

Submitted by: Chair Croft at the  
Request of the Mayor  
Prepared by: Planning Department  
For reading: January 29, 2019

**ANCHORAGE, ALASKA  
AO No. 2019-20**

**AN ORDINANCE AMENDING THE ZONING MAP AND APPROVING THE REZONING OF APPROXIMATELY 77 ACRES FROM R-8 (LOW DENSITY RESIDENTIAL 4 ACRE DISTRICT) TO R-10 SL (LOW DENSITY RESIDENTIAL, ALPINE/SLOPE DISTRICT) WITH SPECIAL LIMITATIONS FOR N½ OF THE SE¼ OF SECTION 25, T12N, R3W, S.M., ALASKA EXCEPTING THE NW¼ OF THE NW¼ OF THE SE¼ OF SECTION 25, T12N, R3W, S.M., ALASKA, AND LOTS 1 AND 2 OF VERGASON-JONES SUBDIVISION PER PLAT 98-178; GENERALLY LOCATED SOUTH OF UPPER DEARMOUN ROAD, WEST OF CANYON ROAD, AND WEST OF MESSINIA STREET, IN ANCHORAGE.**

(Hillside Community Council) (Planning and Zoning Commission Case 2018-0052)

**THE ANCHORAGE ASSEMBLY ORDAINS:**

**Section 1.** The zoning map shall be amended by designating the N½ of the SE¼ of Section 25, T12N, R3W, S.M., Alaska excepting the NW¼ of the NW¼ of the SE¼ of Section 25, T12N, R3W, S.M., Alaska, and Lots 1 and 2 of Vergason-Jones Subdivision per Plat 98-178, as R-10 SL, low density residential, alpine/slope district, with special limitations.

The property described above is shown on Exhibit "A," attached.

**Section 2.** This zoning map amendment is subject to the following special limitation: "The district is limited to 23 lots."

**Section 3.** This ordinance shall become effective 10 days after the Director of the Planning Department has received the written consent of at least 51 percent of the owners of the property within the area described in Section 1 above to any special limitations contained herein. The rezone approval contained herein shall automatically expire, and be null and void, if the written consent is not received within 120 days after the date on which this ordinance is passed and approved. In the event no special limitations are contained herein, this ordinance is effective 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 \_\_\_\_\_ day of \_\_\_\_\_ 2019.

ATTEST:

Chair

Municipal Clerk

(Case 2018-0052)

# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 57-2019

Meeting Date: January 29, 2019

**FROM: MAYOR**

**SUBJECT: AN ORDINANCE AMENDING THE ZONING MAP AND APPROVING THE REZONING OF APPROXIMATELY 77 ACRES FROM R-8 (LOW DENSITY RESIDENTIAL, 4 ACRE DISTRICT) TO R-10 SL (LOW DENSITY RESIDENTIAL, ALPINE/SLOPE DISTRICT) WITH SPECIAL LIMITATIONS FOR N½ OF THE SE¼ OF SECTION 25, T12N, R3W, S.M., ALASKA EXCEPTING THE NW¼ OF THE NW¼ OF THE SE¼ OF SECTION 25, T12N, R3W, S.M., ALASKA, AND LOTS 1 AND 2 OF VERGASON-JONES SUBDIVISION PER PLAT 98-178; GENERALLY LOCATED SOUTH OF UPPER DEARMOUN ROAD, WEST OF CANYON ROAD, AND WEST OF MESSINIA STREET, IN ANCHORAGE.**

On June 12, 2017, the Planning and Zoning Commission unanimously recommended approval of the application to rezone approximately 77 acres from R-8 (low density, 4 acre district) to R-10 SL (low density residential, alpine slope district). The special limitation restricts the district to a maximum of 23 lots.

The R-10 district is compatible with surrounding development and zoning. The R-10 district is intended for areas where natural physical features and environmental factors such as slope, alpine and forest vegetation, soils, slope stability, and geologic hazards require unique and creative design for development. The R-10 district establishes the minimum lot size based on the average slope of the lot and no lots may be less than 1.25 acres, which is less than one dwelling unit per acre.

The application fully meets the approval criteria for rezoning, AMC 21.03.160E., *Approval Criteria*. This rezone complies with the *Comprehensive Plan* and the *District Plan*. *Anchorage 2040* identifies the site as "large lot residential" and the *Hillside District Plan* shows the site as "limited intensity, 0 – 1 dwelling unit per acre." Both of these land use designations are implemented by the R-10 district.

### **THE ADMINISTRATION RECOMMENDS APPROVAL.**

Prepared by:	Francis McLaughlin, Senior Planner
Approved by:	Michelle J. McNulty, Director, Planning Department
Concur:	Christopher M. Schutte, Director
	Office of Economic and Community Development
Concur:	Lance Wilber, OMB Director
Concur:	Rebecca A. Windt Pearson, Municipal Attorney
Concur:	William D. Falsey, Municipal Manager
Respectfully submitted:	Ethan A. Berkowitz, Mayor

(Case 2018-0052)

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

AO Number: 2019-20      Title: AN ORDINANCE AMENDING THE ZONING MAP AND APPROVING THE REZONING OF APPROXIMATELY 77 ACRES FROM R-8 (LOW DENSITY RESIDENTIAL 4 ACRE DISTRICT) TO R-10 SL (LOW DENSITY RESIDENTIAL, ALPINE/SLOPE DISTRICT) WITH SPECIAL LIMITATIONS FOR N½ OF THE SE¼ OF SECTION 25, T12N, R3W, S.M., ALASKA EXCEPTING THE NW¼ OF THE NW¼ OF THE SE¼ OF SECTION 25, T12N, R3W, S.M., ALASKA, AND LOTS 1 AND 2 OF VERGASON-JONES SUBDIVISION PER PLAT 98-178; GENERALLY LOCATED SOUTH OF UPPER DEARMOUN ROAD, WEST OF CANYON ROAD, AND WEST

Sponsor: MAYOR  
Preparing Agency: Planning Department  
Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)			
	FY19	FY20	FY21	FY22	FY23
Operating Expenditures					
1000 Personal Services					
2000 Non-Labor					
3900 Contributions					
4000 Debt Service					
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -
REVENUES:					
CAPITAL:					
POSITIONS: FT/PT and Temp					

**PUBLIC SECTOR ECONOMIC EFFECTS:**

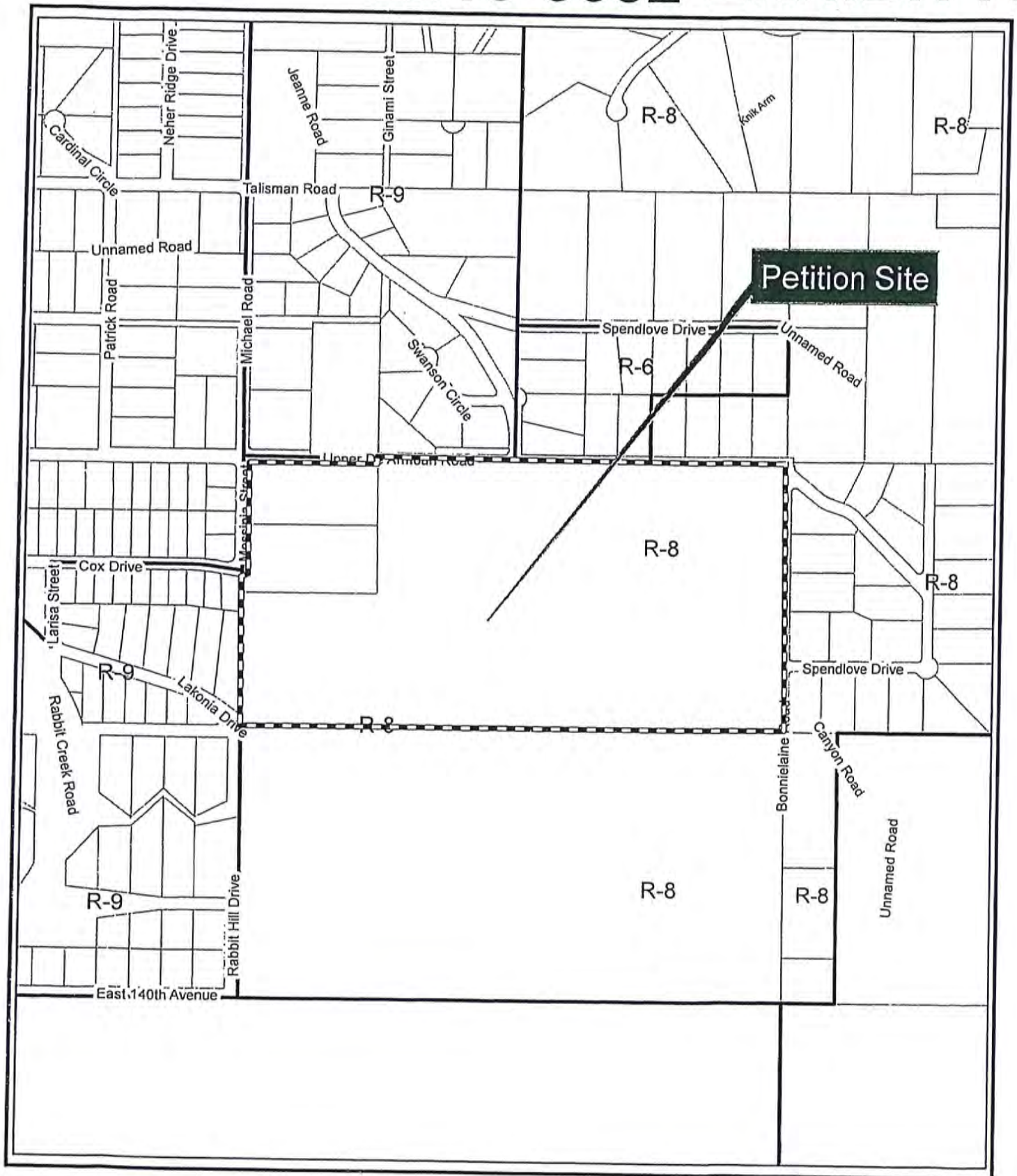
Approval of this ordinance should have no significant impact on the public sector. No additional public improvements are required.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

Approval of this ordinance should have no significant impacts on the private sector.

Prepared by: Francis McLaughlin      Telephone: 343-8003

# 2018-0052 EXHIBIT A



Municipality of Anchorage  
Planning Department

Date: April 19, 2018





**MUNICIPALITY OF ANCHORAGE  
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2018-014**

A RESOLUTION RECOMMENDING APPROVAL OF THE REZONING OF APPROXIMATELY 77 ACRES FROM R-8 (LOW DENSITY RESIDENTIAL, 4 ACRES) TO R-10 SL (LOW DENSITY RESIDENTIAL, ALPINE/SLOPE) WITH SPECIAL LIMITATIONS FOR THE N ½ OF THE SE ¼ OF SECTION 25, T12N, R3W, S.M. ALASKA EXCEPTING THE NW ¼ OF THE NW ¼ OF THE SE ¼ OF SECTION 25, T12N, R3W, S.M. ALASKA, AND LOTS 1 AND 2 OF VERAGASON-JONES SUBDIVISION (PLAT 98-178).

(Case: 2018-0052; Tax ID No. 017-073-06, 017-074-05, and -06)

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WHEREAS, a petition has been received from the Big Country Enterprises, Inc. to rezone approximately 77 acres from R-8 (low density residential, 4 acres) to R-10 (low density residential, alpine/slope) with special limitations for the N ½ of the SE ¼ of Section 25, T12N, R3W, S.M. Alaska excepting the NW ¼ of the NW ¼ of the SE ¼ of Section 25, T12N, R3W, S.M. Alaska, and Lots 1 and 2 of Veragason-Jones Subdivision (Plat 98-178); and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on June 4, 2018; and

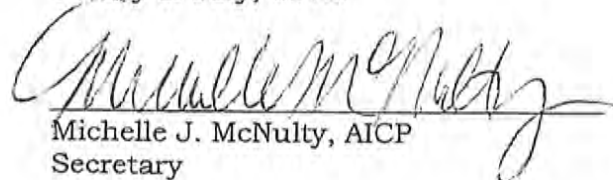
NOW, THEREFORE, BE IT RESOLVED, by the Municipal Planning and Zoning Commission that:

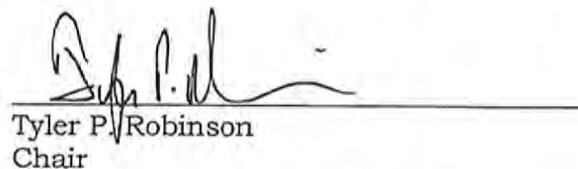
- A. The Commission makes the following findings of fact:
1. The application meets the approval criteria of rezonings, AMC 21.03.160E., and is consistent with *Anchorage 2020*, the *Anchorage 2040 Land Use Plan Map*, and the *Hillside District Plan*, especially in terms of residential density.
  2. The special limitation restricts the site to a total of 23 lots, which is a compromise. West of the site is zoned R-9 and requires two-acre minimum lots. South of the site is zoned R-8 and requires four-acre minimum lots. The special limitation restricts the density to a number between the R-9 and the R-8 to make it more compatible. The R-10 district with this special limitation promotes the best use of the property and appropriately takes into account the natural environmental features in the area.
  3. Dissenting members of the Commission felt that the special limitation was too restrictive and is not what is needed at this site. The platting process will determine the number of lots that is feasible and the Commission should not create a unique zoning district for this site.

4. This is the third public hearing that has come before the Commission. The issues are well known and the neighbors' concerns regarding drainage, traffic, and topography are understood. These issues can be overcome by good development that includes new advances in septic systems, and this will be assured through the municipal building permit review process. There will not be the impact that neighbors had expressed over the number of homes allowed. The issue of the road not being sufficient or adequate for the new development is not a concern. The number of new vehicle trips per day on this road is not going to be significant. The density the Commission is recommending is a good compromise and this area is surrounded by developments that are not much different from what is being proposed. The neighborhood will not notice an increased density as a result of this development and the character of the community is not going to be changed.
  5. A lot of the commentary voiced by neighbors was about wells and water in the area. This issue will be adjudicated later during the building permit review. The R-10 district specifically calls out this issue and that is another reason why it is the right district for this location.
  6. A rezone needs to be compatible in scale with the adjacent properties. The special limitation helps with compatibility. The Hillside was zoned with more residential density further down the hill and less density at higher elevations. This encourages a greater proportion of future growth to occur in the lower Hillside. The R-10 district is appropriate because of the geographical features affecting the site. The R-10 district determines minimum lot sizes by the average slope of each lot, which helps protect sensitive environmental features and reduces the likelihood water run-off issues.
- B. The Commission recommends approval of the rezone, subject to a special limitation to restrict the district's total number of lots to 23.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 11<sup>th</sup> day of June 2018.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 9<sup>th</sup> day of July, 2018.

  
Michelle J. McNulty, AICP  
Secretary

  
Tyler P. Robinson  
Chair

(Case 2018-0052; Tax ID No. 017-073-06, 017-073-05, and -06)



**MUNICIPALITY OF ANCHORAGE  
ZONING BOARD OF EXAMINERS AND APPEALS  
RESOLUTION NO. 2018-007**

A RESOLUTION DENYING AN APPEAL OF A DIRECTOR'S DETERMINATION DATED JULY 23, 2018 REGARDING A COMPARISON OF PLANNING CASES 2017-0072 AND 2018-0052 DETERMINING THAT THEY ARE NOT "SUBSTANTIALLY THE SAME" REZONE.

(Case 2018-0099)

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WHEREAS, a request was received from Marc June, Patrick Dougherty, Robert Brown, Gail Morrison, Mark Morrison, Bern Davis, and Ralph Warren, Appellant(s), for an appeal of a director's determination dated July 23rd, 2018 regarding a comparison of planning cases 2017-0072 and 2018-0052 determining that they are not "substantially the same" rezone; and

WHEREAS, public hearing notices were published, posted, and mailed, and a public hearing was held on December 13, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Examiners and Appeals that:

- A. The Board makes the following findings of fact in response to the "statements of error" alleged by the appellant:
1. Anchorage municipal code does not require the Planning Director to request comments, or provide notice to the public or interested parties regarding directors' determinations.
  2. This statement of error is not pertinent to the appeal. The Planning Director was not required to request a rehearing.
  3. The cases cited by the appellant are not applicable, and thus, do not require a comparison of "scope, general purpose, and means."
  4. Zoning districts are different based upon the virtue of their existence. Each one has their own purpose, intent, and rules. The rezoning sought in case 2018-0052 was not "substantially the same" as the rezoning sought in case 2017-0072.
  5. This statement of error is outside the scope of the appeal. The only cases the board must consider are 2017-0072 and 2018-0052.
  6. This statement of error is outside the scope of the appeal.

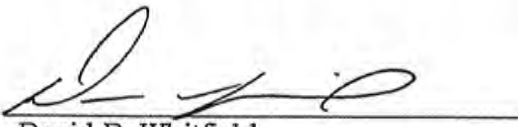
8. This statement of error is redundant to previous arguments. The rezoning sought in case 2018-0052 was not “substantially the same” as the rezoning sought in case 2017-0072.

The Board makes the following findings of fact in response to the “statements of error” alleged by the appellant in their October 25, 2018 submittal:

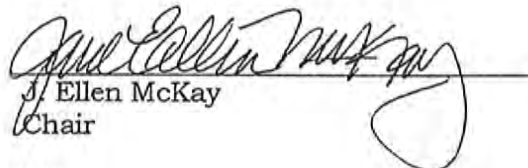
1. The Planning Director has the authority to make interpretations of code and is not required to publish or notice those interpretations.
  2. This statement of error is outside the scope of the appeal.
- B. The Board denies the appeal of a director’s determination dated July 23, 2018 regarding a comparison of planning cases 2017-0072 and 2018-0052 determining that they are not “substantially the same” rezone.

DENIED by the Zoning Board of Examiners and Appeals on the 13<sup>th</sup> day of December, 2018.

ADOPTED by the Zoning Board of Examiners and Appeals on the 10<sup>th</sup> day of January, 2019. This is the final decision of the Board. Any party aggrieved by this decision may file an appeal pursuant to Anchorage Municipal Code 21.03.050D.



David R. Whitfield  
for Secretary



J. Ellen McKay  
Chair

(Case No. 2018-0099)

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**PLANNING DEPARTMENT  
STAFF ANALYSIS  
REZONING**

**DATE:** June 11, 2018

**CASE NO.:** 2018-0052

**APPLICANT:** Todd Brownson, Big Country Enterprises, LLC

**REQUEST:** A request to rezone from R-8 (low density residential, 4 acres) to R-10 (low density residential, alpine/slope)

**LOCATION:** N ½ of the SE ¼ of Section 25, T12N, R3W, S.M., Alaska excepting the NW ¼ of the NW ¼ of the SE ¼ of Section 25, T12N, R3W, S.M., Alaska, and Lots 1 and 2 of Vergason-Jones Subdivision per Plat 98-178

**COMMUNITY COUNCIL:** Hillside

**ATTACHMENTS:**

1. Departmental and Public Comments
2. Affidavit of Posting and Historical Information
3. Application

**RECOMMENDATION SUMMARY:** Approval

**SITE**

Acres: ±77 acres  
Vegetation: Birch, spruce, and undergrowth  
Current Zoning: R-8, low-density residential (4 acres) district  
Topography: Approximate average slope of 12% from NE to SW  
Utilities: Private well and on-site septic system

**COMPREHENSIVE PLAN**

Classification:

- “Limited Intensity, 0 – 1 dua” in the *Hillside District Plan*
- “Large Lot Residential” in the *Anchorage 2040 Land Use Plan*

**SURROUNDING AREA**

	NORTH	EAST	SOUTH	WEST
Zoning:	R-6, R-8, R-9	R-8 and R-10	R-8	R-6, R-9
Land Use:	Single-family residential	Single-family residential	Undeveloped	Single-family residential



## **REQUEST**

Big Country Enterprises, LLC is requesting to rezone three parcels of land totaling 77 acres from R-8 (low-density residential, 4 acre district) to R-10 (low-density, Alpine/Slope district).

## **PROPERTY HISTORY**

On June 1, 2015, the Commission recommended denial of Case 2014-0219, which was a request to rezone to the R-6 district. The case was processed under the Old Code (Title 21) and did not include Lot 1, Vergason-Jones Subdivision, nor did the original application include any proposed special limitations. Subsequent to the Commission's recommendation of denial, the Assembly indefinitely postponed the case with AO 2016-28.

On June 12, 2017, the Commission recommended denial of Case 2017-0072, which was a request to rezone to the R-6 district with special limitations. The Commission also denied the petitioner's request to rehear the case based on new evidence and changed circumstances.

On January 3, 2018, the Platting Board approved a Case S12388, which was a conservation subdivision of 16 lots and one greenbelt tract. The case was appealed by a group of neighbors and the Board of Adjustment has not set a date to hear the appeal.

## **DEPARTMENTAL COMMENTS**

The comments from State and Municipal reviewing agencies are attached. None of the reviewing agencies object to the rezone.

## **COMMUNITY COMMENTS**

One-hundred and forty-four public hearing notices were mailed on May 8, 2018. As of this writing, two public comments were received, of which both opposed the rezone. The Hillside Community Council did not comment.

## **FINDINGS**

### **21.03.160 Rezoning (Zoning Map Amendments)**

#### **Pre-Application Conference**

A pre-application conference was held on February 12, 2018, in accordance with 21.03.020B.

#### **Community Meeting**

A community meeting was held with the Hillside East Community Council on February 28, 2018, in accordance with 21.03.020C. A summary of the meeting is included.

### **21.03.160E. Approval Criteria**

**The planning and zoning commission may recommend approval, and the assembly may approve a rezoning, if the rezoning meets all of the following criteria:**

- 1. The rezoning shall be in the best interest of the citizens of Anchorage and shall promote the public health, safety, and general welfare.**

The standard is met.

This rezone to R-10 district promotes the health, safety, and general welfare and benefits the community as a whole. The R-10 district is intended for lands affected by topography and sensitive environmental features. The R-10 district's allowed density is less than one dwelling unit per acre. This zoning district is specifically intended for large hillside parcels with streams, drainageways, and wetlands like this one. A subdivision review by the Platting Board and compliance with regulations for subdivisions, roads, drainage, and well and septic systems will determine the number of lots.

**2. The rezoning complies with and conforms to the comprehensive plan, including the comprehensive plan map(s).**

The standard is met.

This rezone request to the R-10 district complies the *Hillside District Plan*, the *Anchorage 2040 Land Use Plan*, and *Anchorage 2020*. The R-10 district is an implementing district for both of these *Plans*. The *Hillside District Plan Land Use Plan Map* identifies the petition site as "limited density, 0 – 1 dwelling unit per acre." The *Anchorage 2040 Land Use Plan* shows the site as "Large Lot Residential."

There are several policies in *Anchorage 2020* that are relevant to this rezoning:

- *General Land Use Policy 5: Rezones and variances shall be compatible in scale with adjacent uses and consistent with the goals and policies of Anchorage 2020.*

The R-10 zone is compatible with the adjoining lots on all sides. The minimum lot size allowed in the R-10 district is based on the average slope of each lot, and the smallest permitted lot area is 1.25 acres, which is similar in size to the residential lots to the east. The lots to the north and west are smaller with about one acre and 0.38 acres respectively. The tract to the south is unsubdivided.

- *General Land Use Policy 7: Avoid incompatible uses adjoining one another.*

The R-10 district is compatible with adjoining zoning districts and uses. The districts surrounding the petition site are large lot zoning districts and the neighboring subdivisions are developed with single-family detached homes. Unlike the R-8 district, the R-10 district does not allow duplexes. The R-10 district does not allow any lots to be smaller than 1.25 acres, which is more than three times larger than the subdivision to the west. Depending on topography the lots at the petition site will be similar in size to the subdivisions to the north and east, if not larger. Note that all of the subdivisions in this area are separated from the petition site by roads,



except for two lots on the east side. Therefore, incompatibility is not an issue.

The following is a list of applicable policies in the *Hillside District Plan*:

- *Hillside as a Whole Policy 1-A: Encourage a greater proportion of future Hillside growth to occur in the lower Hillside, in areas located closer to existing services and infrastructure; to a limited degree reduce the amount of future development in the southeast Hillside.*

The R-10 district is a suburban or rural zoning district that maintains the *Hillside District Plan*'s residential density of less than one dwelling unit per acre. The R-10 is a low-density large lot zoning district, like the R-8 district. The differences between the R-8 district and the R-10 district are that the R-10 does not allow duplexes and the required minimum lot size is determined by the average slope of each lot.

- *Southeast Hillside Residential Policy 1-B: Maintain policies for the amount of development as adopted under current land use designations. Shift the current boundary of the Maximum Perimeter of Public Sewerage in the Upper Potter Valley area west of Greece Drive, south of England Avenue.*

This rezone to R-10 complies with the *Hillside District Plan*'s land use designation. The *Hillside District Plan*'s identifies this site as "Limited Intensity Residential, 0 – 1 dwelling unit per acre." The *Plan* identifies the R-6, R-8, R-9, and R-10 to implement this land use designation on page 2-17. The petition site is not served by public water and sewer and rezoning to R-10 will not change that.

**3. The rezoning is generally consistent with the zoning district purpose in the requested zone, and the purpose of this title.**

The standard is met.

This rezone is consistent with the purpose of the R-10 zoning district. These parcels are affected by slopes of up to 30 percent, a stream, drainageways, Class C wetlands, and no access to public water and sewer. AMC 21.04.020 states:

The R-10 district is intended for use in those areas where natural physical features and environmental factors such as slopes, alpine and forest vegetation, soils, slope stability, and geologic hazards require unique and creative design for development. Creative site design and site engineering are essential to ensure that the development of these lands will:

- a. Protect natural features such as ponds, streams, wetlands, and springs, and incorporate such features into the development of the site design;

- b. Ensure the use of site design techniques that take into consideration topographic constraints and other physical features;
- c. Avoid natural hazards including snow avalanche and mass wasting areas;
- d. Retain the natural flow and storage capacity of any watercourse and wetland, to minimize the possibility of flooding or alteration of water boundaries;
- e. Assure that soil and subsoil conditions are suitable for excavations, site preparation, and on-site waste water disposal;
- f. Provide adequate site drainage to avoid erosion and to control the surface runoff in compliance with the federal clean water act;
- g. Assure an adequate supply of potable water for the site development; and h. Minimize the grading operations, including cut and fill, consistent with the retention of the natural character of the site.

TABLE 21.04-2: LOT AND SITE REQUIREMENTS FOR R-10 DISTRICT				
Average Slope of Lot (percent)	Minimum Lot Area (acres)	Minimum Lot Width (feet)	Maximum Lot Coverage of All Buildings (percent)	Coverage Impervious Surfaces (percent)
More than 30.00	7.50	300	3	8
25.01—30.00	5.00	300	5	10
20.01—25.00	2.50	180	8	14
20.00 or less	1.25	100	10	20
<p>Average slope is calculated by the following formula:  <math>S = I * L/A * 0.0023</math>  Where:  S = Average slope of lot or tract in percent  I = Contour interval (20 feet or less)  L = Sum of length of all contours on lot or tract in feet  A = Area of the lot or tract in acres</p>				

- 4. The rezoning is compatible with surrounding zoning and development, and protects areas designated for specific uses on the zoning map from incompatible land uses or development intensities.**

The standard is met.

The R-10 district is compatible with surrounding zoning and development intensities. The subject property is surrounded by R-6, R-8, R-9, and R-10 districts, which are suburban or rural residential districts that require at least an acre in size. The smallest lot size allowed in the R-10 district is greater than



an acre and minimum lot sizes are determined by the average slope of each lot. The neighboring properties are developed with single-family detached homes with lot sizes ranging from 0.38 acres to 2 acres. There is one 5 acre tract, near the subject property, which can be further subdivided.

The R-10 district is very restrictive in terms of what uses allowed are allowed. The only household living use type permitted in the district is a single-family detached home, whereas the R-8 district allows duplexes.

5. **Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) are capable of supporting the uses allowed by the zone or will be capable by the time development is complete, while maintaining adequate levels of service to existing development.**

The standard is met.

Both the Private Development Division and the Traffic Department have no objection to rezoning to the R-10 district. Both of these Municipal agencies will review the future subdivision and the Traffic Engineer can require a traffic impact analysis, in accordance with AMC 21.07.060C.1., *Traffic Impact Analysis Required*.

The site is bounded by Upper DeArmoun Road, Canyon Road, and Messinia Street on three sides and an undeveloped tract to the south. Upper DeArmoun Road and Canyon Road are both Neighborhood Collectors. Messinia Street is a Local Road. Upper DeArmoun Road is a paved street and Canyon Road is in the process of being paved. Messinia Street is a gravel road.

Natural gas and electricity are available to this property. Properties in this area use on-site septic systems and private wells.

The site is located within the Building Safety, Police, and Parks and Recreation Service Areas. The property is within the Fire and EMS Service Areas and is served by Fire Stations 8 and 10.

6. **The rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts shall be substantially mitigated.**

The standard is met.

The R-10 district will not result in adverse impacts on the natural environment. This district is intended for suburban and rural areas on the Hillside. Any future subdivision of the property will require approval from the Platting Board and meet the design standards in AMC 21.08, *Subdivision*.

7. **The proposed rezoning is not likely to result in significant adverse impacts upon adjacent land uses, or such impacts shall be mitigated through stipulations.**

The standard is met.

The R-10 district will not result in adverse impacts on neighboring properties, including residential subdivisions and Rabbit Creek. Development of the property requires building permit approval of plans for drainage, roads, and on-site well and septic systems. The size of each lot in the R-10 district is determined by the average slope and the smallest lot permitted in the district is greater than one acre.

8. **The rezone does not extend or exacerbate a land use pattern that is inconsistent with the comprehensive plan.**

The standard is met.

Consistent with the *Hillside District Plan* and the *Anchorage 2040 Land Use Plan*, the R-10 district requires less than one dwelling unit per acre. The *Hillside District Plan* Land Use Plan Map identifies this site as "Limited intensity, 0 – 1 du/a." The *Anchorage 2040 Land Use Plan* shows the site as "Large Lot Residential."

9. **The rezoning shall not result in a split-zoned lot.**

The standard is met.

The rezoning will not create a split-zoned lot.

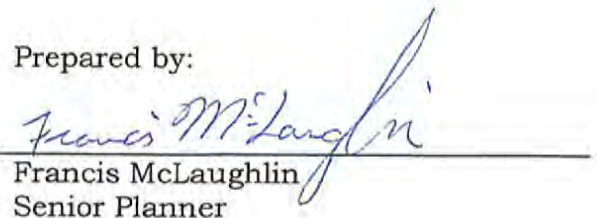
#### **DEPARTMENT RECOMMENDATION**

The Department finds that all nine approval criteria for a rezone are met. The Department recommends APPROVAL of the rezoning from R-8 to R-10. Attached is a draft Assembly Ordinance.

Reviewed by:

  
Michelle McNulty, AICP  
Director

Prepared by:

  
Francis McLaughlin  
Senior Planner



Submitted by: Chair Dunbar at the Request  
of the Mayor  
Prepared by: Planning Department  
For Reading:

**ANCHORAGE, ALASKA**

**AO No. 2018-\_\_**

1 AN ORDINANCE AMENDING THE ZONING MAP AND APPROVING THE  
2 REZONING OF APPROXIMATELY 77 ACRES FROM R-8 (LOW DENSITY  
3 RESIDENTIAL 4 ACRE DISTRICT) TO R-10 (LOW DENSITY RESIDENTIAL,  
4 ALPINE/SLOPE 1 ACRE DISTRICT) FOR N½ OF THE SE¼ OF SECTION 25,  
5 T12N, R3W, S.M., ALASKA EXCEPTING THE NW¼ OF THE NW¼ OF THE SE¼  
6 OF SECTION 25, T12N, R3W, S.M., ALASKA, AND LOTS 1 AND 2 OF  
7 VERGASON-JONES SUBDIVISION PER PLAT 98-178; GENERALLY LOCATED  
8 SOUTH OF UPPER DEARMOUN ROAD, WEST OF CANYON ROAD, AND WEST  
9 OF MESSINIA STREET, IN ANCHORAGE.

10  
11 (Hillside Community Council) (Planning and Zoning Commission Case 2018-0052)

12  
13 **THE ANCHORAGE ASSEMBLY ORDAINS:**

14  
15 **Section 1.** The zoning map shall be amended by designating the N½ of the SE¼  
16 of Section 25, T12N, R3W, S.M., Alaska excepting the NW¼ of the NW¼ of the  
17 SE¼ of Section 25, T12N, R3W, S.M., Alaska, and Lots 1 and 2 of Vergason-Jones  
18 Subdivision per Plat 98-178, as R-10, low density residential, alpine/slope district.  
19

20 The property described above is shown on Exhibit "A," attached.  
21

22 **Section 2.** This ordinance shall become effective 10 days after the Director of the  
23 Planning Department has received the written consent of at least 51 percent of the  
24 owners of the property within the area described in Section 1 above to any special  
25 limitations contained herein. The rezone approval contained herein shall  
26 automatically expire, and be null and void, if the written consent is not received  
27 within 120 days after the date on which this ordinance is passed and approved. In  
28 the event no special limitations are contained herein, this ordinance is effective  
29 immediately upon passage and approval. The Director of the Planning Department  
30 shall change the zoning map accordingly.  
31

32 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day  
33 of \_\_\_\_\_ 2018.  
34  
35

36 \_\_\_\_\_  
37 Chair of the Assembly

1  
2  
3  
4  
5  
6  
7

ATTEST:

---

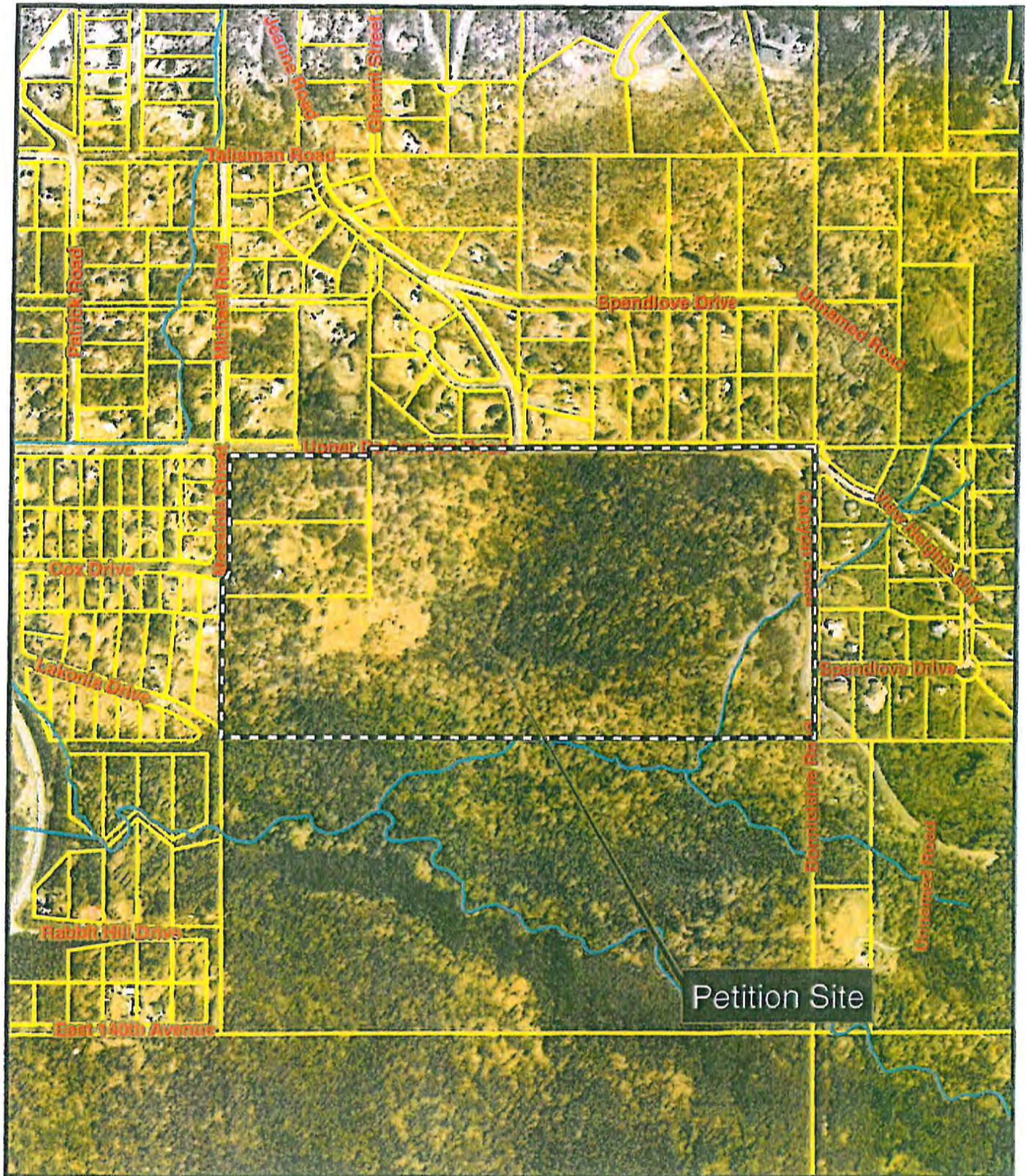
Municipal Clerk

(Case 2018-0052)



# EXHIBIT A

## 2018-0052





# Departmental and Public Comments

# MUNICIPALITY OF ANCHORAGE



Development Services Department

Private Development Section

*Mayor Ethan Berkowitz*

**RECEIVED**

MAY 15 2018

## MEMORANDUM

Comments to Planning and Zoning Commission Applications/Petitions PLANNING DEPARTMENT

**DATE:** May 15, 2018

**TO:** Dave Whitfield, Planning Section Supervisor

**FROM:** Brandon Telford, Plan Review Engineer

**SUBJECT:** Comments for Planning and Zoning Commission  
Public Hearing date: June 11, 2018

Case 2018-0052 – Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.

### Department Recommendations:

The Private Development Section has no comment on the Request to Rezone.

Case 2018-0053 – Conditional Use in accordance with AMC 21.05.060B.1. for commercial food production in the B-3 (General Business) District.

### Department Recommendations:

The Private Development Section has no comment on the Conditional Use.

Case 2018-0054 – Conditional Use for off-street parking to benefit an adjoining lot.

### Department Recommendations:

The Private Development Section has no comment on the Conditional Use.

Case 2018-0055 – Conditional Use request to permit a four-dwelling unit multiple-family residential development in the gR-4 (Multiple-Family Residential) District.

An existing constructed drainage channel and unnamed stream cross Lot 12. **Resolve with Private Development and Watershed Management the need for a drainage easement across Lot 12.**

### Department Recommendations:

The Private Development Section has no objection to the Conditional Use subject to the condition listed above.



---

**MEMORANDUM**

**RECEIVED**

DATE: May 14, 2018

MAY 14 2018

TO: Current Planning Division Supervisor,  
Planning Department

PLANNING DEPARTMENT

THRU: Kristen A. Langley, Traffic Safety Section Supervisor,  
Traffic Department

FROM: Randy Ribble, Assistant Traffic Engineer

**SUBJECT: 2017-0052 Re-zone three parcels from R-8 low density to R-10**

Traffic Department recommends approval of this zoning amendment with the following comments.

1. Traffic has no comments on proposed re-zoning action



**Municipality of Anchorage**  
**Project Management and Engineering**  
**MEMORANDUM**



**DATE:** May 10, 2018

**To:** Dave Whitfield

**FROM:** Steven Ellis

**SUBJECT:** Comments from Watershed Management Services

**RECEIVED**

MAY 10 2018

PLANNING DEPARTMENT

Watershed Management Services (WMS) has the following comments for June 11, 2018, Planning and Zoning Commission Meeting.

2018-0052, Request to rezone three parcels from R-8 to R-10; WMS has no comment.





THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Transportation and  
Public Facilities

DIVISION of PROGRAM DEVELOPMENT  
Anchorage Field Office

4111 Aviation Avenue  
P.O. Box 196900  
Anchorage, Alaska 99519-6900  
Main Phone: (907) 269-0520  
Fax: (907) 269-0521  
Web site: dot.state.ak.us

May 7, 2018

David Whitfield, Senior Planner  
MOA, Community Development Department  
Planning Division  
P.O. Box 196650  
Anchorage, Alaska 99519-6650

**RECEIVED**

**MAY 07 2018**

PLANNING DEPARTMENT


RE: MOA Zoning Review

Dear Mr. Whitfield:

The Alaska Department of Transportation and Public Facilities (DOT&PF), Central Region Platting Review Board has no comments on the following zoning cases:

- 2018-0051: Lot 1, Block 4, Laurel Acres
- 2018-0052: 18301 Messina Street
- 2018-0053: 3404 Arctic Boulevard
- 2018-0054: Lot 8, Block 3, Roberts Subdivision
- 2018-0055: Block 5, Lot 12, North Addition to Alyeska Subdivision

Sincerely,

  
James Starzec  
Anchorage Area Planner

Cc: Tucker Hum, Right of Way Agent, Right of Way, DOT&PF  
Morris Beckwith, Right of Way Agent II, Right of Way, DOT&PF  
Scott Thomas, P.E., Regional Traffic Engineer, Traffic Safety and Utilities, DOT&PF  
Jim Amundsen, P.E., Highway Design Group Chief, DOT&PF

*"Keep Alaska Moving through service and infrastructure."*



## MUNICIPALITY OF ANCHORAGE

Department of Health and Human Services



RECEIVED

Date: May 4, 2018

MAY 07 2018

To: Planning Department, Current Planning Division

Thru: *DAF* DeeAnn Fetko, Deputy Director

PLANNING DEPARTMENT

From: *SG* Shelley Griffith, Environmental Health Services Program Manager

Subject: Comments Regarding CUP 2018-0052, Big Country Enterprises, Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District

---

No Comment.

# MEMORANDUM

DATE: May 1, 2018

TO: Dave Whitfield, Planning Manager, Planning Section, Planning Division

FROM: Joe Sanks, Planning Engineer, Planning Section, AWWU

RE: Zoning Case Comments

Plats to be heard June 11, 2018

Comments due May 14, 2018

RECEIVED

MAY 01 2018

PLANNING DEPARTMENT

AWWU has reviewed the materials and has the following comments.

**2018-0052 VERGASON-JONES LT 2, Request to Rezone three parcels from R-8 Low-Density Residential (4 Acres) District to R-10 Low-Density Residential, Alpine/Slope District, Grid SW1140**

1. AWWU water and sanitary sewer are not available to this parcel.
2. AWWU has no objection to this rezone.

**2018-0053 ROBERTS BLK 3 LT 13, Conditional Use in accordance with AMC 21.05.060B.1 for commercial food production in the B-3 (General Business) District, Grid SW1629**

1. AWWU water and sanitary sewer are available to this parcel.
2. AWWU has no objection to this conditional use.

**2018-0054 ROBERTS BLK 3 LT 8, Conditional Use for off-street parking to benefit an adjoining lot, Grid SW1629**

1. AWWU water is not available, sanitary sewer is available to this parcel.
2. AWWU has no objection to this conditional use.

**2018-0055 ALYESKA NORTH #3 BLK 5 LT 12, Conditional Use request to permit a four-dwelling unit multiple-family residential development in the gR-4 (Multiple-Family Residential) District, Grid SE4816**

1. AWWU water and sanitary sewer are available to this parcel.
2. AWWU has no objection to this conditional use.

If you have any questions pertaining to public water or sewer, please call 564-2721 or send an e-mail to [paul.hatcher@awwu.biz](mailto:paul.hatcher@awwu.biz).







# MUNICIPALITY OF ANCHORAGE

Development Services Department

Right of Way Section

Phone: (907) 343-8240 Fax: (907) 343-8250

**DATE:** April 27, 2018  
**TO:** Planning Division, Current Planning Section  
**THRU:** Jack L. Frost, Jr., Right of Way Supervisor  
**FROM:** Frank Kelly, Acting Plan Reviewer  
**SUBJ:** Comments on Administrative Hearings for June 11, 2018.

**RECEIVED**

**APR 27 2018**

**PLANNING DEPARTMENT**

Right of Way Section has reviewed the following case(s) due May 14, 2018.

- 2018-0052** Vacant land & 13301 Messinia Street aka T12N R3W Section 25  
S2W2NW4SE4 & E2NW4SE4 & NE4SE4, Lots 1&2 Vergason-Jones  
Subdivision, Plat 98-178, grid SW2941.  
(Rezone 3 parcels from R-8 to R-10)  
Right of Way Section has no comments at this time.  
Review time 15 minutes.
- 2018-0053** 3404 Arctic Boulevard aka Lot 13 Block 3, Roberts Subdivision, Plat P-247,  
grid SW1629.  
(Conditional Use for commercial food production in B-3 District)  
Right of Way Section has no comments at this time.  
Review time 15 minutes.
- 2018-0054** Vacant land aka Lot 8 Block 3, Roberts Subdivision, Plat P-247, grid SW1629.  
(Conditional Use for off-street parking in R-3 District)  
Right of Way Section has no comments at this time.  
Review time 15 minutes.
- 2018-0055** Vacant land aka Lot 12 Block 5, North Addition to Alyeska Subdivision, Plat  
72-180, grid SE4816.  
(Conditional Use to permit residential development in the GR-4 District)  
Right of Way Section has no comments at this time.  
Review time 15 minutes.

May 14, 2018

Municipality of Anchorage, Planning Department  
Attention: Francis McClaughlin,  
4700 Elmore Road  
Anchorage, AK 99507

Re: Lewis and Clark Proposed R-10 Subdivision  
Case No. 2018-0052

Dear Mr. McClaughlin:

I am a homeowner at 8801 Upper Dearmoun, land directly across from the proposed Lewis and Clark Subdivision.

This is Petitioners' third rezone application. Like the others, it seeks rezoning to avoid the 4 acre minimum lot requirements of the existing R-8 zoning and create 1.25 and 2.5 acre lots. Because Petitioners' last rezone application was denied in July, 2017, Ordinance 21.3.160.D.10 bars rezoning for 2 years as a matter of law. Because Petitioners have failed to establish that R10 rezoning is necessary to make development feasible and failed to provide the information necessary to meet the criteria required by Ordinance 21.03.160, the application must be denied.

#### Three Previous Rezoning Rejections

Beginning shortly after their purchase of the land at a price reflecting the minimum 4 acre lot requirements of the existing R-8 zoning, Petitioners over the last 4 years have been repackaging their same development plan. Each application seeks permission for smaller lots substantially less than 4 acres, an increased number of lots, and envisions stacking the smallest lots along Upper Dearmoun Road. Proposed lots have been as small as an acre in size.

In 2014, Petitioner applied for R-6 rezoning with 32 lots. Planning Department Staff recommended that the application be denied and the application did not gain a single supporting vote from the Planning and Zoning Commission. Specific factual findings included the fact that increased housing density on this site was unnecessary, (Finding of Fact 1), most of the property has marginal to impermeable soils (Finding of Fact 2), and the rezoning request was inconsistent with the Hillside District Plan requirement that current zoning to be maintained (Finding of Fact 5). Because there was no support at the Assembly level for the rezone application, Petitioners' appeal to the Assembly appeal was denied by being tabled indefinitely.

In 2017, Petitioners filed a second rezoning application under New Title 21 from R-8 to R-6SL, this time with 30 lots. Without explanation, the Planning Department assigned a new staff member who, since that time, has championed every proposal submitted by Petitioners and never acknowledged, or attempted to reconcile prior staff's negative recommendation. When this second application was denied by the Planning and Zoning Commission, new staff filed a request for rehearing to permit 24 lots. In July, 2017, the application was denied by the Planning and Zoning Commission for the third time.

Most recently, the Petitioners, with the support of the same Planning Department staff member, obtained Platting Board approval of an Ordinance 21.08.070 Conservation Subdivision plat for 16 lots, with the median average size of 2.16 acres and the smallest lot 1.16 acres. Another adjoining landowner has appealed this approval and, through the grapevine, the word is that this rezone application is in response to this exercise of Municipal Code due process rights.

#### R-10 Rezoning Application

Permitting rezoning this fourth time requires finding that the Planning and Zoning Commission was wrong by a lot-- not just once, but 3 separate times. Just like the past applications, this R-10 rezoning application is for the purpose of allowing smaller lots of 1.25 and 2.5 acres below the 4 acre minimum size required by existing R8 zoning depending on slope. If a Construction Subdivision is again proposed, lot sizes could potentially be even much smaller.

Unlike the 3 previously occasions when rezoning was denied, this rezoning application, itself, provides no indication as to the number of lots. In a 12 minute community meeting, the Petitioners represented this number to be between 5 and 45 lots with no response to subsequent emails. Without this information, the Commission cannot make the necessary findings for rezoning.

Finally, this 4<sup>th</sup> request for rezoning makes no reference to the Platting Board's approval of a 16 lot subdivision, whether Petitioners intend to continue proceeding with this approved plat, or the reasons for proceeding with 2 simultaneous development projects. Without this important information, the Commission cannot make the necessary findings for rezoning.

One would normally expect this information to be provided through the Community Council process, in this case the Hillside Community Council. In this case, however, Petitioners Bruce Vergason and Todd Brownson serve on the Hillside Community Council Board and their presentation was scheduled for the end of the March meeting. The presentation ended at Mr. Vergason's direction after 12 minutes. Followup emails to Petitioners' representative, Tom Dreyer at the S4 group were not returned. The



following meeting of the Hillside Community Council was cancelled. Petitioners never advised as to how their conflict of interest between being Petitioners and being Board members would be addressed.

Requests for further information from Planning Department Staff also did not provide further information. While Staff was unable to provide an example of another rezoning application in which a preliminary plat setting forth the number of lots was not provided, it is Staff's position that this is not required. According to Staff, there have been no prior R10 rezone applications, at least within the last 2 years. Staff also could not provide an example of another instance in which the Planning Department recommended denial of an R8 rezone application. With the history of 3 previous denials of rezoning, the Commission cannot make necessary findings to support rezoning with this history.

The R10 rezone application continues the previously rejected argument that rezoning is justified because some adjoining landowners occupy 1 acre lots. In doing so, Petitioners continue to ignore the fact that these lots were subdivided in the 1970's before there was meaningful zoning, that R8 zoning was adopted in recognition that these smaller lot sizes were a mistake, and that they were aware of these facts when they purchased the land.

Petitioners also argue that rezoning is somehow suggested by the Anchorage 2040 Land Use Plan. The 2040 Land Use Plan makes clear on page 32 that the Hillside District Plan controls. Page 36 further states that the requirements of the 2040 Land Use Plan are "subject to the Hillside District Plan."

Similarly, the R10 rezone application continues Petitioners' practice of relying on maps within the Hillside District Plan to argue that, notwithstanding R8 zoning, densities shown are 0-1 Dwelling Units per Acre (DUA). Once again, this is not the case and the maps do not even reference R8 zoning. Instead, HDP Policy 1-A states that it is intended to:

Encourage a greater proportion of future Hillside growth to occur in the lower Hillside, in areas located closer to existing services and infrastructure; to a limited degree reduce the amount of future development in the southeast Hillside.

HDP Policy 1-B also specifically establishes that the Policy is to:

Maintain policies for the amount of development as allowed under current land use designations.

In short, per the Hillside District Plan, existing R8 zoning is to be maintained.

### Reasons for Denial

Objections to the past rezoning applications consistently focused on the smallest lots being stacked along the Upper Dearmoun Road boundary, the substandard condition of Upper Dearmoun Road with an absence of adequate shoulders for a collector road, the dangers resulting from increased traffic, the unsuitability of large areas of the tract for development, and the specific statements within the 2010 Hillside District Plan that existing zoning was to be maintained with larger lot zoning in the areas closest to Chugach Park. With these conditions remaining, the R10 rezoning applications does not address these objections.

#### 1. Ordinance 21.3.160.D.10 requires denial.

After a rezone application is denied, Ordinance 21.03.160.D.10 imposes a 2 year waiting period on new applications for substantially the same rezoning. Attempts to suggest that R-10 rezoning is different from rejected past R-6 rezoning application fail because the purpose of each application has been to achieve the identical goal of lot sizes below 4 acres with lot sizes of 2.5 acres, 1.25 acres and even smaller if a Construction Subdivision is attempted.

With Petitioners' most recent denial occurring in July, 2017, no further rezone application can be considered until July 2019 as a matter of law. To the extent that Petitioner disagrees, this pure question of law can only be resolved by court decision.

#### 2. Per Ordinance 21.04.020.P, R10 zoning is inappropriate.

Ordinance 21.04.020.P states that R10 zoning is intended only for "those areas where natural physical features and environmental factors such as slopes, alpine and forest vegetation, soils, slope stability, and geologic hazards require unique and creative design for development.

The rezone application makes no attempt to argue why R10 zoning is required. When the Platting Board has approved a plat under existing zoning, R10 zoning is not necessary for development a conclusion not changed by another landowner exercising appellate rights under the Municipal Code.

#### 3. Petitioner has not established each Approval Criteria required by Ordinance 21.3.160.E.

In order to grant the application for R-10 rezoning, the Commission is required to find that the Application satisfies all approval criteria set forth in Ordinance 21.3.160.E. Because the application does not address the number of lots or provide other necessary information, this cannot be done.

Ordinance 21.03.160.E.1 requires a finding that rezoning be in the best interests of Anchorage and promote the public health safety, and general welfare. The representation that Petitioners have suggested there could be as many as 45 lots provides further proof that this criterion has not been met. Together with the history of 3 rezoning denials based on the number of lots, this cannot be done.

Ordinance 21.03.160.E.2 requires a finding of compliance with the comprehensive plan. In that regard, the 2040 Land Use Plan specifically identifies this neighborhood on Map 1-2 as an area of little housing growth. The Land Use Plan has a specific Goal 7 of making any rezoning compatible with existing zoning, i.e., R-8, and expressly states on page 75 that it is not a recommendation for rezoning. If Petitioners believed that R10 rezoning complied with the 2040 Land Use Plan and could truly justify R-10 rezoning, Petitioners would be addressing how 1.25 acre lots are compatible with the existing R8 zoning requirements of 4 acre lots, how storm water evaluation is being conducted (as required by Goal 5-6 at page 88), and how the necessary Upper Dearmoun Road infrastructure will be provided, as required on page 72 of the 2040 Land Use Plan. Because the application makes no attempt to address these issues, it is not possible to find that these criteria have been met, and the application must be denied. If seriously considered, the proposed rezoning would require amendment of the Hillside District Plan, itself.

Ordinance 21.03.160.E.3 requires that rezoning be consistent with the purpose of existing R8 zoning. With the purpose of the rezone being to change minimum 4 acre minimum lot sizes down to 2.5 acres, 1.25 acres, and possibly even smaller lots, this criterion has not been met.

Ordinance 21.03.160.E.5 requires that roads be capable of supporting the new uses while maintaining adequate levels of service to existing development. With all parties recognizing the substandard condition of Upper Dearmoun Road and Petitioners seeking as many as 45 individual lots, this criterion has not been met.

Ordinance 21.03.160.E.7 requires that rezoning not result in adverse impacts upon adjacent land uses. With Petitioners not identifying the number of lots they seek, but representing that it may be as many as 45, this criterion has not been met. 45 new homes relying upon an existing substandard road is absolutely an adverse impact.

Ordinance 21.03.160.E.8 requires that the rezone not extend or exacerbate a land use pattern that is inconsistent with the comprehensive plan. With the purpose of R8 zoning in the first place being recognition of that 1 acre lots were unreasonable, this cannot be done. If anything, rezoning this parcel will lead to rezoning of other uphill parcels in the neighborhood, creating a domino effect. With Petitioners making no effort

to distinguish the effect of their rezone application on future rezone applications of these parcels, this criterion has not been met.

Conclusion

The Landowner simultaneously pursuing Platting Approval and Rezoning is inappropriate. This R10 Rezone application should be denied as barred by 21.3.160.D, unnecessary for feasibility of development as required by Ordinance 21.04.020.P, and for failing to establish compliance with each of the necessary criteria required by Ordinance 21.3.160.E. Ultimately, the application simply rehashes previously rejected arguments, with no attempt to address the status of the currently pending Conservation Subdivision Plat.

Very truly yours,

A handwritten signature in black ink, appearing to be 'Marc W. June', written over the typed name.

Marc W. June

A large, stylized handwritten signature in black ink, possibly reading 'J. June'.

MWJ/wws

cc: David Whitfield



Municipality of Anchorage  
P. O. Box 196650  
Anchorage, Alaska 99519-6650  
(907) 343-7943



01707378000  
MOBLEY PAMELA & THOMAS  
8011 LAKONIA DR  
ANCHORAGE, AK, 99516-3838

RECEIVED

MAY 14 2018

PLANNING DEPARTMENT

**NOTICE OF PUBLIC HEARING: Monday, June 11, 2018**

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052 3351633838 C017

PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.  
TOTAL AREA: 4.2 acres  
SITE ADDRESS: 13501 MESSINIA ST, ANCHORAGE, AK 99516  
LOCATION: Generally located east of Messinia Street, south of Upper DeArmour Road and west of Canyon Road.  
CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4; Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30PM, Monday, June 11, 2018 in the Loussac Library Assembly Chambers, 3600 Denali Street, Anchorage, Alaska.

The zoning ordinance requires that you be sent notice because your property, residence, or business is within the vicinity of the petition area. This will be the only public hearing before the commission regarding this case and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition, this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Planning Department, P.O. Box 196650, Anchorage, Alaska 99519-6650. For more information call 343-7943; FAX 343-7927. Case information may be viewed online at <http://www.muni.org/CityViewPortal>.

Name: Tom Mobley  
Address: 8011 LAKONIA DRIVE ANCHORAGE AK 99516

Comments: WILL NOTE NO. BIG CONCERN ABOUT WATER TABLE, SEPTIC SEWAGE, TRAFFIC, AND MOST OF ALL THE DAMAGE THAT CAN BE INFLECTED ON THE CLASS C WET LANDS, NOT TO MENTION RABBIT CREEK PROPER.

## Affidavit of Posting and Historical Information



# AFFIDAVIT OF POSTING

CASE NUMBER: 2018-0052

I, ANITA KAPTELE hereby certify that I have posted a Notice as prescribed by Anchorage Municipal Code 21.03.020H.5. on the property that I have petitioned for rezone. The notice was posted on MAY 16TH, 2018 which is at least 21 days prior to the public hearing on this petition. I acknowledge this Notice(s) must be posted in plain sight and displayed until all public hearings have been completed.

Affirmed and signed this 16TH day of MAY, 20 18.

  
Signature

## LEGAL DESCRIPTION

Tract or Lot: \_\_\_\_\_

Block: \_\_\_\_\_

Subdivision: LEWIS & CLARK















Submitted by: ASSEMBLY MEMBER JOHNSTON  
Prepared by: Dept. of Law  
For reading: February 23, 2016  
POSTPONED INDEFINITELY 4-26-2016  
NOTICE OF RECONSIDERATION WAS  
GIVEN BY MR. STARR 4-27-2016  
RECONSIDERATION FAILED  
5-10-2016

**ANCHORAGE, ALASKA**  
**AO No. 2016-28**

**AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING THE ZONING MAP AND APPROVING THE REZONING OF 72.66 ACRES OF LAND FROM R-8 (RURAL RESIDENTIAL - LARGE LOT) DISTRICT TO R-6 (SUBURBAN RESIDENTIAL - LARGE LOT) DISTRICT FOR PROPERTY DESCRIBED AS THE N ½ OF THE SE ¼ OF SECTION 25, T12N, R3W, S.M., ALASKA EXCEPTING THE NW ¼ OF THE NW ¼ OF THE SE ¼ OF SECTION 25, T12N, R3W, S.M., ALASKA, AND LOT 2, VERGASON-JONES SUBDIVISION (PLAT 98-178); GENERALLY LOCATED SOUTH OF UPPER DEARMOUN ROAD, WEST OF CANYON ROAD AND EAST OF MESSINIA STREET, IN ANCHORAGE.**

(Hillside East Community Council) (Planning and Zoning Commission Case 2014-0219)

**WHEREAS**, the Planning and Zoning Commission passed Resolution 2015-026 denying an application to amend the zoning map to rezone 72.66 acres located on the upper hillside from R-8 zoning district to R-6;

**WHEREAS**, pursuant to Anchorage Municipal Code (old code) section 21.20.100D, the applicant requested an ordinance approving the rezone be submitted to the Assembly for approval;

**WHEREAS**, Anchorage Municipal Code (old code) section 21.20.120A.3 authorizes the Assembly to approve the proposed ordinance with or without the addition of special limitations or other modifications;

Now, therefore,

**THE ANCHORAGE ASSEMBLY ORDAINS:**

**Section 1.** The Assembly finds the recommended zoning map amendment described herein satisfies the criteria of Anchorage Municipal Code (old code) section 21.20.090 and is hereby approved. The zoning map shall be amended by designating the following described property as R-6 (suburban residential - large lot) district:

The N ½ of the SE ¼ of Section 25, T12N, R3W, S.M., Alaska excepting the NW ¼ of the NW ¼ of the SE ¼ of Section 25, T12N, R3W, S.M., Alaska, and Lot 2, Vergason-Jones Subdivision (Plat 98-178)

**Section 2.** This zoning map amendment is subject to the following special limitations, which must be addressed by the Platting Board:

- a) The issue of marginal to impermeable soils. (See AIM 137-2015, page 2, lines 1 through 9).



- i) The Applicant shall submit to the Platting Board in its application that no lots will be platted for residential development that do not meet current codes in regards to well installations; and
- b) The issue of on-site septic systems. (See AIM, page 2, line 7).
  - i) The Applicant shall submit to the Platting Board in its application that no lots will be platted for residential development that do not meet current codes in regards to on-site septic systems; and
  - ii) As a warranty against septic system failure, the Applicant shall establish a Trust Account funded at Ten Thousand Dollars (\$10,000.00) per lot. In the event of a failure of any septic system within five (5) years of the septic systems construction, the Applicant will pay to the home owner from the Trust Account Fund up to Ten Thousand Dollars (\$10,000.00) for the installation of an advanced waste management system; and
- c) The issue of the number of permitted lots. (See AIM, page 2, lines 11 through 25).
  - i) The Applicant shall apply for a maximum of thirty (30) lots in this subdivision all of which shall meet current platting requirements.
- d) The issue of surface water run-off. (See AIM, page 3, lines 17 & 18).
  - i) The Platting Board will require a drainage plan that will address down grade drainage appropriately.
  - ii) The Applicant will construct no residences closer than One Hundred feet (100') to any surface run-off area.
- e) The issue related to the Hillside District Plan (See AIM, page 2, lines 27 through 32 and page 3, lines 10 through 15). The Hillside District Plan provides that "For the most part, retain the status quo in land use designations" (See page 2-1 of the Plan). Staff notes this same policy on page 3 of the AIM. The term "designation" is not used in Municipal Code. Instead the term "classification" is used to describe land uses. The classifications in code are residential commercial, industrial, commercial-industrial, environmentally sensitive land, mixed use and commercial recreation (See AMC 21.05.050-Land use classifications).
  - i) This project shall not provide for any change in the existing land use "classification" which is residential.
- f) The issue of traffic and vehicle trips on adjacent roads as the result of approval of this application. (See AIM, page 3, Lines 18 & 19). Upper DeArmoun is classified as a neighborhood collector (See the Official Streets and Highways Plan, Appendix "A"). A neighborhood collector



1 "collects traffic from local streets and then conducts it to arterials or to  
2 local traffic generators..." (See OSHP page 6). A neighborhood  
3 collector is designed to handle 2,000 to 10,000 vehicles per day (See  
4 OSHP, page 10). The traffic volume on Upper DeArmoun is far less  
5 than the maximum for a neighborhood collector.

- 6  
7 i) The Platting Board may require a traffic impact analysis if the  
8 Board determines that such an analysis is necessary and  
9 appropriate.

10  
11 **Section 3.** This ordinance shall become effective 10 days after the Director of the  
12 Planning Department has received the written consent of at least 51 percent of the  
13 owners of the property within the area described in Section 1 above to any special  
14 limitations contained herein. The rezone approval contained herein shall automatically  
15 expire, and be null and void, if the written consent is not received within 120 days  
16 after the date on which this ordinance is passed and approved. In the event no  
17 special limitations are contained herein, this ordinance is effective immediately upon  
18 passage and approval. The Director of the Planning Department shall change the  
19 zoning map accordingly.

20  
21 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of  
22 \_\_\_\_\_, 2016.

23  
24  
25  
26 \_\_\_\_\_  
27 Chair of the Assembly

28  
29  
30 ATTEST:

31  
32 \_\_\_\_\_  
33 Municipal Clerk  
34  
35  
36  
37  
38

**MUNICIPALITY OF ANCHORAGE  
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2015-026**

A RESOLUTION RECOMMENDING DENIAL OF THE REZONE OF APPROXIMATELY 72.66 ACRES FROM R-8 (RURAL RESIDENTIAL – LARGE LOT) DISTRICT TO R-6 (SUBURBAN RESIDENTIAL – LARGE LOT) DISTRICT FOR PROPERTY DESCRIBED AS THE N ½ OF THE SE ¼ OF SECTION 25, T12N, R3W, S.M., ALASKA EXCEPTING THE NW ¼ OF THE NW ¼ OF THE SE ¼ OF SECTION 25, T12N, R3W, S.M., ALASKA, AND LOT 2, VERGASON-JONES SUBDIVISION (PLAT 98-178); GENERALLY LOCATED SOUTH OF UPPER DE ARMOUN ROAD, WEST OF CANYON ROAD AND EAST OF MESSINIA STREET, IN ANCHORAGE.

(Case 2014-0219; Parcel ID Nos. 017-073-06 and 017-074-06)

WHEREAS, a request was received from Big Country Enterprises, LLC, to rezone approximately 72.66 acres from R-8 (rural residential – large lot) district to R-6 (suburban residential – large lot) district for property described as the N ½ of the SE ¼ of Section 25, T12N, R3W, S.M., Alaska excepting the NW ¼ of the NW ¼ of the SE ¼ of Section 25, T12N, R3W, S.M., Alaska, and Lot 2, Vergason-Jones Subdivision (Plat 98-178), generally located south of Upper De Armoun Road, west of Canyon Road and east of Messina Street, in Anchorage; and

WHEREAS, public hearing notices were published, posted, and mailed, and a public hearing was opened on April 6, 2015; and

WHEREAS, all present wishing to testify had the opportunity to address the Commission on April 6, 2015; and

WHEREAS, the Chair, having called for anyone else wishing to testify and hearing no response, closed the public hearing on April 6, 2015; and

WHEREAS, the case was continued to the June 1, 2015 meeting at which time the Commissioners deliberated and decided the matter before the Commission.

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

A. The Commission makes the following findings of fact:

1. The request before the Commission is to rezone a 72.66-acre parcel and Lot 2, Vergason-Jones Subdivision from R-8 (rural residential – large lot) district that requires a minimum five acre lot size, to R-6 (suburban residential – large lot) district that requires a minimum 1.25 acre minimum lot size.
2. The Commission addressed the need for more housing in Anchorage, but found that an increase in density does not need to happen on this particular site with the proposed R-6 zoning. The 2012 Housing Study found that there is a need for more housing in Anchorage; however the

results of the study determined that there was an oversupply of large lot zoned land for single-family residential development. What the Anchorage community does not have enough of is small lot development served by public utilities and services.

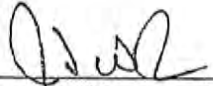
3. The Commission could not support the rezone request based on the soils tests that were submitted and the comments from On-Site Services that some of the lots will not be able to support on-site septic systems. Soils tests have been performed, and the soils report indicates that most of the property has marginal to impermeable soils.
4. The Commission referenced comments from On-Site Water and Wastewater Services that stated further research on the dry drainageways is needed to determine if there is surface water, as septic tanks and drainfields are required to be at least 100 feet from surface water. There are elevated nitrates in neighboring wells and a nitrate study will be required prior to development of a subdivision.
5. The *Hillside District Plan*, which is the guiding comprehensive plan for this property, doesn't indicate that the rezone is inconsistent with the Land Use Plan Map in terms of density. However, one of the policies in the *Hillside District Plan* indicates that the same land use designations should be maintained in this area as were established prior to the beginning of this plan. In that respect, the rezone is not consistent with the *Hillside District Plan*.
6. From a general point of view, this proposal is not necessarily a good urban plan. It is not necessarily good to expand the low-density sprawl in the community throughout the Hillside. What is needed is more compact development concentrated near employment centers as the comprehensive plan recommends.
7. Adding more housing to the Hillside is clearly a risk with respect to the groundwater and the flow into Rabbit Creek. It would add more vehicle trips onto a substandard street which is strip paved without shoulders or sidewalks. This is not the right proposal at this particular site.
8. The issue is that this property is in an area where there are lots that are the same size as what is proposed to be developed with this rezone petition. However, those lots were platted and developed prior to the implementation of the current zoning. If the adjoining property were to be zoned today, the zoning would be reconsidered as public testimony has proved that there are some problems with some of those smaller lots.

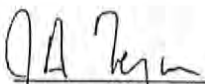


9. With the R-8 zoning it is less likely that problems will be created with larger lot development in a fragile environment, and the R-8 zoning is the most appropriate zoning for this particular area.
- B. The Commission recommends DENIAL to the Anchorage Assembly that approximately 77.62-acres be rezoned from R-8 (rural residential - large lot) district to R-6 (suburban residential - large lot) district by a vote of 8 nays and 1 abstention.

DENIED by the Anchorage Planning and Zoning Commission on June 1, 2015.

ADOPTED by the Anchorage Planning and Zoning Commission this 6<sup>th</sup> day of July, 2015.

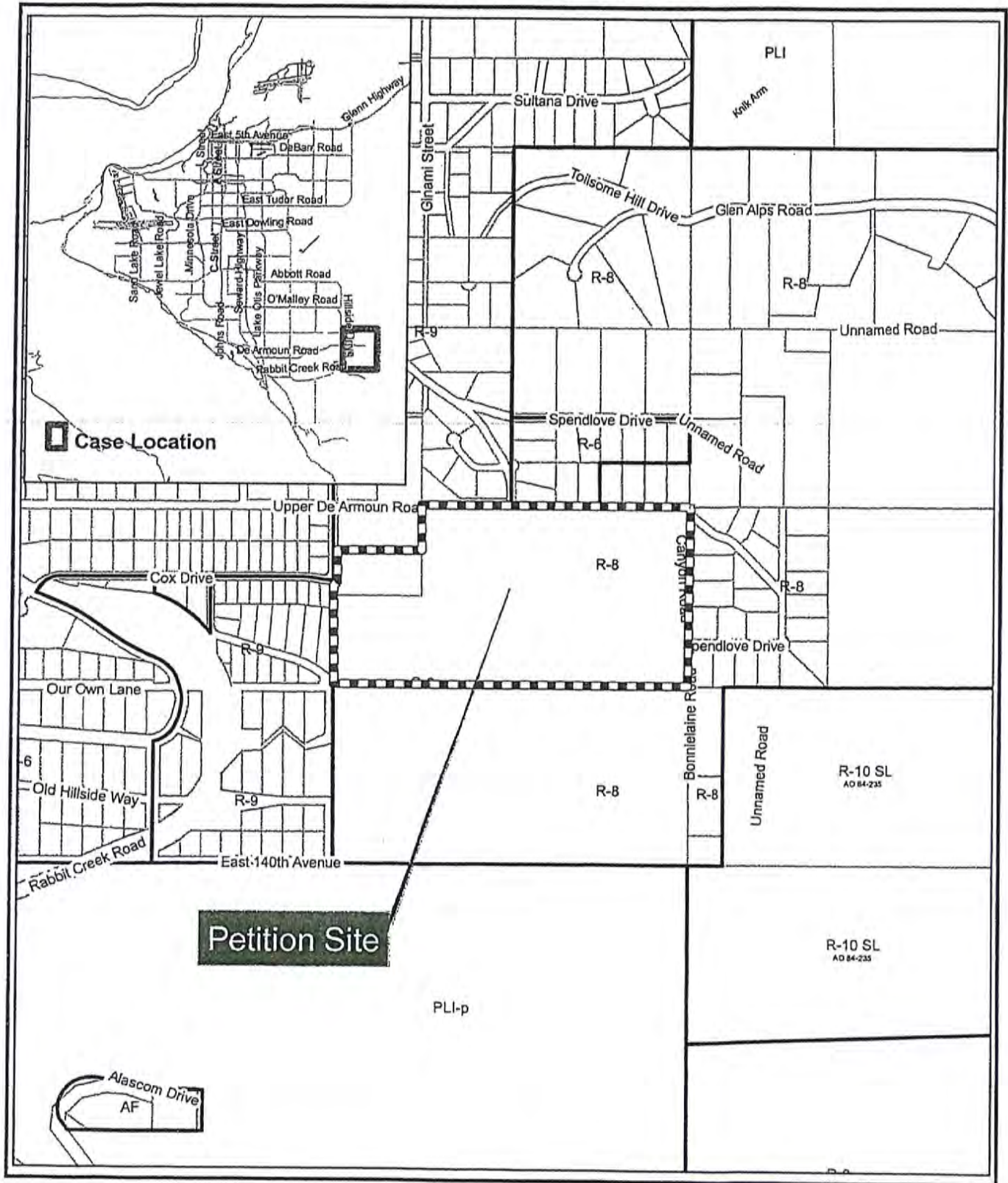
  
\_\_\_\_\_  
Jerry T. Weaver, Jr.  
Secretary

  
\_\_\_\_\_  
J.A. Fergusson  
Chair

(Case 2014-0219)  
(Parcel ID Nos. 017-073-06 and 017-074-06)

mro

# 2014-0219



Municipality of Anchorage  
Planning Department

Date: January 06, 2015



**MUNICIPALITY OF ANCHORAGE**  
**PLANNING AND ZONING COMMISSION RESOLUTION NO. 2017-021**

A RESOLUTION RECOMMENDING DENIAL OF THE REZONING OF APPROXIMATELY 77 ACRES FROM R-8 (LOW-DENSITY RESIDENTIAL, 4 ACRE) DISTRICT TO R-6 SL (LOW-DENSITY RESIDENTIAL, 1 ACRE) DISTRICT WITH SPECIAL LIMITATIONS FOR THE N ½ OF THE SE ¼ OF SECTION 25, T12N, R3W, S.M., ALASKA EXCEPTING THE NW ¼ OF THE SE ¼ OF SECTION 25, T12N, R3W, S.M., ALASKA AND LOTS 1 AND 2 OF VERGASON-JONES SUBDIVISION PER PLAT 98-178; GENERALLY LOCATED SOUTH OF UPPER DEARMOUN ROAD, WEST OF CANYON ROAD, AND EAST OF MESSINIA STREET, IN ANCHORAGE.

(Case 2017-0072)

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WHEREAS, a request has been received from Todd Brownson, Big Country Enterprises, LLC to rezone approximately 77 acres from R-8 (low-density residential, 4 acre) district to R-6 SL (low-density residential, 1 acre) district with special limitations for the N ½ of the SE ¼ of Section 25, T12N, R3W, S.M., Alaska excepting the NW ¼ of the SE ¼ of Section 25, T12N, R3W, S.M., Alaska and Lot 1 and 2 of Vergason-Jones Subdivision per Plat 98-178; generally located south of Upper DeArmoun Road, west of Canyon Drive, and east of Messina Street, in Anchorage; and

WHEREAS, notices were published, posted, and mailed, and a public hearing was held on June 12, 2017.

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

A. The Commission makes the following findings of fact:

1. The applicant presented a great case. In 2015, a very similar rezone was requested, if boiled down to just the bare bones. The zoning currently allows 14 lots and the developer would like 30 lots to be allowed. New soils information has been presented and it appears that the groundwater is not as bad and drains water better. The groundwater will vary from year to year based on snowfall. All other factors that were problems approximately two years ago with compatibility, environmental impacts to drainage, glaciation, and downstream watercourses, all seem to still be there.
2. There are concerning things about this case. Anchorage does not need more large-lot housing, so upzoning does not seem necessary.
3. There is strong community council and neighborhood objection to this rezone.

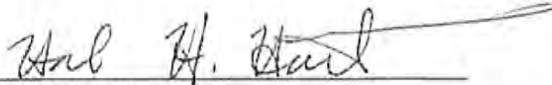



4. The rezone is not compatible with the *Comprehensive Plan* and while an increase of 0.25 DUA to 0.39 DUA does not sound like much, it results in a large increase (50%) in the number of dwelling units.
5. The Commission is unsure that the rezone is compatible with the surrounding zoning and while the R-6 district abuts the site, the zoning is predominately the R-8 district.
6. The Commission is unsure that DeArmoun Road can support this rezone because there is a lot of traffic from recreational users.
7. The applicant has done a very good job to ensure that this rezone will limit adverse impacts upon the natural environment, however, it is still a concern.
8. A dissenting commissioner stated that underutilization of property is bad development. Bigger lots are less likely to have good coordinated development than smaller lots because the cost of infrastructure is harder to distribute. Even though R-6 lots are being referred to as smaller lots, they are actually quite large. The Commission is not here to determine whether or not the site can sustain these on-site septic systems because the Municipality will ensure that the design is good. The Commission has to decide if the information provided is adequate enough to determine that this is a quality rezone and the answer is "yes." The *Design Criteria Manual*, which did not exist previously, will impose strict design standards to protect wetlands and create sustainable design in this area. In regards to the *Hillside District Plan*, Mr. McClintock's expansive letter convincingly stated that it is important for one to look at the entire *Plan*, not just a tiny piece of it, and manipulate that piece to make your point.
9. Another dissenting commissioner stated that 12 of 13 lots from a recent R-6 subdivision sold quickly, so there is huge demand for these lots. This rezone is supportable with a new special limitation requiring conservation of open space tracts. This may provide some balance for what was heard from the community.
10. The proposed plan shows roughly 30 lots and the R-8 would allow 14 lots. The answer is somewhere in between because the topography would probably support a number between 14 and 30. The 30 lots is a higher density that is askew, but the Commission does not have a choice. By default, absent a development plan that bridges the gap, the R-8 district should remain.

- B. The Commission recommends DENIAL to the Anchorage Assembly that approximately 77 acres be rezoned from R-8 district to R-6 SL district.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 12th day of June, 2017.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 10th day of July, 2017.

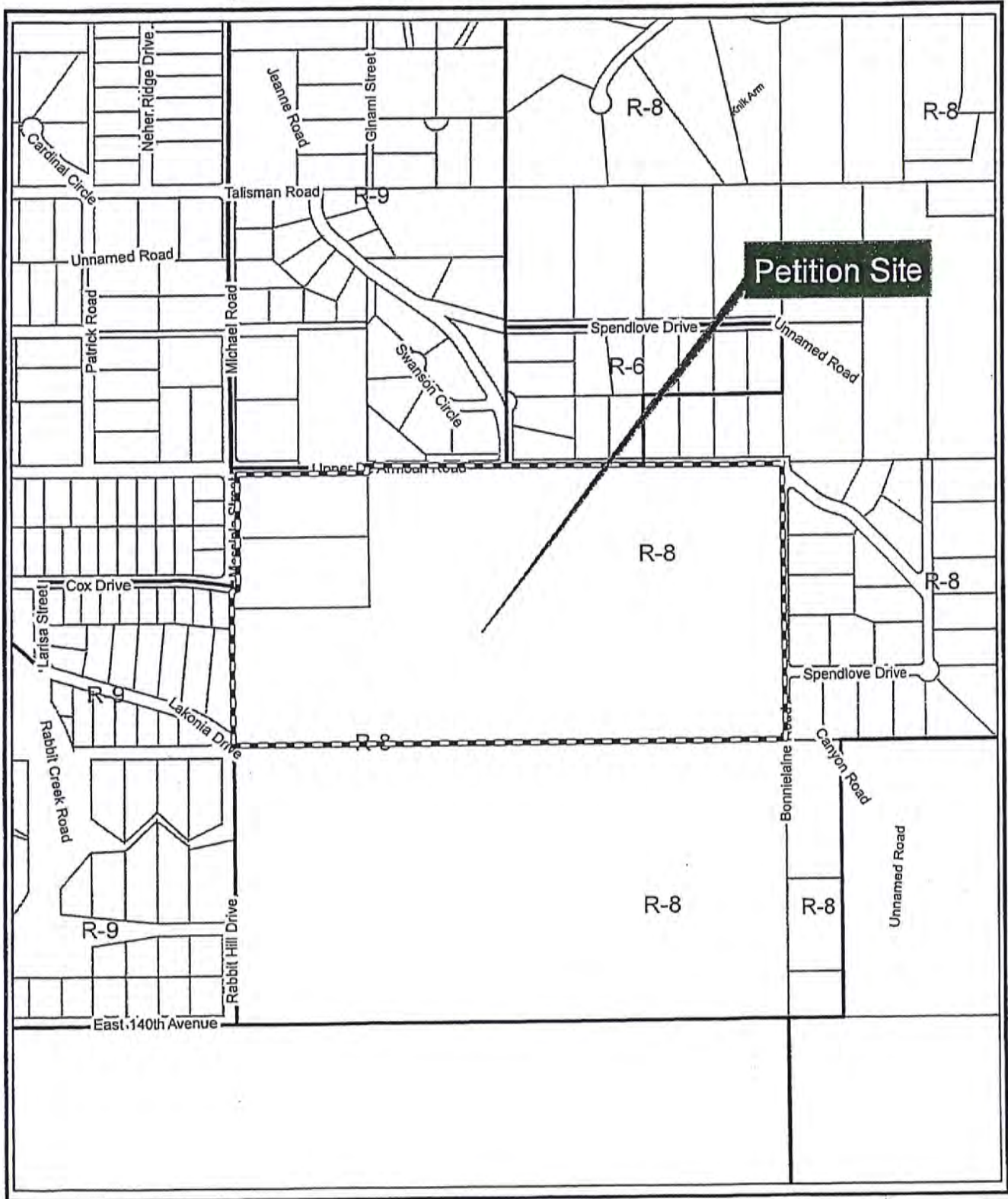
  
\_\_\_\_\_  
Hal H. Hart, AICP  
Secretary

  
\_\_\_\_\_  
Tyler Robinson  
Chair

(Case 2017-0072)

fm

# 2017-0072 Exhibit A



Municipality of Anchorage  
Planning Department

Date: April 24, 2017





**MUNICIPALITY OF ANCHORAGE**  
**PLANNING AND ZONING COMMISSION RESOLUTION NO. 2017-028**

A RESOLUTION DENING A REQUEST TO REHEAR CASE 2017-0072 BASED ON NEW EVIDENCE OR CHANGED CIRCUMSTANCES, IN ACCORDANCE WITH AMCR 21.10.503.

(Case 2017-0072)

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WHEREAS, Todd Brownson, Big Country Enterprises, LLC submitted a request to rehear Case 2017-0072 based on new evidence or changed circumstances, in accordance with AMC 21.10.503; and

WHEREAS, the Planning and Zoning Commission recommended denial of Case 2017-0090 on June 12, 2017, which was a request to rezone approximately 77 acres from R-8 to R-6 SL.

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

A. The Commission makes the following findings of fact:

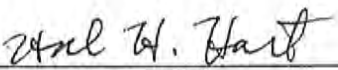
1. The alleged new evidence or changed or changed circumstances would not substantially change the initial decision of the Commission, in accordance with AMCR 21.10.503B.1.
2. The realtor's research showing that large-lot residential is in short supply does not correspond to the recently published Land Use Plan Map study, which did extensive analysis of all residential land in order to assess the balance between supply and demand for housing.
3. The *Hillside District Plan* and *Anchorage 2020* do not recommend increasing residential land density in this part of the Hillside. Increasing density at this site is contrary to the public interest. Any increase in density would also increase traffic and impact the sensitive environmental features of the land. These issues were thoroughly discussed at the original hearing and the new information provided would not change the Commission's decision. A rehearing or reopening of the case is not warranted.
4. The basis for the petitioner's request to reopen the case does not prove to be new information. The petitioner's new information was already known during the initial hearing. The argument for reopening the case is not convincing.
5. Dissenting Commissioners stated that Canyon Road Trailhead probably causes a lot more traffic than this rezone would. Also, there is market

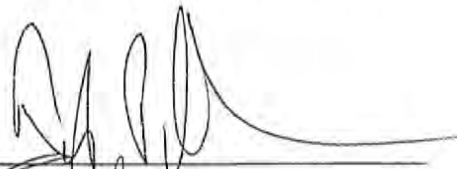
demand for large-lot single-family homes and rezoning to the R-6 district would make development costs more affordable.

- B. The Commission DENIED the request for rehearing of Case 2017-0072 based on new evidence or changed circumstances, in accordance with AMC 21.10.503.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission on the 14<sup>th</sup> day of August, 2017.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 2<sup>nd</sup> day of October, 2017.

  
\_\_\_\_\_  
Hal H. Hart, AICP  
Secretary

  
\_\_\_\_\_  
Tyler Robinson  
Chair

(Case 2017-0072)

fm

## 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.


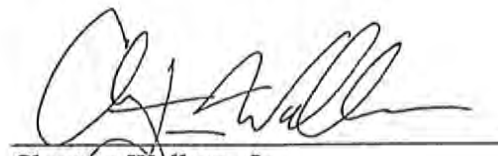
**CONCLUSIONS:**

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.

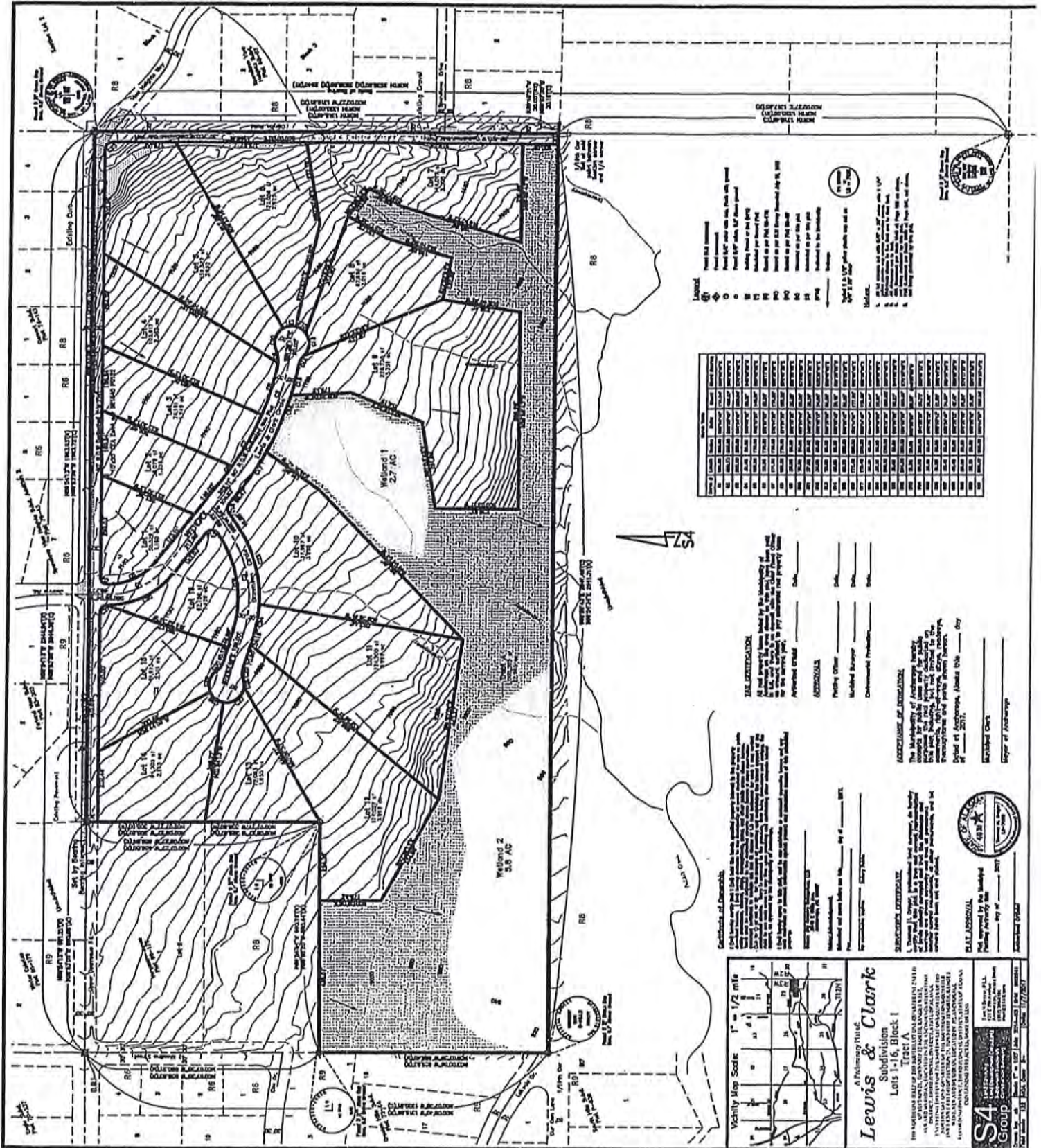
NOW, THEREFORE, be it resolved by the Platting Authority that the Platting Board adopts the above stated Findings and Conclusions.

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

  
\_\_\_\_\_  
David R. Whitfield  
for Secretary  
\_\_\_\_\_  
Clayton Walker, Jr.  
Chair

fm







# Application

# Application for Zoning Map Amendment

Municipality of Anchorage  
Planning Department  
PO Box 196650  
Anchorage, AK 99519-6650

PETITIONER*		PETITIONER REPRESENTATIVE (if any)	
Name (last name first): Big Country Enterprises (Brownson, Todd)		Name (last name first): S4 Group, LLC (Dreyer, Tom)	
Mailing Address: 3640 E 65th Avenue		Mailing Address: 124 E 7th Avenue	
Anchorage, AK 99507		Anchorage, AK 99501	
Contact Phone – Day: 907-406-0792	Evening:	Contact Phone – Day: 907-306-8104	Evening:
Fax:		Fax:	
E-mail: todd@bigcountryak.com		E-mail: tom@s4ak.com	

\*Report additional petitioners or disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

PROPERTY INFORMATION		
Property Tax # (000-000-00-000): 017-073-06-000, 017-074-06-000, 017-074-05-000		
Site Street Address: 8600 Upper Dearmoun Rd, Anchorage, AK 99516		
Current legal description: (use additional sheet if necessary) Parcel 1: The north one-half of the southeast one-quarter (N1/2 SE1/4) of section 25, township 12 north, range 3 west, Seward Meridian, located in the Anchorage district, third judicial district, State of Alaska. Excepting therefrom the northwest one-quarter of the northwest one-quarter of the southeast one-quarter (NW1/4 NW1/4 SE1/4) of section 25, township 12 north, range 3 west, Seward Meridian, located in the Anchorage recording district, third judicial district, State of Alaska. AND Parcel 2: Lot 1 Vergason-Jones subdivision (plat 98-178) AND Parcel 3: Lot 2 Vergason-Jones subdivision (plat 98-178)		
Existing Zoning: R-8	Acreage: 80.06 Acres	Grid #: SW2941
Proposed Zoning: R-10		
Existing use: Residential and Undeveloped		Proposed use (if any): Residential

I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I petition to rezone it in conformance with Title 21 of the Anchorage Municipal Code of Ordinances. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the rezoning. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff, the Planning and Zoning Commission, or the Assembly for administrative reasons.

Signature ☐ Owner ☒ Representative Date 04/02/2018  
(Representatives must provide written proof of authorization)

Thomas H. Dreyer

Print Name

Accepted by: FM Poster & Affidavit: 3 Fee: \$37,370 Case Number: 2018-0052 Requested Meeting Date: 06/11/18



**COMPREHENSIVE PLAN INFORMATION**

Anchorage 2020 Urban/Rural Services: <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural			
Anchorage 2020 Major Elements - site is within or abuts:			
<input type="checkbox"/> Major employment center	<input type="checkbox"/> Redevelopment/mixed use area	<input type="checkbox"/> Town center	
<input type="checkbox"/> Neighborhood commercial center	<input type="checkbox"/> Industrial reserve		
<input type="checkbox"/> Transit-supportive development corridor	<input type="checkbox"/> District/area plan area: _____		
Chugiak-Eagle River Land Use Classification:			
<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Parks/open space	<input type="checkbox"/> Public lands/institutions
<input type="checkbox"/> Transportation/community facility	<input type="checkbox"/> Alpine/slope affected	<input type="checkbox"/> Special study area	<input type="checkbox"/> Town center
<input type="checkbox"/> Residential at _____ dwelling units per acre	<input type="checkbox"/> Environmentally sensitive area		
Girdwood- Turnagain Arm Land Use Classification			
<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Parks/open space	<input type="checkbox"/> Public lands/institutions
<input type="checkbox"/> Transportation/community facility	<input type="checkbox"/> Alpine/slope affected	<input type="checkbox"/> Special study area	<input type="checkbox"/> Resort
<input type="checkbox"/> Residential at _____ dwelling units per acre	<input type="checkbox"/> Mixed use	<input type="checkbox"/> Rural homestead	<input type="checkbox"/> Reserve

**ENVIRONMENTAL INFORMATION** (All or portion of site affected)

Wetland Classification:	<input type="checkbox"/> None	<input checked="" type="checkbox"/> "C"	<input type="checkbox"/> "B"	<input type="checkbox"/> "A"
Avalanche Zone:	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Blue Zone	<input type="checkbox"/> Red Zone	
Floodplain:	<input checked="" type="checkbox"/> None	<input type="checkbox"/> 100 year	<input type="checkbox"/> 500 year	
Seismic Zone (Harding/Lawson):	<input type="checkbox"/> "1"	<input checked="" type="checkbox"/> "2"	<input type="checkbox"/> "3"	<input type="checkbox"/> "4" <input type="checkbox"/> "5"

**RECENT REGULATORY INFORMATION** (Events that have occurred in last 5 years for all or portion of site)

<input checked="" type="checkbox"/> Rezoning - Case Number: 2014-0219 ReZone to R6
<input checked="" type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat - Case Number(s): S12388
<input type="checkbox"/> Conditional Use - Case Number(s):
<input type="checkbox"/> Zoning variance - Case Number(s):
<input type="checkbox"/> Land Use Enforcement Action for
<input type="checkbox"/> Building or Land Use Permit for
<input type="checkbox"/> Wetland permit: <input type="checkbox"/> Army Corp of Engineers <input type="checkbox"/> Municipality of Anchorage

**SUBMITTAL REQUIREMENTS**

1 copy required:	<input type="checkbox"/> Signed application (original)
	<input type="checkbox"/> Ownership and beneficial interest form
35 copies required:	<input type="checkbox"/> Signed application (copies) <input type="checkbox"/> Signatures of other petitioners (if any) <input type="checkbox"/> Map of area to be rezoned <input type="checkbox"/> Map of area surrounding proposed rezoning, including zoning and existing uses <input type="checkbox"/> Narrative statement explaining: <ul style="list-style-type: none"> <li><input type="radio"/> need and justification for the rezoning</li> <li><input type="radio"/> the proposed land use and development</li> <li><input type="radio"/> the probable timeframe for development</li> <li><input type="radio"/> an analysis of how the proposal meets the rezoning criteria on page 3 of this application</li> </ul> <input type="checkbox"/> Summary of community meeting(s) <input type="checkbox"/> Proposed special limitations, if any

(Additional information may be required.)

**APPLICATION CHECKLIST**

1. Zoning map amendments require a minimum of 1.75 acres of land excluding right-of-way or a boundary common to the requested zoning district. (For exceptions, see AMC 21.03.160B.)
2. In the case of multiple owners, the petitioning property owners must provide documentation showing ownership of at least 51% of property to be rezoned.



**Supplemental Form: *OWNERSHIP AND BENEFICIAL INTEREST DISCLOSURE***

**PETITIONER: CORPORATE OFFICERS OR PARTNERS**

Applicants for an entitlement that will be in possession and the responsibility of more than one individual, such as a co-owner, joint venture, partnerships, corporations, company, or other similar form of ownership, are required to disclose a full and complete list of the name and address of each principal. (use additional paper if necessary)

Name	Title or Office(if any)	Address
Todd Brownson	Manager, Member	3640 E 65th Avenue, Anchorage, AK 99507
Elisha Brownson	Member	3640 E 65th Avenue, Anchorage, AK 99507
Paul Gionet	Member	3640 E 65th Avenue, Anchorage, AK 99507
Susanne Gionet	Member	3640 E 65th Avenue, Anchorage, AK 99507

**PROPERTY OWNER: CORPORATE OFFICERS OR PARTNERS**

The petitioner of a property owned by more than one individual that will benefit from an entitlement is required to disclose a full and complete list of the name and address of each partner, officer, or co-owner. The other owner interest to be reported is co-owner, joint venture, partnership, corporation, company, or other similar form of ownership. (use additional paper if necessary)

Name	Title or Office(if any)	Address

**Attach this sheet to your application form**

Accepted by:	Date	Application for	Case Number
--------------	------	-----------------	-------------



Supplemental Form: *ADDITIONAL PETITIONERS*

**ADDITIONAL PETITIONERS:**

Applicants for an entitlement involving more than one property description and owned by more than one individual are required to provide the name, legal description of property owned, and signature of each petitioner. Persons signatory to this application supplement are deemed to be petitioners (use additional paper if necessary)

We, the undersigned, hereby apply for: Re-Zone to R-10

[illegible]

Accepted by:

Date \_\_\_\_\_

**Attach this sheet to your application form**

Application for

Case Number



Land Surveying  
Land Development Consultants  
Subdivision Specialists  
Construction Surveying

124 E 7th Avenue, Anchorage, Alaska 99501

www.S4AK.com

907-306-8104

March 31<sup>st</sup>, 2018

MOA Planning Department  
4700 Elmore Road  
Anchorage, Ak 99519

Letter of Authorization  
for  
Lewis & Clark Rezone to R-10

The owners of the below listed parcels, do, hereby authorize the S4 Group to represent them before the MOA for the rezoning of the parcel listed below:

The current legal description of the property is;

**Parcel 1.** The N  $\frac{1}{2}$  of the SE  $\frac{1}{4}$ , Section 25, T12N, R3W, S.M., Alaska, excepting the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 25, T12N, R3W, S.M., Alaska, approx. 68 acres.

**Parcel 2.** Lot 1 Vergason-Jones Subdivision, approx. 4.8 acres.

**Parcel 3.** Lot 2 Vergason-Jones Subdivision, approx. 4.4 acres.

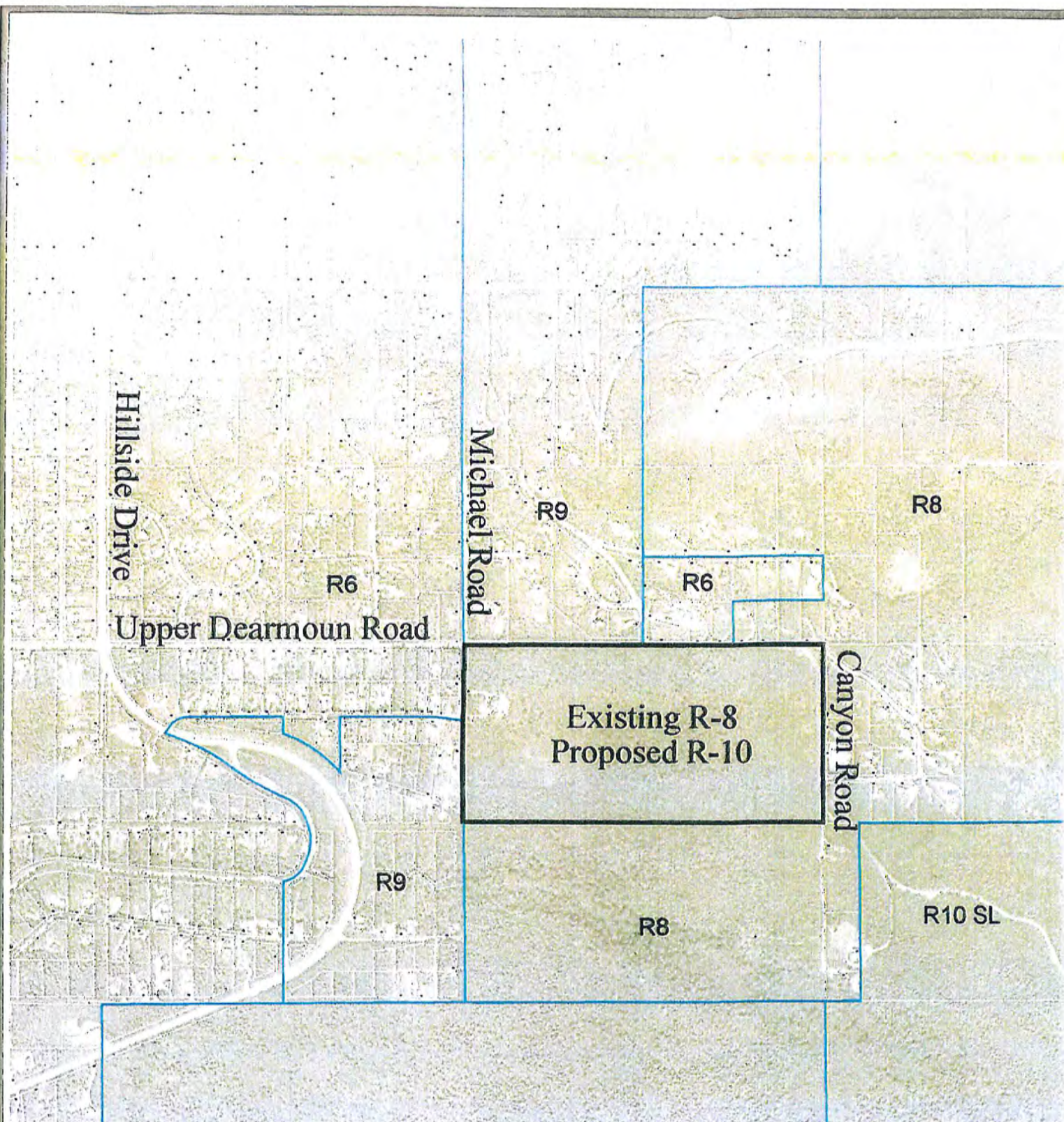
Owner Parcel 1. Authorized signature for: Elisha & Todd Brownson

Owner Parcel 1. Authorized signature for: Paul & Susanne Gionet

Owner Parcel 2. Authorized signature for: Jeff & Lori Jones

Owner Parcel 3. Authorized signature for: Bruce & E. Lori Vergason





**S4**  
Group

Land Surveying  
Land Development Consultants  
Subdivision Specialists  
Construction Surveying

# Proposed Lewis & Clark ReZone

Scale 1" = 59' 10" 190







Land Surveying  
Land Development Consultants  
Subdivision Specialists  
Construction Surveying

124 E 7th Avenue, Anchorage, Alaska 99501    www.S4AK.com    907-306-8104

April 2, 2018

R-10 Re-zoning Application Narrative for  
Lewis & Clark

***Need & Justification for the rezoning:*** This proposal is for a rezone of the property to R-10. This would allow for the future subdivision of the property through the platting process into individual lots for single family home construction. The current zoning of R-8 requires lots with a minimum lot size of four acres. This proposal for R-10 would allow lots ranging in size from 1 1/4 acre to 7.5 acres in size, according to Title 21 subdivision regulations. The density on the site by R-10 standards would range from 0.2 to 0.8 dwelling units per acre. These lot sizes will match the surrounding average lot sizes. The developed areas surrounding this parcel have an average lot size of 1 & 1/4 acre. The lots in R-10 zoning have a minimum lot size of 1 1/4 acre. These lots will be highly desirable by home buyers, and most of the lots will have incredible views along with new paved interior road access.

***Proposed land use and development:*** The proposed land use is for a development of single-family homes.

***Probable timeframe for development:*** The probable timeframe for development of the subdivision is from 2019 to 2024.

***Special Limitations:*** We are not proposing any special limitations to the zoning.

***1. The rezoning shall be in the best interest of the citizens of Anchorage and shall promote the public health, safety, and general welfare.***

This rezoning to R-10 will promote the public health & safety and general welfare of the home buying public by providing well designed lots with safe, paved access roads that are designed to all of the current code restrictions that provide safety features such as adequate turn-around for fire trucks, a safe and flat road grade in the interior streets, improved drainage systems, modern septic systems, and large 1 1/4 acre minimum lot sizes. This lot size matches the surrounding area and is conducive to Anchorage Hillside style of living. New subdivisions that are built to the current regulations on the hillside are becoming increasingly rarer as most of the land is fully developed. Lewis & Clark will provide home



owners the chance to be in an all-new subdivision with all-new houses, and all-new paved streets. The existing zoning of R-8 with its requirement for lot sizes of 4 acres do not allow the development of lots that would be within reach financially of most home buyers. The R-10 lot minimum size of 1 & ¼ acre feet reduces the cost of the roadway improvements substantially, which in turn reduces the purchase price of the lots into a range that is more in line with what people can afford.

2. *The rezone complies with and conforms to the comprehensive plan, including the comprehensive plan maps(s). (If the proposed rezone does not conform to the comprehensive plan, it may be considered along with a comprehensive plan amendment.)*

#### **Anchorage 2040 Land Use Plan**

Lewis & Clark conforms to the Anchorage 2040 Land Use Plan (2040 LUP) that was recently approved and adopted on September 26<sup>th</sup>, 2017 by Assembly Ordinance 2017-116. The introduction of this plan on the inside cover states:

*“The Anchorage Bowl has urbanized and evolved since we adopted Anchorage 2020—Anchorage Bowl Comprehensive Plan in 2001. New challenges demand that Anchorage become more resilient and better prepared for mid-21<sup>st</sup> century realities, including lower oil production revenues and state spending, as well as fostering new opportunities for economic development and resilience.*

*The 2040 LUP recognizes these community changes and sets the stage for future growth, development, and sustainability. Additionally, many Anchorage neighborhoods have adopted plans or are working on plans. These include East and West Anchorage, Downtown, Government Hill, Fairview, Hillside, the UMED District, Mountain View, South Addition, and Spenard.*

*The 2040 LUP incorporates analysis of Anchorage demographics and projected growth, current and future economic changes, current land uses, and future land capacity. These required elements of our Comprehensive Plan inform the policies and strategies contained within the plan.*

*To ensure efficient and equitable growth within our limited geographic area, Anchorage must maximize land use efficiencies while protecting and enhancing valued neighborhood characteristics and natural resources.”*

The R-10 zoning for this parcel fulfills the goals of the 2040 LUP by utilizing efficiencies for the land use, and creating lots that will blend in with the average neighborhood characteristics while also protecting the natural resources according to the latest MOA standards and regulations that define the R-10 zoning district.



To continue, on page 10 of the 2040 LUP there is a discussion on housing space needs:

### **"Housing Space Needs**

*As Figure 1-7 illustrates, the Anchorage Bowl has an identified need for 21,000 new residential units to meet the base case forecast population growth through 2040. For a comparison, this is roughly the amount of housing existing today in all of Northeast Anchorage including Russian Jack Park, Northeast, and Scenic Foothills Community Councils. The 21,000 new households translate into a need for an average net gain of 840 housing units per year in the Anchorage Bowl, nearly triple the net gain of recent years.*

*The Bowl no longer has a vacant land tract the size of Northeast available for new housing. Its existing residential zoned vacant buildable land capacity is estimated to be 9,700 more housing units, assuming historically attained housing construction densities were to continue.*

*Commercially zoned lands provide some additional housing capacity but do not close the deficit. Based on historical yields per acre, Anchorage's non-residential vacant lands would provide capacity for an additional 700 housing units, bringing the total vacant land capacity estimate to 10,400 additional units. The expected average housing yield is so low because under current conditions most commercial properties do not develop with housing.*

*Redevelopment of existing residential lots will also play a role. Recent historical redevelopment rates and the characteristics of lots which redeveloped from 2000 to 2015 indicate a redevelopment capacity of 2,500 additional dwellings, based on current zoning and development trends. Figure 1-7 illustrates that, including re-developable lands and buildable vacant lands, the Anchorage Bowl as currently zoned has a total capacity shortfall (deficit) of 7,900 housing units by 2040 under the moderate, baseline growth forecast."*

The rezoning of Lewis & Clark will help, albeit in a small manner, this very important goal of the 2040 LUP. The LUP map on page 31 of the plan designates this area as large-lot residential, which corresponds on page 32 of the plan as having a density of 0 to 1 DUA. R-10 zoning fits nicely within these density limits.

The 2040 LUP goes on to state on page 32:

*"Additionally, the housing density ranges in several of the 2040 LUP residential neighborhood designations differ from those in the area-specific plans. The 2040 LUP density ranges govern in these cases. The area-specific plans carried forward*



*assumptions from prior decades without the benefit of the updated 2040 LUP housing analysis<sup>1</sup>. “*

Lewis & Clark conforms to the comprehensive plan. **Policy 5** states that rezones shall be compatible in scale with adjacent uses, which this proposal strictly complies with. Adjacent to the north of this property lies R-6 zoning with developed 1 & 1/4 acre lot sizes. Adjacent to the west of this property lies R-9 zoned property and has been developed with half-acre and 1-acre sized lots. Adjacent to the east lies R-8 zoning developed with 1 & ¼ acre lots. Adjacent to the south lies undeveloped R-8 property that encompasses Rabbit Creek. This rezoning clearly complies with all intents and purposes of the comp plan. **Policy 13** of the comp plan states that new rural subdivisions shall be designed to maintain the rural character of the area. Our proposal is for R-10 lots, which are considered rural lots. **Policy 13** states that we should link to adjacent roadway systems, which we do. **Policy 13** states that we should protect wetlands and other environmental areas. We will be protecting the wetlands by creating large tracted parcels during the subdivision platting process that include the wetland. **Policy 5** states that we should incorporate wildland fire safety design standards, which new homes are built to. **Policy 14** of the comp plan states very clearly; *“Conservation of residential lands for housing is a high community priority. New residential developments at densities less than identified in the Neighborhood or District plans is discouraged.”* This policy gives clear direction that in order for the Anchorage community to grow and prosper, properties should be developed at what they can reasonably and responsibly be constructed.

**Hillside District Plan Map 2.1 “Hillside Land Use Plan’.** Lewis & Clark conforms with the density levels as shown on this map. Lewis & Clark is in an area labeled as “Residential, with an allowed limited density of 0 to 1 DUA. The density level in R-10 zoning allowed by Title 21 is from 0.2 to 0.8 DUA. The HDP goes on to define this designation on page 2-16:

*“Limited Intensity Residential 0 – 1 dwelling units/acre Intent: The Limited Intensity Residential designation provides for large-lot, single-family residences in a rural environment, much of which is served by private wells and septic systems.*

*Description: The predominant land use consists of detached houses on lots one acre or larger in size. The intended overall density for new development is less than one housing unit per gross acre. This type of development results from a combination of preferred lifestyles, a lack of public infrastructure, remoteness, and environmental constraints. Lot size, setbacks, the variety of custom housing designs and the presence of natural vegetation help retain the rural and natural environment. This designation is implemented by the R-6, R-8, R-9, and R-10 zones.*

*Location Criteria: As with all other land use designations, these apply in combination rather than individually. However, it is not necessary that all be achievable in every location: Areas with an established large-lot, rural development pattern; areas outside of the water wastewater service boundaries; areas furthest from employment and services, where higher roads and generate higher vehicle mileage citywide; areas constrained by limited road access; and areas where environmental constraints preclude more intense site development."*

The R-10 zoning fits within these definitions by the HDP.

**Policy 1-B** of the Hillside district plan states: *"This plan maintains existing residential land use designations and zoning in the southeast Hillside."* The intent here is clear: Maintain residential where it is currently residential zoning, commercial where there is currently commercial zoning, and so on. The intent was not to limit zoning changes that would result in lots still equal or larger than that of the surrounding lots, nor to prevent re-zonings that made good common sense. There have been quite a few other re-zones that have occurred on the Hillside since the enactment of the HDP.

This R-10 zoning fits well within the land use designation as specified on page 2-17 of the Hillside District Plan titled "Limited Intensity Residential", which is defined as large lot, single family residences in a rural environment. Lewis & Clark fits every description and location criteria listed in the HDP.

*3. The rezoning is generally consistent with the zoning district purpose in the requested zone, and the purpose of this title.*

This rezoning will comply with all of the R-10 zoning district purposes and specifications as in Title 21. We are not proposing any special limitations.

*4. The rezoning is compatible with surrounding zoning and development, and protects areas designated for specific uses on the zoning map from incompatible land uses or development intensities.*

Lewis & Clark will be compatible with the surrounding zoning and development. R-10 zoning will be less dense than the areas to the east, the north, and to the west of us. The area to the south is undeveloped. In addition to being compatible as to density levels, Lewis & Clark is also compatible as to land use. The only land use allowed will be one single family house per lot.



*5. Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) are capable of supporting the uses allowed by the zone or will be complete by the time development is complete, while maintaining adequate levels of service to existing development.*

All facilities, utilities and services are capable of supporting the planned residential uses in Lewis & Clark. Road Access is by Upper DeArmoun Road, water services will be by individual water wells on each lot, sewer systems will be on-site systems. Fire protection issues will be addressed by complying with the latest fire code and by providing fire department approved turn-arounds at the end of any cul-de-sac within Lewis & Clark, and by providing roads that are safe by width and design.

*6. The rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts shall be substantially mitigated.*

The approval of this rezone will help reduce environmental impacts, in relation to:

**Steep slopes:** R-10 zoning code regulations define size of the allowable lots by the steepness of the existing terrain. For example, a lot with less than a 20% slope would be required to have an area of at least a 1 & ¼ acre, lots that have a slope between 20% & 25% must have a minimum lot size of 2 & ½ acres, lots with a slope between 25% & 30% must have at least 5 acres of area.

**Wetlands/Streams/Drainage-ways:** Wetland areas will be protected and will be tracted out through the future subdivision process. The platting process will further define and refine the details according to the professional reports, Title 21 subdivision standards, and other reporting agencies comments.

**Hydric soils:** Through the subdivision platting process, all lots will meet current Title 21 regulations concerning septic site standards and availability of water. Final lot line locations will take into consideration the boundaries of the areas suitable for septic sites and well-site locations.

**Traffic:** DeArmoun Road, is classified as a type 1C collector according to the Anchorage Official Streets & Highways Plan. A class 1C road is required to have two lanes, a sixty-foot ROW width, and a rating of 2,000 to 10,000 ADT's. DeArmoun Road is built to class 1C standards and is designed to accommodate 10,000 ADT's. This rezoning would allow appx. 15 more lots than the existing zoning currently allows. A single family house is rated at 9.52 ADT's, which equates to an additional 143 ADT's, which equals 1.4% of the allowed ADT's

onto DeArmoun Road as per the MOA design standards. DeArmoun Road is a two lane paved roadway. Data Sources from the MOA and HDR shows that for Upper DeArmoun Road, a long term build out volume to capacity ratio is 0.25. This means that after long term final build out, **DeArmoun Road will be at only 25% of the designed capacity.**

*7. The proposed rezoning is not likely to result in significant adverse impacts upon adjacent land uses, or such impacts shall be mitigated through stipulations.*

There will be no adverse impacts to neighboring properties. Mr. David Grenier and Mr. Brandon Marcott of Triad Engineering compiled a report of the Preliminary Drainage Impact Analysis. Their summary states: "Conclusion: ...one of the primary concerns for this development will be the contributing offsite runoff from properties to the north and east of the project. Area upstream of the project generates approximately half of the total runoff that flows through the site. This runoff will be collected and routed through vegetated drainage ways and directed to Rabbit Creek, closely matching the existing drainage path on site. No grading will be done outside of the property boundary, and MOA-identified drainage ways will remain in place downstream of the project. The overall existing drainage pattern of the surrounding area will not change or be negatively affected with the development of this parcel.

Increasing the density from R-8 to R-10 zoning creates a minimal change in peak runoff, with an increase in the range of 3-7%. This minor increase can be safely managed by sizing drainage ways and culverts accordingly. The increase in impervious area is also minimal, increasing from 3.3% impervious under R-8 zoning to 6.1% impervious with a R-10 development. As proposed, the project site will remain at a low density with a minimum lot size of 1 & ¼ acres, as per Title 21 subdivision regulations with over 80% of the parcel predicted to remain as heavily vegetated brush and trees. Glaciation concerns will be addressed by keeping shallow ground water along the roadways below the ground surface. No adverse impacts to neighboring properties are anticipated under the proposed R-10 zoning.

*8. The rezone does not extend or exacerbate a land use pattern that is inconsistent with the comprehensive plan.*

This rezone's R-10 is consistent with the land use patterns in the area and is consistent with the comprehensive plan as stated above.

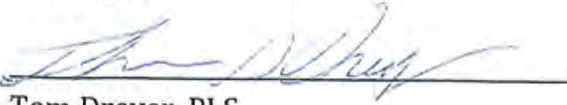
*9. The rezoning does not result in a split-zoned lot.*

Lewis & Clark will not create any split-zoned lots.



If you have any questions or need further clarifications, please email me at [tom@s4ak.com](mailto:tom@s4ak.com).

Thank you,

A handwritten signature in blue ink, appearing to read "Tom Dreyer", is written over a horizontal line.

Tom Dreyer, PLS  
S4 Group



Land Surveying  
Land Development Consultants  
Subdivision Specialists  
Construction Surveying

124 E 7th Avenue, Anchorage, Alaska 99501    www.S4AK.com    907-306-8104

### Summary of Community Meeting

**Date:** 2/28/2018 at the HCC meeting.

**Location:** O'Malley Elementary School

**Subject:** Proposed Lewis & Clark R-10 Subdivision

251 mailers were mailed out on 1/31/2018 by first class mail. Presentation provided by S4 Group to provide information and take questions and comments from meeting attendees. There were approximately 30 attendees. Presentation began at approximately 8:43 PM and questioning was completed at approximately 8:55 PM. An invitation was extended for any additional questions to be sent to the S4 Group, LLC. The following is a brief summary of the questioning and discussion:

- 1) Steve MacDonald – 13130 Jeanne Road (1.03 Acre Lot – R-9 Zoning)
  - a. Question: What is the slope of the property?
  - b. Response: Slopes of the property vary from approximately 8% to 30%, with the majority of the property being between 9 – 10% to 15%.
- 2) Unknown Neighbor –
  - a. Question: Was this issue brought before this Community Council before?
  - b. Response: No. This particular piece of property has been brought before this Community Council, but this is a completely different application for a completely different request.
- 3) Marc June – 8801 Upper DeArmoun Road (1.14 Acre Lot – R-8 Zoning)
  - a. Question: Was the R-6 rezone denied?
  - b. Response: It was not approved
- 4) Tom Dreyer provides contact information for additional questions / comments that might arise.
- 5) Joan Priestley – 13101 Jeanne Road (1.13 Acre Lot – R-6 Zoning)
  - a. Question: You have an R-8 Plat. Has that been abandoned?
  - b. Response: The Plat and the Rezone Application are separate paths.
  - c. Question: You had 20 + acres of open space set aside in R-8 Plat. Will you have that in the R-10?
  - d. Response: This application is for a rezone to R-10. Those types of questions would be addressed at the platting level.
- 6) Bruce Vergason (HCCC Chair) indicates 2-minute warning because of time limit strictly enforced by O'Malley Elementary School.
- 7) Joan Priestley – 13101 Jeanne Road (1.13 Acre Lot – R-6 Zoning)
  - a. Question: How many lots are you contemplating?
  - b. Response: The number of lots would be judged by the slope of the lot. It could be between 5 and 45 depending on several factors.
- 8) Mark Morrison – 8600 Spendlove Drive (1.03 Acre Lot – R-6 Zoning)
  - a. Question: Can you change the grade with a bulldozer to make it flatter?
  - b. Response: No. There are several requirements for slope basis determination as well as requirements for clearing.
- 9) Bruce Vergason indicates that meeting has to be closed. He says that HCCC can invite S4 Group back to a future meeting and reminds that additional questions that may arise can be directed to the S4 Group. Meeting adjourned at 8:55 PM.

Thank you,

Tom Dreyer, PLS, S4 Group



# COMMUNITY MEETING

Community Meeting Agenda Notification | Hillside Community Council || Lewis & Clark Rezone



Big Country Enterprises, LLC represented by S4 Group LLC, will be at the Hillside Community Council on Wednesday, February 28th, 2018 to present on a proposed re-zone case. The project site is located where Upper De Armoun Road turns into Canyon Road (Vergason-Jones Lots 1 & 2, T12N R3W Sec 25 S 1/2W 1/2 NW 1/4 SE 1/4 & E 1/2 NW 1/4 SE 1/4 & NE 1/4 SE 1/4 ) aka Lewis & Clark.

The zoning map amendment is requesting to re-zone the 80 acre parcel from R8 to R10. Representatives will provide an overview of the re-zone request, project schedule and will be available to answer questions.



Land Surveying  
Land Development Consultants  
Subdivision Specialists  
Construction Surveying

124 E 7th Ave Anchorage, AK 99501 [www.s4ak.com](http://www.s4ak.com)

**WEDNESDAY, FEBRUARY 28TH, 2018**

**O'Malley Elementary School Library  
1100 Rockridge Dr.  
Anchorage, AK 99516  
7:00 PM**

We welcome your feedback! Interest parties may appear at the meeting and speak on the matter. You can also submit your comments or request additional information by emailing:

Tom Dreyer, PLS

S4 Group, LLC

[Tom@s4ak.com](mailto:Tom@s4ak.com)

# Planning and Zoning Commission

June 11, 2018

Case #: **2018-0052**

Case Title: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.

Agenda Item #: **G.2** Supplementary Packet #: **1**

**X** Comments submitted after the packet was finalized

☐ Additional information

☐ Other:

Sent by email: **X**      yes      no

5/25/2018 1:10 PM



## Public Comments: 2018-0052

Commenter	Email	Phone Number	Submitted
lance powell 4621 golden spring circle anchorage, AK 99507	lwpowell1@juno.com	9073462327	5/27/2018 1:51:07 PM
The local residents need more info on this case.....the Hillside Community Council needs to have adequate info in which to evaluate this case...thanks.....Lance Powell			
Thomas Mobley 8011 Lakonia Drive Anchorage, AK 99516	pta@gci.net	230 5372	6/7/2018 8:36:55 AM
I'm against any building in this area as a great portion has the declaration of Class C wet lands. The water table for existing homes will be jeopardized as well as Rabbit Creek. The sewage alone will be quite adequate and will pose a threat to the surrounding wet lands and Rabbit Creek proper, not to mention the run off from construction and once complete lawn fertilizers. DeArmon Road is currently in need of extensive repair with just the current residency and definitely is inadequate to handle the additional traffic that would be created by this subdivision. To say the least I am opposed to any further construction in this area.			
Lois Harper-Lewis			6/7/2018 11:08:57 AM
I have lived 24 years in this neighborhood. Needless to say the proposed rezone in the Lewis and Clark Development area, which would bring in 50 new 1.25 acre plots, would change the whole character of our peaceful community. It would bring adverse changes to the view, water tables, drainage and traffic patterns. I am opposed to the magnitude of this kind of construction in our quiet neighborhood.			
Hillside Community Council		301-3920	6/7/2018 8:50:38 PM
At the meeting of the Hillside Community Council on May 23, 2017, the council members voted 14 to 0 with two abstentions to oppose the application in Case 2018-0052, Lewis and Clark Subdivision, rezone application from R-8 to R-10.			
Gail Morrison	gmorrison@alliedgis.com	9073013920	6/8/2018 9:51:05 AM

8600 Spendlove Dr.  
Anchorage, AK 99516

- 1) The rezone does not address the city's housing needs. At the HALO meeting (6/7/2018) Assemblyman Weddleton stated that Alaska's population is growing older and is looking to downsize their housing needs. Anchorage needs smaller homes, not larger.
- 2) Most of the soils in the applicant's tract are of poor to marginal building material. The Muni has done a study and has created a map that shows that most of this area is undevelopable. A retired Muni Soil Scientist lives on Upper DeArmoun and has stated that there is a lot of clay in this lot. When discussed with the applicant, their soils person said - after much evidence on our part - that "yes, there is clay, but it's not the bad clay". Clay is clay. Also, the applicant's first engineering company showed 3 lots that were undevelopable. So the applicant hired a different engineering company that would state otherwise.
- 3) This plan is not consistent with the HDP. Francis McLaughlin has stated that "the Hillside aspires to have 1 acre lots". This is not true. Not one of the 100 people I have spoke with wants 1 acre lots up here.
- 4) These lots will be sold at fair market value. Building a new home + septic + well + land = a home valued at approx. \$550K or higher. This is not affordable housing to people under 40 years old. Recent high school and college graduates want to be closer to downtown and where the action is.
- 5) Additional housing is an absolute risk to the groundwater, well volumes and pressure, and flow into Rabbit Creek. When the applicant allowed over 250,000 gallons of water to seep from an unsecured (capped) well, many in the Upper DeArmoun complained of low water pressure and lack of water.
- 6) This application does not come close to satisfying the legal requirements. To be approved, this rezoning application must meet ALL NINE criteria under 21.03.160E. So on criterion E1, this application fails and should be denied. The planning department claims higher density is encouraged by the HDP. In fact, the HDP says density should not be decreased by rezoning. And on criterion E2, this application fails and should be denied.
- 7) In saying "the rezoning won't have significant adverse impacts to the environment greater than surrounding residential developments," the planning department apparently misreads criterion E6, which does not include the qualifier "greater than surrounding residential developments." On criterion E6, this application fails and should be denied. This rezone would extend a land use pattern inconsistent with the comprehensive plan.
- 8) The current planning department is not objective. Mr. McLaughlin clearly favors the applicant. We have provided critical evidence (pictures, maps, and official reports) showing poor drainage, poor soils, a Muni map showing areas within this parcel that are undevelopable, pooled water, pictures of a poorly capped wellhead that leaked hundreds of thousands gallons of water, unprotected streams that were driven over, we have caught errors in slope calculations, proof that these lots are NOT affordable to most, a lack of need for large, expensive homes. All this evidence is ignored by Mr. McLaughlin.

Carl  
8831 Upper DeArmoun  
Anchorage, AK 99516

carlportman@gci.net

9073458107

6/8/2018 10:16:56 AM

June 8, 2018

Planning Department  
Municipality of Anchorage  
Attn: Francis McLaughlin  
4700 Elmore Road  
Anchorage, AK 99507

Re: Lewis & Clark R-10 Rezone, Case No. 2018-0052

Dear Mr. McLaughlin:

I am writing in opposition to the proposed R-10 re-zone requested by Big Country Enterprises for the proposed Lewis & Clark subdivision on Upper DeArmoun Road. I have lived adjacent to the 70-acre parcel for 40 years. I voiced my opposition during the earlier R-6 re-zone process and for the same reason, I remain opposed to the newest



R-10 re-zone proposal.

Please understand, I am not opposed to the development of this parcel under current R-8 zoning. In fact, I did not appeal the R-8 conservation subdivision proposal approved by the Platting Board because I felt it was a significant step in the right direction. I believe the conservation subdivision can work with some adjustments to further minimize the impact on the immediate neighborhood, movement of wildlife, and the re-charging of neighboring wells, many of which have poor flow rates resulting in rationing of water for household and outdoor use. These adjustments could also help mitigate surface drainage issues on the property.

I have told Big Country Enterprises about my belief that a private meeting could lead to resolution of issues with the conservation subdivision. They have said they are unwilling to meet until after the Commission's decision on the R-10 rezone.

I am opposed to the R-10 re-zone for many of the reasons outlined in Marc June's May 14, 2018 comments, as well as Pat Dougherty's comments, dated June 5, 2018. Title 21 prohibits new rezoning applications for two years since their last denial and it has only been a year. With virtually no details and including questions, twelve minutes of time allotted by one of the applicants (in his role as President of the Hillside Community Council) does not satisfy Title 21's requirement of a community meeting before a rezone application. With the history of denials of 32, 30, and 26 lot subdivisions, not specifically addressing the number and size of lots, is inexcusable and may be intended to prevent negative comments from the various planning departments.

As Mr. Dougherty pointed out, approval of the R-10 rezoning application could potentially triple the number of homes from the maximum allowed under R-8, fundamentally changing the wild character of our neighborhood as the greatest density of new houses would be clustered along Upper DeArmoun Road – directly adjacent to our homes. Ironically, I understand Big Country Enterprises will be saving the largest lots in the parcel adjacent to wetlands, greenbelt, and municipal park for their families.

The Lewis and Clark parcel was intentionally zoned R-8 to provide the lowest density in houses, retain open space, and reduce surface drainage issues. As I have stated in earlier comments on previous re-zone efforts, many of the existing R-6 lots in the neighborhood are too small and should have been zoned R-8, too. A number of lots have drainage issues with springs that run all-year, resulting in glaciation. Malfunctioning septic systems are not uncommon.

In conclusion, the Lewis & Clark parcel was purchased by the developer knowing it was zoned R-8.

The Rezone applications for 32, 30, and 26 lots have been previously denied.

Meanwhile, an

application for a 16-lot plat has been approved by the Platting Board, subject to appeal.

The newest

rezone application is for as many as 45 lots. Because Title 21 requires a two-year waiting period

after a rejected rezone application, the Planning Department should have not accepted this rezone

application.

Regards,

Carl Portman

8831 Upper DeArmoun Road

Anchorage, AK 99516

carlportman@gci.net

Merideane Kennison

13341 Canyon Road

Anchorage, AK 99516

merideane@gmail.com

907-345-0184

6/8/2018 12:28:49 PM

Dear Commisssioners,

I am opposed to the proposed R-10 rezone on many levels.

Firstly, several re-zone requests have been made, one still in the works is unresolved while this new proposal is being put forward. The owners of the property bought the land knowing it was zoned R-8, all of the surrounding homeowners bought their homes knowing that the land would be developed that way... why won't the new owners be satisfied with what they bought? To change the zoning now is unfair to all.

The drainage from the surrounding slopes onto this parcel also concerns me. Much of the property is wetlands, and needs to be properly studied and mapped - at various times of year (not just the driest time!).

The road servicing this proposed development is in horrible shape - and likely always will be due to the harsh conditions, run-off, and geology of the area. Dense development will increase traffic on Canyon & Upper DeArmoun Roads, further degrading the roads, and adding to traffic in our neighborhood.

The small lot sizes of most of our properties allows us to know that it is NOT a good idea to zone more R-10 sized lots. Wells & septic systems often have but one place to be, and can't be moved should problems arise. Run-off from roof pitches can cause flooding on adjacent properties - where no problems existed previously (our property case in point). I think all of the neighbors see the error in the zoning of our very own properties and do not want to see it repeated.

If the new developers really want to be part of this neighborhood they would be wise to talk to us about the issues involved with living in this area, the problems we've encountered living up here, and how to create a neighborhood that would conform with the Hillside Plan. I feel like we were coming close to a consensus when this new R-10 rezone was proposed. It is confusing to counter this proposal, while trying to consider the previous Conservation Subdivision Plat.

I urge denial of this proposal.

Many Thanks, Merideane Kennison



RECEIVED

JUN 08 2018

June 8, 2018

Planning Department  
Municipality of Anchorage  
Attn: Francis McLaughlin  
4700 Elmore Road  
Anchorage, AK 99507

PLANNING DEPARTMENT

Re: Lewis & Clark R-10 Rezone, Case No. 2018-0052

Dear Mr. McLaughlin:

I am writing in opposition to the proposed R-10 re-zone requested by Big Country Enterprises for the proposed Lewis & Clark subdivision on Upper DeArmoun Road. I have lived adjacent to the 70-acre parcel for 40 years. I voiced my opposition during the earlier R-6 re-zone process and for the same reason, I remain opposed to the newest R-10 re-zone proposal.

Please understand, I am not opposed to the development of this parcel under current R-8 zoning. In fact, I did not appeal the R-8 conservation subdivision proposal approved by the Platting Board because I felt it was a significant step in the right direction. I believe the conservation subdivision can work with some adjustments to further minimize the impact on the immediate neighborhood, movement of wildlife, and the re-charging of neighboring wells, many of which have poor flow rates resulting in rationing of water for household and outdoor use. These adjustments could also help mitigate surface drainage issues on the property.

I have told Big Country Enterprises about my belief that a private meeting could lead to resolution of issues with the conservation subdivision. They have said they are unwilling to meet until after the Commission's decision on the R-10 rezone.

I am opposed to the R-10 re-zone for many of the reasons outlined in Marc June's May 14, 2018 comments, as well as Pat Dougherty's comments, dated June 5, 2018. Title 21 prohibits new rezoning applications for two years since their last denial and it has only been a year. With virtually no details and including questions, twelve minutes of time allotted by one of the applicants (in his role as President of the Hillside Community Council) does not satisfy Title 21's requirement of a community meeting before a rezone application. With the history of denials of 32, 30, and 26 lot subdivisions, not specifically addressing the number and size of lots, is inexcusable and may be intended to prevent negative comments from the various planning departments.

As Mr. Dougherty pointed out, approval of the R-10 rezoning application could potentially triple the number of homes from the maximum allowed under R-8, fundamentally changing the wild character of our neighborhood as the greatest density of new houses would be clustered along Upper DeArmoun Road – directly adjacent to our homes. Ironically, I understand Big Country Enterprises

will be saving the largest lots in the parcel adjacent to wetlands, greenbelt, and municipal park for their families.

The Lewis and Clark parcel was intentionally zoned R-8 to provide the lowest density in houses, retain open space, and reduce surface drainage issues. As I have stated in earlier comments on previous re-zone efforts, many of the existing R-6 lots in the neighborhood are too small and should have been zoned R-8, too. A number of lots have drainage issues with springs that run all-year, resulting in glaciation. Malfunctioning septic systems are not uncommon.

In conclusion, the Lewis & Clark parcel was purchased by the developer knowing it was zoned R-8. The Rezone applications for 32, 30, and 26 lots have been previously denied. Meanwhile, an application for a 16-lot plat has been approved by the Platting Board, subject to appeal. The newest rezone application is for as many as 45 lots. Because Title 21 requires a two-year waiting period after a rejected rezone application, the Planning Department should have not accepted this rezone application.

Regards,

Carl Portman  
8831 Upper DeArmoun Road  
Anchorage, AK 99516

[carlportman@gci.net](mailto:carlportman@gci.net)



RECEIVED

Case # 2018-0052

JUN 07 2018

Bern Davis, 13101 Jeanne Road

PLANNING DEPARTMENT

Here are my thoughts and testimony, explaining why this project has problems that should result in denial by the Planning Comm.

Persistent environmental problems

*THE WELL TEST RESULTS*

The same problems with this property, concerning hydrologic testing, wells and septic system requirements, continue to exist. Mr. Garness sank 38 test holes, and determined that "the majority of the proposed subdivision has marginal to impermeable soils (a percolation rate of more than 120 minutes per inch)." See the Garness letter.

His numbers were unacceptable to the developers, so Northrim Engineering ran the same tests. Those results have been roundly criticized by Mr. Ted Moore, a Physical Engineer. See the Ted Moore letter. He found numerous, serious irregularities.

He even concluded that the Municipality should "require 3<sup>rd</sup> party verification of the accuracy of these findings. . . . and also insist upon independent determination of this spring's seasonal high water table measurements." Those are strong words, coming from an engineer.

In addition, the developers have withheld some of the test results, and kept them out of the application packets submitted to the Planning Department. They have never allowed anyone to review

those tests, even when asked, directly. We believe that such secrecy should not be condoned.

#### THE IMPERVIOUS AREA

The S4 letter in the Application (p. 7, attached) states that the impervious area will increase just from 3.3% to 6.1%. We note that this is almost a 100% increase. But the real increase will actually be a lot more. These numbers were lifted from a previous application (2017-0072, R-6 limited to 30 houses). See the Triad letter. With 45 houses, the impervious area will go to 9%- a three hundred percent increase.

#### THE VEGETATION PERCENTAGE

The S4 letter, p. 7, also states that over 80% of the entire parcel will remain as heavily vegetated brush and trees. That is an impossible number and a false assertion- especially considering that they have already bulldozed over a large amount of the acreage, including the wetlands. They will simply never attain the 80% coverage that is required with an R-10 parcel.

#### THE TRAFFIC

The statements made in the S4 letter (p. 6, attached), are not accurate. DeArmoun Road is, in theory, a 1C collector road, rated for 2,000 to 10,000 trips daily. Anyone who thinks that it can withstand that level of usage has never driven on it.

Therefore, I have attached a video (I hope) showing the experience of driving at 40 miles an hour (the speed limit) up and down this very substandard road. To get the real effect, you have to focus on



the car hood. The camera has a “stabilizer,” that makes the road seem less bouncy than it really is.

Existing R-8 zoning allows for about 16 houses. The S4 letter wrongly states that R-10 will allow for another 15 lots. It actually allows up to 50 lots. The developers have indicated their intent to install upwards of 45 lots. So  $9.52 \text{ daily trips per house} \times \text{just } 45 \text{ lots} = 428 \text{ extra trips}$ , not the 142 that S4 stated. Take 2,000 trips as what DeArmoun can realistically stand, so another 428 is a 21% increase, NOT a 1.4% increase, like S4 states.

### Sham Council meetings

One other issue deserves mention. There is a clear and strict procedural requirement in Title 21 (at section 03.020.C1, attached) for a meaningful presentation at a Community Council meeting, before a rezone request can be considered by the PZC. A developer is supposed to:

1. inform the residents of the details of a proposal,
2. show how the developer intends to meet the standards in Title 21,
3. receive public comment and
4. encourage dialogue.

None of these things happened at the community council meetings that the developers held.

The developers held a meeting at the Hillside Comm. Council on February 28<sup>th</sup>. These people have gotten onto the Board, so they set the agenda for this meeting. They scheduled their presentation as the very last item on the agenda, after all the other business and mayoral candidates' speeches .

The Lewis & Clark “presentation” started at 8:43 (the school closed promptly at 9:00) and it was, frankly, a complete sham. ALL (and I do mean ALL) that Tom Dreyer (their agent) did was read the sections of Title 21 that pertained to an R-10 residential zone. They gave NO discussion whatsoever- NONE, and offered ZERO explanation of why this rezone was desirable and/or necessary.

Then it was “Oops- gee, look at the time. Gotta go. Bye.” We managed to get in a few questions, but we received no meaningful information about ANY specifics of their new plan- important things like lot sizes, slopes, type of septic systems, number of lots projected, and their price.

Tom Dreyer offered to answer any other questions via email, but he has steadfastly ignored all the emails that several neighbors have since sent to him, each asking for specific information.

Then they scheduled another “presentation” at the Hillside Council. Tom Dreyer was absent from this one. This time, again, the two developers made no presentation whatsoever. I mean NOTHING. They told us they really had nothing to say, and just asked us for questions.

However, Bruce Vergason categorically denied any knowledge of the answers to ANY and EVERY question that we asked. Todd Brownson, who does know the answers to our questions, just maintained a stony silence. He refused to provide any information, whatsoever.

Bruce even claimed to be totally ignorant of such fundamentals as the projected number of lots, a ballpark estimate of their expected prices, the costs involved in digging any roads- anything. His



uniform response to every question was "Gee- I don't know. Sorry. Haven't been informed about that, yet."

We pointed out to him that his naive ignorance bordered on outright stupidity. No one goes into a multimillion dollar project with utterly no knowledge or understanding of the most basic financials involved. Yet that is exactly what he claimed was the case.

These gatherings were both sham meetings, that certainly do NOT meet the criteria that are clearly stated in Title 21. These people have made a mockery of the process that is supposed to happen. This mandatory procedural step has NOT been met, and the PZC hearing really needs to be abated, until such time as a real and substantial presentation is given to the Hillside Community Council members.

### Summary

The developers already have a much more reasonable plat (R-8 Conservation Subdivision with 16 lots) that has been approved by the Platting Board. See the attached plat. It is far better than their previous R-6 rezone requests, that the Planning Commission has unanimously denied, in the past. The neighborhood, including myself, generally supports this R-8 project.

There is no rational necessity for this rezone. The R-8 plat is acceptable to us, and profitable to the developers. Several of the mandatory 9 requirements (especially # 5 and 6) cannot be met by this R-10 rezone. For all the reasons discussed above, we ask that you recommend denial of this application.

Garness Engineering Ltd

GARNESS ENGINEERING GROUP, Ltd  
CIVIL & ENVIRONMENTAL ENGINEERS

Quanics

Advanced Treatment System  
Dealer

April 29, 2015 (Revised)

S4 Group  
124 E. 7<sup>th</sup> Ave.  
Anchorage, AK. 99501  
Phone: 907-306-8104  
Attention: Tom Dreyer

see page 2



Subject: Soils Investigation Report and Well/Septic Reserve Area for Lewis and Clark Subdivision (proposed) Located off Upper Dearmoun Road in Anchorage, Alaska

Mr. Dreyer,

Lewis and Clark Subdivision (proposed) is located on the south side of Upper Dearmoun Road in Anchorage, Alaska. Based on the preliminary plat drawing provided to us, this development is proposed to consist of thirty-two (32) lots and two (2) large tracts. The two (2) large tracts are classified as wetlands. Improvements will include street improvements and storm drainage, all within publicly dedicated right of way. Per your request we excavated and logged test holes and performed percolation test/s for each lot. This information will be used to establish septic reserve areas or platted drainfield sites for each lot in the subdivision.

#### PROPOSED WELL AND SEPTIC RESERVE AREAS

Soil logs have been prepared for all test holes excavated on the property (see Tab 4). We have also prepared a site map showing the proposed well locations with 100 foot protective radii and proposed septic reserve areas or platted drainfield sites (see Tab 2). In regards to the septic reserve areas, MOA wastewater ordinance AMC 15.65.180 requires that a site map be provided showing the septic reserve area for each lot or identify three (3) platted drainfield sites. In regards to the septic reserve area, the total reserve area must meet the requirements set forth in Table 2 of AMC 15.65.180 (see below).

TABLE 2

TABLE INSET:

Percolation Rate (minutes/inch)	Total Reserved Area (square feet)
1-5	10,000
5-12	12,000
12-24	14,000
24-60	16,000

In regards to platted drainfields, the platted drainfield sites must meet the requirements set forth in AMC 15.65.180 (see below).

3701 East Tudor Road, Suite 101 \* Anchorage, Alaska 99507-1259  
Phone: (907) 337-6179 \* Fax: (907) 338-3246 \* Website: [www.garnessengineering.com](http://www.garnessengineering.com)

Exh 1

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- 2 *The lot must contain sufficient area to provide for structures, and a well or other water source, and sufficient area for an original on-site wastewater disposal system and two replacement subsurface disposal fields designed in accordance with the standards and procedures of Sections 15.65.040, 15.65.050 and 15.65.060. The plat must designate the maximum number of bedrooms allowed on each lot. The area to be used for wastewater disposal system and replacement subsurface disposal fields must be designated on the plat for each lot as being unavailable for use for driveways, parking areas or structures.*

Based upon the soils conditions on the property we have provided a combination of septic reserve areas and platted drainfield sites. The platted Drainfields have been sized for four (4) bedrooms and will require a plat note limiting the number of bedrooms to this size for each lot. The following is a summary of our findings of the topography, soil conditions, groundwater conditions, etc., across the property.

### SOILS REPORT SUMMARY

Based upon the topography information provided to us by your firm, the average slopes across the majority of this parcel range from 5 to 20 percent running generally from northwest to southeast (see attached site plan). Prior to excavation of the test holes, your firm provide us with a proposed subdivision drawing with the layout of the planned subdivision of the which includes the location of delineated wetlands, drainageway/s, and a stream channel. Based on the topography information, the proposed lot configurations, the location of delineated wetlands, drainageway/s, stream channel, etc., test hole locations were chosen and these locations were staked by your firm. All test hole locations were excavated at the staked/flagged location. A total of thirty-eight (38) test holes have been excavated on the property and percolation test/s have been performed in separate benches in undisturbed, native material. Attached are all the soil logs (see **Tab 4**) which indicates the soils classification, groundwater monitoring data, and percolation test information. In addition to the soil logs, we prepared a spreadsheet summarizing all the test hole percolation data, the highest groundwater readings, and the depth of impermeable soils (see **Tab 3**). This spreadsheet notes if a septic reserve area or a platted drainfield is proposed for each particular lot. The following is a brief overall description of the soil conditions across the parcel:

We performed test holes on the southeast quarter of the property for proposed Lots 1 through 4 (TH#1, TH#2, TH#3, and TH#4). Based upon our findings, these proposed lots appear to be unsuitable for onsite septic systems due to impermeable soil and/or high groundwater. Additionally, two (2) test holes (TH#11 and TH#11A (old Th#6)) were performed on proposed Lot 11 and found that the lot will not meet the requirement for septic reserve area or platted drainfields. In short, this lot appears unsuitable for an onsite septic system.

The majority of the of the proposed subdivision has marginal to impermeable soils (soils that have a percolation rate of >120 minutes/inch) at a depth of four (4) feet. Each test hole in this portion of property generally has one (1) to two (2) feet of organic/peat material. Between the organic layer and the impermeable layer, generally there is a two (2) to three (3) foot layer of gravel, silt mixture (GM) that had percolation rates that ranged from 3.3 to 48 minutes/inch. Given the impermeable soils (at four feet and/or shallow groundwater) and based our experience with the MOA Onsite Department on other subdivisions with similar conditions, these proposed lots will most likely require the use of platted drainfield sites served by advanced wastewater treatment systems. We have prepared a conceptual cross-section detail drawing which shows a profile view of a proposed platted drainfield (see **Tab 5**). In



the cross-section drawing, we are showing the limits of excavation to be the same (2 feet) and the installation of 4+ feet of MOA approved sand filter. This will put the bottom of the proposed drainfields at 2 feet above original grade and provide the required 6 foot separation distances to impermeable soils. All the platted drainfield sites are "mounded" and require 3 to 1 slopes that are vegetated. Since these are all mounded drainfields, we have shown on the site plan that all platted drainfields are at least 35 feet away from any lot line that is below/downhill from the lowest platted site. This will insure no cutbanks or slopes that exceed 25 percent will exist 50 feet downhill from the proposed drainfields. It is extremely important that the proposed roadways, driveways and house locations are planned for these properties to insure that no cutbanks are created 50 feet below the platted drainfields. We are also recommending that the most upper platted drainfield site be used as the first installation preference. There were several test holes that did not have impermeable soils and had percolation tests that would appear to support conventional onsite septic systems and qualify for septic reserve areas. These lots include proposed Lots 6, 8, 9, 10, and 19 (TH#6 (old TH#2), TH#8 (old TH#1), TH#9, TH#10, and TH#19).

All of these test holes were performed between October of 2014 and January of 2015. During this time frame during (multiple site visits), we did not see any running water in any of the drainageways or the stream channel that were shown on your drawing. The only standing water visibly seen on the lot was in the designated wetlands on proposed Tract A. On April 17, 2015, we performed spring groundwater monitoring on all the test holes. This is approximately a month earlier than the normal spring groundwater timeframe (May), but due to the early spring conditions and the lack of snow conditions in the area, it is our opinion that the April groundwater reading would be adequate for high groundwater conditions. Prior to performing spring groundwater readings, we contacted Deb Wockenfuss with the MOA Onsite Department and confirmed that she would accept these readings as the high groundwater levels. During our site visit on April 17, 2015, we inspected all the drainageways and stream channels and found them to be dry except for the drainageway at the South end of Canyon Road, where there was a small flow of water running through the channel. This water appeared to be from runoff travelling down the Eastside ditch line of Canyon Road, flowing through a culvert under Canyon Road, and daylighting in the drainageway located in the Southeast corner of this parcel. This will most likely dry-up after spring "break-up". In short, based upon our observations, there was no issues with surface waters on the property except those noted as designated wetlands or the small amount of water in the aforementioned drainageway.

#### WELL AND AQUIFER SUMMARY FOR NEIGHBORING PROPERTIES

Per your request, we performed records research on the neighboring properties to find well information including well depths, casing depths, static water level, well production, and water quality. On the site plan we have included the approximate well location of all the neighboring wells and also have included a text box to include any well information that could be found on each well. The well information shown on the site plan were taken from well logs, Certificate of System Approvals (COSA's), Health Authority Approvals (HAA's), well adequacy reports, etc., found on the MOA Onsite Department public records and State of Alaska WELTS website. The information may not be comprehensive. The following is a summary of the neighboring well information:

For the properties to the west and northwest of this parcel, the well depths ranged from 54 feet to 315 feet deep, the casing depths ranged from >40 feet to 230 feet, the static water levels (SWL) ranged from 23 feet to 160 feet, well production ranged from 5 to 12.5 gallons per minute (gpm), and nitrate levels ranged from 2.22 to 7.31 mg/L. Based upon this information, the wells to the west/northwest of this parcel appear to meet MOA AMC 15.55 Water Well Ordinance.



For the properties to the north of this parcel, the well depths ranged from 115 feet to 247 feet deep, the casing depths ranged from >40 feet to 76 feet, the static water levels (SWL) ranged from 17 feet to 87 feet, well production ranged from 0.81 to 4 gallons per minute (gpm), and nitrate levels ranged from 2.5 to 4.73 mg/L. Based upon this information, the wells to the north of this parcel appear to meet MOA AMC 15.55 Water Well Ordinance.

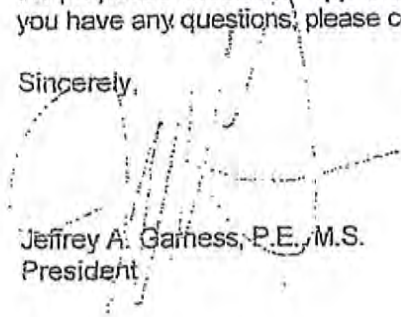
For the properties to the east of this parcel, the well depths ranged from 106 feet to 325 feet deep, the casing depths ranged from 27 feet (bedrock) to 61 feet, the static water levels (SWL) ranged from 0 feet to 40 feet, well production ranged from 1.31 to 5 gallons per minute (gpm), and nitrate levels ranged from 0.5 to 4.35 mg/L. Based upon this information, the wells to the east of this parcel appear to meet MOA AMC 15.55 Water Well Ordinance.

The property to the south (downhill) of the parcel is undeveloped. Based upon the neighboring well information, it initially appears that there should be no issues with drilling wells for this subdivision; however, moderately elevated nitrate levels could be an issue.

#### CONCLUSION

Based upon the well/septic reserve site map, the soils reports and the surrounding well information, the proposed subdivision appears to meet the MOA subdivision standards for most of the parcel. If you have any questions, please contact us at 907-337-6179.

Sincerely,

  
Jeffrey A. Garness, P.E., M.S.  
President

*Ted Moore letter*

## FLATTOP TECHNICAL SERVICES

CIVIL & ENVIRONMENTAL ENGINEERING \* ENERGY CONSERVATION & ANALYSIS

TED MOORE, P.E.  
PH./FAX: (907)345-1355  
E-Mail: tgmoore@gci.net

14530 ECHO CANYON ROAD  
ANCHORAGE, AK 99516

May 24, 2017

Francis McLaughlin  
M.O.A Planning Department  
4700 Elmore Road – P.O. Box 196650  
Anchorage, AK 99519-6650

Re: Lewis and Clark Subdivision Application – File # 2017-0072

Dear Mr. McLaughlin:

I have reviewed the information pertaining to soils suitability for septic systems that was provided by the developer of the proposed Lewis and Clark Subdivision, and wish to offer the following comments.

By way of background, I am a registered professional civil engineer with over 25 years of experience conducting soils tests for septic systems, focused primarily on the Anchorage Hillside area.

A careful review of the report and 2016 soils data submitted by the developer's consultant reveals numerous errors, inconsistencies and improbable data, which raise red flags regarding the overall validity of this analysis. Several of these discrepancies are itemized as follows:

(1) Each of the 2016 test hole soils logs shows virtually identical soil stratification, with exactly the same silty sand and silt with gravel material underlying the surface organic layer. In my experience, the soil stratification in most test holes dug anywhere on the Hillside tends to vary significantly within a short distance, so the chance that nearly identical soils would be encountered in 21 consecutive test holes dug on this parcel seems highly unlikely, to say the least. In fact, the soils test logs included in this report which were prepared by other engineers reveal significantly different soil stratifications including several instances of soils unsuitable for septic systems.

(2) The percolation test data reported for every test hole states that the observed percolation rate was identical for each of the three required measurement intervals. In my experience this rarely happens; the apparent percolation rate usually tends to vary somewhat over each measurement interval.

(3) In numerous instances, the description of the location of the test hole on the lot does not correspond with the location plotted on the site plan.

(4) Soils data for 5 of the apparent 26 test holes is not included in the report.

(5) It appears that the reported date of 10/22/10 shown in the lower right corner of each test hole log is probably incorrect.

The foregoing discrepancies are troubling in that they cast doubt on the overall professionalism of the petitioner's soils analysis. In my opinion, it would be appropriate for the Municipality to require 3<sup>rd</sup> party verification of the accuracy of these findings. It would also be appropriate for the Municipality to insist upon independent determination of this spring's seasonal high water table measurements in each of the test hole monitor tubes.

Sincerely,

Ted Moore, P.E.

86 of 190

*Exh 2*

*138*



## Application S4 letter, p. 7

onto DeArmoun Road as per the MOA design standards. DeArmoun Road is a two lane paved roadway. Data Sources from the MOA and HDR shows that for Upper DeArmoun Road, a long term build out volume to capacity ratio is 0.25. This means that after long term final build out, DeArmoun Road will be at only 25% of the designed capacity.

*7. The proposed rezoning is not likely to result in significant adverse impacts upon adjacent land uses, or such impacts shall be mitigated through stipulations.*

There will be no adverse impacts to neighboring properties. Mr. David Grenier and Mr. Brandon Marcott of Triad Engineering compiled a report of the Preliminary Drainage Impact Analysis. Their summary states: "Conclusion: ...one of the primary concerns for this development will be the contributing offsite runoff from properties to the north and east of the project. Area upstream of the project generates approximately half of the total runoff that flows through the site. This runoff will be collected and routed through vegetated drainage ways and directed to Rabbit Creek, closely matching the existing drainage path on site. No grading will be done outside of the property boundary, and MOA-identified drainage ways will remain in place downstream of the project. The overall existing drainage pattern of the surrounding area will not change or be negatively affected with the development of this parcel.

Increasing the density from R-8 to R-10 zoning creates a minimal change in peak runoff, with an increase in the range of 3-7%. This minor increase can be safely managed by sizing drainage ways and culverts accordingly. The increase in impervious area is also minimal, increasing from 3.3% impervious under R-8 zoning to 6.1% impervious with a R-10 development. As proposed, the project site will remain at a low density with a minimum lot size of 1 & ¼ acres, as per Title 21 subdivision regulations with over 80% of the parcel predicted to remain as heavily vegetated brush and trees. Glaciation concerns will be addressed by keeping shallow ground water along the roadways below the ground surface. No adverse impacts to neighboring properties are anticipated under the proposed R-10 zoning.

*8. The rezone does not extend or exacerbate a land use pattern that is inconsistent with the comprehensive plan.*

This rezone's R-10 is consistent with the land use patterns in the area and is consistent with the comprehensive plan as stated above.

*9. The rezoning does not result in a split-zoned lot.*

Lewis & Clark will not create any split-zoned lots.

*Application 2017-0072*

*Triad letter  
see next page*

## LEWIS & CLARK SUBDIVISION

### PRELIMINARY DRAINAGE IMPACT ANALYSIS

Owner/Developer:

Big Country Enterprises, LLC

Prepared By:

**TRIAD**  
ENGINEERING

P.O. Box 110890  
Anchorage, Alaska 99511  
(907) 561-6537

March 2017

*Exh 4*



For R-8 zoning, impervious area would make up 3.3% of the total 79 acres. The R-6 development would create an impervious area of approximately 6.1% of the total project area.

#### b. Summary of post-development runoff

Totals provided below are the summation of peak inflow, in cfs, for all post-development sub-basins.

Table 3: Post-development Peak Runoff Rates

	10-Year			100-Year		
	R-8 [cfs]	R-6 [cfs]	% Increase R-8 to R-6	R-8 [cfs]	R-6 [cfs]	% Increase R-8 to R-6
Outfall 1	12	12.9	7.0%	24.7	25.9	4.6%
Outfall 2	14.3	15.1	5.3%	33.6	34.7	3.2%
Outfall 3	12.9	13.7	5.8%	31.8	32.9	3.3%

Post development analysis calculations are included in the Appendix.

#### 5. Conclusion

As mentioned in Section 2.c., one of the primary concerns for this development will be the contributing offsite runoff from properties to the north and east of the project. Area upstream of the project generates approximately half of the total runoff that flows through the site. This runoff will be collected and routed through vegetated drainage ways and directed to Rabbit Creek, closely matching the existing drainage path on site. No grading will be done outside of the property boundary, and MOA-identified drainage ways will remain in place downstream of the project. The overall existing drainage pattern of the surrounding area will not change or be negatively affected with the development of this parcel.

Increasing the density from R-8 to R-6 zoning (limited to 30 lots) creates a minimal change in peak runoff, with an increase in the range of 3-7%. This minor increase can be safely managed by sizing drainage ways and culverts accordingly. The increase in impervious area is also minimal, increasing from 3.3% impervious under R-8 zoning to 6.1% impervious with a 30-lot R-6 development.

As proposed, the project site will remain at a low density with an average lot size greater than 2 acres, with over 80% of the parcel predicted to remain as heavily vegetated brush and trees. Glaciation concerns will be addressed by keeping shallow ground water along the roadways below the ground surface. No adverse impacts to neighboring properties are anticipated under the proposed R-6 zoning designation and 30-lot limitation.

*Application S4 letter, p. 6*

*5. Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) are capable of supporting the uses allowed by the zone or will be complete by the time development is complete, while maintaining adequate levels of service to existing development.*

All facilities, utilities and services are capable of supporting the planned residential uses in Lewis & Clark. Road Access is by Upper DeArmoun Road, water services will be by individual water wells on each lot, sewer systems will be on-site systems. Fire protection issues will be addressed by complying with the latest fire code and by providing fire department approved turn-arounds at the end of any cul-de-sac within Lewis & Clark, and by providing roads that are safe by width and design.

*6. The rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts shall be substantially mitigated.*

The approval of this rezone will help reduce environmental impacts, in relation to:

**Steep slopes:** R-10 zoning code regulations define size of the allowable lots by the steepness of the existing terrain. For example, a lot with less than a 20% slope would be required to have an area of at least a 1 & ¼ acre, lots that have a slope between 20% & 25% must have a minimum lot size of 2 & ½ acres, lots with a slope between 25% & 30% must have at least 5 acres of area.

**Wetlands/Streams/Drainage-ways:** Wetland areas will be protected and will be tracted out through the future subdivision process. The platting process will further define and refine the details according to the professional reports, Title 21 subdivision standards, and other reporting agencies comments.

**Hydric soils:** Through the subdivision platting process, all lots will meet current Title 21 regulations concerning septic site standards and availability of water. Final lot line locations will take into consideration the boundaries of the areas suitable for septic sites and well-site locations.

**Traffic:** DeArmoun Road, is classified as a type 1C collector according to the Anchorage Official Streets & Highways Plan. A class 1C road is required to have two lanes, a sixty-foot ROW width, and a rating of 2,000 to 10,000 ADT's. DeArmoun Road is built to class 1C standards and is designed to accommodate 10,000 ADT's. This rezoning would allow appx. 15 more lots than the existing zoning currently allows. A single family house is rated at 9.52 ADT's, which equates to an additional 143 ADT's, which equals 1.4% of the allowed ADT's



- vi. Any concerns related to neighborhood impacts, land use, landscaping concepts, and overall project design.
  - vii. Possible alternatives or modifications related to the proposed application.
  - viii. Procedures that will need to be completed to review and act on the proposed application.
- c. A checklist of discussion items indicating topics discussed at the pre-application conference shall be provided to the applicant within ten days of the conference. The checklist shall be considered proprietary information until an application has been submitted.

5. **Informal Review Comments Not Binding**

The review comments of the director are not binding upon the applicant or the municipality, but are intended to serve as a guide to the applicant in making the application and to advise the applicant in advance of the formal application of any issues which will or may subsequently be presented to the appropriate decision-making body. Because a pre-application conference precedes the actual application, some key issues relating to a specific proposal may not be apparent at the pre-application conference.

6. **Application Required Within Six Months**

After a pre-application conference has been completed, an application must be submitted within six months, unless one extension is granted by the director not to exceed an additional six months. If a complete application is not submitted within six months or an extension has not been granted, a new pre-application conference shall be required prior to submitting an application.

C. **Community Meetings**

1. **Purpose**

The community meeting is an informal opportunity for the developer to inform the surrounding area residents and property owners of the details of a proposed development and application, how the developer intends to meet the standards contained in this title, and to receive public comment and encourage dialogue at an early time in the review process.

2. **Applicability**

a. **Types of Applications**

The applicant shall hold a community meeting for any of the following types of applications.

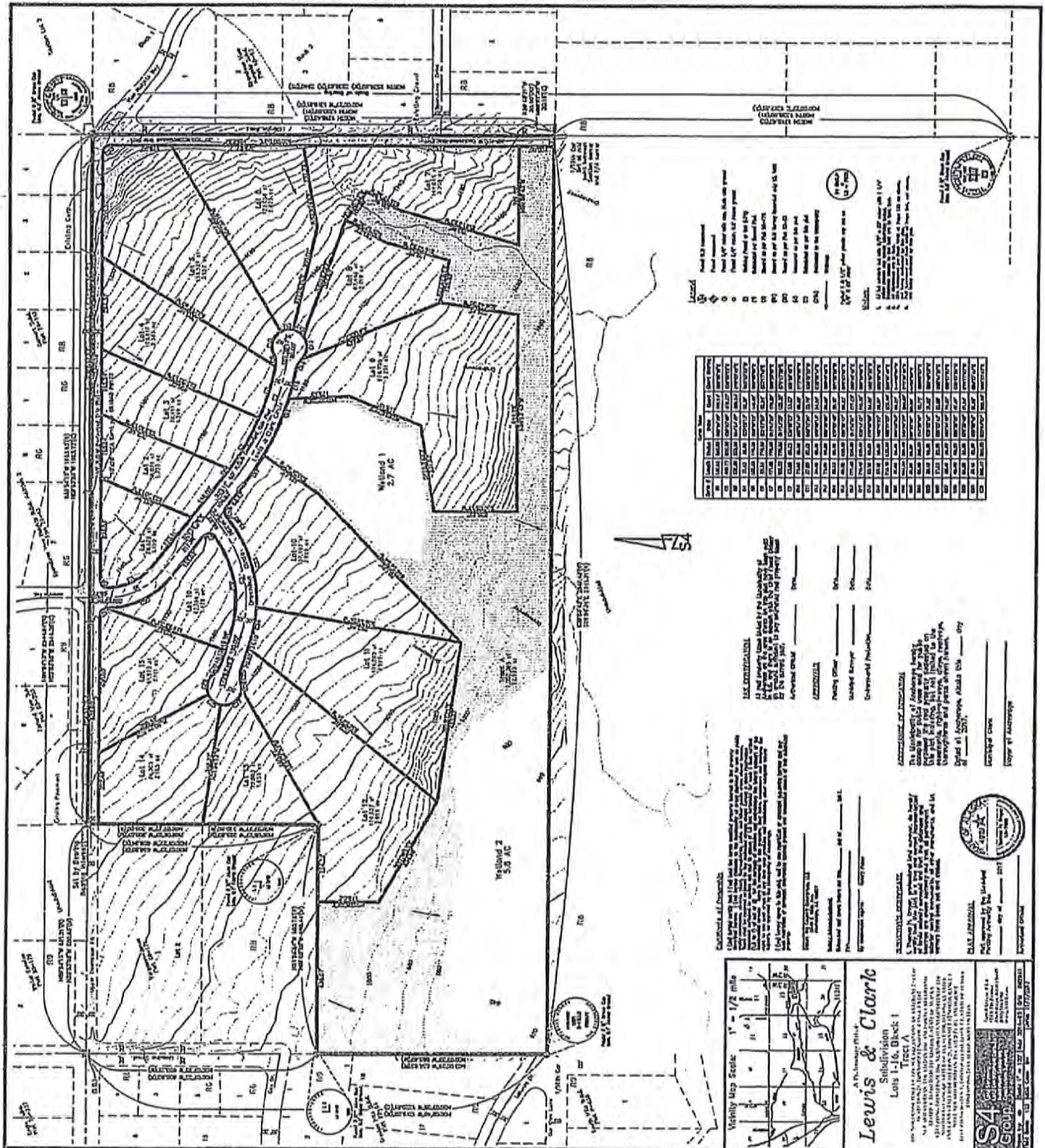
- i. Rezoning (zoning map amendments);
- ii. Subdivisions, except for abbreviated plats;
- iii. Conditional uses;
- iv. Marijuana—special land use permit;
- v. Institutional master plans;
- vi. Major site plan review; and
- vii. Public facility site selection.

b. **Community Councils**

The applicant shall use as its first choice the community council(s) meeting of the project area as the community meeting when the community council(s) meeting



# R-8 Conservation Subdivision plat



Exh 7  
74X3



# NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052 351331750 0020

PETITIONER: Big Country Enterprises, LLC

REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential Alpine/Slope District

TOTAL AREA: 77.01 acres

SITE ADDRESS: 13301 MESSINIA ST. ANCHORAGE, AK 99516

LOCATION: Generally located east of Messina Street, south of Upper DeArmour Road, and west of Canyon Road.

CURRENT ZONE: R-8 Low-Density Residential (4 acres) District

COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps

LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4, Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30PM, Monday, June 11, 2018 in the Loussac Library Assembly Chambers, 3600 Denali Street, Anchorage, Alaska.

The zoning ordinance requires that you be sent notice because your property, residence, or business is within the vicinity of the petition area. This will be the only public hearing before the commission regarding this case and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition, this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Planning Department, P.O. Box 198550, Anchorage, Alaska 99519-6650. For more information call 343-7943; FAX 343-7927. Case information may be viewed online at <http://www.muni.org/CityViewPortal>.

Name:

Deanna Pruhs 6-6-2018 Deanna Pruhs

Address:

33 year Anchorage Resident Hillside East Resident  
13 year Hillside Resident Diamond Blvd Workplace

Comments:

I have known the Diopet Family for many years, they are wonderful, generous and responsible people. They are community conscientious and active in our city and have complete confidence for this rezoning.

RECEIVED

JUN 07 2018

PLANNING DEPARTMENT



To the Municipality of Anchorage,

6/6/18

I have lived in Alaska since 1988 and grew up living on the Hillside. My husband and I would love to live on the Hillside again and build a house for our family of five. We were very excited to learn that this could become a reality when the respected family, the Brownsons, bought a large parcel of land to develop into a thoughtfully laid out and spacious neighborhood on Upper Dearmon. As you know finding an open lot to build on in Anchorage is next to impossible. Thanks to Todd and Elisha Brownson this could indeed make a lot of Alaskan families dream come true. Apparently there has been a lot of push back and down right bullying from the people living on Upper Dearmon. Somehow they feel that they have a right to land they do not own and do not wish for other Alaskans to enjoy living there. I drove up Upper Dearmon recently and almost every house has a sign protesting the lots. Most of the houses with protest signs are closer to Hillside drive and not even close to the prospective neighborhood. The houses with these signs are not big lots, the majority of them look to be about 1 acre in size. From what I understand the new neighborhood will have lots with a minimum of 1 acre per lot and many will be over that.

Just because the protesters like the view they have or the street the way it is no reason to not let a new prosperous neighborhood be built. It is greedy of them to assume that they can control someone else's property for their personal pleasure. I implore you to please let this property to be zoned so my family and other Alaskans can have the opportunity to enjoy this beautiful land. Thank you for your consideration.

Terra Ayers

11930 Kristie Circle  
Anchorage, AK 99516



RECEIVED

JUN 07 2018

Case # 2018-0052

PLANNING DEPARTMENT

Comments from Joan Priestley, owner of 13101 Jeanne Street

The developers are now engaging in their fourth attempt to significantly change the land use designation of their property. This time, they are touting the desirability and especially the affordability of the projected 45 to 50 lots, mostly 1.25 acres in size, that they intend to create on their three parcels.

I will respond to several significantly false and misleading statements that they have made to the Planning and Zoning Commission (PZC).

A. S4 letter, page 2-

"The R-10 minimum lot size of 1 and  $\frac{1}{4}$  acre reduces the cost of the roadway improvements substantially, which in turn reduces the purchase price of the lots into a range that is more in line with what people can afford."

The developers have told us repeatedly that they will claim a number of choice lots, and build houses on them, for themselves and their extended families; they will sell the other lots to finance their personal ambitions. They have also admitted that, to accomplish this goal, they intend to charge "the market rate" for all the lots that they will be selling. There will be no corresponding reduction in the price of these lots, merely because this R-10 rezone will decrease their production costs. The S4 letter makes statements that are fundamentally untrue.

So, what is the market price in this area? Would the 50 or so lots that they intend to install actually have a price "that is more in line with what people can afford?" The short answer is simply a resounding "NO." I reached this conclusion by studying a list of every lot in

Anchorage (.11 acres up to 2 acres in size) that is presently for sale, or that has recently sold.

Several painful financial facts became apparent from my analysis:

1. The average price per acre for a lot in Area 25, where these parcels are located, is **\$ 168,686.47** per acre (see *Exhibit 1- Active and Sold listings, and Exhibit 2- prices and acreage*).

Average price per acre of lots now for sale = **\$ 169,016.54**  
(64.67 acres for \$ 10,930,300)

Average price per acre of lots recently sold = **\$ 165,782.31**  
(7.35 acres for \$ 1,218,500)

Combined average price, active and sold= **\$ 168,686.47**

Note- 4 lots presently for sale, and 3 sold lots, have unique physical or legal problems. They are not representative of normal market forces, so they were not included in the analysis.

Therefore, the forty five to fifty 1.25 acre lots in this development will be priced at around **\$ 210,858.08 EACH**. Over **\$ 200,000**, just to buy the LOT! Then every new owner will have to dig his own well (with no guarantee that they will hit water). I live just two houses to the north of this parcel. Our well is over 200 feet deep, and it does not supply enough water to maintain a lawn or flower beds. Some others in the neighborhood are more than 350 feet deep. At **\$ 100** per foot, that comes to more than **\$ 20,000** to sink a well.

Then the buyers will have to install (quite probably) an Advantix septic system, for another **\$22,000** to **\$ 40,000**. Now we are up to **\$252,000** to **\$270,000**- just to make the land inhabitable. Note that this amount is hardly the total charges incurred to build a house on the property- we are just talking about the cost of getting the land ready for a house! Do you call that huge outlay "in line with what people can



afford”? It is clear to me that this “affordable housing” assertion from the developers’ agent, which has been pushed as a major benefit of this rezone, is very false and deceitful.

2. There are a LOT of lots in other parts of town that are extremely affordable- even as low as \$ 8,500(!) for a property that is admittedly small, but is certainly developable and livable in Area 20 (see Exhibit 1).
3. In contrast, the Lewis & Clark R-10 rezone will do nothing to increase the number of truly affordable lots in Anchorage. The supposed “affordability” of the Lewis & Clark lots is a sham argument, and should be disregarded.

B. S4 letter, page 1-

“New subdivisions . . . on the hillside are becoming increasingly rare, as most of the land is fully developed.”

No, there are presently a number of large acre undeveloped parcels on the market (see *Exhibit 3- list of large parcels*). In addition, there are huge swaths of multi-acre properties, right in the immediate vicinity of the L & C parcel. For example, the “Rohaley property” (several parcels that total 94.40 acres) and the “Mills property” (80 acres) are both very large tracts, that will probably be put up for sale in the near future.

In summary, this is not the first rodeo for these developers. In 2014, they petitioned the PZC twice for a rezone to R-6. Margaret O’Brian is a Senior Planner at the Planning Department. She exercised integrity and objectivity in her Staff Report, recommending denial of the R-6 rezone request. She correctly perceived that the needs of Anchorage for reasonable and affordable housing were NOT met by rezoning this property to R-6.

Based in part on Margaret's thoughtful analysis, the PZC unanimously denied the R-6 rezone, and clearly stated in its Resolution 2015-026:

"an increase in density does not need to happen in this particular site. There is a need for more housing in Anchorage; however, the results of the [2012 Housing] Study determined that there was an over supply of large lot zoned land for single family residential development. What the Anchorage community does not have enough of is small lot development served by public utilities and services.

"This proposal is not necessarily a good urban plan. It is not necessarily good to expand the low density sprawl in the community throughout the Hillside. What is needed is more compact development concentrated near employment centers, as the Comprehensive Plan recommends."

Nothing significant has changed, since then. The same problems that have dogged this property in the past continue to exist today. We urge the present PZC members to follow the same path that your predecessors wisely chose, and recommend denial of this new rezone proposal.

Sincerely,

*Joan Priestley, M.D.*

Exhibit 1- Active and Sold listings

Exhibit 2- prices and acreage





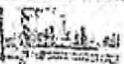




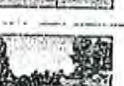
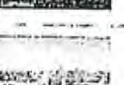




Exhibit 3- list of large parcels



## Residential - Public

*Active listings*  
*11 acre to 2.02 acres*





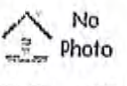





230 Properties













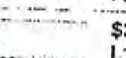

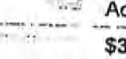

		Price / Status / MLS #	Area	Property Type	SF-Lot Acres	DOM	Listing Office
1		\$68,600 2910 Willow Street Anchorage, AK 99517 Active / 18-3930 Price Reduced	10	Land	4,635 0.11	82	Keller Williams Realty Alaska Group
2		\$245,000 000#23 Evangeline Lane #23 Anchorage, AK 99517 Active / 13-4224	10	Land	5,734 0.13	1,889	RE/MAX Dynamic Properties
3		\$149,000 L4 B8 Dawson Street Anchorage, AK 99503 Active / 18-6908	10	Land	6,224 0.14	36	Dwell Realty
4		\$235,000 1795 Evangeline Lane #20 Anchorage, AK 99517 Active / 13-4221	10	Land	6,244 0.14	1,828	RE/MAX Dynamic Properties
5		\$95,900 910 W 36th Avenue Anchorage, AK 99503 Active / 18-3926	10	Land	6,750 0.15	82	Real Estate Brokers of Alaska
6		\$240,000 1785 Evangeline Lane #19 Anchorage, AK 99517 Active / 13-4220	10	Land	6,951 0.16	1,828	RE/MAX Dynamic Properties
7		\$265,000 1795 Evangeline Way #17 Anchorage, AK 99517 Active / 13-4226	10	Land	6,993 0.16	1,828	RE/MAX Dynamic Properties
8		\$83,000 NHN Garfield Street Anchorage, AK 99503 Active / 18-3560	10	Land	7,000 0.16	88	Keller Williams Realty Alaska Group
9		\$154,000 L1 B6 Lois Drive Anchorage, AK 99502 Active / 17-10531	10	Land	7,000 0.16	345	Schilling Commercial R.E. LLC
10		\$110,000 3510 Cope Street Anchorage, AK 99503 Active / 17-16560	10	Land	7,250 0.17	254	Herrington and Company, LLC
11		\$255,000 1785 Evangeline Way #16 Anchorage, AK 99517 Active / 13-4227	10	Land	7,391 0.17	1,828	RE/MAX Dynamic Properties
12		\$90,000 1800 Roosevelt Drive Anchorage, AK 99517 Active / 17-16764	10	Land	7,553 0.17	251	Buyers Real Estate, LLC
13		\$160,000 351 W 33rd Street Anchorage, AK 99503 Active / 17-8996	10	Land	9,701 0.22	366	RE/MAX Dynamic Properties
14		\$160,000 L5 B5 Fairbanks Street Anchorage, AK 99503 Active / 18-825 Price Reduced	10	Land	11,285 0.26	145	Commercial Real Estate Alaska, LLC
15		\$125,000 L2 W Northern Lights Boulevard Jakeman	10	Land	11,564 0.27	123	O'Banion Real Estate and Relocation Services, LLC

*Exh 1*

		Price / Status / MLS #	Area	Property Type	SF-Lot	Acres	DOM	Listing Office
		Anchorage, AK 99517 Active / 18-1623						
16		\$800,000 000 Fairbanks Street 40th Avenue cross street Anchorage, AK 99503 Active / 16-4530	10	Land	37,383	0.86	798	GTK Real Estate
17		\$349,000 2007 W 36th Avenue Anchorage, AK 99517 Active / 18-1612	10	Land	42,891	0.98	141	Commercial Real Estate Alaska, LLC
18		\$1,360,740 200 Calais Drive Anchorage, AK 99503 Active / 11-12229	10	Land	45,358	1.04	2,444	Frampton & Opinsky, LLC
19		\$87,700 Tr A W Northern Lights Boulevard Anchorage, AK 99517 Active / 15-664	10	Land	63,703	1.46	1,193	Jack White Real Estate
20		\$625,000 201 W 24th Place Anchorage, AK 99503 Active / 16-14272	10	Land	84,850	1.95	644	Schilling Commercial R.E. LLC
21		\$155,000 L15 58th Court Anchorage, AK 99517 Active / 17-12727	15	Land	7,315	0.17	315	Schilling Commercial R.E. LLC
22		\$118,400 3611 W 79th Avenue Anchorage, AK 99502 Active / 17-11488	15	Land	8,477	0.19	325	RE/MAX Dynamic Properties
23		\$89,999 L4C B1 Blackberry Anchorage, AK 99502 Active / 18-8361	15	Land	8,747	0.2	16	Herrington and Company, LLC
24		\$90,000 6960 Crawford Street Anchorage, AK 99502 Active / 17-16954	15	Land	9,147.6	0.21	247	Keller Williams Realty Alaska Group
25		\$129,000 L9A BG Sperstad Anchorage, AK 99502 Active / 18-700	15	Land	12,745	0.29	141	Real Estate Brokers of Alaska
26		\$149,900 907 E 79th Estimated Anchorage, AK 99518 Active / 18-1618	15	Land	20,500	0.47	124	Real Estate Brokers of Alaska
27		\$450,000 4813 W 80th Avenue Anchorage, AK 99502 Active / 18-4605	15	Land	22,050	0.51	217	RE/MAX Dynamic Properties
28		\$499,000 551 W 54th Avenue 563 Anchorage, AK 99518 Active / 18-8869	15	Land	22,500	0.52	8	Homes Unlimited
29		\$533,200 L4A S 57th Court Anchorage, AK 99502 Active / 13-12753	15	Land	38,087	0.87	1,749	Schilling Commercial R.E. LLC
30		\$470,000 8525 Jewel Lake Road Anchorage, AK 99502 Active / 18-5965	15	Land	44,423	1.02	50	RE/MAX Dynamic Properties



		Price / Status / MLS #	Area	Property Type	SF-Lot	Acres	DOM	Listing Office
31		\$1,000,000 5475 Fairbanks Street Anchorage, AK 99518 Active / 18-437	15	Land	51,087	1.17	147	Chambers Commercial Real Est
32		\$225,000 L4 W 73rd Avenue Anchorage, AK 99517 Active / 17-16457	15	Land	76,700	1.76	257	Jack White Real Estate
33		\$175,000 L3 W 73rd Avenue Anchorage, AK 99502 Active / 17-16459	15	Land	78,175	1.79	257	Jack White Real Estate
34		\$16,900 L16 B8 Olympic Street Anchorage, AK 99515 Active / 18-1396	20	Land	8,880	0.2	126	Somers Realtors, Inc.
35		\$9,500 L18 B8 Gebhart Drive Anchorage, AK 99515 Active / 16-18210	20	Land	8,880	0.2	548	North Country Investments, Inc
36		\$9,000 Patricia L9 B1 Anchorage, AK 99515 Active / 18-6037	20	Land	9,648	0.22	49	RE/MAX Dynamic Properties
37		\$8,500 L8 B11 Laurel Acres Anchorage, AK 99515 Active / 17-14326	20	Land	10,139	0.23	294	RE/MAX Dynamic Properties
38		\$9,900 L19 B1 Laurel Acres Anchorage, AK 99515 Active / 17-14127	20	Land	10,264	0.24	296	Century 21 Realty Solutions Freedom Realty
39		\$8,500 L9 B7 Patricia Anchorage, AK 99515 Active / 18-4802	20	Land	10,500	0.24	68	RE/MAX Dynamic Properties
40		\$8,500 L11 B7 Patricia Anchorage, AK 99515 Active / 18-4803	20	Land	10,500	0.24	68	RE/MAX Dynamic Properties
41		\$8,500 L10 B7 Patricia Anchorage, AK 99515 Active / 18-4508	20	Land	10,500	0.24	72	RE/MAX Dynamic Properties
42		\$9,900 L16 B1 Laurel Acres Anchorage, AK 99515 Active / 17-14126	20	Land	10,964	0.25	296	Century 21 Realty Solutions Freedom Realty
43		\$339,000 L9 Cheveley Drive Anchorage, AK 99515 Active / 17-10338	20	Land	11,528	0.26	348	Keller Williams Realty Alaska Group
44		\$9,000 Patricia L5 B9 Anchorage, AK 99515 Active / 18-6038	20	Land	11,573	0.27	49	RE/MAX Dynamic Properties
45		\$399,000 L25 B3A Whitby Circle Anchorage, AK 99515 Active / 17-10659	20	Land	12,879	0.3	296	RE/MAX Dynamic Properties
46		\$339,000 L6 Cheveley Drive Anchorage, AK 99515 Active / 17-10358	20	Land	12,895	0.3	296	Dwell Realty

		Price / Status / MLS #	Area	Property Type	SF-Lot Acres	DOM	Listing Office
47		\$339,000 L7 Cheveley Drive Anchorage, AK 99515 Active / 17-10336	20	Land	12,895 0.3	348	Keller Williams Realty Alaska Group
48		\$339,000 L5 Cheveley Drive Anchorage, AK 99515 Active / 17-10357	20	Land	12,895 0.3	348	Dwell Realty
49		\$339,000 L4 Cheveley Drive Anchorage, AK 99515 Active / 17-10335	20	Land	13,063 0.3	348	Keller Williams Realty Alaska Group
50		\$9,900 1111 Dorian Drive Anchorage, AK 99515 Active / 18-8201	20	Land	13,872 0.32	19	Keller Williams Realty Alaska Group
51		\$339,000 L3 Cheveley Drive Anchorage, AK 99515 Active / 17-10334	20	Land	13,951 0.32	348	Keller Williams Realty Alaska Group
52		\$239,000 L12 Cheveley Drive Anchorage, AK 99515 Active / 17-10339	20	Land	14,661 0.34	348	Keller Williams Realty Alaska Group
53		\$349,000 L2 Cheveley Drive Anchorage, AK 99515 Active / 17-10355	20	Land	15,798 0.36	348	Dwell Realty
54		\$9,900 1031 Dorian Drive Anchorage, AK 99515 Active / 18-8200	20	Land	15,984 0.37	19	Keller Williams Realty Alaska Group
55		\$89,000 L7 BE Sunset Hills Anchorage, AK 99515 Active / 17-9705	20	Land	16,000 0.37	357	Alaska Real Estate Alliance
56		\$319,000 L11 Cheveley Drive Anchorage, AK 99515 Active / 17-10363	20	Land	16,400 0.38	348	Dwell Realty
57		\$249,000 L16 Cheveley Drive Anchorage, AK 99515 Active / 17-10342	20	Land	16,937 0.39	348	Keller Williams Realty Alaska Group
58		\$625,000 4000 N Point Drive Anchorage, AK 99502 Active / 17-19986	20	Land	17,000 0.39	177	Jack White Commercial
59		\$359,000 L10 Cheveley Drive Anchorage, AK 99515 Active / 17-10343	20	Land	19,470 0.45	33	Keller Williams Realty Alaska Group
60		\$259,000 L15 Cheveley Drive Anchorage, AK 99515 Active / 17-10365	20	Land	20,893 0.48	348	Dwell Realty
61		\$359,000 L1 Cheveley Drive Anchorage, AK 99515 Active / 17-10354	20	Land	21,320 0.49	348	Dwell Realty
62		\$325,000 12875 Old Seward Highway	20	Land	23,000 0.53	149	Jack White Commercial



		Price / Status / MLS #	Area	Property Type	SF-Lot	Acres	DOM	Listing Office
		Anchorage, AK 99515 Active / 18-336						
63		\$259,000 L14 Cheveley Drive Anchorage, AK 99515 Active / 17-10341	20	Land	32,007	0.73	348	Keller Williams Realty Alaska Group
64		\$650,000 12865 Old Seward Highway Anchorage, AK 99515 Active / 18-1771	20	Land	41,780	0.96	119	Jack White Commercial
65	 New Listing	\$650,000 NHN W Dimond Boulevard Anchorage, AK 99515 Active / 18-9442	20	Land	53,750	1.23	0	Real Estate Brokers of Alaska
66		\$499,900 8501 Arctic Boulevard Anchorage, AK 99515 Active / 18-7453	20	Land	53,924	1.24	29	Jack White Real Estate
67		\$150,000 L14 Bruce Lane Anchorage, AK 99515 Active / 18-3741	20	Land	57,167	1.31	84	Keller Williams Realty Alaska Group
68		\$1,442,500 10090 Old Seward Highway Anchorage, AK 99515 Active / 17-3822	20	Land	72,125	1.66	442	Burnett Co Realty, Inc.
69		\$1,234,000 L2 B2 W 106th Avenue Anchorage, AK 99515 Active / 16-4876	20	Land	77,124	1.77	785	Stanton Real Estate
70		\$1,237,792 L1 B1 Lucky Huffman Anchorage, AK 99515 Active / 17-16929	20	Land	77,536.8	1.78	251	Jack White Commercial
71		\$1,237,792 L1 B1 Lucky Huffman Anchorage, AK 99515 Active / 18-1742	20	Land	77,537	1.78	251	Jack White Commercial
72		\$169,000 L13 Blk1 Potter View Circle Anchorage, AK 99516 Active / 18-8736	25	Land	14,222	0.33	12	Jack White Real Estate
73		\$169,500 18360 Potter Bluff Circle Anchorage, AK 99516 Active / 18-2803	25	Land	18,059	0.41	100	RE/MAX Dynamic Properties
74		\$162,000 L39 B6 Manorwood Pointe Circle Anchorage, AK 99516 Active / 14-10946	25	Land	20,589	0.47	1,401	Jack White Real Estate
75		\$169,900 16763 Woods Pointe Circle Anchorage, AK 99516 Active / 18-5386	25	Land	20,908.8	0.48	58	Keller Williams Realty Alaska Group
76		\$160,000 L10 B4 Prominence Point Drive Anchorage, AK 99516 Active / 18-9202	25	Land	20,969	0.48	5	Jack White Real Estate
77		\$140,000 L32 B1 Southpark Bluff Drive Anchorage, AK 99516 Active / 18-6901	25	Land	21,121	0.48	35	RE/MAX Dynamic Properties



		Price / Status / MLS #	Area	Property Type	SF-Lot	Acres	DOM	Listing Office
78		\$135,300 L16 B6 Prominence Pointe Drive Anchorage, AK 99516 Active / 14-10947	25	Land	21,254	0.49	1,401	Jack White Real Estate
79		\$145,000 6243 Prominence Pointe Drive Anchorage, AK 99516 Active / 17-1031	25	Land	21,347	0.49	496	RE/MAX Dynamic Properties
80		\$169,000 L9 B4 Prominence Pointe Anchorage, AK 99516 Active / 18-217	25	Land	22,111	0.51	152	Real Estate Brokers of Alaska
81		\$175,000 18931 SCENIC HILL Circle Anchorage, AK 99516 Active / 15-16960	25	Land	22,930	0.53	936	Real Estate Brokers of Alaska
82		\$39,000 L7AB9H Byron Drive Anchorage, AK 99516 Active / 17-11530	25	Land	23,068	0.53	334	Keller Williams Realty Alaska Group of Wasilla
83		\$162,100 L5 B7 Prominence Pointe Drive Anchorage, AK 99516 Active / 14-10949	25	Land	23,353	0.54	1,401	Jack White Real Estate
84		\$130,000 L45 B3 BriarCliff Pointe Circle Anchorage, AK 99516 Active / 17-15091	25	Land	25,344	0.58	282	RE/MAX Dynamic Properties
85		\$130,000 L11 B3 Southpark Bluff Drive Anchorage, AK 99516 Active / 18-6899	25	Land	25,359	0.58	35	RE/MAX Dynamic Properties
86		\$169,700 L14 B6 Manorwood Pointe Circle Anchorage, AK 99516 Active / 14-10950	25	Land	25,899	0.59	1,401	Jack White Real Estate
87		\$130,000 L8 B2 Southpark Bluff Drive Anchorage, AK 99516 Active / 18-6900	25	Land	26,353	0.6	35	RE/MAX Dynamic Properties
88		\$163,600 L15 B6 Manorwood Pointe Circle Anchorage, AK 99516 Active / 14-10951	25	Land	26,593	0.61	1,282	Jack White Real Estate
89		\$109,000 L28 B9 Bulgaria Drive Anchorage, AK 99516 Active / 17-14874	25	Land	27,197	0.62	285	Somers Realtors, Inc.
90		\$164,400 L6 B7 Prominence Pointe Drive Anchorage, AK 99516 Active / 14-10952	25	Land	30,391	0.7	1,401	Jack White Real Estate
91		\$109,000 6001 Bulgaria Drive Anchorage, AK 99516 Active / 17-14875	25	Land	31,448	0.72	286	Somers Realtors, Inc.
92		\$90,000 8025 Marino Drive Anchorage, AK 99516 Active / 16-12712	25	Land	32,323	0.74	668	Coldwell Banker Best Properties
93		\$50,000 7800 Marino Drive Anchorage, AK 99516 Active / 18-3719	25	Land	32,919	0.76	84	RE/MAX Dynamic Properties



		Price / Status / MLS #	Area	Property Type	SF-Lot	Acres	DOM	Listing Office
94		\$203,000 L7 B1 Sandpiper Drive Anchorage, AK 99516 Active / 18-2372	25	Land	40,065	0.92	107	RE/MAX Dynamic Properties
95		\$201,500 L6 B1 Sandpiper Drive Anchorage, AK 99516 Active / 17-12834	25	Land	40,082	0.92	313	RE/MAX Dynamic Properties
96		\$193,500 L8 B3 Sandpiper Drive Anchorage, AK 99516 Active / 18-2375	25	Land	40,085	0.92	107	RE/MAX Dynamic Properties
97		\$194,500 L11 B1 Mountain Breeze Drive Anchorage, AK 99516 Active / 18-2434	25	Land	40,088	0.92	107	RE/MAX Dynamic Properties
98		\$55,000 16241 Diane Drive Anchorage, AK 99516 Active / 17-13345	25	Land	40,115	0.92	307	RE/MAX of Eagle River
99		\$173,500 L2 B3 Mountain Air Drive Anchorage, AK 99516 Active / 18-2365	25	Land	40,135	0.92	18	RE/MAX Dynamic Properties
100		\$185,500 L12 B1 Mountain Breeze Drive Anchorage, AK 99516 Active / 18-2364	25	Land	40,413	0.93	107	RE/MAX Dynamic Properties
101		\$206,000 L2 B4 Mountain Breeze Drive Anchorage, AK 99516 Active / 18-2367	25	Land	40,874	0.94	79	RE/MAX Dynamic Properties
102		\$65,000 L3A B8H Byron Drive Anchorage, AK 99516 Active / 17-11630	25	Land	40,885	0.94	330	Jack White Real Estate
103		\$176,500 L7 B3 Sandpiper Drive Anchorage, AK 99516 Active / 18-2373	25	Land	41,563	0.95	107	RE/MAX Dynamic Properties
104		\$189,000 L12 Shangri la Circle Anchorage, AK 99516 Active / 17-1695	25	Land	42,602	0.98	435	Dwell Realty
105		\$183,500 L6 B4 Mountain Breeze Drive Anchorage, AK 99516 Active / 18-2371	25	Land	45,341	1.04	107	RE/MAX Dynamic Properties
106		\$193,800 L5 B1 Sandpiper Drive Anchorage, AK 99516 Active / 18-2369	25	Land	45,624	1.05	107	RE/MAX Dynamic Properties
107		\$191,900 L4 B1 Sandpiper Drive Anchorage, AK 99516 Active / 17-12832	25	Land	45,624	1.05	269	RE/MAX Dynamic Properties
108		\$212,300 L5 B4 Mountain Breeze Drive Anchorage, AK 99516 Active / 18-4814	25	Land	46,058	1.06	67	RE/MAX Dynamic Properties
109		\$275,000 16140 Old Seward Highway	25	Land	46,837	1.08	114	RE/MAX Dynamic Properties

		Price / Status / MLS #	Area	Property Type	SF-Lot	Acres	DOM	Listing Office
		Anchorage, AK 99516 Active / 18-2015						
110		\$185,500 L8 B1 Mountain Breeze Drive Anchorage, AK 99516 Active / 18-2374	25	Land	47,086	1.08	107	RE/MAX Dynamic Properties
111		\$185,000 18509 Potter Glen Circle Anchorage, AK 99516 Active / 18-41	25	Land	47,306	1.09	155	Keller Williams Realty Alaska Group
112		\$179,900 L9 B3 Sandpiper Drive Anchorage, AK 99516 Active / 18-4812	25	Land	47,907	1.1	67	RE/MAX Dynamic Properties
113	 No Photo	\$55,000 L19B-1 BIV Francesca Drive Nickleen Dr Anchorage, AK 99516 Active / 16-14962	25	Land	47,916	1.1	629	Herrington and Company, LLC
114		\$146,900 16000 Elizabeth Street Anchorage, AK 99516 Active / 18-2046	25	Land	49,658.4	1.14	114	Keller Williams Realty Alaska Group
115		\$149,000 L5 B4 Potter Highlands Drive Anchorage, AK 99516 Active / 15-1785	25	Land	50,660.28	1.16	1,213	Dwell Realty
116		\$215,000 16851 Olena Point Circle Anchorage, AK 99516 Active / 17-5958	25	Land	51,190	1.18	408	RE/MAX Dynamic Properties
117		\$149,000 L4 B4 Potter Highlands Drive Anchorage, AK 99516 Active / 15-1784	25	Land	51,879.96	1.19	1,212	Dwell Realty
118		\$155,000 L7 B4 Potter Highlands Drive Anchorage, AK 99516 Active / 17-14227	25	Land	52,143	1.2	294	Dwell Realty
119		\$169,000 L6 B4 Potter Highlands Drive Anchorage, AK 99516 Active / 17-14228	25	Land	52,443	1.2	294	Dwell Realty
120		\$155,000 L8 B4 Potter Highlands Drive Anchorage, AK 99516 Active / 17-14226	25	Land	52,796	1.21	294	Dwell Realty
121		\$175,000 4050 Virgo Avenue Anchorage, AK 99516 Active / 17-14756	25	Land	52,932	1.22	287	RE/MAX Dynamic Properties
122		\$225,000 L13 B3 Potter Highlands Drive Anchorage, AK 99516 Active / 17-14202	25	Land	53,272	1.22	295	Dwell Realty
123		\$229,000 L12 B3 Potter Highlands Drive Anchorage, AK 99516 Active / 17-14201	25	Land	53,485	1.23	295	Dwell Realty
124		\$235,000 L11 B3 Potter Highlands Drive Anchorage, AK 99516 Active / 17-14199	25	Land	53,560	1.23	295	Dwell Realty



		Price / Status / MLS #	Area	Property Type	SF-Lot	Acres	DOM	Listing Office
125		\$219,000 L14 B3 Potter Highlands Drive Anchorage, AK 99516 Active / 17-14209	25	Land	53,738	1.23	295	Dwell Realty
126		\$211,500 L10 B3 Potter Highlands Drive Anchorage, AK 99516 Active / 17-14198	25	Land	53,873	1.24	295	Dwell Realty
127		\$149,000 L2 B4 Potter Highlands Drive Anchorage, AK 99516 Active / 15-1782	25	Land	54,362.88	1.25	1,212	Dwell Realty
128		\$250,000 15486 Old Seward Highway Anchorage, AK 99516 Active / 18-305	25	Land	54,450	1.25	149	RE/MAX Dynamic Properties
129		\$211,500 L9 B3 Potter Highlands Drive Anchorage, AK 99516 Active / 17-14196	25	Land	55,570	1.28	295	Dwell Realty
130		\$105,000 L1 B2 Snow Bear Drive Anchorage, AK 99516 Active / 18-5139	25	Land	56,548	1.3	63	RE/MAX Dynamic Properties
131		\$132,000 L2 B2 Mountainside Village Anchorage, AK 99516 Active / 17-5945	25	Land	57,546	1.32	413	Keller Williams Realty Alaska Group of Eagle River
132		\$149,000 L3 B4 Potter Highlands Drive Anchorage, AK 99516 Active / 15-1783	25	Land	60,199.92	1.38	971	Dwell Realty
133		\$169,000 L1 B2 Potter Valley Road Anchorage, AK 99516 Active / 15-2056	25	Land	67,082.4	1.54	1,206	Dwell Realty
134		\$179,000 L2 B2 Potter Valley Road Anchorage, AK 99516 Active / 15-2057	25	Land	68,345.64	1.57	1,206	Dwell Realty
135		\$240,000 L2 B1 Southpointe Ridge Drive Anchorage, AK 99516 Active / 18-6645	25	Land	74,117	1.7	40	Keller Williams Realty Alaska Group
136		\$140,000 L12 B3 Snow Bear Circle Anchorage, AK 99516 Active / 18-1509	25	Land	77,162	1.77	125	Dwell Realty
137		\$150,000 15151 Golden View Drive Anchorage, AK 99516 Active / 17-5458	25	Land	82,574	1.9	337	RE/MAX Dynamic Properties
138		\$100,000 7135 Big Mountain Drive Anchorage, AK 99516 Active / 15-1447	25	Land	82,648	1.9	1,216	RE/MAX Dynamic Properties
139		\$175,000 L4 B3 Virgo Avenue Anchorage, AK 99516 Active / 18-2355	25	Land	87,991.2	2.02	108	Statewide Real Estate, LLC
140		\$65,000 NHN Ridge Place Anchorage, AK 99516 Active / 16-12991	30	Land	10,080	0.23	667	RE/MAX Dynamic Properties

		Price / Status / MLS #	Area	Property Type	SF-Lot	Acres	DOM	Listing Office
141		\$150,000 L33 B3 Morgan Loop Anchorage, AK 99516 Active / 16-16291	30	Land	19,389	0.45	596	The Summit Group
142		\$478,896 9040 Toloff Street Anchorage, AK 99507 Active / 17-17242	30	Land	21,768	0.5	240	Jack White Commercial
143		\$249,500 7640 Lodge Pole Court Anchorage, AK 99507 Active / 16-15993	30	Land	29,700	0.68	607	FSBO System LLC
144		\$139,500 7330 Huffman Road Anchorage, AK 99516 Active / 18-5391	30	Land	36,602	0.84	58	Keller Williams Realty Alaska Group
145		\$249,000 1231 Sultana Court Anchorage, AK 99516 Active / 17-2787	30	Land	39,517	0.91	461	Real Estate Brokers of Alaska
146		\$1,368,000 1850 Abbott Road Anchorage, AK 99507 Active / 17-19004	30	Land	45,600	1.05	202	Jack White Commercial
147		\$169,500 10500 Birch Road Anchorage, AK 99516 Active / 17-15222	30	Land	48,656	1.12	282	RE/MAX Dynamic Properties
148		\$219,900 9900 McCready Circle Anchorage, AK 99507 Active / 18-6208	30	Land	49,135	1.13	48	Alaska Real Estate Alliance
149		\$140,000 BLK2 LT11B Thomas L Boyle Anchorage, AK 99516 Active / 18-4354	30	Land	49,500	1.14	75	Real Estate Brokers of Alaska
150		\$160,000 12801 Midori Drive Anchorage, AK 99516 Active / 17-401	30	Land	50,481	1.16	492	Jack White Real Estate
151		\$199,999 L28 B2 Main Tree Anchorage, AK 99507 Active / 17-18301	30	Land	53,889	1.24	218	RE/MAX Dynamic Properties
152		\$215,000 12740 Ginami Street Anchorage, AK 99516 Active / 18-5404	30	Land	54,450	1.25	58	RE/MAX Dynamic Properties
153		\$149,900 L24 BLM Sec 27 L24 Anchorage, AK 99507 Active / 17-12550	30	Land	54,450	1.25	187	Somers Realtors, Inc.
154		\$149,900 L49 BLM Sec27 L49 Anchorage, AK 99507 Active / 17-9601	30	Land	54,450	1.25	223	Somers Realtors, Inc.
155		\$149,900 L50 BLM Sec 27 L50 Anchorage, AK 99507 Active / 17-9603	30	Land	54,450	1.25	223	Somers Realtors, Inc.
156		\$139,900 L23 BLM Sec 27 L23	30	Land	54,450	1.25	232	RE/MAX Dynamic Properties

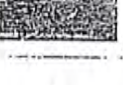

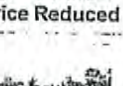



		Price / Status / MLS #	Area	Property Type	SF-Lot	Acres	DOM	Listing Office
		Anchorage, AK 99516 Active / 17-9269						
157		\$147,500 L2A Birch Road Anchorage, AK 99507 Active / 18-722	30	Land	55,362	1.27	141	RE/MAX Dynamic Properties
158		\$215,000 NHN Kaslof Boulevard Anchorage, AK 99507 Active / 18-2814	30	Land	56,968	1.31	99	Dwell Realty
159		\$750,000 9841 Reliance Drive Anchorage, AK 99507 Active / 17-2515	30	Land	87,049	2	464	Gold Key Real Estate
160		\$125,000 Lot 4 GrayHawk Anchorage, AK 99507 Active / 18-8309	35	Land	7,131	0.16	16	Dwell Realty
161		\$39,000 L24 B3 Galatea Estates Anchorage, AK 99507 Active / 18-1922	35	Land	8,192	0.19	117	Keller Williams Realty Alaska Group
162		\$72,500 nhn Spruce Street Anchorage, AK 99507 Active / 18-6531	35	Land	8,349	0.19	44	Coldwell Banker Best Properties
163		\$81,500 7130 O'Brien Street Anchorage, AK 99507 Active / 18-1526	35	Land	8,400	0.19	125	Century 21 Realty Solutions - Midtown Anchorage
164		\$800,000 NHN Dakota Street Anchorage, AK 99507 Active / 17-14531	35	Land	8,550	0.2	290	Vanguard Real Estate, LLC
165		\$27,500 L6 B2 Tranquillity Loop Anchorage, AK 99507 Active / 16-11160	35	Land	8,848	0.2	697	RE/MAX Dynamic Properties
166		\$55,000 8210 Sandy Place Anchorage, AK 99507 Active / 17-15696 Price Reduced	35	Land	9,290	0.21	272	Arolik Real Estate
167		\$39,000 L26 B3 Galatea Estates Anchorage, AK 99507 Active / 18-1927	35	Land	10,720	0.25	117	Keller Williams Realty Alaska Group
168		\$50,000 L27 B2 E 73rd Avenue Anchorage, AK 99507 Active / 18-8827	35	Land	11,000	0.25	8	Herrington and Company, LLC
169		\$135,000 L5 B2 E 73rd Avenue Anchorage, AK 99507 Active / 17-7846	35	Land	11,414	0.26	383	Jack White Real Estate
170		\$39,000 L25 B3 Galatea Estates Anchorage, AK 99507 Active / 18-1925	35	Land	11,608	0.27	117	Keller Williams Realty Alaska Group
171		\$39,900 1831 E 73rd Avenue Anchorage, AK 99507 Active / 18-644	35	Land	12,040	0.28	142	Keller Williams Realty Alaska Group

		Price / Status / MLS #	Area	Property Type	SF-Lot Acres	DOM	Listing Office
172		\$39,900 1840 E 73rd Avenue Anchorage, AK 99507 Active / 18-645	35	Land	12,040 0.28	142	Keller Williams Realty Alaska Group
173		\$39,900 1841 E 73rd Avenue Anchorage, AK 99507 Active / 18-646	35	Land	12,040 0.28	142	Keller Williams Realty Alaska Group
174		\$39,900 1850 E 73rd Avenue Anchorage, AK 99507 Active / 18-649	35	Land	12,090 0.28	142	Keller Williams Realty Alaska Group
175		\$39,900 L28 B3 Galatea Estates Anchorage, AK 99507 Active / 18-1325	35	Land	12,495 0.29	128	Denali Real Estate
176		\$199,000 7447 O'Brien Street Anchorage, AK 99507 Active / 18-6483	35	Land	15,000 0.34	42	Gold Key Real Estate
177		\$176,250 7210 Meadow Street Anchorage, AK 99507 Active / 18-6088	35	Land	16,030 0.37	48	Vanguard Real Estate, LLC
178		\$176,250 7230 Meadow Street Anchorage, AK 99507 Active / 18-6090	35	Land	16,030 0.37	48	Vanguard Real Estate, LLC
179		\$176,250 7200 Meadow Street Anchorage, AK 99507 Active / 18-6087	35	Land	16,032 0.37	48	Vanguard Real Estate, LLC
180		\$176,250 7220 Meadow Street Anchorage, AK 99507 Active / 18-6089	35	Land	16,032 0.37	48	Vanguard Real Estate, LLC
181		\$210,000 L26 Grumman Street Anchorage, AK 99507 Active / 16-5437	35	Land	33,030 0.76	663	Jack White Real Estate
182	 No Photo Status Change	\$765,000 7807 Sandlewood Place Anchorage, AK 99507 Active / 17-13703	35	Land	38,177 0.88	185	Metcalfe Commercial Real Estate
183		\$450,000 7319 Brayton Drive Anchorage, AK 99507 Active / 18-7292	35	Land	38,332.8 0.88	30	Real Estate Brokers of Alaska
184		\$450,000 7319 Brayton Drive Anchorage, AK 99507 Active / 18-7295	35	Land	38,332.8 0.88	30	Real Estate Brokers of Alaska
185		\$450,000 7319 Brayton Drive Anchorage, AK 99507 Active / 18-7293	35	Land	39,071 0.9	30	Real Estate Brokers of Alaska
186		\$450,000 7319 Brayton Drive Anchorage, AK 99507 Active / 18-7294	35	Land	39,806 0.91	30	Real Estate Brokers of Alaska
187		\$100,000 L1 B3 Galatea Estates	35	Land	39,916 0.92	28	RE/MAX Dynamic Properties



		Price / Status / MLS #	Area	Property Type	SF-Lot Acres	DOM	Listing Office
		Anchorage, AK 99507 Active / 18-7486					
188		\$550,000 000 Laurel Street Anchorage, AK 99507 Active / 18-2862	35	Land	45,962 1.06	99	Real Estate Brokers of Alaska
189		\$322,000 L4-L10 Clogia Circle Anchorage, AK 99507 Active / 17-13663	35	Land	56,835 1.3	302	Mathews Realty
190		\$250,000 L1 B4 Farpoint Drive Anchorage, AK 99507 Active / 16-11847	35	Land	67,111 1.54	658	RE/MAX Dynamic Properties
191		\$295,000 L5 B2 Catine Circle Anchorage, AK 99507 Active / 18-1766	35	Land	81,457 1.87	119	RE/MAX Dynamic Properties
192		\$238,000 9720 Basher Drive Anchorage, AK 99507 Active / 16-15698	35	Land	87,120 2	607	Keller Williams Realty Alaska Group
193		\$80,000 800 E 13th Avenue Anchorage, AK 99501 Active / 17-2725	40	Land	7,000 0.16	462	RE/MAX Dynamic Properties
194		\$119,900 2825 Lily Street Anchorage, AK 99508 Active / 16-15236	40	Land	8,400 0.19	504	RE/MAX Dynamic Properties
195		\$85,000 L8 E 24th Avenue Anchorage, AK 99508 Active / 17-11930	40	Land	8,688 0.2	328	Jack White Real Estate
196		\$135,000 L1A B25 E 36th Avenue VL Anchorage, AK 99508 Active / 17-19077	40	Land	9,082 0.21	202	Keller Williams Realty Alaska Group of Eagle River
197		\$180,000 1301 Matterhorn Way Anchorage, AK 99508 Active / 17-8154	40	Land	9,880 0.23	664	Herrington and Company, LLC
198		\$90,000 4220 Marik Street Anchorage, AK 99504 Active / 17-13088	40	Land	11,250 0.26	300	Keller Williams Realty Alaska Group
199		\$86,000 4200 Marik Street Anchorage, AK 99504 Active / 17-13089	40	Land	11,859 0.27	300	Keller Williams Realty Alaska Group
200		\$528,791 4245 Lake Otis Parkway Anchorage, AK 99508 Active / 14-11723	40	Land	23,041 0.53	1,860	Commercial Real Estate Alaska, LLC
201		\$155,000 nnn Boniface and Lynn Anchorage, AK 99504 Active / 18-6264	40	Land	42,542 0.98	45	Coldwell Banker Best Properties
202		\$209,000 4401 E 4th Avenue Anchorage, AK 99508 Active / 17-14757	40	Land	42,971 0.99	287	Glacier City Realty


		Price / Status / MLS #	Area	Property Type	SF-Lot Acres	DOM	Listing Office
203		\$450,000 L3 Mt. View Drive Frag Anchorage, AK 99501 Active / 16-17209	40	Land	45,002 1.03	589	Jack White Commercial
204		\$1,121,176 4246 Laurel Street Anchorage, AK 99508 Active / 14-11725	40	Land	48,853 1.12	1,850	Commercial Real Estate Alaska, LLC
205		\$130,000 6030 Staedem Drive Anchorage, AK 99504 Active / 17-11109	45	Land	8,452 0.19	338	J. Riley Realty LLC
206		\$75,000 120 Jelinek Place Anchorage, AK 99504 Active / 17-9998	45	Land	8,923 0.2	338	Real Estate Brokers of Alaska
207		\$90,170 259 Friendly Street Anchorage, AK 99504 Active / 16-14342 Price Reduced	45	Land	9,017 0.21	643	Schilling Commercial R.E. LLC
208		\$86,800 439 Idaho Street Anchorage, AK 99508 Active / 16-12909	45	Land	9,258 0.21	671	Burnett Co Realty, Inc.
209		\$85,000 8400 Rangeview Avenue Anchorage, AK 99504 Active / 16-12094	45	Land	9,450 0.22	609	RE/MAX Dynamic Properties
210		\$139,900 7316 Tanaga Circle Anchorage, AK 99504 Active / 18-6185	45	Land	9,944 0.23	47	Real Estate Brokers of Alaska
211		\$99,800 640 & 642 Mason Drive Anchorage, AK 99504 Active / 18-7769	45	Land	10,019 0.23	26	RE/MAX Dynamic of the Valley
212		\$125,000 2501 Boniface Parkway Anchorage, AK 99504 Active / 17-1519	45	Land	11,250 0.26	421	Dwell Realty
213		\$185,000 6430 E 8th Avenue Anchorage, AK 99504 Active / 14-8445	45	Land	13,702 0.31	1,436	Keller Williams Realty Alaska Group
214		\$150,740 8201 Duben Avenue Anchorage, AK 99504 Active / 16-14334 Price Reduced	45	Land	15,074 0.35	643	Schilling Commercial R.E. LLC
215		\$379,820 317 Muldoon Road Anchorage, AK 99504 Active / 17-15783	45	Land	18,991 0.44	272	Coldwell Banker Commercial Advisors
216		\$1,103,200 149 Muldoon Road Anchorage, AK 99504 Active / 17-20126	45	Land	68,675 1.58	162	Burnett Co Realty, Inc.
217		\$44,900 1244 Hyder Street Anchorage, AK 99501 Active / 18-1019	5	Land	3,800 0.09	134	FSBO System LLC
218		\$195,000 1107 W 7th Avenue	5	Land	3,843 0.09	33	RE/MAX Dynamic Properties



		Price / Status / MLS #	Area	Property Type	SF-Lot Acres	DOM	Listing Office
		Anchorage, AK 99501 Active / 18-7160					
219		\$88,000 1414 Karluk Street Anchorage, AK 99501 Active / 18-7071	5	Land	5,784 0.13	34	RE/MAX of Eagle River
220		\$79,000 837 E 11th Avenue Anchorage, AK 99501 Active / 18-6736	5	Land	7,000 0.16	42	Jack White Real Estate
221		\$145,000 426 E 11th Avenue Anchorage, AK 99501 Active / 18-4058	5	Land	7,000 0.16	79	RE/MAX Dynamic Properties
222		\$560,000 519 W 2nd Avenue Anchorage, AK 99501 Active / 17-14987	5	Land	9,990 0.23	282	Jack White Commercial
223		\$150,000 3RD ADD LT THIRD Addition BLK 35B LT2A Terrace Anchorage, AK 99501 Active / 17-8407	5	Land	11,653 0.27	376	RE/MAX Dynamic Properties
224		\$170,000 3RD ADD THIRD ADDITION Anchorage, AK 99501 Active / 17-8437	5	Land	14,986 0.34	375	RE/MAX Dynamic Properties
225		\$1,050,000 700 E 10th Avenue Anchorage, AK 99501 Active / 17-2659	5	Land	41,992 0.96	462	Jack White Commercial
226		\$50,000 341 Bliss Street Anchorage, AK 99508 Active / 18-2863	50	Land	6,250 0.14	99	Real Estate Brokers of Alaska
227		\$49,900 102 N Lane Street Anchorage, AK 99508 Active / 17-4337	50	Land	6,250 0.14	433	Dwell Realty
228		\$75,000 0000 N Pine Street Anchorage, AK 99508 Active / 18-6059	50	Land	12,824 0.29	48	Real Estate Brokers of Alaska
229		\$498,000 3213 Commercial Drive Anchorage, AK 99501 Active / 17-7646	50	Land	33,737 0.77	384	RE/MAX Dynamic Properties
230		\$810,000 418 Unga Street Anchorage, AK 99501 Active / 18-4178	50	Land	39,900 0.92	77	Spire Commercial



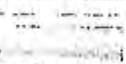



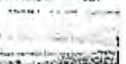







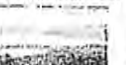

All information is deemed reliable, but is not guaranteed. Interested parties are advised to independently verify all information contained herein. © 2018 MLS and FBS. Prepared by Charles B Blalock, on Wednesday, June 06, 2018 4:56 PM.

*sold prices*

		Price / Status / MLS #	Area	Price-List	Price-Sale	SF-Lot	Acres
		Anchorage, AK 99517 Closed / 17-6972					
96		\$135,000 L1 Ingram Street Anchorage, AK 99502 Closed / 17-192	15	138,500	135,000	43,771	1
97		\$9,500 L20 B1 Laurel Acres Anchorage, AK 99515 Closed / 17-14128	20	9,900	9,500	11,043	0.25
98		\$10,500 L1 B5 Olympic Street Anchorage, AK 99515 Closed / 17-14038	20	10,100	10,500	12,631	0.29
99		\$9,500 L40 B10 Laurel Acres Anchorage, AK 99515 Closed / 17-265	20	11,000	9,500	11,169	0.26
100		\$11,000 L32 B5 Laurel Acres Anchorage, AK 99515 Closed / 17-14321	20	12,000	11,000	13,744	0.32
101		\$85,000 14218 Specking Avenue Anchorage, AK 99515 Closed / 17-1145	20	90,000	85,000	15,344	0.35
102		\$159,000 L32 B3A Whitby Circle Anchorage, AK 99515 Closed / 15-6407	20	159,000	159,000	11,664	0.27
103		\$175,000 L41 B3A Chiniak Bay Drive Anchorage, AK 99515 Closed / 18-7208	20	183,000	175,000	14,634	0.34
104		\$175,000 L2B B4 Timberlane Park #1 Anchorage, AK 99515 Closed / 16-17227	20	190,000	175,000	22,967	0.53
105		\$232,500 12001 Johns Road Anchorage, AK 99515 Closed / 16-7606	20	250,000	232,500	25,375	0.58
106		\$22,000 L29 B4 Portugal Circle Anchorage, AK 99516 Closed / 17-18215	25	25,000	22,000	14,475	0.33
107		\$33,500 L1A B7H Byron Drive Anchorage, AK 99516 Closed / 17-1176	25	45,000	33,500	21,037	0.48
108		\$55,000 L5A B2V Jamie Avenue Anchorage, AK 99516 Closed / 17-19109	25	55,000	55,000	37,897.2	0.87
109		\$75,000 L11 B4 Norway Drive Anchorage, AK 99516 Closed / 18-3398	25	90,000	75,000	19,019	0.44
	Status Change						
110		\$75,000 L1A 1B Goldenview Heights Anchorage, AK 99516 Closed / 17-12826	25	99,500	75,000	41,785	0.96

*Exh I*



		Price / Status / MLS #	Area	Price-List	Price-Sale	SF-Lot	Acres
111		\$108,500 N/A Waterford Pointe Circle Anchorage, AK 99516 Closed / 17-3505	25	110,000	108,500	21,904	0.5
112		\$119,000 16858 Woods Pointe Circle Anchorage, AK 99516 Closed / 16-7159	25	119,000	119,000	32,652	0.75
113		\$160,000 L4 B2 Mountain Air Drive Anchorage, AK 99516 Closed / 18-2436	25	162,000	160,000	41,368	0.95
114		\$160,000 L14 B1 Mountain Breeze Drive Anchorage, AK 99516 Closed / 17-1454	25	175,000	160,000	40,443	0.93
115		\$170,000 L3 B3 Mountain Air Drive Anchorage, AK 99516 Closed / 17-7134	25	175,000	170,000	40,164	0.92
116		\$171,700 L4 B3 Mountain Air Drive Anchorage, AK 99516 Closed / 17-1458	25	190,675	171,700	42,839	0.98
117		\$180,000 L13 B1 Mountain Breeze Drive Anchorage, AK 99516 Closed / 17-1453	25	195,000	180,000	40,178	0.92
118	 No Photo	\$45,000 NHN Bern Anchorage, AK 99507 Closed / 17-14774	35	45,000	45,000	17,521	0.4
119		\$30,000 L25 B2 E 73rd Avenue Anchorage, AK 99507 Closed / 16-7460	35	50,000	30,000	15,114	0.35
120	 No Photo	\$220,000 11730 Old Seward Highway Anchorage, AK 99504 Closed / 17-15084	40	280,000	220,000	11,250	0.26
121	 Status Change	\$110,000 711 W 46th Avenue Anchorage, AK 99503 Pending / 17-12480 P	15	110,000		11,738	0.27
122		\$125,000 L10A Bella Vista Anchorage, AK 99515 Pending / 15-11544 P	15	125,000		21,155	0.49
123		\$249,000 L17 Cheveley Drive Anchorage, AK 99515 Pending / 17-10366 P	20	249,000		21,384	0.49
124		\$129,000 16011 Terracewood Lane Anchorage, AK 99516 Pending / 18-5648 P	25	129,000		23,250	0.53
125		\$185,500 L6 B3 Mountain Air Drive Anchorage, AK 99516 Pending / 18-2370 P	25	185,500		40,198	0.92
126		\$220,000 1701 E 36th Avenue Anchorage, AK 99503 Pending / 16-4006 P	40	220,000		20,192	0.46

# Active listings

## Sales price

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169,000 +  
169,500 +  
162,000 +  
169,900 +  
167,000 +  
147,000 +  
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18,970,300 \*



## Average

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1.57 +  
1.7 +  
1.7 +  
1.9 +  
1.9 +  
2.02 +

64.67 \*



## Average

000

18,970,300 +  
18,970,300 +  
64.67 =  
169,016,74,538 +



EX 160 190



# Sold properties

price

000

75,000 +  
75,000 +  
108,500 +  
119,000 +  
160,000 +  
163,000 +  
175,000 +  
271,000 +  
180,000 +

1,218,500 \*

acreage

000

0.44 +  
0.96 +  
0.5 +  
0.75 +  
0.95 +  
0.93 +  
0.92 +  
0.98 +  
0.92 +

7.35 \*

Average

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1,218,500 ÷  
7.35 =  
165,782.312925 +

Combined  
average

000


10,970,300 +  
1,218,500 +  
12,140,800 ÷  
72.02 =  
168,685.475978 +

(168,686.47)

# Examples of very large parcels





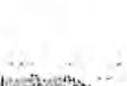



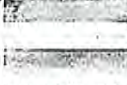







	<b>Class Land</b>	<b>Price</b>	<b>Address:</b> 00 Potter Glen TR A	<b>Area 25 - Dearmoun Rd -</b>
	Near Anchorage	\$ 375,000	SF-Lot Apx 2089722 Acres 47.97	Potter Marsh
	<b>Legal:</b> Potter Glenn Tr A			<b>Residential</b>
	<b>Utilities:</b> Elec - On Site; Well - None;		<b>Wtrfmt-Frontage:</b>	<b>To View:</b> Call Listing
	Natural Gas - None; Pub Wtr-None;		Creek	Licensee
	<b>Sewer-None</b>		<b>Tax ID:</b> 02027126	
	<b>Zoning:</b> R1A - Single Family Residential			
	<b>Remarks:</b> Almost 48 acres of R1ASL in Potter Heights. Beautiful views and wooded areas on this parcel of beautiful Alaskan Wilderness. Build your dream home or subdivide and build multiple dream homes. One of the last parcels of this type with road Access from 2 points. Call for appointment to view.			
	<b>Directions:</b> Seward Highway to Potter Heights Dr. Take Potter Heights Dr. to the last road on the right. Call Listing licensee for further directions			
<b>List #:</b> 18-4937	<b>DOM:</b> 66	<b>LL1:</b> John F Wilson (907) 527-4404(907) 748-3787		
<b>Status:</b> Active		(907) 562-5485		
		<b>LO:</b> Jack White Real Estate		

	<b>Class Land</b>	<b>Price</b>	<b>Address:</b> 000 Northfield Drive	<b>Area 25 - Dearmoun Rd -</b>
	Near Anchorage	\$ 1,400,000	SF-Lot Apx 1873080 Acres 43.00	Potter Marsh
	<b>Legal:</b> Equestrian Heights Subdivision 33 Parcels			<b>Residential</b>
	<b>Utilities:</b> Elec - On Site; Well - None;		<b>Wtrfmt-Frontage:</b>	<b>To View:</b> Call Listing
	Natural Gas - None; Pub Wtr-None;		None	Licensee
	<b>Sewer-None</b>		<b>Tax ID:</b> 0170924800001	
	<b>Zoning:</b> R6 - Suburban Residential			
	<b>Remarks:</b> Prime Residential Hillside Development Opportunity is Here Now With Equestrian Heights Subdivision of 43 Acres! Features Include: 27 Platted Lots, 12 Acres to Develop, 3 Acres Community Well Site, 13 Acres of Open Space Reserve. Full Package Available!			
	<b>Directions:</b> Rabbit Creek Road to Northfield Drive. West Side of Subdivision can be viewed on Pickett Street off of E 140th Street.			
<b>List #:</b> 18-1451	<b>DOM:</b> 127	<b>LL1:</b> Chris Swires, CRS, CLHMS, CDPE, RCC		
<b>Status:</b> Active		(907) 338-8292(907) 830-0073(907) 865-4750		
		<b>LL2:</b> George Lamoureux of RE/MAX Dynamic Properties		
		<b>LO:</b> RE/MAX Dynamic Properties		

	<b>Class Land</b>	<b>Price</b>	<b>Address:</b> 28 Acres Meadow Road	<b>Area 30 - Abbott Rd -</b>
	Near Anchorage	\$ 188,000	SF-Lot Apx 1252350 Acres 28.75	Dearmoun Rd
	<b>Legal:</b> T12NR02WS03 NW4 SE4 Portion			<b>Residential</b>
	<b>Utilities:</b> Nat Gas - Adj Site; Elec - Adj		<b>Wtrfmt-Frontage:</b>	<b>To View:</b> Drive By
	to Site		None	
	<b>Zoning:</b> R8 - Rural Residential		<b>Tax ID:</b> 0210220200001	
	<b>Remarks:</b> 28.75 Acres off Glen Alps. Gas & electric on adjoining parcel. Build your dream home here overlooking everything. Easy to view this acreage today. Great property with Gas & Electric on adjoining lot. Beautiful Inlet, City & Mountain views. Level areas for building/developing.			
	<b>Directions:</b> Glen Alps Road pass the parking area to Meadow Road to end. Parcel on the left pass the towers. see maps			
<b>List #:</b> 18-2190	<b>DOM:</b> 33	<b>LL1:</b> The Sloane/Dewhurst Home Group (907) 244-3381		
<b>Status:</b> Closed		(907) 865-6565		
		<b>LO:</b> Keller Williams Realty Alaska Group		
		<b>Date Closing:</b> 05/21/2018		
		<b>Price-Sale:</b> \$ 170,000		

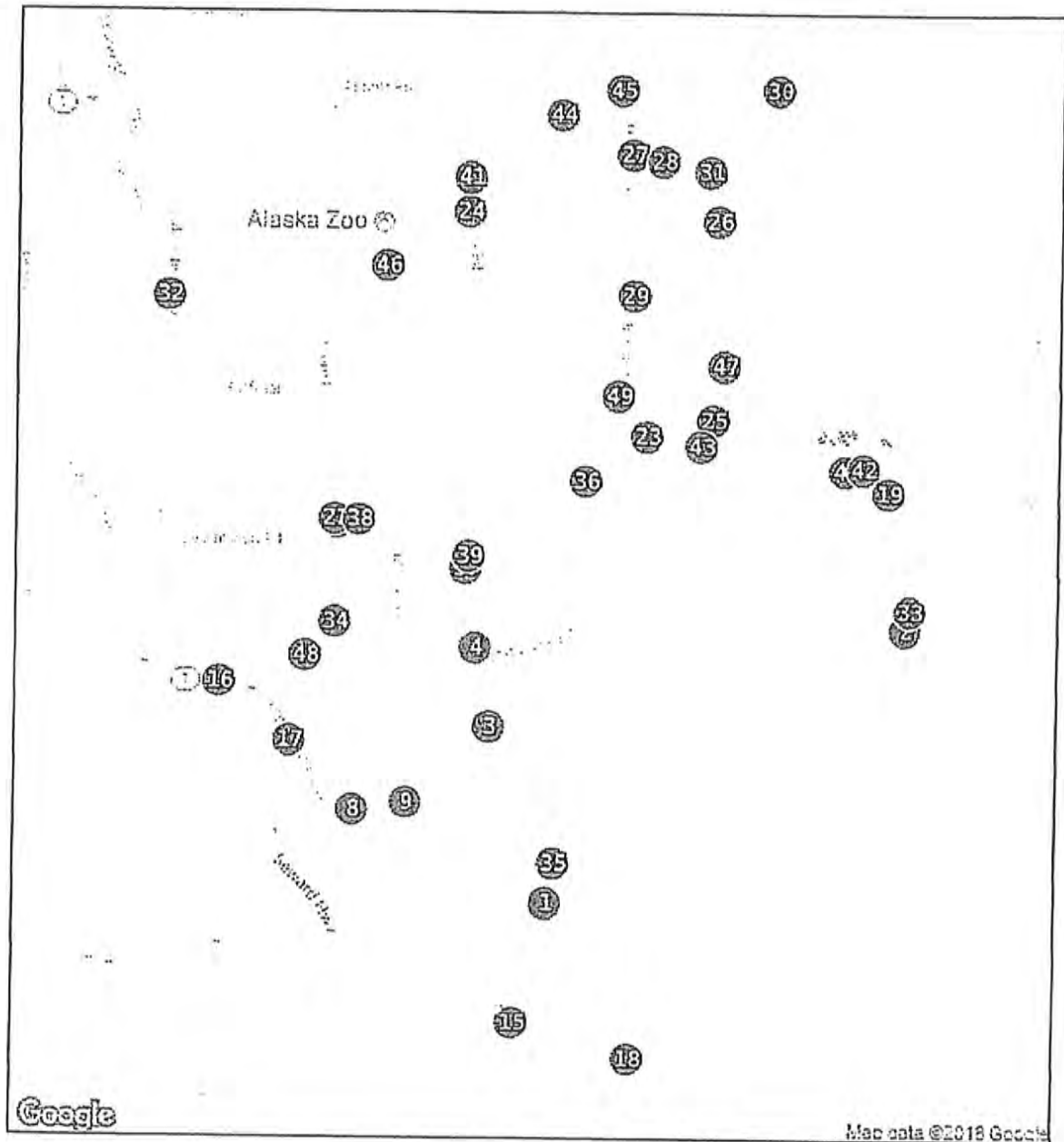


# Large parcels

	\$435,000 L10 B2 Potter Valley Road Anchorage, AK 99516 Active / 15-1768	25	Potter Highlands Ph 2 Lot 10 Block 2	289,674	6.65	R6 - Sub Res	Dwell Realty
	\$159,000 15701 Newell Drive #1 Anchorage, AK 99516 Active / 17-14005	25	T11NR02WS6 E2NW4 SW4NE4 #1	327,136	7.51	R10 - Res Alp	Jack White Real Estate
	\$195,000 000 Vacant Land Anchorage, AK 99516 Active / 16-10793	25	T11NR03WS13 & T11N R3W SEC 13 E2NE4NW4SE4	1,524,600	35	R10 - Res Alp	Jack White Real Estate
	\$1,400,000 000 Northfield Drive Anchorage, AK 99516 Active / 18-1451	25	Equestrian Heights Subdivision 33 Parcels	1,873,080	43	R6 - Sub Res	RE/MAX Dynamic Properties
	\$375,000 00 Potter Glen TR A Anchorage, AK 99516 Active / 18-4937	25	Potter Glenn Tr A	2,089,722	47.97	R1A - SF Res	Jack White Real Estate
	\$370,000 7980 Potter Heights Drive Anchorage, AK 99516 Active / 16-611	25	Potter Creek Tract 1	3,267,000	75	R1A - SF Res	Jack White Real Estate
	\$65,000 NHN Ridge Place Anchorage, AK 99516 Active / 16-12991	30	Stevahn L1 B2	10,080	0.23	R6 - Sub Res	RE/MAX Dynamic Properties
	\$150,000 L33 B3 Morgan Loop	30	The Terraces Ph 8 L33 B3	19,389	0.45	R1 - SF Res	The Summit Group
	\$925,000 3727 Abbott Road Anchorage, AK 99507 Active / 18-8148	30	T12N R3W SEC 9 LT 100	177,952	4.09	R1 - SF Res	RE/MAX Dynamic Properties
	\$138,000 5 Acre Sunshine Loop Anchorage, AK 99516 Active / 18-2192	30	T12N R2W SEC 30 E2SE4NW4SE4	217,800	5	R8 - Rur Res	Keller Williams Realty Alaska Group
	\$1,780,000 0 Mona Avenue - 20 Lots totalling 8.621ac. Anchorage, AK 99516 Active / 17-18144	30	BRUIN PARK FIRST ADDITION - B6 L12-17 & B7 L1-9 & B8 L1-2 & B9 L1-2 & B9 TR A LESS NW CORNER	375,535	8.62	R6 - Sub Res	Herrington and Company, LLC
Price / Status / MLS #		Area	Legal	SF-Lot	Acres	Zoning	Listing Office
	\$1,250,000 7420 ELMORE Road Anchorage, AK 99507 Active / 16-1960	35	T12N R3W Sec.4 Lot 72	186,779	4.29	R1 - SF Res	Bankers Realty Corp.
	\$1,725,000 4031 Lore Road Anchorage, AK 99507 Active / 18-2834	35	T12NR03WS04 L71	207,345	4.76	R1 - SF Res	Buyers Real Estate, LLC
	\$1,045,000 1700 E Tudor Road Anchorage, AK 99507 Active / 16-13166	35	St Marys Greatland Tr A	225,147	5.17	R3 - MF Res	Keller Williams Realty Alaska Group
	\$398,000 6276 Redtop Circle Anchorage, AK 99507 Active / 15-9348	35	Tuxedni Park West L8 B1	301,742	6.93	R10 - Res Alp	Keller Williams Realty Alaska Group
	\$395,000 000 Tulugak Circle Anchorage, AK 99507 Active / 14-2754	35	End of the Road L1	352,434	8.09	R10 - Res Alp	RE/MAX Dynamic Properties
	\$1,500,000 2800 E Dowling Road Anchorage, AK 99507 Active / 18-3321	35	Dowling Acres Tract 1A	383,914	8.81	R2M - MF Res	SSS Commercial Real Estate

other large lots for sale

Street Map





### Legend

- |  |   |
|--|---|
| 1. L2 B2 Mountainside Village, Anchorage, AK 99516(17-5945)      | 26. NHN Kasilof Boulevard, Anchorage, AK 99507(18-2814)                       |
| 2. L4 Canyon Road, Anchorage, AK 99516(18-1866)                  | 27. 9900 McCready Circle, Anchorage, AK 99507(18-6208)                        |
| 3. 16000 Elizabeth Street, Anchorage, AK 99516(18-2046)          | 28. 0000 Conifer Street, Anchorage, AK 99507(18-8233)                         |
| 4. 15151 Golden View Drive, Anchorage, AK 99516(17-5458)         | 29. L4 Glen Alps Road, Anchorage, AK 99507(17-15031)                          |
| 5. L7 B4 Potter Highlands Drive, Anchorage, AK 99516(17-14227)   | 30. L9 B1 Prospect Drive, Anchorage, AK 99507(17-12172)                       |
| 6. L8 B4 Potter Highlands Drive, Anchorage, AK 99516(17-14226)   | 31. 10000 Slalom Circle, Anchorage, AK 99507(18-676)                          |
| 7. L6 B4 Potter Highlands Drive, Anchorage, AK 99516(17-14228)   | 32. 0 Mona Avenue - 20 Lots totalling 8.621ac., Anchorage, AK 99516(17-18144) |
| 8. 4050 Virgo Avenue, Anchorage, AK 99516(17-14756)              | 33. L1L2 Canyon Road, Anchorage, AK 99516(17-7388)                            |
| 9. L4 B3 Virgo Avenue, Anchorage, AK 99516(18-2355)              | 34. 4349 Manytell Avenue 4405, Anchorage, AK 99516(16-12658)                  |
| 10. L10 B3 Potter Highlands Drive, Anchorage, AK 99516(17-14198) | 35. 17501 Snow Crest Lane, Anchorage, AK 99516(17-2517)                       |
| 11. L9 B3 Potter Highlands Drive, Anchorage, AK 99516(17-14196)  | 36. 13401 Carita Lane, Anchorage, AK 99516(16-14596)                          |
| 12. L14 B3 Potter Highlands Drive, Anchorage, AK 99516(17-14209) | 37. 14340 Golden View Drive, Anchorage, AK 99516(17-10660)                    |
| 13. L13 B3 Potter Highlands Drive, Anchorage, AK 99516(17-14202) | 38. L29 Davis Street, Anchorage, AK 99516(17-6771)                            |
| 14. L12 B3 Potter Highlands Drive, Anchorage, AK 99516(17-14201) | 39. Tr 1C Goldenview Drive, Anchorage, AK 99516(17-15792)                     |
| 15. L11 B3 Potter Highlands Drive, Anchorage, AK 99516(17-14199) | 40. 9820 Meadow Road, Anchorage, AK 99516(17-8111)                            |
| 16. 15486 Old Seward Highway, Anchorage, AK 99516(18-305)        | 41. L3 B2 Dalzell Circle, Anchorage, AK 99507(18-2918)                        |
| 17. 16140 Old Seward Highway, Anchorage, AK 99516(18-2015)       | 42. 28 Acres Meadow Road, Anchorage, AK 99516(18-2190)                        |
| 18. 00 Potter Glen TR A, Anchorage, AK 99516(18-4937)            | 43. 8234 E 130th Avenue, Anchorage, AK 99516(18-6084)                         |
| 19. 5 Acre Sunshine Loop, Anchorage, AK 99516(18-2192)           | 44. 6701 Paula Place, Anchorage, AK 99507(17-1260)                            |
| 20. L24 BLM Sec 27 L24, Anchorage, AK 99507(17-12550)            | 45. L4 Nettleton Acres #1, Anchorage, AK 99507(17-16263)                      |
| 21. L50 BLM Sec 27 L50, Anchorage, AK 99507(17-9603)             | 46. 4835 E 112th Avenue, Anchorage, AK 99516(16-12362)                        |
| 22. L49 BLM Sec27 L49, Anchorage, AK 99507(17-9601)              | 47. 12121 Ginami Street, Anchorage, AK 99516(17-9929)                         |
| 23. 12801 Midori Drive, Anchorage, AK 99516(17-401)              | 48. 4020 Rabbit Creek Road, Anchorage, AK 99516(17-19841)                     |
| 24. 10500 Birch Road, Anchorage, AK 99516(17-15222)              | 49. 12400 Hillside Drive, Anchorage, AK 99516(18-5390)                        |
| 25. 12740 Ginami Street, Anchorage, AK 99516(18-5404)            |   |



## NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE

2018-0052

RECEIVED 0602



PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.  
TOTAL AREA: 77.01 acres  
SITE ADDRESS: 13301 MESSINIA ST, ANCHORAGE, AK 99516  
LOCATION: Generally located east of Messina Street, south of Upper DeArmoun Road and west of Canyon Road.  
CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4, Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30PM, Monday, June 11, 2018 in the Loussec Library Assembly Chambers, 3600 Denali Street, Anchorage, Alaska.

The zoning ordinance requires that you be sent notice because your property, residence, or business is within the vicinity of the petition area. This will be the only public hearing before the commission regarding this case and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition, this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Planning Department, P.O. Box 196650, Anchorage, Alaska 99519-6650. For more information call 343-7943; FAX 343-7927. Case information may be viewed online at <http://www.muni.org/CityViewPortal>.

Name:

Marc Connelly

Address:

PO Box 141693

Anchorage, AK 99514

Comments:

I support the Rezone of these parcels to R-10. The soil testing supports R-10 zoning. The MOA is in real need of quality land to develop for residential use. This proposal is well researched and engineered. It alligns with the Municipality goal of residential development.

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PLANNING DEPARTMENT



1. The applicant makes the following findings of fact:

Municipality of Anchorage  
P. O. Box 196650  
Anchorage, Alaska 99519-6650  
(907) 343-7943

5200-8105



U.S. POSTAGE PITNEY BOWES  
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KIDD CHARLES P & JOANN K  
PO BOX 111898  
ANCHORAGE, AK, 99511-1898

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PLANNING DEPARTMENT

**NOTICE OF PUBLIC HEARING: Monday, June 11, 2018**

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052-131898 B024  
PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential/Alpine/Slope District.  
TOTAL AREA: 77.01 acres  
SITE ADDRESS: 13301 MESSINIA ST, ANCHORAGE, AK 99516  
LOCATION: Generally located east of Messina Street, south of Upper DeArmoun Road and west of Canyon Road.  
CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4; Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30PM, Monday, June 11, 2018 in the Loussac Library Assembly Chambers, 3600 Denali Street, Anchorage, Alaska.

The zoning ordinance requires that you be sent notice because your property, residence, or business is within the vicinity of the petition area. This will be the only public hearing before the commission regarding this case and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition, this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Planning Department, P.O. Box 196650, Anchorage, Alaska 99519-6650. For more information call 343-7943; FAX 343-7927. Case information may be viewed online at <http://www.muni.org/CityViewPortal>.

Name: To Ann Kidd

Address: 13351 Vika Heights Way  
Anchorage, AK 99516

Comments: Strongly opposed to R10 Rezone. The R6 rezone (32 lots) was denied in June 12, 2017. R10 would allow 45-55 lots, so why would the Commission even consider now? De Armoun Rd is a mess even how could it handle the extra traffic? Noise, safety, wells, septic systems, water table. This rezone would destroy the character of our neighborhood and the Hillside area. The applicant stated that they wanted to be our neighbors, and "provide 'Affordable' housing for young families" well, what "young family" would be able to afford a lot, let alone build a home on it? ~~The Commission~~ Please deny the R10 rezone.



June 5, 2018

Planning Department  
Municipality of Anchorage  
Attn: Francis McLaughlin  
4700 Elmore Road  
Anchorage, AK 99507

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PLANNING DEPARTMENT

Re: Lewis & Clark R-10 Rezoning, Case No. 2018-0052  
Hand delivered and by email to McLaughlinFD@ci.anchorage.ak.us

Dear Mr. McLaughlin:

I write on behalf of myself and my spouse, Karen J. Worbey, in reference to the *fourth* proposed rezoning of the Lewis and Clark Subdivision in *four* years. As you may recall from previous letters, we live at 8520 Spendlove Drive, across Upper DeArmoun Road from the mid-point of the northern boundary of the tract. Our home overlooks the lower half of the proposed subdivision. We are as deeply opposed to the rezoning of this property from R-8 to R-10 as we were to R-6 and R-6/SL, and for all the same reasons.

To be blunt, we are frustrated and angry at this *third* attempt to rezone this property for the purpose of doubling the allowable number of homes. I and my neighbors have opposed this same ill-conceived project for -- did I say this already? -- *four* years. As you know, your department was against this project before you were for it, the Planning and Zoning Commission has denied it twice, the Assembly effectively denied it, and yet here we are once again, now trying to put as many as 45 lots on property for which 14 or 15 would be appropriate.

All of which leaves a mere citizen to wonder: Does this process only end when the developers get their way?

The idea that this is a wholly new project that must be considered *de novo*, is a fiction. The developers have been repackaging the same development plan for *four* years. Each application seeks permission for lots much smaller than the current minimum of four acres (some as small as one acre), roughly double the number of lots, and with the smallest lots stacked along Upper DeArmoun Road. This remains a bad idea.

So now, for the record, let me state some of our objections one more time.

**"We are not opposed to development of this property."**

While the undeveloped property contributes to the wild character of our neighborhood, we always assumed that someday it would be developed for homes. We did, however, expect it would be developed as zoned, with a maximum of 14 houses, and with consideration for its particular topographic, hydrologic and environmental qualities.

Approval of this rezoning application to double the number of homes would fundamentally change the character of our neighborhood -- for the worse.

Before I get into specific problems with this rezoning, I'd like to briefly recap its history.



When Big Country Enterprises bought its 72.66 acres in July 2014, they knew the property was zoned R-8. I assume the price they paid was commensurate with the limitations of R-8 zoning. Any competent developer would have known that rezoning from R-8 to R-6 was contrary to the Anchorage Comprehensive Plan and Hillside District Plan. Nevertheless, they proceeded.

At a meeting of the Hillside Community Council last year, developer Paul Gionet confirmed that he and his partners bought the property based on the assumption that they would be allowed to rezone it for twice the number of homesites.

BCE submitted its initial rezoning application in December 2014. They proposed to build **32 lots**. Their decision to rezone was obviously not a considered judgment based on topographic, hydrologic and environmental studies of the property, as they had committed to rezoning before soil and water studies could be undertaken.

In June 2015, in a staff analysis by Margaret O'Brien, the planning department strongly recommended denial of the R-6 rezoning application. The analysis described soil problems, surface water issues, and risks to wells and septic systems.

The Planning & Zoning Commission agreed. *Unanimously*. In its written denial, the commission made these findings of fact:

- This rezoning does not address the city's housing needs. "The 2012 Housing Study found that . . . what the Anchorage community does not have enough of is small lot development served by public utilities and services."
- ". . . Most of the property has marginal to impermeable soils."
- "One of the policies in the Hillside District Plan indicates that the same land use designations should be maintained in this area as were established prior to the beginning of the plan. In that respect, the plan is not consistent with the HDP."
- "It is not necessarily good to expand the low-density sprawl . . . throughout the Hillside."
- "Adding more housing to the Hillside is clearly a risk with respect to groundwater and the flow into Rabbit Creek."

BCE appealed to the Assembly to overturn the denial. When it became clear the Assembly intended to affirm the denial, rezoning proponents asked that the matter be "tabled indefinitely."

At this point, without explanation, the planning department removed Margaret O'Brien from this project and replaced her with you, Francis McLaughlin. Since then, you have championed every proposal submitted by BCE, tilted projects evaluation in their favor at every opportunity and have yet to acknowledge, much less explain, the head-snapping 180-degree reversal of the planning staff's original position on this project.

In April 2017, with your support, BCE applied under the new Title 21 to rezone the 72.66-acre property from R-8 to R-6 with Special Limitations (now with a goal of **30 lots**). In arguing for R-6, BCE's consultant explained that the larger R-8 lots were just too expensive. (Leading me to wonder: was that the developers' original miscalculation?)

In June 2017, the P&Z Commission denied the rezone to R-6 with Special Limitations.



In its second denial, the commission made these findings of fact:

- "There is strong community council and neighborhood objection to this rezone."
- "The rezone is not compatible with the Comprehensive Plan . . ."
- "Adverse impacts upon the natural environment . . . is still a concern."

BCE then asked for a rehearing on the R-6/SL application based on "new evidence and changed circumstances." The P&Z Commission denied the rehearing request, noting that BCE had offered neither new information nor changed circumstances.

In that denial, the commission made the following findings of fact:

- "The Hillside District Plan and Anchorage 20/20 do not recommend increasing residential land density in this part of the Hillside.
- Increasing density at this site is contrary to the public interest.
- Any increase in density would also increase traffic and impact the sensitive environmental features of the land."

In February 2018, BCE announced its intention to apply for a rezone to R-10. The Hillside Community Council got a *12-minute* presentation (including Q&A!) on the new rezoning request. A BCE representative told those present that the new development would contain between five and 45 lots. He couldn't be more specific because the exact number of lots would not be known until after the rezoning was approved.

No other details of of BCE's R-10 development plans were offered. Nor was there a discussion of their application for a R-8 Conservation Subdivision, a fourth rezoning effort which I understand is still pending. (The brief and unenlightening discussion was terminated by the community council's new president, Bruce Vergason, a partner with BCE in the development. (So much for community involvement.)

So in April 2018, BCE applied to rezone to R-10. The application says BCE expects the rezoning to allow them to add 15 lots beyond that allowed under R-8 zoning. **In other words, BCE is still seeking to build the same 30-lot project.**

Note that the R-10 application follows the R-6/SL application by 10 months. Under Ordinance 21.03.160.D.10, after a rezone application is denied, an applicant must wait two years to submit a new application for a substantially similar rezoning. Despite the fact that the R-10 rezoning seeks to achieve the identical result of dropping the required minimum four-acre lot size to allow development of **30 lots**, you, Mr. McLaughlin, claim the "new" rezoning request is not substantially similar and so invited yet another rezoning application. I believe you facilitated a violation of the law.

From the beginning, every attempted rezoning has had only one purpose, which is to increase the profitability of the development.

And I want to emphasize this point: BCE has made no effort -- *absolutely zero effort* -- to hear and address the concerns of the neighborhood about well flows, groundwater contamination, surface water runoff and traffic volume.

**"Community opposition to this rezoning is broad and deep."**

There are good, substantive reasons for you to reject this request.



First, the entire neighborhood opposes this rezoning. There is no mix of pro and con among surrounding homeowners. Every household is opposed. This is not reflexive opposition to any and all development. Our neighborhood does not oppose competent development under the R-8 zoning.

And it's not just those of us on the periphery of this property who are opposed. There is broad opposition across the Hillside. The Hillside Community Council voted to oppose this rezoning. It also voted to oppose the earlier R-6 rezoning. The Rabbit Creek Community Council strenuously opposed the R-6 rezoning for reasons that apply exactly to this R-10 application.

Based on its years-long history, this project is only supported by a tiny handful of people: the developers, their contractors and consultants, and you, senior planner Francis McLaughlin.

From the beginning, the project raised major concerns about disrupted re-charging of water wells, surface water drainage problems, malfunctioning septic systems, well pollution and altering the flow of water into Rabbit Creek, which runs from Flattop to Potter Marsh. Ill-considered rezoning of this property has the high potential of irreversibly damaging or diminishing the value of neighboring and downhill properties and degrading the environment.

The authors of the Hillside District Plan and Anchorage Comprehensive Plan worked hard to recognize the peculiar features of this area: steep slopes, wetlands, small stream courses and soggy soils. That's how this property came to to be zoned R-8 -- the culmination of an imperfect but ultimately rational process.

If approved, the R-10 rezone will directly subvert the effort, embodied in the HDP, to prevent the consequences of earlier shoddy subdividing across the Hillside. The developers in this case argue that the bad subdivision practices of 40 years ago -- which are in evidence in some surrounding tracts -- should be revived for their benefit today. If you permit that, every future developer across the Hillside will ask for the same special treatment, and should get it. You will be saying, in effect, screw the HDP's vision of Hillside development, the standard is going to be *piecemeal zoning with no standard*.

In their application, the developers assert that "this rezone will help reduce environmental impacts." In fact, the property, which the planning department accurately describes as environmentally fragile, is not suited to the proposed intensity of development. It's obvious that doubling the number of homes would increase every environmental impact associated with development.

Having watched and listened to these developers for *four years* now, we know what they plan to do, even if at the moment they refuse to say it: *They want 30 lots, a preponderance of them one-and-a-quarter-acre or smaller ones shoved against Upper DeArmoun, with a handful of large lots for the developers themselves*. The HDP clearly calls for maintaining current zoning, which in this case means a minimum lot size of four acres, and that is a reduction from five acres under the old Title 21.

The soil and water studies of the developers' technical professionals, which document soggy ground and heavy surface runoff, were done in atypically dry years and do not



reflect historical norms, a fact they either did not know or have repeatedly chosen to ignore in their applications.

According to their previous applications, after development is complete, 80 percent of the non-wetlands area will be heavily vegetated with mature trees and brush. That is simply not credible. The ground cover and soil-stabilizing vegetation is certain to be reduced by more than 20 percent during development. Then, once the lots are sold, no covenants or limitations will prevent buyers from removing as much of the cover as they choose. Even minimal clearing will increase runoff in volumes that are not entirely foreseeable.

The developers started with the conclusion that the land was suitable for rezoning. Everyone they've hired since has lined up behind that position (although even their most favorable studies show the case for rezoning is marginal). The conclusions of the technical professionals have changed over time, but they always seem to support the latest iteration of their clients' **30-lot** plan.

We neighbors do not have the resources to do our own technical studies, so I can only urge you to view the developers' technical conclusions with appropriate skepticism. One expert who reviewed their studies for us found their oddly consistent results highly questionable. His report was submitted in the public comments on the R-6 application.

It's important to keep in mind that the issues we raise do not only affect those of us on neighboring properties. The people who will someday occupy homes on this property are entitled to a subdivision that doesn't erode or flood, has reliable, nitrate-free wells, septic systems not at risk for failure and a road that doesn't loosen their teeth.

**"This application does not come close to satisfying the legal requirements."**

To be approved, this rezoning application must meet *all nine* criteria under 21.03.160 E.

But petitioners do not show that this rezone is in the best interests of the city. They contend that building expensive homes on view lots will suck homeowners out of modestly priced, downslope homes near jobs and services, which will then be available for less well-to-do buyers. It would be a miracle if that hypothesis increased Anchorage's needed housing stock by a single house. In fact, this rezoning will have *no* effect on the types of housing Anchorage needs. And this is their *most compelling* argument that the rezone is in the best interests of the city. (Oh, and to hell with the people who already live here.)

So on criterion E1, this application fails and should be denied.

Nor does the application comply with the Hillside District Plan. The 2040 Land Use Plan Map, which hasn't been adopted, is irrelevant. The relevant map is in the HDP. It shows DUAs of 0 to 1 in five separate zoning categories over a huge swath of the Hillside, including this property.

But the map cannot be understood except in the context of the whole plan, which calls for the *retention* of land use designations in place at its adoption.

The planning department claims higher density is encouraged by the HDP. In fact, the HDP says density *should not be decreased* by rezoning.



On criterion E2, this application fails and should be denied.

This rezoning will adversely affect the natural environment. That's indisputable. Doubling the number of homes and increasing roads and traffic will adversely affect the area's extraordinary wildlife, which is a direct result of its proximity to Chugach State Park and surface water flows that support spawning salmon immediately downhill. Removing natural vegetation and altering watercourses not only damages wildlife habitat, but also promotes runoff and erosion.

In saying "the rezoning won't have significant adverse impacts to the environment *greater than surrounding residential developments*," the planning department apparently misreads criterion E6, which does not include the qualifier "*greater than surrounding residential developments*."

On criterion E6, this application fails and should be denied.

This rezone *would* extend a land use pattern inconsistent with the comprehensive plan. Petitioners ask you to set aside the HDP in favor of land use patterns from the mid-1970s. If you acquiesce, that precedent will give every future developer the justification to ignore the HDP.

On criterion E8, this application fails and should be denied.

On *at least four of nine* criteria, this rezoning fails. Remember, the law says if it fails on even one, it must be denied.

**"The current planning department is not objective."**

Honestly, I can't imagine how this rezoning request could be approved. Especially after being denied twice before. And make no mistake, this is the same project with the same defects. Support for this rezoning would represent a failure to follow the law, rejection of responsible planning and disdain for the concerns of affected neighbors. It would deny the interests of everyone involved, except a handful of people who, despite their professed good intentions, are selfishly pursuing their economic self-interest.

Mr. McLaughlin, I gather that rather than objectively evaluating this project, you have chosen to advocate the developers' position, whether that be an R-6, R-6/SL or now R-10 rezone. My wife and I find that a disappointing reflection on the professionalism of the municipal planning department. If this rezoning is approved, the damage to the Hillside community will be significant and enduring.

I trust that the Planning and Zoning Commission will see that for the third and, I pray, final time.

Thank you.

Patrick Dougherty & KJ Worbey  
pdougherty@gci.net

8520 Spendlove Drive  
Foreland View, Block 2, Lot 1  
(Parcel ID: 017-401-48-000)

#### **A PARTIAL LEWIS & CLARK REZONING TIMELINE**

**July 2014** -- Big Country Enterprises (BCE) purchases 72.66 acres zoned R-8 (minimum lot size 5 acres, maximum of 14 lots).

**December 2014** -- BCE files application to rezone its 72.66 acres (plus two adjoining four-acre parcels owned by Jones and Vergason) to R-6 (minimum lot size 1.25 acres, 32 lots total).

**April 6, 2015** -- P&Z Commission holds public hearing on application to rezone 80 acres from R-6 to R-8. Twenty people testify in opposition.

**June 1, 2015** -- In the staff analysis by Margaret O'Brien, the planning department strongly recommends that the P&Z Commission deny the rezoning.

**June 2015** -- The P&Z Commission unanimously denies the application to rezone to R-6. (Filed under the Old Title 21.)

**Feb. 23, 2016** -- BCE asks the Anchorage Assembly to overturn P&Z Commission's denial of its R-6 rezoning application.

**April 12, 2016** -- When it becomes clear the Assembly intends to affirm the rezoning denial, Assemblymember advocating for BCE asks that the question be "postponed indefinitely."

**April 2017** -- Without offering any justification, the Planning Department recommends that the Assembly waive the \$32,700 application fee for BCE to immediately apply for an alternative rezoning. The Assembly declines to waive the fee.

**April 2017** -- BCE applies to rezone the 72.66-acre property (this time without the Jones-Vergason acreage) from R-8 to R-6 with Special Limitations (with a goal of 30 lots). In arguing for the R-6, BCE's consultant says the bigger R-8 lots are too expensive for the market. (Under new Title 21.)

**June 12, 2017** -- P&Z Commission denies the application to rezone from R-8 to R-6/SL.

**June 17, 2017** -- BCE asks for a rehearing on the R-6/SL application based on "new evidence and changed circumstances." Planning & Zoning Commission denies the rehearing request, noting that applicants offered no new information or changed circumstance.

**Jan. 3, 2018** -- Platting Board approves a proposed R-8 Conservation Subdivision with 16 lots and a greenbelt tract (of wetlands).

**January 2018** -- Neighbors appeal the Platting Board's approval. (As of June 5, 2018, the Board of Adjustment has not set a date to hear the appeal.)



**Feb. 28, 2018** -- The Hillside Community Council receives a 12-minute presentation (including a Q&A) on a new rezoning proposal, this time to R-10. BCE says the new development will contain between 5 and 45 lots, the exact number of which will not be known until after the rezoning is approved. No other details about BCE's development plans are provided. The brief and unenlightening discussion is terminated by the new community council president, Bruce Vergason, a partner in the rezoning application.

**April 2, 2018** -- BCE applies to rezone from R-8 (residential, 4-plus acres) to R-10 (low density residential, alpine/slope). The application says BCE expects the rezoning to allow them to add 15 lots, for a total of about **30 lots**.

**June 2018** -- Francis McLaughlin, writing the staff analysis for the planning department, recommends approval of the R-10 application for "about 77 acres" (once again Vergason-Jones properties are included).

**June 11, 2018** -- Planning and Zoning Commission meets to consider BCE's R-10 rezoning application.



# NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following

CASE: 2018-0052-95039-1780-0020

PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.  
TOTAL AREA: 77.01 acres  
SITE ADDRESS: 13301 MESSINIA ST, ANCHORAGE, AK 99516  
LOCATION: Generally located east of Messina Street, south of Upper DeArmour Road and west of Canyon Road.  
CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4, Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30PM, Monday, June 11, 2018 in the Loussac Library Assembly Chambers, 3600 Denali Street, Anchorage, Alaska.

The zoning ordinance requires that you be sent notice because your property, residence, or business is within the vicinity of the petition area. This will be the only public hearing before the commission regarding this case and you are invited to attend and present testimony, if you so desire.

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Name: Don & Joy HARVEY  
Address: 211 BOWTIE JEAN CT 99515

Comments: WE ARE 45 YEAR RESIDENTS OF ANCHORAGE. A RETIRED GENERAL CONTRACTOR AND PERSPECTIVE BUYERS OF ONE OF THESE LOTS, THE BEWINSONS ARE A WONDERFUL AND CONSIDERATE FAMILY. THEY HAVE WORKED HARD TO MAKE THIS DEVELOPMENT NICE FOR NEIGHBORS AND BUYERS. PLEASE APPROVE THIS REZONE. THANK YOU THE HARVEYS

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PLANNING DEPARTMENT



## NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE 2018-0052 

PETITIONER Big Country Enterprises, LLC

REQUEST Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District

TOTAL AREA 77.01 acres

SITE ADDRESS 13301 MESSINIA ST. ANCHORAGE, AK 99516

LOCATION Generally located east of Messina Street, south of Upper DeArmour Road and west of Canyon Road

CURRENT ZONE R-8 Low-Density Residential (4 acres) District

COM COUNCIL(S) Hillside, Rabbit Creek, Bear Valley, Glen Alps

LEGAL DESCR T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4, Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

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Name Darrell C. Floyd

Address 4620 E 112th Ave  
Anch, AK

Comments I have lived in Anchorage since 1977. I have enjoyed the  
parks, the trails, & the wild life. But as our city has grown, as a small  
business owner, I have appreciated growth, it healthy, good for the city.  
But now I see and attempt of land lock up to stop healthy growth.  
As an individual if I wanted a multi-acre park just for my self I  
should purchase the land myself not force my wishes on someone else at  
their cost.

I ask that we continue to guide our city toward healthy growth together  
and grant the re-zone request. (include a park & or green belt in  
the process if available)

Thank you

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PLANNING DEPARTMENT



# NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052  
PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.  
TOTAL AREA: 77.01 acres  
SITE ADDRESS: 13301 MESSINIA ST, ANCHORAGE, AK 99516  
LOCATION: Generally located east of Messina Street, south of Upper DeArmoun Road and west of Canyon Road.  
CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4; Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

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Name: Naoma Bragg  
Address: P.O. Box 39-894  
Niailchik AK 99639  
Comments: I am in favor of this R-10 rezoning for  
Lewis P. Clark Development. I have lived in Alaska for  
50 years and I'm thankful for the land developers  
in and around Anchorage. Please consider this development.

*Naoma Bragg*

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Municipality of Anchorage  
P. O. Box 196650  
Anchorage, Alaska 99519-6650  
(907) 343-7943



01701350000  
MONDAY PATRICIA C  
13000 MICHAEL RD  
ANCHORAGE, AK, 99516-3344

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PLANNING DEPARTMENT

**NOTICE OF PUBLIC HEARING: Monday, June 11, 2018**

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052 **35183344 0027**

PETITIONER: Big Country Enterprises, LLC

REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.

TOTAL AREA: 77.01 acres

SITE ADDRESS: 13301 MESSINIA ST, ANCHORAGE, AK 99516

LOCATION: Generally located east of Messina Street, south of Upper DeArmoun Road and west of Canyon Road.

CURRENT ZONE: R-8 Low-Density Residential (4 acres) District

COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps

LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4; Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

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Name: PATRICIA MONDAY

Address: 13000 MICHAEL RD  
ANCHORAGE, ALASKA 99516

Comments: I AM TOTALLY AGAINST THIS RE-ZONING. I DO NOT WANT WHAT ENDS UP BEING MASS HOUSING. IF IT GOES THROUGH, WHAT'S TO STOP CONDOS, APARTMENTS, HI-RISE HOUSING -- AND THAT WOULD BE DISASTROUS FOR OUR HILLSIDE COMMUNITY. WITH THIS RE-ZONING, I BELIEVE WE WILL HAVE AN INROAD OF HARMFUL AND UNFAVORABLE SERIES OF EVENTS, SUCH AS ISSUES WITH SAFETY, AN INCREASE OF TRAFFIC, NOISE, LOWER AIR QUALITY, NOT TO MENTION THE INTERFERENCE WITH WILDLIFE, THE DESTRUCTION OF THEIR HABITAT AND MORE RISK OF WILDFIRE. THIS AREA IS A RURAL AREA AND NEEDS TO STAY THAT WAY - PEACEFUL AND QUIET. THAT'S WHY I LIVE WHERE I LIVE. WE DO NOT WANT NOR DO WE NEED CROWDED SUBDIVISIONS.

Patricia Monday 135 of 190

June 5, 2018

Planning & Zoning Commission, MOA  
PO Box 196650  
Anchorage, AK 99519

RECEIVED

JUN 06 2018

RE: 2018-0052 Rezone to R10—Big Country Enterprises—Lewis & Clark PLANNING DEPARTMENT

Dear Commissioners:

1. The current zoning is R8. The HDP's policies for the upper hillside—both central and SE Hillside areas—are clear about rezoning—current zoning designations shall be maintained. Staff has ignored these policies:

“maintain the same land use designations and zoning . . . established prior to the beginning of this plan” (Policy 1C, p. 2-11), and

“maintain policies for the amount of development as allowed under current land use designations” (Policy 1-B, p. 2-9) .

2. An R-10 rezone, without an accompanying plat, WILL result in an increase in density which PZC has denied twice before and which is counter to HDP's policies.
3. The conservation subdivision (CS) plat of January, 2018 is the PERFECT development plan for this parcel with its wetlands, other challenges and limited transportation facilities. And it is more economical to build.
4. R-8 and R-10 zoning require lots to be 300' or 100' wide. This results in higher road costs and more run-off from the impervious surfaces.
5. The CS plat is more economical for developers because the road footprint is less.
6. Staff statement that R-10 complies with the HDP Land Use Map isn't correct. Using a map where zoning districts are grouped, due to limitations of size and colors, is disingenuous and ignores the greater HDP.
7. A tiny map, covering a large area where land use categories are compacted, doesn't justify a rezone.
8. The HDP's map 2.1, combines districts such as 0-1 or 15-35 DUA, but it does NOT mean that the highest density for each merged land use designation is automatically allowed.
9. Staff's condition #2 cites the 2020 Plan policy 5 as justification for granting R10. The HDP is the more detailed plan that should be consulted.
10. Condition #2 cites 2020's policy 7 as justification for this rezone, however, prior staff reports' noted the non-conformity of many adjacent lots. This rationale is false and two 'wrongs' do not make a 'right.'
11. R-10 is generally for lands with steep slopes. Slopes less than 20% dominate this parcel.
12. All conditions for this rezone have NOT been met; staff has misinterpreted the HDP.
13. Staff's report states a prior rezone attempt occurred in June, 2017; two years is required between rezones.
14. Should a rezone be approved, PZC should condition it on the decision of the Appeals Board.

Sincerely,

Dianne Holmes

cc: M. McNulty, D. Whitfield, F. McLaughlin,



RECEIVED

JUN 05 2018

**NOTICE OF PUBLIC HEARING: Monday, June 11, 2018**

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

PLANNING DEPARTMENT

CASE 2018-0052



PETITIONER: Big Country Enterprises, LLC  
 REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.  
 TOTAL AREA: 77.01 acres  
 SITE ADDRESS: 13301 MESSINIA ST, ANCHORAGE, AK 99516  
 LOCATION: Generally located east of Messinia Street, south of Upper DeArmour Road and west of Canyon Road.  
 CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
 COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
 LEGAL DESCR: T12N/R3W SEC.25 S2W2NW4SE4 & E2NW4SE4 NE4SE4, Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

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Name:

Mahmud and ANGIE PETERKIN

Address:

9900 SLALOM CIRCLE  
 ANCH, AK 99507

Comments:

Letter attached



Matt and Angie Peterkin

9900 Slalom Circle

Anchorage, Alaska

99507

RECEIVED

JUN 05 2018

PLANNING DEPARTMENT

Comments:

I personally know the 4 families seeking to rezone and know they want a family friendly community.

We personally live on the Hillside and support new developments that are well thought out and planned and hope our children can build in the area.

As a community we need to make the best use of the space that is left.

Thank you,

Matt and Angie Peterkin





RECEIVED

**NOTICE OF PUBLIC HEARING: Monday, June 11, 2018**

JUN 05 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052 3550331760 0020 PLANNING DEPARTMENT

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Name: ANDREW and SANDY CUNNINGHAM

Address: 1931 Courage Drive Anch, ak 99507

Andrew 907-7442952

Comments: Letters attached



Andrew Cunningham

1931 Courage Drive

Anchorage, Alaska

99507

RECEIVED

JUN 05 2018

PLANNING DEPARTMENT

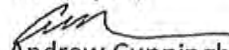
Comments:

I have personally viewed this property and spent the day walking thru the trees with my wife, daughter and the owners. As a biker I have spent countless hours biking the hillside area and enjoying the wildlife and incredible views.

I have looked at the development plans and like the layout, views and opportunity for new development in an otherwise very expensive area.

I approve of this rezone as proposed and hope to purchase a 1 acre parcel to build my forever home with my wife and daughter.

Thank you,

  
Andrew Cunningham



Sandy Cunningham  
1931 Courage Drive  
Anchorage, Alaska  
99507

RECEIVED

JUN 05 2018

PLANNING DEPARTMENT

Comments:

My husband and I are lifelong Alaskans and avid outdoors people who respect nature and wildlife. We enjoy hiking, biking and being outdoors with our young daughter and have spent many adventures out on the Hillside with our family. We recently had the privilege of spending the day on the property with the owners who we know personally and were impressed with their development plans and love and respect of the area.

I personally know the families seeking to rezone and recognize their desire to build a family friendly community with fellow outdoorsy people who love Alaska. Their plan is well thought out, environmentally sound and they have put a lot of effort into the layout.

I absolutely approve of this rezone as proposed and hope to purchase a 1 acre parcel to build my forever home.

Thank you,

Sandy Cunningham



Municipality of Anchorage  
P. O. Box 196650  
Anchorage, Alaska 99519-6650  
(907) 343-7943



STEPHANIE B. MOLL  
14642 PARK HILLS DRIVE  
ANCHORAGE, AK 99516

RECEIVED

JUN 05 2018

PLANNING DEPARTMENT

**NOTICE OF PUBLIC HEARING: Monday, June 11, 2018**

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Name: Stephanie B. Moll  
Address: 14642 Park Hills Drive  
Anchorage AK 99516  
Comments: I have been in the Real Estate Industry since 1980 and I currently live in the Rabbit Creek Community. I would like it noted that I am in favor of the approval of this rezone to R10. Because of my work I am aware of the need/demand for this approval which seems to me as a excellent fit for this property, location, and community. In reading the RCCC meeting minutes for May 11, 2017 I agree with the comment that many feel the area should be zoned R10" I agree with this statement.

Stephanie Moll 142 of 190





**Rabbit Creek Community Council Meeting**  
**Minutes for Thursday, May 11, 2017**  
**FINAL**

Location: Golden View Middle School Library

Board Roll Call - Present: Adam Lees Chair, Vivian Mendenhall, Nancy Pease, Bert Lewis, Janie Dusel, Keith Guyer, David Sterling, Phil Fortner Alternate: Mindy Willis

Excused: Pat Abney, Ky Holland, Joan Diamond

Board Member Chair - Adam Lees - opened the meeting at 7:06 pm

- **Motion Keith Guyer & 2<sup>nd</sup> Janie Dusel** - To approve the agenda, Motion passed.
- **Motion Joe & 2<sup>nd</sup> Keith Guyer** - April Meeting Minutes motion to approve. Passed.
- Membership for 2016 - Ongoing. Vivian Mendenhall passed around sign-in sheets and urged everyone in attendance urged to Sign-in on tonight's Attendance Sheets, which is the way voting eligibility is established.
- Attendance - Total 40 people in attendance tonight. Tonight classified as a General Membership meeting.

**Announcements & Legislative Reports:**

- **Assembly Members** -
  - o Suzanne LaFrance - Joshua Spring - Representing Suzanne LaFrance, our new assembly member for RCCC area - Assembly Rep 907-793-0087 email address: [spring.joshua.a@gmail.com](mailto:spring.joshua.a@gmail.com) here tonight to listen and to let everyone in District 6 has know that they have a contact with the MOA Assembly. Served under Patrick Flynn for past 6 years. Suzanne LaFrance contact info: Phone: (907) 351-7199, Voicemail: (907) 343-4122, E-mail: [LaFranceS@muni.org](mailto:LaFranceS@muni.org)
  - o John Weddleton - Arrived later during the meeting and participated with defining CIP items.
- **State Representatives**
  - o Cathy Giessel & Jennifer Johnston not present tonight.
- **Anchorage School Board**
  - o Andy Holloman - Thanks for passing the bond. Most of work detailed in the bond will be happening next year. Urged everyone to contact legislators regarding to completion of the State budget at proper funding for schools.

**Presentations - None tonight**

**Reports/Consent Agenda**

- **Chair's Report** - Adam Lees - Reported on activities.
- **Treasurer's Report** - Keith Guyer - For May - \$315.38 savings + \$269.55 checking = \$584.93 total.
- **Communications** - David Sterling & Mindy Willis - Meeting at Rabbit Creek Community Church next 3 months.
- **Correspondence** - Vivian Mendenhall and Bert Lewis - everything going smooth
- **Land and Traffic Committee** - Nancy Pease - 4 things to discuss tonight - 1. Technical amendment till 21 for fuel storage at Anchorage Port. 2. Three items on agenda Bird TLC. 3. Upper Roads Park and Drainage Area. 4. CIP List for review tonight.
- **Outreach** - Jane Dusel - Nothing substantial.
- **FCC Report** - Dianne Holmes
  - o **Motion Dianne Holmes & 2<sup>nd</sup> Keith Guyer** - Motion to request all communication statistics from FCC. Motion passed by acclamation.
- **HALO** - Mike Kenney - Subdivision was big topic. Annual election, not enough people to perform, so will do it later. Septic Tank presentation on inner workings.

**Ongoing Business**

- **Correspondence Committee Procedures** - Vivian Mendenhall - Handed out a procedure list 1-page document. Set up a committee to track letters going out and replies. RCCC Board needs to approve all letters going out. Described the issue that was brought up last week. Making sure letters go out and notification if they are replied to.
- At General Meeting, everyone can approve a letter. Chair is responsible for various issues related to letter writing.
- **Capital Improvements Plan (CIP) Recommendations** - Nancy Pease - Every year City asks for our comments on Capital Improvement Project by City and State. The committee rated the various projects 1 thru 5 as described. Lists passed around for voting by the members later in the meeting.

**New Business**

- **PZC Case 2017-0038 - Bird TLC Major Site Plan Review** - Along Old Seward at the Old Rabbit Hutch Land - Now has enough money to build a facility on their land.
  - o **Motion: Nancy Pease & 2<sup>nd</sup> Dianne Holmes** - Recommends RCCC write a letter of support. Suggestion of various items to include: Along Old Seward is a skinny road with no shoulders. Flag the mature trees to protect. HDP recommends a future pedestrian access trail through the site to Potter Marsh. ADF&G is not interested in creating the trail. Recommends a note on site plan that HDP recommends an access location. Motion passed.



- **Upper DeArmoun Rezone PZC Case 2017-0027** – Nancy Pease detailed the situation - Rezone 73 acres up by Canyon Drive. In 2014 P&Z denied the rezone of this area. Re-application addresses the issues for the rezone. Rezone from R8 min lot size at 4 acres, to Zone R6, min lot size 1 acre. For R8 they would make 20 lots. At R6 they would make 30 lots. Handed out list of issues and points of interest:

- Support large lot rural district in this area:
  - Last time P&Z wanted more small lots.
  - Ground is not permeable with water table at 11' below grade and poor silty/clay soils.
- Application states 80% of land will retain foliage. Different zones R8 to R6 more % of structure on land.
- Lawyers state HDP tries to keep existing zoning.
- Land use plan map is color chart that shows the area in not very good detail.
- 2020 plan for residential plan, but not for high density.
- Specific plat details 30 lots shown on plat with drainage areas. Unprotected drainage ways and needs a pedestrian connection.
- Located in Hillside East Community Council Area. RCCC commented on it before, because it is up stream of Rabbit Creek. First time rezone for higher density.
- Only 1 house currently built on the area.
- Comments from neighbors in attendance tonight:
  - Wells, septic, poor soils, concerned with those issues.
  - Nancy Willis – RCCC is in favor of large lot and low density. Most neighbors agree.
  - Elevation 300' drop from one side to the other. Described the one house on the tract.
  - A lot of fuzzy data in documents – First application turned down for poor soils and poor drainage, sensitive area. The new design is still a bad design. Everyone in the neighborhood is against the project.
  - None of neighbors are in favor of the project. Many feel the area should be zoned R10.
  - Septic tanks have floated upwards because of high ground water.
  - Owners include: Todd and Alicia Branson and Paul Gionet.
  - Upper DeArmoun Road is rated a collector street that can handle 10,000 vehicles per day. The road is in such poor condition there is no way that is a correct representation. Neighbors disagree that it is a collector road.
  - Hillside Community Council has a meeting in 2 weeks.
  - Why should RCCC be concerned? Whatever can happen there, can happen in our region. 2 years ago, the re-zone application did not get a single favorable vote from P&Z.
  - 2 special limitations listed by developers. 1. All lots need special septic systems. 2. Concerned about 11' down in soil logs an impermeable soil layer, which is why there is a requirement for using the special septic systems on all lots, in lieu of conventional septic systems. Suggestion that none of the lots should be subdivided. Impediment for remaining at R8 is the requirement that lots have 300' width, which means a lot of roads to support the lots.
  - In some ways, there may be areas that support a cluster development, like on the northern side of the tract.
  - Potter Marsh is in RCCC area and the water for that Marsh comes from this area.
  - Prominence Point went in and ended up cutting down most of the trees, contrary to their initial promises. Now the area has a drainage issue. Might be the same thing occurs at this location.
  - Title 21 is what it is. Based on Title 21, how can someone now rezone to R6?
  - Community Councils to weigh in by May 22<sup>nd</sup>.
  - Motion Keith Guyer & 2<sup>nd</sup> Dianne Holmes - Basically agree with the valid points based on Nancy Pease list of concerns. Motion passed unanimously. Nancy Pease and Transportation and Land Use Committee will write the letter.

- Summer Meeting Location at Rabbit Creek Community Church – Adam Lees asked for a vote of approval. Motion passed.

**Motion Nancy Pease & 2<sup>nd</sup> Keith Guyer** - To return to CIP Review – Nancy Pease provided a 3-page written Survey form that the Transportation Panel had voted on how to sequence various projects by importance. Went thru item by item and made a few changes on order of listing.

**At 8:58 pm, Motion to extend meeting time Dianne Holmes & 2<sup>nd</sup> Keith Guyer** – 10 minute extension. Approved. Completed the review of the CIP List until all items were discussed. Nancy Pease and group to write up and submit the results.

#### Wrap up assignments

- As stated above.

**Motion to adjourn by Janie Dusel & 2<sup>nd</sup> Keith Guyer** – Meeting adjourned at 9:08 pm.



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CASE: 2018-0052

PETITIONER: Big Country Enterprises, LLC

REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District

TOTAL AREA: 77.01 acres

SITE ADDRESS: 13301 MESSINIA ST, ANCHORAGE, AK 99516

LOCATION: Generally located east of Messina Street, south of Upper DeArmoun Road and west of Canyon Road

CURRENT ZONE: R-8 Low-Density Residential (4 acres) District

COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps

LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4, Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

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Name: MARIE GOODMAN

Address: 3126 E 88<sup>th</sup> AVE

ANCHORAGE AK 99507

Comments: I AM WRITING IN SUPPORT OF BIG COUNTRY ENTERPRISES  
LLC AND THEIR REQUEST TO REZONE THEIR PROJECT FROM R-8  
(4 ACRE LOTS) TO R-10, WHICH COULD BE SMALLER LOT SIZES. I  
SEE THE BENEFIT OF DEVELOPING MORE LOTS AND PROVIDING A MORE  
AFFORDABLE PRICE POINT FOR YOUNG FAMILIES WISHING TO BUILD  
A HOME IN ANCHORAGE.

RECEIVED

JUN 04 2018

PLANNING DEPARTMENT



May 28, 2018

The Municipality of Anchorage  
Planning & Zoning  
4700 Elmore Road  
Anchorage, AK 99507

RECEIVED

JUN 01 2018

PLANNING DEPARTMENT

Re: Case: 2018-0052 – Request to Rezone three parcels from R-8 to R-10  
Site 13301 Messinia St. Anchorage, AK 99516

To Whom It May Concern:

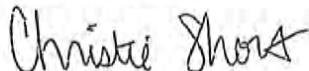
I want to express my **full and total support** for this property to be re-zoned as R-10 zoning. We currently live on lower Hillside and have been searching for property just like this to build a house, but the lots are extremely limited, and we are looking for 1-2 acres.

Offering this large plot of land to be zoned as R-10 gives me, and others, an opportunity to find reasonable sized lots so we/they can build on the Hillside.

Please approve this re-zone as it will only help the city of Anchorage and the patrons living here.

Thanks for your time.

Best Regards,



Christie Short  
907-947-4963



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RECEIVED

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Name

Cheri Goodman

Address

3716 E 88 Anchorage, Alaska

Comments

Though we are not in the vicinity of the petition area currently, we have been considering moving outside of the city. But we have found that there are not a lot of available lots that we can afford. Having smaller more affordable lots available in a beautiful natural setting, responsibly developed, would be beneficial for many middle class families such as we are. I also have 3 sons on the cusp of independence and this would make land and home ownership more accessible for them.



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CASE: 2018-0052 2250331750 C020

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Name:

Nathan G Austin Nathan G Austin

Address:

4700 E 147th Ave  
Anchorage, AK 99516

Comments:

My family and I have been up to this property location multiple times and it looks like a great place to build a house and raise a family. I personally hope planning and zoning will unanimously vote to pass this rezone request. I'm fairly certain I can't afford a 4 acre lot but if the rezone should pass, I think my chances of getting a smaller lot will go up. Plus as a registered voter of Alaska and a current resident of Anchorage; we need more land buying options. I don't know why the City of Anchorage would pass up an opportunity for more property tax lots as well as the boosted economic value of more homes being built. I really think the location is a great place for new homes. Plus, the land is just wasting away currently figuratively speaking, so why not allow Big Country Enterprises to develop this land in a way more families can enjoy it. Please vote "yes" on the R-10 rezone, that's my vote and I hope it's yours.



## NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052-990381780 0025

PETITIONER: Big Country Enterprises, LLC

REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District

TOTAL AREA: 77.01 acres

SITE ADDRESS: 13301 MESSINIA ST. ANCHORAGE, AK 99516

LOCATION: Generally located east of Messina Street, south of Upper DeArmoun Road and west of Canyon Road

CURRENT ZONE: R-8 Low-Density Residential (4 acres) District

COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps

LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4, Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30PM, Monday, June 11, 2018 in the Loussac Library Assembly Chambers, 3600 Denali Street, Anchorage, Alaska.

The zoning ordinance requires that you be sent notice because your property, residence, or business is within the vicinity of the petition area. This will be the only public hearing before the commission regarding this case and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition, this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Planning Department, P.O. Box 198850, Anchorage, Alaska 99519-8850. For more information call 343-7943; FAX 343-7927. Case information may be viewed online at: <http://www.muni.org/CityViewPortal>.

Name: Calvin + Frances Dunham

Address: 6700 De Armoun Rd  
Anchorage AK 99516

Comments: I have walked this property, seen the existing wells, where perk tests were done (all passed). There is a very good, solid plan for houses to easily be built on acre plus lots. DeArmoun Rd can easily accommodate the additional traffic. Lets share Hillside with those who don't mind extending their winter! This Rezone to R-10 is a natural fit Low-Density Residential, Alpine/Slope District.

RECEIVED

JUN 01 2018

PLANNING DEPARTMENT



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JUN 01 2018

2018-0052

PLANNING DEPARTMENT

I really don't understand the city's logic in this case. You scream about there being limited space for building and increasing your tax base and when you have an opportunity like this - you shut it down. I don't believe what the builders are asking for is unreasonable or detrimental to the area. The people who oppose this development are doing so without thought of what the area was before they built their homes. They have built on too small lots at the detriment of each other and this development would not do that. These are good Alaskan folks who are wanting to build a beautiful family neighborhood to raise their kids and grand kids. They want it to be affordable to the extent that living on the hillside allows.

I've lived in Anchorage for over 25 years with most of it on the lower hillside. The hillside is a special area of Anchorage and I would be thrilled to have this future development in my backyard. I understand personal property rights and people having the rights to build and create their dreams. I hope this development becomes a reality.

Melrose Schmiedt

4117 Caravelle Dr.  
Anchorage AK 99502



## NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052-35033-1780-1020



PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.  
TOTAL AREA: 77.01 acres  
SITE ADDRESS: 13301 MESSINIA ST, ANCHORAGE, AK 99516  
LOCATION: Generally located east of Messina Street, south of Upper DeArmoun Road and west of Canyon Road  
CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4, Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30PM, Monday, June 11, 2018 in the Loussac Library Assembly Chambers, 3500 Denali Street, Anchorage, Alaska.

The zoning ordinance requires that you be sent notice because your property, residence, or business is within the vicinity of the petition area. This will be the only public hearing before the commission regarding this case and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition, this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Planning Department, P.O. Box 196650, Anchorage, Alaska 99519-6650. For more information call 343-7943, FAX 343-7927. Case information may be viewed online at <http://www.muni.org/CityViewPortal>.

Name:

Rochelle Hart

Address:

1538 O'Brien Street  
Anchorage, AK 99507

Comments:

I support this re-zoning request.

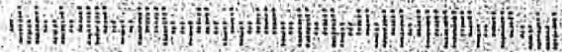
We need more development for  
the local economy.



# NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052 550331760 0020



PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.  
TOTAL AREA: 77.01 acres  
SITE ADDRESS: 13301 MESSINIA ST, ANCHORAGE, AK 99516  
LOCATION: Generally located east of Messina Street, south of Upper DeArmoun Road and west of Canyon Road.  
CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4; Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30PM, Monday, June 11, 2018 in the Loussac Library Assembly Chambers, 3600 Denali Street, Anchorage, Alaska.

The zoning ordinance requires that you be sent notice because your property, residence, or business is within the vicinity of the petition area. This will be the only public hearing before the commission regarding this case and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition, this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Planning Department, P.O. Box 196650, Anchorage, Alaska 99519-6650. For more information call 343-7943; FAX 343-7927. Case information may be viewed online at <http://www.muni.org/CityViewPortal>.

Name:

Robin Marsh

Address:

7508 O'Brien Street

Anchorage, AK 99507

Comments:

This request has my full support. I have full confidence in the developers to build a subdivision which only improves the quality of life for families in our community. The city of Anchorage has too many poorly built neighborhoods with housing crammed together. This rezone would give families a beautiful parcel to build a home and raise a family in. As a life long Alaskan resident and homeowner, I would like to see this request approved. I have grown kids and grandkids living in Anchorage. I would love if they had access to this quality development.

Please go ahead with this rezone. Thank You. Robin Marsh



RECEIVED

MAY 31 2018


To Municipality of Anchorage members,

PLANNING DEPARTMENT

This letter is being written on behalf of myself, Nathan Eastman, and my wife, Kristine Eastman. We have lived in Anchorage since 2006, currently in the midtown area. However, over the past year we've been looking to relocate to the hillside area, specifically to build on property with rezoning application 2018-0052. This letter is to express our support of the R-10 rezoning of that property so that we can advance our plans to build our new home.

Thank you,

Nathan and Kristine Eastman



5/27/18



# NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052 5550331760 0020

PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.  
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SITE ADDRESS: 13301 MESSINIA ST, ANCHORAGE, AK 99516  
LOCATION: Generally located east of Messina Street, south of Upper DeArmour Road, and west of Canyon Road.  
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COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4; Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

RECEIVED

MAY 31 2018

PLANNING DEPARTMENT

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Name:

Janet Roberts

Address:

4020 E. 15th Ave - Anchorage, AK 99507

Comments:

I first moved to AK in 1968 (my dad was stationed at Elmendorf). When I arrived in Anchorage much of it was not yet developed; much less the Hillside! When I moved into the neighborhood I live in now (over 30 years ago) we were surrounded by the beautiful forest. As the years passed more and more of the forest became neighborhoods. Even Elmore I thought was a best kept secret, sacred land (or almost). It was called Abbott Loop road back then. Really it was just a little moose trail pitted with pot holes. There was really not even room for a car to drive down that trail. Abbott Loop road is at the end of my street. No traffic, no noise, no angry drivers trying to cut each other off and causing accident after accident. No, back then it was the quiet end of the road and then nothing but the beautiful woods of the BLM and Campbell airstrip road all the way to the top of the mountain. So I wish it was still surrounded by nothing but forest? You bet I do. But Anchorage is a growing thriving city, with not so much of the "little town feel" anymore. Whether we like it or not, Anchorage is growing. People have to have affordable places to live. We are about to have another big oil boom. Oil people will be coming in by the hundreds and/or thousands. They have to have place to live and raise their families in. I believe by keeping these Hillside lots smaller and thus more affordable is what Anchorage needs right now.



# NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052 995033-1780 0020

PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.  
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CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4, Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

RECEIVED

MAY 31 2018

PLANNING DEPARTMENT

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Name:

ROBERT ARNOLD

Address:

8001 ONEY CIRCLE, 99507

Comments:

I FREQUENT THE SOUTH SIDE OF FLAT-TOP AND CANYON ROAD SO 100 TIMES PER YEAR

I ENCOURAGE NEW FAMILY HOMES IN THE SPACIOUS LAND BORDERING UPPER DEARMOUR AND CANYON. NEW FAMILIES BRING ECONOMIC SECURITY AND WE NEED MORE NEIGHBORHOODS

Robert Arnold  
207 242 6180



# NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052  
PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District  
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LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4, Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

RECEIVED

MAY 31 2018

PLANNING DEPARTMENT

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If you would like to comment on the petition, this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Planning Department, P.O. Box 196850, Anchorage, Alaska 99519-6650. For more information call 343-7943, FAX 343-7927. Case information may be viewed online at <http://www.muni.org/CityViewPortal>.

Name:

James S. Peterson

Address:

13100 Boscaime Cir  
Anchorage AK 99516

Comments:

I am in favor of this R-10 rezoning for Big Country. I have lived here for nearly 50 years. When I moved here, there were very few homes on the hillside. Thankfully, forward thinking people developed land and made it available for families looking to live just inside of the Anchorage bowl. I find it selfish and obnoxious for the few living in that area to think they can keep people out. The development being considered is well thought out and it will be well enjoyed and appreciated by all concerned. Please consider this when making your decision.

Thank you,

Pam Peterson



# NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

RECEIVED

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

MAY 29 2018

CASE: 2018-0052  
PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District  
TOTAL AREA: 77.01 acres  
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CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4; Lots 1 & 2 Vergason-Jones Subdivision (Plat 98-178)

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30PM, Monday, June 11, 2018 in the Loussac Library Assembly Chambers, 3800 Denali Street, Anchorage, Alaska.

The zoning ordinance requires that you be sent notice because your property, residence, or business is within the vicinity of the petition area. This will be the only public hearing before the commission regarding this case and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition, this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Planning Department, P.O. Box 196650, Anchorage, Alaska 99519-6650. For more information call 343-7943, FAX 343-7927. Case information may be viewed online at <http://www.muni.org/CityViewPortal>.

Name

Alexander Lych

Address

12400 PINTAIL

ANCHORAGE, AK 99516

Comments

I MOVED HERE 8 YEARS AGO FROM BELARUS. I WANT  
BUY SMALL LOT MAYBE 1-2 ACRES. IT IS  
BEAUTIFUL LAND, GOOD DIRT, GOOD FOR MY  
FAMILY.





# Planning and Zoning Commission

June 11, 2018

Case #: **2018-0052**

Case Title: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.

Agenda Item #: **G.2** Supplementary Packet #: **2**

☐ Comments submitted after the packet was finalized

☒ Additional information

☐ Other:

Sent by email: ☒ yes ☐ no

5/31/2018 10:07 AM



MUNICIPALITY OF ANCHORAGE  
MEMORANDUM


---

DATE: June 11, 2018


RECEIVED

TO: Planning and Zoning Commission

MAY 30 2018

THRU:  Michelle McNulty, Director, Planning Department

PLANNING DEPARTMENT

FROM:  Francis McLaughlin, Senior Planner

SUBJECT: Case 2018-0052, Supplemental Information

The purpose of this memo is to confirm that Case 2018-0052 does not violate AMC 21.03.160, *Waiting Period for Reconsiderations*, which states:

Following denial of a rezoning request, no new applications for the same or substantially the same rezoning shall be accepted within two years of the date of denial, unless denial is made without prejudice.

There have been two previous rezoning applications of the property, but neither of the applications was denied. In 2016, the Assembly postponed indefinitely Case 2014-0219. In 2017, the Commission recommended denial of Case 2017-0072, and the case went no further. Note that the Commission makes recommendations to the Assembly regarding rezoning cases, but does not have authority to decide them. Therefore, Case 2018-0052 may proceed as scheduled.

# ASHBURN & MASON P.C.

## LAWYERS

LAURA C. DULIC • MATTHEW T. FINDLEY • EVA R. GARDNER • REBECCA E. LIPSON  
DONALD W. MCCLINTOCK III • JEFFREY W. ROBINSON • THOMAS V. WANG  
OF COUNSEL JULIAN L. MASON III • A. WILLIAM SAUPE

May 25, 2018

RECEIVED

MAY 25 2018

Via U.S. and Electronic Mail:

PLANNING DEPARTMENT

Francis McLaughlin  
Municipality of Anchorage  
Planning Department  
4700 Elmore Road  
Anchorage, Alaska 99507  
[McLaughlinFD@ci.anchorage.ak.us](mailto:McLaughlinFD@ci.anchorage.ak.us)

Re: Lewis and Clark Proposed R-10 Rezone Subdivision  
Case No. 2018-0052

Dear Mr. McLaughlin:

Our firm represents the petitioner in this matter. In his letter of May 14, 2018 to you, Marc June raises a legal question that should be addressed by the director in advance of the scheduled public hearing scheduled for June 11, 2018. Below, I outline the reasons I believe his legal objections are misplaced, but note that the issue for interpretation is for the director to decide. It will lead to a far better and more focused hearing on the 11<sup>th</sup> if this interpretation is provided to the Commission, rather than have it as a matter of debate at the hearing itself.

AMC 21.14.010.A provides:

A. *General.* The director has final authority to determine the interpretation or usage of terms used in this title, pursuant to this section. Any person may request an interpretation of any term by submitting a written request to the director, who shall

1227 WEST 9TH AVENUE, SUITE 200, ANCHORAGE, AK 99501 • TEL 907.276.4331 • FAX 907.277.8235

{11558-001-00481225;2}



ASHBURN & MASON P.C.

Francis McLaughlin  
Municipality of Anchorage  
Planning Department  
May 25, 2018  
Page 2

respond in writing within 30 days. The director's interpretation shall be binding on all officers and departments of the municipality.

Mr. June suggests that AMC 21.03.160.D.10 precludes this application for a rezone to R-10 from being considered. That provision provides:

*Waiting period for reconsideration.* Following denial of a rezoning request, no new application for the same or substantially the same rezoning shall be accepted within two years of the date of denial, unless denial is made without prejudice.

Mr. June argues that because the Commission recommended against granting the application in the rezone to R-6 S, that the petitioner should be barred from applying for a R-10 rezone. However, Mr. June is wrong for 2 reasons: (i) the prior application was never denied as the petitioner never advanced the request to the Assembly, which is the entity with legal authority to approve and deny the rezone application; and (ii) the R-10 zone is not the "same or substantially the same" zoning as the R-6 zone.

As an initial matter, the interpretation that the denial refers to the action by the Assembly is consistent with the prior provision under the "Old Code." AMC 21.20.080 – provided:

**Waiting period for reconsideration.** Neither the planning and zoning commission nor the assembly may consider or approve a zoning map amendment if it is substantially the same as any other zoning map amendment initiated within the past 12 months and not approved by the assembly. (Emphasis added).

Clearly under the Old Code a petitioner who received a negative recommendation from the Commission could elect not to advance the request to the Assembly and educated by the proceeding below, submit a new application. That application would not be barred by the waiting period by the clear language of the Old Code. The new language, although worded more simply, does not reflect the intent to depart from this practice, although the waiting period was extended to 2 years.

{11558-001-00481225;2}

ASHBURN & MASON P.C.

Francis McLaughlin  
Municipality of Anchorage  
Planning Department  
May 25, 2018  
Page 3

The language of AMC 21.03.160.D.10, fairly read, addresses the time as running from the “date of denial.” The action of the commission is not a denial. The Planning Commission can *recommend* “denial” but only the Assembly has “denial as one of its options for resolution.”<sup>1</sup> So that interpretation is the better one both as a matter of precedent and interpretation.

As a matter of this particular application, the R-10 zone is not “the same or substantially the same” rezoning and this determination is within the discretion afforded the Department. The only arguable similarity is both are rural zones. But that is not the litmus test applied by the ordinance, which requires zones be “substantially the same.” The R-6 SL applied for in the prior 2017 rezone attempt relied upon the R-6 minimum lot size of one acre per du and provided specific proposed lot layouts for a 30 lot subdivision. The R-6 zone allows single and two family housing.<sup>2</sup> By contrast the R-10 zone is specifically intended to address the “natural physical features and environmental factors such as slopes, alpine and forest vegetation, soils, slope stability, and geologic hazards require unique and creative design for development.”<sup>3</sup> Table 21.04-2 dictates a range of lot sizes from 1.25 acres to 7.5 acres depending on the average slope and specific lot coverage and lot width requirements. The R-10 district only allows single family housing.<sup>4</sup>

These are distinct and significant differences that merit an interpretation that an R-6 SL rezone is not the same as an R-10 rezone.

---

<sup>1</sup> AMC 21.03.160.D.7.c (“If the commission recommends denial ...”) and under AMC 21.03.160.D.8.c, “denial” is one of the three options available to the Assembly. Although an application that is not appealed to the Assembly is deemed “disapproved,” it is significant, that that “denial” and not “disapproval” is the operative language at issue here. If disapproval was intended to be the operative word, it would have been a simple matter to use the same word choice in making the start of the waiting period, such as the “later date of disapproval or denial”.

<sup>2</sup> AMC 21.40.020.L

<sup>3</sup> AMC 21.40.020.P

<sup>4</sup> Table 21.05-1



ASHBURN & MASON<sup>P.C.</sup>

Francis McLaughlin  
Municipality of Anchorage  
Planning Department  
May 25, 2018  
Page 4

Although AMC 21.14.010 allows up to 30 days for an interpretation, it is requested that this interpretation be submitted in advance of the hearing so the Commission can focus on the pertinent matters before it and not be distracted by this issue. I apologize that we have not made this request earlier, but I only recently became aware of Mr. June's letter. Our assumption is that staff had already made this determination as the pre-application conference would have typically flagged these issues if there was any controversy.

We appreciate your time and request this question be forwarded to the director for resolution.

Sincerely,

ASHBURN & MASON, P.C.

A handwritten signature in black ink, appearing to read 'D. McClintock', with a long horizontal flourish extending to the right.

Donald McClintock

# Planning and Zoning Commission

June 11, 2018

Case #: **2018-0052**

Case Title: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.

Agenda Item #: **G.2** Supplementary Packet #: **3**

**X** Comments received the day of the meeting

☐ Additional information

☐ Other:

Sent by email:            yes            **X**            no



Merijeane Hollingsworth  
7841 Talisman Road  
Anchorage, AK 99516

denali.psychiatry@ak.net

9072721892

6/8/2018 4:22:49 PM

I am opposed to the R-10 rezone, for many of the same reasons as my neighbors. I have lived in the neighborhood since 1991, and have seen quite a bit of development (and not opposed it). To add a massive number of expensive homes would destroy the character of the neighborhood, to say nothing about the environmental impact and the density of traffic

Buster Bryant  
8820 Spendlove Drive  
Anchorage, AK 99516-3358

oneofthebryants@alaska.net

9073488900

6/11/2018 11:18:41 AM

I realize that this is late for the meeting tonight, but wanted to get my comments on record. I have written comments for previous iterations of this proposed subdivision, and I agree with most of my neighbors' views. What I have not been able to find (I admit that I have not done an exhaustive search) is data on perc tests and well flow rates. How many, if any, perc tests have been done; in what areas of the plot - on a grid, at random, or high-graded in "sweet spots"? The same questions apply to test wells. With the soil types, wetlands, and probable lensoid/discontinuous aquifers, some lot owners will possibly get caught in a "Perfect Storm" of environmental problems: poor surface drainage, failing perc tests, a high water table, and low-productivity wells. I have personally experienced both failed septic systems and low-productivity wells in similar soils (in Bear Valley, and at our current house). In Bear Valley, a holding tank was the only option at that time; fortunately, our current lot had enough space for a second system, but it was expensive. Neither of those options is appealing for anyone, but especially not for large houses in a new subdivision. Finally, I believe that several practical issues, including those mentioned above, that affect the quality of life of everyone in the upper Rabbit Creek Valley, have not been sufficiently addressed by the applicants (in addition to the currently unresolved earlier application) and therefore I request that this application be denied.

RECEIVED

JUN 11 2018

Memo

PLANNING DEPARTMENT

Date: 6/8/2018

To: Municipality of Anchorage, Planning Department, P.O. Box 196650, Anchorage, AK 99519

From: Scott Widness, P.E.

Re: 2018-0052

I have reviewed the current planning application and supporting documents for Rezone R-8 to R-10. Proposed Lewis & Clark Subdivision (2018-0052). Having lived in an R-9 zoned Hillside East neighborhood for the past 24 years, I feel compelled to comment on the current application. The lot size in our neighborhood is approximately 1 acre, similar to the proposed R-10 zoning. The neighborhood was developed on a similar slope and to my knowledge has not had any major well, septic, or traffic issues related to development, despite our modest unpaved road system. Resale and appreciation of properties are stable.

Throughout the years, the Municipality of Anchorage elected to annex the Hillside East into the MOA police and fire districts which lead to an increase in property taxes (along with increased property values). The longstanding position of MOA and residents consistently has been no new taxes, rather expand the property tax base by annexation and development. The tax burden is shouldered by property owners. In a time of uncertain financial future for our city and state, I am encouraged by the willingness of a local LLC willing to risk capital to invest in our city's future. This appears to be a rare opportunity for responsible development and long term investment in our community.

I somewhat surprised by the "no development" attitude conveyed in some of the public comments and signage near the site. The benefit of increased tax revenue by responsible development will benefit the city and immediate neighborhood by increasing property values along with improving roads and services. I do not believe there will be any degradation in quality of life for the immediate neighbors.

I feel it is fiduciary responsibility of the planning board to seize this opportunity for responsible development. Please objectively consider this application on the technical merits in the face of our current growth limitations and fiscal issues.

A handwritten signature in dark ink, appearing to read 'Scott Widness', with a long horizontal line extending to the right.



# NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052-45034753 0020  
PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential to R-10 Low-Density Residential, Alpine/Slope District  
TOTAL AREA: 77.01 acres  
SITE ADDRESS: 13301 MESSINIA ST. ANCHORAGE, AK 99516  
LOCATION: Generally located east of Messina Street, south of Upper DeArmour Road and west of Canyon Road.  
CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4, Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

RECEIVED

JUN 11 2018

PLANNING DEPARTMENT

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30PM, Monday, June 11, 2018 in the Loussac Library Assembly Chambers, 3600 Denali Street, Anchorage, Alaska.

The zoning ordinance requires that you be sent notice because your property, residence, or business is within the vicinity of the petition area. This will be the only public hearing before the commission regarding this case and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition, this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Planning Department, P.O. Box 196650, Anchorage, Alaska 99519-6650. For more information call 343-7943, FAX 343-7927. Case information may be viewed online at <http://www.muni.org/CityViewPortal>.

Name:

Mark Larson

Address:

9941 Carlson Road

Comments:

I know that the hillside is a special place as I have lived on lower hillside for 25 years. I would love to have the opportunity to buy a lot in this neighborhood but like it sizes at these parcels they are not affordable or practical. I stand behind developers plans to reduce lot sizes to make them affordable but yet large enough to create space that is fitting for a hillside development. I understand the mentality of "Not in my backyard" but as a hillside resident

I think this is a "GREAT DEVELOPMENT" don't let the resistance of a few selfish neighbors stop this from going forward

Thankyou!

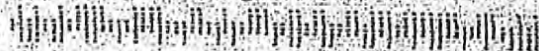
Mark Larson



# NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052-3550351760 0020



PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.  
TOTAL AREA: 77.01 acres  
SITE ADDRESS: 13301 MESSINIA ST, ANCHORAGE, AK 99516  
LOCATION: Generally located east of Messina Street, south of Upper DeArmour Road and west of Canyon Road.  
CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4; Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

RECEIVED  
JUN 11 2018  
PLANNING DEPARTMENT

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Name:

Joseph A. Lemar

Address:

12101 Graiff St  
Anchorage, AK 99507

Comments:

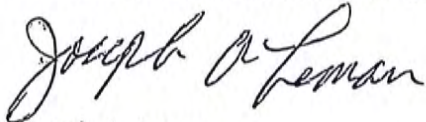
IN FAVOR. See attached letter.

Joseph A. Lemar 6/6/2018



Municipality of Anchorage,

As an upper hillside resident for the last 3.5 years, I am in favor of the Brownson/Gionet proposed R-10 rezone. I was born and raised in Anchorage, and am a lifelong Alaskan. I am quite familiar with the area in question, as I often bike and run in that area. Having been a friend for over 30 years now with Elisha Brownson and her parents, Paul & Susanne Gionet, I can attest that they are a genuine family who have invested significantly in friendships and service to their community. They care about people and their community, and are not the kind of people trying to whip together a plot of land to make a buck. Todd has the management and engineering background/experience to manage this kind of project, and to do it in a very tasteful way which will respect all residents in the Upper Dearmoun area. He has done a huge amount of research and testing to show how this is a responsible use of the 80 acres in question. The city of Anchorage needs development of valuable usable land, and this project will be a tremendous asset to the city of Anchorage.



Joseph A. Lemman  
12101 Graiff St  
Anchorage, AK 99507



# NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052 350351760 0020

RECEIVED

PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.  
TOTAL AREA: 77.01 acres  
SITE ADDRESS: 13301 MESSINIA ST, ANCHORAGE, AK 99516  
LOCATION: Generally located east of Messina Street, south of Upper DeArmour Road and west of Canyon Road.  
CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4, Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

PLANNING DEPARTMENT

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Name: Erica Lemah

Address: 12101 Graff St.

Anchorage, AK 99507

Comments:

IN FAVOR - SEE ATTACHED COMMENTS.



June 6, 2018

My name is Erica Leman and I am in favor of the proposed R-10 rezone. I am a lifelong Alaskan who has now lived on the Hillside for the past three and a half years. I love living up here and could not think of better neighbors to have than Todd & Elisha Brownson and their sons! Not only do they love Alaska, but they love their property as well, wanting to share the beauty of that spot with other strong Alaskan families who have long wanted to live and/or build on the Hillside. Todd and Elisha have put in countless hours of care, thought, and prayer into this property and truly would be an asset to have living on their land and in this part of town.



Erica E. Leman  
12101 Graiff Street  
Anchorage, AK 99507



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JUN 11 2018

PLANNING DEPARTMENT

**NOTICE OF PUBLIC HEARING: Monday, June 11, 2018**

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052 350381760 0020  
PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.  
TOTAL AREA: 77.01 acres  
SITE ADDRESS: 13301 MESSINIA ST, ANCHORAGE, AK 99516  
LOCATION: Generally located east of Messina Street, south of Upper DeArmoun Road and west of Canyon Road.  
CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4; Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30PM, Monday, June 11, 2018 in the Loussac Library Assembly Chambers, 3600 Denali Street, Anchorage, Alaska.

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If you would like to comment on the petition, this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Planning Department, P.O. Box 196660, Anchorage, Alaska 99519-6650. For more information call 343-7943; FAX 343-7927. Case information may be viewed online at <http://www.muni.org/CityViewPortal>.

Name: MARY Huey  
Address: 6001 AZALEA DR.  
ANCHORAGE, AK 99516  
Comments: I would like to see this request for a rezone  
approved. I have lived in Anchorage since 1976 and on  
the hillside since 1978. I feel there are not enough good  
buildable lots available on the hillside. Four years ago our  
son & family wanted to purchase a hillside lot to build on and  
had a very hard time finding one. I think the size of these  
lots is great.



RECEIVED

JUN 11 2018

**NOTICE OF PUBLIC HEARING: Monday, June 11, 2018**

PLANNING DEPARTMENT

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052 ~~2018-0052~~ 1760 0020  
PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District.  
TOTAL AREA: 77.01 acres  
SITE ADDRESS: 13301 MESSINIA ST, ANCHORAGE, AK 99516  
LOCATION: Generally located east of Messinia Street, south of Upper DeArmoun Road and west of Canyon Road.  
CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4; Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

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Name:

Kent Huey

Address:

6001 AZALEA DR Anchorage AK 99516

Comments:

I have lived in Alaska since 1976. And on the Hillside since 1978. I support approval of the rezoning and subdivision request. The proposed lots will ensure adequate area for building homes, provide privacy and should not impact wildlife. Most lots in the area are of a similar size, with all the planning and soil testing performed in this area the risk of this sub-division is low by making 1 acre + lots is minimal.

Kent Huey  
6/7/2018

June 5, 2018

Case # 2018-0052

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JUN 11 2018

To whom it may concern:

PLANNING DEPARTMENT

My name is Janna Harvey and I work as a mental health therapist at Providence Hospital. I have been a resident in Anchorage for the past 24 years. Some of my favorite memories are of growing up on the hillside and enjoying the unique recreation that Alaska provides which includes hiking, nordic skiing, biathlon, camping and fishing. Now my husband and I are raising our three young daughters in the place we were both raised. With my husband and I being young professionals and striving to raise our family with similar experiences to our own, it is crucial for more land to become available to develop in Anchorage. We are in support of the R10 rezone because it is currently a challenge to find affordable lots on the hillside that are reasonable to develop.

Thank you,

A handwritten signature in cursive script that reads "Janna Harvey". The signature is fluid and elegant, with a long horizontal flourish extending to the right.

Janna Harvey  
PO Box 110662  
Anchorage, AK 99511



# NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE 2018-0052  
PETITIONER Big Country Enterprises, LLC  
REQUEST Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential Alpine/Slope District  
TOTAL AREA 77.01 acres  
SITE ADDRESS 13301 MESSINIA ST ANCHORAGE AK 99516  
LOCATION Generally located east of Messina Street, south of Upper DeArmour Road and west of Canyon Road  
CURRENT ZONE R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S) Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR T12N R3W SEC 26 S2W2NW4SE4 & E2NW4SE4 & NE4SE4 Lots 1 & 2, Vergason Jones Subdivision (Plat 98-178)

JUN 11 2018

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Name:

Charles Ross Baldwin

Address:

2422 Farnham Cir  
Anchorage AK 99515

Comments:

I am writing in support of the R-10 rezone. My wife and I moved to Anchorage 3 years ago and finding affordable land to build on ~~land~~ was challenging to the point that we were unable to consider living on the Hillside. I am a lifelong Alaska resident from Kenai and would like more options to make Anchorage my home from now on.



# NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE 2018-0052-0000-1785 0020

PETITIONER Big Country Enterprises, LLC  
REQUEST Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District  
TOTAL AREA 77.01 acres  
SITE ADDRESS 13301 MESSINIA ST ANCHORAGE, AK 99516  
LOCATION Generally located east of Messina Street, south of Upper DeArmour Road and west of Canyon Road.  
CURRENT ZONE R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S) Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4, Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

RECEIVED

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Name Justin McCaslin

Address 8111 Lakonia Drive  
Anchorage, AK 99516

Comments I support this rezone. The person who keeps appealing this subdivision lives on a lot that is less than 1 acre and is nothing but a troublemaker. Most of the hillside has been rezoned and there is no reason to deny this rezone.

Justin McCaslin



The Home and LandOwners Organization, Inc., has for several years discussed the continuing series of rezone applications on the Lewis & Clark subdivision, including this one, and has continually opposed any attempt to increase density through rezones. Rezoning to lesser densities completely ignores the demands of the Hillside District Plan. The Hillside District Plan, as a Comprehensive Plan, must be followed as per Title 21.

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JUN 11 2018

June 11, 2018

PLANNING DEPARTMENT

Municipality of Anchorage, Planning Department  
Attention: Francis McClaughlin,  
4700 Elmore Road  
Anchorage, AK 99507

Re: Lewis and Clark Proposed R-10 Subdivision  
Case No. 2018-0052

Dear Mr. McClaughlin:

On Friday, June 8, (possibly over the weekend) you provided additional materials to the Planning and Zoning Commission: previously undisclosed May 25 Developer lawyer correspondence requesting Planning Director agreement that their rezoning application not be barred by AMC 21.03.160.D.10's mandatory 2 year Waiting Period and your June 11 memo initialed by the newly-hired Planning Director granting the request. This last minute filing with no notice highlights the Developer's noncompliance with Title 21's community meeting requirements, the Planning Department's bias/lack of objectivity re the rezoning application, and AMC 21.03.160.D.3's mandatory 2 year Waiting Period barring the rezone application.

Failing to disclose the May 25 correspondence prejudices the public in violation of Due Process rights and, based on past history, appears intentional. Since the original Planning Staff was reassigned, there has been a pattern of Staff not being neutral professionals and, instead, advocating the Developer's position.

This letter is my attempt to respond. The Developer's arguments are belied by the history of rezoning rejections, the history of Title 21, the language of AMC 21.03.160.D.10, and applicable law.

#### Denial of Rezoning Due to Non-Compliance with Title 21 Procedures

AMC 21.03.160.D.3 requires a Community Meeting before filing a rezoning application. In this case, the "meeting" lasted 12 minutes before terminated by the Developers acting as Hillside Community Council officers.

I have repeatedly raised the issue of the prior Denial, not just in the 12 minutes Community Meeting but also in February 26 and March 1 emails to the Developer before and after the meeting. The Developer chose not to respond. See attached meeting minutes and emails. My May 14 correspondence raised the Denial issue a 4<sup>th</sup> time. Despite doing



so, the May 25 Staff Report, filed on the same date as the Developer's undisclosed correspondence was received, ignores the issue.

As conceded by the Developer, the 2 year Waiting Period as well as the number of estimated lots should have been addressed in the mandatory Title 21 Pre-Application Conference. However, Staff provides no materials indicating whether the conference even occurred, let alone whether the 2 year Waiting Period was discussed, or subsequent communications between Planning Department Staff and the Developer on the issue.

With the mandatory Community Meeting lasting only 12 minutes and issues as to whether there was compliance with Title 21's mandatory Pre-Application Conference, the rezoning application must be denied.

Rezoning Barred by AMC 21.03.160.D.10's Mandatory 2 Year Waiting Period Following Denial

The Developer's lawyer is correct that whether AMC 21.03.160.D.10's mandatory 2 year Waiting Period following Denial is purely a legal question. Just because the question can only be definitively answered by a court does not mean that the Commission should not make best efforts to answer the question correctly.

This is the Developer's 4<sup>th</sup> rezone request, with the most recent request denied in July, 2017. Each rezone request raised the identical issue: Will zoning be changed to allow lot sizes less than R8 zoning's required minimum 4 acre lots, an increased number of lots, and greater density. Lawyer arguments cannot change this conclusion that, if not literally identical, this application is, at a minimum, "substantially the same."

The Developer also cannot change this conclusion by not providing a preliminary plat or being specific about plans for size and number of lots. At the 12 minute Community Meeting, the Developer stated that lots would be 1.25 -2.5 acres depending on slope with as many as 45 lots. Relabelling the rezone request as an R-10 rezone subject to later platting does not change these facts, something emphasized by your emails stating there to have been no R-10 rezones or applications where the developer did not disclose the anticipated number of lots, whether by preliminary plat or otherwise. See attached e-mails.



Beyond the rezoning issue being identical, there is no legal basis for arguing that the AMC 21.03.160.D.10 Waiting Period can only be triggered by Assembly action. Ordinances are construed according to reason, practicality, and common sense. Unless words have acquired a peculiar meaning, by virtue of statutory definition or judicial construction, terms are construed according to their plain meaning and purpose. See Young v. Embley, 143 P.3d 936, 939 (Alaska 2006). The plainer the language, the more convincing contrary legislative history must be. In adopting new Title 21, the Assembly was fully aware of the procedures of the existing Title 21. Burke v. Raven Elec., Inc., 2018 WL 2173938 (June 6, 2018).

By eliminating the Waiting Period's reference to Assembly action, the Assembly intended to eliminate past abuses by Developers who, after testing the waters on an initial rezone application, would not appeal to the Assembly and, after the membership of the Commission or Assembly had changed, resubmit the same applications with different labels.<sup>1</sup> The Assembly corrected this abuse by deleting references to the Waiting Period only being triggered by Assembly action.

To the extent that the Developer chooses to rely on the newly hired Planning Director initialing Staff's memo, no deference is given to administrative interpretations conflicting with the plain meaning of an ordinance. Muller v. BP Expl. (Alaska) Inc., 923 P.2d 783 (Alaska 1996). To the contrary, courts presume that amendments to unambiguous laws indicate a substantive change. Kodiak Island Borough v. Exxon Corp., 991 P.2d 757 (Alaska 1999). Kodiak Island Borough v. Exxon Corp., 991 P.2d 757, 761 (Alaska 1999). The Developer's admission that AMC 21.03.160.D.10 was amended to omit reference to the Assembly demonstrates that the application is barred by the 2 year mandatory waiting period.

If the Developers wanted to repackage their previously rejected application again, the Developer should have asked that the July, 2017 denial be specifically "without prejudice" as allowed by AMC 21.03.160.D.10. Because they did not do so, the 2 year Waiting Period bars rezoning.

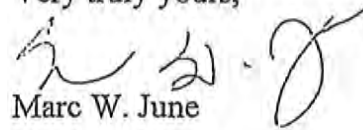
Please make certain Planning Director and the Planning and Zoning Commission is made aware of this response before tonight's hearing.

---

<sup>1</sup> Avoiding the mandatory Waiting Period under old Title 21 was the reason that the Developer did not oppose its being indefinitely tabled so that its second, unsuccessful rezone application would not be barred by the prior version of the Waiting Period, something that was explained to both parties at the time.

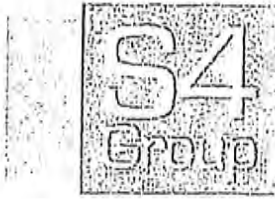


Very truly yours,

A handwritten signature in black ink, appearing to read 'Marc W. June', with a stylized flourish at the end.

Marc W. June

cc: Michelle McNulty; Don McClintock



Land Surveying  
Land Development Consultants  
Subdivision Specialists  
Construction Surveying

124 E 7th Avenue, Anchorage, Alaska 99501    www.S4AK.com    907-306-8104

### Summary of Community Meeting

Date: 2/28/2018 at the HCC meeting.

Location: O'Malley Elementary School

Subject: Proposed Lewis & Clark R-10 Subdivision

251 mailers were mailed out on 1/31/2018 by first class mail. Presentation provided by S4 Group to provide information and take questions and comments from meeting attendees. There were approximately 30 attendees. Presentation began at approximately 8:43 PM and questioning was completed at approximately 8:55 PM. An invitation was extended for any additional questions to be sent to the S4 Group, LLC. The following is a brief summary of the questioning and discussion:

- 1) Steve MacDonald – 13130 Jeanne Road (1.03 Acre Lot – R-9 Zoning)
  - a. Question: What is the slope of the property?
  - b. Response: Slopes of the property vary from approximately 8% to 30%, with the majority of the property being between 9 – 10% to 15%.
- 2) Unknown Neighbor –
  - a. Question: Was this issue brought before this Community Council before?
  - b. Response: No. This particular piece of property has been brought before this Community Council, but this is a completely different application for a completely different request.
- 3) Marc June – 8801 Upper DeArmoun Road (1.14 Acre Lot – R-8 Zoning)
  - a. Question: Was the R-6 rezone denied?
  - b. Response: It was not approved
- 4) Tom Dreyer provides contact information for additional questions / comments that might arise.
- 5) Joan Priestley – 13101 Jeanne Road (1.13 Acre Lot – R-6 Zoning)
  - a. Question: You have an R-8 Plat. Has that been abandoned?
  - b. Response: The Plat and the Rezone Application are separate paths.
  - c. Question: You had 20+ acres of open space set aside in R-8 Plat. Will you have that in the R-10?
  - d. Response: This application is for a rezone to R-10. Those types of questions would be addressed at the platting level.
- 6) Bruce Vergason (HCCC Chair) indicates 2-minute warning because of time limit strictly enforced by O'Malley Elementary School.
- 7) Joan Priestley – 13101 Jeanne Road (1.13 Acre Lot – R-6 Zoning)
  - a. Question: How many lots are you contemplating?
  - b. Response: The number of lots would be judged by the slope of the lot. It could be between 5 and 45 depending on several factors.
- 8) Mark Morrison – 8600 Spendlove Drive (1.03 Acre Lot – R-6 Zoning)
  - a. Question: Can you change the grade with a bulldozer to make it flatter?
  - b. Response: No. There are several requirements for slope basis determination as well as requirements for clearing.
- 9) Bruce Vergason indicates that meeting has to be closed. He says that HCCC can invite S4 Group back to a future meeting and reminds that additional questions that may arise can be directed to the S4 Group. Meeting adjourned at 8:55 PM.

Thank you,

Tom Dreyer, PLS, S4 Group



**Marc June**

---

**From:** Marc June <junelawyer@cs.com>  
**Sent:** Thursday, March 01, 2018 9:30 AM  
**To:** tom@s4ak.com  
**Cc:** Marc June  
**Subject:** FW: Lewis and Clark Subdivision

Hello Mr. Dreyer,

Am resending this because of no response to my last email.

Wanted to ask you last night about whether, practically speaking, the same number of lots is ultimately being envisioned or a different number.

Also wanted to ask why you believe the Rezone Application is not precluded by Ordinance 21.03.160.D.10

Would appreciate your response to the above questions as well.

Thanks.

Marc June

**From:** Marc June [mailto:junelawyer@cs.com]  
**Sent:** Monday, February 26, 2018 9:28 AM  
**To:** 'tom@s4ak.com' <tom@s4ak.com>  
**Cc:** Marc June (Junelawyer@cs.com) <Junelawyer@cs.com>  
**Subject:** Lewis and Clark Subdivision

Hello Mr. Dreyer:

Am not understanding reasoning behind most recent rezone application as I believed you were proceeding forward with Plat as approved by Platting Board and further rezone application precluded by Title 21 for 2 years from date of denial.

Could you please send the proposed R10 rezone and any supporting materials for review prior to 2/28 Community Council meeting?

Has R-10 Rezone application been filed?

Has Pre-Application meeting been held?

Thank you for consideration.

Marc June

## Marc June

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**From:** McLaughlin, Francis D. <McLaughlinFD@ci.anchorage.ak.us>  
**Sent:** Monday, May 07, 2018 9:21 AM  
**To:** 'Marc June'  
**Subject:** RE: Lewis and Clark Subdivision

Hi Marc,

Thanks for your email. I could not find any cases that involved an R-8 rezone.

Francis

Francis McLaughlin  
Planning Department  
343-8003

**From:** Marc June [mailto:junelawyer@cs.com]  
**Sent:** Friday, May 4, 2018 9:28 AM  
**To:** McLaughlin, Francis D. <McLaughlinFD@ci.anchorage.ak.us>  
**Cc:** Marc June <junelawyer@cs.com>  
**Subject:** RE: Lewis and Clark Subdivision

Francis,

You have been good on responding to all of my emails which have gone on longer than I had hoped.

I understand:

1. The number of lots is necessary to calculate density.
2. Density is measured by DUA (Dwelling Unit per Acre).
3. R-8 requires a 4 acre minimum lot size which is a DUA of 0-.25.
4. The HDP Land Use Map identifies the Upper Dearmoun Neighborhood as "Limited intensity, 0-1 DUA" without reference to underlying zoning

Other than the Lewis and Clark Subdivision, are you able to provide another example in which the Planning Department recommended against a rezone from R-8?

Thanks.

Marc June

**From:** McLaughlin, Francis D. [mailto:McLaughlinFD@ci.anchorage.ak.us]  
**Sent:** Thursday, May 03, 2018 3:29 PM  
**To:** 'Marc June' <junelawyer@cs.com>  
**Subject:** RE: Lewis and Clark Subdivision

Hi Marc,

The residential density is, of course, important in evaluating the approval criteria for a rezone. In this case, the Hillside District Plan identifies the petition site as "Limited intensity, 0-1 dua." Topography, streams, drainageways, wetlands,



roads, availability of water, soils for on-site septic systems, and the zoning district minimum lot size requirement will all ensure that development of the property will have less than one dwelling unit per acre gross residential density.

Francis

Francis McLaughlin  
Planning Department  
343-8003

**From:** Marc June [<mailto:junelawyer@cs.com>]  
**Sent:** Thursday, May 3, 2018 9:57 AM  
**To:** McLaughlin, Francis D. <[McLaughlinFD@ci.anchorage.ak.us](mailto:McLaughlinFD@ci.anchorage.ak.us)>  
**Subject:** RE: Lewis and Clark Subdivision

No worries. This is not an ASAP  
Thank you for acknowledging  
Marc June

**From:** McLaughlin, Francis D. [<mailto:McLaughlinFD@ci.anchorage.ak.us>]  
**Sent:** Thursday, May 03, 2018 9:19 AM  
**To:** 'Marc June' <[junelawyer@cs.com](mailto:junelawyer@cs.com)>  
**Subject:** RE: Lewis and Clark Subdivision

Marc – I got your email and I will respond. I'm just very busy today – Assembly committee meeting this morning and meetings at City Hall this afternoon. I will respond asap.

Thank you,  
Francis

Francis McLaughlin  
Planning Department  
343-8003

**From:** Marc June [<mailto:junelawyer@cs.com>]  
**Sent:** Wednesday, May 2, 2018 2:50 PM  
**To:** McLaughlin, Francis D. <[McLaughlinFD@ci.anchorage.ak.us](mailto:McLaughlinFD@ci.anchorage.ak.us)>  
**Subject:** RE: Lewis and Clark Subdivision

Francis,

Understood re absence of preliminary plat or draft/concept subdivision.  
Are you saying the anticipated number of lots is not relevant?

Marc June

**From:** McLaughlin, Francis D. [<mailto:McLaughlinFD@ci.anchorage.ak.us>]  
**Sent:** Wednesday, May 02, 2018 2:28 PM  
**To:** 'Marc June' <[junelawyer@cs.com](mailto:junelawyer@cs.com)>  
**Subject:** RE: Lewis and Clark Subdivision

Hi Marc,

I too am sorry that I am not able to give you the answer that you want. I wish that I could. I did look at rezones from the last couple years and I didn't see any that included a draft/concept subdivision. Usually, they won't go through the work of designing a subdivision until after the rezone is adopted. It is atypical for a rezone application to include a draft subdivision. It is a distraction from the merits of the rezone because the developer is under no obligation to follow the drawing as shown. It would have marginally usefulness even if the developer intended to submit that exact drawing because plats usually go through changes before they are finally approved. In the case of the R-10, it is very difficult to design a subdivision because the lot sizes are based on the average slope of each lot.

Francis

Francis McLaughlin  
Planning Department  
343-8003

**From:** Marc June [mailto:junelawyer@cs.com]  
**Sent:** Wednesday, May 2, 2018 2:17 PM  
**To:** McLaughlin, Francis D. <McLaughlinFD@ci.anchorage.ak.us>  
**Subject:** RE: Lewis and Clark Subdivision

Francis,

Thanks again.

My apologies for repeated requests but are you able to say how many times a rezone application has been submitted without a preliminary plat or without representation the anticipated number of lots, let's say within the last 2 years.

(I realize a preliminary plat is not required. I am trying to understand how often this happens). If there have been times, I would appreciate the project number/name.

Marc June

**From:** McLaughlin, Francis D. [mailto:McLaughlinFD@ci.anchorage.ak.us]  
**Sent:** Wednesday, May 02, 2018 11:15 AM  
**To:** 'Marc June' <junelawyer@cs.com>  
**Subject:** RE: Lewis and Clark Subdivision

Hi Marc,

I looked back 9 years and did not find any cases involving a rezone to R-10.

Francis

Francis McLaughlin  
Planning Department  
343-8003

**From:** Marc June [mailto:junelawyer@cs.com]  
**Sent:** Wednesday, May 2, 2018 10:56 AM  
**To:** McLaughlin, Francis D. <McLaughlinFD@ci.anchorage.ak.us>  
**Subject:** RE: Lewis and Clark Subdivision

Francis,

Thanks.

Understand that rezone applications might not include a draft/concept preliminary plat. My question was more specific.



How common is this in R-10 rezone applications? (Over last 2 years, how many R-10 rezone applications have there been and how many have not included a draft/concept preliminary plat)

Of those R-10 rezone applications that do not include a draft/concept preliminary plat, how many include the anticipated number of lots?

If you have examples of other R-10 applications that do not include draft/concept preliminary plats or anticipated number of lots, I would appreciate your sharing this information.

Marc June

**From:** McLaughlin, Francis D. [<mailto:McLaughlinFD@ci.anchorage.ak.us>]  
**Sent:** Wednesday, May 02, 2018 10:15 AM  
**To:** 'Marc June' <[junelawyer@cs.com](mailto:junelawyer@cs.com)>  
**Subject:** RE: Lewis and Clark Subdivision

Hi Marc,

There are no policies/procedures regarding the R-10. Yes, it is common for rezoning applications to not include a draft/concept preliminary plat.

Francis

Francis McLaughlin  
Planning Department  
343-8003

**From:** Marc June [<mailto:junelawyer@cs.com>]  
**Sent:** Wednesday, May 2, 2018 10:24 AM  
**To:** McLaughlin, Francis D. <[McLaughlinFD@ci.anchorage.ak.us](mailto:McLaughlinFD@ci.anchorage.ak.us)>  
**Subject:** RE: Lewis and Clark Subdivision

Hello Francis,

Can you advise whether there are any written policies/procedures re R-10 approval beyond Title 21?  
Have other rezone applications been granted where the applicant does not disclose the number of lots?  
Thanks.

Marc June



# NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following

CASE 2018-0052-15-03-787-002

PETITIONER Big Country Enterprises, LLC

REQUEST Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential, Alpine/Slope District

TOTAL AREA 77.01 acres

SITE ADDRESS 13301 MESSINIA ST, ANCHORAGE, AK 99516

LOCATION Generally located east of Messina Street, south of Upper DeArmoun Road and west of Canyon Road

CURRENT ZONE R-8 Low-Density Residential (4 acres) District

COM COUNCIL(S) Hillside, Rabbit Creek, Bear Valley, Glen Alps

LEGAL DESCR T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4, Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30PM, Monday, June 11, 2018 in the Loussac Library Assembly Chambers, 3600 Denali Street, Anchorage, Alaska

The zoning ordinance requires that you be sent notice because your property, residence, or business is within the vicinity of the petition area. This will be the only public hearing before the commission regarding this case and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition, this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Planning Department, P.O. Box 196650, Anchorage, Alaska 99519-6650. For more information call 343-7943, FAX 343-7927. Case information may be viewed online at <http://www.muni.org/CityViewPortal>

Name James Nathan Bolte

Address 13110 Biscayne Cir Anchorage Ak 99516

Comments I am in favor of this R-10 rezoning for Lewis & Clark Development. It seems to be thoughtfully planned and addresses the land shortage in Anchorage. Thank you!

RECEIVED

JUN 11 2018

PLANNING DIVISION

2:16 p188 of 190



# NOTICE OF PUBLIC HEARING: Monday, June 11, 2018

The Municipality of Anchorage Planning and Zoning Commission will consider the following:

CASE: 2018-0052  
PETITIONER: Big Country Enterprises, LLC  
REQUEST: Request to Rezone three parcels from R-8 Low-Density Residential (4 acres) District to R-10 Low-Density Residential Alpine/Slope District  
TOTAL AREA: 77.01 acres  
SITE ADDRESS: 13301 MESSINIA ST, ANCHORAGE, AK 99516  
LOCATION: Generally located east of Messina Street, south of Upper DeArmoun Road and west of Canyon Road  
CURRENT ZONE: R-8 Low-Density Residential (4 acres) District  
COM COUNCIL(S): Hillside, Rabbit Creek, Bear Valley, Glen Alps  
LEGAL DESCR: T12N R3W SEC 25 S2W2NW4SE4 & E2NW4SE4 & NE4SE4 Lots 1 & 2, Vergason-Jones Subdivision (Plat 98-178)

The Planning and Zoning Commission will hold a public hearing on the above matter at 6:30PM, Monday, June 11, 2018 in the Loussac Library Assembly Chambers, 3800 Denali Street, Anchorage, Alaska.

The zoning ordinance requires that you be sent notice because your property, residence, or business is within the vicinity of the petition area. This will be the only public hearing before the commission regarding this case and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition, this form may be used for your convenience. Mailing Address: Municipality of Anchorage Planning Department, P.O. Box 196650, Anchorage, Alaska 99519-6650. For more information call 343-7943, FAX 343-7927. Case information may be viewed online at <http://www.muni.org/CityViewPortal>.

Name:

TERREY MANNON

Address:

13120 BISSAYNE CIRCLE, ANCHORAGE, AK

Comments:

I AM STRONGLY IN FAVOR OF REVISING  
AND CREATING R-10 REZONE. IT IS A WELL DESIGNED  
PLAN. THE CITY IS IN NEED OF.

RECEIVED

JUN 11 2018

PLANNING DIVISION

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## 21.14.010 - Interpretations.

- A. *General.* The director has final authority to determine the interpretation or usage of terms used in this title, pursuant to this section. Any person may request an interpretation of any term by submitting a written request to the director, who shall respond in writing within 30 days. The director's interpretation shall be binding on all officers and departments of the municipality.
- B. *Record of interpretations.* The director shall maintain a file of all interpretations made pursuant to this subsection.
- C. *Appeal.* Any person may appeal an interpretation by the director regarding a term used in this title to the zoning board of examiners and appeals in accordance with subsection 21.03.050 B.

(AO 2012-124(S), 2-26-13)

Amc 21.14.010