

RESOLUTION OPPOSING REZONING REQUEST BY WEIDNER ASSOCIATES

Re: Case No. 2015-007: Third Addition (Cleaver) Blk 310 Lots 1 thru 6 and S60' Lot 7; N 80' Lot 7; and Lots 8 & 9, Block 31-A Cleaver (Proposed Legal: City View Subdivision Lot 1, Block 31-A, A Resubdivision of S 60' Lot 7; N 80' Lot 7; and Lots 8 & 9, Block 31-A Cleaver Subdivision (Plat No C-70a) of the South half of Block 14 & all of Bl Ck 31 - 3rd Addition)

It is hereby resolved:

South Addition Community Council (SACC) strongly urges a "NO" vote on any rezoning request of the properties located at 230 W 14th Avenue and C Street ("City View" Apartments and vacant lot on NW corner across W 14th Avenue from City View Apartments) by Weidner Associates; because the property in question is an important transitional area adjacent to a two schools and residential zoning for primarily single family, duplex or fourplex housing and because the SACC members have further resolved that a Zoning Review and Traffic Study must be completed before any request for rezoning, conditional use or development is approved on Weidner Property located at the North and South corners of W 14th and C Street.

Resolution passed by SACC members at General Membership meeting February 18, 2015 - 20 members present: 15 in favor, 0 opposed, 1 abstentions.

The membership of SACC opposes the rezoning request of Weidner Properties and any affiliated company or entity for the following reasons:

1. Overview. Weidner Properties or one of its affiliated companies or entities (hereinafter "Weidner") owns neighboring properties under such names as VISTA GRANDE LLC and VISTA GRANDE II LLC and 13th & Cordova LLC. Weidner operates a three story apartment complex, with first story partly below ground level, at W 230 14th Avenue and C Street known as City View. Weidner is designing a new structure for the four small replatted vacant lots consisting of 21,000 sf (0.482 acres) to the North across W 14th Avenue from City View on the NW corner of 14th and C Street (hereinafter "Corner Property"). The Corner Property is currently zoned R-3, which would allow a maximum of 17 residential units to be built on the Corner Property; the surrounding zoning is R-3 and R-O. Weidner's petition misrepresents that neighboring properties are R-4. In September and December of 2014, Weidner representatives presented plans to seek new zoning of either R-4 (or R-4A, if applicable), which would allow high-rise structures. In December Weidner presented that it now seeks to avoid the limitations of R-4 by merging

and rezoning as RO-SL. Weidner hopes this will circumvent the legal restrictions of R-3, R-4 and RO (and possibly R-4A) and allow it to construct a 37 to 50 unit high-rise on the Corner Property that would otherwise not be legal. The structure could be as tall as 90 feet if they can combine enough properties. Where the R-3 maximum height is 35 feet, R-4 allows Unrestricted except by Airport Height Zone regulations (R-4A maximum height of 60 feet can be exceeded based upon ratios and special bonuses).

2. Rezone to RO-SL or R-4 or R-4A is not appropriate and it discriminatory because it favors this one developer over all other neighbors. Weidner already has its 171,000 sq. ft lot at the corner of 13th and Cordova rezoned as the only R-4 land in the area. Merging the properties for rezoning the Corner Property RO-SL, or rezoning to R-4 or in order to build an oversized development is not appropriate for this Corner Property; it should remain R-3. The adjoining neighborhoods consist mainly of single family homes, duplexes and four-plexes that are zoned R-2A or R-3 (except for City View Apartments and Weidner's 13th and Cordova property) under either the current zoning Anchorage map or the proposed new zoning map. The density of a 37-unit high-rise (much less a 50-unit) development is excessive for this parcel at this location and could not possibly provide safe road access or adequate parking.

3. Proposed rezoning untenable. The Corner Property is presently zoned R-3 to permits up to a 17-unit development, which is appropriate for the Corner Property size and location. However, in an attempt to defeat the reasonable R-3 and R-O (and even R-4) limitations and build a much larger development on this small parcel, Weidner has concocted a complicated and untenable rezoning plan that would merge the City View apartment property with the 4-lot Corner Property across W 14th Avenue, requiring vacation of the W 14th Avenue roadway or otherwise negatively impact its use.

4. Unacceptable spot zoning. Rezoning to RO-SL (or R-4) would be the worst kind of spot zoning. It is inconsistent with and damaging to the integrity of a viable neighborhood. The proposed new development would cause:

- * Unmanageable density in a small, congested area with dangerous traffic conditions and streets already congested with on-street parking (which is in large part the result of Weidner's City View Apartments having an inadequate number of on-site parking spots, and which despite numerous complaints and parking tickets Weidner has not seen its way to mitigate);

- * Increased demand on public services without necessary upgrades to road infrastructure or any proposed mitigation;

- * Obstruction of light and view to existing neighbor homes and apartments by towering over them, the structure would cast a shadow on the busy C Street slope causing ice slicks on the approach to the stop light at W 15th Avenue and C Street,;

* Devaluation of the neighborhood property values due to over-density and over-build, resulting in streets congested with parked cars and dangerous access with no traffic study or mitigation plan.

5. Increased traffic problems on C Street and W 15th Ave. The proposed rezone would increase dangerous traffic congestion due to increased access traffic from and to the Corner Property on and off C Street so near the busy W 15th Avenue and C Street intersection. The danger to pedestrians is compounded because this is the corner of Central Middle School and connects to the school sports and playground area that stretches along the west side of C Street and is used by the neighborhood.

6. Proposed rezone impacts W 14th street access. Contrary to what Weidner has represented to the Council, it appears that the requested rezoning would require a portion of W 14th Avenue to be vacated for the further benefit of Weidner but not the neighborhood, per the drawings presented by representatives of Dowl HKM, Weidner's engineering firm. This would further compromise access, compound traffic problems and increase on-street parking congestion, with no traffic study or proposed mitigation plan.

7. Traffic study necessary before any rezoning or development. SACC further resolves that a reliable Traffic Study must be completed before any request for rezoning, conditional use or development is approved or permitted on the Weidner Corner Property located at the corner of W 14th and C Street. The Traffic Study should include:

* Assessment of traffic increases that would result from 17-unit, 34-unit or greater number of units development at the Corner Property and the necessity of road and access upgrades;

* Study of the amount of traffic that can be safely tolerated on C Street approaching W 15th Avenue, how the C Street traffic flow would be impacted by the number of units proposed on the Corner Property, and the effect of increased unit density on traffic at W 15th Ave. and C Street intersection, particularly at rush hour;

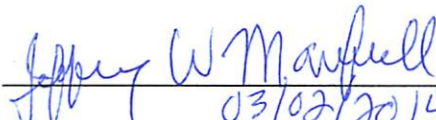
* Determine appropriate number of on-site parking spots that should be required per unit for any size development on the Corner Property, when one space per unit is not enough and on-street parking is already a problem due in large part to insufficient on-site parking at Weidner's City View property;

* Whether Weidner's rezoning request would require vacation or further restriction of traffic and access on W 14th Avenue at C Street and, if so, how will the effect on access, traffic and parking be mitigated;

* A required mitigation plan for on-street parking overflow in this

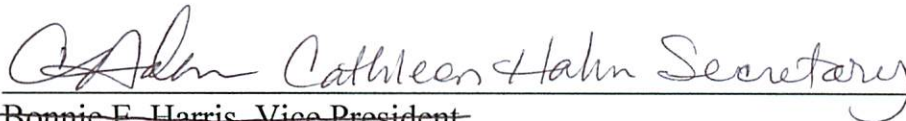
parking-stressed area (and should not include the unlikely use of the contaminated site at the corner of W 15th Avenue and C Street).

8. No assurance of not increasing density. The SACC members place no confidence that Weidner's 35% drawings of a proposed 37-unit development provides any guarantee that if rezoned the proposed development would not be change to increase the number of units without traffic study, adequate parking or addressing neighborhood concerns. Mr. W. Dean Weidner purchased 171,000 square feet of land at 13th and Cordova in 1990. That parcel has already been spot zoned R-4 and is the only lot zoned R-4 in that area. That parcel is held in the name of 13th & Cordova LLC. Weidner has already used that lot as an illegal quarry operation when Weidner needed fill for its project at the corners of 16th and A Streets. The Muni had to stop the quarry work but not before a deep excavation pit was in place. Since then the excavation pits have remained unfilled with unsightly and broken down chain link fencing around the pit. Given Weidner's lack of interest in the look of the neighborhood at 13th and Cordova, and the R-4 spot zoning Weidner has already been granted for Lot1A Block 30 Plat 85-41, there is no community support for the Muni granting special status to this project by Weidner and his subsidiaries.


03/02/2015

Jeffrey W. Manfull, President
South Addition Community Council

Date

 Cathleen Hahn Secretary 3/2/15

~~Bonnie E. Harris, Vice President~~
South Addition Community Council