with some site improvements, located on the south side of 8^h Avenue between F and G Streets. The renovation comprises a residential multifamily building containing 28 apartment units. The building includes a daylight basement story plus three stories above grade plane, for a total of four levels of apartment units. Surface parking (existing) is provided on both sides of the building. The building is legally nonconforming and includes legally nonconforming site development characteristics.

A checklist of approximately 90 requirements under the draft reformatted Title 21 was reviewed in comparison to the Duke's Apartments renovation as permitted under Old Title 21 and constructed. Testing indicates that while the terminology for allowed use types is different, there would be no change in the permitted uses, size or type of multifamily units. No changes would be required to the building size, design, or form as a result of the public hearing draft code reformat. No fundamental changes would be required to the site plan layout, site size, building placement on the site. However, several non-conforming site development characteristics that were permitted to continue under Old Title 21 would be required be brought closer toward conformance under Current Title 21.

The following development requirements were found to be different as a result of the generally-applicable provisions of the Current Title 21, as compared to the development as permitted under the Old Title 21. These differences include:

1. The developer would need to enter into a recorded agreement with the Municipality per Title 21 subsection 21.07.040F.5.a. to document that all parking lot plowed snow will be hauled off site. (The approved plan includes temporary snow storage areas; no changes to the site plan layout would be necessary.)
2. A warranty guarantee surety of landscaping material survival with a value of \$5,000 would need to be provided, to remain in effect for two years, to be repaid to the developer, per Title 21 subsection 21.07.080F.4.b.
3. Subject to the Nonconforming Characteristics of Use provisions of Current Title 21, the project would be required to spend up to 10 percent of the total project costs on bringing some or all of the following closer towards to compliance:
 - Increasing the existing sidewalk width on 8th Avenue.
 - Providing landscaping or other amenities along 8th Avenue between the sidewalk and the parking lots.
 - Providing parking lot perimeter landscaping or a screening fence along the side lot lines.
 - Providing more usable yard space.
 - Increasing parking lot space sizes toward minimum parking space dimensions.

The code test also identified several items that should be addressed in the draft amendment language. These included clarifying several draft provisions and addressing a few substantive issues. These items are listed below. *Exhibit A: Staff Report* addresses these items with recommended edits to the public hearing draft.

- a. Current Title 21 Section 21.07.080G.2. exempts dumpsters which have alley access from any screening requirement. This is a departure from Old Title 21, which requires all dumpsters in Downtown to be screened, and could result in dumpsters placed in view.
- b. Draft Title 21 Reformat Section 21.11.050C. language on page 43, lines 6-8 of *Exhibit B: Annotated Zoning Code Amendments* should be clarified. As worded, the public hearing draft is not clear if any of the use-specific standards in Chapter 21.05 apply to the uses listed on page 43.
- c. Current Title 21 Subsection 21.12.060., *Characteristics of Use*, should include new Chapter 21.11., in order to recognize existing development and site configurations to establish the status of non-conforming site characteristics, grant legal rights to developments with non-conforming site characteristics, and to provide for consistent administration of how to bring characteristics of use into compliance for Downtown developments.
- d. Draft Title 21 Reformat Section 21.11.070E. on page 63 of *Exhibit B: Annotated Zoning Code Amendments*: For a new development/redevelopment scenario (i.e., if the 28-unit multifamily project were a new building instead of a renovation), then the public hearing draft code amendment would forward the Old Title 21 usable yard requirement. Site testing found that the Old Title 21 usable yard would be likely to require 700 square feet more area than if the Current Title 21 private open space requirement were applied instead. This indicates that Downtown housing developments may benefit more from applying the Private Open Space standards of 21.07.030, with exemptions from any specific provisions of 21.07.030 that may not be appropriate for Downtown.

Section 3

Code Analysis

The Site Test Analysis Table on the following pages documents the code checklist used and the results of testing for each code provision applicable to the two testing sites.

How to Read the Site Test Analysis Table. Column A of the table lists the potentially-applicable provisions from Title 21 as amended by the public hearing draft reformat in Exhibit B. The table is organized in the order these code sections they appear in Current Title 21 with the proposed Downtown reformat amendments.

Column B documents the analysis of how each code provision in column A would affect the Elizabeth Place development as permitted and constructed. The requirement is typically stated or summarized, and the extent of compliance is noted. Any issues with the provision are also documented.

Column C of the table provides the same analysis for the Duke's Apartments development.

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
2	21.03.100: Land Use Permit	<p>Subsections A through D.: This building would be reviewed for compliance with the Title 21 land use regulations under the Land Use Permit procedure, which is the standard administrative permit for by-right development. It would be reviewed under the Title 23 definition of “commercial” occupancy as it has more than 3 units. The Municipality is required to provide Land Use Permit review comments within 10 days.</p> <p>Finding: Complies. Development scenario underwent review by the applicable agencies in coordination with Planning Department.</p>	<p>Subsections A through D.: This building would be reviewed for compliance with the Title 21 land use regulations under the Land Use Permit procedure, which is the standard administrative permit for by-right development. It would be reviewed under the Title 23 definition of “commercial” occupancy as it has more than 3 units. The Municipality is required to provide Land Use Permit review comments within 10 days.</p> <p>Nonconforming determination was requested and granted non-conforming rights. An as-built was required.</p> <p>Finding: Complies. Development scenario underwent review by the applicable agencies in coordination with Planning Department.</p>
3	21.03.100E:	<p>Subsection E: Improvements Associated with Land Use Permits. Off-site public infrastructure improvements deemed necessary to serve this development would be required.</p> <p>Finding: Not Applicable. 7th Avenue and I Street are improved streets. The alley near the north side of the lot is paved.</p>	<p>Subsection E: Improvements Associated with Land Use Permits. Off-site public infrastructure improvements deemed necessary to serve this development would be required.</p> <p>Finding: Not Applicable. 7th Avenue and I Street are improved streets. The alley near the north side of the lot is paved.</p>
4	21.05: Use Definitions, Use Type	<p>Section 21.05.030A.1., Dwelling, Mixed-use.</p> <p>Complies: Development falls under the Mixed-use Dwelling Type and "General Retail" use type definitions.</p>	<p>Section 21.05.030A.2., Dwelling, Multifamily.</p> <p>Complies: Development falls under the Multifamily Dwelling Type definition.</p>

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
5	21.05.030A.: Use-specific Standards and Definitions	<p>Table 21.05-1., Table of Allowed Uses: Determine which use type definition the residential portion falls under: "Dwelling, Mixed-use".</p> <p>Use-specific standard 21.05.030A.1.b.i.: Complies. Two or more residential mixed-use dwellings are in the same building with a non-residential ground-floor space.</p> <p>Use-specific standard in 21.05.030A.1.b.ii.: Not Applicable, per Chapter 21.11.</p>	<p>Use-specific standard 21.05.030A.2.b.</p> <p>Finding: Not Applicable, per Chapter 21.11.</p>
6	21.05.050H.: Use-specific Standards	<p>Table 21.05-1., Table of Allowed Uses: Determine which use type definition the nonresidential portion falls under: "General retail".</p> <p>Finding for Use-specific standard 21.05.030H.7.i.: Not Applicable. Development project does not include a drive-through.</p> <p>Finding for Use-specific standard 21.05.030H.7.ii.: Not Applicable. Retail space is less than 20,000 sf gfa.</p>	<p>Finding: Not applicable.</p>
7	21.05.070: Accessory Uses and Structures	<p>Subsection 21.05.070D.: Determine what, if any, accessory structure or use type definitions any accessory uses fall under.</p> <p>Finding: Not Applicable. Development project has no accessory structure or use type.</p>	<p>Subsection 21.05.070D.: Determine what, if any, accessory structure or use type definitions any accessory uses fall under.</p> <p>Finding: Not Applicable. Development project has no accessory structure or use type.</p>
8	21.06.030B: Lot Coverage Measurement and Exceptions	<p>Subsection 21.06.030B.2., bay windows, terraces, and landings and decks less than 30 inches above grade are not counted toward lot coverage requirements. Covered porches and entries are counted.</p> <p>Finding: Complies. Allowed maximum lot coverage is 100%.</p>	<p>Subsection 21.06.030B.2., bay windows, terraces, and landings and decks less than 30 inches above grade are not counted toward lot coverage requirements. Covered porches and entries are counted.</p> <p>Finding: Complies. Building is three stories above grade. Allowed maximum lot coverage is 100%.</p>

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
9	21.06.030C: Setback Measurements and Exceptions	<p>Subsection 21.06.030C.2., projections into required setbacks may include paved terraces, unroofed landings, decks and stairs less than 30 inches above grade. Roofs over porches, stairways, landings for building entries may encroach up to five feet into a front setback. Bay windows, eaves, and incidental architectural features may project up to two feet into any setback.</p> <p>Finding: Complies. There are no front/side/rear setbacks.</p>	<p>Subsection 21.06.030C.2., projections into required setbacks may include paved terraces, unroofed landings, decks and stairs less than 30 inches above grade. Roofs over porches, stairways, landings for building entries may encroach up to five feet into a front setback. Bay windows, eaves, and incidental architectural features may project up to two feet into any setback.</p> <p>Finding: Canopy extending more than 5 feet into front setback would not comply. Old Title 21 does not provide for canopy setback encroachment either. Retaining wall is allowed.</p>
10	21.06.030D.6: Height Measurements and Exceptions	<p>Subsection 21.06.030D.6.c.ii. height exceptions: Appurtenances must cumulatively cover no more than one-third of the roof area of the building.</p> <p>Finding: Complies. Appurtenances cover less than 30% of the roof area, and the building is less than the maximum height of 5 stories.</p>	<p>Subsection 21.06.030D.6.c.ii. height exceptions: Appurtenances must cumulatively cover no more than one-third of the roof area of the building.</p> <p>Finding: Complies. No substantial appurtenances on roof plan.</p>
11	21.06.030D.6.c.iii: Height Exceptions	<p>Subsection 21.06.030D.6.c.iii. height exceptions: The exempted appurtenances must not be usable space or storage, except for a storage room of 60 sq. ft. or less and combined with a stairwell or elevator enclosure, and directly related to a rooftop use.</p> <p>Finding: Complies. No rooftop enclosure with usable space was proposed.</p>	<p>Subsection 21.06.030D.6.c.iii. height exceptions: The exempted appurtenances must not be usable space or storage, except for a storage room of 60 sq. ft. or less and combined with a stairwell or elevator enclosure, and directly related to a rooftop use.</p> <p>Finding: Complies. No rooftop enclosure with usable space was proposed.</p>

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
12	21.06.030D.6.c.iv: Height Exceptions, Rooftop Stairwells	<p>Subsection 21.06.030D.6.c.iv. height exceptions: rooftop stairwells must not exceed the height limit by more than 15 feet.</p> <p>Finding: Complies. Rooftop stairwell enclosure does not exceed 5-story height limit by more than 15 feet.</p>	<p>Subsection 21.06.030D.6.c.iv. height exceptions: rooftop stairwells must not exceed the height limit by more than 15 feet.</p> <p>Finding: Complies. No rooftop stairwell enclosure proposed.</p>
13	21.06.030D.6.c.iv: Height Exceptions, Parapets and Skylights	<p>Subsection 21.06.030D.6.c.iv.(E) height exceptions: Parapets and skylights may exceed by up to four feet.</p> <p>Finding: Complies. Parapets are lower than height limit. No skylights.</p>	<p>Subsection 21.06.030D.6.c.iv.(E) height exceptions: Parapets and skylights may exceed by up to four feet.</p> <p>Finding: Complies. Building roof is maximum height allowed, at 3 stories. Parapets are lower than 4" height limit roof height. No skylights proposed.</p>
14	21.06.030E.2: Areas not Counted in FAR	<p>Subsections a. and b. (current code): Determine the amount of gross floor area in any floor above the third floor, if the building has more than 3 stories. This includes any usable occupiable space including stairwell access or elevator in a rooftop penthouse.</p> <p>Finding: Not Applicable. Does not have floor area in attic. Building not subject to FAR in current code.</p>	<p>Subsections a. and b. (current code): Determine the amount of gross floor area in any floor above the third floor, if the building has more than 3 stories. This includes any usable occupiable space including stairwell access or elevator in a rooftop penthouse.</p> <p>Finding: Not Applicable. Does not have floor area in attic. Building not subject to FAR in current code.</p>
15	21.07.010B: Constructed Access	<p>Lot must abut a constructed public street with principal access to such street.</p> <p>Finding: Complies. Lot abuts a public street and an improved alley accessing a public street. Building uses alley for vehicle access, and public street for pedestrian access to primary entries.</p>	<p>Lot must abut a constructed public street with principal access to such street.</p> <p>Finding: Complies. Lot abuts a public street and an improved alley accessing a public street. Building uses alley for vehicle access, and public street for pedestrian access to primary entries.</p>

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
16	21.07.010C: Addressing	Property must have street address numbers affixed to the building or structure nearer to the street, to be plainly visible and legible. Sub-addresses must also be visible. Finding: Complies. The building is addressed to the public street with address numbers affixed along 7th.	Property must have street address numbers affixed to the building or structure nearer to the street, to be plainly visible and legible. Sub-addresses must also be visible. Finding: Complies. The building is addressed to the public street with address numbers affixed along 7th.
17	21.07.010D: Alternative Equivalent Compliance	Not Applicable: This project scenario does not have a need for administrative relief or flexibility though AEC.	Not Applicable: This project scenario does not have a need for administrative relief or flexibility though AEC.
18	21.07.020: Natural Resource Protection	Finding: This standard is not applicable to this site.	Finding: This standard is not applicable to this site.
19	21.07.030: Private Open Space Requirement	Finding: Downtown is exempt from this section. See section 21.11.070E. for DT usable yard requirements.	Finding: Downtown is exempt from this section. See section 21.11.070E. for DT usable yard requirements.
20	21.07.040D: Drainage	Subsection D.4. Drainage plans shall comply with the municipal code and the DCM. Net increases of water volumes shall be mitigated and/or directed to an adjacent drainage system. This test uses the pending DCM provisions to require a chamber drainage system to be installed under the paved parking and access areas and tie into a nearby storm drain off-site. Chamber system cannot be closer than 1:1 + 2' from a building foundation or property line. Bottom of chamber is below frost line or insulated, so must be set back from foundations and property lines. Finding: Complies. Chamber system assumed to comply.	Subsection D.4. Drainage plans shall comply with the municipal code and the DCM. Net increases of water volumes shall be mitigated and/or directed to an adjacent drainage system. This test uses the pending DCM provisions to require a chamber drainage system to be installed under the paved parking and access areas and tie into a nearby storm drain off-site. Chamber system cannot be closer than 1:1 + 2' from a building foundation or property line. Bottom of chamber is below frost line or insulated, so must be set back from foundations and property lines. Finding: Complies. System assumed to comply.

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
21	<p>21.07.040E: Stormwater Treatment and Disposal</p>	<p>Subsection E.5. Requires a storm water treatment plan following the Storm Water Treatment Plan Review Guidance Manual.</p> <p>Finding: Complies. Site scenario assumes that soils, flat site, and area available are adequate for a storm water treatment option that does not compete in area extent with other site needs.</p> <p>Future Code Amendment Item: During testing it was found that current Title 21 subsection E.5. reference to Storm Water Treatment Plan Review Guidance Manual is not up to date. Current federal/watersheds requirement is to comply with the BMPs established in the Stormwater Pollution Prevention Plan manual. Consider a housekeeping amendment as part of a separate project.</p>	<p>Subsection E.5. Requires a storm water treatment plan following the Storm Water Treatment Plan Review Guidance Manual.</p> <p>Finding: Complies. Site scenario assumes that soils, flat site, and area available are adequate for a storm water treatment option that does not compete in area extent with other site needs.</p> <p>Future Code Amendment Item: During testing it was found that current Title 21 subsection E.5. reference to Storm Water Treatment Plan Review Guidance Manual is not up to date. Current federal/watersheds requirement is to comply with the BMPs established in the Stormwater Pollution Prevention Plan manual. Consider a housekeeping amendment as part of a separate project.</p>

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
22	21.07.040F: Snow Storage and Disposal	<p>Subsection F.4. For Dwelling, mixed-use, a snow storage area shall be provided that is equal in size to at least 10 percent of the paved area on-site for parking and vehicle access. If snow will be removed off-site to a snow disposal facility or another alternative snow management strategy is used, then the snow storage areas may be reduced or eliminated from the site plan.</p> <p>Note on Parking Plan (Plans Sheet C2.01) states "All snow shall be hauled off-site and disposed of at an MOA approved site within 72 hours of snowfall event."</p> <p>Finding: Site plan complies, however the Developer would need to enter into a recorded agreement with MOA per 21.07.040F.5.a.</p>	<p>Subsection F.4. For Dwelling, multifamily, a snow storage area shall be provided that is equal in size to at least 10 percent of the paved area on-site for parking and vehicle access. If snow will be removed off-site to a snow disposal facility or another alternative snow management strategy is used, then the snow storage areas may be reduced or eliminated from the site plan.</p> <p>Areas on Civil Site Plan (Plans Sheet C3.0) identified "Temporary Snow Storage."</p> <p>Finding: Site plan complies, however the Developer would need to enter into a recorded agreement with MOA per 21.07.040F.5.a.</p>
23	21.07.060C. Traffic Impact Assessment	Finding: Not Applicable.	Finding: Not Applicable.
24	21.07.060E.2. Sidewalks	<p>a. All sidewalks shall be designed to comply with DCM and MASS: b. Sidewalks shall be installed along streets.</p> <p>Finding: Complies.</p>	<p>a. All sidewalks shall be designed to comply with DCM and MASS: b. Sidewalks shall be installed along streets.</p> <p>Finding: Complies.</p>

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
25	21.07.060E: Pedestrian Facilities- On-Site Pedestrian Walkways	<p>Subsection 4. 5'-wide continuous pedestrian walkway with marked driveway crossings must connect from a primary entrance to each use type on the site to a public street. The walkway must be physically separated from any parking lot including common drive aisles by an upright curb or bollards, and a change in paving color, texture, or striping. Individual private driveways may serve as walkway to individual unit entries. Walkways may be credited toward adjacent private open space areas.</p> <p>Finding: Complies. Building primary entrances front on the sidewalk. Secondary primary entrances in back are connected by a walkway with at least 5-foot clear width around west side of building. Clearly marked and separated from driveways/parking lot area.</p>	<p>Subsection 4. 5'-wide continuous pedestrian walkway with marked driveway crossings must connect from a primary entrance to each use type on the site to a public street. The walkway must be physically separated from any parking lot including common drive aisles by an upright curb or bollards, and a change in paving color, texture, or striping. Individual private driveways may serve as walkway to individual unit entries. Walkways may be credited toward adjacent private open space areas.</p> <p>Finding: Complies. Building primary entrance fronts on the sidewalk with a greater than 5-foot wide walkway/stair. Clearly marked and separated from driveways/parking lot area. An accessible ramp seems to be 4-feet wide.</p>
26	21.07.060F: Pedestrian Amenities	<p>Subsection F.3., Walkway: Required walkways to have a minimum clear width of five feet, and improved in accordance with subsection 21.08.050H.</p> <p>Finding: Complies.</p>	<p>Subsection F.3., Walkway: Required walkways to have a minimum clear width of five feet, and improved in accordance with subsection 21.08.050H.</p> <p>Finding: Complies.</p>
27	21.07.080C: Landscaping Plan	<p>Requires a Landscaping plan stamped by a licensed landscape architect.</p> <p>Finding: Complies.</p>	<p>Requires a Landscaping plan stamped by a licensed landscape architect.</p> <p>Finding: Not applicable as landscaped area is less than 1,000 sf.</p>
28	21.07.080E.1.: Site Perimeter Landscaping	<p>Finding: Not applicable to development sites in Downtown DT districts.</p>	<p>Finding: Not applicable to development sites in Downtown DT districts.</p>
29	21.07.080E.2.b: Parking Lot Perimeter Landscaping	<p>Finding: Not Applicable. Downtown will be exempt from this section. See section 21.11.070 for DT parking lot landscaping requirements.</p>	<p>Finding: Not Applicable. Downtown will be exempt from this section. See section 21.11.070 for DT parking lot landscaping requirements.</p>

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
30	21.07.080E.2.c: Parking Lot Interior Landscaping	Finding: Not Applicable. Downtown will be exempt from this section. See section 21.11.070 for DT parking lot landscaping requirements.	Finding: Not Applicable. Downtown will be exempt from this section. See section 21.11.070 for DT parking lot landscaping requirements.
31	21.07.080E.3: Site Enhancement Landscaping	Table 21.07, Provide on all areas of the site not occupied by buildings, driveways, or other paved areas or installations a covering of living ground cover, turf, or planting beds with trees or shrubs. Finding: Complies. All areas are planted with landscaping meeting or exceeding planting standard.	Table 21.07, Provide on all areas of the site not occupied by buildings, driveways, or other paved areas or installations a covering of living ground cover, turf, or planting beds with trees or shrubs. Finding: Complies. All areas are planted with landscaping meeting or exceeding planting standard.
32	21.07.080E.4: Trees for Residential Development	Finding: Not Applicable. Downtown will be exempt from this section.	Finding: Not Applicable. Downtown will be exempt from this section.
33	21.07.080F.1.a.: Planting Materials	Subsection a. Size of Planting Materials. Finding: Complies. Parking lot perimeter trees exceed caliper size requirement. Plans were made to document that required parking lot shrubs meet 18" size requirement. (This 18" shrub size requirement also exists in Old Title 21.)	Subsection a. Size of Planting Materials. Finding: Complies. The only planting schedule item provided on landscaping plan sheet are trees proposed at 2" caliper columnar aspen as foundation plantings.

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
34	21.07.080F.1.d.: Preservation of Existing Individual Trees	Subsections b. and d. Preservation of Existing plant material. Finding: Eligible for credit. A difference from Old Title 21 is that the development would also receive credit for the existing mature birch tree that is preserved. The tree exceeds 6" caliper, and therefore would be credited for three new trees required for the visual enhancement landscaping along the western parking lot perimeter. A note would be required on the landscaping plan if the existing tree replaces 3 required new trees.	Subsections b. and d. Preservation of Existing plant material. Finding: Not applicable. No existing trees retained.
35	21.07.080F.2.: Planting Location	Subsection a. Utility Easements - Finding: Complies, no trees planted in utility easements. Subsection b. Visibility Clearance Areas - Finding: Complies, no tree plantings or fences/obstructions in visibility clearance areas.	Subsection a. Utility Easements - Finding: Complies, no trees planted in utility easements. Subsection b. Visibility Clearance Areas - Finding: Complies, no tree plantings or fences/obstructions in visibility clearance areas.
36	21.07.080F.3a. Planting Bed - Protection of Landscaping	Concrete curbs or alternate barrier at least 6" is required between paved vehicle areas and required landscaping areas. Finding: Complies. Curb stops or barrier provided at end of parking spaces.	Concrete curbs or alternate barrier at least 6" is required between paved vehicle areas and required landscaping areas. Finding: Complies. Curb stops provided at end of parking spaces.
37	21.07.080F.3b. Planting Bed - Existing Plant Materials	Construction Fence around existing birch tree. Finding: Assumed to Comply. Plans include note to protect existing birch tree during construction. The development complies with planting requirement even w/o the existing birch tree.	Finding: Not applicable.

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
38	21.07.080F.3c. Ground Covers and Mulches	<p>Subsection i.: Provide mulches on planting beds containing trees and shrubs.</p> <p>Finding: Complies. 3" shredded bark mulch material provided.</p>	<p>Subsection i.: Provide mulches on planting beds containing trees and shrubs.</p> <p>Finding: Complies. Required material is provided in columnar aspen planters/</p>
39	21.07.080F.4. Installation of Landscaping	<p>Subsection 4.a. Timing. Finding: Test assumes the development will comply.</p> <p>Subsection 4.b. Guarantee of Landscaping Survival.</p> <p>Finding: A warranty guarantee surety with a value of \$5,000 would need to be provided, to remain in effect for two years, to be repaid to developer.</p>	<p>Subsection 4.a. Timing. Finding: Test assumes the development will comply.</p> <p>Subsection 4.b. Guarantee of Landscaping Survival.</p> <p>Finding: Parcel is 21,000 square feet. A warranty guarantee surety with a value of \$5,000 would need to be provided for required landscaping, to remain in effect for two years, to be repaid to developer.</p>

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
40	21.07.080G.2. Screening and Refuse Collection	<p>Residential refuse containers: Finding: Complies. Household sized refuse containers stored inside the primary building.</p> <p>Commercial refuse container: Finding: May Comply. The refuse container to serve the commercial space may be access solely from the alley, and so would be exempted by subsection G.2.i., even if the refuse container were located on the wide sidewalk near the northeast corner of the building. This exemption is a change from Old Title 21 refuse screening requirement.</p> <p>New Code Reformat Amendment Item: Current Title 21 exempts dumpsters receiving access from alleys from screening requirements. This could result in dumpsters placed along the sidewalk. This may require a correction to bring Downtown back into consistency with the Old Title 21 screening standard which requires screening of all dumpsters.</p>	<p>Refuse container screening:</p> <p>Finding: Complies with Old Title 21. 6-foot tall chain-link fence with vinyl inserts proposed as 3-sided enclosure around dumpster. Open end facing/access from alley.</p> <p>Finding #2: Not applicable under Current Title 21. Current Title 21 exempts dumpsters receiving access from alleys.</p> <p>New Code Reformat Amendment Item (Same as Elizabeth Place): Current Title 21 exempts dumpsters receiving access from alleys from screening requirements. This could result in dumpsters placed along the sidewalk. This may require a correction to bring Downtown back into consistency with the Old Title 21 screening standard which requires screening of all dumpsters.</p>
41	21.07.080G.3: Off-Street Loading	Downtown will be exempt from subsection G.3. See DT standards in 21.11.070.	Downtown will be exempt from subsection G.3. See DT standards in 21.11.070.

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
42	<p>21.07.080G.4. Mechanical and Electrical Equipment</p>	<p>a. Applicability. Finding: Not Applicable. The mechanical screening requirements do not seem to apply because the draft code does not activate them by referencing them from another section. b.General: N/A c. Rooftop mechanical. Finding: Complies. Not in view of abutting streets. However, since the draft code amendment does not reference G.4.c. from the Downtown chapter, downtown is exempt. This is not consistent with the Old Title 21 . d. Mechanical and electrical equipment within 40 feet from street ROW shall be screened from view from abutting streets using sight-obscuring landscaping plantings, fence, wall, or by CT cabinets finished in a color consistent with other areas of building façade. Finding: Not Applicable but Complies: A screening fence is provided between the end wall of the CT cabinet and 7th Avenue. The CT box color is also similar to building wall color.</p> <p>New Code Reformat Amendment Item: To make the code amendment more consistent with the Old Title 21 standards for rooftop mechanical, a provision should be added in Chapter 21.11. stating that rooftop mechanical equipment be screened from view subject to 21.07.080G.4.c.</p>	<p>a. Applicability. Finding: Not Applicable. The mechanical screening requirements do not seem to apply because the draft code does not activate them by referencing them from another section. b.General: N/A c. Rooftop mechanical. Finding: Not applicable. No rooftop mechanical equipment is proposed. d. Mechanical and electrical equipment within 40 feet from street ROW shall be screened from view from abutting streets using sight-obscuring landscaping plantings, fence, wall, or by CT cabinets finished in a color consistent with other areas of building façade. Finding: Not Applicable but would comply: Electrical meter bank further than 40 feet from street ROW and obscured by proposed aspen tree plantings. .</p>
43	21.07.080H: Fences	Finding: Not Applicable. Fence height limits do not apply to downtown districts.	Finding: Not Applicable. Fence height limits do not apply to downtown districts. Front retaining wall is approx 3".
44	21.07.090E: Off-street Parking Requirements	Finding: Not Applicable. Downtown is exempt from minimum parking requirements.	Finding: Not Applicable. Downtown is exempt from minimum parking requirements.

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
45	21.07.090E.4. Maximum number of spaces.	Finding: Complies. Parking spaces provided do not exceed maximum of one parking space per 250 sf of non-residential gfa-- parking spaces provided may be for the residential use anyhow.	Finding: Not Applicable. There is no maximum parking ratio for multifamily uses.
46	21.07.090E.5. Parking Location	Finding: Complies. Parking is provided on the same lot as the use served.	Finding: Complies. Parking is provided on the same lot as the use served.
47	21.07.090F: Parking Reductions and Alternatives	Finding: Not Applicable. Downtown is exempt from minimum parking requirements.	Finding: Not Applicable. Downtown is exempt from minimum parking requirements.
48	21.07.090G: Off-street Loading Requirements	50-149 dwelling units in a structure requires one Type B loading berth. A Type C Berth may substitute if building is setback 5 feet from alley. Finding: Mostly Complies: Type C loading berth space with dimensions meeting Type B loading berth dimensions is provided along alley in NE corner. Utilizes part of the alley. Building setback from alley is mostly 5 feet or greater, except at one corner where it appears to be a foot or so shy of the minimum 5-foot setback. This setback applies under Old Title 21 as well.	50-149 dwelling units in a structure requires one Type B loading berth. A Type C Berth may substitute if building is setback 5 feet from alley. Finding: Not applicable. There are fewer than 50 dwelling units in the building. No berth is shown on site plans.
49	21.07.090H: Parking Facility and Design Standards	Subsections 3. and 6. No vehicle overhang allowance area within the 20' parking space depth may extend into the required minimum width of required walkways or private open space. (The downtown chapter 21.11 modifies this standard, but check for compliance for now.) Finding: Not Applicable. See chapter 21.11.	Subsections 3. and 6. No vehicle overhang allowance area within the 20' parking space depth may extend into the required minimum width of required walkways or private open space. (The downtown chapter 21.11 modifies this standard, but check for compliance for now.) Finding: Not Applicable, but would comply with 21.07.090H. See chapter 21.11.

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
50	21.07.090H.7: Vehicle Access and Circulation	<p>Separate parking spaces and aisles from any non-residential building by a walkway or site enhancement landscaping planting area, or both, of at least four feet in width.</p> <p>Finding: Complies/Not Applicable. Building separated from parking spaces and parking aisles by walkways and usable yard. Does not apply to alley. Standard may not apply to this building because parking area abuts residential portion of building.</p>	<p>Separate parking spaces and aisles from any non-residential building by a walkway or site enhancement landscaping planting area, or both, of at least four feet in width.</p> <p>Finding: Not Applicable. This is a residential building.</p>
51	21.07.090H.8: Vehicle Access and Circulation	<p>Subsection d. Driveways to parking shall conform of the Municipal Driveway Standards and to 21.07.110F.3., Driveway Width.</p> <p>Finding: Complies. Driveway throat exceeds 20' wide. Drive aisle along parking bay is 24' wide. Does not exceed 33 percent of lot frontage.</p>	<p>Subsection d. Driveways to parking shall conform to the Municipal Driveway Standards and to 21.07.110F.3., Driveway Width.</p> <p>Finding #1: Driveway complies. Driveway throats are 17-foot wide, larger than 14-foot minimum. Driveways do not exceed 33 percent of lot frontage, which complies.</p> <p>Finding #2: Parking aisle widths not applicable--See Chapter 21.11.</p>
52	21.07.090.H.8e: Parking and Maneuvering	<p>Subsection e.: All parking circulation aisles, parking spaces, and maneuvering areas shall be located entirely on-site except as specifically provided otherwise.</p> <p>Finding: Complies. All parking and maneuvering is entirely on site, except for parking and loading using alley per 8.g.</p>	<p>Subsection e.: All parking circulation aisles, parking spaces, and maneuvering areas shall be located entirely on-site except as specifically provided otherwise.</p> <p>Finding: Complies. All parking and maneuvering is entirely on site, except for refuse collection loading using alley per 8.g.</p>

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
53	21.07.090H.8.g: Alleys	Subsection g. The usable portion of the alley may be credited as circulation or parking aisle space. Finding: Complies. This test assumes the builder chooses on-site circulation for parking space access.	Subsection g. The usable portion of the alley may be credited as circulation or parking aisle space. Finding: Complies.
54	21.07.090H.9: Dimensions of Parking Spaces and Aisles	Minimum parking space dimensions are 9'x20', with an additional foot abutting any wall or obstruction. Minimum vertical clearance is 7'4". Finding: Complies.	Minimum parking space dimensions are 9'x20', with an additional foot abutting any wall or obstruction. Minimum vertical clearance is 7'4". Finding: Not applicable. See Chapter 21.11 for parking space dimensions. No vertical obstructions proposed.
55	21.07.090J: Accessible Parking Spaces	Two accessible parking spaces, including one van-accessible space, are required for 26 parking spaces serving mixed-use residential uses. Finding: Complies.	Two accessible parking spaces, including one van-accessible space, are required for 41 parking spaces serving multifamily use. Finding: Complies.
56	21.07.090K: Bicycle Parking Spaces	Finding: Not applicable. Bicycle parking not required in Old Title 21, or in Current Title 21 when no vehicle parking is required.	Finding: Not applicable. Bicycle parking not required in Old Title 21, or in Current Title 21 when no vehicle parking is required.
57	21.07.090M: Structured Parking	Finding: Not Applicable. No parking garage is provided in the development project.	Finding: Not Applicable. No parking garage is provided in the development project.
58	21.07.100: Exterior Lighting	Finding: Assumed to comply. Test assumes that parking facility meets IESNA guidelines.	Finding: Assumed to comply. Test assumes that parking facility meets IESNA guidelines or is legally nonconforming.
59	21.07.110C. Multifamily and Townhouse Standards	Finding: Not Applicable. Downtown will be exempt from this section.	Finding: Not Applicable. Downtown will be exempt from this section.
60	21.07.110F.2: Multiple Structures on a Lot	Finding: Not applicable to a single building on a lot.	Finding: Not applicable to a single building on a lot.

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
61	21.07.110F.3: Driveway Width	<p>Subsection b. (Repeats the test info from 21.07.090H.8 above) Driveways to parking shall conform ot the Municipal Driveway Standards and to 21.07.110F.3., Driveway Width.</p> <p>Finding: Complies. Driveway is 20' wide between the and the building and has a 20'-wide throat at alley.</p>	<p>Subsection b. (Repeats the test info from 21.07.090H.8 above) Driveways to parking shall conform ot the Municipal Driveway Standards and to 21.07.110F.3., Driveway Width.</p> <p>Finding: Complies. Driveways are 17' wide.</p>
62	21.07.110F: Driveway as a Percent of Lot Frontage	<p>Subsection 3c. Total width of driveway entrances to a mixed-use dwelling may always be at least 14 feet wide.</p> <p>Finding: Complies. Driveways are 20' wide.</p>	<p>Subsection 3c. Total width of driveway entrances to a mixed-use dwelling may always be at least 14 feet wide.</p> <p>Finding: Complies. Driveways are 17' wide.</p>
63	21.07.110F.4: Alleys	<p>Access to parking for residential uses shall be from the alley when the site abuts an alley, unless the alley is not improved or alley access is deemed infeasible, a traffic impact, or a hazard.</p> <p>Finding: Complies. Driveway to 7th Avenue serves the commercial retail space. Residential uses alone would not comply, as driveway to 7th Avenue provides access to residential uses. However, Traffic Engineer would likely allow exception through subsection F.4.ii., even if the driveway did not also serve the mixed-use commercial space.</p>	<p>Access to parking for residential uses shall be from the alley when the site abuts an alley, unless the alley is not improved or alley access is deemed infeasible, a traffic impact, or a hazard.</p> <p>Finding: Complies or Legally Nonconforming. Traffic Engineer would likely allow exception through subsection F.4.ii.</p>
64	21.11.050A.	<p>Table of Allowed Uses -- Downtown Districts. Determine if the use types in this development are permitted, or if they have a special review process. If any combination of commercial uses comprise 20,000 square feet of GFA, determine if foot note 1 to the table applies.</p> <p>Finding: Complies. Both uses are permitted and the retail use is less than 20,000 square feet.</p>	<p>Table of Allowed Uses -- Downtown Districts. Determine if the use types in this development are permitted, or if they have a special review process. If any combination of commercial uses comprise 20,000 square feet of GFA, determine if foot note 1 to the table applies.</p> <p>Finding: Complies. Multifamily use is permitted by-right without use specific limitations or standards in B-2C zone.</p>

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
65	21.11.050B.	Finding: Not applicable. Uses involving sale of alcohol and where children are not allowed does not apply.	Finding: Not applicable. Uses involving sale of alcohol and where children are not allowed does not apply.
66	21.11.050C.	Dwelling, mixed-use: Finding: Complies. The development is not in the B-2A district, so more than 50% of the GFA can be mixed-use dwellings. New Code Reformat Amendment Item: The draft code amendment language as reformatted on page 43, lines 6-8 is not clear as to whether chapter 21.05 use-specific standards in 21.05.030A.1.b.ii. apply or not. The wording needs to be clarified. This draft code amendment language is identical to Chapter 21.10.050 language in Chugiak-Eagle River, which is also unclear. Recommend a clarification to Downtown code chapter as part of this project. Bring forward a separate technical amendment to clarify Chugiak-Eagle River and Girdwood chapters at another time. Lastly, a Director's Guidance Memo may be warranted.	Dwelling, mixed-use: Finding: Not applicable. New Code Reformat Amendment Item: <i>(Same as Elizabeth Place)</i> The draft code amendment language as reformatted on page 43, lines 6-8 is not clear as to whether chapter 21.05 use-specific standards in 21.05.030A.1.b.ii. apply or not. The wording needs to be clarified. This draft code amendment language is identical to Chapter 21.10.050 language in Chugiak-Eagle River, which is also unclear. Recommend a clarification to Downtown code chapter as part of this project. Bring forward a separate technical amendment to clarify Chugiak-Eagle River and Girdwood chapters at another time. Lastly, a Director's Guidance Memo may be warranted.
67	21.11.050D.	Not Applicable.	Not Applicable.
68	21.11.050E.	General retail: No use-specific standards.	Not Applicable.
69	21.11.050F.	Not Applicable.	Not Applicable.
70	21.11.050G.	Table of Accessory Uses -- No accessory uses.	Table of Accessory Uses -- No accessory uses.
71	21.11.050H.	Not Applicable.	Not Applicable.
72	21.11.060B.1.a.: Lot Dimensional Standards in 21.08.030K	Finding: Complies.	Finding: Complies.
73	21.11.060B.1.b.: Projected ROWs	Setbacks from projected ROWS. Finding: Not Applicable. There is no projected ROW extending into the lot. I Street is a IIIC major arterial, 60' ROW.	Setbacks from projected ROWS. Finding: Not Applicable. There is no projected ROW extending into the lot. 8th Avenue has 60' ROW.

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
74	21.11.060B., Table 21.11-4: Minimum Lot Area and Width	<p>Minimum lot size of 6,000 square feet and minimum lot width of 50 feet.</p> <p>Finding: Complies.</p>	<p>Minimum lot size of 6,000 square feet and minimum lot width of 50 feet.</p> <p>Finding: Complies.</p>
75	21.11.060B., Table 21.11-4: Front, Side, and Rear Setbacks	<p>Finding: Complies if development falls under mixed-use/other, as the draft code amendment intends: Mixed-use developments have no front, side, or rear setback requirement.</p> <p>If the building were residential uses only and had no commercial space, then it would not have complied with the front or side setback requirement for residential uses.</p> <p>New Code Reformat Amendment Item: Further clarity in the listing of "residential household living uses" versus "all other uses including mixed use" is needed in the Table. Mixed-use dwellings are categorized as a residential household living use under Title 21. Clarify in Table 21.11-4 that mixed-use dwellings are exempted from the residential use setbacks in the table.</p>	<p>Finding: Complies. Front and rear building setbacks exceed 10 feet minimum for residential use. Side setbacks far exceed 5 feet minimum for residential use.</p>
76	21.11.060B., Table 21.11-4: Max Lot Coverage	<p>Above 3 stories stories, bulk requirements in 21.11.060.C apply.</p> <p>Finding: Building is 4 stories, so 21.11.060C applies.</p>	<p>Above 3 stories stories, bulk requirements in 21.11.060.C apply.</p> <p>Finding: Not Applicable. First floor in building meets the definition of story below grade plane, since the floor above it is less than 6 feet above grade. Therefore, building is considered in Title 21 to be only 3 stories.</p>
77	21.11.060B., Table 21.11-4: Maximum Height	<p>Maximum height of structures is five stories, by right.</p> <p>Finding: Complies. Building height is four stories.</p>	<p>Maximum height of structures is three stories, by right.</p> <p>Finding: Complies. See above.</p>

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
78	21.11.060C: Building Tower Dimensions	Applies to fourth floor. Number of towers: up to 1 allowed. Finding: complies. Maximum Floor plan dimensions: Finding: complies.	Finding: Not applicable.
79	21.11.060D: Bonus Height	Applies only to floors above the maximum height shown in Table 21.11-4. Finding: Not Applicable.	Finding: Not applicable.
80	21.11.060E: Maximum Height Near Town Square Park	Finding: Not Applicable. Does not apply to this area of downtown.	Finding: Not Applicable. Does not apply to this block.
81	21.11.070C.1.a. Minimum sidewalk width	Minimum sidewalk width of 11.5-feet along retail frontage, and 10.5-feet along residential frontage. Finding: Complies. Provides 11.5-foot wide sidewalks along retail commercial space, and at least 10.5-foot wide sidewalk on 7th Ave. along residential façade.	Minimum sidewalk width of 10.5-feet on 8th Avenue along residential frontage. Finding: Does Not Comply -- Legally Nonconforming. Existing sidewalk width of approx. 5-6 feet is retained.
82	21.11.070C.1.b. Sidewalk location	Finding: Complies. Sidewalk provided abutting street curb and connects to all on-site walkways and entries.	Finding: Complies. Sidewalk provided abutting street curb and connects to all on-site walkways and entries.

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
83	21.11.070C.2. Street-level design continuity	<p>Buildings or other amenities, including landscaping and street furniture, shall extend the full width of the lot frontage, except for at driveway and pedestrian access points.</p> <p>Finding: Does not apply to this street segment. However, if it did apply on this site frontage, the loading and dumpster area along south side of alley from I Street would probably not comply. A 5-foot long screening fence or other landscaping element may be required where the loading berth backs up to the sidewalk. This requirement is the same under old Title 21 B-2B zone standards.</p> <p>New Code Reformat Amendment Item: Clarification to the language may be needed on page 59, line 7, to replace "and" with "or". The intent is to list options, not require both options.</p>	<p>Buildings or other amenities, including landscaping and street furniture, shall extend the full width of the lot frontage, except for at driveway and pedestrian access points.</p> <p>Finding: Does not apply to this street segment. However, if it did apply on this site frontage, the site plan would probably not comply (legally nonconforming). More landscaping between parking lots and sidewalk would need to be provided. This requirement is the same under old Title 21 B-2C zone.</p> <p>New Code Reformat Amendment Item: <i>(Same as Elizabeth Place)</i> Clarification to the language may be needed on page 59, line 7, to replace "and" with "or". The intent is to list options, not require both options.</p>
84	21.11.070C.3. Ground-floor windows Table 21.11-8 Part A	Finding: Assumed to Comply. The standard is same as under old Title 21. I Street ground-floor wall length exceeds 50% visual access windows. 7th Ave ground-floor wall length exceeds 25% visual access windows.	Finding: Not Applicable. Does not apply to residential uses.
85	21.11.070C.3. Ground-floor windows Table 21.11-8 Part B	Finding: Assumed to Comply. The standard is same as under old Title 21. I Street ground-floor wall area exceeds 50% visual access windows. 7th Ave ground-floor wall area exceeds 12.5% visual access windows.	Finding: Not Applicable. Does not apply to residential uses.
86	21.11.070C.3. Ground-floor windows Table 21.11-8 Part C	Finding: Assumed to Comply. The standard is same as under old Title 21. Residential patio doors and commercial space windows within 4 feet of adjacent exterior finished grade meet the requirements.	Finding: Not Applicable. Does not apply to residential uses.

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
87	21.11.070C.4. Ground-floor Street-facing Use Limitations in B-2A district	Finding: Not Applicable. Does not apply to in B-2B district.	Finding: Not Applicable. Does not apply to in B-2C district.
88	21.11.070D.1.a. Parking lot landscaping next to Res zone	Finding: Not Applicable. Does not apply to this site.	Finding: Not Applicable. Does not apply to this site.
89	21.11.070D.1.b.i. Parking lot landscaping	<p>Parking lot perimeter landscaping bed required.</p> <p>Finding: Complies. A 9-foot wide visual enhancement landscaping bed is provided along west property line, and 8-foot wide bed is provided in SW corner along 7th Avenue.</p>	<p>Parking lot perimeter landscaping bed required.</p> <p>Finding: Does not comply--Legally Non-conforming. Would need to provide either a visual enhancement landscaping bed abutting the street and neighboring lots, or a screening fence and an interior parking lot landscaping area equal to 5% of the size of the paved parking facility.</p>
90	21.11.070D.1.b.ii. Parking lot landscaping	Finding: Complies. Walkway at least 4 feet wide provided between building and parking facility.	Finding: Does Not Comply--Legally Non-conforming. On east side, walkway at least 4 feet wide provided between building and parking facility. On west side, planters with aspen trees are provided along building foundation but do these individual planters count as a 4-foot wide foundation planting bed?
91	21.11.070D.1.b.iii. Parking lot landscaping	Finding: Not Applicable. Does not apply to this development, as there are fewer than 60 parking spaces. There are approximately 26 parking spaces on the development site.	Finding: Not Applicable. Does not apply to this development, as there are fewer than 60 parking spaces. There are approximately 40 parking spaces on the development site.
92	21.11.070D.1.b.iv. Parking lot landscaping	Finding: Complies. Visual enhancement landscaping bed width is 9 feet, leaving 7 feet beyond overhang.	Finding: Does not Comply--Legally Non-conforming. Visual enhancement landscaping bed width is 9 feet, leaving 7 feet beyond overhang.

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
93	<p>21.11.070D.2. Screening</p>	<p>Loading areas, vehicle and equipment storage areas, and service areas shall be screened by a fence, wall, or vegetation, or a combination of these.</p> <p>Finding: Does not seem to comply. Vehicle loading berth is not screened. A 5-foot long screening fence or other landscaping element is required where the loading berth on-site backs up to the sidewalk. This requirement is the same under old Title 21.</p>	<p>Loading areas, vehicle and equipment storage areas, and service areas shall be screened by a fence, wall, or vegetation, or a combination of these.</p> <p>Finding: Complies. The proposal does not seem to have designated loading, storage, or service areas.</p>

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
94	21.11.070E. Usable Yard Area	<p>Finding #1: Not Applicable. Mixed-use dwellings are exempt.</p> <p>Finding #2 (for a multifamily-only project scenario): Would Not comply. If the 50-unit development had not included the 2,600 sf of commercial space, then it would be considered a multifamily use, and required to provide 50x100SF = 5,000 square feet of usable yard space. The development as permitted/built provides approximately 2,500 square feet of pedestrian and landscaped area that would qualify as usable yard. Another 2,500 square feet would be needed. This requirement is carried forward from old Title 21.</p> <p>Potential New Code Reformat Amendment Item: Current Title 21 "private open space" requirement if it were applied to this project would be 3,750 square feet, because the development's rear common area would qualify as a "high quality" space making it eligible for a 25-percent reduction from the 100 square-foot per unit space requirement. The development as built is 1,250 sf shy of meeting this private open space requirement. The 400-square foot 4th floor community room would be able to count if its windows were enlarged and it had a skylight. To find the remaining 850 square feet, eliminating 4 - 5 parking spaces or finding another space (roof?) would be needed. The private open space requirement would in that case be 2,500 - 850 = 1,650 sf less than the Old Title 21 usable yard, saving an area equivalent to 10 parking spaces.</p>	<p>Multifamily dwellings shall provide a usable yard area of 100 sf per dwelling unit. Minimum inside dimension shall be 10 feet. Balconies, decks, and rooftop areas may count--see dimensional requirements and limitations.</p> <p>Duke's: 28 units x 100 sf = 2,800 sf open space required.</p> <p>Finding: Does Not Comply--Legally Nonconforming. The proposed 560 sf concrete patio in rear, and the 200 sf and 300 sf (approx.) pair of planting areas in front meet the 10-foot dimensional requirement. Additionally, the 400 sf outdoor entry area behind retaining wall may also meet the requirement. These usable spaces total 1,560 - 1,960 sf, depending. An additional 840 - 1,240 sf would be needed to comply with usable yard.</p> <p>Potential New Code Reformat Amendment Item: Current Title 21 "private open space" requirement would be 2,100 sf., with a potential 25% reduction. The project could be eligible for the reduction if the temporary snow storage area and 1 parking space along SE corner of building were converted to a 23x23 minimum-dimensioned open space meeting the incentive. The private open space requirement would then be 2,800 - 2,100 = 700 sf less than Old Title 21 usable yard requirement, saving an area equivalent to approx. 4-6 parking spaces.</p>
95	21.11.070F.3. Off-street Parking and Loading	Finding: Complies with parking dimensions	Finding: Does Not Comply--Legally Non-conforming. Parking space depth does not comply.

Site Test Analysis Table

	A	B	C
1	AMC Title 21 Section	Site Test 1: Elizabeth Place	Site Test 2: Duke's Apartments
96	21.11.070G. Urban Design Amenities	Finding: Does not apply to this development.	Finding: Does not apply to this development.
97	21.11.080. Skywalks	Finding: Does not apply to this development.	Finding: Does not apply to this development.
98	21.12. Signage	Finding: Assumed to Comply. Test assumes that since the signage requirements are the same, the development still complies.	Finding: Assumed to Comply. Test assumes that since the signage requirements are the same, the development still complies.

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1	<p>AMC Title 21 Section</p>	<p>Site Test 1: Elizabeth Place</p>	<p>Site Test 2: Duke's Apartments</p>
99	<p>21.13.060C. Nonconforming Characteristics of Use</p>	<p>Multifamily and non-residential development projects that cost more than 10 percent of the assessed value of the structure, and which do not comply with the development standards of chapter 21.07., shall spend 10 percent of the total project costs on bringing the development towards compliance with these standards. If the applicant can bring the development into full compliance for less than 10 percent of the total project costs, then no additional monies need be spent. The Director, in consultation with the applicant, shall determine which characteristics shall be addressed...</p> <p>Finding: Not Applicable. This is a new development.</p>	<p>See summary of requirement at left.</p> <p>Finding: If the development is subject to 21.13.060C., the following would be options in order to bring the following towards/up to compliance:</p> <ul style="list-style-type: none"> (1) Sidewalk width on 8th Ave.- increasing width from LT 6' to 10.5'. (2) Street-level design continuity/Parking lot perimeter landscaping along 8th Avenue: Parking lot perimeter landscaping would need to be provided along 8th Avenue. (3) Parking lot perimeter landscaping along side lot lines, or a screening fence and interior parking lot landscaping area equal to 5% of the parking facility area would need to be provided. (4) Increasing the area counted toward the usable yard requirement, toward a total of 2,800 square feet on site. (5) Minimum parking space dimensions. <p>New Code Reformat Amendment Item: Subsection 21.13.060., Characteristics of Use, subsection A.1. should address Chapter 21.11.</p> <p>Subsection C.1. should address the standards of Chapter 21.11, so as to provide for consistent administration of the requirement to bring characteristics of use into compliance. For example, some DT developments will be subject to both generally applicable standards of all T21 chapters as well as 21.11 standards.</p>

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