



***Municipality of Anchorage***  
**Project Management & Engineering Department**



**MEMORANDUM of UNDERSTANDING**

This Memorandum of Understanding (MOU) shall serve to iterate an agreement between the Municipality of Anchorage (MOA) and American Fast Freight (AFF), regarding the proposed Van Buren St. / 48<sup>th</sup> Avenue Area Circulation and Access Improvement project.

More specifically, the understanding envisions the phased development of alternative access for the owners of American Fast Freight (AFF), Sourdough Freight Company (Sourdough), and the Anchorage School District (ASD) properties. New access will be provided through the extension of Taft Street, south of 48<sup>th</sup> Avenue to a point where a connection between the AFF and ASD properties can equally access this road through a proposed shared access easement. Additionally, the MOA is currently negotiating for and, as a part of this phase, will provide an additional access to the AFF property along the eastern property line south of the existing AFF Building to allow for circular traffic flow from the AFF yard. Once complete, Sourdough will be provided driveway access to each of their parcels as well.

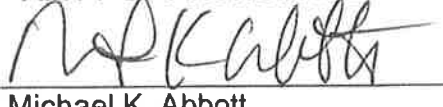
The first phase will be constructed in the summer of 2009. It will include the Taft Street extension, a choker at the intersection of Van Buren Street and 48<sup>th</sup> Avenue, and the construction of parking areas on Van Buren Street south of 48<sup>th</sup> and along the soccer fields to the south and baseball fields to the west. Vacation of Van Buren Street south of 48<sup>th</sup> Avenue shall be accomplished prior to and will be a condition for beginning of second phase construction. The MOA will support full vacation for this portion of road. If approved by the Municipal Platting Board, all ROW south of the ASD property will transfer to the owners of the adjoining properties. Water and sewer easements will be maintained in the vacated ROW where the water and sewer mainlines are present. A suitable screening fence between the AFF property and the Soccer Fields will be constructed at no cost to AFF as part of this development.

In addition to the work described above, a second phase of this project, involving an exchange of lands and replacement of MOA facilities immediately to the west of AFF's existing facility, will be actively pursued and supported by both parties. Since the MOA lands in this area are dedicated Municipal Park, the support of the Anchorage Parks and Recreation Commission, Anchorage Assembly and municipal voters will be required to advance this phase.

Having received approval for phase II from the Anchorage Parks and Recreation Commission in March, the MOA is moving forward with placing this exchange on the ballot for voter approval in the spring of 2010.

Construction documentation for this phase of the work will be finalized prior to the 2010 ballot and if approved, construction of a soccer field and parking lot will begin during the summer of 2010 as well as re-platting and re-zoning both the AFF and MOA parcels to reflect the proposed uses (see attached figure 1).

Agreed:

<p><b>RECOMMENDED FOR APPROVAL:</b></p> <p><b>MUNICIPALITY OF ANCHORAGE</b></p> <p>By: <u></u> for J. W. Hansen</p> <p>Title: <u>Acting Director</u></p> <p>Date: <u>5/5/09</u></p>	<p><b>ACCEPTANCE:</b></p> <p><b>MUNICIPALITY OF ANCHORAGE</b></p> <p>By: <u></u> Michael K. Abbott</p> <p>Title: <u>Municipal Manager</u></p> <p>Date: <u>5-7-09</u></p>
<p><b>RECOMMENDED FOR APPROVAL:</b></p> <p><b>AMERICAN FAST FREIGHT</b></p> <p>By: <u></u> Tim Jacobsen</p> <p>Title: <u>Vice President/CEO</u></p> <p>Date: <u>6/12/09</u></p>	<p><b>ACCEPTANCE:</b></p> <p><b>AMERICAN FAST FREIGHT</b></p> <p>By: <u></u> Steve Day</p> <p>Title: <u>Corporate Counsel</u></p> <p>Date: <u>6/12/09</u></p>

JWH/RHO/sim

cc: 06-13 AM

CLERK'S OFFICE  
APPROVED

Date: 2-2-10

Submitted by: Chair of the Assembly at  
the Request of the Mayor  
Prepared by: Dept. of Law  
For reading: January 19, 2010

ANCHORAGE, ALASKA  
AO 2010-10

AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE MUNICIPALITY OF ANCHORAGE AT THE REGULAR MUNICIPAL ELECTION ON APRIL 6, 2010, A BALLOT PROPOSITION AUTHORIZING AN EQUAL VALUE LAND EXCHANGE OF 2.77 ACRES OF MUNICIPAL LAND, INCLUDING 1.90 ACRES M/L OF DEDICATED PARK LAND IN SISTERHOOD PARK (SOUTH END OF TRACT 4, CROSSROADS BUSINESS PARK SUBDIVISION) EXCHANGE FOR 2.73 ADJACENT ACRES M/L IN TRACT 5B-1, CROSSROADS BUSINESS PARK SUBDIVISION.

**WHEREAS**, Anchorage Municipal Charter Section 10.02(8) states, "An ordinance conveying an interest in real property dedicated to public park or recreational purposes is valid only upon approval by a majority of those voting on the question at a regular ... election"....; and

**WHEREAS**, Sisterhood Park, a dedicated municipal park, located in Tract 4, Crossroads Business Park Subdivision, is owned by the Municipality. This ballot proposition proposes to exchange a 1.90 acre portion of Sisterhood Park, located in the south end of Tract 4 and depicted as **Parcel A-1** on **Exhibit 1**, plus .87 acres M/L of non-dedicated municipal land on the east side of Tract 4, depicted as **Parcel A-2** on **Exhibit 1**, for a total of 2.77 acres M/L, collectively referred to hereinafter as **Parcel A**; and

**WHEREAS**, Orbus, Inc., a subsidiary of American Fast Freight, (hereinafter AFF), owns 2.73 acres M/L of vacant land on a portion of Tract 5B-1, adjacent to the west of Sisterhood Park, depicted as **Parcel B** on **Exhibit 1**; and

**WHEREAS**, with the consent of the neighborhood community council (Spenard) and the Anchorage School District, the Municipality plans to relocate the southern portion of Sisterhood Park onto **Parcel B** for development as a soccer field adjacent to Northwood Elementary School. This relocation protects the school from further development, accommodates joint use of the park, eliminates problematic on-street parking by creating an off-street parking area, and contributes significantly to the continuity of current park and natural areas, the school program and the community; and

**WHEREAS**, AFF plans to utilize **Parcel A**, adjacent to its existing operations, for planned development consistent with the overall community plan, to provide additional off-street parking, an ongoing neighborhood concern, and develop for continued industrial land use; and

1  
2 **WHEREAS**, acreage proposed for the exchange is substantially the same, and  
3 the parcels are adjacent to each other. In addition, based on older appraisals  
4 and square footage values provided by Dowl, the Municipality and AFF believe  
5 the values of Parcels A and B, when right-of-way vacation and replat (required  
6 for the road project) are covered by the Municipality, to be substantially equal.  
7 As a result, both parties agree no compensation will be exchanged as a result  
8 of this transaction, and each party will bear their own costs and fees; and  
9

10 **WHEREAS**, there is no cost to the taxpayers as a result of this equal value land  
11 exchange, and the Spenard Community Council and Anchorage School District  
12 approved this exchange; now, therefore,  
13

14 **THE ANCHORAGE ASSEMBLY HEREBY ORDAINS:**  
15

16 **Section 1.** Subject to the approval of the voters as described in Section 2,  
17 the disposal of 2.77 acres of municipal land (Parcels A-1 and A-2) for 2.73  
18 acres of private land (Parcel B), by equal value land exchange, with no cost to  
19 taxpayers and no compensation to be paid by either the MOA or AFF, is hereby  
20 approved.  
21

22 **Section 2.** Pursuant to the Anchorage Municipal Charter Section 10.02(8), a  
23 ballot proposition in substantially the following form and substance shall be  
24 submitted to the qualified voters of the Municipality of Anchorage at the next  
25 regular Municipal election to be held on April 6, 2010:  
26

27 **PROPOSITION NO. \_\_\_\_**  
28

29 **SHALL THE MUNICIPALITY EXCHANGE 2.77 ACRES**  
30 **OF MUNICIPAL LAND FOR 2.73 ACRES OF PRIVATE**  
31 **LAND TO EXPAND SISTERHOOD PARK, PROVIDE**  
32 **OFF-STREET PARKING AND REDUCE SAFETY AND**  
33 **TRAFFIC ISSUES ON 48<sup>TH</sup> & VAN BUREN STREETS?**  
34

35 **THIS PROPOSITION APPROVES AN EQUAL VALUE**  
36 **EXCHANGE OF 2.77 ACRES M/L OF MUNICIPAL**  
37 **LAND FOR 2.73 ACRES M/L OF PRIVATE LAND. THE**  
38 **MUNICIPAL LAND TO BE EXCHANGED INCLUDES**  
39 **1.90 ACRES M/L OF DEDICATED MUNICIPAL PARK**  
40 **LAND IN SISTERHOOD PARK AND .87 ACRES OF**  
41 **NON-DEDICATED MUNICIPAL LAND, LOCATED IN**  
42 **OR ADJACENT TO TRACT 4, CROSSROADS**  
43 **BUSINESS PARK SUBDIVISION. THE MUNICIPALITY**  
44 **RECEIVES 2.73 ACRES M/L OF ADJACENT PRIVATE**  
45 **LAND, LEGALLY DESCRIBED AS A PORTION OF**  
46 **TRACT 5B-1.**


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**IF THE EXCHANGE IS APPROVED, THE 2.73 ACRES OF PRIVATE LAND SHALL BE DEDICATED AS MUNICIPAL PARK LAND, ADDED TO SISTERHOOD PARK, PROVIDE OFF-STREET PARKING, AND REDUCE SAFETY AND TRAFFIC ISSUES ON 48<sup>TH</sup> AND VAN BUREN STREETS.**

**THERE IS NO COST TO THE TAXPAYERS OF THE MUNICIPALITY AS A RESULT OF THIS EXCHANGE.**

**Section 3.** Section 1 of this ordinance shall become effective immediately. Section 2 of this ordinance shall become effective if, and only if, this Proposition is passed by a majority of the qualified voters in the Municipality of Anchorage voting on April 6, 2010.

PASSED AND APPROVED by the Anchorage Assembly this 2<sup>nd</sup> day of February, 2010.

  
\_\_\_\_\_  
Chair

ATTEST:

  
\_\_\_\_\_  
Municipal Clerk

**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects -- General Government**

AO Number: 2010-10

Title: AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE MUNICIPALITY OF ANCHORAGE AT THE REGULAR MUNICIPAL ELECTION ON APRIL 6, 2010, A BALLOT PROPOSITION AUTHORIZING AN EQUAL VALUE LAND EXCHANGE OF 2.77 ACRES OF MUNICIPAL LAND, INCLUDING 1.90 ACRES M/L OF DEDICATED PARK LAND IN SISTERHOOD PARK (SOUTH END OF TRACT 4, CROSSROADS BUSINESS PARK SUBDIVISION) EXCHANGE FOR 2.73 ADJACENT ACRES M/L IN TRACT 5B-1, CROSSROADS BUSINESS PARK SUBDIVISION.

Sponsor: MAYOR  
 Preparing Agency: Project Management and Engineering  
 Others Impacted: Parks and Recreation, Planning, Community Planning & Development

<b>CHANGES IN EXPENDITURES AND REVENUES:</b>		<b>(In Thousands of Dollars)</b>				
	<b>FY10</b>	<b>FY11</b>	<b>FY12</b>	<b>FY13</b>	<b>FY14</b>	
<b>Operating Expenditures</b>						
1000 Personal Services	\$ -	\$ -	\$ -	\$ -	\$ -	
2000 Non-Labor	-	-	-	-	-	
3900 Contributions	-	-	-	-	-	
4000 Debt Service	-	-	-	-	-	
<b>TOTAL DIRECT COSTS:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
Add: 6000 Charges from Others	\$ -	\$ -	\$ -	\$ -	\$ -	
Less: 7000 Charges to Others	-	-	-	-	-	
<b>FUNCTION COST:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>REVENUES:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>CAPITAL:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>POSITIONS: FT/PT and Temp</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

**PUBLIC SECTOR ECONOMIC EFFECTS:**

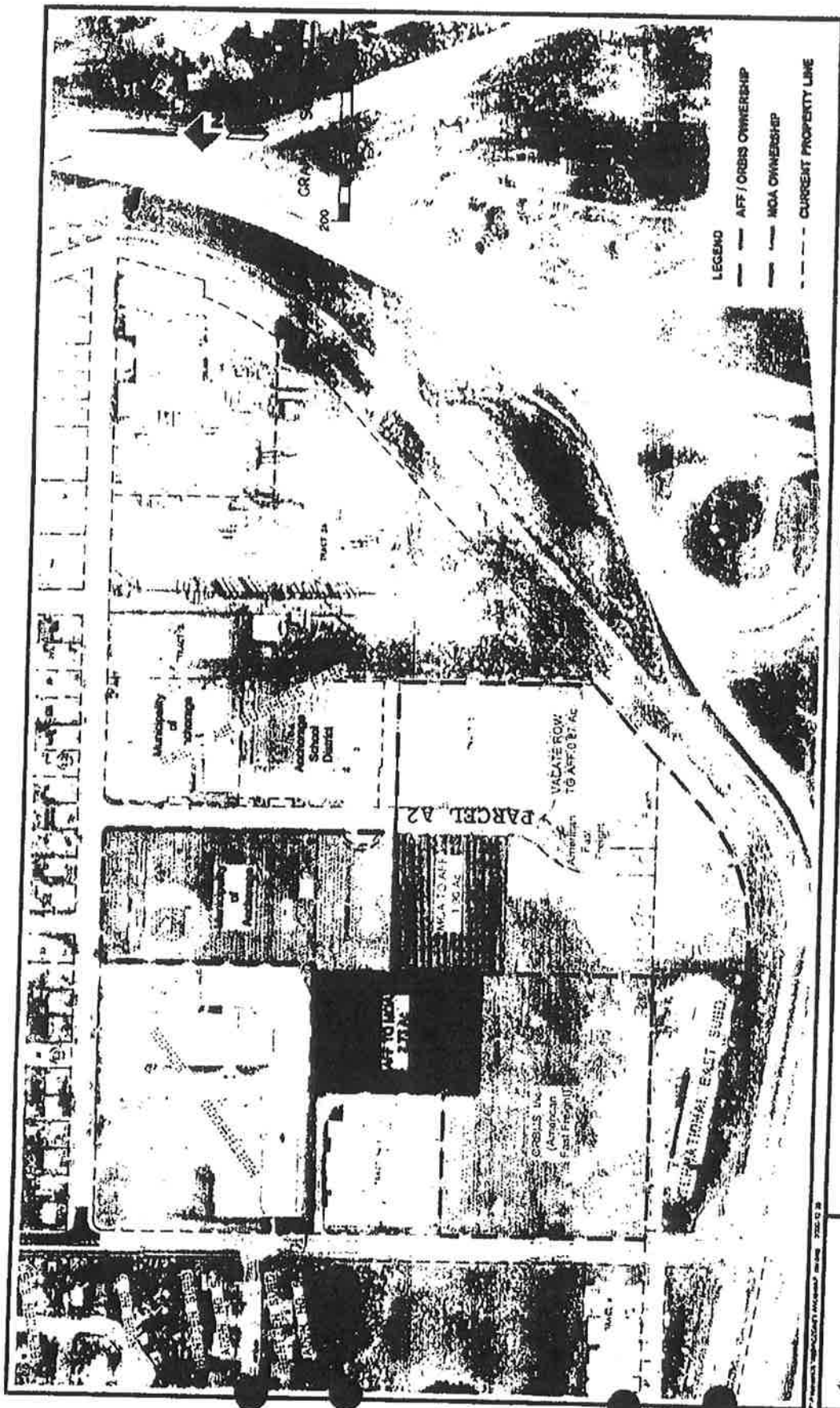
This land exchange has no public sector cost. It is a valuable component for redevelopment around the Spenard Community Center, Sisterhood Park, Brotherhood Ball Field, and Northwood Elementary. The goal in the redevelopment is to separate American Fast Freight commercial truck traffic from the recreation and education facilities and uses in the immediate area, and provide off-street parking for those uses.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

The land exchange has no private sector economic effects. It is a valuable piece of redevelopment for the Municipality, the community, the Anchorage School District, and American Fast Freight (AFF). The separation of AFF commercial trucks from a well used recreational area, and the addition of off-street parking, provides safety and traffic benefits to all.

Prepared by: Russell Oswald

Telephone: 343-8196



Van Buren Street - 48th Avenue  
 Collision and Access Improvements  
 LAND TRADE - PROPOSED OWNERSHIP  
 ANCHORAGE, ALASKA

DOWL HKM

FIGURE 3

EXHIBIT 1



## MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 51-2010

Meeting Date: January 19, 2010

**From: MAYOR**

**Subject: AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE MUNICIPALITY OF ANCHORAGE AT THE REGULAR MUNICIPAL ELECTION ON APRIL 6, 2010, A BALLOT PROPOSITION AUTHORIZING AN EQUAL VALUE LAND EXCHANGE OF 2.77 ACRES OF MUNICIPAL LAND, INCLUDING 1.90 ACRES M/L OF DEDICATED PARK LAND IN SISTERHOOD PARK (SOUTH END OF TRACT 4, CROSSROADS BUSINESS PARK SUBDIVISION) EXCHANGE FOR 2.73 ADJACENT ACRES M/L IN TRACT 5B-1, CROSSROADS BUSINESS PARK SUBDIVISION.**

1 The Municipality of Anchorage (MOA) and Orbus, Inc., a subsidiary of American  
2 Fast Freight (hereinafter AFF), propose a equal value land exchange as part of  
3 a road improvement project in the Spenard Area. The road project is known as  
4 the Van Buren Street/48<sup>th</sup> Avenue Circulation and Access Improvements. A  
5 preliminary plat (S-11759) was approved on August 5, 2009 to effectuate these  
6 land trades and road vacations, and the rezone to create consistent zoning for  
7 the properties, by eliminating split zones on individual properties. The rezone  
8 was forwarded by the Planning and Zoning Commission with a recommendation  
9 for approval to the Assembly; the rezone was approved by the Assembly on  
10 January 12, 2010 (AO 2009-139 as amended). The rezone is contingent on  
11 the approval of this ballot proposition.  
12

13 Two parcels are involved: The MOA owns Crossroads Business Park, Tract 4  
14 and AFF owns Crossroads Business Park, Tract 5B-1.  
15

- 16 1. The MOA trades 2.77 acres total, consisting of 1.90 acres M/L of  
17 dedicated park land in Tract 4 (Exhibit 1, Parcel A-1) and .87 acres of  
18 vacated ROW (Exhibit 1, Parcel A-2) to AFF.  
19 2. In exchange, AFF trades 2.73 acres of land in Tract 5B-1 (Exhibit 1,  
20 Parcel B) to the MOA.  
21

22 If the exchange is approved by the voters in April 2010, the MOA will dedicate  
23 the land received from AFF (Parcel B) as park, and the road project will fund the



1 relocation of Sisterhood Park soccer fields and build off-street parking for public  
2 and park users. This relocation protects Northwood Elementary School from  
3 further development, accommodates joint use of the park, eliminates  
4 problematic on-street parking by creating an off-street parking area, and  
5 contributes significantly to the continuity of park and natural areas, the school  
6 program and the community.

7  
8 AFF plans to incorporate the MOA land (Parcels A-1 and A-2) with AFF  
9 property to the south, rezone to I-1 to match existing use and utilize for planned  
10 development consistent with the overall community plan, provide additional off-  
11 street parking, an ongoing neighborhood concern, and develop for continued  
12 industrial land use.

13  
14 Based upon older appraisals and square footage values provided by Dowl, the  
15 composition of the subsoil, the proximity of the parcels to each other, total  
16 acreage, and the MOA's cost to replat and vacate the ROW (a necessary  
17 expense of the road project), the MOA and AFF agree the values of the parcels  
18 are substantially the same. As a result, both parties further agree no  
19 compensation shall be exchanged as a result of this transaction, and each party  
20 shall bear their own costs and fees. There is no cost to the taxpayers as a  
21 result of this land exchange between MOA and AFF.

22  
23 In addition, the Planning & Zoning Commission, the Spenard Community  
24 Council, and the Anchorage School District all support the land exchange, and  
25 recommend its approval and placement on the April 2010 ballot by the  
26 Assembly.

27  
28 **THE ADMINISTRATION RECOMMENDS ADOPTION OF AN**  
29 **ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE**  
30 **MUNICIPALITY OF ANCHORAGE AT THE REGULAR MUNICIPAL**  
31 **ELECTION ON APRIL 6, 2010, A BALLOT PROPOSITION**  
32 **AUTHORIZING AN EQUAL VALUE LAND EXCHANGE OF 2.77**  
33 **ACRES OF MUNICIPAL LAND, INCLUDING 1.90 ACRES M/L OF**  
34 **DEDICATED PARK LAND IN SISTERHOOD PARK (SOUTH END OF**  
35 **TRACT 4, CROSSROADS BUSINESS PARK SUBDIVISION)**  
36 **EXCHANGE FOR 2.73 ADJACENT ACRES M/L IN TRACT 5B-1,**  
37 **CROSSROADS BUSINESS PARK SUBDIVISION.**

38  
39 Prepared by: Project Management & Engineering  
40 Approved by: Jerry Hansen, Acting Director  
41 Project Management & Engineering  
42 Concur: Greg Jones, Executive Director  
43 Office of Economic and Community Development  
44 Concur: Dennis A. Wheeler, Municipal Attorney  
45 Concur: George J. Vakalis, Municipal Manager  
46 Respectfully submitted, Daniel A. Sullivan, Mayor

**Content ID:** 008606

**Type:** Ordinance - AO

**Title:** AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE MUNICIPALITY OF ANCHORAGE AT THE REGULAR MUNICIPAL ELECTION ON APRIL 6, 2010, A BALLOT PROPOSITION AUTHORIZING AN EQUAL VALUE LAND EXCHANGE OF 2.77 ACRES OF MUNICIPAL LAND, INCLUDING 1.90 ACRES M/L OF DEDICATED PARK LAND IN SISTERHOOD PARK (SOUTH END OF TRACT 4, CROSSROADS BUSINESS PARK SUBDIVISION) EXCHANGE FOR 2.73 ADJACENT ACRES M/L IN TRACT 5B-1, CROSSROADS BUSINESS PARK SUBDIVISION.

**Author:** westoverrf

**Initiating Dept:** Legal

**Review Depts:** MuniManager

**Date Prepared:** 1/14/10 6:47 PM

**Director Name:** Dennis A. Wheeler

**Assembly Meeting Date:** 1/19/10

**Public Hearing Date:** 2/2/10

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
Clerk_Admin_SubWorkflow	1/15/10 3:30 PM	Exit	Joy Maglaqui	Public	008606
MuniManager_SubWorkflow	1/15/10 3:30 PM	Approve	Joy Maglaqui	Public	008606
Finance_SubWorkflow	1/15/10 3:17 PM	Approve	Lucinda Mahoney	Public	008606
OMB_SubWorkflow	1/15/10 11:17 AM	Approve	Cheryl Frasca	Public	008606
Legal_SubWorkflow	1/14/10 6:55 PM	Approve	Rhonda Westover	Public	008606
AllOrdinanceWorkflow	1/14/10 6:52 PM	Checkin	Rhonda Westover	Public	008606

*Ordinance* —

CONSENT AGENDA - INTRODUCTION

**Unofficial Results**  
**Election Summary Report**  
**2010 Municipality of Anchorage**  
**Regular Election**  
**April 6, 2010**

Date:04/16/10  
 Time:20:24:37  
 Page:5 of 5

Registered Voters 201368 - Cards Cast 39096 19.42%

Num. Report Precinct 119 - Num. Reporting 119 100.00%

PROP 4 - AREAWIDE PUBLIC TRANSPORATION CAPITAL		
	Total	
Number of Precincts	119	
Precincts Reporting	119	100.0 %
Total Votes	38379	
YES	18451	48.08%
NO	19928	51.92%

PROP 5 - MUNICIPALITY EXCHANGE - SISTERHOOD		
	Total	
Number of Precincts	119	
Precincts Reporting	119	100.0 %
Total Votes	37973	
YES	24085	63.43%
NO	13888	36.57%

PROP 6 - LRSA TO RRSA MT. PARK/ROBIN HILL		
	Total	
Number of Precincts	2	
Precincts Reporting	2	100.0 %
Total Votes	189	
YES	123	65.08%
NO	66	34.92%

Submitted by: Chair of the Assembly at  
the Request of the Mayor  
Prepared by: Planning Department  
For reading: December 1, 2009

CLERK'S OFFICE

**AMENDED AND APPROVED**

Date: 1-12-10

**Anchorage, Alaska  
AO 2009-139**

AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 6.51 ACRES FROM R-4 SL (MULTIPLE FAMILY RESIDENTIAL DISTRICT WITH SPECIAL LIMITATIONS), R-O SL (RESIDENTIAL-OFFICE DISTRICT WITH SPECIAL LIMITATIONS) AND I-1 (LIGHT INDUSTRIAL DISTRICT) TO PLI (PUBLIC LANDS AND INSTITUTIONS DISTRICT); AND R-O SL (RESIDENTIAL-OFFICE DISTRICT WITH SPECIAL LIMITATIONS) AND R-4 SL (MULTIPLE FAMILY RESIDENTIAL DISTRICT WITH SPECIAL LIMITATIONS) TO I-1 SL (LIGHT INDUSTRIAL DISTRICT WITH SPECIAL LIMITATIONS) FOR PORTIONS OF CROSSROADS BUSINESS PARK, TRACT 4 AND TRACT 5B-1; GENERALLY LOCATED SOUTH OF 48<sup>TH</sup> AVENUE AND ON THE WEST SIDE OF VAN BUREN STREET.

(Spenard Community Council) (Planning and Zoning Commission Case 2009-103)

**THE ANCHORAGE ASSEMBLY ORDAINS:**

**Section 1.** The zoning map shall be amended by designating the following described property as PLI (Public Lands and Institution) District:

Two portions of Crossroads Business Park Subdivision, Tract 4, consisting of a 39,836 square-foot portion and a 18,382 square-foot portion; and a portion of Crossroads Business Park Subdivision, Tract 5B-1, consisting of 118,801 square feet (for a combined total of 4.07 acres), generally located north of International Airport Road, west of Van Buren Street, south of 48<sup>th</sup> Avenue, and east of Northwood Drive, as shown on Exhibit "A" attached.

**Section 2.** The zoning map shall be amended by designating the following described property as I-1 SL (Light Industrial with Special Limitations) District:

*Excerpt from AO 2009-139*

*www.muni.org/Departments/Assembly/Legislation/2009%20Ordinances/ao  
2009139.pdf*

1 A portion of Crossroads Business Park Subdivision, Tract 4, consisting  
2 of 5,633 square feet; and a portion of Crossroads Business Park  
3 Subdivision, Tract 5B-1, consisting of 100,838 square feet (for a  
4 combined total of 2.44 acres), generally located north of International  
5 Airport Road, west of Van Buren Street, south of 48<sup>th</sup> Avenue, and east of  
6 Northwood Drive, as shown on Exhibit "A" attached.

7  
8 **Section 3. Special Limitations.**

9  
10 A. ~~The I-1 SL District shall be subject to the following Special Limitations:~~

- 11  
12 ~~1. Buffer landscaping shall be required on the I-1 SL parcel where it~~  
13 ~~adjoins PLI land that is managed as parkland.~~  
14

15 **Section 3[4.] Effective Clause.**

16 A. This rezoning shall become effective at the time that an exchange  
17 of land is entered into between the parties involved which includes  
18 the Municipality and other private entities.

19  
20 B. Permits shall not be issued for Phase 2 of the *Van Buren Street*  
21 *and 48th Avenue access improvements* (including the parking lot)  
22 or for parking or park development on the Municipal parcels  
23 involved in this case until the completion of a plan for safe and  
24 efficient connectivity and shared use of parking to the maximum  
25 extent possible among the Municipality's recreation and school  
26 facilities as well as possible use of existing parking on private  
27 lands. This plan for efficient parking and pedestrian connectivity  
28 shall be approved by the Planning Department, Traffic  
29 Department and Non-Motorized Trail Coordinator, and subject to  
30 public review by the Spenard Community Council and Parks and  
31 Recreation Commission. This shall also be subject to resolving  
32 the matter of the secondary egress of the properties with the  
33 Municipality and the Fire Department. The entity developing the  
34 plan would be the Municipality of Anchorage.  
35

36 **Section 4[5].** This ordinance shall become effective 10 days after the Director of  
37 the Planning Department has received the written consent of the owners of the  
38 property within the area described in Section 1 above to the special limitations  
39 contained herein. The rezone approval contained herein shall automatically  
40 expire, and be null and void, if the written consent is not received within  
41 120 days after the date on which this ordinance is passed and approved. In the  
42 event no special limitations are contained herein, this ordinance is effective

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immediately upon passage and approval. The Director of the Planning Department shall change the zoning map accordingly.

PASSED AND APPROVED by the Anchorage Assembly this  
12<sup>th</sup> day of January 2010.

ATTEST:

  
\_\_\_\_\_  
Chair

  
\_\_\_\_\_  
Municipal Clerk

13

(Case 2009-130; Tax I.D. No. 010-511-21; 010-511-07)

**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects -- General Government**

AO Number: 2009-139

Title: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 6.51 ACRES FROM R-4 SL (MULTIPLE FAMILY RESIDENTIAL DISTRICT WITH SPECIAL LIMITATIONS), R-O SL (RESIDENTIAL-OFFICE DISTRICT WITH SPECIAL LIMITATIONS) AND I-1 (LIGHT INDUSTRIAL DISTRICT) TO PLI (PUBLIC LANDS AND INSTITUTIONS DISTRICT); AND R-O SL (RESIDENTIAL-OFFICE DISTRICT WITH SPECIAL LIMITATIONS) AND R-4 SL (MULTIPLE FAMILY RESIDENTIAL DISTRICT WITH SPECIAL LIMITATIONS) TO I-1 SL (LIGHT INDUSTRIAL DISTRICT WITH SPECIAL LIMITATIONS) FOR PORTIONS OF CROSSROADS BUSINESS PARK, TRACT 4 AND TRACT 5B-1; GENERALLY LOCATED SOUTH OF 48TH AVENUE AND ON THE WEST SIDE OF VAN BUREN STREET.

Sponsor: Mayor  
 Preparing Agency: Planning Department  
 Others Impacted:

<b>CHANGES IN EXPENDITURES AND REVENUES:</b>		<b>(In Thousands of Dollars)</b>				
	<b>FY09</b>	<b>FY10</b>	<b>FY11</b>	<b>FY12</b>	<b>FY13</b>	
<b>Operating Expenditures</b>						
1000 Personal Services						
2000 Non-Labor						
3900 Contributions						
4000 Debt Service						
<b>TOTAL DIRECT COSTS:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
Add: 6000 Charges from Others						
Less: 7000 Charges to Others						
<b>FUNCTION COST:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>REVENUES:</b>						
<b>CAPITAL:</b>						
<b>POSITIONS: FT/PT and Temp</b>						

**PUBLIC SECTOR ECONOMIC EFFECTS:**

Approval of this rezone should have no significant impact on the public sector.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

Approval of this rezone should have no significant impact on the private sector.

Prepared by: Angela C. Chambers

Telephone: 343-7940



## MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 689-2009

**Meeting Date:** December 1, 2009

**From:** Mayor

**Subject:** AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING OF APPROXIMATELY 6.51 ACRES FROM R-4 SL (MULTIPLE FAMILY RESIDENTIAL DISTRICT WITH SPECIAL LIMITATIONS), R-O SL (RESIDENTIAL-OFFICE DISTRICT WITH SPECIAL LIMITATIONS) AND I-1 (LIGHT INDUSTRIAL DISTRICT) TO PLI (PUBLIC LANDS AND INSTITUTIONS DISTRICT); AND R-O SL (RESIDENTIAL-OFFICE DISTRICT WITH SPECIAL LIMITATIONS) AND R-4 SL (MULTIPLE FAMILY RESIDENTIAL DISTRICT WITH SPECIAL LIMITATIONS) TO I-1 SL (LIGHT INDUSTRIAL DISTRICT WITH SPECIAL LIMITATIONS) FOR PORTIONS OF CROSSROADS BUSINESS PARK, TRACT 4 AND TRACT 5B-1; GENERALLY LOCATED SOUTH OF 48<sup>TH</sup> AVENUE AND ON THE WEST SIDE OF VAN BUREN STREET.

1 On August 3, 2009, the Planning and Zoning Commission recommended  
2 approval of the rezone for the subject property from R-4 SL, R-O SL and I-1 to  
3 PLI, and from R-O SL and R-4 SL to I-1 SL.  
4

5 The Municipality of Anchorage (MOA) is proposing a land trade, replat, and  
6 zoning map amendment to support a road improvement project in the Spenard  
7 Area. The project is known as the *Van Buren Street/48<sup>th</sup> Avenue Circulation*  
8 *and Access Improvements*. A preliminary plat (S-11759) was approved on  
9 August 5, 2009 to effectuate these land trades and road vacations. The rezone  
10 will create consistent zoning for the properties affected by eliminating split  
11 zones on the properties.

12 Two parcels are involved: Crossroads Business Park, Tract 4 (owned by MOA,  
13 zoned I-1 and R-O SL, approximately 3.24 acres), and Crossroads Business  
14 Park, Tract 5B-1 (owned by Orbus Inc., zoned R-4 SL, approximately 10.88  
15 acres). The MOA will trade approximately 2.1 acres of the 3.24 acre Tract 4 to  
16 Orbus (subsidiary of American Fast Freight, known hereafter as AFF) to  
17 incorporate into AFF's property to the south. A small portion of this site is  
18 zoned R-O SL, which will be traded to AFF. This will be rezoned to I-1 SL to  
19 match the existing industrial use. The remainder of the site is zoned R-O SL



1 and will be rezoned to PLI for future public use, likely as park use. AFF owns  
2 Tract 5B-1 (10.89 acres) and will trade approximately 2.7 acres of property to  
3 the MOA for the relocation of the Sisterhood Park soccer fields. This entire  
4 tract is currently zoned R-4 SL. The area to be traded to MOA will be rezoned  
5 to PLI, and the remainder of the site will remain R-4 SL and is vacant at this  
6 time.

7 The Planning and Zoning Commission recommended approval of the request  
8 for the land trade. The Planning and Zoning Commission recommended  
9 approval of the rezoning request to PLI and to I-1 with effective clauses and a  
10 special limitation on the I-1 District. The effective clauses require the land  
11 exchange, resolving secondary egress, and resolution of access improvements  
12 on the Municipal parcels prior to the Phase 2 development. The special  
13 limitation requires buffer landscaping on the I-1 parcel where it adjoins PLI land  
14 that is managed as parkland.

15  
16 This rezoning generally meets the rezoning standards in AMC 21.20.090.

17  
18 The Planning and Zoning Commission recommends APPROVAL of the rezone  
19 to I-1 SL and PLI for the subject property by a unanimous vote of seven yeas  
20 and zero nays.

21  
22 **THE ADMINISTRATION RECOMMENDS ADOPTION OF THE PROPOSED**  
23 **ORDINANCE.**

24  
25 Prepared by: Angela C. Chambers, Acting Zoning Administrator,  
26 Planning Department

27 Concur: Jerry T. Weaver Jr., Acting Director,  
28 Planning Department

29 Concur: Greg Jones, Executive Director, Office of  
30 Community Planning and Development

31 Concur: Dennis A. Wheeler, Municipal Attorney

32 Concur: George J. Vakalis, Municipal Manager

33 Respectfully submitted, Daniel A. Sullivan, Mayor

34  
35 (Case 2009-103; Tax I.D. No 010-511-21; 010-511-07)



**DOWL HKM**

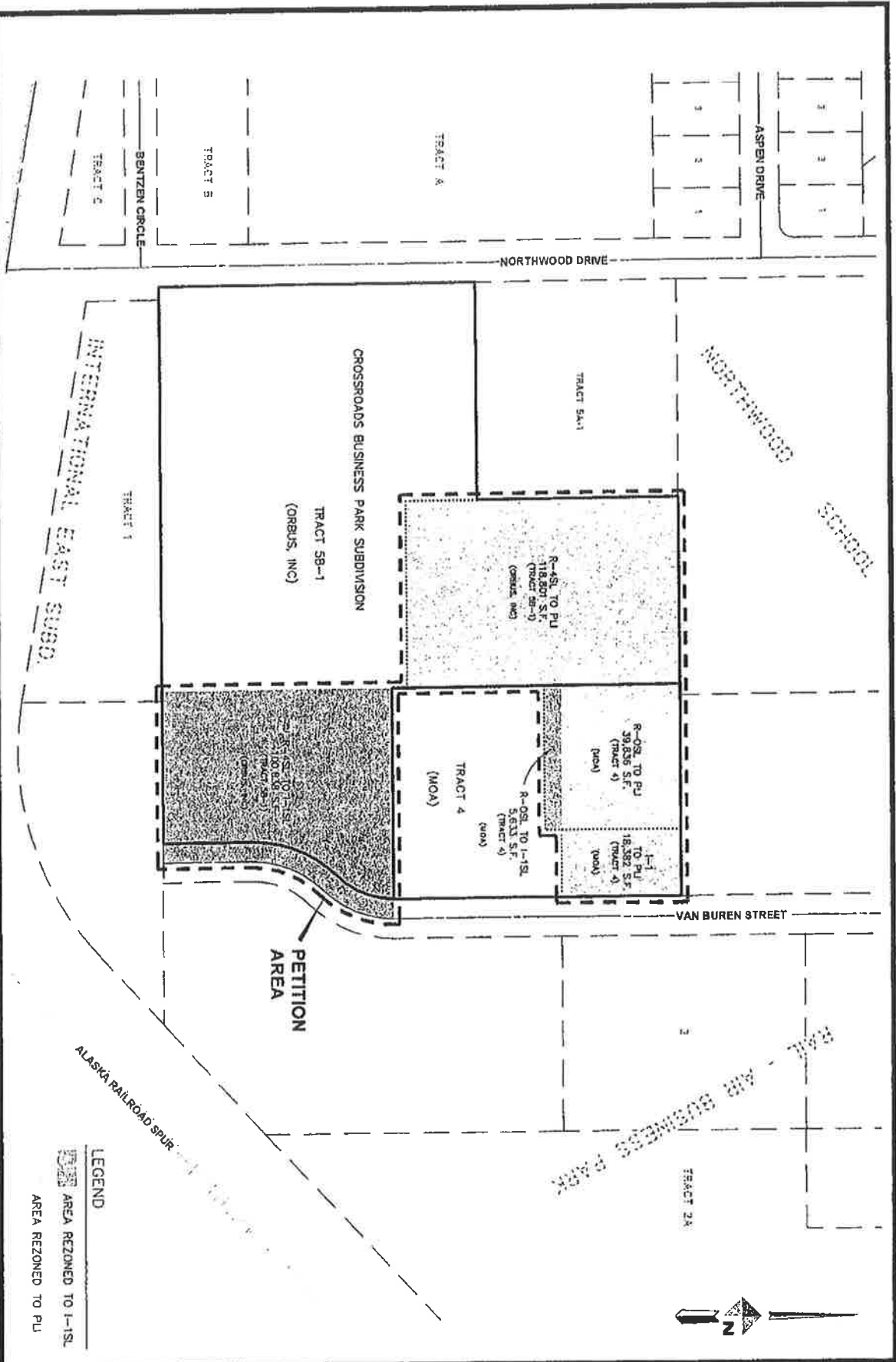
ZONING MAP AMENDMENT DESIGNATIONS  
VAN BUREN ST. / W. 48TH AVE. IMPROVEMENTS  
ANCHORAGE, ALASKA

**EXHIBIT A**

Project: 03-07-4651 REZONING EAST VAN BUREN ST. 2009-10-22

MOA GRID: SW 1028

SCALE: 1" = 100'



**MUNICIPALITY OF ANCHORAGE  
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2009-041**

A RESOLUTION RECOMMENDING APPROVAL TO REZONE APPROXIMATELY 14.11 ACRES FROM R-4 SL (MULTIPLE FAMILY RESIDENTIAL DISTRICT WITH SPECIAL LIMITATIONS), R-O SL (RESIDENTIAL-OFFICE DISTRICT WITH SPECIAL LIMITATIONS) AND I-1 (LIGHT INDUSTRIAL DISTRICT) TO PLI (PUBLIC LANDS AND INSTITUTIONS DISTRICT); AND R-O SL (RESIDENTIAL-OFFICE DISTRICT WITH SPECIAL LIMITATIONS) TO I-1 (LIGHT INDUSTRIAL DISTRICT). FOR CROSSROADS BUSINESS PARK, TRACT 4 AND TRACT 5B-1, GENERALLY LOCATED SOUTH OF 48<sup>TH</sup> AVENUE AND ON THE WEST SIDE OF VAN BUREN STREET; AND RECOMMENDS APPROVAL OF A LAND TRADE OF A 2.09 ACRE PORTION OF DEDICATED MUNICIPAL PARK LAND IN EXCHANGE FOR THE 2.73 ACRE PORTION OF AMERICAN FAST FREIGHT LAND TO BE USED AS A PARK.

(Case 2009-103; Tax I.D. No. 010-511-21; 010-511-07)

WHEREAS, a request has been received from the Municipality of Anchorage, Project Management and Engineering to rezone approximately 14.11 acres from R-4 SL (Multiple Family Residential District With Special Limitations), R-O SL (Residential-Office District with Special Limitations) and I-1 (Light Industrial District) To PLI (Public Lands and Institutions District); and R-O SL (Residential-Office District With Special Limitations) To I-1 (Light Industrial District), For Crossroads Business Park, Tract 4 and Tract 5B-1, generally located south of 48<sup>th</sup> Avenue and on the west side of Van Buren Street; and

WHEREAS, is more specifically specified in Diagram 4 in the staff package to rezone as follows: the parcel identified as 118,801 square feet from R-4 SL to PLI-P; the parcel identified as 39,836 square feet from R-O SL to PLI-P; the parcel identified as 18,382 square feet from I-1 to PLI-P; and the parcel identified as 5,633 square feet from R-O SL to I-1; and the parcel identified as 100,838 square feet from R-4 SL to I-1; and

WHEREAS, a request has also been received for the land trade of a 2.09 acre portion of dedicated Municipal park land in exchange for the 2.73 acre portion of American Fast Freight land to be used as a park as indicated in the request; and

WHEREAS, notices were published, posted, public hearing notices were mailed, and a public hearing was held on August 3, 2009.

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

- A. The Commission makes the following findings of fact:

1. The Municipality of Anchorage (MOA) is proposing a land trade, re-plat, and zoning map amendment to support a road improvement project in the Spenard Area. Specifically, this project is known as the Van Buren Street/48<sup>th</sup> Avenue Circulation and Access Improvements. A preliminary plat (S-11759) will be heard on August 5, 2009 to effectuate these land trades and road dedications. The rezone will create consistent zoning for the properties affected by eliminating split zones on individual properties.
2. Specifically, two parcels are involved: Crossroads Business Park, Tract 4 (owned by MOA zoned I-1 and R-O SL, approximate 3.24 acres) and Crossroads Business Park, Tract 5B-1 (owned by Orbus Inc. zoned R-4 SL). The MOA will trade approximately 2.1 acres of the 3.24 acre Tract 4 to Orbus (subsidiary of American Fast Freight, known hereafter as AFF) to incorporate into their property to the south. A small portion of this site is zoned R-O SL, which will be traded to AFF. This will be rezoned to I-1 to match their existing use. The remainder of the site is zoned R-O SL and will be rezoned to PLI for future public use, likely as park use. AFF owns Tract 5B-1 (10.89 acres) and will trade approximately 2.7 acres of property to the MOA for the relocation of the Sisterhood Park soccer fields. This entire tract is currently zoned R-4 SL. The area to be traded to MOA will be rezoned to PLI, and the remainder of the site will be rezoned to I-1 to reflect the current use of the land (mostly vacant, but used for storage of equipment and vehicles in the southeastern area).
3. The Commission approved the request for the land trade. The Commission approved the rezoning request to PLI and to I-1 with several effective clause and special limitations (unless specifically stated otherwise, the conditional apply to both districts):
  - a. This rezoning shall become effective at the time that a full exchange of land is entered into between the parties involved which include the Municipality and other private entities.
  - b. Permits shall not be issued for those 2 of the Van Buren Street and 48th Avenue access improvements (including that parking lot) or for parking or park development on the Municipals parcels involved in this case until the completion of a plan for safe and efficient connectivity and shared use of parking to the maximum extent possible among the municipality's recreation and school facilities as well as possible use of existing parking on private lands. This plan for efficient parking and pedestrian connectivity shall be approved by the Planning Department, Traffic Department and Non-Motorized Trail Coordinator and subject to public review by the Community Council and Parks and Recreation Commission.

- c. Buffer landscaping shall be required on the I-1 parcel where it adjoins PLI land that is managed as park land.
  - d. The rezone shall be subject to resolving the matter of the secondary egress of the R-4 property with the Municipality and the Fire Department. The entity developing the plan would be the Municipality of Anchorage.
4. The Commission finds that the Municipality shall not issue permits for Phase 2 Van Buren Street and 48th Avenue access improvements, including the parking lot, until there is a completed plan for safe and efficient pedestrian connectivity so that all the recreation uses have the maximum benefit of either that parking lot or the existing parking lot. The Commission is concerned that if there is what looks like a concept approval and the transportation money comes through, that there will be a parking lot built before the rest of the trade can happen, and end up with a parking lot and a cul de sac that is an expense and a nuisance, not a benefit.
5. The Commission finds that there are a number reasons why this rezone is in the overall interest of the public. One has to do with the land exchange between the Municipality and a private entity, the effect of which is to clarify the land ownership patterns in the area and to provide a more efficient location for a municipal park. Another reason for the rezone is to clarify the existing balance of land use that are not necessarily germane to the land exchange, but it makes sense to rezone those to a more compatible zoning designation. Perhaps most importantly, this represents an opportunity to resolve a number of issues that the community has dealt with in terms of traffic and specifically truck traffic in their community. Based on discussion and testimony, this is not considered to be a perfect resolution, but it is a problem that has been around for approximately 28 years, and this represents a tenable resolution. The parties have worked long and hard to achieve this resolution, and it is appropriate for the Commission to accept that work and to support it.
6. The Commission expanded on the recommendations for approval through providing the following findings. The intent of the parking and connectivity study for recreational use is fourfold. One is to use existing parking to the greatest extent and avoid the expense and environmental impact of excess public parking. Two to gain maximum use of the recreation open space that is afforded by the public parking. Three, to insure public safety through design of parking so that it is not isolated from the public surveillance, and can be secured in the off hours in an efficient way.

7. The Commission finds that the Platting Board and the Assembly should take careful note of a couple of issues discussed with relation to land use patterns and circulation. One being the potential for loss of residential units through the rezoning of R-4 to I-1, and expectation of whether the intended 225 units could still be achieved on the remaining R-4. Another point would be the potential need to obtain right of way along the Van Buren and Taft alignments to achieve circulation both for industrial uses rather than the cul de sac pattern that is shown now, and for potential residential circulation when the R-4 tract is developed. The Commission noted that may include reserving right of way along the north and northwest boundaries of the I-1 parcel so the traffic from the potential 225 units would not all go onto Northwood within a short stretch of that intersection at International. The Commission further finds it was important to note that action on the rezone, if approved, is not to be construed as approval of the parking or playfield layout, and the need and the location of the proposed parking lot in particular has not been substantiated. The Spenard Community Council in its resolution requested additional planning and review, and again that the Commission's action tonight is not thus to be construed as the site concept level design.
8. The Commission noted its concern about the loss of residential land and hope that the 225 limit which was done to mitigate a loss somewhere else is not lost in the process of what is being done here. The Commission noted that the findings that the Parks and Recreation Commission also offered support along with the Spenard Community Council.
9. The Commission encouraged Municipal officials and others that are involved in these sort of land trades to take into consideration the needs for affordable housing in this community which is primarily through R-2M, R-3 and R-4 zoning. The Commission finds that the issue of housing has been ignored in this rather complicated exchange, and would hope that city officials and planners in the future will take into consideration the need for housing in the community.
10. The Commission noted its appreciation for the fact that a series of compromise were made long before it came to the Commission.

11. The Commission finds that any public facilities, particularly roads or streets, cannot build these projects in a vacuum. The Commission finds these need to be built looking at the related facilities that might be needed in the community whether they are walkways or pathways, and in the instance here where they are mixing up and changing park lands, not only the parking facilities which were not addressed tonight at all. The Commission specifically did not look at it, but where is the parking going to be, is it going to be some place safe, where it is well lit, and where eyes can be on it at all hours. Also, the community needs to be very engaged in the planning of this, so the first time one sees it is not at a meeting like this where somebody says here it is, or here is your new road, but you are not going to see these other pieces until there is maybe money for it at some future time whenever that might be. There at least needs to be a plan, to know what is coming down the road.
  12. The Commission noted this request for rezoning is consistent with the Anchorage 2020 Comprehensive Plan map.
  13. This rezoning request generally meets the rezoning standards in AMC 21.20.090.
  14. The Commission recommended approval of request by a unanimous vote: 7-yes, 0-nea.
- B. The Commission recommends to the Anchorage Assembly that the subject property be rezoned to PLI and I-1 as noted above, with the following effective clause and special limitation (unless specifically stated otherwise, the conditional apply to both districts):
- a. This rezoning shall become effective at the time that a full exchange of land is entered into between the parties involved which include the Municipality and other private entities.
  - b. Permits shall not be issued for those 2 of the Van Buren Street and 48th Avenue access improvements (including that parking lot) or for parking or park development on the Municipals parcels involved in this case until the completion of a plan for safe and efficient connectivity and shared use of parking to the maximum extent possible among the municipality's recreation and school facilities as well as possible use of existing parking on private lands. This plan for efficient parking and pedestrian connectivity shall be approved by the Planning Department, Traffic Department and Non-Motorized Trail Coordinator and subject to public review by the Community Council and Parks and Recreation Commission.

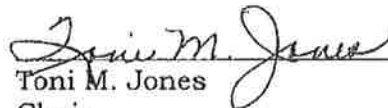
- c. Buffer landscaping shall be required on the I-1 parcel where it adjoins PLI land that is managed as park land.
- d. The rezone shall be subject to resolving the matter of the secondary egress of the R-4 property with the Municipality and the Fire Department. The entity developing the plan would be the Municipality of Anchorage.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 3<sup>rd</sup> day of August, 2009.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 12<sup>th</sup> day of October, 2009.



\_\_\_\_\_  
Jerry T. Weaver, Jr.  
Secretary



\_\_\_\_\_  
Toni M. Jones  
Chair

(Case 2009-103; Tax I.D. No. 010-511-21; 010-511-07)

acc



**PASSED**

2. **CASE:** 2009-103  
**PETITIONER:** Municipality of Anchorage  
**REQUEST:** Rezoning to I-1, PLI & R-4SL

Angela Chambers presented the staff report and recommendations on behalf of the Municipality. Ms. Chambers explained the Municipality of Anchorage is proposing a land trade, re-plat, and zoning map amendment to support a road improvement project in the Spenard Area. The project is the Van Buren Street/48th Avenue Circulation and Access Improvements. It has had considerable planning to alleviate circulation issues within the area east of Northwood Elementary School, south of West 48th Avenue, and north of International Airport Road (west of Spenard Builders Supply). This area has a mixture of residential, public and industrial zoning districts, and the mix of this traffic has resulted in ineffective road access and traffic flow. The rezone will create consistent zoning for the properties affected by eliminating split zones on individual properties.

Ms. Chambers described the land trades and rezoning requirements to effectuate the road design and vacations necessary for this project. The MOA will trade approximately 2.1 acres of the 3.24 acre Tract 4 to Orbus (subsidiary of American Fast Freight (AFF) to incorporate into their property to the south. A small portion of this site is zoned R-O SL, which will be traded to AFF. This will be rezoned to I-1 to match their existing use. The remainder of the site is zoned R-O SL and will be rezoned to PLI for future public use, likely as a park. AFF owns Tract 5B-1 (10.89 acres) and will trade approximately 2.7 acres of property to the MOA for the relocation of the Sisterhood Park soccer fields. This entire tract is currently zoned R-4 SL. The area to be traded to MOA will be rezoned to PLI, and the remainder of the site will be rezoned to I-1 to reflect the current use of the land (mostly vacant, but used for storage of equipment and vehicles in the southeastern area).

The Commission discussed history of the zoning on the R-4 parcel and expressed concern on the loss of residential land as a result of this land trade and rezoning. It was noted that the actual number of lost residential units would be 225. The right of way to be vacated as part of this case was talked about, however it is under the purview of the Platting Board and has not been scheduled yet. Staff clarified that some of the parcels being rezoned to PLI by the Municipality are part of a housekeeping action as the parcels were not properly zoned according to policy for Municipal owned property. The land use for the parcels was reviewed, including the type of business conducted and the traffic impacts from American Fast Freight and Northwood Elementary School combined with the residential traffic. Also discussed was the circulation pattern proposed for Van Buren Street, 48th Avenue, Northwood Drive and International Airport Road. Concern was expressed that the circulation pattern was incomplete and did not take into account possible future residential development of the remaining R-4 parcel. Layout and design for the roads, parks, soccer fields and parking were reviewed. It was clarified that the Parks

Commission would have to review plans for parks, soccer fields and any parking related to those areas.

Public hearing opened.

TIM POTTER with Dowl HKM represented the petitioner, the Municipality of Anchorage, Project Management & Engineering. His presentation included a review of the parcels being rezoned, their ownership history and use. He spoke about existing traffic and impacts on future traffic from American Fast Freight, Northwood Elementary School, Spenard Recreation Center, Spenard Builders and the soccer field. Questions and discussion followed on the circulation plan, and impacts to and safety of the local community. The parks were also discussed, including parking, night time access and security and buffer zones. MR. POTTER briefly touched on details of the land trade that all the parties had entered into, and the actions that need to take place before the agreement can become effective.

ROBERT AUTH spoke in support of the rezone. He lives in the area and is a past officer of Spenard Community Council. He briefly discussed the history behind the 2001 rezone for the Dimond Parking parcel and the associated residential units. He noted the Spenard Community Council is in favor, in general, of the proposal. MR. AUTH was concerned about losing residential again, that the property along Northwood stay residential, and felt nothing should take effect until all the exchange takes place.

MARGARET AUTH expressed concerns of the community regarding traffic moving along Northwood Drive. She noted the Spenard Community Council is very concerned about this problem. She noted there are tractor trailers going through neighborhoods in front of homes where children are walking up and down the street. Additional concerns included access to and security at the school, parks and parking lots. She agrees an effective clause is needed to insure that nothing goes forward unless there is an agreement on everything. She would like to see some kind of landscaping between the soccer fields and the tractor trailers. MS. AUTH talked about the future of Tract 5.

Questions and discussion followed regarding the circulation needs of the neighborhood.

The hearing closed at 8:35 p.m.

Commissioner Phelps moved to approve in matter of Case 2009-103 recommending Anchorage Assembly approval of the request to rezone Crossroads Business Park, Tract 4 to I-1, Tract 5B-1 to PLI and I-1, and recommend approval for the land trade of a 2.09 acre portion of dedicated Municipal park land in exchange for the 2.73 acre portion of American Fast Freight land to be used as a park as indicated in the request, and as more specifically specified in Diagram 4 in the staff package to rezone as follows: the parcel identified as 118,801 square feet from R-4 SL to PLI-P; the parcel identified as 39,836 square feet from R-O SL to PLI-P; the parcel identified as 18,382 square feet from I-1 to PLI-P; and the parcel identified as 5,633 square feet from R-O SL to I-1; and the parcel identified as 100,838 square feet from R-4 SL to I-1; subject to a special limitation that this rezoning become effective at the time that a full exchange is entered into

between the parties involved which include the Municipality and other private entities.  
Commissioner Pease seconded.

MS. CHAMBERS in responding to COMMISSIONER YOSHIMURA's question regarding the requirements for dual access in subdivisions and the number of dwelling units explained that this is covered under AMC 21.90.003(f)(3)(b) residential developments of 30 or more dwelling units shall be provided with separate and approved access roads meeting the requirements adopted under AMC Title 23. She also noted the requirements are negotiable based on a number of conditions in the code.

COMMISSIONER PEASE proposed a special limitation that permits shall not be issued for those 2 of the VanBuren Street and 48th Avenue access improvements (including that parking lot) or for parking or park development on the Municipals parcels involved in this case until the completion of a plan for safe and efficient connectivity and shared use of parking to the maximum extent possible among the municipality's recreation and school facilities as well as possible use of existing parking on private lands. This plan for efficient parking and pedestrian connectivity shall be approved by the Planning Department, Traffic Department and Non-Motorized Trail Coordinator and subject to public review by the Community Council and Parks and Recreation Commission.

COMMISSIONER PHELPS questioned the feasibility noting it seemed like a comprehensive transportation study, and he was not sure if the Municipality was prepared to do this.

COMMISSIONER PEASE summarized her proposal stating that basically her proposal is that the Municipality not issue permits for Phase 2 Van Buren Street and 48th Avenue access improvements, including the parking lot, until there is a completed plan for safe and efficient pedestrian connectivity so that all the recreation uses have the maximum benefit of either that parking lot or the existing parking lot. she is concerned that if there is what looks like a concept approval and the transportation money comes through, that there will be a parking lot built before the rest of the trade can happen, and end up with a parking lot and a cul de sac that is an expense and a nuisance, not a benefit.

COMMISSIONER PHELPS would accept this as a friendly amendment based on the understanding that the entity developing the plan would be the Municipality of Anchorage.

MS. CHAMBERS explained that as worded this proposed amendment would be in the permit records and system, and they would have to go through those agencies to get that approval for that design even if there was something different proposed, and it can be caught that that way.

***COMMISSIONER PHELPS concurred, and COMMISSIONER PEASE'S proposal was accepted as a friendly amendment.***

COMMISSIONER PEASE proposed a special limitation require buffer landscaping on the rezoned I-1 parcel where it adjoins PLI land that is managed as park land. COMMISSIONER PEHLPS concurred. *This was accepted as a friendly amendment.*

COMMISSIONER YOSHIMURA proposed that the rezone be subject to resolving the matter of the secondary egress of the R-4 property with the Municipality and the Fire Department.  
***COMMISSIONERS PEASE AND PHELPS concurred. This was accepted as a friendly amendment.***

COMMISSIONER PHELPS in speaking to his motion noted that there are a number of reasons why he believes this rezone is in the overall interest of the public. One has to do with the land exchange between the Municipality and a private entity, the effect of which is to clarify the land ownership patterns in the area and to provide a more efficient location for a municipal park. Another reason for the rezone is to clarify the existing balance of land use that are not necessarily germane to the land exchange, but for reasons that have been excessive land use it makes sense to rezone those to a more compatible zoning designation. Perhaps most importantly, this represents an opportunity to resolve a number of issues that the community has dealt with in terms of traffic and specifically truck traffic in their community. Based on discussion and testimony, this is not considered to be a perfect resolution, but it is a problem that has been around for approximately 28 years, and this represents a tenable resolution. The parties have worked long and hard to achieve this resolution, and he believes it is appropriate for the Commission to accept that work and to support it. Finally, he noted the standards for rezoning have been met, and this request for rezoning is consistent with the Comprehensive Plan map. For those reasons, he will support the motion.

COMMISSIONER PEASE will be supporting this motion, and substantiated it with the following findings. The intent of the parking and connectivity study for recreational use is fourfold. One is to use existing parking to the greatest extent and avoid the expense and environmental impact of excess public parking. Two to gain maximum use of the recreation open space that is afforded by the public parking. Three, to insure public safety through design of parking so that it is not isolated from the public surveillance, and can be secured in the off hours in an efficient way. She suggested that the Platting Board and the Assembly should take careful note of a couple of issues discussed with relation to land use patterns and circulation. One being the potential for loss of residential units through the rezoning of R-4 to I-1, and expectation of whether the intended 225 units could still be achieved on the remaining R-4. Another point would be the potential need to obtain right of way along the Van Buren and Taft alignments to achieve circulation both for industrial uses rather than the cul de sac pattern that is shown now, and for potential residential circulation when the R-4 tract is developed. COMMISSIONER PEASE noted that may include reserving right of way along the north and northwest boundaries of the I-1 parcel so the traffic from the potential 225 units would not all go onto Northwood within a short stretch of that intersection at International. She felt it was important to note that action on the rezone, if approved, is not to be construed as approval of the parking or playfield layout, and the need and the location of the proposed parking lot in particular has not been substantiated. The Spenard Community Council in its resolution requested additional planning and review, and again that the Commission's action tonight is not thus to be construed as the site concept level design.

COMMISSION WEDDLETON noted his concern about the loss of residential land and hope that the 225 limit which was done to mitigate a loss somewhere else is not lost in the process of what is being doing here. He added for the findings that the Parks and Recreation Commission also offered support along with the Spenard Community Council.

COMMISSION FREDRICK, noting the coincidence of the first 2 cases tonight involving loss of residential land, reiterated his concern even more strongly. He stated that in the first case it was a few thousand square feet, and in this case it is, by his calculation, somewhere north of 225,000 square feet, or just over 6 acres of residential land, and whether it was zoned residential with careful thought or not, it is no longer going to be residential land. Even assuming the access issues on Northwood for the remaining R-4 land can be resolved, he suspects that the Commission has made it somewhat more difficult for someone to develop that in the future. He will be supporting the resolution because he thinks that with all its flaws it is solving a difficult problem for that neighborhood, the businesses, and the municipal agencies and parks involved in the mix. He thinks it is just a shame that it results in such a dramatic loss of residential land.

COMMISSIONER YOSHIMURA will be supporting the motion although she is concerned about the continued loss of residential property in the Municipality. She encouraged Municipal officials and others that are involved in these sorts of land trades to take into consideration the needs for affordable housing in this community which is primarily through R-2M, R-3 and R-4 zoning. She believes the issue of housing has been ignored in this rather complicated exchange, and would hope that city officials and planners in the future will take into consideration the need for housing in the community.

COMMISSIONER ISHAM will be supporting this motion. He appreciates the fact that a series of compromise were made long before it came to the Commission, and that all the sausage grinding was done pre-meeting. It makes it significantly easier for us as a Commission.

CHAIR JONES will be supporting this. She strongly supports the amendment that COMMISSIONER PEASE made that has to do with issues of public safety and circulation, and requiring the study that is going to deal with that, parking and connectivity. She is very familiar with the area and the traffic problem, and the mixing of traffic is beyond very dangerous. She thinks it is totally appropriate before we build any public facilities, particularly building roads or streets, that they cannot build these projects in a vacuum. We have to build them looking at the related facilities that might be needed in the community whether they are walkways or pathways, and in the instance here where they are mixing up and changing park lands, not only the parking facilities which were not addressed tonight at all. We specifically did not look at it, but where is the parking going to be, is it going to be some place safe, where it is well lit, and where eyes can be on it at all hours. Also, the community needs to be very engaged in the planning of this, so the first time you see it is not at a meeting like this where somebody says here it is, or here is your new road, but you are not going to see these other pieces until there is maybe money for it at some future time whenever that might be. You at least need to have a plan, and know what is coming down the road.

AYE: Phelps, Weddleton, Isham, Jones, Yoshimura, Fredrick, Pease

NAY: None

**PASSED**

The Commission took a brief recess, and the meeting reconvened at 9:06 p.m.

3. **CASE: 2009-101**  
**PETITIONER: Wal-Mart-Stores, Inc.**  
**REQUEST: Site plan review for a large retail/commercial establishment**

Mary Autor presented the staff report and recommendations on behalf of the Municipality. This is a public hearing site plan review for expansion of the mid-town Wal-Mart store located on Tract D-11C, Calais Subdivision, between Benson Boulevard and Calais Drive, east on A Street. Wal-Mart Stores propose to expand the existing 154,000 square foot store by adding approximately 38,436 square feet for a total of 192,047 square feet. The store will maintain the general merchandise and seasonal garden center, and add groceries and alcohol sales. MS. AUTOR explained that the purpose of this review under AMC 20.50.320 is to look at how the 10% of the amount of money for the addition is being allocated and spent, and whether it meets with the priorities of the public and the Comprehensive Plan. The 10% is being applied to the elimination of the driveway access to the main driveway, access from Calais and a new west and north pedestrian connection, additional parking lot landscaping and a small external community space. MS. AUTOR reviewed the site conditions, findings and staff recommendations noting agreement with the petitioner that traffic and pedestrian safety improvements and enhancing the landscape where possible are the most important aspects to application of the 10% money. Secondary focus, if any, would be on the exterior facade over and above what they are presently proposing.

Discussion followed on landscaping, appearance of the outside facade of the building, site drainage, snow removal, traffic patterns, why a TIA was not done for the site, and concern for pedestrian safety. The Commission discussed the differences between the proposed changes to the Mid-town Wal-Mart and the completed Wal-Mart sites in Eagle River and South Anchorage, and felt the Mid-town Wal-Mart was lacking in comparison. A lengthy dialogue was held regarding the 10% dollar amount to be applied to the site plan in accordance with the AMC 21.55.130, 21.35.020 and 21.50.320. The Commission asked for clarification on the interpretation of how the 10% dollar amount was determined for this and similar projects, and how that money can be applied.

CHAIR JONES opened the public hearing.

TOM ADAMS with Lounsbury & Associates represented the petitioner, Wal-Mart. He stated that Wal-Mart is always willing to participate with communities in the following of their codes; all we seek is a fair application of that code across all boards with respect to all retailers. He noted that the case has been properly presented and summarized, they have reviewed the