

MUNICIPALITY OF ANCHORAGE PLATTING BOARD

FINDINGS OF FACT AND DECISION

S12388 LEWIS AND CLARK SUBDIVISION, LOT 1 - 16 AND TRACT A

WHEREAS, Big Country Enterprises, LLC (owner) sought approval of a conservation subdivision (AMC 21.08.070B.) of one tract into 16 lots and one tract with a 60-month phasing plan and with variances from AMC 21.07.060D.3.b.ii., *Internal Street Connectivity*, and AMC 21.08.030F.6.a., *Cul-de-Sacs*, generally located east of Messinia Street, south of Upper DeArmoun Road, and west of Canyon Road, in Anchorage, and

WHEREAS, the Platting Board held a public hearing on January 3, 2018, considered the information and testimony presented both written and oral, closed the public hearing, and approved the preliminary plat of a conservation subdivision, the phasing plan, and the variances, and

WHEREAS, the Platting Board is required to ensure that the subdivision application meets the requirements of AMC 21.03.200, *Subdivisions*, and AMC 21.03.240, *Variances*, and

NOW, THEREFORE, BE IT RESOLVED that the Platting Board adopts the following findings and conclusions.

FINDINGS:

1. The application for a variance from AMC 21.08.030F.6.a., *Cul-de-Sacs*, met the approval criteria of AMC 21.03.240, *Variances*, to allow Lewis and Clark Circle to exceed the maximum length for a cul-de-sac street by 86 feet. Requiring a 900 foot cul-de-sac would cause unreasonable financial difficulties and is opposed by public safety agencies. Fire, police, and ambulance access to individual properties is the biggest consideration for the length of cul-de-sac streets and no negative input was received from public safety agencies about access.
2. The request for a variance from AMC 21.07.060D.3.b.ii., *Internal Street Connectivity*, met the approval criteria of AMC 21.03.240, *Variances*, to allow no pedestrian connection from Brownson Circle to Upper DeArmoun Road. Testimony and the Planning Department recommendation both stated how the approval criteria is met. The requirement for a 10-foot wide trail easement is unreasonable. There is no need for a trail because the distance by road is approximately the same. The trail is an unnecessary redundancy.
3. The application for a variance from AMC 21.07.060D.3.b.ii., *Internal Street Connectivity*, met the approval criteria of AMC 21.03.240, *Variances*, to allow no pedestrian connection from Lewis and Clark Circle to Canyon Road. Planning staff said that the approval criteria for this

variance was not met and supported the dedication of a trail. There was a lot of public testimony asking for a trail as well, but creating a trail causes public safety concerns. The petitioner said that the trail could create a vehicle-pedestrian conflict because trail users will not be easily seen by motorists on Canyon Road, particularly during reconstruction of Canyon Road. The steepness of Canyon Road contributes to the trail being a safety issue. There is an alternative means that will achieve the same result as a trail. The pedestrian route by road is only 200 feet longer, and it would achieve the same objective as a trail. The road is a reasonable alternative to building a trail. Also, the wetlands tract is a potential pedestrian access to Canyon Drive.

4. In regards to the conservation subdivision and the 60-month phasing plan:
 - a. The Board took into consideration public testimony and studied the case packet, particularly public safety; land use and how it affects the livability of the neighborhood; and off-site impacts from drainage, private well, on-site septic systems.
 - b. The Board heard concerns from the public, but the Board relied on reports from engineers and experts that countered those concerns. Over 50 percolation tests were conducted by Garness Engineering and NorthRim Engineering to show that on-site septic systems will function adequately on the land.
 - c. The Board understood the concerns expressed by the public over the sizes of lots; however, all of the applicable regulations for conservation subdivisions in Title 21 (New Code) are met.
 - d. The conditions of approval will require the subdivider to prove to the MOA On-Site Water and Wastewater Services Division that AMC Title 15 regulations are met for each lot. The required information includes soils testing, percolation testing, and groundwater monitoring. There are approximately eight different items that the subdivider must resolve. Furthermore, there are three pages of conditions of approval, so the subdivider has a lot of work to do before recording a final plat. The Board found that, considering all of the facts, this is a reasonable subdivision.
 - e. This was not the first conservation subdivision to be approved by the Board. The previous conservation subdivision also had smaller lots throughout the subdivision. The *Hillside District Plan* provides an example of a conservation subdivision which shows smaller lot sizes with a larger open space tract. The Board heard testimony from a neighbor, who proposed a methodology for size

reductions that amounted to lots of about 2.6 acre in sizes, which is essentially what is shown in this subdivision.

CONCLUSIONS:

The Platting Board took into consideration the written analyses of staff, testimony of the petitioner, and public comment, both written and oral that was presented at the January 3, 2018 public hearing. The Platting Board reviewed the conservation subdivision, the phasing plan, and the variances in conformance with Title 21 and the goals and objectives of the applicable elements of the *Hillside District Plan*.

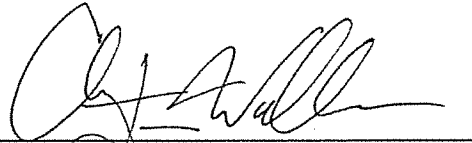
Based on the foregoing Findings and Conclusions, be it resolved by the Anchorage Municipal Platting Authority that the conservation subdivision, the phasing plan, and the variances are found to comply with the approval criteria contained in AMC 21.03.200 and AMC 21.03.240 and are approved pursuant to the Anchorage Municipal Code.

NOW, THEREFORE, be it resolved by the Platting Authority that the Platting Board adopts the above stated Findings and Conclusions.

ADOPTED by the Platting Board this 7th day of February 2018.



David R. Whitfield
for Secretary



Clayton Walker, Jr.
Chair