



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM

No. AM 1013-98

Meeting Date: November 3, 1998

From: Mayor

Subject: AO 98- 175

Planning and Zoning Commission
Recommendation on rezoning of Brendlwood
Subdivision, Tract D

1 The property owner, Quinn Construction, has petitioned the Assembly for a
2 hearing on a rezoning petition that has been recommended for denial by the
3 Planning and Zoning Commission. When the Commission arrives at a negative
4 recommendation on a rezoning proposal, the applicant must specifically petition
5 the Assembly for a hearing, otherwise the matter is closed.

6 The Commission found that the site is designated as residential at a density of
7 less than one dwelling unit per acre in the Comprehensive Plan. The proposed
8 rezoning is a density of 3 to 6 dwelling units per acre. They also found this
9 rezoning was inconsistent with the expectations of the residents of the area and
10 public water availability was not confirmed. A motion to recommend approval of
11 the rezoning to R-1A failed on a vote of two in favor and seven opposed.

Reviewed by:


George J. Vakalis
Municipal Manager

Prepared by:


Sheila Ann Selkregg
Director, Community Planning and
Development

Respectfully submitted,


Bick Mystrom
Mayor

Reviewed by:


Elaine A. Christian
Executive Manager

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: 98- 175 Title: Rezoning Brendlwood Subdivision

Sponsor: Quinn Construction

Preparing Agency

Community Planning and
Development

Others Affected

CHANGES IN EXPENDITURES AND REVENUES (Thousands of Dollars)

Operating Expenditures	FY1998	FY1999	FY2000	FY2001	FY2002
1000 Personal Services					
2000 Supplies					
3000 Other Services					
4000 Debt Services					
5000 Capital Outlay					
TOTAL DIRECT COSTS					
ADD: 6000 Charge from Others					
LESS: 7000 Charge to Others					
FUNCTION COST:					
REVENUES:					
CAPITAL:					
POSITIONS: FT/PT and Temp.					

Public Sector Economic Effects:

Approval of the rezoning should have no significant economic impact on the public sector.

Private Sector Economic Effects:

Approval of the rezoning should have no significant economic impact on the private sector except for the property owner who may be able subdivide the property into 13 lots.

Prepared by: D. Alspach, Mgr. Zoning & Platting

Phone: 343-4215

Validated by OMB:



Date: 10-11-98

Approved By:


Director, Preparing Agency

Date: Oct 19, 1998

Concurred By

Director, Affected Agency

Date: _____

Approved By:


Executive Manager

Date: 10/22/98

M.O.A.

MUNICIPALITY OF ANCHORAGE

50 AUG 21 PM 2:44

REZONINGS OR ORDINANCES AMENDMENTS*

CLEARING OFFICE

REQUEST FOR A PUBLIC HEARING BY THE MUNICIPAL ASSEMBLY

I THE UNDERSIGNED DO HEREBY REQUEST THAT THE MUNICIPAL ASSEMBLY HOLD A PUBLIC HEARING ON CASE NO. P&Z No. 98-114 WHICH RECEIVED AN UNFAVORABLE RECOMMENDATION FROM THE MUNICIPAL PLANNING AND ZONING COMMISSION ON August 3, 1998 FOR THE FOLLOWING REASONS:

1. The amendment furthers the goals and policies of the comprehensive plan and is in compliance with the comprehensive plan in the manner required by Chapter 21.05.
2. AMC 21.05.090 provides that all zoning map amendments shall conform to lot land use and residential intensity clarification maps of the Eagle River — Chugiak — Eklutna Comprehensive Plan (“ERCECP”) unless it meets the standards set forth by Sections 21.05.080.C., D., and E.
3. First, the Zoning map amendment does conform to the land use and residential intensity classification of the ERCECP. The area is residential. The area of amendment is at a nexus of two density areas: three to six dwelling units (3–6 d.u.) per acre on the west half of the property, and less than one (<1 d.u.) on the east half of the property. A density of one to two (1–2) d.u. per acre exists to the south. A total of 14 new single family dwellings are proposed for the 6.46 acreage under amendment. With the existing home, this equates to a density of 2.3 d.u. per acre.

Further, this amendment meets the requirements of 21.05.080.C, D., and E. for the portion that is within the less than one d.u. per acre density area. This is true because under those requirements:

- C.1 There are no non-conforming existing uses.
- C.2 The petitioner is amenable to special limitations that ensure the density proposed blends in a compatible fashion with the adjacent

R-9 and R-7 districts. This density further already provides a suitable transition between the two density areas.

- C.3 There is no conflict with the goals and policies of the ERCECP.
- D.1 This provision recognizes that smaller areas may exceed the density set forth in the generalized residential density map. Part of this parcel is well under its allowed 3-6 d.u. and only part is slightly above. On a blended basis, the density here is an appropriate transition between the 3-6 d.u. area and the less than 1 d.u. area.
- D.2 Further, even if the criteria under D.1 is not met, this amendment does not conflict with the ERCECP. This property can be served with an extension of existing water and sewer. The policy on extension of public sewer and water under the ERCECP states that higher density development shall be located to increase the efficiency of existing public infrastructure. Not allowing this amendment will increase the housing demand pressure for areas not as efficiently served by public utilities.
- E. Finally, this property is near or, in fact, on a boundary between the residential density areas. As set forth above, the zoning amendment will further the ERCECP.

With these points in mind, Staff's analysis on the conformity of the amendment to the criteria set forth in AMC 21.20.090 is accurate and adopted by petitioner.

By: 
Donald W. McClintock
Attorney for Quinn Construction

Address: Ashburn & Mason, P.C., 1130 W 6th Avenue, Suite 100, Anchorage, Alaska 99501
Telephone: (907) 276-4331

\$150.00 Fee: Paid by Check No. 6069

RECEIVED BY: _____ DATE REC'D: _____

* REZONINGS (Petitioner or anyone objecting to decision)

* ORDINANCE AMENDMENTS - changes to Title 21 regarding text (petitioner or anyone objecting to decision).



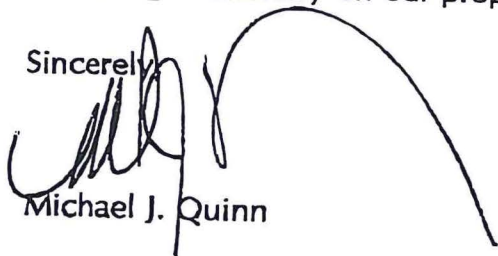
M I C H A E L Q U I N N C O N S T R U C T I O N

August 13, 1998

To Whom It May Concern:

The law firm of Ashburn and Mason are authorized to represent Michael and Dianora Quinn and Michael Quinn Construction, Inc. for the zoning appeal to the Municipality of Anchorage Assembly on our property at Tract D Brendlwood.

Sincerely,



Michael J. Quinn



MUNICIPALITY OF ANCHORAGE
P.O. Box 196650 • Anchorage, Alaska 99519

FINANCE DEPARTMENT

CASH RECEIPT

NO. 778232

Received From Ashburn & Mason Date 8/21/98
 Address 1130 W. 6th Ave. Zip 99501
 Amount One Hundred Fifty & no/100 \$ 150.-
 Remarks Reasoning P-2 98-114 CR # 6069

08	21	APPEAL	Deposit Number
Month	Day	Description	

Org/CC	Acct/Obj	Task	Option	Cost Center, WA/WO	Bank #	Amount
1020	9794				0031	150 -

Collecting Org. No. 1020 By: J. Helm
 Phone No.: x 4752

40-007 (Rev. 7/91) DISTRIBUTION: White - Treasury Yellow - Book Pink - Customer Goldenrod - Department

ASHBURN & MASON, INC.
 GENERAL ACCOUNT
 1130 W. 6TH AVE., SUITE 100 276-4331
 ANCHORAGE, AK 99501

FIRST NATIONAL BANK
 OF ANCHORAGE
 MAIN BRANCH
 ANCHORAGE, AK 99501
 89-6-1252

778232
 6069

DATE August 21, 1998 CHECK AMOUNT \$150.00

PAY *****ONE HUNDRED FIFTY and No/100 DOLLARS*****

TO THE ORDER OF: Municipal Clerk

⑈006069⑈ ⑆125200060⑆ 0115 075 4⑈

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 98-072

A RESOLUTION DENYING A REZONE FROM R-9 (RURAL RESIDENTIAL) TO R-1A (SINGLE-FAMILY RESIDENTIAL), FOR TRACT D, BRENDLWOOD SUBDIVISION, GENERALLY LOCATED AT THE NORTH END OF KASKANAK DRIVE AND EAST OF SKYLINE DRIVE.

(Case 98-114; Tax I.D. 050-313-46)

WHEREAS, a petition was received from Michael Quinn Construction, as represented by Bruce Brown of Professional and Technical Services, Inc. (PTS), to rezone 6.46 acres of land from R-9 (Rural Residential) to R-1A (Single-family Residential) for Tract D, and a small portion of Tract E, Brendlwood Subdivision, generally located at the north end of Kaskanak Drive and east of Skyline Drive; and,

WHEREAS, the petitioner subsequently submitted a request to drop the portion of Tract E from the petition, thereby reducing the area proposed for rezone to Tract D only, a total of 5.83 acres; and,

WHEREAS, notices were published, posted and mailed and a public hearing was scheduled for July 6, 1998, and was actually held on August 3, 1998.

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

A. The Commission makes the following findings of fact:

1. The petition site, as amended by the petitioner, totals 5.83 acres (Tract D only). The petition site is generally located at the end of Kaskanak Drive and east of Skyline Drive. Access to the rezone area is only available from Kaskanak Drive which is a long *cul de sac*. The petitioner proposes to subdivide Tract D into about 13 lots that are intended to meet or exceed the R-1A district requirements. The petitioner proposes to meet the slope chart requirements of the subdivision standard or request a variance from those standards.
2. Tract D is currently developed with an existing single-family residence. This residence will be located within the boundaries of a new, smaller lot, which will be consistent with the standards for the R-1A district, should the rezone be approved.
3. Tract D is designated residential, near the boundary between the 3 to 6 DUA and the Less Than 1 DUA residential density areas, as shown in the 1993 Chugiak-Eagle River Comprehensive Plan.

4. The sole access to the petition site is Kaskanak Drive. Kaskanak Drive is a *cul de sac* approximately 2,500 feet long. With no secondary access available to the rezone site, the Commission finds that Kaskanak Drive is too long for emergency access to additional residential development areas.
5. According to anecdotal information provided in public testimony, the water pressure available to existing residential developments at the top of Kaskanak Drive is marginal. Despite evidence from the petitioner indicating that water pressure there meets the minimum AWWU standards, creating additional water demand, as proposed in this case, would only make the existing situation worse. During a time of emergency such as a wildfire, the Commission finds that maximum obtainable water pressure would be needed to protect life and property in the area.
6. The petitioner did not show the methodology used by AWWU to determine the pressure of the public water supply on Kaskanak Drive. Various methods, or times of sampling, could provide a wide range of pressure readings. There was no indication whether the test(s) were done during a peak water use time or during a non-peak time.
7. The petitioner has indicated an intent to request a variance from the Slope Chart requirements of the subdivision standards. The Commission finds that creating lots that require variances is not in harmony with the intent of the R-1A district. The Commission has no control over the actions of the Platting Board and it does not want to approve the rezone if there is a chance the Slope Chart requirements could be varied for this development. The Commission believes that approving the rezone to R-1A, as presented by the petitioner, may send a message to the Platting Board that the area can support a higher residential density than would normally be allowed under the Slope Chart requirements of AMC Title 21.
8. The rezone is inconsistent with the expectations of a majority of the area residents who testified to a belief that the existing residential development at the end of Kaskanak Drive was as far as the R-1A portion of Brendlwood Subdivision was intended to extend.
9. Approval of this rezone could encourage similar rezone requests in the same area. The access and slope requirements of the area are not consistent with the density represented by the R-1A district. Additional density and traffic generation cannot reasonably be accommodated on Kaskanak Drive without a secondary means of ingress and egress.

10. The Commission finds that the rezone does not meet the standards for a zoning map amendment as required by AMC 21.20.090. In particular, the Commission finds that this rezone request, as presented, does not benefit the surrounding residential developments nor does it promote the public good as required by the standards for rezone. The capacity for additional water service is not available to support a substantially higher density of development at this time.

B. The Commission recommends the above captioned rezone to R-1A be DENIED by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission this 3th day of August, 1998.

Sheila Ann Selkregg, Ph.D.
Director

Daphne Brown
Chair

(Case No. 98-114)
(Tax ID 050-313-46)

dd

of any building permit, a Traffic Impact Analysis addressing the full build out potential of Tracts A and C shall be approved by the Municipal Traffic Engineer. The Traffic Impact Analysis should be updated as required. MS. AUTOR withdrew her recommendation that a traffic impact analysis be required with this rezoning.

The public hearing was opened and closed without comment.

COMMISSIONER DeLUCIA moved for approval of the rezoning.

COMMISSIONER STILES seconded.

COMMISSIONER DeLUCIA stated this is a housekeeping matter that will permit a three-way land trade to proceed.

CHAIR BROWN noted this property and its proposed use has come before the Commission previously and public testimony has been received on the matter.

COMMISSIONER KARABELNIKOFF noted that the information in the packet also leads him to believe there are appropriate findings in support of this rezoning.

AYE: Karabelnikoff, Jones, Hodel, Brown, Stiles, DeLucia, Cox,
Birkinshaw

NAY: None

ABSTAIN: Adams

PASSED

2. **98-114** Quinn Construction. A request to rezone approximately 5.83 acres from R-9 to R-1A. Located at the north end of Kaskanak Drive and to the east of Skyline Drive.

Staff member DUANE DVORAK stated 65 public hearing notices were mailed and four were received objecting to the rezoning. He distributed additional photographs (Government Exhibit A: 14 photographs in a labeled manila envelope) for the Commission's review. Since the last meeting, the petitioner submitted an amendment to the rezoning request eliminating Tract E so the only tract involved is Tract B, a 5.83 acre parcel. In a review of this tract, the most obvious issues were the physical attributes of the property, primarily topography. The Department of Public Works (DPW) has expressed concerns with street and driveway grades and whether the subdivision can meet the requirements of the slope chart in Title 21. The petitioner has indicated an intent to develop the property in a manner similar to that of Brendlwood Subdivision, which involves extension of public utilities and paving of streets. The property is

currently zoned R-9, an "alpine" district, which carries with it requirements related to sloped lots and requiring on-site utilities. MR. DVORAK noted there were disagreements between Staff and the petitioner where this property falls in terms of the land use plan. Staff originally recommended special limitations on the rezoning, but it was determined those were covered by the code and they were removed. MR. DVORAK stated that, in response to the Commission's request, he spoke with Jerry Weaver, Platting Official, who stated it is difficult to predict how the Platting Board would address issues of slope chart requirements on the platting of this property. He noted that, in talking with the petitioner's representative, he has learned the petitioner intends to seek a variance from the slope chart. Because this request meets the minimum standards for a rezoning, Staff has recommended approval. He noted that additional information from area residents had been supplied in the Commissioners' packets.

COMMISSIONER DeLUCIA asked if the development of this property will not meet slope requirements in terms of driveways and road grades. MR. DVORAK replied that he has discussed this somewhat with the petitioner, but the petitioner is working with DPW on that issue and will be addressing it before the Platting Board and did not include that information in this petition.

CHAIR BROWN noted Physical Planning suggested the densities and the slopes be addressed before the rezoning becomes effective and asked if that could be added as an effective clause. MR. DVORAK responded affirmatively. He noted this was one of the requirements Staff was going to recommend, but it was felt that, because those are dealt with in the subdivision process, they would be addressed.

COMMISSIONER DeLUCIA noted the petitioner contacted him and he told him he could not discuss this matter.

The public hearing was opened.

MIKE QUINN, petitioner, stated he is a homebuilder who has lived in Eagle River 13 years and has built many homes over that time. He remarked that the standards for a zoning map amendment are either met with this request or they do not apply. BRUCE BROWN, representing the petitioner, thanked Mr. Dvorak for his assistance in this rezoning effort. He referenced the prior zoning of R-6 and R-7 of the existing Brendlwood Subdivision and explained public water and sewer were extended to that property in 1982, making it reasonable to rezone those properties to R-1. Subsequently, over the next ten years, that property has been developed and the extension of Kaskanak Drive to the south boundary of the petition property was completed in 1993. He argued that now the petition site is in the same position as the R-6 and R-7 property was ten years ago. The intent of the petitioner is to continue the same development as has been done in

Brendlwood. The street as it is built and as it was approved ten years ago was a temporary cul-de-sac and it was anticipated the street would continue. The infrastructure is now built to the "doorstep" of the petition site and it is appropriate to rezone this property in order to take advantage of those improvements. There will not be a significant impact from this rezoning because the development will be a continuation of what exists and only twelve new homes are being proposed on this parcel. MR. BROWN noted this property is steep and he referenced a depiction of the contours as surveyed (Petitioner's Exhibit A). The road grades will be built to municipal standards and the driveways will have grades of 10% or less, exceeding municipal grades. The most significant topographic feature is at the northwest corner of the property and Meadow Creek runs through that area. The homes will be above that steep bluff. He noted that the petitioner will apply for a variance from the slope chart. He explained that ten homes rather than 12 could be developed without the variance from the slope chart, but he did not believe that reduction would improve the quality of the subdivision.

COMMISSIONER ADAMS asked if the contours on the survey are one foot. MR. BROWN replied they are two foot contours.

CHAIR BROWN asked if the cul-de-sac would connect to the adjacent land in the future. MR. BROWN stated the original plan was to vacate the right-of-way and use it in conjunction with Tract E. That was not practical, so the petitioner now intends to leave the right-of-way and proposes to construct the cul-de-sac in the subdivision and create a "T" turnaround below Lot 1. He stated, if access is needed to the west of Meadow Creek, it should come from Skyline Drive or Eagle River Loop Road. He explained the property to the north increases in grade and is environmentally sensitive.

ARTHUR A. BRAENDEL, owner of Tract C on Kaskanak Drive, stated he has lived in this area for nearly 50 years and the property has been in his family for that period of time. He noted he submitted a three-page letter to the Commission on July 22nd. He stated he was pleased that the petitioner had removed Tract E from this rezoning request, but continued to object to the petition for other reasons. He noted that the fire tests were done during daytime hours when use is down because most of the residents work and are not at home during that time. He stated that traffic as the rest of the R-9 property above the petition site is developed is not taken into account with this petition. He referenced comments in his written testimony respecting the Eagle River/Chugiak Comprehensive Plan.

ELEANOR BRAENDEL, one of the original owners of the petition site, indicated the location of property still under her and her husband's ownership in the area. She opposed the rezoning, noting that it was her and her husband's intent to retain the R-9 zoning on this property, which preserves the flora and fauna of the area. She noted that R-9 surrounds the area entirely, except for one area of the road. She further noted that to the southwest there is R-7 property, but there is one five-acre tract with one house

and a 14.4 acre tract with one house. She commented that Transportation Planning has stated development of R-9 property beyond the petition site would put an undue burden on Kaskanak Drive. She noted that Brendlwood Subdivision is sufficient higher density development for this area. She noted there are new subdivisions being developed throughout Eagle River that are adding many new residents and there is no need to force a subdivision such as is being proposed onto land that cannot accommodate it. She proposed that the present R-9 land be required to have a minimum lot size of 2.5 acres.

ARTHUR W. BRAENDEL, an original homesteader in this area, referenced written testimony and a map he had provided for the Commission's review. He noted the map he prepared shows the difference in elevation from the front to the back of each lot. He stated that four of the lots have an elevation drop or rise of 40 feet or more. Lots 18 and 19, if developed, would have a grade of 40% on just the front half. He felt the mountainside should be kept green and not excavated to allow development. He stated that slopes exceed municipal requirements on several lots as they are proposed. He also believed the cul-de-sac has a grade of 16% cross wise, while municipal code requires a 5% grade. He estimated the grade of Kaskanak Drive would be 11.75%, exceeding the 10% municipal requirement.

COMMISSIONER DeLUCIA asked what type of soils exist on the petition site, and asked in particular if there are springs. MR. BRAENDEL replied there are streams in the hillside area. He stated there are three wells in this area, his, his son's, and one on the petition site, and there is an artesian well on the other side of Skyline Drive. COMMISSIONER DeLUCIA asked if there are problems with glaciation. MR. BRAENDEL replied he does not live in the area of the petition site and was not aware whether or not there are glaciation problems.

LORIE ATROPS, a 13-year resident in the area of the subdivision, expressed concern with the increasing traffic through a non-thoroughfare subdivision. She stated the depiction of the area on page 2 of the packet shows War Admiral connecting to Eagle River Loop Road, which is not the case. In talking with DPW, she was told it is unlikely that road will be connected to the Loop Road. She felt the map is myopic because it looks only at the proposed subdivision, yet the southeast has been developed with three new subdivisions over the past ten years totaling 119 lots. These residences have as their north connection War Admiral. Seven to eight years ago, residents fought the connection of Talarik with War Admiral, but were told two accesses were required for a subdivision due to emergency access concerns. She stated she has been negatively impacted by that connection. She referenced last Thursday's *Anchorage Daily News* article on a new ad hoc committee being formed to address citizen concerns with land use issues.

CHAIR BROWN noted for the record that the Commission has very strict policies on having contact with anyone outside of the deliberations that occur in the public hearing forum.

DOUGLAS ASKERMAN, Eagle River resident, spoke in support of the petitioner's proposal. He noted the Municipality has established parameters within which developers can develop and he believed the petitioner has met those requirements. He commented on the need for housing in the Municipality and suggested there should be support for quality developments such as those done by Mr. Quinn.

CHAIR BROWN asked if Mr. Askerman resides near the petition site. MR. ASKERMAN replied affirmatively.

MIKE TAYLOR, resident of Brendlwood, had no objection to the rezoning and felt it benefits the whole. He felt that the petition against the proposed development that has been circulated throughout the subdivision contains false and misleading information. That petition states that water pressure at homes located on the upper portion of Kaskanak has been low since 1997. He stated he would like to see documents verifying that water pressure is below code limits. He stated that current water pressure exceeds code requirements. The petition also states there is inadequate water supply to protect additional housing, which he felt was misleading. He noted the developer has employed an engineer who conducted an unbiased water pressure tests and the results were there is adequate water pressure for twelve new homes. He stated there are a group of people who feel safety will be compromised with the increase in traffic, but he could have said the same thing when the homes above his were being built. He stated there are current laws that provide for safety in residential areas. He agreed that traffic on Kaskanak Drive will increase, but the road has been built to handle that increase. He noted the petition also indicates that people purchased homes at the end of Kaskanak believing it was the end of that subdivision as designed. He agreed this statement was true, but he was aware extension of the road was the ultimate intent.

COMMISSIONER HODEL asked what percentage of the residents of this area are on wells. MR. TAYLOR replied that all residents of Brendlwood Subdivision are on city water and sewer.

MARTIN ATROPS, 13-year area resident, stated that the Braendels have donated land at Talarik for the Eagle River Fine Arts Academy, which will also generate traffic on Kaskanak. He noted the road curves as it approaches the loop and several cul-de-sacs come off that curve. He observed that people often cut the corners onto cul-de-sacs, which is where many children play. He felt this development was inconsistent with the original layout and design of the subdivision and is not consistent with existing development. He felt this was malignant growth, not wholesome or consistent growth.

AL ROMASZEWSKI, stated he has lived and worked in Eagle River since 1977. He stated, as a member of the Chamber of Commerce, he has been involved in beautification projects in the area. He viewed the proposed subdivision as a natural extension of existing development and of Kaskanak Road. He stated that, as a realtor, he has worked with Mr. Quinn and he knows he takes pride in his work. He felt the quality of Mr. Quinn's work will improve the desirability of this subdivision. He noted that residents of Brendlwood do not need to come down War Admiral to get to Eagle River Loop Road, but can exit directly to Eagle River Road itself. He thought the proposed subdivision will improve property values in the area.

PAT KADALOG, area resident, stated that Kaskanak Drive is already at its limits in terms of traffic load. He felt there had been enough development in the Brendlwood Subdivision.

SANDY GOLD, resident on Kaskanak Drive, distributed a petition in opposition to the rezoning with 100 signatures by residents of Brendlwood Subdivision (Public Exhibit A). She stated there is already a water pressure issue on the street, as indicated in the petition. There are also problems with water pressure other streets below Kaskanak. She suggested the petitioner be required, at a minimum, to install another pump station. She noted that comments were made by individuals on the speed of vehicles as they travel downhill. She explained she and others purchased their homes in this subdivision because they understood the cul-de-sac was the end of this development. She noted that 22 residents were in attendance at the last meeting of the Commission from which this item was postponed; she asked that individuals be allowed to stand to show their opposition to the proposed rezoning.

MATTHEW LINDER, resident on Kaskanak, stated he has three children who play hockey in Kaskanak Drive during the winter. He opposed the extension of the road for reasons of safety of children in this area. He stated it was his understanding when he purchased his home that the road would not be extended. He noted that children also use the road in the summer for skateboarding and riding bikes. He expressed admiration for the Quinns.

JOHN STUMMER distributed a letter to the Commission (Public Exhibit B). He stated he lives at the end of Kaskanak and has concerns with water pressure. He stated he looked for some time to find a home on a cul-de-sac and he feared that permitting the proposed subdivision would severely impact his home.

CHAIR BROWN asked if Mr. Stummer had considered the fact this R-9 property would be developed. MR. STUMMER replied that he was told the property was R-9 and would not likely ever be developed.

DIANNE FRY stated she is pleased with her home, which is located at the end of this cul-de-sac and was built by Mr. Quinn. She stated her home is valued at over \$400,000 and was chosen by her because of its location on a

cul-de-sac and because it offered a quiet environment and quality of life she desired. She felt that twelve additional homes will negatively impact her quality of life and the resale value of her home.

STEVE FRY stated his and his wife's home sits above others on Kaskanak Drive and he was concerned with the prospect of water pressure problems that may occur with any building above his property. He was concerned that it will be left to the petitioner to determine whether a pump station is needed. He noted that Kaskanak Drive is a steep road with a switchback in the upper area. He felt adding traffic would create safety concerns.

TERESE SANDBORN stated she moved into this area one year ago and, because she often moves as a result of her job, she is aware of what to look for in real estate and location is important. She believed that building additional homes as proposed will negatively affect the value of her home. She noted the Staff analysis indicates the Chugiak/Eagle River Comprehensive Plan calls for a density of less than one dwelling unit per acre, which differs from Mr. Quinn's analysis. She believed there is a reason this property was zoned R-9 and that is because planners want Eagle River to retain its rural beauty and wilderness that is Alaska. She noted she had lived in Phoenix, which was once a beautiful town with fresh air and is now expanding at the rate of over one acre an hour and has some of the worst air in the country. She felt it was important to recognize when to draw lines and when to draw boundaries. She believed that the subdivision had progressed as far as it ought to in consideration of the slopes on the hillside. She felt that allowing more dense development to continue will detract from the reasons that brought people to this area. She encouraged that the rezoning petition be denied or, in the alternative, to require special limitations to permit a density not exceeding one dwelling unit per acre or 2.5 acres. She also suggested requiring adequate studies, analysis, and infrastructure be put in place to ensure adequate water pressure and fire suppression systems. She noted there are numerous developments occurring throughout this community at this time.

TOM ESKER, 18-year Eagle River resident and 4-year resident on Kaskanak, expressed objection to the proposed subdivision. He stated his objections to the subdivision are based on problems with water pressure, noting he has water problems every other month. He was also concerned with the safety of school children, noting that kids walk down the street to catch the bus and this area is the last priority for snow removal. He remarked on the fact there is one road in and out of this subdivision and, even though the proposal is to add only twelve houses, the road will have a heavier burden. He reiterated that this street is the last priority for winter snow removal. He noted that he has to put on chained snow tires several times a year in order to get up Kaskanak Drive.

JEFF SCHOWEN, owner of the home at the end of the cul-de-sac being proposed for extension, stated he has problems with water pressure in his home. He objected to adding even one more home to the water source at this

time. He stated this is a pristine piece of hillside and suggested the proposed development would affect the ingress/egress for animals living in this area by 90%. He felt it may be appropriate to require an environmental assessment prior to rezoning. He also felt the proposed rezoning and development does not fit with what has been developed in the area.

AL STOREY stated his home was at the end of Kaskanak in 1985 when he moved into the area and he now lives at Talarik and Kaskanak and is affected negatively by traffic that uses those roads. He stated that visitors to his home have commented on the traffic, which probably negatively affects the value of his home. He stated he has trouble sleeping because of traffic that goes by the four-way intersection at his home. He was concerned that another 24 vehicles would be traveling this road from the proposed twelve homes, in addition to any children of those families who may drive.

CHAIR BROWN asked for a show of hands of those who did not testify and do not support this subdivision.

In rebuttal, MR. QUINN remarked that many people have commented that Brendlwood is a good subdivision in which to live and noted that all the homes in that subdivision are accommodated and residents do not have problems with the road grade. He stated water pressure is a problem in the area and one he will have to overcome. He agreed there will be some additional traffic, but noted the proposed 12 homes is 11% of the total subdivision. He suggested the Commission consider the perspective of the twelve new families who would move into this area. MR. BROWN expressed appreciation for the comments made in testimony this evening and stated he shares many concerns that were expressed. He stated that the proposed rezoning does not affect whether or not Kaskanak will be extended and noted there can be 30 homes developed under the existing R-9 zone. The petitioner's intent is to continue with the style of development that exists in Brendlwood. He noted that the Braendels benefited from a rezoning similar to that being proposed by Mr. Quinn.

COMMISSIONER DeLUCIA asked how this property would be developed if this rezoning is not approved. MR. QUINN replied he had not planned for development under the R-9 zoning.

COMMISSIONER ADAMS asked what size driveway will be developed on these lots. MR. QUINN stated there will likely be three-car garages, so 30 feet wide is a standard width. MR. ADAMS noted that from the garage threshold on Lot 6 to Lot 11 there is 40 feet of difference, with a relatively level platform of the cul-de-sac between them. He asked how those grades will be dealt with in developing those lots. MR. BROWN explained a 60 foot cul-de-sac is proposed rather than the standard 50 foot in order to allow an island cul-de-sac to be created. This allows the road to be contoured more closely to existing topography. MR. ADAMS explained that there will not be much width of lot remaining for those driveways with the proposed cul-de-

sac. MR. BROWN stated that the grade will be cut back to the home sites at a 10% grade from the roadway.

COMMISSIONER STILES asked for discussion of the testimony indicating there will be a 16% grade on the cul-de-sac and steep grades on upper Kaskanak. MR. BROWN stated the road will be built to a 10% or less grade in compliance with municipal standards. The road will transition from 5% at the existing cul-de-sac and rise to 10% for two lots' width, will go back to a 5% grade through the cul-de-sac bulb, and increase in gradient to Lot 7A and go back downhill through Lots 8 and 9. MR. STILES asked what will be the length of Kaskanak from the first intersection to the end of the cul-de-sac. MR. BROWN estimated the length of the road at 2,300 feet. CHAIR BROWN asked if a variance for cul-de-sac length will be sought from the Platting Board. MR. BROWN replied there is no variance for the existing street and it was not his intent to seek the variance; he stated he would do so if the Platting Board felt it was appropriate.

COMMISSIONER ADAMS noted Staff has suggested the Commission give thought to R-6 or R-7 zoning districts for this property. MR. BROWN stated that, because of the limited area of the proposed subdivision, it would not be practical to develop this land under those zoning districts. MR. QUINN stated it is a matter of economics because of the cost of extending the street and public utilities; reducing the density would make development impractical.

The public hearing was closed.

COMMISSIONER KARABELNIKOFF moved for approval of the rezoning to R-1A.

COMMISSIONER DeLUCIA seconded.

COMMISSIONER KARABELNIKOFF stated in his consideration of this request he has attempted to concentrate on the land use issues involved in rezoning and not platting issues, such as water pressure and traffic. He attempted to consider the long-term outlook for the community and what might be best for this neighborhood and felt many existing residents have reservations about extending their cul-de-sac and building homes like their own for understandable reasons; and he was also interested in the appropriate use of this land in the long-term. He explained that, in order to have paved streets and public water and sewer, the density being proposed is essential. That type of development is not possible under the R-6, R-7 or R-9 zoning districts. He felt the Planning Department's analysis of the case provided a good basis for supporting the proposed rezoning.

COMMISSIONER DeLUCIA opposed the requested rezoning based on consideration of the ultimate development of the undeveloped land beyond this site. He feared what might be the impact of the continued extension of higher density development in this area.

COMMISSIONER STILES also opposed the motion noting that traffic from the development that might occur in this area would appear to be directed down Kaskanak and, with the absence of another access for the property to the east, that road becomes very long for emergency access. He felt that, in order to support the rezoning, he would need to see more information about how to handle a very long cul-de-sac, as well as with respect to the water pressure problems, as it relates to fire hazard.

COMMISSIONER COX felt the proposed development was in keeping with what has been developed in this area, but realized there were problems that should be at least addressed prior to any rezoning action. She was also very concerned with the single access into this area via Kaskanak Drive. She understood that current residents believed the existing subdivision had ended at the current terminus of that road and that there would not be more development, but noted that is not the case in many areas of town.

COMMISSIONER JONES stated that both in reviewing the packet and in listening to testimony, as well as giving consideration to the standards for a zoning map amendment, she was cognizant that the request can be approved only if it is in the best interest of the public considering a number of particular factors as outlined in the code. She believed that voting in favor of this proposal would be sending a message to the Platting Board that she believed the property could support the density of this zoning, but she did not believe that was the case. She stated that, although testimony regarding the water pressure and traffic is anecdotal, they carry some weight, and she noted the scientific measurements may be very different if taken at a different time. She also had serious public safety concerns with a subdivision that has only one ingress and egress.

COMMISSIONER BIRKINSHAW supported the motion believing that the density will be proper for this area. He noted AWWU has no objection to this development.

CHAIR BROWN did not support the motion, finding there was no compelling reason persuading her this for the public good, and voicing concerns with slopes. She also noted the Comprehensive Plan allows for a variety of development, of densities, and of lot sizes.

AYE: Karabelnikoff, Birkinshaw,

NAY: Jones, Hodel, Brown, Stiles, DeLucia, Cox, Adams

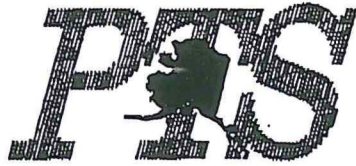
FAILED

G. PUBLIC HEARINGS

1. 98-130

South Anchorage Assembly of God. A request to rezone approximately 6.00 acres from R-1SL to PLI. Located on the north

**Additional
Material
Submitted by
Petitioner**



PROFESSIONAL & TECHNICAL SERVICES, INC

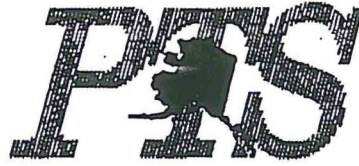
4155 Tudor Centre Drive, Suite 103, Anchorage Alaska 99508 (907) 561-6237 fax: (907) 563-3813

facsimile transmittal

To:	Duane Dvorak	Fax:	907-343-4220	
From:	Bruce Brown	Date:	October 14, 1998	
Re:	Brendlwood Zoning Amendment	Pages:	37 (including cover)	
CC:				
<input type="checkbox"/> Urgent	<input checked="" type="checkbox"/> For Review	<input type="checkbox"/> Please Comment	<input type="checkbox"/> Please Reply	<input type="checkbox"/> Please Recycle

Notes:

Copy of Materials from petitioner's files, these items reviewed by Commission @ public hearing but originals were not returned to the file.



PROFESSIONAL & TECHNICAL SERVICES, INC

4155 Tudor Centre Drive, Suite 103, Anchorage Alaska 99508 (907) 561-6237 fax: (907) 563-3813

facsimile transmittal

To:	Duane Dvorak	Fax:	907-343-4220
From:	Bruce Brown	Date:	7/15/98
Re:	Brendlwood S/D	Pages:	9
CC:	Tract D & E P86-95		

Urgent For Review Please Comment Please Reply Please Recycle

Notes: Pursuant to our telephone conversation the follow is an amendment to the Zoning Map Amendment Application on the above referenced property. Tract E is removed leaving only Tract D as part of the Zoning Map Amendment. A copy is also being mailed. If you have any questions call me at 561-6237.



AFFIDAVIT OF POSTING

Case Number: _____

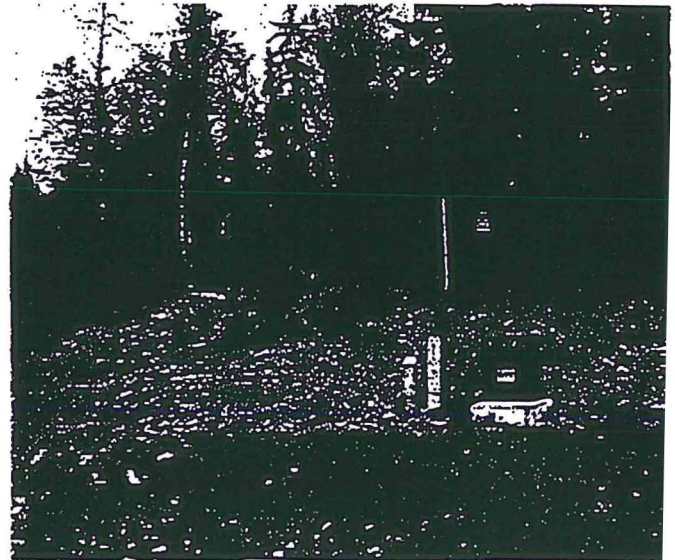
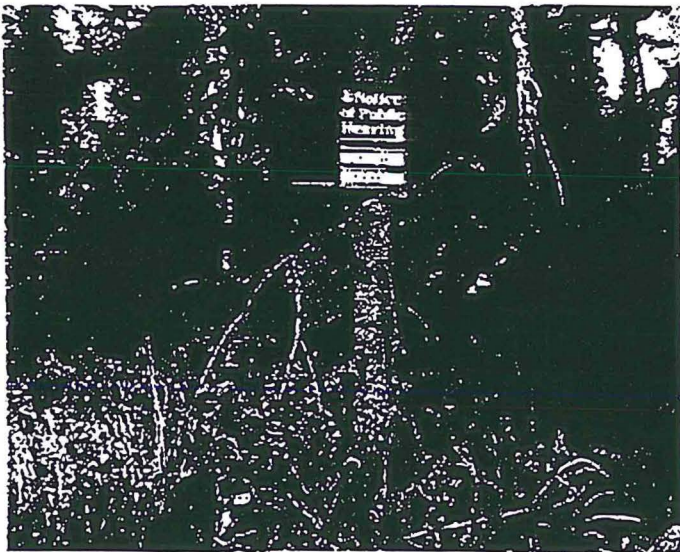
I, Bruce Brown, hereby certify that I have posted a Notice of Public Hearing as prescribed by Anchorage Municipal Code 21.15.005 on the property that I have petitioned for Brendlwood Subdivision. The notice was posted on 5/19/98, which is at least 21 days prior to the public hearing on this petition. I acknowledge this Notice(s) must be posted in plain sight and displayed until all public hearings have been completed.

Affirmed and signed this 19 day of May, 1998

Signature

LEGAL DESCRIPTION

Tract or Lot Tract D E E
Block _____
Subdivision Brendlwood Subdivision



Planning Staff Analysis

E. 2.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT PLANNING STAFF ANALYSIS

REZONING

DATE: July 6, 1998

CASE NO.: 98-114

APPLICANT: Quinn Construction

REQUEST: To rezone approximately 5.83 from R-9 (Rural Residential District) to R-1A (One Family Residential District)

LOCATION: Brendlwood Subdivision, Tract D and a small portion of Tract E, generally located at the north end of Kaskanak Drive and the east of Skyline Drive.

COMMUNITY COUNCIL Eagle River Valley

SITE ADDRESS: Not Available

TAX IDENTIFICATION: 050-313-46 and 47

ATTACHMENTS:

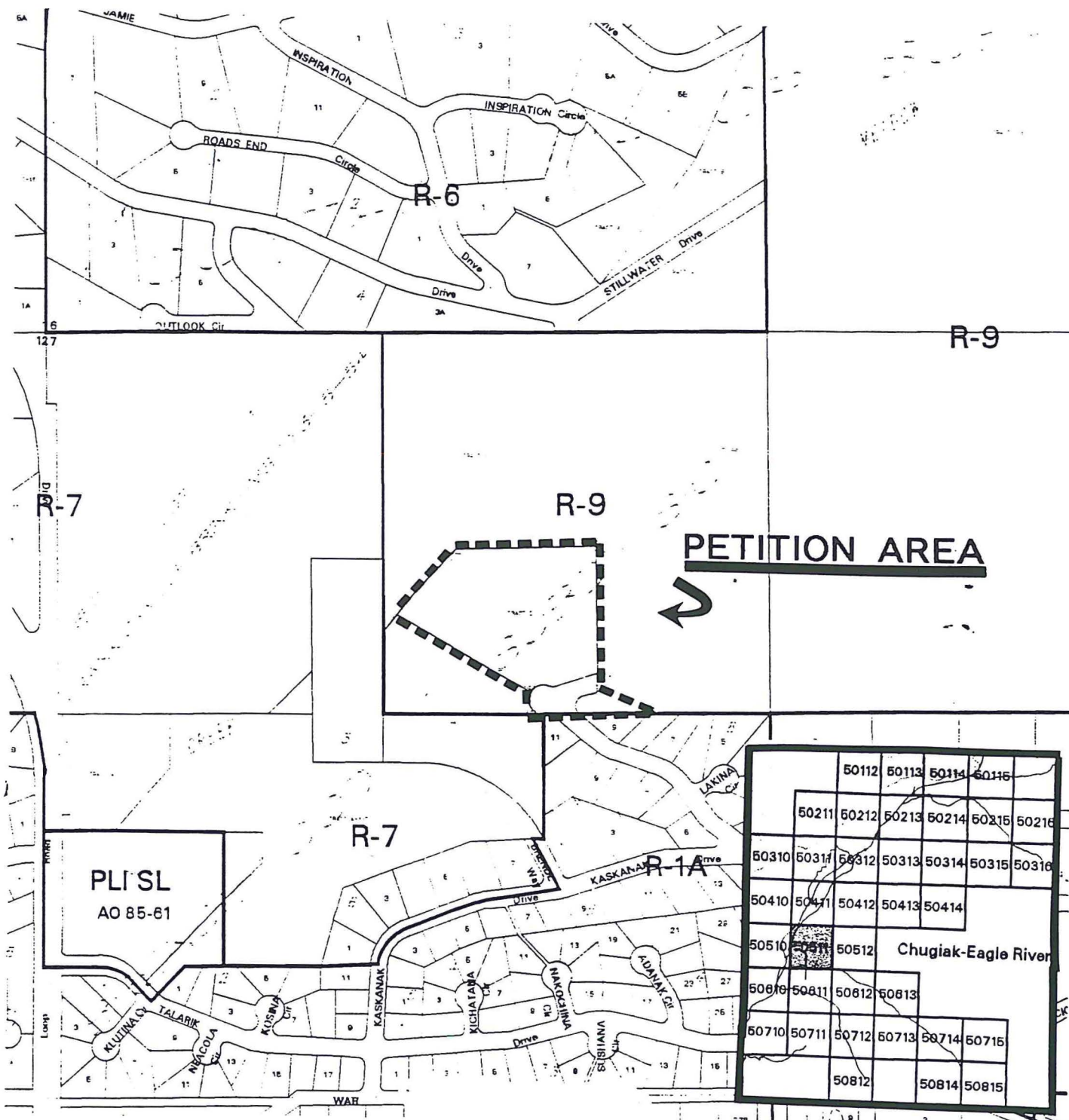
1. Zoning Analysis & Location Maps
2. Departmental and Agency Comments
3. Application Submittal
4. Affidavit of Notice Posting
5. Historical Information

DEPARTMENT RECOMMENDATION SUMMARY: APPROVAL subject to special limitations.

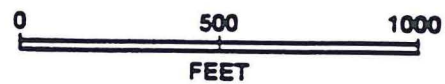
SITE:

Acres: 5.83 acres
Vegetation: Existing natural vegetation
Zoning: R-9
Topography: Slope affected
Existing Use: Single-family residential
Soils: Public utilities available

98-114 REZONING



- 100 Year Floodplain
- 500 Year Floodplain



COMPREHENSIVE PLAN:

Classification: Residential
Density: Less than 1 dwelling unit per acre

SURROUNDING AREA:

	NORTH	EAST	SOUTH	WEST
Zoning:	R-9	R-9	R-9	R-7/R-1A
Land Use:	Vacant	Vacant	Single-family Residential	Single-family Residential

RELATED CASES:

6/22/82 AO 82-78 Ordinance rezoning 73.75 acres from R-6 and R-7 to R-1A, (in the area of the existing Brendlwood Subdivision).
4/26/83 AO 82-213 Ordinance rezoning 30.24 acres from R-1A to R-7, (generally, the northwest portion of the above referenced rezoned).

PROPERTY HISTORY:

04/29/74 AO 74-66 Petition site ZONED R-9 during the Eagle River areawide rezoning.
6/12/86 Plat 86-95 Plat filed creating Tracts D and E, Brendlwood Subdivision. (Case S-8137)

SITE DESCRIPTION AND PROPOSAL:

The petition site is an asymmetrical tract and a small portion of an adjoining tract which together total approximately 6 acres, not including dedicated rights-of-way. The area is substantially slope affected. There is an existing single-family dwelling on Tract D with a long driveway connecting with Kaskanak Drive.

The petitioner requests a rezone of the site from R-9 to R-1A. The petitioner proposes to develop a subdivision within the rezone area which will result in the creation of 14 new single-family residential lots. (One of the new lots will be created by a replat with an existing triangular shaped lot in an adjoining subdivision that is already zoned R-1A. The proposed lot areas are stated in the application to range from 12,000 to 30,000 square feet with the average lot size to be approximately 15,000 square feet.

The petitioner proposes to develop these lots in a manner similar to the adjoining Brendlwood Subdivision. The proposed rezone and subdivision are presented as an extension of the existing "upper end" single-family developments in the area. The petitioner proposes to extend municipal water and sewer to serve this development.

FINDINGS:

21.05.090 Implementation -- Eagle River-Chugiak-Eklutna Comprehensive Plan

AMC 21.05.090 requires that zoning map amendments, conditional uses and subdivisions conform to the land use and residential intensity classification maps of the adopted plan, except where the approving authority finds that the application meets the standards of AMC 21.05.080.C, D, and E. These sections are evaluated below.

C. Land use classification map. Zoning map amendments, conditional uses and subdivisions shall conform to the land use classification map, except where the approving authority finds one of the following:

1. Existing uses that do not conform to the land use classification maps are integrated compatibly into the area;

This standard is not applicable.

There are no nonconforming uses in the proposed rezone area.

2. The proposed use may be made compatible with conforming uses by special limitations or conditions of approval concerning such matters as access, landscaping, screening, design standards and site planning; or

This standard may be met.

The petitioner has not proposed special limitations as part of the application for this request. The Commission and the Assembly may apply special limitations or conditions of approval to ensure that the proposed use will be compatible with conforming uses. The department believes that the proposed rezone site falls predominantly into the area designated for a density less than one (1) dwelling unit per acre in the 1993 Chugiak-Eagle River Comprehensive Plan. Because the rezone area falls within 500 feet of a plan boundary, the Commission and/or Assembly may consider the rezone to be generally consistent with the comprehensive plan, with or without special limitations or conditions of approval. Special limitations area appropriate to ensure that the higher density development proposed in this request is compatible with surrounding R-9 and R-7 districts.

3. **The proposed use does not conflict with the Anchorage Bowl Comprehensive Development Plan goals and policies pertaining to the surrounding neighborhood or the general area. Zoning map amendments, conditional uses and subdivisions at a boundary between land use categories shall be subject to design standards that will make the zoning map amendment, conditional use or subdivision compatible with land uses in the adjacent land use category.**

The standard is not applicable.

AMC 21.05.025 sets forth general goals of the comprehensive plan, however, at the end of the section it says:

“The specific policies, standards and goals of the adopted Turnagain Arm, Eagle River-Chugiak-Eklutna and Anchorage Bowl comprehensive plans shall be controlling where in conflict with the goals of the comprehensive plan.”

The preceding passage indicates that the goals of the adopted local community plan should prevail where there is conflict with the goals and policies contained in other elements of the overall comprehensive plan. The evaluation of this request is based solely on the 1993 Chugiak-Eagle River Comprehensive Plan.

D. Generalized residential intensity map.

The standard may be met.

The department finds that the rezone area is predominantly located in the area designated for a residential density less than one (1) dwelling unit per acre. As noted in Section C2 above, this issue may be dealt with through the application of special limitations to ensure compatibility with conforming uses in the surrounding area.

- E. **Parcels near boundaries. Because the comprehensive plan is necessarily generalized, rezonings, conditional uses and plats at or within 500 feet of boundaries in the land use classification and generalized residential intensity maps shall be treated as follows: Areas clearly within a particular classification shall follow the standards of that classification. The classification of areas at or near boundaries on the land use classification or generalized residential intensity map shall be interpreted in accordance with the goals and policies of the Anchorage Bowl Comprehensive Development Plan, provided that interpretation shall not be a basis for cumulative encroachment.**

The standard is met.

The 1993 Chugiak-Eagle River Comprehensive Plan designates the rezone area as residential. There is a difference of opinion between the petitioner and staff. The Petitioner asserts that the rezone area is designated for 3 to 6

dwelling units per acre. The department believes that the area may be partially designated at 3 to 6 dwellings units per acre, however, the department finds that the area is predominantly designated for less than one (1) dwelling unit per acre. The department also finds, however, that this request is consistent with the above referenced standard because of location near or crossing the residential density boundary.

21.20.090 Standards for Zoning Map Amendments.

A. Conformance to the Comprehensive Plan.

This standard is met.

The 1993 “Chugiak-Eagle River Comprehensive Development Plan” designates the petition site as residential. This designation takes in the entire rezone area, although there is some disagreement about the appropriate density designation for the area. The rezone area is clearly located near or crossing a density boundary between the 3-6 DUA and <1 DUA areas. As mentioned in the discussion of preceding standards, the Commission and Assembly may address this issue by applying special limitations or conditions of approval that are appropriate to ensure conformity to the comprehensive plan.

A major goal of the plan is to preserve and enhance the identity of established community areas and to retain a diversity of lifestyles. The Eagle River Valley community near the rezone area is characterized by a transition from low density, large lot residential to a urban density. Recent residential subdivisions in the area have been constructed with paved streets, curb and gutter, water, sewer and other utilities common to urban residential development.

The plan promotes the increase in density in appropriate areas, provided that those areas are adequately served by infrastructure and that the improvements serving the area are constructed to municipal standards. The existing R-9 area is designated because of the slope affected nature of the site. The R-9 district is an “alpine” district that is intended to provide large lot areas and reduced setbacks from other suburban and rural districts. The R-1A district is an urban residential classification that allows much smaller lot areas and setback, in addition to paved parking areas and driveways, etc. A comparison of the basic zone standards is shown below:

TABLE 1 COMPARISON OF R-9 and R-1A		
	R-9 District AMC 21.40.180	R-1A District AMC 21.40.035
Intent:	The R-9 district is designed to satisfy the needs for low-density residential development in areas where public sewers and water are unlikely to be	Intent. These districts are intended as urban and suburban single-family residential areas with low population densities. R-1 and R-1A

TABLE 1 COMPARISON OF R-9 and R-1A		
	R-9 District AMC 21.40.180	R-1A District AMC 21.40.035
	<p>provided for a considerable period of time or where topographic or other natural conditions are such that higher-density development and the provision of public sewers and water would be unfeasible at any time. In the first instance, where public facilities may be provided in the distant future, the regulations are written to ensure that development during the interim period does not exceed geological and hydrological capacities for safe and healthful maintenance of human habitation, while still allowing for the maintenance of a rural lifestyle. In the second instance, where natural conditions would make higher densities and the provision of public facilities unfeasible, the regulations would fill a need on those lands where the application of R-6 zoning would be inadequate for the characteristics of the land, while R-8 zoning would be too restrictive. Application of the R-9 zoning district most probably in these instances would include lands which have hazards from the standpoint of water recharge areas, steep slopes, wind hazard and marginal soil conditions. In many cases, this zone would be applied to lands which have, without zoning, been developed at these standards.</p> <p>Although the intent of this zone is to establish an average density throughout its area of application which conforms to the lot area requirements of subsection F of this section, it is not necessarily the intent to establish that density uniformly throughout such areas of application. Where proposed development differs from the norm established in the specific requirements of this zone, the planned unit development procedure will be the tool utilized in petitioning for the development pattern desired.</p>	<p>use regulations are identical, but existing dimensional differences in lot width and area are intended to be preserved. Structures and uses required to serve governmental, educational, religious, noncommercial recreational and other needs of such areas are permitted within such districts or are permissible as conditional uses subject to restrictions intended to preserve and protect their single-family residential character.</p>
Uses:	<p>1. Single-family dwellings and duplexes; a mobile home may be used</p>	<p>1. Single-family dwellings. Only a single principal structure</p>

TABLE 1 COMPARISON OF R-9 and R-1A		
	R-9 District AMC 21.40.180	R-1A District AMC 21.40.035
	<p>for temporary living quarters for not more than 18 months. Only a single principal structure may be allowed on any lot or tract.</p> <p>2. Family residential care.</p> <p>3. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions, but excluding day care uses, which shall be permitted only if they are otherwise allowed in accordance with this title.</p> <p>4. One transmission tower less than 75 feet in height.</p>	<p>may be allowed on any lot or tract.</p> <p>2. Public, private and parochial academic elementary schools.</p> <p>3. High schools with primarily academic curricula, provided that principal access to such school shall be directly from a street of class I or greater designation upon the official streets and highways plan.</p> <p>4. Parks, playgrounds and playfields, and municipal buildings and uses in keeping with the character and requirements of the district.</p> <p>5. Public branch libraries.</p> <p>6. Family residential care.</p> <p>7. Churches, to include any place of religious worship, along with their accessory uses, including, without limitation, parsonages, meeting rooms and child care provided for persons while they are attending religious functions, but excluding day care uses, which shall be permitted only if they are otherwise allowed in accordance with this title.</p> <p>8. One transmission tower less than 75 feet in height.</p>
Height limitation:	35 feet	25 feet
Minimum lot size:	<p>a. Single-family dwelling 108,900 SF width 180 Feet</p> <p>b. Duplex 163,350 SF width 180 Feet</p>	8,400 SF/70 wide
Yards:		
Front	25 feet	20 feet
Side	15 feet	5 feet
Rear	25 feet.	10 feet
Lot Coverage:	5 percent	30 percent

The 1993 Chugiak-Eagle River Comprehensive Plan is a 20 year plan that is about 5 years old at the present time. The plan has provisions for review, reevaluation and revision, as necessary, every 5 years.

B. A zoning map amendment may be approved only if it is in the best interest of the public, considering the following factors:

1. The effect of development under the amendment, and the cumulative effect of similar development, on the surrounding neighborhood, the general area and the community; including but not limited to the environment, transportation, public services and facilities, and land use patterns, and the degree to which special limitations will mitigate any adverse effects.

Environment

Noise: All uses are subject to AMC 15.70 Noise Ordinance. The use of the rezone area for residential purposes will not have a negative impact on the surrounding area. Regrading the property may result in a noise impact on the surrounding area, however, this would normally be of a temporary nature and could be limited through the requirement of conditions on the grading permit in addition to the provisions of the noise ordinance.

Air: All uses are subject to AMC 15.30 South Central Clean Air Ordinance, and AMC 15.35 South Central Clean Air Ordinance Regulations. In the process of regrading, as proposed by the petitioner, much of the vegetation will be removed from the contiguous 6 acre site. The petitioner proposes to retain the natural vegetation on the site in a manner similar to the existing Brendlwood Subdivision. Street and driveway paving will be required in the R-1A district, which will help to reduce particulates in the air that might otherwise be generated by vehicle traffic within the rezone site.

Land Use Patterns

This standard is met.

The rezone area is designated for residential use, which is generally compatible with other residential uses already established in the area. The area is located near or across a designated density boundary. The petitioner has proposed a subdivision and development that the department finds to be a logical extension of an existing residential subdivision, provided that the area is served with municipal utilities and paved roads constructed to municipal standards. The ultimate density of the proposed development, however, should be determined through the platting process which is more appropriate to consider the topographical considerations and the extension of municipal services to the area.

Transportation/Drainage

The petition site is located at the end of Kaskanak Drive which is a local road (cul de sac) approaching the site through the adjoining

Brendlwood Subdivision. Transportation Planning did not find the additional traffic generation potential from the proposed rezone and development to be a concern, considering that Kaskanak Drive is a fairly long cul de sac. If additional R-9 and R-7 areas connected to Kaskanak are permitted to rezone and develop at higher densities, however, then this could become an issue to be resolved. Additional higher density residential development in this area will likely require a secondary access to be developed to serve the area surrounding the rezone area.

Drainage plans were not provided with the rezone application. Drainage issues can best be addressed during the subdivision and development process. The petitioner indicates that the proposed development will be graded in a manner similar to Brendlwood subdivision which is also constructed in a slope affected area.

Public Services and Facilities

Utilities: AWWU water and sanitary sewer are to be extended to serve the rezone area. On-site water and septic systems will not be required. Mainline extension agreements are required to provide public water and sanitary sewer to the rezone area. The petitioner will need to determine whether booster/fire pump facilities are required to meet municipal standards for water pressure. AWWU has not objection to the rezone request.

The site is served by electric and gas.

Schools: Schools are not substantially affected by this rezone request. The increase in residential density would result in a marginal increase in school enrollments in the surrounding area. The impact of the increase would be minimal given that the marginal increase in the number of dwelling units will amount to about 8 new dwelling units over the maximum potential of the site as currently zoned.

Public Safety: The petition site is located within the area-wide Police service area. The site is served by the Eagle River Fire Service area.

Special Limitations: No special limitations are offered by the petitioner. Based on review comments received for this case, the Commission should consider special limitations to address slope standards, drive way and street slopes, extension of water and sewer utilities, etc.

- 2. The supply of land in the economically relevant area that is in the use district to be applied by the zoning request or in similar use districts, in relationship to the demand for that land.**

The proposed rezone will reduce the supply of low density R-9

residential land and increase the supply of R-1A, medium density residential land. Given the limited area of the rezone, this is not expected to have a substantial impact on the supply of for low density residential purposes. The increase of R-1A land will create opportunities for about 8 more dwellings than could be built under the existing R-9 zoning, assuming maximum density of development.

- 3. The time when development probably would occur under the amendment, given the availability of public services and facilities, and the relationship of supply to demand found under paragraph 2 above.**

According to the petitioner, subdivision and development of the site is set to begin as soon as the rezone can be completed. No specific time table has been provided for the extension of public services to the area. Presumably this would be addressed in much greater detail during the platting the process. In addition, the petitioner will need to show that the subdivision design meets the slope standards contained in 21.80.150150 - 165. According to review agency comments received, the availability of and capacity of public services is adequate to serve the proposed rezone area.

- 4. The effect of the amendment on the distribution of land uses and residential densities specified in the Comprehensive Plan, and whether the proposed amendment furthers the allocation of uses and residential densities in accordance with the goals and policies of the Plan.**

This rezoning has minimal effect on the supply of residential land or densities. The proposed rezone will create opportunities for an about 8 additional dwelling units over the maximum buildout permitted in the R-9 district. The maximum density of the rezone area will be determined by the platting process, due to concerns about the slope affected nature of the site.

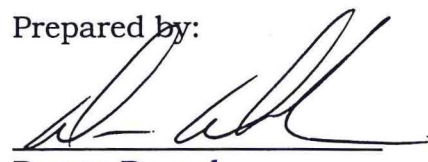
DEPARTMENT RECOMMENDATION:

The proposed development generally conforms to the 1993 Chugiak-Eagle River Comprehensive Plan, meets the applicable standards for a rezone, subject to special limitations. The department recommends APPROVAL.

Reviewed by:


Sheila Ann Selkregg, Ph.D.
Director

Prepared by:


Duane Dvorak,
Senior Planner

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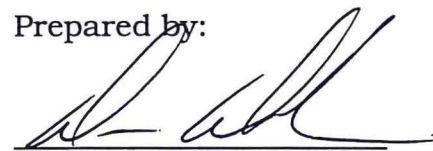
DEPARTMENT RECOMMENDATION:

The proposed development generally conforms to the 1993 Chugiak-Eagle River Comprehensive Plan, meets the applicable standards for a rezone, subject to special limitations. The department recommends APPROVAL.

Reviewed by:


Sheila Ann Selkregg, Ph.D.
Director

Prepared by:


Duane Dvorak,
Senior Planner



Stillwater

Drive

↑
Petition Area

Road

Loop

River

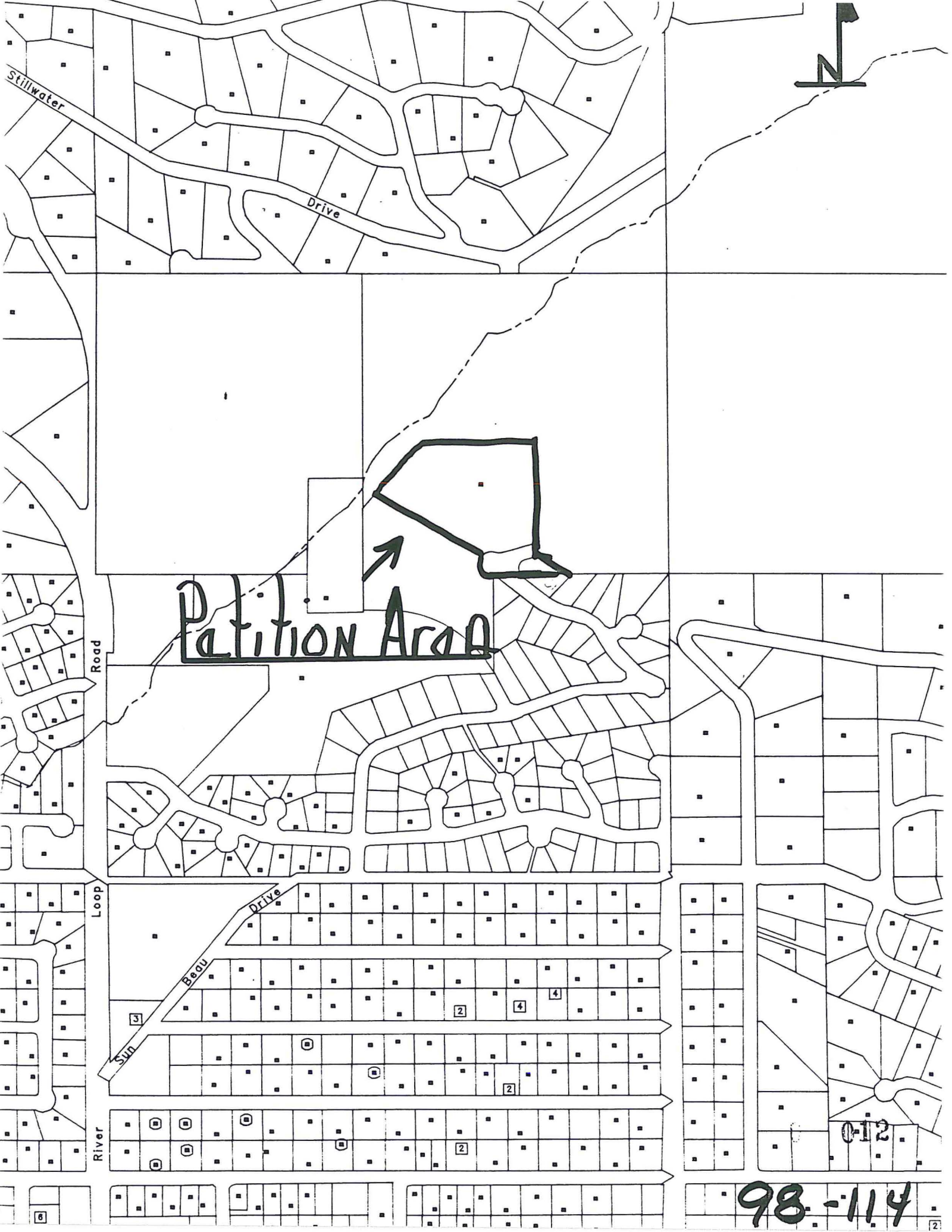
Beau Drive

Syn

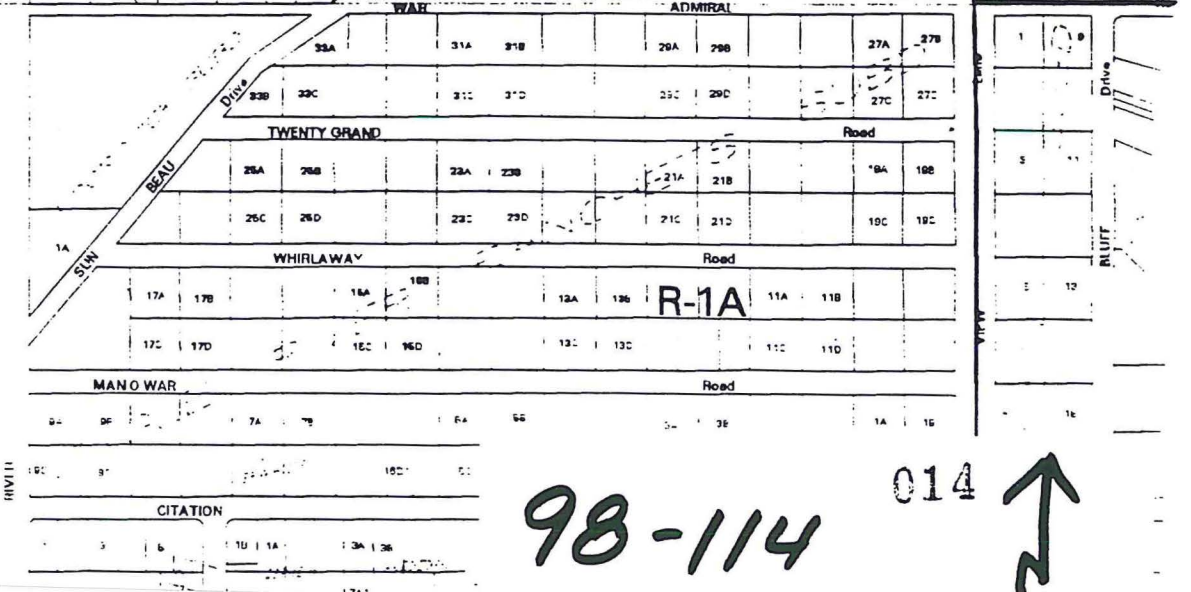
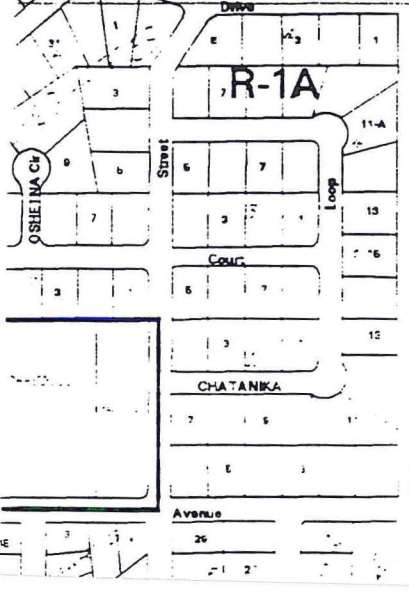
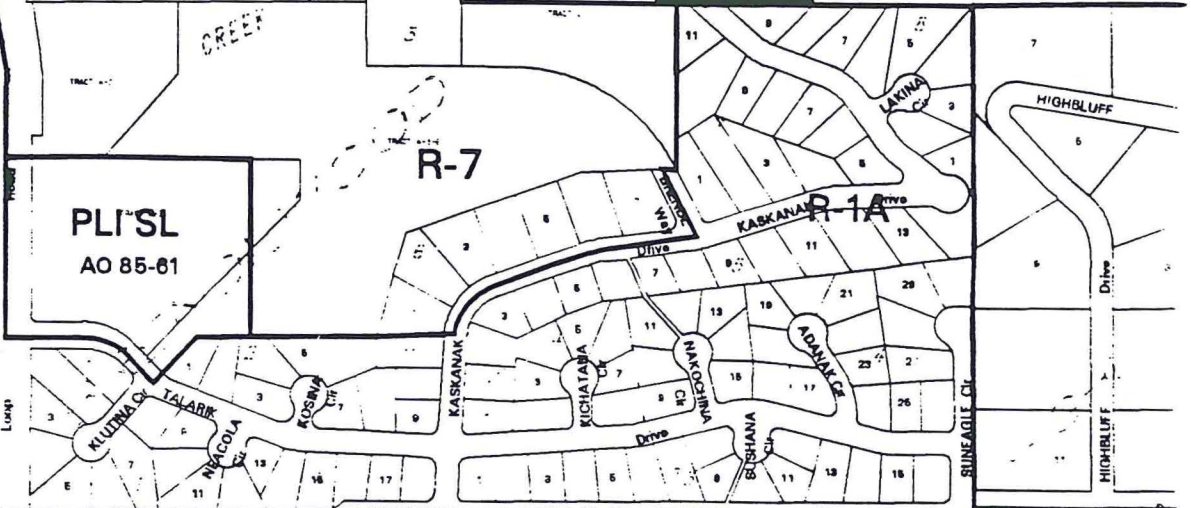
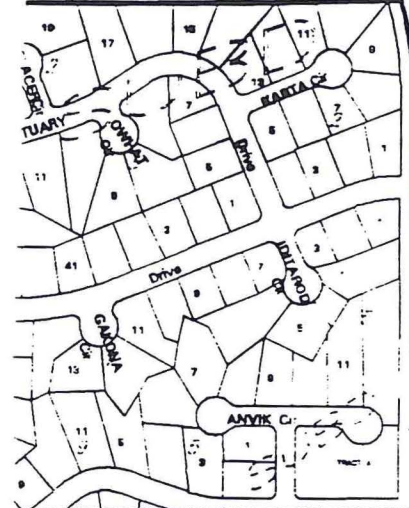
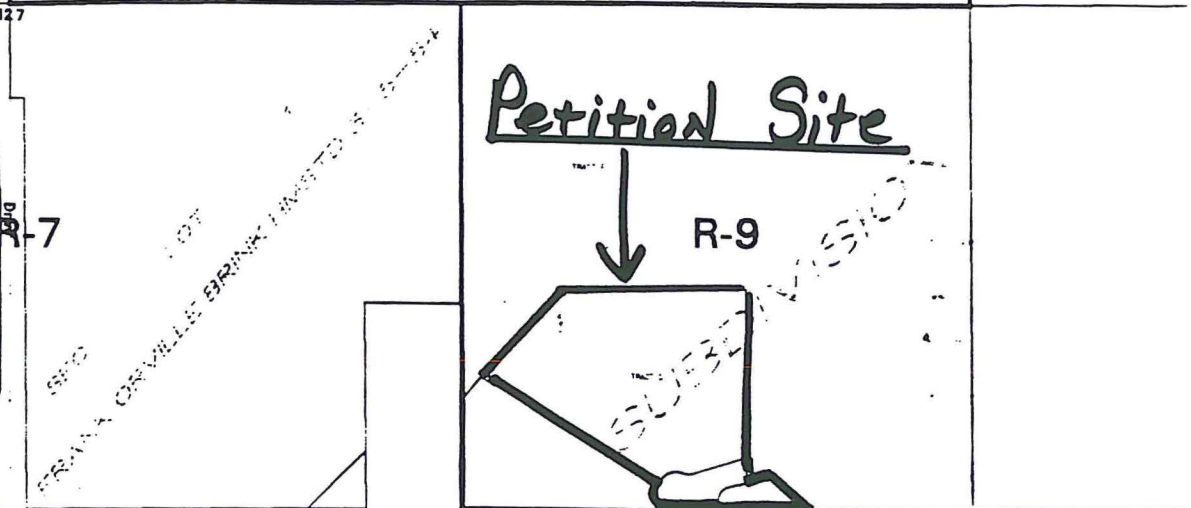
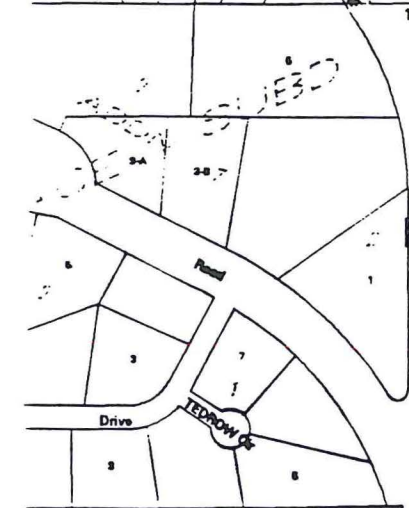
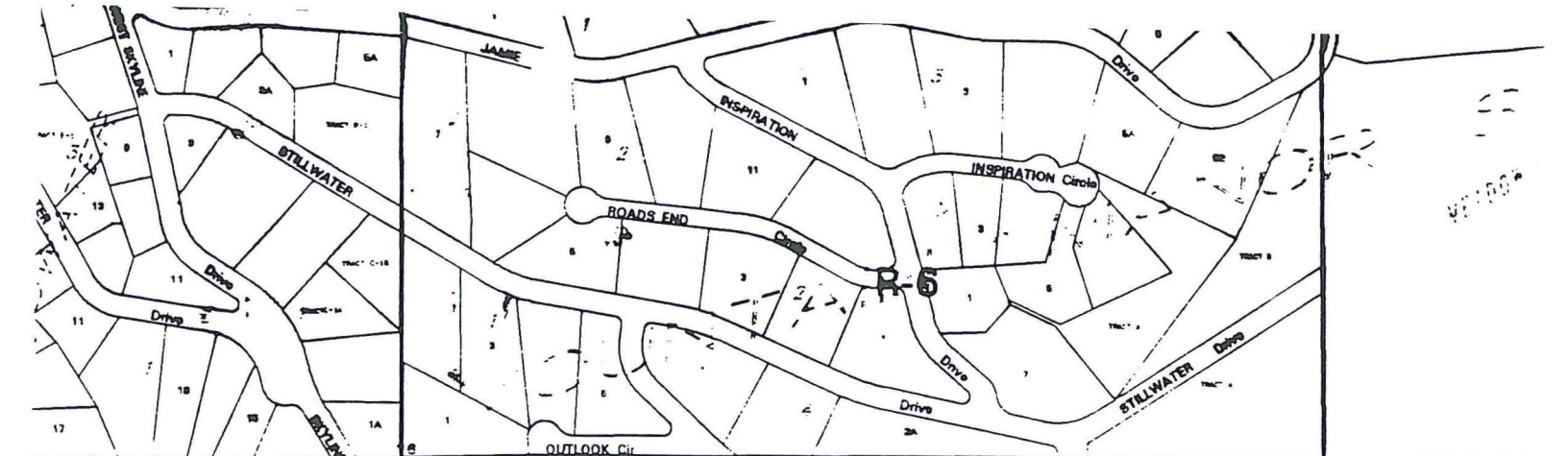
0-12

98-114

21







Petition Site



R-9

PLI'SL
AO 85-61

R-7

R-1A

R-1A

98-114

014



2

**Departmental and
Agency Review
Comments**

Reviewing Agency Comment Summary

Case No.:

Agency	Comments Included in Packet	No Comments and/or Objections	No Response
Air Pollution Control			✓
Alaska DEC			✓
Alaska Division of Parks			✓
Alaska DOT/PF		✓	
AWWU	✓		
DHHS Environmental		✓	
DHHS Social Services			✓
Federation of Community Councils			✓
Fire Prevention			✓
Historic Properties			✓
ML&P		✓	
Parks and Recreation			✓
Physical Planning	✓		
Public Works	✓		
School District			✓
Transit		✓	
Transportation Planning	✓		



MUNICIPALITY OF ANCHORAGE
PUBLIC TRANSPORTATION DEPARTMENT
MEMORANDUM

DATE: May 29, 1998
TO: Gloria Bartels
FROM: Alton Staff, Operations Supervisor
SUBJECT: Planning Activity

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

Thank you for the opportunity to review the Planning activities as listed below.

Case No. 98-110 People Mover does not serve this site with regular bus service. Out closest bus stops are on the Old Seward Highway or Klatt Road at Johns Road.

Case No. 98-115 The Public Works Facility should be located with easy access to bus service. The south portion of site C-1 is not transit customer friendly.

Transit has no comments on the following:

Case No. 98-107
Case No. 98-108
Case No. 98-111
Case No. 98-112
Case No. 98-113
Case No. 98-114
Case No. 98-116
Case No. 98-117
Case No. 98-118

cc: Gary A. Taylor
File: AS Reading 05/98

AS27-75.word

98-114

Rezone from R-9 to R-1A; Brendlwood, Tract D and portion of Tract E; located within the NW ¼ Section 7, T14N R1W SM; grid NW 154; tax code numbers 050-313-46 and 47; Kaskanak Drive; Quinn Construction; PTS, Inc.

PROJECT MANAGEMENT AND ENGINEERING

Project Management and Engineering has no adverse comment regarding this case.

(Reviewer: Randy Ross, P.E.)

FLOODPLAIN

I have no comments on this case.

(Reviewer: Jack Puff)

LAND USE ENFORCEMENT

Use determination: CAMA records show an existing single family dwelling on Tract D which is a permitted use.

Permits: No land use permits could be found for the existing single-family dwelling. Land use permits will be required for the proposed houses.

Yard requirements: R-1A: Front yard 20 feet, side yards 5 feet, and rear yard 10 feet. An as-built will be required for the existing house in relation to new property lines.

Recommendations:

1. Land use permits will be required for the proposed houses.
2. An as-built will be required for the existing house in relation to new property lines.

(Reviewer: Kathy Johnson)

TRAFFIC ENGINEERING

Demonstrate that the entire length of the proposed cul de sac can be built to Municipal standards; cul de sac bulb not to exceed 5 percent grade, length of cul de sac not to exceed 10 percent grade. Driveways not to exceed 15 percent grade. Streets to be improved to urban standards; including paved curb and gutter, street lighting, sidewalks.

(Reviewer: Mada Hansen)

STREET MAINTENANCE

I have no comments on this case.

(Reviewer: Harry M. Kachline for Ron Goughnour, P.E.)

ADDRESSING

I have no comments on this case.

(Reviewer: John DeVries)

BUILDING SAFETY PLAN REVIEW AND INSPECTION

I have no comments on this case.

(Reviewer: Chuck La Casse)

Department position:

1. Land use permits will be required for the proposed houses.
2. An as-built will be required for the existing house in relation to new property lines.
3. Demonstrate that the entire length of the proposed cul de sac can be built to Municipal standards; cul de sac bulb not to exceed 5 percent grade, length of cul de sac not to exceed 10 percent grade. Driveways not to exceed 15 percent grade. Streets to be improved to urban standards; including paved curb and gutter, street lighting, sidewalks.

98-112 Rezone from I-1 to I-2SL

This request specifies SL's to strictly limit the land use to a concrete pre-fabrication business. It is presumed that the accessory uses associated with this land use would also be included on site. Although the general surroundings are zoned I-1, there is considerable residential development adjacent to this site and the introduction of I-2 land uses could be a significant nuisance. Most of the existing land uses are otherwise true light industrial in nature and this request would initiate a new trend in a speculative manor. The Anchorage Bowl Comprehensive Plan shows no I-2 land uses in this section of the Bowl. Physical Planning recommends denial.

98-113 Rezone from PLI-SL to I-1SL

This request is complicated by the existing zoning which, Physical Planning believes, was improperly applied in the 1980's. With the original option of this land to the Municipality, land uses were to be limited to industrial (specifically for a solid waste transfer site and a public works facility), which was outlined in the original Eagle River Areawide Zoning (1985). There is now a shortage of I-1 lands in Eagle River-Chugiak. Given the nature of adjacent land uses, the plans to mitigate impacts to residential areas to the north, the lack of fiscal interest in creating a park on site, and the original intent to cluster light industry on the west side of the Glenn Highway, Physical Planning supports this request.

98-114 Rezone from R-9 to R-1A

The site conditions, particularly slope, do not seem to support the proposed residential densities. Physical Planning recommends that the platting process establish the legitimacy of the proposed densities and lot configurations before this area is rezoned.

98-116 Compliance with Existing Special Limitations

Physical Planning has no comment on this proposal.

98-117 Compliance with Existing Special Limitations

Physical Planning recommends that the applicant consider providing pedestrian access to the building site directly from Fairbanks Street since there is none in the proposed site plan. The site plan and proposed landscaping otherwise appear adequate and consistent with the rest of the property.

98-113 T14N, R2W, Section 11, Lot 15 (rezone) Grid NW 151

1. AWWU water and sanitary sewer mainline extension agreements are required to provide public water and sanitary sewer to the referenced area. Fire flow is estimated to be 750 gpm at 20 psi with a static pressure of 62 psi. The required minimum for PLI is 1500 gpm. The sanitary sewer mainlines in this area have capacity available for the area.
2. AWWU has no objection to the proposed rezone from PLI-SL Public Lands & Institutions District With Special Limitations to I-1SL Light Industrial District With Special Limitations.

98-114 Brendlwood, Tracts D & E (rezone) Grid NW 154

1. AWWU water and sanitary sewer mainline extension agreements are required to provide public water and sanitary sewer to the referenced tracts. Petitioner to determine whether booster/fire pump facility may be required.
2. AWWU has no objection to the proposed rezone from R-9 Rural Residential District to R-1A One-Family Residential District.

98-116 Southcreek, Tract B (site plan review) Grid 3537

1. AWWU water and sanitary sewer are not available to proposed tract. A private utility agreement with AWWU is required to provide water service through the Potter Creek Water Company. A sanitary sewer mainline extension agreement is required if sanitary sewer is desired or required by the Platting Authority under AMC 21.85.170.
2. Platting case (S-10252A) issues must be resolved with AWWU.

98-117 DTC Tract 1, Lots 1 & 2 (site plan review) Grid 1731

1. AWWU water mainlines are located within the East Tudor Road, Denali Street and Fairbanks Street rights-of-way and are available to the referenced parcels. The Home Depot located on Tract 1 is connected to AWWU water.
2. AWWU sanitary sewer mainlines are located within the East Tudor Road, East 40th Avenue and Fairbanks Street rights-of-way and are available to the referenced parcels. The Home Depot located on Tract 1 is connected to AWWU sanitary sewer.

98-118 AMC 21.40, Zoning Districts (amendment)

1. AWWU has no objection to the ordinance to amend Title 21 of the Anchorage Municipal Code of Ordinances by amending AMC 21.40.150 B-2A Central Business District-Core; AMC 21.40.160 B-2B Central Business District-Intermediate, and AMC 21.40.170 B-2C Central Business District-Periphery to add public, private and parochial academic schools, business colleges and universities as permitted uses.

If you have any questions, please call Hallie Stewart at 564-2721.

021

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION - PLANNING

4111 AVIATION AVENUE
P.O. BOX 196900
ANCHORAGE, ALASKA 99519-6900
(TDD 269-0674)
(907) 269-0520 (FAX 269-0521)

RECEIVED

June 1, 1998

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

RE: MOA Zone Requests

Mr. Don Alspach
Deputy Director
Department of Community Planning & Development
Municipality of Anchorage
P.O. Box 196650
Anchorage, Alaska 99519-6650

Dear Mr. Alspach:

The Department of Transportation and Public Facilities (ADOT&PF) has reviewed the following zone cases and has no comment:

- 98-110, Rezone Baseball Sub. Tract B to PLI
- 98-111, Rezone Price Sub. To B2
- 98-112, Rezone Spruce Heights Sub. To I-2
- 98-113, Rezone Artillery Road Lot to I-1
- 98-114, Rezone Brendlwood Sub. Tract D&E to R-1A
- 98-116, Site Plan Review, Southcreek Subdivision Tract B
- 98-117, Site Plan Review, DTC Sub. Tract 1, Lots 1 & 2
- 98-118, Request to Amend Title 21 to allow Educational Facilities in the CBD

Thank you for the opportunity to comment on these zone cases. If you have any questions, please contact me at 269-0515.

Memorandum

Municipality of Anchorage
Department of Community Planning & Development
Transportation Planning Section

RECEIVED

JUN - 8 1998

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

DATE: June 5, 1998
TO: Planning & Zoning Commission
FROM: Jon R. Spring, Senior Planner *js*
RE: Comments on July Planning and Zoning Commission Cases

Case No. 98-110

No comment.

Case No. 98-111

No comment

Case No. 98-112

No comment

Case No. 98-113

Transportation planning staff agrees with the petitioners proposed special limitations prohibiting access from Lesmer Court.

Case No. 98-114

The proposed rezoning would result in an additional 12 houses to be built on this tract. This assumes that the map showing the proposed lots and tracts, which was submitted with the application, becomes reality. According to the 5th Edition of the Trip Generation manual, a single family house generates an average of 9.55 trips per day on a weekday. Thus, the rezoning would result in approximately 115 additional trips per day.

Although this is not an excessive amount of traffic for a local road such as Kaskanak Drive to carry, transportation planning staff is concerned

that future rezonings of the R-9 property above the petition site could create an undue burden on the existing street system.

Case No. 98-116

The site plan submitted with the application for Tract B, Southcreek Subdivision shows driveways that are 20 feet in length. However, over half of the driveway is within the street right-of-way. If the driveway is to be used as a part of the required parking, then a variance will be needed.

Case No. 98-117

The site plan for the proposed Staples Store does not have any provisions for pedestrian access from Tudor Road.

Case No. 98-118

Any private or public academic schools located in the downtown area will likely not be local serving and will attract students from throughout the Anchorage area. If it is an elementary school, the students will probably be driven by the parents who will need to park close to the school or have a convenient drop-off area. Most downtown land uses assume that workers or customers will use the scattered parking garages if they drive to their destinations. This type of arrangement may not work as well for elementary schools. As a result, a site plan review should be required to ensure that the transportation needs are adequately met by future downtown school sites.



Rick Mystrom,
Mayor

Municipality of Anchorage

Department of Health and Human Services

825 "L" Street

P.O. Box 196650 Anchorage, Alaska 99519-6650

<http://www.ci.anchorage.ak.us>



DATE: 5/27/98
 TO: Gloria Bartels, Platting & Zoning, fax 4220
 THROUGH: *SM* Steve Morris, P.E., Program Manager
 FROM: *LT* Larry Taylor, QEP, Environmental Engineer
 SUBJECT: Comments

RECEIVED

MAY 27 1998

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

CASE NO. 98-108: No Objection
 CASE NO. NONE : No Objection
 (Project number 97-PD-35, Loretta French Park)
 CASE NO. 98-110: No Objection
 CASE NO. 98-111: No Objection
 CASE NO. 98-112: No Objection
 CASE NO. 98-113: No Objection
 CASE NO. 98-114: No Objection
 CASE NO. 98-116: No Objection
 CASE NO. 98-117: No Objection



**MUNICIPAL LIGHT AND POWER
ENGINEERING DIVISION
MEMORANDUM**

RECEIVED

JUN - 1 1998

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

DATE: 28 May 1998

TO: Gloria Bartels, Platting and Zoning

FROM: Mio Johnson, Assistant to the Chief Engineer

RE: Cases 98-110 thru Case 98-1114, Cases 98-116 thru Case 98-118

Municipal Light and Power has reviewed the following cases and has no comments.

- 98-110 Re-zone, Baseball Subdivision
- 98-111 Rezone, Price Subdivision
- 98-112 Rezone, Portion of NW1/4, SE1/4, Sec 31
- 98-113 Rezone, Artillery Road, Eagle River
- 98-114 Rezone in Eagle River Valley
- 98-116 Site Plan Review, Tract B, Southcreek Subdivision
- 98-117 Site Plan review, Home Depot
- 98-118 Amendment to Title 21

If you would like to comment on the petition this form may be used for your convenience.
Mailing Address: Municipality of Anchorage, Community Planning and Development, P.O. Box
196650, Anchorage, Alaska 99519-6650. For more information call 343-4215; 343-4220.

Name: A. Charles and Sandra L. Madsen
Address: 11633 Inspiration Dr. (off Stillwater Dr.)
Legal Description: Eagle River, AK 99577
Comments: We oppose more building in
area - due to "over building" already.

REZONING/RESIDENTS--PLANNING COMMISSION
98-114

3

Application

Municipality of Anchorage
 Department of Community Planning and Development
 P.O. Box 196650
 Anchorage, AK 99519-6650
ZONING MAP AMENDMENT APPLICATION

OFFICE USE
REC'D By: <u>Duff</u>
Verify Own: <u>yes (see notes)</u>
Poster and Affidavit: <u>yes</u>
Fee \$ <u>1,000</u>
Tentative
Hearing Date <u>1 / 1</u>

FILE COPY

Case Number: 98-114

Zoning map amendments require at a minimum 1.75 acres of land or a boundary common to the requested zoning district. The application must also be signed by 51% of the property owners Within the area to be rezoned.

A. Please fill in the information requested below. Print one letter or number per block.

1. Petitioning for: Portion only (small)
 R E Z O N E 5 . 8 + A C R E S R - 9 T O R - 1 A

2. Abbreviated legal description (T12N R2W SEC 2 LOT 45 or SHORT SUB BLK 3 LOT 34) Full legal on back Page.
 T R A C T S D & E B R E N D L W O O D S U B
 P 8 6 - 9 5 ~~L 9 B 8 B R E N D L W O O D P 8 4 - 1 5 6~~

3. Street address of petition site (1234 Main Street).
 N / A

4. Petitioner's Name (Last - First)
 Q U I N N C O N S T R U C T I O N

Address: PO BOX 772641
 City: EAGLE RIVER State: AK
 Day Phone Number: _____ Zip: 99577

5. Petitioner's representative Professional Technical Services, Inc.
 P T S I N C .
 B R U C E B R O W N

Address: 4155 TUDOR CENTER DR. SUITE 103
 City: ANCHORAGE State: AK
 Day Phone Number: 907-561-6237 Zip: 99508

6. Current Zoning:

R	-	9		
---	---	---	--	--

 7. Petition Acreage:

5	.	8	+	
---	---	---	---	--

Tract D 253,954 5.88 acres
Tract E Portion to be replatted.

8. Grid Number:

N	W	1	5	4
---	---	---	---	---

9. Principal Tax Number: 050-313-47 Tract E

0	5	0	-	3	1	3	-	4	6
---	---	---	---	---	---	---	---	---	---

Tract D

10. No. of Tax Parcels:

2

11. Community Council: EAGLE RIVER VALLEY

B. I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I desire to rezone it in conformance with Title 21 of the Anchorage Municipal, Code of Ordinances. I understand that payment of the rezoning 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 or the Planning and Zoning Commission or the Assembly due to administrative reasons.

Date: 5/11/98 Signature: _____
 *Agents must provide written proof of authorization

05394 05-11-98 14:18 CHECK 1,000.00

C. Please check or fill in the following

1. Comprehensive Plan – Land Use Classification

- Alpine/Slope Affected
- Commercial
- Commercial/Industrial
- Industrial

- Marginal Land
- Parks/Open Space
- Public Lands Institutions

- Residential
- Special Study
- Transportation Related

2. Comprehensive Plan Residential Land Use Intensity

3-6 Dwelling units per acre

Alpine/Slope Affected

Special Study

3. Environmental Factors (if any):

- a. Wetlands
- Development
- Conservation
- Preservation

- b. Avalanche
- c. Floodplain
- d. Seismic Zone (Harding/Larson)

D. Please indicate below if any of these events have occurred in the last three years on the property

<input type="checkbox"/> Rezoning	Case Number	_____
<input type="checkbox"/> Subdivision action	Case Number	_____
<input type="checkbox"/> Conditional use	Case Number	_____
<input type="checkbox"/> Zoning Variance	Case Number	_____
<input type="checkbox"/> Site plan review	Case Number	_____
<input type="checkbox"/> Enforcement action	Case Number	_____
<input type="checkbox"/> Building/Land use permit	Case Number	_____

E. Please list any attachments

1. Location map (Mandatory)
2. Sheets 1-6
3. _____
4. _____

F. Proposed special limitations: (use separate sheet if necessary).

1. N/A
2. _____
3. _____
4. _____

G. The full legal description for legal advertisement (use separate paper if necessary).

TRACTS D & E BRENDLWOOD SUBDIVISION P86-095. LOCATED WITHIN THE NW ¼ Sec17 T14N R1W SM, ALASKA. ANCHORAGE RECORDING DISTRICT. PROPOSED LEGAL DESCRIPTION: LOTS 10-23 BLOCK 8 AND TRACT E-1 BRENDLWOOD SUBDIVISION.

SENT BY: MICHAEL GUINN CONST 5-13-98 7:23AM ;
5-12-1998 9:51AM FROM

9076944

3

P. 2

Municipality of Anchorage
Department of Community Planning and Development
P.O. Box 198850
Anchorage, AK 99519-8850
ZONING MAP AMENDMENT APPLICATION

OFFICE USE	
REC'D By:	_____
Verify Own:	_____
Poster and Affidavit:	_____
Fee \$:	_____
Tentative	_____
Hearing Date	____/____/____

Case Number:

--	--	--	--	--	--	--	--	--	--

Zoning map amendments require at a minimum 1.75 acres of land or a boundary common to the requested zoning district. The application must also be signed by 51% of the property owners within the area to be rezoned.

A. Please fill in the information requested below. Print one letter or number per block.

1. Petitioning for:

REZONE B. 46 ACRES R-9 TO R-1A

2. Abbreviated legal description (T12N R2W SEC 2 LOT 46 or SHORT SUB BLK 3 LOT 34) Full legal on back Page.

TRACTS D & E BREN DLWOOD SUB
P 88 . 95

3. Street address of petition site (1234 Main Street)

N/A

4. Petitioner's Name (Last - First)

GUINN CONSTRUCTION

Address: PO BOX 772641

City: EAGLE RIVER State: AK

Day Phone Number: _____ Zip: 99577

5. Petitioner's representative (Professional & Technical Services, Inc.)

PTS INC.

Address: 4155 TUDOR CENTER DR. SUITE 103

City: ANCHORAGE State: AK

Day Phone Number: 907-561-6237 Zip: 99508

6. Current Zoning:

R	-	9		
---	---	---	--	--

7. Petition Acreage:

6	.	4	6	
---	---	---	---	--

8. Grid Number:

N	W	1	5	4
---	---	---	---	---

9. Principal Tax Number:

--	--	--	--	--	--	--	--	--	--

10. No. of Tax Parcels:

2			
---	--	--	--

11. Community Council: EAGLE RIVER VALLEY

B. I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I desire to rezone it in conformance with Title 21 of the Anchorage Municipal Code of Ordinances. I understand that payment of the rezoning 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 or the Planning and Zoning Commission or the Assembly due to administrative reasons.

Date: May 12, 1998 Signature: Eric Braendel

*Agents must provide written proof of authorization

SENT BY: MICHAEL GUINN CONST
5-12-1998 9:51AM

5-13-98 7:22AM

987694

2

P. 2

Municipality of Anchorage
Department of Community Planning and Development
P.O. Box 108850
Anchorage, AK 99519-8850
ZONING MAP AMENDMENT APPLICATION

OFFICE USE
REC'D By: _____
Verify Own: _____
Poster and Affidavit: _____
Fee \$: _____
Tentative
Hearing Date: <u> / / </u>

Case Number:

--	--	--	--	--	--	--	--	--	--

Zoning map amendments require at a minimum 1.75 acres of land or a boundary common to the requested zoning district. The application must also be signed by 51% of the property owners within the area to be rezoned.

A. Please fill in the information requested below. Print one letter or number per block.

1. Petitioning for:

REZONE 6.46 ACRES R-9 TO R-1A

2. Abbreviated legal description (T12N R2W SEC 2 LOT 45 or SHORT SUB BLK 3 LOT 34) Full legal on back Page.

TRACTS D & E BRENDLWOOD SUB
P 8 6 9 5

3. Street address of petition site (1234 Main Street)

N/A

4. Petitioner's Name (Last - First)

GUINN CONSTRUCTION

Address: PO BOX 772641

City: EAGLE RIVER State: AK

Day Phone Number: _____ Zip: 99577

5. Petitioner's representative (Professional & Technical Services, Inc.)

PITS INC.

Address: 4155 TUDOR CENTER DR. SUITE 103

City: ANCHORAGE State: AK

Day Phone Number: 907-581-5237 Zip: 99508

6. Current Zoning:

R	-	9		
---	---	---	--	--

7. Petition Acreage:

6	.	4	6	
---	---	---	---	--

8. Grid Number:

N	W	1	5	4
---	---	---	---	---

9. Principal Tax Number:

--	--	--	--	--	--	--	--	--	--

10. No. of Tax Parcels:

2		
---	--	--

11. Community Council: EAGLE RIVER VALLEY

B. I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I desire to rezone it in conformance with Title 21 of the Anchorage Municipal Code of Ordinances. I understand that payment of the rezoning 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 or the Planning and Zoning Commission or the Assembly due to administrative reasons.

Date: May 12, 1998 Signature: Darci Brandel
*Agents must provide written proof of authorization

Municipality of Anchorage
 Department of Community Planning and Development
 P.O. Box 196650
 Anchorage, AK 99519-6650

STANDARDS FOR ZONING MAP AMENDMENTS

The petitioner must provide a written narrative, which addresses the following standards. Zoning map amendment applications which do not address these items will be considered invalid and will not be accepted for public hearing by the Department of Community Planning and Development. (Use additional paper if necessary).

A. Conformance to Comprehensive Plan

1. If the proposed zoning map amendment does not conform to the land use classification map contained in the applicable Comprehensive Plan, explain how the proposed rezoning meets one or more of the following standards:
 - a. The proposed use is compatible because of the diversity of uses within the surrounding neighborhood or General use area;
 - b. The proposed use may be made compatible with conforming uses by special limitations or conditions of Approval concerning such matters as access, landscaping, screening, design standards and site planning; or
 - c. The proposed use does not conflict with the applicable comprehensive Development Plan goals and Policies. The proposed Zoning Map Amendment does conform to the Comprehensive Plan. Both the goals and policies of the Comprehensive Plan are further with the proposed re-zone of this 6.46 acre parcel from R-9 zoning to R-1A zoning. The comprehensive plan calls for residential development of 3-6 dwellings units per acre; the proposed subdivision will have approximately 3 dwelling units per acre not including Right-of-Way.
2. If the proposed zoning map amendment does not conform to the generalized intensity (density) of the applicable Comprehensive Plan map, explain how the proposed rezoning meets the following standards:
 - a. In cases where the proposed rezoning would result in a greater residential intensity (density), explain how the rezoning does not alter the plan for the surrounding neighborhood or general area, utilizing one of the following criteria:
 - i. The area is adjacent to the neighborhood shopping center, other major high density mode, or principal transit corridor.
 - ii. Development is governed by a Cluster Housing or Planned Unit Development site plan.

The proposed re-zone conforms to the Generalized Intensity Plan within the Comprehensive Plan. It extends an existing Street with the same housing styles and Development Densities as the existing Street.

In cases where the proposed rezoning would result in a lesser residential intensity (density), explain how the rezoning would provide a clear and overriding benefit to the surrounding neighborhood.

The proposed re-zone does not conflict with the Comprehensive Plan

- b. Explain how the proposed residential density conforms with the applicable Comprehensive Development Plan goals and policies pertaining to the surrounding neighborhood or the general area.

The proposed Residential Density will further the goals of the Comprehensive Plan because it continues the existing development style in Density of an existing Subdivision street.

B. A zoning map amendment may be approved only if it is in the best interest of the public, considering the following factors:

1. Describe the effect of development under the amendment and the cumulative effect of similar development on (a) the surrounding neighborhood, (b) the general area, and (c) the community with respect to the following (The discussion should include the degree to which proposed special limitations will mitigate any adverse effect.):

a. Environment;

Fourteen (14) residential homes will be built on approximately 15,000 square foot lots. This will impact the environment very little and much the same manner as the existing Brendwood Subdivision has; large lots with the backyard area remaining in it's natural treed state will preserve much of the environmental characteristics of this area.

b. Transportation;

A neighborhood and community transportation patterns will not be effected in any significant manner as this development will add only fourteen (14) new home sites to this area.

c. Public Services and Facilities;

The Public Services and Facilities such as schools, shopping areas and existing roads will be impacted in no significant manner as the proposed development will add only fourteen (14) new home sites to this area.

d. Land Use Patterns;

The proposed development copies almost exactly the existing land use patterns of this area. Providing R-1A Lots for residential development.

Note: Surrounding neighborhood	=	500 – 1000' radius
General Area	=	1 Mile radius
Community	=	Anchorage as a whole

2. Quantify the amount of undeveloped (vacant) land in the general area having the same zoning or similar zoning requested by this application. Explain why you feel the existing land is not sufficient or is not adequate to meet the need for land in this zoning category?

There is currently no R-1A zone property in the surrounding area. Based on the success of the existing Brendwood Subdivision a demand for R-1A property has been established. This proposed development would supply that demand.

3. When would development occur under the processed zoning? Are public services (i.e., water, sewer, street, electric, gas, etc.) available to the petition site? If not, when do you expect that it will be made available and how would this affect your development plans under this rezoning?

Public water, sewer and storm drain have been constructed to the south end of this property and will be extended with this development so that all fourteen (14) home sites will be provided public water, sewer and storm drain along with Municipal streets built to Urban standards.

4. If the proposed rezoning alters the use of the property from that which is indicated in the applicable Comprehensive Plan, explain how the loss of land from this use category (i.e., residential, commercial, industrial) might be regained elsewhere in the community?

There is currently 120 acres of R-9 property adjacent to this proposed development site. None of which have availability Public water, sewer and storm drain with Municipal streets built to urban standards. The immediate community will retain 73.5 acres of R-9 property.

ZONING MAP AMENDMENT STATEMENT
Brendlwood Subdivision – Phase 5

A. CONFORMATY TO COMPREHENSIVE PLAN

The proposed zoning map amendment to re-zone 6.46 acres of R-9 property to R-1A, does further the goals of the comprehensive plan as outlined in the Chugiak/Eagle River Comprehensive Plan; Assembly ordinance 92-133, adopted January 12, 1993. This proposed re-zoning action does meet the requirements of ANC 2120.090 in the following manner:

B. CONDITIONS OF APPROVAL.

- 1) The effect this proposed re-zone and subsequent development has on the Surrounding neighborhood and general area of this community:
 - a) Environmental: The development of this 6.46 acre parcel with R-1A zoning will impact the environment in a similar manner to the surrounding neighborhood. The proposed lots will be between 12,000 square feet and 30,000 square feet with the average lot size being approximately 15,000 square feet. The lots will be developed with upper-end single family residences and will limit the impact to the immediate environment in much the same manner as the property immediately to the south. The proposed development will be large single family lots and therefore the majority of the back yards will remain treed and in their natural condition. This will retain much of the existing environmental characteristics.
 - b) The proposed development: This development will add only 14 new home sites to the existing Kaskanak Drive. This modest increase in home sites will have little to no effect on the transportation and traffic circulation in this area. It will bring a permanent end to this Dead End Street in the form a municipal standard cul-de-sac.
 - c) Public Services and Facilities: Public water and sewer will be extended 600 feet along with a publicly dedicated roadway built to municipal standards. All of the 14 lots proposed with this development would have public water and sewer. The water pressure and flow is sufficient for fire protection on all 14 home sites.
 - d) Land Use Patterns: The existing Brendlwood Subdivision immediately to the south, that the primary access road Kaskanak Drive is built through, is a residential development within an R-1A zoning district of approximately 113 single family homes. This proposed re-zone to R-1A matches the existing Brendlwood Subdivision and will copy the existing land use pattern.
 - e) Special Limitations: There are no special limitations on the currently zoned R-9 property or the R-1A zoned property of the Brendlwood

Subdivision, therefore no special limitations are proposed for the re-zone of these 6.46 acres of Tract D & E of Brendlwood Subdivision.

2) Land Supply:

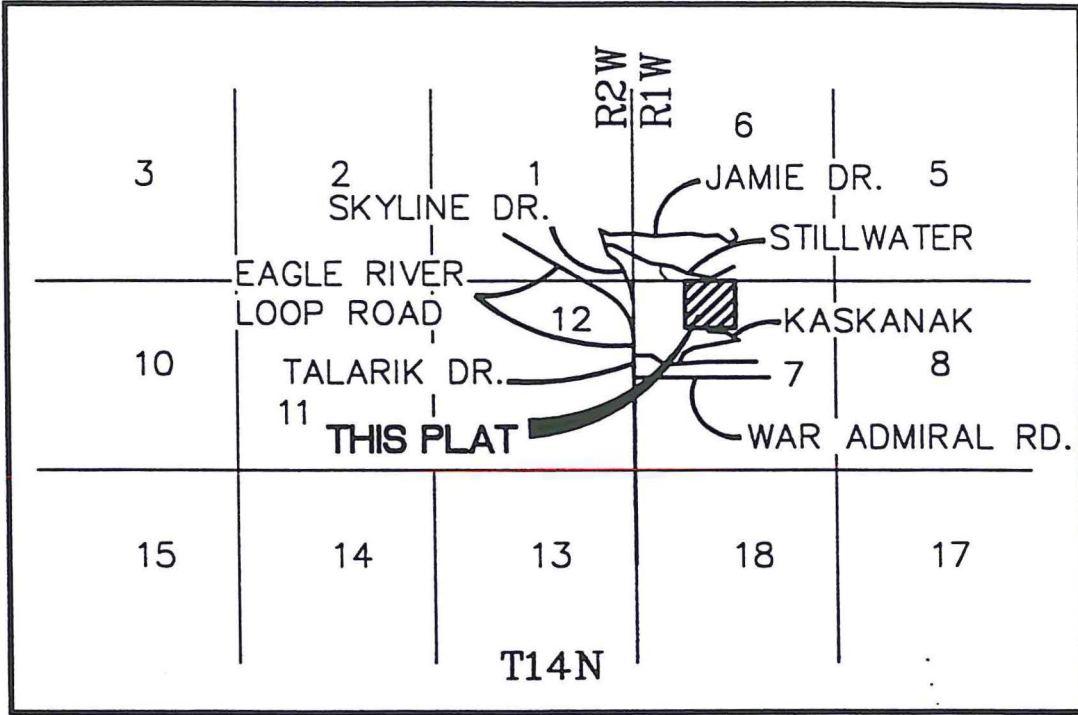
- a) The undeveloped R1A property available in this area is non-existent. This re-zone will supply this area of Eagle River with a presently unavailable and highly sought after residential development option.
- b) In contrast, the existing 6.46 acres that is proposed to be re-zoned with this application, is part of a block of 120 acres of R-9 zoned property and is currently undeveloped.

3) Development Time Table:

- a) Public water, sewer and storm drain and Municipal Street constructed urban standards abuts this proposed re-zone to the south.
- b) There is currently no similarly zoned property with the availability of public utilities in this area.
- c) Therefore, the development timetable is immediate with the final product being put on the market the fall of 1998.

4) The Effect on Land Distribution and Densities:

- a) The Eagle River Comprehensive Plan calls for a density between 3 and 6 dwelling units per acre for this site. The proposed density is approximately 2.5 dwellings per acre. Even though the proposed density is below the Comprehensive Plan, it continues an existing development style within this immediate area, therefore, furthers the goals of the Eagle River Comprehensive Plan.



VICINITY MAP



PROFESSIONAL AND TECHNICAL SERVICES, INC.
 CONSULTING-PLANNING-ENGINEERING-LAND SURVEYING
 405 TUDOR CENTER DR., SUITE 100, ANCHORAGE, ALASKA 99503 (907) 561-8227

BRENDLWOOD SUBDIVISION

LOTS 10-23, BLOCK 8 AND TRACTS D-1, E-1

DRAWN: BB

FB: BWO5-01

SHEET 1 OF 6

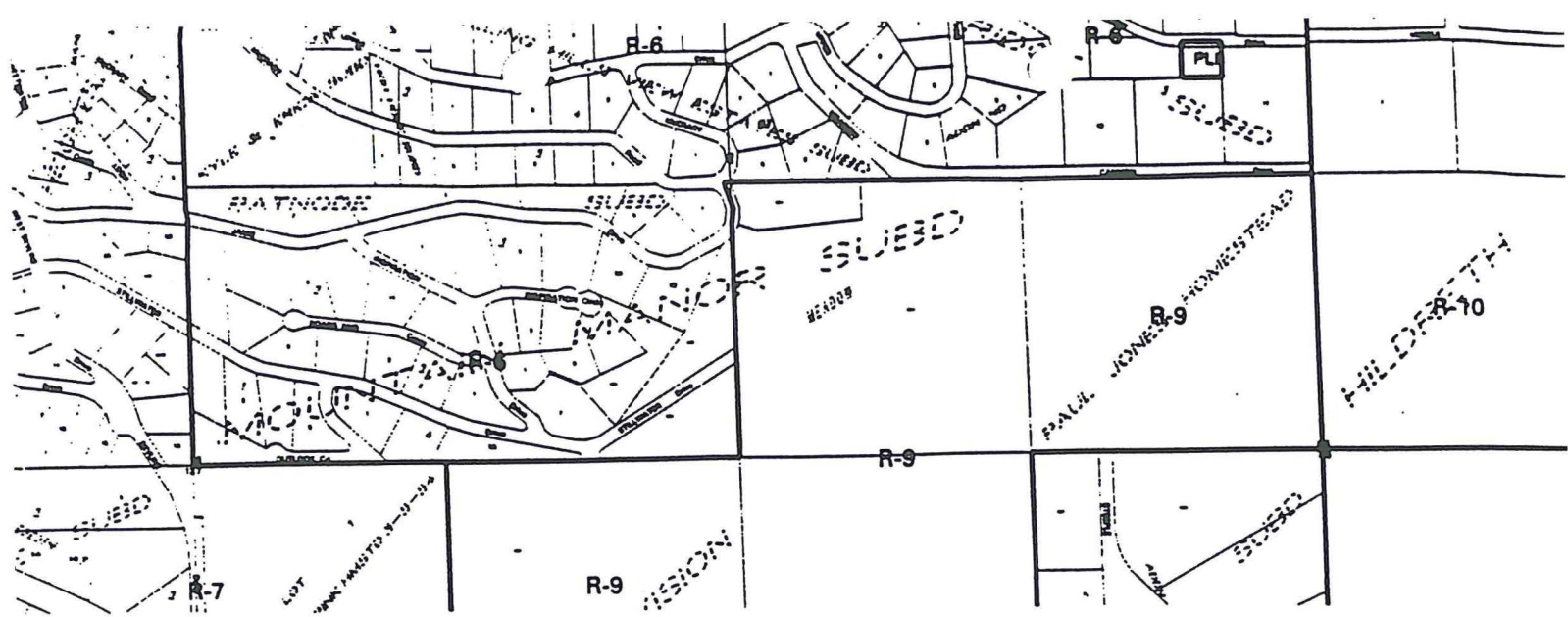
SCALE: 1" = 1 MILE

DATE: MAY 1998

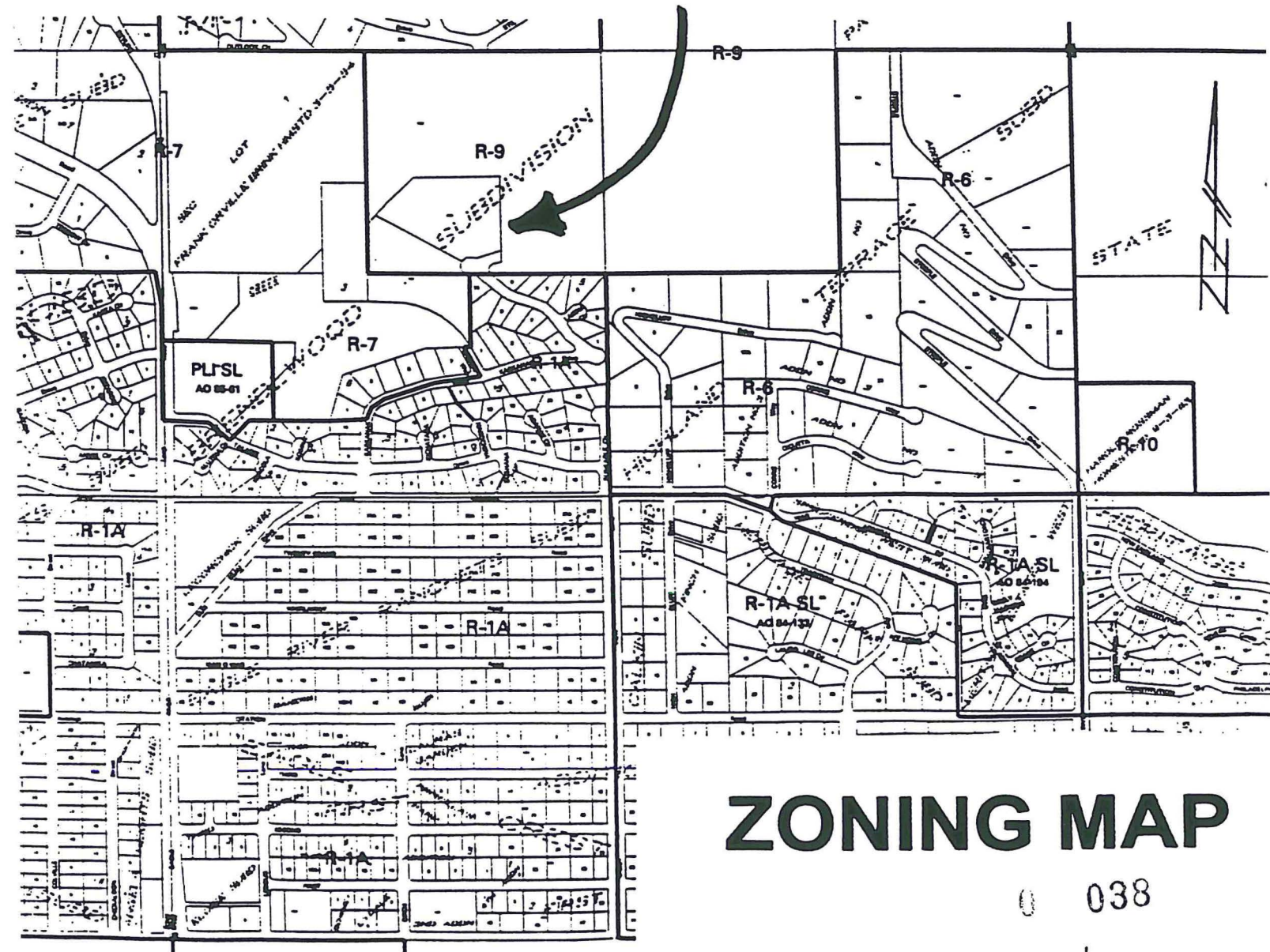
DWG NO. : BWO5-ZA

S- _____

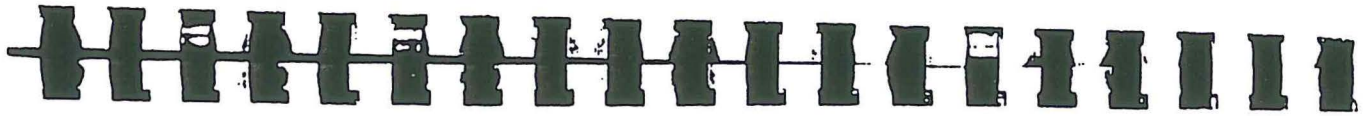
GRID: NW 154



THIS PLAT

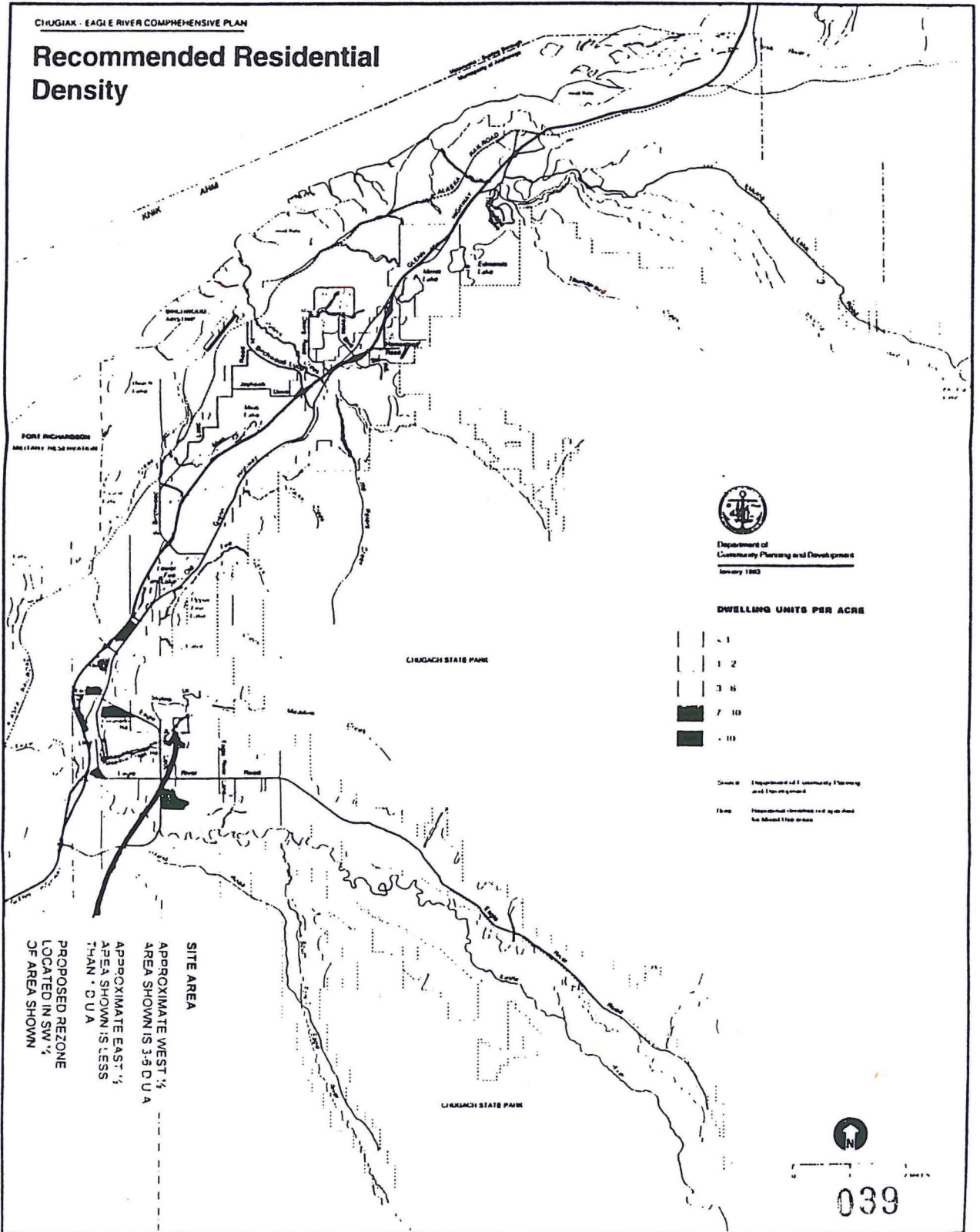


ZONING MAP



CHUGIAK - EAGLE RIVER COMPREHENSIVE PLAN

Recommended Residential Density



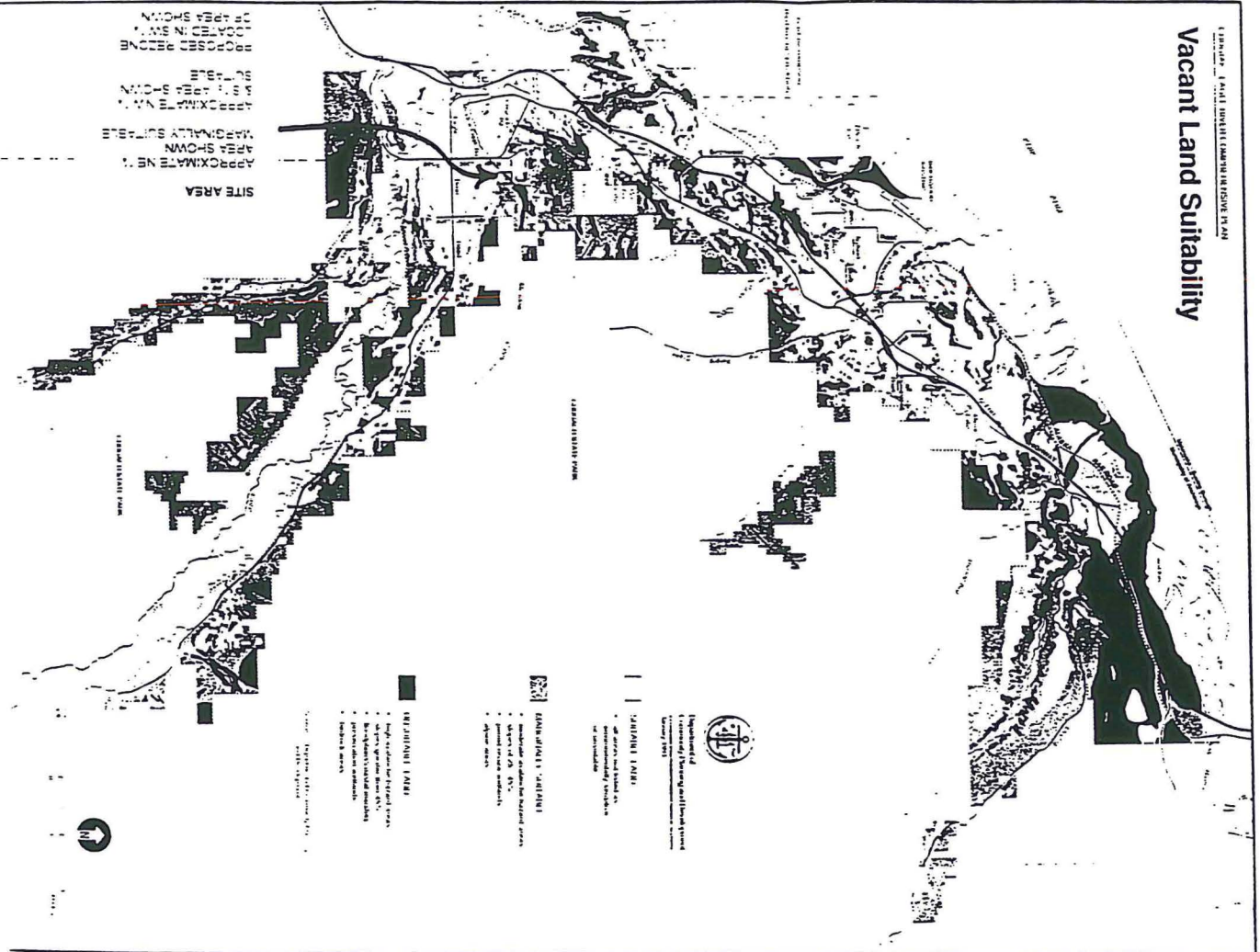
0 1/4 1/2 3/4 1 MILE

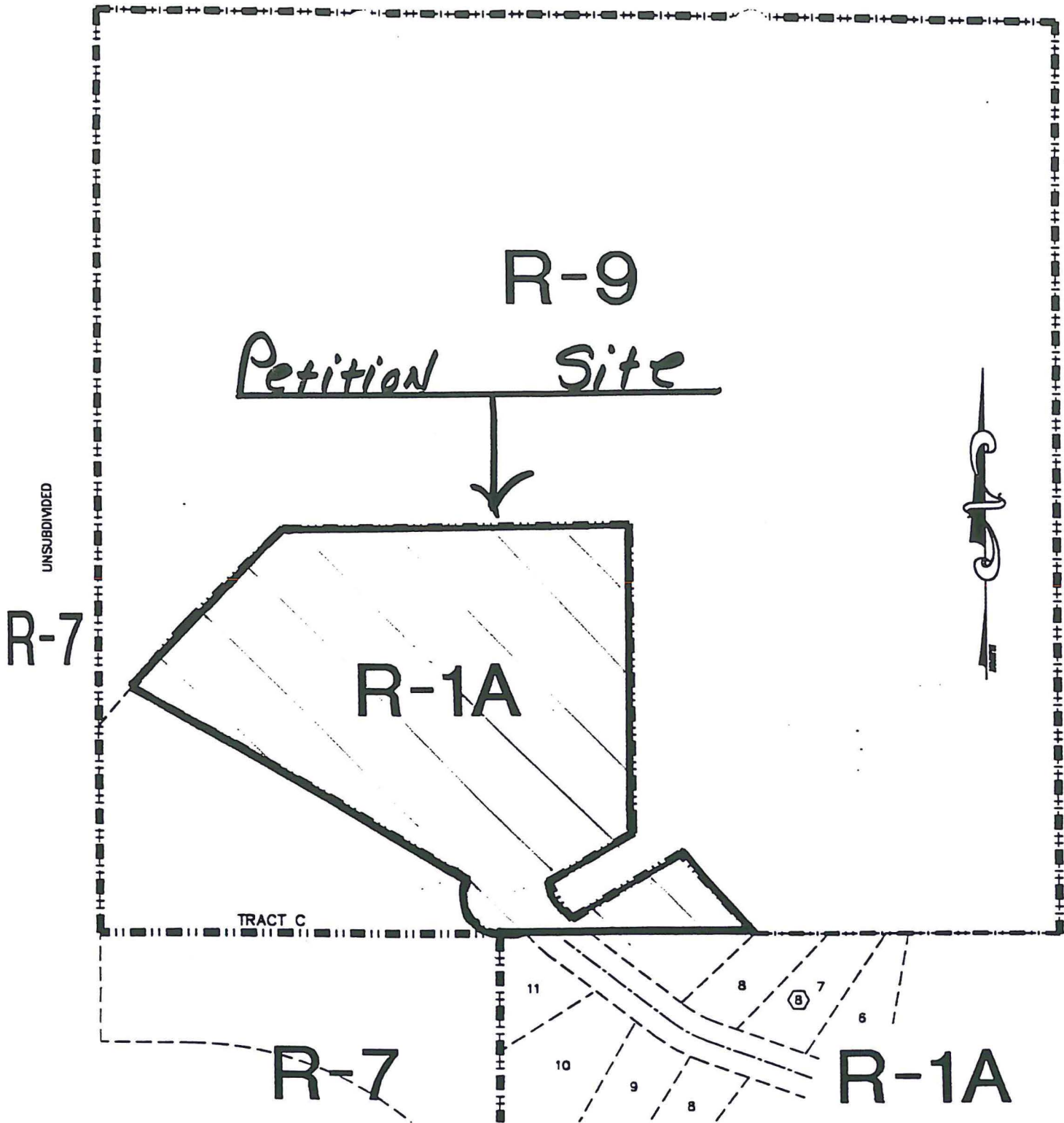
039

VACANT LAND SUITABILITY

LAND USE PLAN, SOUTH COAST RAIN FOREST RESERVE

Vacant Land Suitability





PROPOSED ZONING

98-114



PROFESSIONAL AND TECHNICAL SERVICES, INC.
 CONSULTING-PLANNING-ENGINEERING-LAND SURVEYING
 405 THIRD CENTER DR., SUITE 102, ANCHORAGE, ALASKA 99501 (907) 562-6227

BRENDLWOOD SUBDIVISION

LOTS 10-23, BLOCK 8 AND TRACTS D-1, E-1

DRAWN: BB	FB: BWO5-OI	SHEET 3 OF 6	SCALE: 1" = 200'
DATE: MAY 1998	DWG NO.: BWO5-ZA	S- _____	GRID: NW 154

R-9

TRACT E

UNSUBDIVDED

UNSUBDIVDED

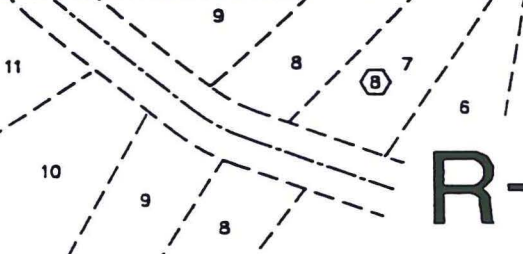
R-7

TRACT D



TRACT C

R-7



R-1A

EXISTING ZONING

98-114



PROFESSIONAL AND TECHNICAL SERVICES, INC.
CONSULTING-PLANNING-ENGINEERING-LAND SURVEYING
485 TERRY CENTER DR., SUITE 100, JACKSONVILLE, ALABAMA 36201 (907) 562-0227

BRENDLWOOD SUBDIVISION

LOTS 10-23, BLOCK 8 AND TRACTS D-1, E-1

DRAWN: BB

FB: BW05-01

SHEET 2 OF 6

SCALE: 1" = 200'

DATE: MAY 1998

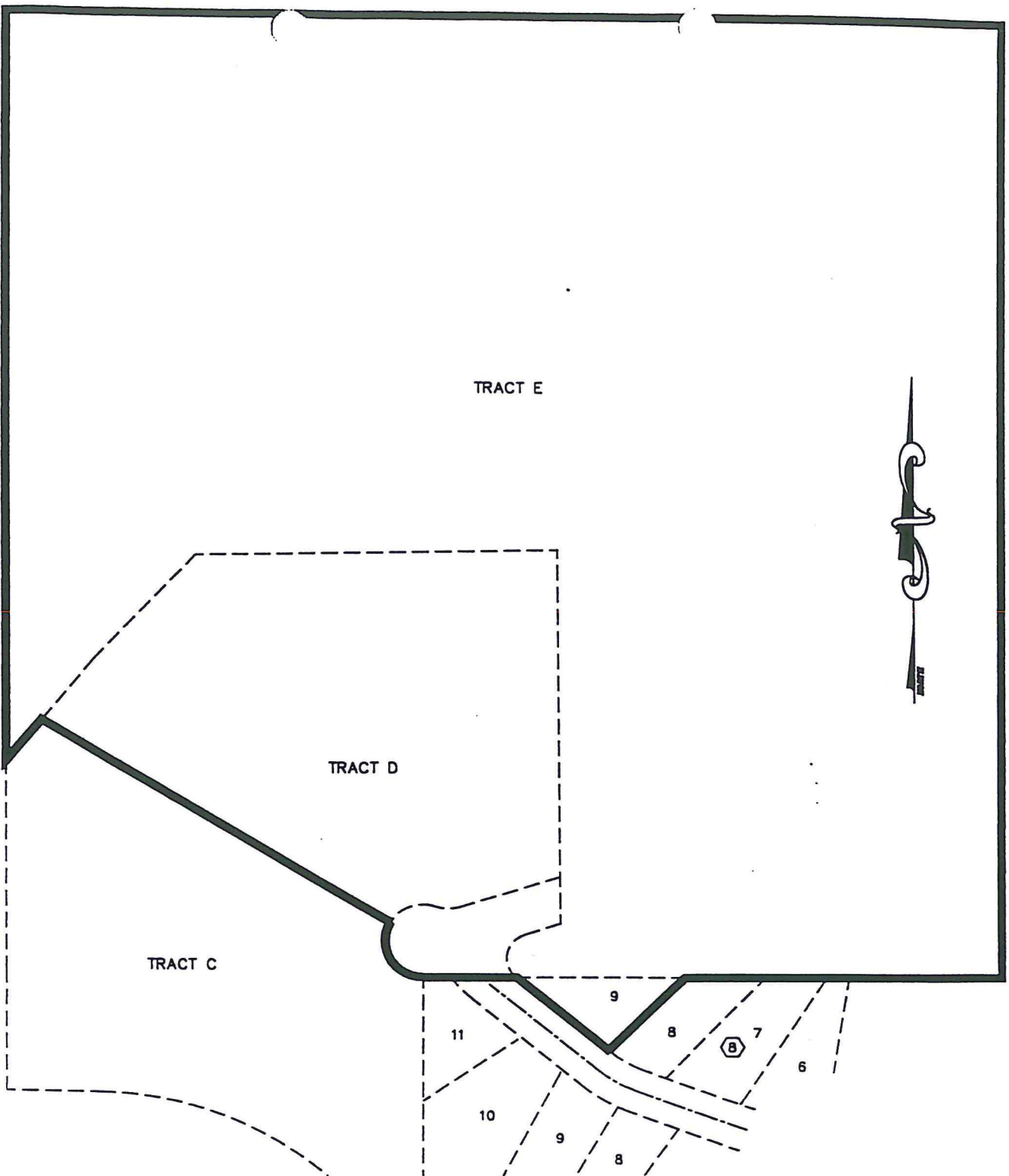
DWG NO.: BW05-ZA

S- _____

GRID: NW 154

UNSUBDIVIDED

UNSUBDIVIDED



EXISTING LOTS AND TRACTS



PROFESSIONAL AND TECHNICAL SERVICES, INC.
 CONSULTING-PLANNING-ENGINEERING-LAND SURVEYING
 485 TUDOR CENTER DR., SUITE 101, ALEXANDRIA, ALABAMA 36001 (205) 501-0237

BRENDLWOOD SUBDIVISION
 LOTS 10-23, BLOCK 8 AND TRACTS D-1, E-1

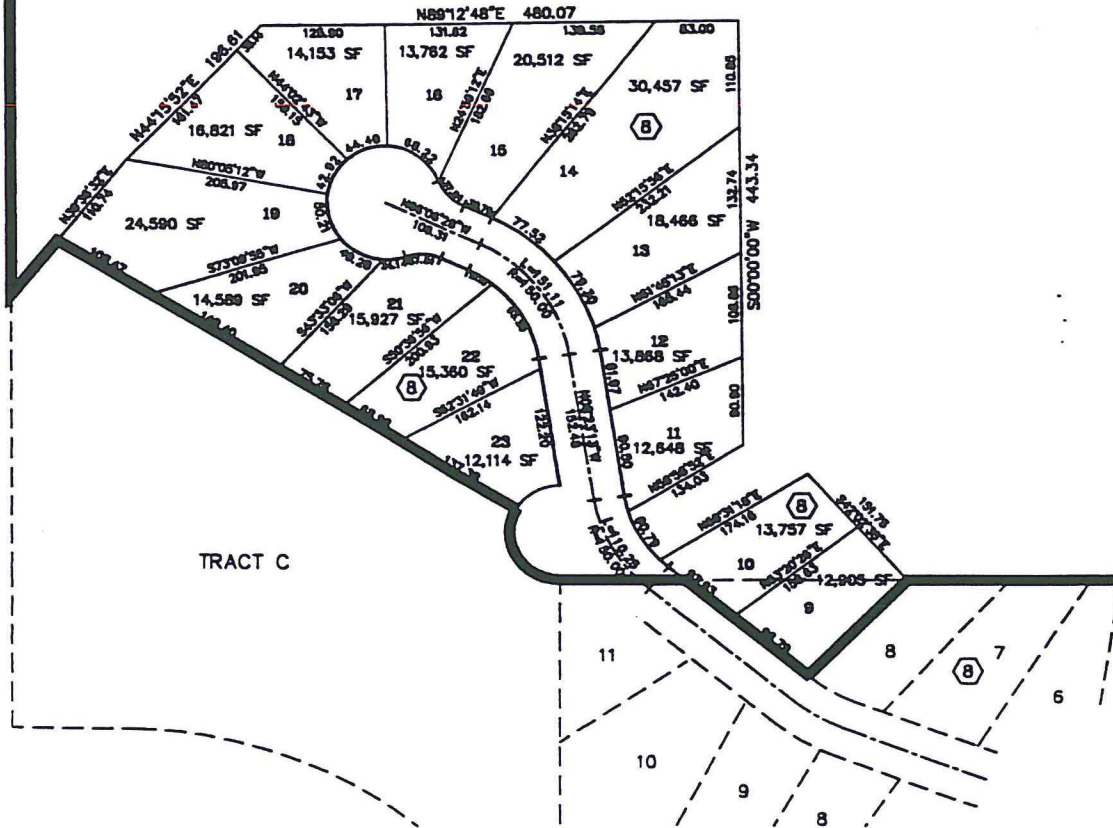
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DATE: MAY 1998	DWG NO.: BW05-ZA	S- _____	GRID: NW 154

TRACT E-1
1,347,602 SF



UNSUBDIVIDED

UNSUBDIVIDED



PROPOSED LOTS AND TRACTS

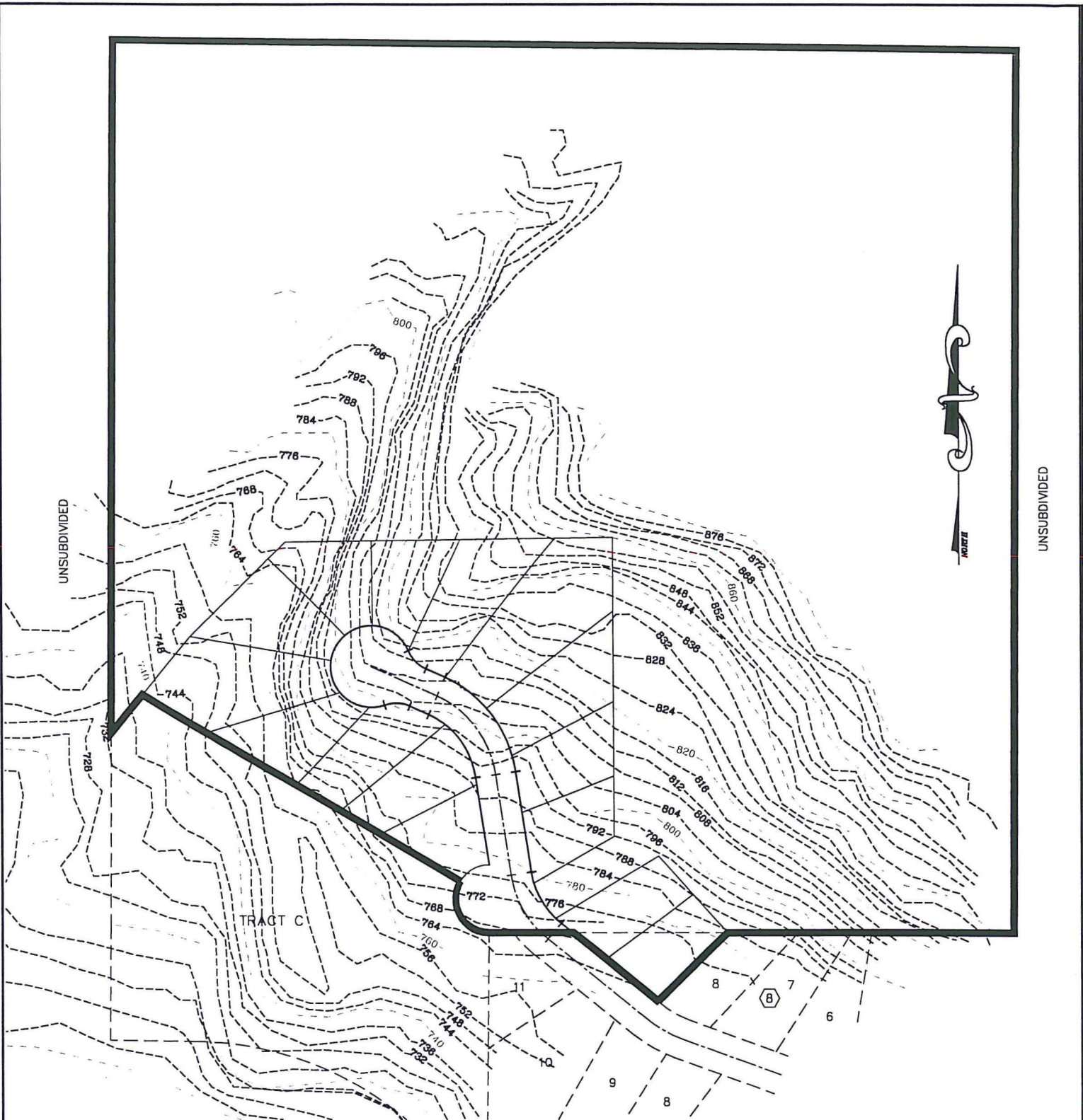


PROFESSIONAL AND TECHNICAL SERVICES, INC.
CONSULTING-PLANNING-ENGINEERING-LAND SURVEYING
466 TUGBO CENTER DR., SUITE 102, ANCHORAGE, ALASKA 99503 (907) 541-6237

BRENDLWOOD SUBDIVISION

LOTS 10-23, BLOCK 8 AND TRACTS D-1, E-1

DRAWN: BB	FB: BWO5-OI	SHEET 5 OF 6	SCALE: 1" = 200'
DATE: MAY 1998	DWG NO.: BWO5-ZA	S- _____	GRID: NW 154



EXISTING CONTOURS



PROFESSIONAL AND TECHNICAL SERVICES, INC.
 CONSULTING-PLANNING-ENGINEERING-LAND SURVEYING
 4155 TUDOR CENTRE DR., SUITE 103, ANCHORAGE, ALASKA 99508 (907) 561-8237

BRENDLWOOD SUBDIVISION

LOTS 10-23, BLOCK 8 AND TRACTS D-1, E-1

045

DRAWN: BB

FB: BWO5-OI

SHEET 6 OF 6

SCALE: 1" = 200'

DATE: MAY 1998

DWG NO.: BWO5-ZA

S- _____

GRID: NW 154

4

Affidavit of Notice Posting

046

5

Historical Information

047

History of Zoning Actions in Vicinity

Case No	Petition For	Legal or Project Name	Petitioner	Curr't Zone	Acres	A		A	
						P&Z C Hearing T	Assembly C Hearing T	P&Z C Hearing T	Assembly C Hearing T
94102	COND USE	BRENDLWOOD, BK 6, LOT 7	Webb		0.54	Aug 1 94	A		C
	COND USE				0.54				
85005	PLISL	BRENDLWOOD TR A-3	BRAENDEL, ARTHUR +ELEANOR	R-7	6.00	Jan14 85	A	May14 85	A
	PLISL				6.00				
820262P	R-1A	T14N R1W SEC 7 S/2	BRANDEL	R-6	73.75	Mar12 82	A	Jun22 82	A
	R-1A				73.75				
820262P1	R-7	T14N R1W SEC 7 / EAGLE RIVER	BRANDEL	R-1A	30.24	Sep27 82	D	Apr25 83	A
	R-7				30.24				
98114	REZONE	BRENDLWOOD, TRACTS D & PTN. OF	Quinn Construction		5.83	Jul 6 98			
	REZONE				5.83				
86047 ZB	V PARKING	BRENDLWOOD TR A	AWU	R-7	0.00	Apr10 86	A		V
	V PARKING				0.00				
					116.36				

APPROVED
Date 6-22-82

Submitted by: Chairman of the Assembly *gs*
At the Request of
the Mayor
Prepared by: Planning Department
For Reading: June 1, 1982

Anchorage, Alaska
AO No. 82-78

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING FROM R-6 (SUBURBAN RESIDENTIAL DISTRICT LARGE LOT) AND R-7 (INTERMEDIATE RURAL RESIDENTIAL DISTRICT) TO R-1A (SINGLE FAMILY RESIDENTIAL DISTRICT LARGE LOT) FOR THE SE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SECTION 7 AND BLM LOT 2 OF SECTION 7, EXCEPT THE EAST 247 FEET OF THE NORTH 165 FEET OF SECTION LOT 2, ALL IN T14N, R1W, S.M. (EAGLE RIVER AND EAGLE RIVER VALLEY COMMUNITY COUNCILS).

THE ANCHORAGE ASSEMBLY ORDAINS:

SECTION 1. The zoning map be amended by designating the following described property as an R-1A (Single Family Residential District Large Lot) zone:

The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, and BLM Section Lot 2 of Section 7, except the east 247 feet of the north 165 feet of the Section Lot 2, all in T14N, R1W, S.M.

SECTION 2. The Director of Community Planning is hereby directed to change the zoning map accordingly.

PASSED AND APPROVED by the Anchorage Assembly this
22nd day of June, 1982.

Don Smith

Chairman

ATTEST:

Ruby E. Smith

(ZP82-26)

049

Am 596-82



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

AM 596-82

No. _____

Meeting Date: June 1, 1982

From: Mayor
Subject: Ordinance AO No. 82- 78 Rezoning from R-6 and R-7 to R-1A located west of Eagle River Loop Road at Meadow Creek.

This rezoning request comes to the Municipal Assembly with a recommendation of approval from the Planning and Zoning Commission.

The administration concurs with the Commission's recommendation. The rezoning conforms to the Comprehensive Plan and the area is served by public sewer and water.

Prepared by:



Michael J. Meehan
Director of Community Planning

Respectfully submitted,



Tony Knowles
Mayor

(ZP82-26)

2

050

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 31-82

A RESOLUTION APPROVING THE REZONING FROM R-6 (SUBURBAN RESIDENTIAL DISTRICT LARGE LOT) AND R-7 (INTERMEDIATE RURAL RESIDENTIAL DISTRICT) TO R-1A (SINGLE FAMILY RESIDENTIAL LARGE LOT) FOR THE SE¹/₄ OF THE NW¹/₄ OF SECTION 7 AND BLM SECTION LOT 2 OF SECTION 7, EXCEPT THE EAST 247 FEET OF THE NORTH 165 FEET OF SECTION LOT 2, ALL IN T14N, R1W, S.M., GENERALLY LOCATED WEST OF EAGLE RIVER LOOP ROAD AT MEADOW CREEK.

WHEREAS, a petition has been received from Arthur and Eleanor Braendel, for rezoning from R-6 and R-7 (Rural and Intermediate Rural Residential Districts) to R-1A (Single Family Residential Large Lot) for the SE¹/₄ of the NW¹/₄ of Section 7 and BLM Section Lot 2 of Section 7, except the east 247 feet of the north 165 feet of Section Lot 2, all in T14N, R1W, S.M., generally located west of Eagle River Loop Road at Meadow Creek containing 73.75 acres, and

WHEREAS, notices were published, posted and mailed and a Public Hearing was held, and

WHEREAS, the increased need for residential lots served by public sewer and water fill a need for Eagle River area, and

WHEREAS, development of this property will require consideration of slopes, drainage, creek easements, creek crossing, and erosion control but will all be dealt with at the time of a plat, and

WHEREAS, there is no immediately adjacent vacant R-1A land that is accessible with public utilities, and

WHEREAS, the request complies with the densities of the Comprehensive Plan and is supported by the zoning requirements of public services.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Planning and Zoning Commission that the Commission recommend to the Municipal Assembly that the rezoning from R-6 and R-7 to R-1A on the above described property be approved.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission this 12th day of March, 1982.

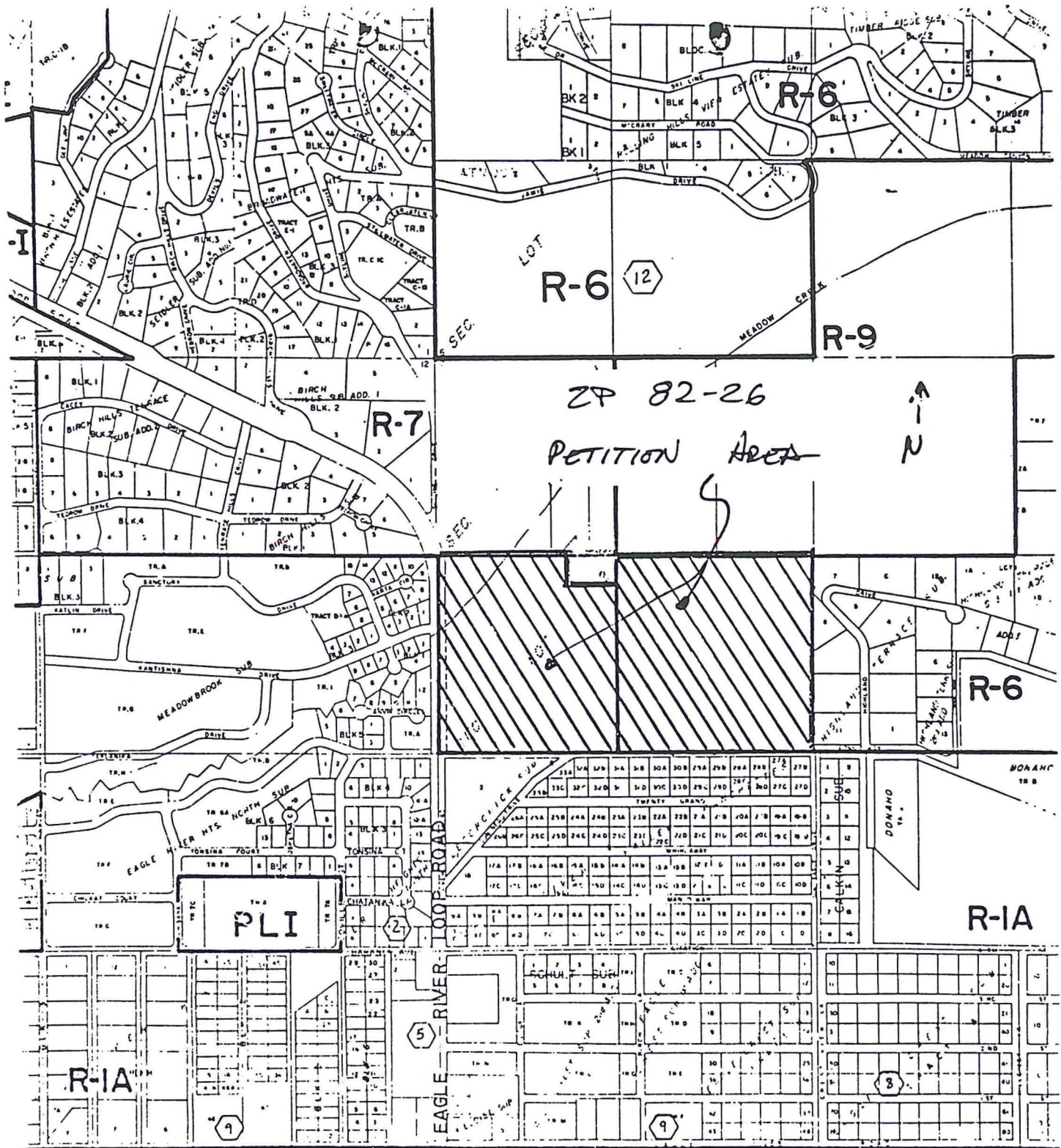

Michael J. Mehan
Secretary


Kenneth Cannon
Chairman

JS/mm

(ZP82-26)

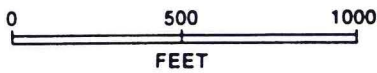
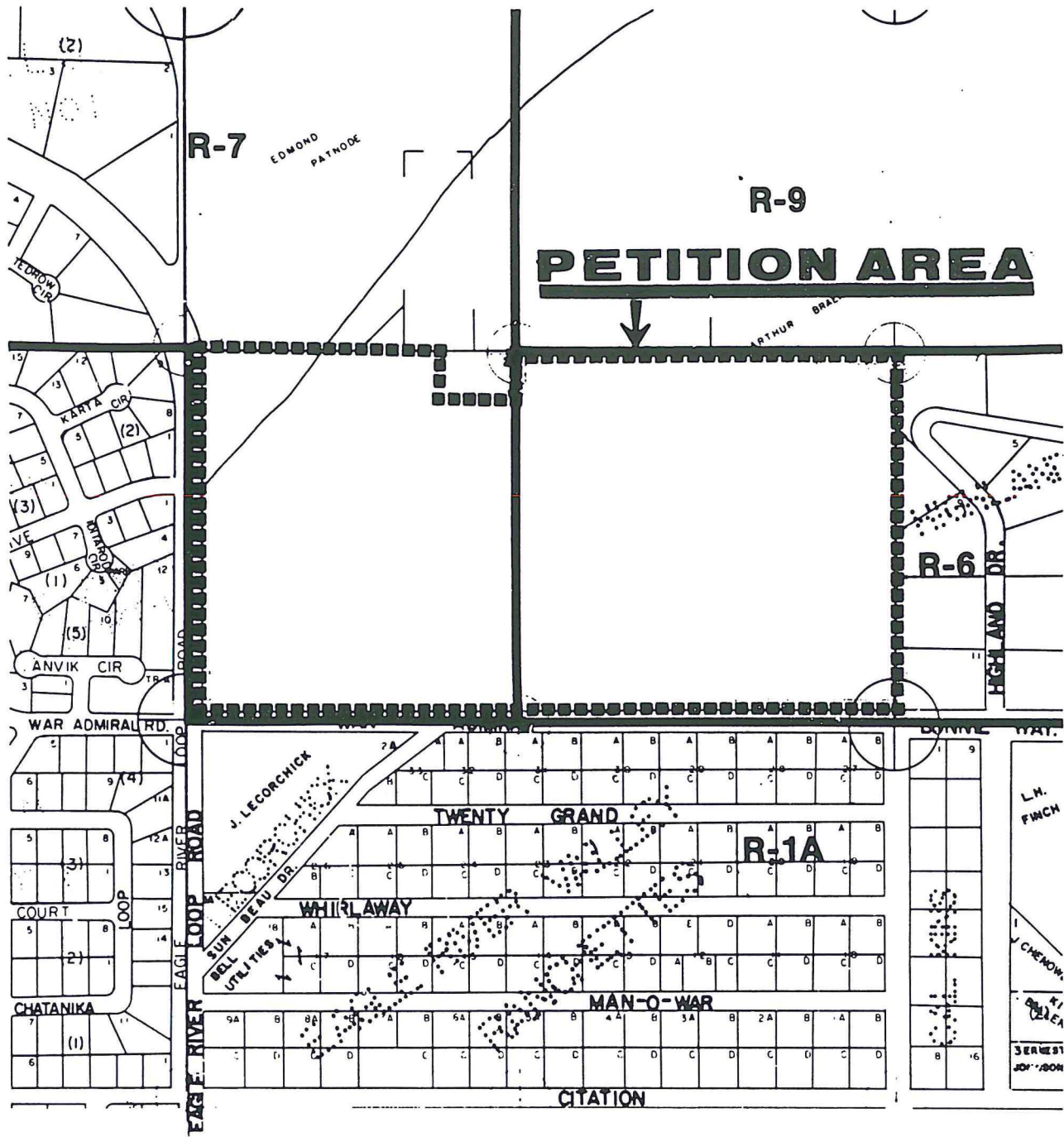
051

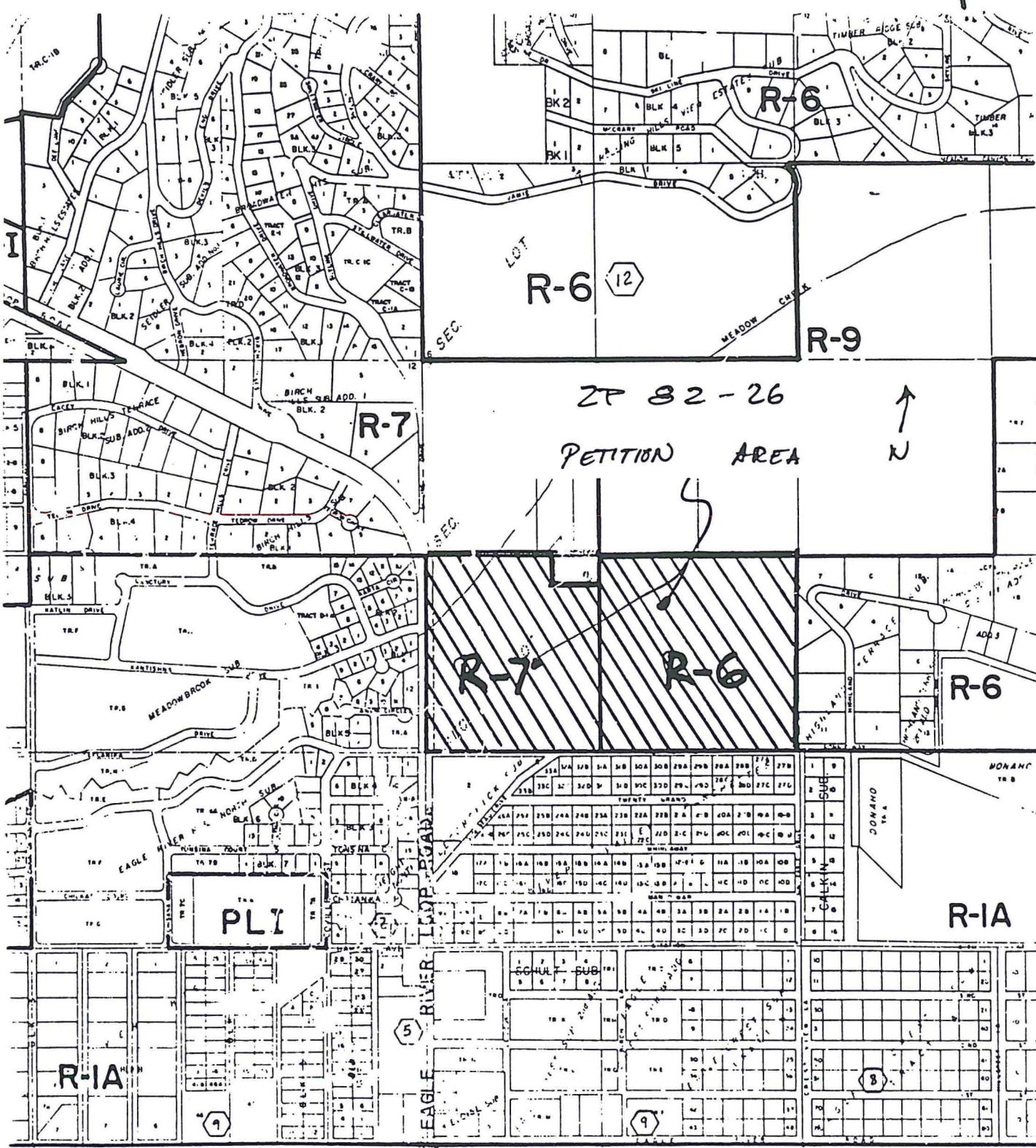


EAGLE RIVER ROAD

ZP 82-26

REZONING





R-6 12

R-9

R-7

ZF 82-26

PETITION AREA



R-7

R-6

R-6

PLI

R-1A

R-1A

EAGLE RIVER ROAD

8. ZP82-26

Arthur and Eleanor
Braendel. Rezone from
R-6 and R-7 to R-1A.

Staff presentation by MIKE MILLS. Staff recommended approval subject to 4 conditions, acknowledging a number of sensitive issues which must be resolved with the subdivision of this property. The Staff extended the rezoning to encompass lot lines.

The public hearing was opened.

ERIC JOHNSON, the developer, stated that the northern half of the property is to be retained by the owner as a buffer. The area has water and sewer available.

CHUCK DOWRICK, Eagle River Community Council, spoke in support and submitted a letter therewith.

EDNA ROSS, area resident, stated she felt the rezoning is premature at this point. The area to the south lies in the Eagle River Valley Community Council. These people are concerned with a change in lifestyle. This development would also increase the chance of flooding of Meadow Creek. MS. ROSS spoke to the water and sewer utility and they told her there were no plans to extend sewerage for 3 to 4 years. MS. ROSS requested a special limitation stating "no lot be developed until sewer can be connected."

The public hearing was closed.

COMMISSIONER IDEN moved approval of the rezoning.

COMMISSIONER WARKENTIN seconded.

COMMISSIONER IDEN stated that the need for this development is evident and the area is close to roads, close to the business district, and the developmet would be in conformance with the Comprehensive Plan.

Case No. ZP82-26	<u>Aye</u>	<u>Nay</u>
Jones	X	
Vlahovich	X	
Warkentin	X	
Cannon	X	
Lester	X	
Meehan	X	
Iden	X	

APPROVED

#8

PLANNING STAFF ANALYSIS

DATE: March 12, 1982

CASE NO.: ZP 82-26

APPLICANT: Arthur and Eleanor Braendel

REQUEST: Rezoning to R-1A

LOCATION: West of Eagle River Loop Road at Meadow Creek

ATTACHMENTS: 1. Zoning & Location Map
2. Application
3. Departmental comments

RECOMMENDATION-SUMMARY:

Though there are a number of sensitive issues which must be resolved with the subdivision of this property, the staff recommends approval based on the following findings:

1. A continuing public need.
2. Positive effects of the rezoning.
3. There is not a substantial amount of R-1A zoned property in the area with public sewer and water available.
4. The rezoning conforms to the Comprehensive Plan.

SITE: Acres: 73.75 Vegetation: Mostly wooded

Zoning: R-6 and R-7 Topography: Minor to moderate slopes

Existing Use: Undeveloped Soils: Requires public water & sewer

Comprehensive Plan:

Classification: Residential (NE Corner-slope affected)
Density: 3 to 9 DUA (NE Corner-.8 to 2 DUA)

APPLICABLE LAND USE REGULATIONS:

	<u>Current Zoning</u>		<u>Proposed Zoning</u>
zoning district	R-6	R-7	R-1A
height limitation	Unrestricted	35 feet	25 feet
minimum lot size	54,450 s.f.	20,000 s.f.	8,400 s.f.
lot coverage	30%	30%	30%
density/acre	.8 DUA	2.2 DUA	5.2 DUA
max. units/site (Hypothetical)	59 units	160 units	382 units

SURROUNDING AREA:

	(North)	(East)	(South)	(West)
Zoning:	R-7/R-9	R-6	R-1A	R-1A
Land Use:	mostly vacant, some residential	single- family/ residential	single- family/ residential	single- family/ residential

ANALYSIS:

Public Need and Justification

There is a public need for residential lots in the Eagle River area. With the extension of public sewer and water, this area can support the smaller, more affordable, building sites. Areas to the north and east may provide larger lots for development due to their steeper slopes. Though the northeast corner of the site contains slopes which exceed 20%, the majority of the site is suitable for R-1A zoning with public services. Current property lines would support rezoning the entire petition property to R-1A. Special consideration should be given to increasing lot sizes in the steeper area during the platting process.

Effect on Property and Surrounding Property

The development of this property must take into consideration, public services, slopes, drainage systems, creek easements and crossings, circulation, and erosion control. If these items are properly addressed through the platting process, effects from the urban development can be minimized. A plat will be necessary prior to development, therefore the Platting Board will have the responsibility for requiring improvements. Special limitations on the zoning will not be necessary.

The zoning would substantially increase the density of this property. It would be similar to the developments to the south and east. Eagle River Loop Road is capable of handling the increased traffic which would result from the development.

Vacant Proposed Zoning in the Area

There is a large amount of R-1A zoned property in the Eagle River area, but much of the undeveloped portions do not have public sewer and water available. The R-1A zoning district will continue to be one of the most desired in the Eagle River area as the population and the cost of housing continues to rise.

Relationship to Comprehensive Plan and Zoning Ordinance

The requested zoning complies with the Comprehensive Plan designation of residential and the majority of the site has a density designation of 3 to 9 dwelling units per acre. All but the northeast corner of the petition area conforms with the Comprehensive Plan which is acceptable due to the difficulty in making property lines and zoning boundaries conform to natural contours. The northeast corner, which is shown as slope affected, may be required by the Platting Board to have larger than the minimum R-1A sized lots due to slopes.

The development of this property as R-1A provides an efficient extension of public services. If left as R-6 and R-7, R-1A development would have to be located further away. This would result in higher costs for public services. The request would provide an increase in density with a minimal amount of impacts on existing residential areas.

RECOMMENDATION:

Staff recognizes the number of sensitive issues which are associated with the development of this site and will make recommendations to the Platting Board to ensure that all necessary improvements and design considerations are implemented. Staff recommends approval based on the following findings:

1. A continued public need for R-1A zoned property in the area.
2. The addition of R-1A zoned property with public sewer and water is beneficial to the area and with proper development will not have substantial negative effects.
3. Though there is undeveloped R-1A zoned property in the area, most does not have public sewer and water available.
4. The rezoning conforms to the Comprehensive Plan.

APPROVED
Date: 4-26-83

Submitted by: Chairman of the Assembly
At the Request of
the Mayor
Prepared by: Department of Community Planning
For Reading: December 7, 1982

Anchorage, Alaska
AO No. 82- 213

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE REZONING FROM R-1A (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO R-7 (INTERMEDIATE RURAL RESIDENTIAL DISTRICT) FOR 30.24 ACRES LOCATED IN THE NW1/4 OF SECTION 7, T14N, R1W, S.M. (EAGLE RIVER AND EAGLE RIVER VALLEY COMMUNITY COUNCIL).

THE ANCHORAGE ASSEMBLY ORDAINS:

SECTION 1. The zoning map be amended by designating the following described property as an R-7 (Intermediate Rural Residential District) zone:

Beginning at the west 1/4 corner of Section 7, T14N, T1W, S.M., Alaska, go east a distance of 50.0 feet to a point, thence go north parallel to Eagle River Loop road a distance of 450.0 feet to the "Point-of-Beginning" of this description, thence go north parallel to Eagle River Loop Road a distance of 871.3 feet to a point thence go S89°58'09"E a distance of 870.9 3 feet to a point, thence go south a distance of 165.0 feet to a point, thence go S89°58'09"E a distance of 247.0 feet to a point, thence go north a distance of 165.0 feet to a point, thence go S89°58'09"E a distance of 555.0 feet to a point, thence go south a distance of 585.0 feet to a point, thence go S71°34'21"W a distance of 541.4 feet to a point, thence go S38°W a distance of 145.0 feet to a point, thence go west a distance of 635.0 feet to a point, thence go S43°45'W a distance of 131.39 feet to a point, thence go N46°15'W a distance of 137.25 feet to a point, thence go west a distance of 245.0 feet to the "Point-of-Beginning" and the "Point-of-Ending of this description.

SECTION 2. The Community Planning Director is hereby directed to change the zoning map accordingly.

AI m 30-83
A m 1339-82

Page 2

SECTION 3. This ordinance becomes effective 10 days after approval.

PASSED AND APPROVED by the Anchorage Assembly this 26th day of April, 1983.


Chairman

ATTEST:


Municipal Clerk

js3/no5

(ZP 82-26A)

061



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AIM 30-83

Meeting Date: March 15, 1983

From: Mayor


Subject: Ordinance AO No. 82-213

Rezoning from R-1A to R-7
east of Eagle River Loop
at Meadow Creek.

This ordinance was postponed by the Assembly for a period of 60 days or until the Brandlwood plat (S-6659) had been approved. The Administration can now report that the Brandlwood plat has been given preliminary plat approval by the Platting Board and that approval coincides with the zoning boundaries as depicted in Ordinance 82-213. However, there has been an appeal filed by a neighboring property owner. The appeal concerns a portion of the plat outside of the area to be rezoned, but if the appeal is granted it could result in a substantial redesign of the subdivision. The appeal should reach the Board of Adjustment for consideration in late April. If the Assembly still believes that it is essential that the zoning boundary line not be set until the plat approval is confirmed, the Assembly may wish to postpone further action on this matter until after the Board of Adjustment has rendered a decision on the appeal.

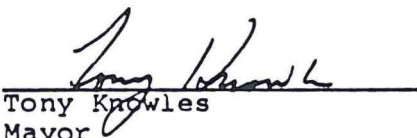
Concurred by:

Prepared by:


Barbara Steckel
Municipal Manager


Bruce G. Phelps
Director of Community Planning
(Acting)

Respectfully submitted,


Tony Knowles
Mayor

da3/eam5



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 1339-82

Meeting Date: December 7, 1982


From: Mayor

Subject: Ordinance AO No. 82- 213 Rezoning from R-1A to R-7
east of Eagle River Loop
at Meadow Creek.

This rezoning comes to the Municipal Assembly with a recommendation of denial from the Planning and Zoning Commission.


Concurred by:

Prepared by:


Barbara Steckel
Municipal Manager


Michael J. Meehan
Director of Community Planning

Respectfully submitted,


Tony Knowles
Mayor

js3/eam6

(ZP 82-26A)

0 063

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 119-82

A RESOLUTION DENYING THE REZONING FROM R-1A (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO R-7 (INTERMEDIATE RURAL DISTRICT) FOR THE NW $\frac{1}{4}$ OF SECTION 7, T14N, R1W, S.M., GENERALLY LOCATED EAST OF THE EAGLE RIVER LOOP ROAD BETWEEN SKYLINE DRIVE INTERSECTION AND MEADOW CREEK DRIVE EXTENDED.

WHEREAS, a request has been received from Arthur and Eleanor Braendel for rezoning from R-1A (Single-Family Residential District) to R-7 (Intermediate Rural Residential District) for 30.24 acres east of Eagle River Loop Road at Meadow Creek, and

WHEREAS, notices were published, posted and mailed and a Public Hearing was held, and

WHEREAS, the property was recently rezoned to R-1A and there is no need or justification to rezone to R-7, and

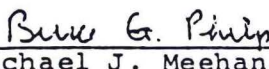
WHEREAS, the environmental effects on the property and surrounding property will be dealt with at the time it is platted, and

WHEREAS, there is vacant and underdeveloped R-7 in the Eagle River area, and


WHEREAS, the existing R-1A complies with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Planning and Zoning Commission that the request for rezoning from R-1A to R-7 on the above described property be denied.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission this 27th day of September, 1982.



Michael J. Meehan
Secretary



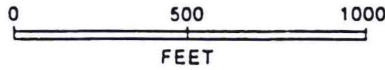
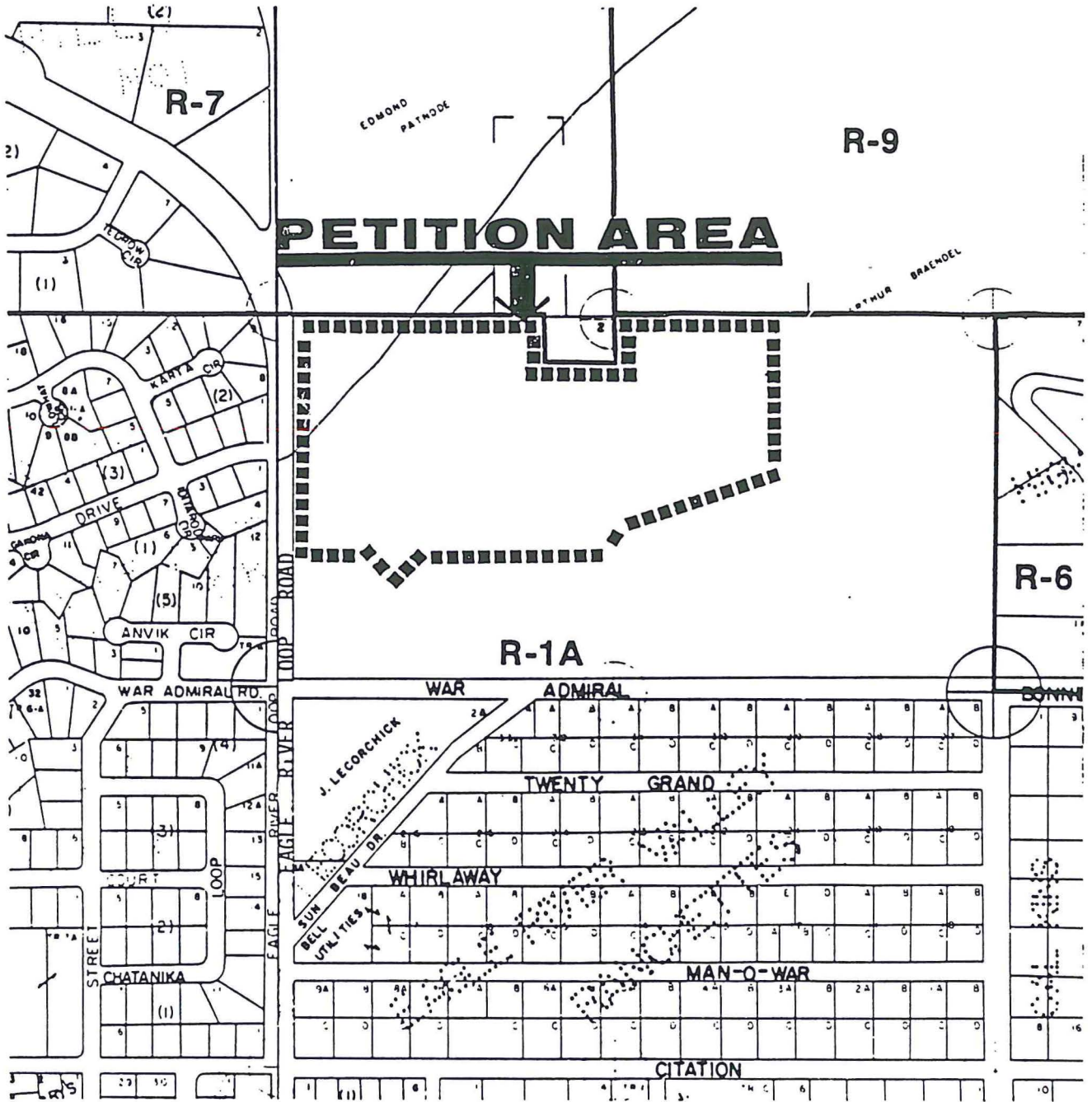
Kenneth Cannon
Chairman

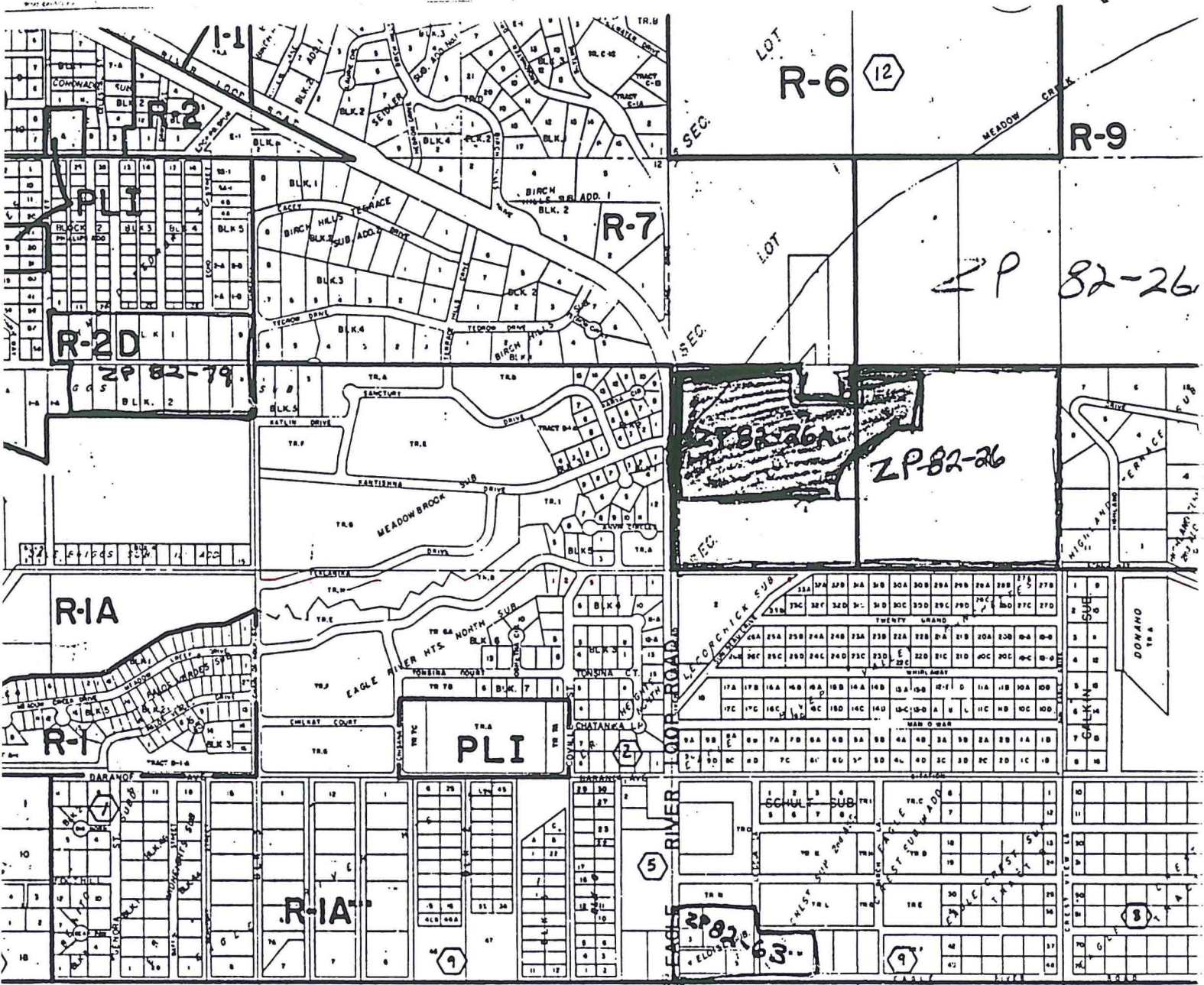
js3/nr6

(ZP 82-26A)

ZP 82-26 A

REZONING





EAGLE RIVER ROAD

MUNICIPAL PLANNING AND ZONING COMMISSION
Assembly Chambers
3500 E. Tudor Road
Anchorage, Alaska

September 27, 1982

1. ROLL CALL

<u>Present</u>	Roger McShea Toni Jones Nelda Warkentin Kenneth Cannon, Chairman Lorrie Kincaid Lois Lester William Meehan Alicia Iden	<u>Excused</u>	Cary Vlahovich
<u>Staff</u>	Joe Stimson Don Alspach Sherry Willette Susan Redwood		

2. NEW BUSINESS

A. Public Hearings

1. ZP82-26A Arthur W. and Eleanor K. Braendel. Rezone from R-1A to R-7. Generally located east of Eagle River Loop Road between Skyline Drive intersection and Meadow Creek Drive extended.

Staff presentation by JOE STIMSON. This property has recently been rezoned from R-7 to R-1A. Staff supported that rezoning as there was public need and justification. The petitioners are requesting that a portion of that rezoned property be zoned back to R-7 and Staff is recommending denial. Staff also noted environmental considerations such as creek maintenance.

The public hearing was opened.

ELEANOR BRAENDEL, petitioner, stated that when she and her husband petitioned their property to be rezoned to R-1A they were unsure of their plans for subdivision. At this time they wish to rezone this portion of their property, on which their home sits, to R-7. General reasons for requesting the rezoning are the setback requirements for animals other than dogs (horses specifically) being less in the R-7. MRS. BRAENDEL stated that no one would be harmed by returning this land to R-7.

The public hearing was closed.

COMMISSIONER LESTER moved approval of the rezoning to R-7.

COMMISSIONER MEEHAN seconded.

COMMISSIONER LESTER stated her intent was to vote against the motion in that there was no public need or justification and there is a need for residential lots available in an R-1A zoning in this area. She also expressed concern regarding drainage in the area.

COMMISSIONER KINCAID stated that this rezoning would serve a private and not public need and while the petitioners own this property they can do with it what they please.

COMMISSIONER WARKENTIN stated her non-support as she felt circumstances had not changed and the R-1A zoning was closer to compliance with the Eagle River Comprehensive Plan. She stated that horses could be provided for if desired, by larger lot sizes.

COMMISSIONER IDEN stated that she still felt R-1A was a better zoning for this property.

COMMISSIONER MEEHAN stated that he felt the only difference occurring from the rezoning would be a lesser setback requirement with regard to keeping horses.

	<u>Aye</u>	<u>Nay</u>	
McShea	X		
Jones		X	
Warkentin		X	
Cannon		X	
Kincaid		X	
Lester		X	
Meehan	X		
Iden		X	DENIED

CHAIRMAN CANNON announced the petitioners had appeal rights within 20 days at the Municipal Clerk's office.

2. ZP82-103 Dept. of Transportation & Public Facilities. Rezone from U, PLI and I-1 to PLI and I-1SL. Anchorage International Airport.

Staff presentation by DON ALSPACH. This rezoning involves airport property owned by the State. The rezoning would bring the property into conformance with the already approved Airport Master Plan.

PLANNING STAFF ANALYSIS

DATE: September 16, 1982

CASE NO.: ZP 82-26A

APPLICANT: Arthur and Eleanor Braendel

REQUEST: Rezoning from R-1A to R-7

LOCATION: West of Eagle River Loop Road at Meadow Creek

ATTACHMENTS:

1. Application
2. Zoning and Location Map
3. Departmental Comments
4. ZP 82-26A Staff Analysis Planning Commission Minutes and Resolution

RECOMMENDATION-SUMMARY:

As there was sufficient public need and justification to approve rezoning the parcel which includes this property to R-1A, the staff recommends denial of this request. The staff is cognizant, however, that approval of the request might result in increased sensitivity to quality of life values and creation of a buffer zone.

SITE: Acres: 30.24 Vegetation: Mostly Wooded
Zoning: R-1A Topography: Gentle to Moderate Slope
Existing Use: Undeveloped Soils: Good to Moderate

Comprehensive Plan:

Classification: Residential
Density: 3 - 9 DUA

APPLICABLE LAND USE REGULATIONS:

	<u>Current R-1A Zoning</u>	<u>Proposed R-7 Zoning</u>
height limitation	25 ft.	35 ft.
minimum lot size	8,400 sq. ft.	20,000 sq. ft.
lot coverage	30%	30%
density/acre	5.2 DUA	2.2 DUA

SURROUNDING AREA:

	(North)	(East)	(South)	(West)
Zoning:	R-7/R-9	R-6	R-1A	R-1A
Land Use:	Mostly Vacant Some Res.	Single- Family/Res.	Single- Family/Res.	Single- Family/Res.

RELATED CASES:

3/12/82 ZP 82-26 Rezoning request from R-6 and R-7 to R-1A containing the petition area - APPROVED.

ANALYSIS:

Public Need and Justification

While there is still a need for residential lots in the Eagle River area, the proposed rezoning will serve only to moderately reduce the maximum total number of dwelling units able to be built. As noted earlier the portions of the area with steeper slopes may provide larger lots due to their steeper slopes.

Effect on Property and Surrounding Property

The development of this property must take into consideration the need for an easement for creek maintenance, public services, slopes, drainage systems, circulation and erosion control. As this property will need platting prior to development, the above considerations can be addressed by the Platting Board.

Vacant Proposed Zoning in the Area

There is a moderate amount of vacant and underdeveloped R-7 zoned property in the Eagle River area.

Relationship to Comprehensive Plan and Zoning Ordinance

The requested zoning complies with the Comprehensive Plan designation of residential. The Comprehensive Plan indicates a residential density of 3-9 dwelling units per acre. The proposed zone change would result in approximately two dwelling units per acre.

Planning Staff Analysis
Case No. ZP 82-26A
Page 3

RECOMMENDATION:

Eagle River is a rapidly growing area which has a need for residentially zoned land. On this basis and because the sensitive issues of erosion control associated with steeper slopes, creek maintenance and drainage control can be dealt with during the platting process, the property was rezoned to R-1A. For this reason staff recommends that the proposed rezoning from R-1A to R-7 be denied.

sl/rpsal

location and setback of drainage easements with DHEP (may include elimination of lots or adjusting lot lines).

7. Resolving soils with DHEP.
8. Providing evidence of water availability to DHEP's satisfaction.
9. Showing cross country ski and equestrian trail easement (width and exact location to be resolved with Parks and Recreation).
10. Showing the sectionline easements on the final plat.
11. Resolving the need for a width to length variance.
12. Ensuring each lot meets R-10 slope requirement.

9. S-8137 BRENDLWOOD

Approval of the plat subject to:

1. Resolving utility easements.
2. Resolving drainage and drainage easements with Public Works Engineering.
3. Resolving the need to record Case S-7929 prior to recordation of this plat with Community Planning.
4. Resolving the need to enter into a subdivision agreement for traffic control devices.
5. Ensuring the R-9 portion of Tract C has 2.5 acres.
6. Showing the creek maintenance easement as being measured from the bank of Meadow Creek.

SUMMARY OF ACTION
Platting Board Meeting
June 12, 1985
(Continuation of June 5, 1985)
Page 6

7. Providing a cross country skiing/hiking trail easement. Exact location to be resolved with Parks and Recreation and DHEP with regard to safety of the petitioner's water supply.

* Note: Intent is easement be located in general area of the creek.

10. S-8076 EKLUTNA WATER TREATMENT PLANT SUBDIVISION

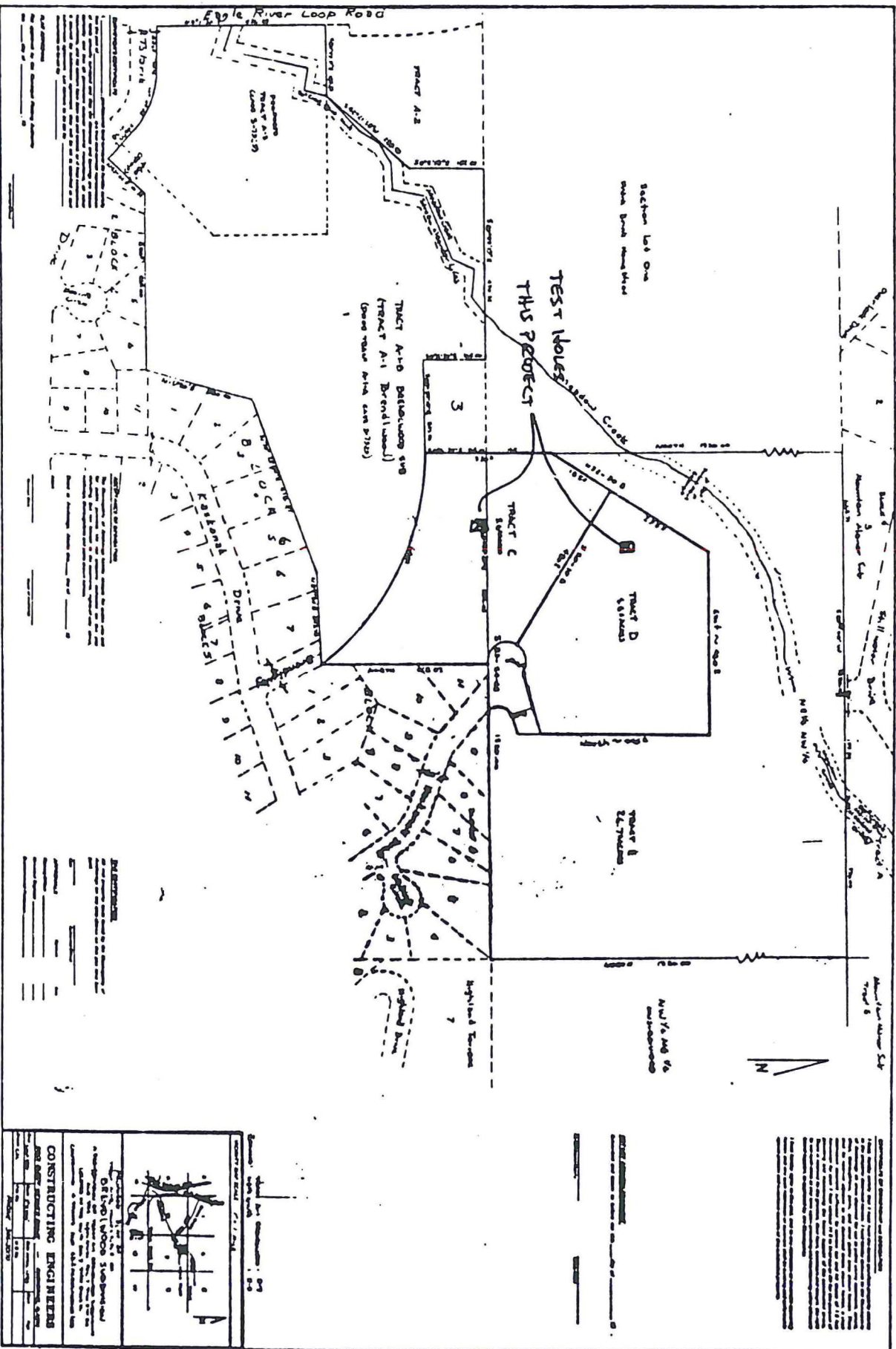
Approval of the plat subject to:

1. Resolving utility easements.
2. Resolving drainage and drainage easements with Public Works Engineering.
3. Dedicating Eklutna Lake Road to a 60 foot width.
4. Providing documentation for concept approval for a septic system for domestic waste disposal with State DEC and DHEP prior to final plat approval.
5. Resolving with Transportation Planning, the need for additional road dedication.
6. Resolving the need to indicate a sectionline easement with the State DOT.
7. Showing 3 tracts.

The meeting adjourned at 10:30 p.m.

jc17/csoa13

073



S-8137

- a. resolving the need to provide a subdivision agreement for traffic control devices;
 - b. placing a note on the plat prohibiting direct vehicular access to Eagle River Loop Road from Tract A-1-B.
4. Department of Health has no objections.
 5. Zoning Enforcement requests an as-built to ensure setback requirements. Possible wetlands and floodplain influence along northern boundary.

PAST LAND USE:

S-7929	12-17-84		Brendlwood Tracts A-1-A & A-3 1 tract into 2 tracts was approved as a short plat.
S-6669	1-19-83		Brendlwood Subdivision - the Platting Board approved 73 acres into 116 s.f. lots and 1 large tract
S-6669	8-22-83	(83-315)	Brendlwood - Phase I recorded plat.
S-6669	6-6-84	(84-156)	Brendlwood - Phase I recorded plat.
85-005	1-14-85		Brendlwood Tract A-3 Rezone from R-7 to PLI (approved by P&Z and Assembly)
S-7035	6-22-83		Brendlwood - 1 tract into 2 tracts
83-101	7-25-83		Commission approved final CU for a water reservoir on Tract A

RECOMMENDATIONS:

Approval of the plat subject to:

1. Resolving utility easements.

Planning Staff Analysis
Case No. S-8137
Page 3

- 2. Resolving drainage and drainage easements with Public Works Engineering.
- 3. Recording Case S-7929 prior to recordation of this plat.
- 4. Resolving the need to enter into a subdivision agreement traffic control devices.
- 5. Creating two lots out of Tract C at the zoning boundary and ensuring the R-9 lot has 2.5 acres.
- 6. Showing the creek maintenance basement as being measured from the bank of Meadow Creek.
- 7. Providing as-builts to ensure setbacks can be met.
- 8. Providing a cross country skiing/hiking trail adjacent to Meadow Creek, exact location to be resolved with Parks and Recreation.

COMMENTS:

The proposed Tract C is creating a split lot R-7/R-9 zoning. Staff feels it would be appropriate to show Tract C as two lots at the zoning boundary and adjusting the lot line between Tract C and Tract D, if necessary, to ensure Tract C has 2.5 acres as required by the R-9 zoning.

Case S-7929 creating Tracts A-1 and A-3 must be recorded prior to recording this plat.

The recently adopted Anchorage Trails Plan calls for a cross country skiing/hiking trail adjacent to Meadow Creek.

Concurred by:

Prepared by:

Bill Luria
Bill Luria
Director

Jo Ann Contreras

j.17/cpsa6

2

SUBJECT PROJECT

R-7

R-9

N

R-7

R-1A

HIGHLAND DR.

W. ADMIRAL RD.

W. ADMIRAL

BONNE WAY.

EAGLE RIVER LOOP ROAD

TWENTY GRAND

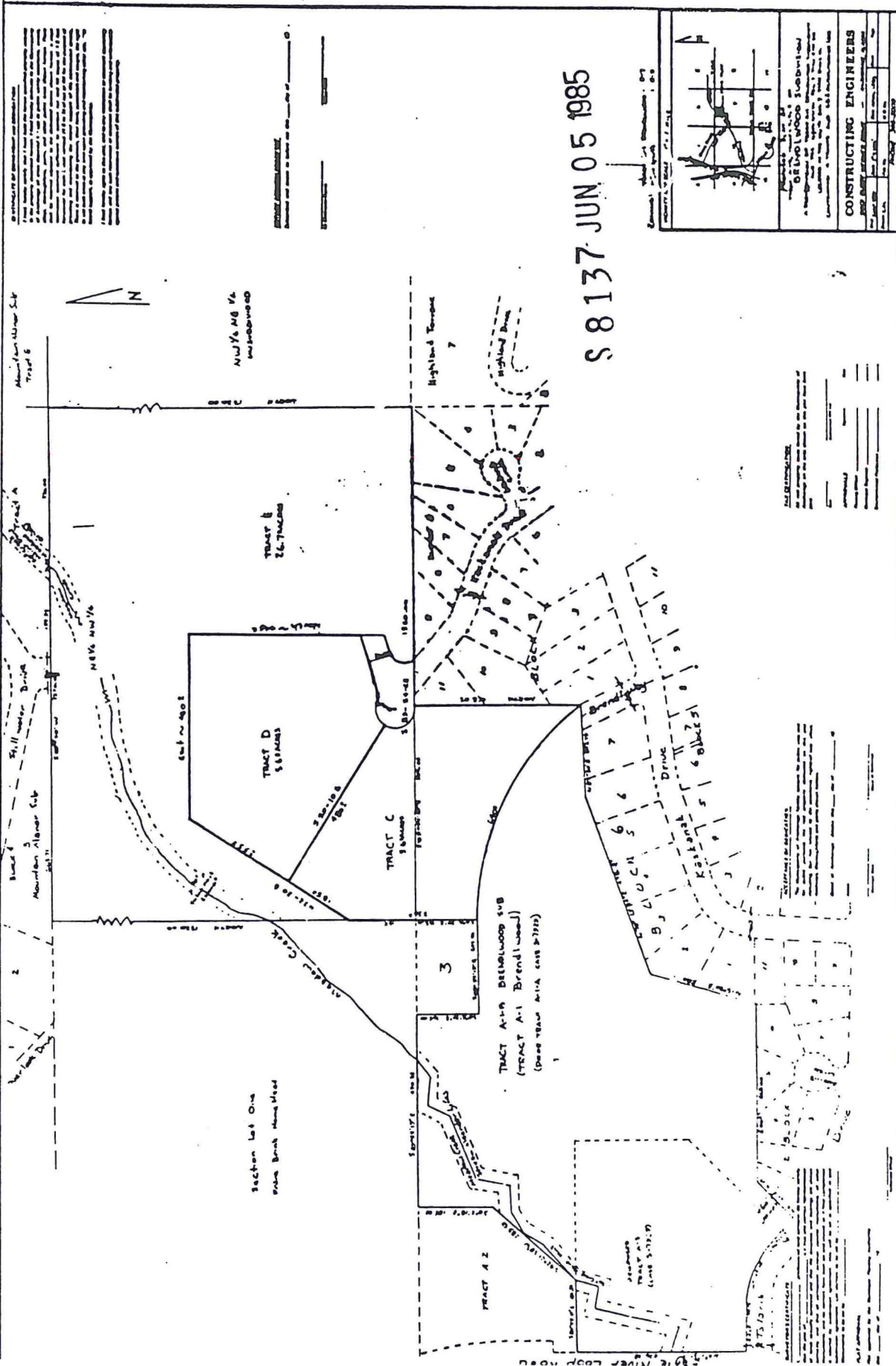
WHIRLAWAY

MAN-O-WAR

CITATION

8137 JUN 05 1985

13.3



PROPERTY OF [unreadable]
 This plan was prepared for the purpose of [unreadable]
 and does not constitute a contract. The [unreadable]
 shall be governed by the [unreadable] and [unreadable]
 of the [unreadable] State of [unreadable].

SECTION 101
 [unreadable]
 [unreadable]

S 8137 JUN 05 1985

CONSTRUCTING ENGINEERS

13.3

Mountain Allman Sub
 Tract B

NEW 1/4 1/4
 UNRECORDED

Tract A
 Mountain Allman Sub

Tract C
 Mountain Allman Sub

Section Lot One
 from Brook House Plat

TRACT A-10 BETHLEHEM SUB
 (TRACT A-11 Brendwood)
 (Dense tract A-10 and B-11)

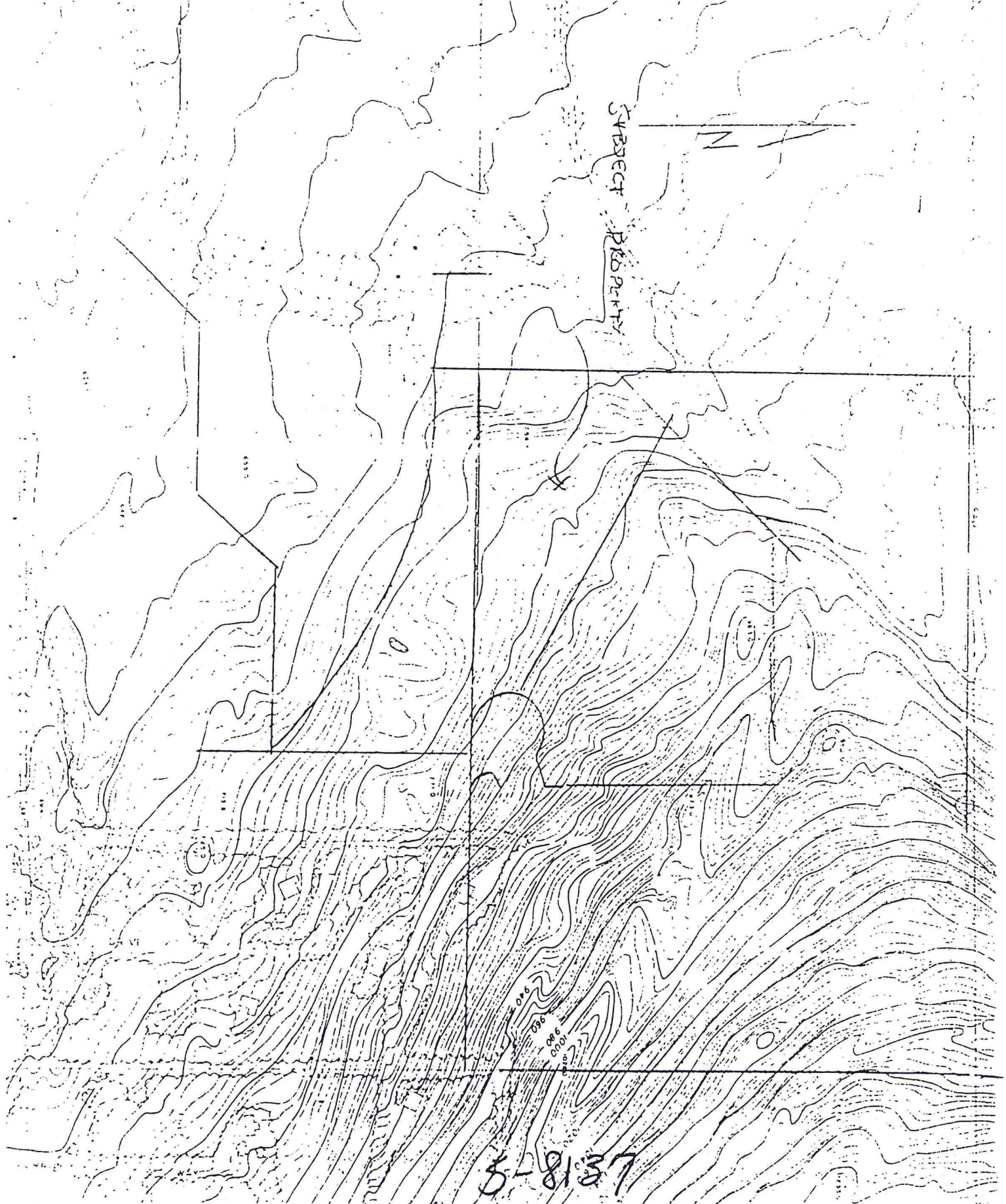
TRACT A-2

TRACT A-11
 (Lot 5-7-9)

ALL DIMENSIONS
 [unreadable]

CONSTRUCTING ENGINEERS
 [unreadable]

CONSTRUCTING ENGINEERS
 [unreadable]



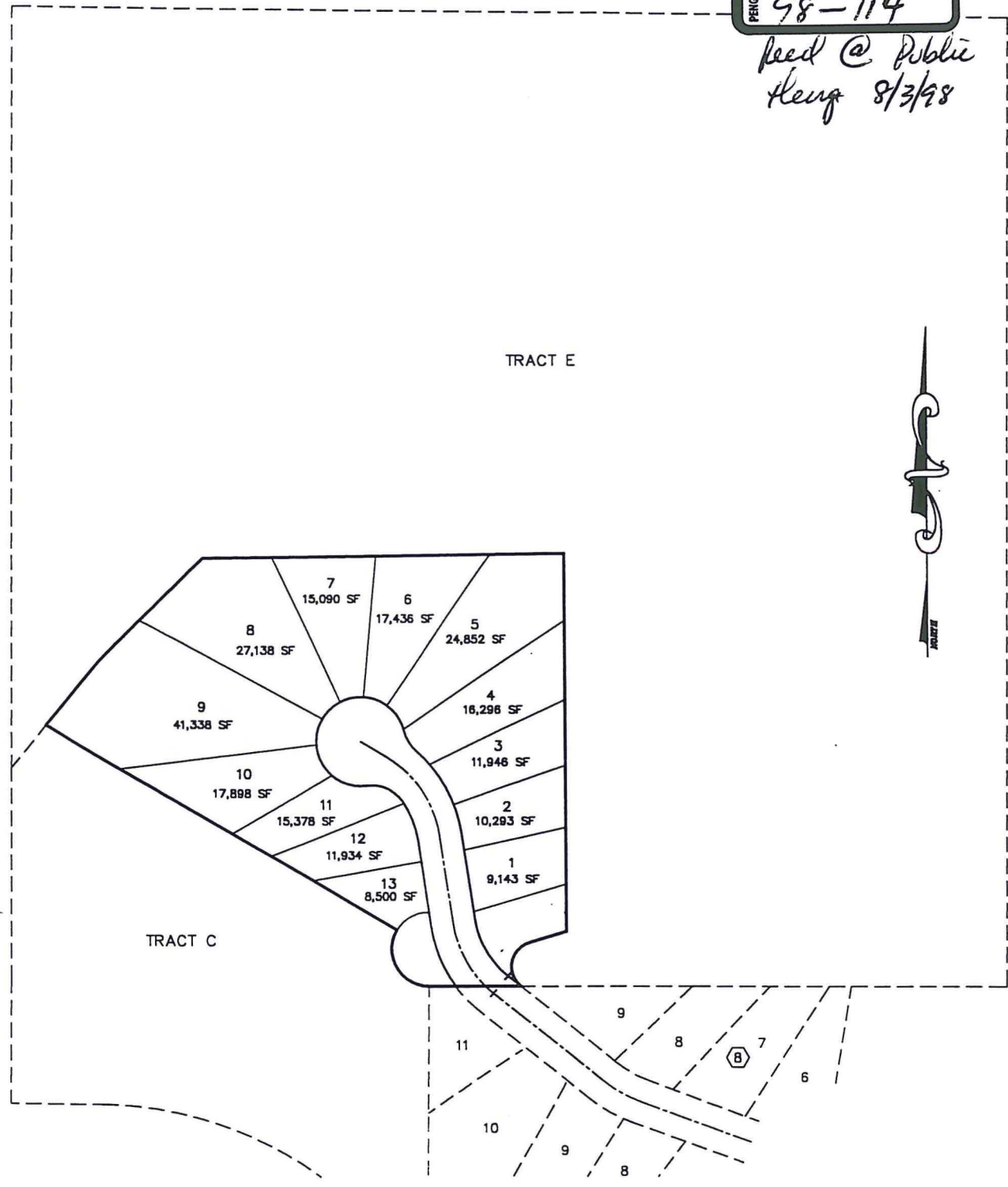
SUBJECT PROPERTY

N

5-8137

PENICAD-Bayonne, N. J.
PETITIONER'S EXHIBIT
A
98-114

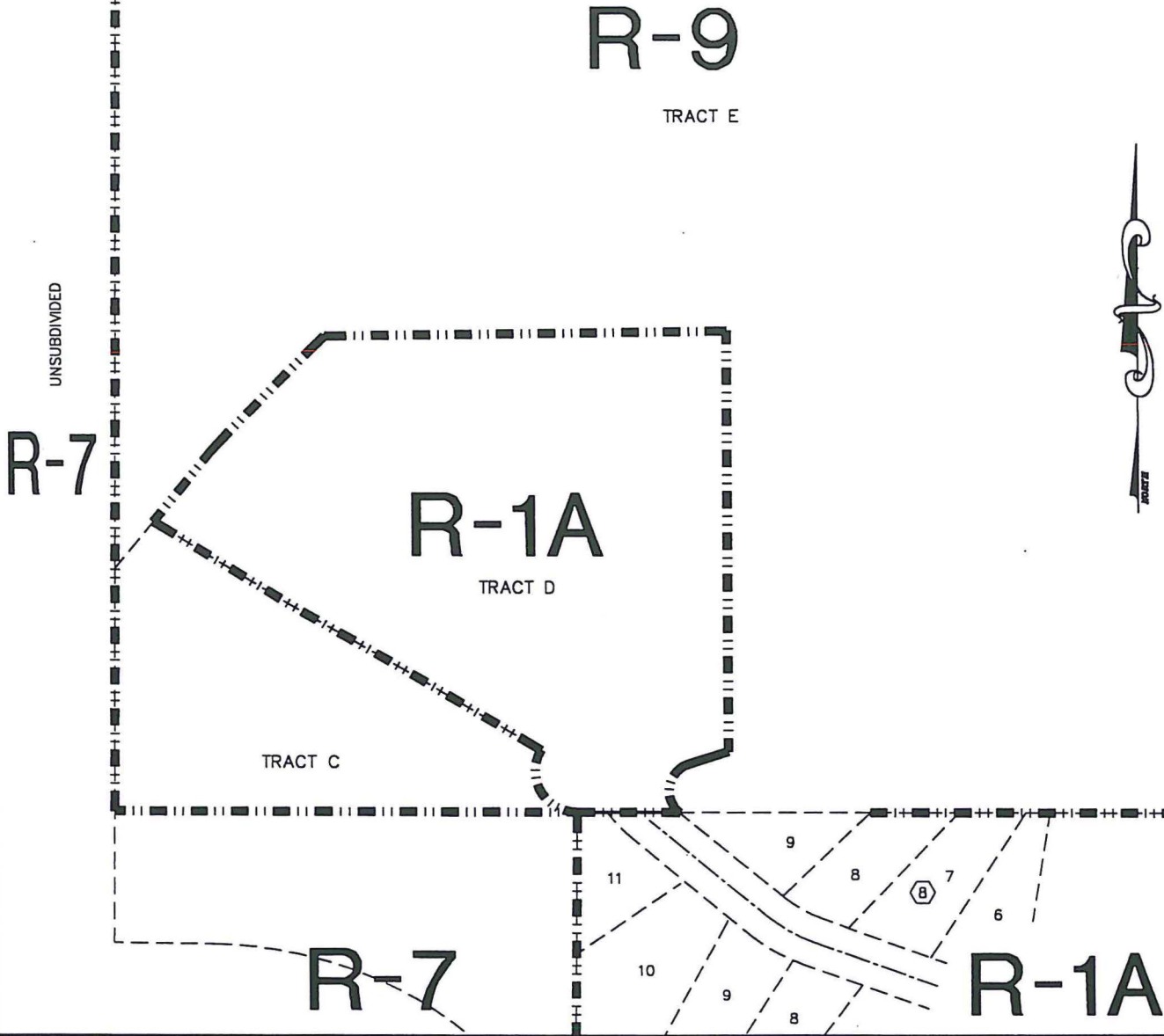
feed @ Public Hearing 8/3/98



PROPOSED LOTS AND TRACTS

	PROFESSIONAL AND TECHNICAL SERVICES, INC. CONSULTING-PLANNING-ENGINEERING-LAND SURVEYING <small>4155 TUDOR CENTER DR., SUITE 105, ANCHORAGE, ALASKA 99508 (907) 561-8227</small>	BRENDLWOOD SUBDIVISION <small>LOTS 10-23, BLOCK 8 AND TRACTS D-1, E-1</small>	
	DRAWN: BB DATE: JULY 1998	FB: BWO5-OI DWG NO.: BWO5-ZA	SHEET 5 OF 6 S- _____

(1)



PROPOSED ZONING



PROFESSIONAL AND TECHNICAL SERVICES, INC.
 CONSULTING-PLANNING-ENGINEERING-LAND SURVEYING
 4155 TUDOR CENTER DR., SUITE 103, ANCHORAGE, ALASKA 99508 (907) 561-6237

BRENDLWOOD SUBDIVISION
 LOTS 10-23, BLOCK 8 AND TRACTS D-1, E-1

DRAWN: BB	FB: BWO5-O1	SHEET 3 OF 6	SCALE: 1" = 200'
DATE: JULY 1998	DWG NO. : BWO5-ZA	S- _____	GRID: NW 154



Professional & Technical Services, Inc.
4155 Tudor Centre Drive, Anchorage, AK 99508 Office: 561-6237

Memorandum

To: Ed Whitmore, A.W.W.U.
From: Bruce Brown
Date: 07/06/98
Re: Brendlwood Subdivision Water Pressure

Dear Mr. Whitmore:

In summary of our prior conversations, I would like to confirm a few facts regarding the water supply and pressure at Brendlwood subdivision in Eagle River, Alaska. The last fire hydrant located along Kaskanak Drive heading uphill presently has a pressure of 60 p.s.i. The current elevation of this fire hydrant is 760 feet above sea level. The existing water main can be extended to an elevation of 800 feet above sea level and still maintain the fire flow and domestic water requirements of Anchorage Water and Wastewater Utility.

Assume TWO story house.

CONCURRENCE


Bruce Brown, President


Edward Whitmore, AWWU

James C. Lewis
Sandra C. Lewis
11021 Kaskanak Drive
Eagle River, AK 99577
Phone 907/694-0401 • FAX 907/694-0408

July 6, 1998

Municipality of Anchorage
Planning and Zoning Board

Re: Rezone for Brendlwood, Track D

Ladies and Gentlemen:

We live in Brendlwood subdivision at 11021 Kaskanak Drive. The proposed plan to add lots and houses to our street by Michael Quinn Construction is agreeable with us. We live in a Mike Quinn home and it is a quality-constructed home and Mike has been a jewel to work with. We feel that the addition when constructed to MOA specifications will be a quality addition to the neighborhood.

We are aware that traffic will increase during construction and that some inconveniences will exist during that time, but this condition is temporary and will revert back once construction is complete.

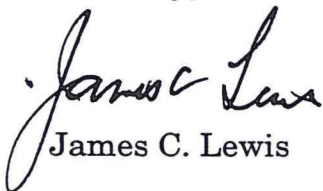
We favor keeping just the one way into and out of this subdivision as a deterrent to thieves, etc.

We understand that water pressure is a concern to some but that AWWU says that they can accommodate the increase in demand.

We understand that the homes will be priced comparable to the existing homes and will be on slightly larger lots.

If these conditions are met, which we are sure they will be, this addition will add to the neighborhood and the community.

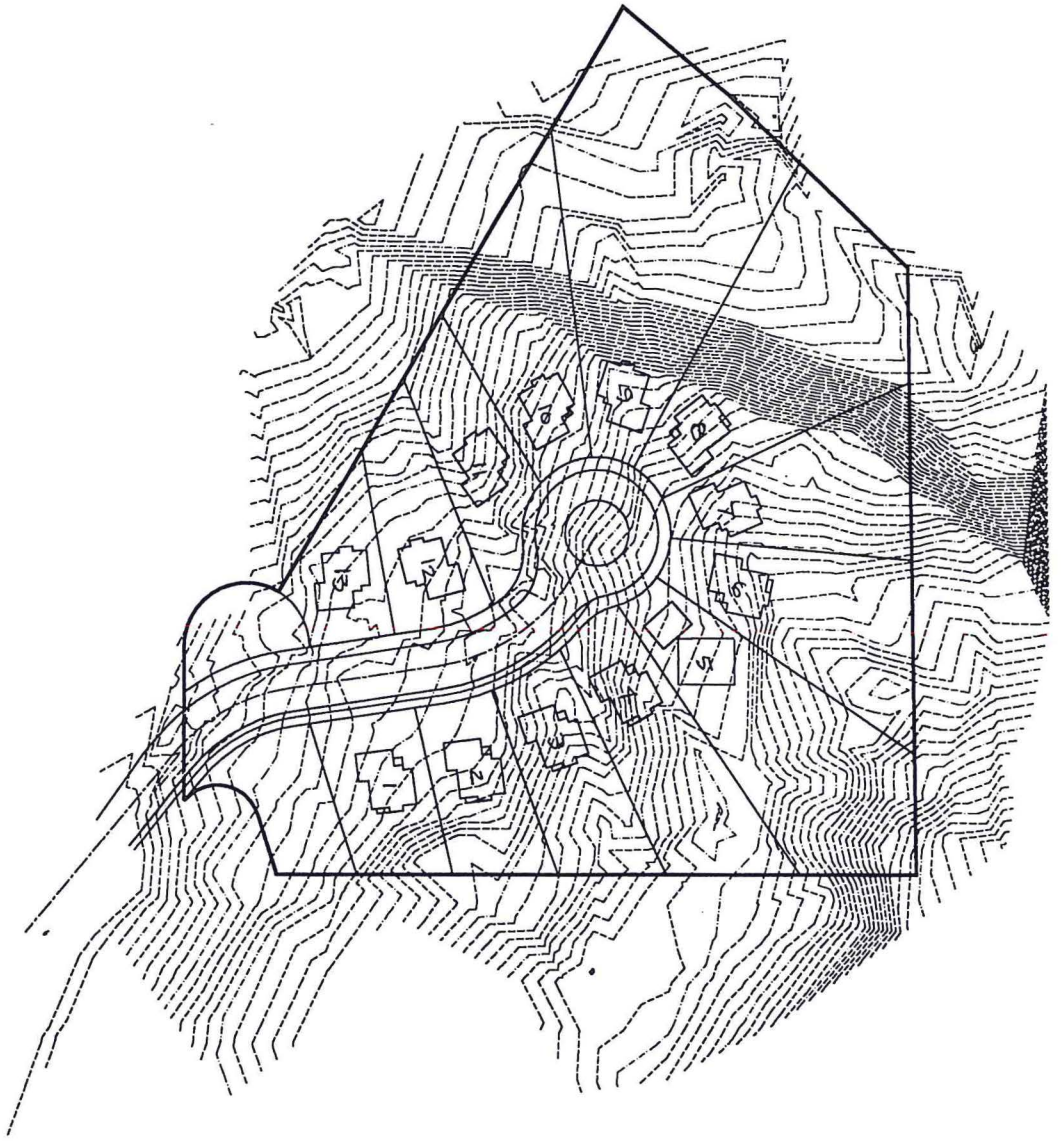
Sincerely,


James C. Lewis


Sandra C. Lewis

AS MEMBERS OF THE COMMUNITY AND HOME OWNERS IN BRENDLWOOD SUBDIVISION WE REALIZE THE NEED FOR CONTROLLED SUBDIVISION GROWTH IN OUR AREA. THEREFORE WE DO NOT OPPOSE THE RE-ZONE OF TRACT "D" AND EXPANSION OF 13 LOTS IN OUR SUBDIVISION.

PRINTED NAME	SIGNATURE	STREET ADDRESS
1. SANDRA C LEWIS	Sandra C Lewis	11021 Kaskanak
2. Jim Lewis	Jim Lewis	11021 Kaskanak
3. Robin Keogh	Robin Keogh	11036 Kaskanak
4. Denise Taylor	Denise Taylor	11018 Kaskanak
5. Keith Helms	Keith Helms	19120 Lakina
6. Connie Nettina	Connie Nettina	19120 LAKINA
7. Cyndi Green	Cyndi Green	10950 Kaskanak
8. JOSEPH SCHNEIDER	Joseph Schneider	10960 KASKANAK ST.
9. KAREN VAVRA	Karen A. Vavra	11069 KASKANAK DR.
10. TOM JENSEN	Tom Jensen	10950 KASKANAK DR.
11. Carol A. Tipner	Carol A. Tipner	10951 Kaskanak Dr.
12. JOHN LINNELL	John Linnell	11030 KASKANAK
13. MIKE VAVRA	Mike Vavra	11069 Kaskanak Dr.
14. ALVIN W. STROYAN	Alvin W. Stroyan	10911 KASKANAK
15. DAVID E. HOLMES	David E. Holmes	19021 TALARIK DR
16. SILVINA HOLMES	Silvina Holmes	19021 TALARIK DRIVE
17. MICHAEL E. TAYLOR	Michael E. Taylor	11018 KASKANAK DRIVE
18. WE MOORE	WE Moore	11012 KASKANAK DRIVE
19. Pat Moore	Pat Moore	11012 Kaskanak Dr.
20. JASEN RAMPTON	Jasen Rampton	11045 Kaskanak Dr
21. VALERIE RAMPTON	Valerie Rampton	11045 KASKANAK DR.
22. Terry Wanser	TERRY WANSER	11046 Kaskanak Dr
23. Karen Sam	Karen Sam	10940 Kaskanak Dr
24. "		
25.		



3	2	1	6	5
10	11	12	7	8
15	14	13	18	17

THIS PLAT

3" = 1"

0 10 20 30 40 50

VICINITY MAP
NTS

BRENDLEWOOD SUBDIVISION

LOTS 10-21, BLOCK 6 AND LOTS 3-1
A RESUBDIVISION OF TRACTS B.L.M. AND HERRINGTON, SUPERVISION 4798-80)
LOCATED WITHIN THE 1/4 SECTION 2, T.14 N., R. 8. W. 34. ALASKA
ANCHORAGE RECORDING DISTRICT, CONTAINING 37.228 ACRES

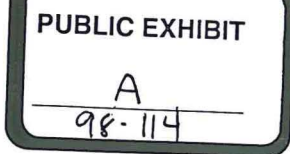
PTS PROFESSIONAL AND TECHNICAL SERVICES, INC.
CONSULTING-PLANNING-ENGINEERING-AND SURVEYING
400 WEST CENTER ST., SUITE 201, ANCHORAGE, ALASKA 99501-4642

DATE: JULY 1998
DRAWN: BB
DWG. NO.: BW050005T

FBI: BW05-01
GRID: NW 1/4
SCALE: AS SHOWN
SHEET: 1 OF 1

22 people at hearing
27 at 2nd hearing

Original



Petition Against the Proposed Development of Upper Kaskanak Drive

We, the undersigned residents of Brendlwood, wish to voice our concern against the proposed rezoning of Brendlwood Subdivision, Tract D, and a small portion of Tract E, generally located at the north end of Kaskanak Drive and to the east of Skyline Drive from R-9 to R-1A.

Some of our concerns include:

1. **Water Pressure:** From the current subdivision's development until 1997 water pressure at homes located on the upper portion of Kaskanak Drive was inadequate. In 1997 a project to tie a water main from Talarik to Kaskanak Drive was completed, however, water pressure is still minimally adequate on upper Kaskanak Drive. Adding the proposed number of homes will render the water pressure inadequate and will require a water pump station to be added or the present one to be upgraded. Additionally, the wildland interface to the property is of concern because of the fire hazard--the existing water supply is only questionably adequate to protect our homes. It is unproven that there is an adequate water supply to protect additional housing.
2. **Limited Access and Safety:** Only one road into and out of the proposed subdivision exists. At a minimum, the increased traffic on the single-access road with 230 degree hairpin turn will pose a significant threat to the numerous small children living on Kaskanak Drive.
3. **Previous Understanding:** The people who purchased homes on upper Kaskanak Drive did so investing thousands of dollars in property, believing it to be the end of the subdivision as originally designed. Increased traffic and several years of construction would impact negatively on the neighborhood quality of life.

Name	Address	Phone	Signature
1 Jim Harris	11039 KASKANAK DR. E.R., AK	696-3593	<i>Jim Harris</i>
2 Vanda S. Gold	11051 Kaskanak Eagle River	696-2629	<i>Vanda S. Gold</i>
3 Barbara Braendle	11174 KASKANAK DR. EAGLE RIVER, AK	696-1582	<i>Barbara Braendle</i>
4 Tamara Alexander	11027 Kaskanak Dr. Eagle River	694-8004	<i>Tamara Alexander</i>
5 Dale B. Alexander	11027 KASKANAK Eagle River	694-8004	<i>Dale B. Alexander</i>
6 Robert L. Lloyd	11030 KASKANAK Eagle River	694-4752	<i>Robert L. Lloyd</i>
7 Mary R. LANEY	11143 KASKANAK EAGLE RIVER	696-2636	<i>Mary R. Laney</i>
8 T. Bering	BUCKINGHAM 11042 KASKANAK EAGLE RIVER	694-0995	<i>T. Bering</i>
9 Benny Z. Nuss	11016 BRENDL WAY	696-3975	<i>Benny Z. Nuss</i>
10 Wm C. Russell	11016 BRENDL WAY	696-3975	<i>Wm C. Russell</i>
11 LAWRENCE EDUARDE	11015 KASKANAK	696-1311	<i>Lawrence Eduarde</i>
12 Denise Taylor	11018 Kaskanak	696-2989	<i>Denise Taylor</i>

Petition Against the Proposed Development of Upper
Kaskanak Drive (page 2)

	Name	Address	Phone	Signature
13	Marian L. Stummer	11154 Kaskanak Dr	694-5486	Marian L. Stummer
17	JOHN R. STUMMER	11154 KASKANAK DR.	694-5486	John R. Stummer
15	Ngaret Kinnicutff	10961 Kaskanak Dr	694-6633	Ngaret
16	WILLIAM MOORE	11012 KASKANAK DR	696-8538	William Moore
17	George Tipum	10951 Kaskanak	696-0949	George Tipum
14	Don Sieckmeyer	11006 Kaskanak Dr.	694-5063	Don Sieckmeyer
19	Joe Galt	10941 Kaskanak	696-0868	Joe Galt
20	Karen Sam	10940 Kaskanak	696-0411	Karen Sam
21	Annmarj Wrentner	10931 Kaskanak	696-1314	Annmarj Wrentner
22	Carl Galt	10921 Kaskanak	694-7761	Carl Galt
23	Matt Galt	10921 Kaskanak	694-7761	Matt Galt
24	Cybil Anderson	10920 KAS	696-2282	Cybil Anderson
25	Alissa René Tims	18800 Talarik Dr	694-6112	Alissa René Tims
26	LELAND L. Tims	18800 TALARIK DR	694 611 2	Leland L. Tims
27	Greey Hellysto	18719 Talarik Dr	696-2793	Greey Hellysto
28	KATHLEEN JENSEN	18720 TALARIK	694-2849	Kathleen Jensen
27	Gail Robinson	18636 Talarik Dr.	694-0306	Gail Robinson
30	Aubrey B. McEachern	18541 TALARIK	696-6115	Aubrey B. McEachern
31	Kim McEachern	18541 Talarik	696-6115	Kim McEachern
32	Charles H. Neytor Sr.	18518 TALARIK	696-5321	Charles H. Neytor Sr.
33	Mark Tims	11016 Brandt Way	696-3975	Mark Tims
34	Mark Tims	11016 Brandt Way	696-3975	Mark Tims
35	Jessica Braendl	11174 KASKANAK DR.	696-1582	Jessica Braendl

Petition Against the Proposed Development of Upper
Kaskanak Drive (page 3)

	Name	Address	Phone	Signature
36	J. C. Schawen	11164 KASKANAK	694-0809	J. C. Schawen
37	M. H. Iskra	11144 Kaskanak	694-5540	M. H. Iskra
38	MARILANZA	11143 KASKANAK	696-2636	Marilanza
39	Dave Malloy	19111 Lakina Cir	694-5312	Dave Malloy
40	Karen Malloy	19111 Lakina Cir	"	Karen Malloy
41	Robin Keogh	11036 Kaskanak	696-3584	Matt Keogh
42	Robin Keogh	11036 Kaskanak	"	Robin Keogh
43	STEVE FRY	19121 LAKINA CIR	694-2554	Steve Fry
44	Diane Fry	19121 Lakina Cir	694-2554	Diane Fry
45	Robert V. Gold	11051 KASKANAK DR	696-2629	Robert Gold
46	Lorinda Linder	11114 Kaskanak	694-0442	Lorinda Linder
47	Della Matthijs	11124 Kaskanak	694-5162	Della Matthijs
48	MATTHEW LINDER	11114 KASKANAK DR	694-0442	Matthew Linder
49	AL SANBORN	11068 KASKANAK ^{DR}	694-6776	Al Sanborn
50	Jarisse Sanborn	11068 Kaskanak DR	694-6776	Jarisse Sanborn
51	Arthur A. Braendel	11174 Kaskanak	696-1582	Arthur A. Braendel
52	Lisa Dieckmeyer	11006 Kaskanak	694-5063	Lisa Dieckmeyer
53	Patricia Armstrong	10851 Kosina	694-5101	Patricia Armstrong
54	Jarisse Sanborn	11007 Kaskanak	696-8711	Jarisse Sanborn
55	Frank M. Yenohm	"	"	Frank M. Yenohm
56	Harold P. Gal	11051 Kaskanak	696-2629	Harold P. Gal
57	Teresa Tramp	10813 Neacola Circle	694-4652	Teresa Tramp
58	Terry Tramp	"	"	Terry Tramp

Petition Against the Proposed Development of Upper
Kaskanak Drive (page 31)

	Name	Address	Phone	Signature
61	Eleanor K. Braendel	18525 Talarik Dr.	694-2533	Eleanor K. Braendel
60	Arthur W. Braendel	"	" "	Arthur W. Braendel
61	Lori Atrops	18548 Talarik Dr.	694-8237	Lori Atrops
62	ELAINE ALLEN	11063 KASKANAK	696-6223	Elaine Allen
63	Zain Buckingham	11092 KASKANAK	694-0995	Zain Buckingham
64	Roberta Shram	11664 Kaskanak	694-0809	Roberta Shram
65	(P. Sawyer)	11664 KASKANAK	694-0809	P. Sawyer
66	Ken Allen	11063 KASKANAK	696-6223	Ken Allen
67	Gayme Ellerbe	11134 Kaskanak Dr	6968001	Gayme Ellerbe
68	Dwight Ellerbe	11134 Kaskanak Dr	6968001	Dwight Ellerbe
69	Janie Wanser	11048 Kaskanak	694-0220	Janie Wanser
70	JAMES WANSER	11048 KASKANAK	694-0220	James Wanser
71	Marie Smith	11133 Kaskanak	696-8937	Marie Smith
72	Glenn Smith	11133 Kaskanak	696-8937	Glenn Smith
73	Cennie Guiley	11033 Kaskanak	694-7372	Cennie Guiley
74	Shirley Krajnik	10825 Neacoda	694-4607	Shirley Krajnik
75	Richard Krajnik	10825 Neacoda	694-4607	Richard Krajnik
76	Lerry Norene	10938 Suncoyle	696-8642	Lerry Norene
77	Beverly Flint Caudill	10920 Nakachina Cir	696-3666	Beverly Flint Caudill
78	Tom (and wife) [unclear]	10922 [unclear]	"	Tom [unclear]
79	[unclear]	11051 Kaskanak	696-2629	[unclear]
80	REGBY SAM	10940 KASKANAK	696-0411	Regby Sam
81	Sam Spothney	10904 Neacoda Cir	696-4750	Sam Spothney

Petition Against the Proposed Development of Upper Kaskanak Drive (page 3)

	Name	Address	Phone	Signature
82	Dorothy Stefan	18619 Talarik Dr.	Unlisted	D. Stefan
83	GLENN GUESS	18619 Talarik	Unlisted	Glenn Guess
84	Al Storey	18730 Talarik	Unlisted	Al Storey
85	Lorraine Neuman	8840 TALARIK	UL	L. Neuman
86	Hedi Winkler	18920 Talarik	696-5279	H. Winkler
87	Diane Mucha	10840 Klutina	696-3065	Diane Mucha
88	MARTIN ATROPS	18548 Tololik	694-8237	Martin Atrops
89	Phyllis Daugherty	10948 Suneage	694-0239	Phyllis Daugherty
90	Theresa Rockhill	19120 TALARIK	696-8693	Theresa Rockhill
91	Loe Anne Jellesto	18719 Talarik	696-2793	L. Jellesto
92	Zuel Stein	10911 Nakochina	694-4199	Zuel Stein
* 93	Matea Barinaga Flood	10930 Nakochina	696-2141	Matea Barinaga Flood
94	Phyllis Kuvica	10941 Nakochina	696-4745	Phyllis Kuvica
* 95	William L. Smith	10820 SASHANA	696-3454	William L. Smith *
96	ROBIN SMITH	10820 SASHANA	696-3454	Robin Smith
97	Gennie Paschall	10921 Nakochina	694-8816	Gennie Paschall
98	R. Paschall	10921 Nakochina	694-8816	R. Paschall
99	Kenneth J. Kvittek	18728 WAKANAK	694-9287	Kenneth J. Kvittek
100	Kenneth J. Kvittek	18728 War Admiral	694-9287	Kenneth J. Kvittek
101	BENJAMIN B. BREWSTER	11174 Kaskanak Dr	696-1582	B. Brewster
102				
103				
104				

Additional Comments Concerning the Proposed
Development of Upper Kaskanak Drive

Concerned about construction dust + dirt for
several years in front of my house

John B. Summers

Concern over track of land left undeveloped for
future road to higher elevations of Kaskanak?

Robert L. Lloyd

SPEED LIMIT NEEDED ON KASKANAK DR Hill speed
Down

William Moore DeShone

School Busses are not able to up
to this area. The road is hazardous
for children to even walk in the
winter also. (René Sims)

I am very concerned about the
water pressure situation and
would request a plan of action
we adopted prior to further development.

Cyndi Jensen 10950 Kaskanak Dr. E.R. 99577

Additional Comments Concerning the Proposed
Development of Upper Kaskanak Drive

SUGGEST E.P.A. ASSESS ENVIRONMENTAL IMPACT (PRIOR TO
THE ZONE)

OWLS, BEARS, RABBIT, FOX, - NATURAL ACCESS WAY TO
HILL SIDE VIA CREEK & ONE OF THE FEW WOODED
AREAS IN THIS AREA OF E.R. Bob (Bob) 69621629

Influx of traffic

Traffic coming down Kaskanak Drive
is dangerous now, with additional
traffic winter driving will become
even more hazardous eventually
leading to an accident. Lynn Novotny
696-4750

At present time during the day -
the water pressure is not good and
I have learned that this is a problem
throughout the subdivision.

William Kurda
Having signed both petitions regarding this issue, both parties
have valid arguments. I expressed to Mr. Quinn that water
pressure was a concern of mine William Kurda

To: Municipality of Anchorage

From: Mr. and Mrs. John Stummer

11154 Kaskanak Drive
Eagle River, Alaska 99577
(907) 694-5486

Date: July 8, 1998

Subject: Case 98-114, Rezoning of Kaskanak Drive, Eagle River, Alaska

To Whom It May Concern,

Kaskanak Drive is a long steep road, with a hairpin turn, which ends in a cul-de-sac. There are already more than forty homes on this road with only one access to the outside world for the residents, and only one way in for emergency vehicles. The road is seldom plowed in winter, and children play on it in summer. The addition of 115 more car trips per day (a planning commission figure) along the entire length of Kaskanak Drive is a very unwelcome and dangerous prospect.

Water pressure at the upper end of Kaskanak Drive, as it now exists, is marginally acceptable for household use and unsatisfactory for fire fighting. We can not run more than one sprinkler at a time if we hope to get anything wet. The addition of 12 to 15 more homes further up the hill is not going to do anything to improve the situation.

Location is everything in real estate, and location played a large part in our decision to purchase the property at Block 7 Lot 10 of the Brendlwood subdivision. We are on the cul-de-sac at the end of Kaskanak Drive. The fact that the land around the cul-de-sac is zoned R-9 was also a large factor in our decision to purchase this property. If this rezoning is allowed, the location of my house changes from one on a quiet cul-de-sac to one on a busy thoroughfare.

Further, since we do live at the present end of Kaskanak Drive, this construction, if it is allowed to proceed, will be right in my front yard. That means several years putting up with the noise and dust of heavy equipment building roads, digging basements, and grading yards. Along with this, there will be a constant stream of trucks up and down Kaskanak Drive bringing in construction materials.

For these reasons, we are strongly opposed to this rezoning, and we believe the overwhelming majority of residents on Kaskanak Drive share in this position.

Thank-you.

John R. Stummer, Marian L. Stummer

John R. & Marian L. Stummer

Eleanor K. Braendel
18525 Talarik Drive - residence
P.O.Box 770474 - mailing
Eagle River, AK 99577

July 22, 1998

RECEIVED

JUL 22 1998

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

To: Municipality of Anchorage Planning and Zoning Commission

Subject: Re-zone Case No. 98-114 Tract D and small section of Tract E in Brendlwood Subdivision

Commission Members:

My husband Arthur W. and I are the original owners of this land, having homesteaded it in 1947.

Around 1986 we deeded two 5 acre tracts of land to two family members. Recently one of them deemed it necessary to sell his parcel, and that is the land we are talking about today - the red blob on the map.

It was our intention that this land remain in large lots to preserve the natural flora and fauna of the area.

The comprehensive plan lists this land as residential with a density of less than one dwelling per acre.

The Physical Planning Division states that the site conditions, particularly the slope, do not seem to support the proposed residential densities.

This proposed sub-division area is surrounded by R-9 on all sides, and is only connected to the present Brendlwood sub-division by a narrow road. There is no part of Tract E, owned by us, available for rezoning as has been proposed by the developer.

To the southwest of this land there is some R-7 land, but note that there is one house on a 5 acre tract and one house on a 14.4 acre tract, not at all compatible with the proposed sub-division.

Concerning Kaskanak Dr., the only road to the area, the Transportation Planning Section states that any further development of the R-9 property beyond this sub-division could create an undue burden on the existing street. In other words we would be prohibited from any further use of the R-9 land. Also note the switchback on Kaskanak, which is on an uphill grade, is a 130 degree turn.

I am glad that the present Brendlwood Sub-division is considered a success, but enough is enough. I don't believe that is any excuse to desecrate the neighboring mountain land with high density housing.

According to the Alaska Star, permits for new single-family homes are well ahead of last year. New homes starting around \$200,000 are being built in many areas. New sub-divisions are opening at Eagle Point, and some 5,000 people are expected across the Glenn Highway in Powder Ridge. Up the Valley, Heritage Estates expands. There is no need for this sub-division!!

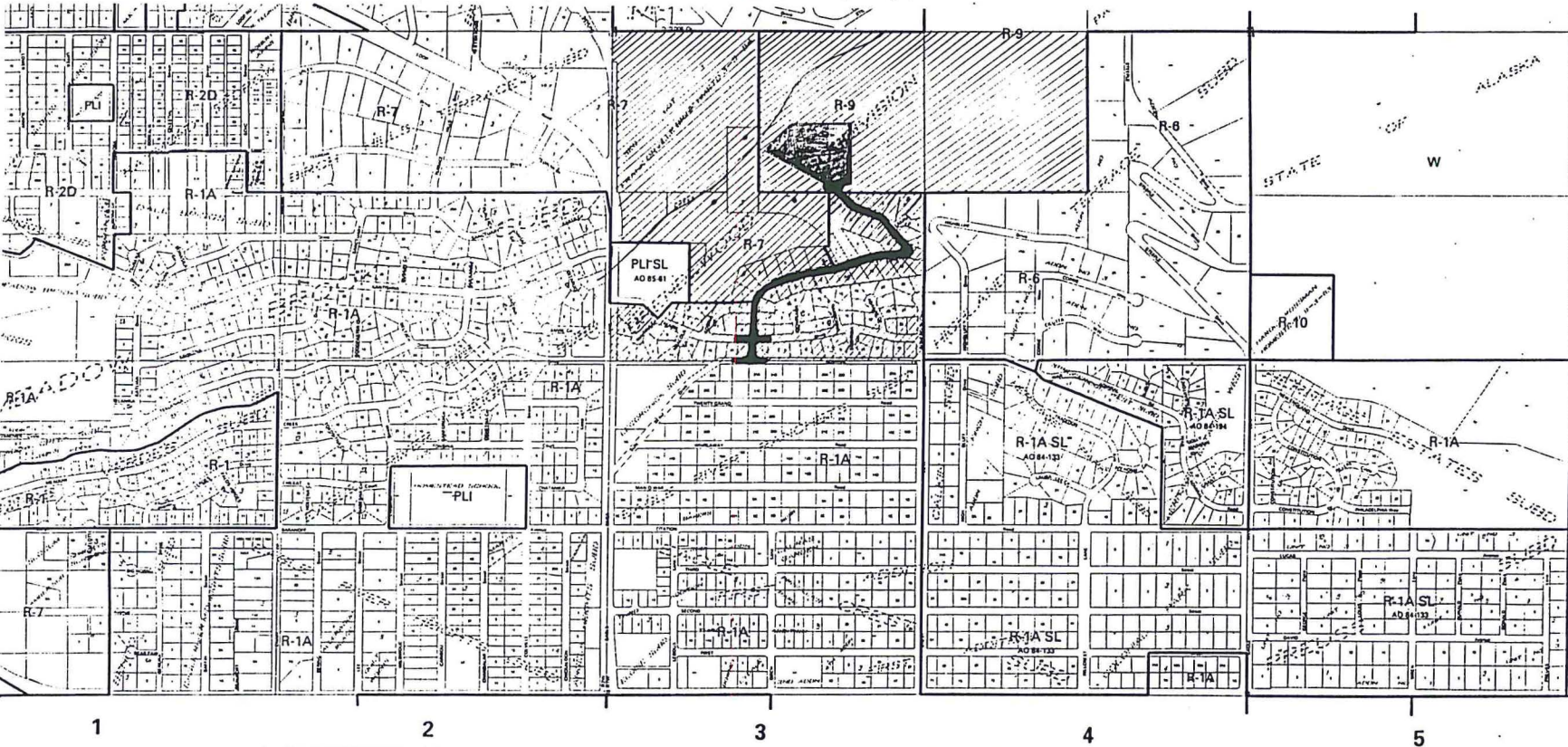
I am sure there would be no problem selling this land to two homeowners wanting a little space and on-site water.

It is stated that a zone map amendment may be approved only if it is in the best interest of the public. We don't think this is.

Thank you for your consideration.

Sincerely,
Eleanor K. Braendel

Re-zone Case No. 98-114



Index

NW454	NW455	NW456
NW354	NW355	NW356
NW254	NW255	NW256
NW154	NW155	NW156
NW54	NW55	NW56

Municipal Zoning Map

~ Creek
Kaskanak Dr.

R-1A
R-7
R-9

- Zoning Legend**
- | | | |
|---------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| PLI Public Lands and Institutions District | B-1A Local and Neighborhood Business District | 100 year floodplain |
| PLI-p Public Lands and Institutions District-Park | B-1B Community Business District | 500 year floodplain |
| R-1 One-Family Residential District | B-2A Central Business District Core | -- 400 -- Airport Height Ordinance Depicts F.A.R. Part 77 (20' height contour intervals unless otherwise noted) |
| R-1A One-Family Residential District | B-2B Central Business District Intermediate | |
| R-2A Two-Family Residential District | B-2C Central Business District Periphery | |
| R-2D Two-Family Residential District | B-3 General Business District | |
| R-2M Multiple-Family Residential District | B-4 Rural Business District | |
| R-3 Multiple-Family Residential District | I-1 Light Industrial District | |
| R-4 Multiple-Family Residential District | I-2 Heavy Industrial District | |
| R-5 Rural Residential District | I-3 Rural Industrial District | |
| R-5A Rural Residential District (large lot) | W Watershed District | |
| R-5B Suburban Residential District (large lot) | T Transition District | |
| R-7 Intermediate Rural Residential District | PC Planned Community District | |
| R-8 Rural Residential District (large lot) | AF Antenna Farm District | |
| R-9 Rural Residential District | MC Marine Commercial District | |

0 900 1800 feet

The official zoning maps are maintained and located in the office of the Municipal Department of Community Planning and Development.

Municipality of Anchorage
Department of Community Planning and Development

Chugiak - Eagle River Location

RECEIVED

JUL 22 1998

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

From: Arthur W. Braendel
18525 Talarik Drive - residence
P.O.Box 770474 - mailing
Eagle River, AK 99577

To: Municipality of Anchorage Planning and Zoning Commission

Subject: Re-zone Case No. 98-114 Tract D and small section of Tract E in Brendlwood Subdivision
(Tract D's address is 11212 Kaskanak Drive)

Commission Members:

I am opposed to the rezoning for these reasons:

1. The existing slopes exceed the Municipal requirements. Please refer to the marked print of proposed lots and tracts. According to the Public Works Review comments, it is required that the length of the cul de sac not exceed 10% grade and that the cul de sac bulb not exceed 5% grade.

The proposed end cul de sac bulb has a grade of 16%. The proposed extension of Kaskanak Drive from pt. A to pt. B (pts. marked in red on print) is at grade of 11 1/4% in violation of the 10% maximum given by the Dept. of Public Works.

2. The proposed lots are not practical for a housing development.

The marked print of proposed lots and tracts shows green circled numbers in each lot that represent the drop or rise in feet from the front to the rear. Six of these lots have a drop or rise in elevation of 40 feet or more. That is the height of a four story building!! Two lots, numbers 18 & 19, have a grade of approximately 40% on just the front half.

To place buildings on these lots will require horrendous earth excavation or fill, so that the building is somewhere near the elevation of the street. Such excavation or fill will result in even steeper slopes of unstable exposed soil beyond the cut or fill. Existing trees can not survive filled areas as just a few inches of soil added to original ground surface will kill a tree. Of course, excavated areas will resemble an industrial gravel pit.

People moved to Eagle River to be near trees and woods. Let's keep the mountainside green!

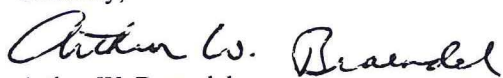
3. The print of the proposed lots and tracts that was submitted for this rezone proposal is in error.

Please refer again to my marked print copy. The eastern boundary of Tract D1 should be a straight line perpendicular to the northern boundary of the existing Brendlwood Subdivision. I have drawn a line on the marked print to correct this error.

In an earlier discussion with the developer I suggested that if he were willing to go for a low-density development (I had R-9 in mind), then I might be willing to sell him some land. I received no verbal response to this. I was really astounded that my land was included in this submittal for a rezone change without a single discussion with me.

Thank you for your consideration.

Sincerely,


Arthur W. Braendel

Arthur A. and Barbara F. Braendel
11174 Kaskanak Dr.
Eagle River, AK 99577

RECEIVED

JUL 22 1998

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

July 21, 1998

Department of Community Planning and Development

Subject: Re-zone Case No. 98-114 Tract D and E of Brendlewood Subdivision
Present address is 11212 Kaskanak Dr.

Commission Members;

I am against the proposed rezoning for the following reasons:

1. The rezone is not compatible with the terrain as indicated by both the contour maps and Zoning and Platting Manager Donald Alspachs comments on the proposed rezone of case 98-114. (See the attached contour maps with all of the 4 foot lines drawn in.) Tract D is located within the confines of all R-9 properties and is only connected to R1A by road right of ways. There is no property connected to the proposed tract that is R7 as stated in the proposal. This will in effect totally enclose the tract with R9 property. The owners of tract E will not sign off on the replatting and they are against this development. They are the original owners of this property as a homestead in 1947. They developed tract C and D as five acre tracts with the intent of continuing up the mountain with a low environmental impact development. The intent was to keep and maintain intact as much of the 200 - 250 year old forest and animal habitat as possible. Furthermore, this proposed rezoning does not follow the Eagle River Chugiak development plan.

Owners of Brendlewood, Tract E:

Arthur W. Braendel

Eleanor K. Braendel

Arthur W. Braendel
Eleanor K. Braendel

2. The water supply issue is a great concern to everyone now on Kaskanak Dr. In checking with AWWU, I was informed by Ed Whitmore, their engineer, that the existing water supply at the end of Kaskanak Drive is a differential system, in that it varies by 6 PSI from 54 to 60 PSI. This means the water supply to the proposed site is at best 60 psi and at worst 54 psi. Mr. Whitmore further stated that the highest foundation elevation that could be built technically should be 794 feet and no higher than 2 stories for the worst case scenario. This will provide a pressure of 40 psi on the foundation level of the house and only 30 psi to the shower head on the floor above. (Present owners on Kaskanak have a 60 psi foundation pressure and still report times when their upstairs shower barely functions at all.) If I am buying a house that costs up to \$480,000 I expect the shower to function with gusto, not the bare minimum allowed by code.

The upper half of the property has an elevation of up to 850 feet. To accomplish building these homes, the petitioner will have to basically pit mine the side of the mountain down

to the required elevation of 794 feet. This will result in cut banks of up to 56 feet high and total denuding of all the existing trees and natural wildlife habitat. (See photos of existing back yard embankments on upper Kaskanak Dr. presently three to four years old, that still are unvegetated. Virtually nothing will grow there except an alder bush and some varieties of wild plants.)

The petitioner is attempting to get by with a system that is at the absolute minimum allowed by code for houses that are supposed to be the best in the city with price tags of "\$280,000 to \$480,000". The petitioner stated to me that he would not develop the property if he was required to put in a booster pump system. He stated it would be financially unfeasible for such a small development. If this is the case and the rezone goes through there would be a property zoned for R-1A with no way to develop it because of financial constraints.

Explanation of differential pressure:

The difference in pressure is attributable to the change in head pressure as the water reservoir level varies in height by 14 feet.

This change in reservoir level results in a change of intake pressure at the pump of 6 psi. resulting in the varying output pressure

3. The fire flow requirements on the existing water system were negligible last year which resulted in AWWU installing a tie line to the system in the late fall.. The purpose was to increase volume but not pressure. This system was tested in July of this year. The results can be interpreted on paper to provide adequate, (absolute minimum fire flow and pressure allowed by code), at the proposed elevation of 794 feet. In studies of wildland rural interface fires in California, water systems designed to code for structural fire fighting were inadequate to provide enough water for wild land fires. The reason, is that most homeowners attempt to wet down their homes which drops the pressure and robs the fire department of adequate volume. Also, wildland fires are generally much bigger requiring more water supply than structural fires.

4. The estimated increase in traffic does not take into account the increase in traffic as the rest of the approximately 100 acres of R-9 property is developed in the future. Kaskanak is the only access for all the remaining property south of Meadow Creek. Technically it could be developed in 2 1/2 acre sites. It is the intent of the present owners to make them 5 to 10 acre sites. However, as we are painfully aware now, nothing can keep a "new" owner from attempting to defeat the purpose of the present development. This proposed development shows Kaskanak coming to an end as a cul-de-sac and another road leading off to the remaining property. Good planning would dictate to have Kaskanak turn and continue up the mountain (as presently platted) and the proposed tract, be on a cul-de-sac off of it.

5. The Eagle River-Chugiak-Eklutna Comprehensive Plan designates the proposed site to have a density of less than one house per acre. The petitioner is requesting 3 to 6 dwellings per acre based on the fact that the rezone falls within 500 feet of a similar plan

boundary. Based on this reasoning the entire mountainside could be rezoned piece by piece regardless of the terrain and physical limitations which this site proposal has, simply because it is within 500 feet of flatter land zoned R-1A. Further, the planning staff analysis states that the area is predominantly designated for less than one dwelling per acre.

If the goal of the Comprehensive plan is to preserve and enhance the identity of established community areas and to retain a diversity of lifestyles, then this rezoning should not be allowed. The existing property to the north and east is too steep for anything but R-9 as well as approximately 1/3 of the proposed site. Houses would have to be built on steep embankments with virtually no yard. The extensive excavation would disrupt the natural lay of the land and threaten erosion. The petitioner will have large quantities of gravel material to remove and the excavator will probably try to fill every hole on the lower area of the tract as well as pushing material over the embankment into the Meadow Creek runoff area.

As a family member of the original owner of the property, I state that the intent of all the land above and north of the existing R-1A was to be R-9 zoning with lot sizes of 5 to 10 acres. This was primarily because of the steepness of the terrain and the lack of a second access into the area. For the reasons above I do not believe the petitioner will be able to adequately develop this property to the level of the existing properties without significantly downgrading the esthetics of those properties around it. I request that this rezoning be turned down for the above reasons.

Thank you for your time and consideration of these points.

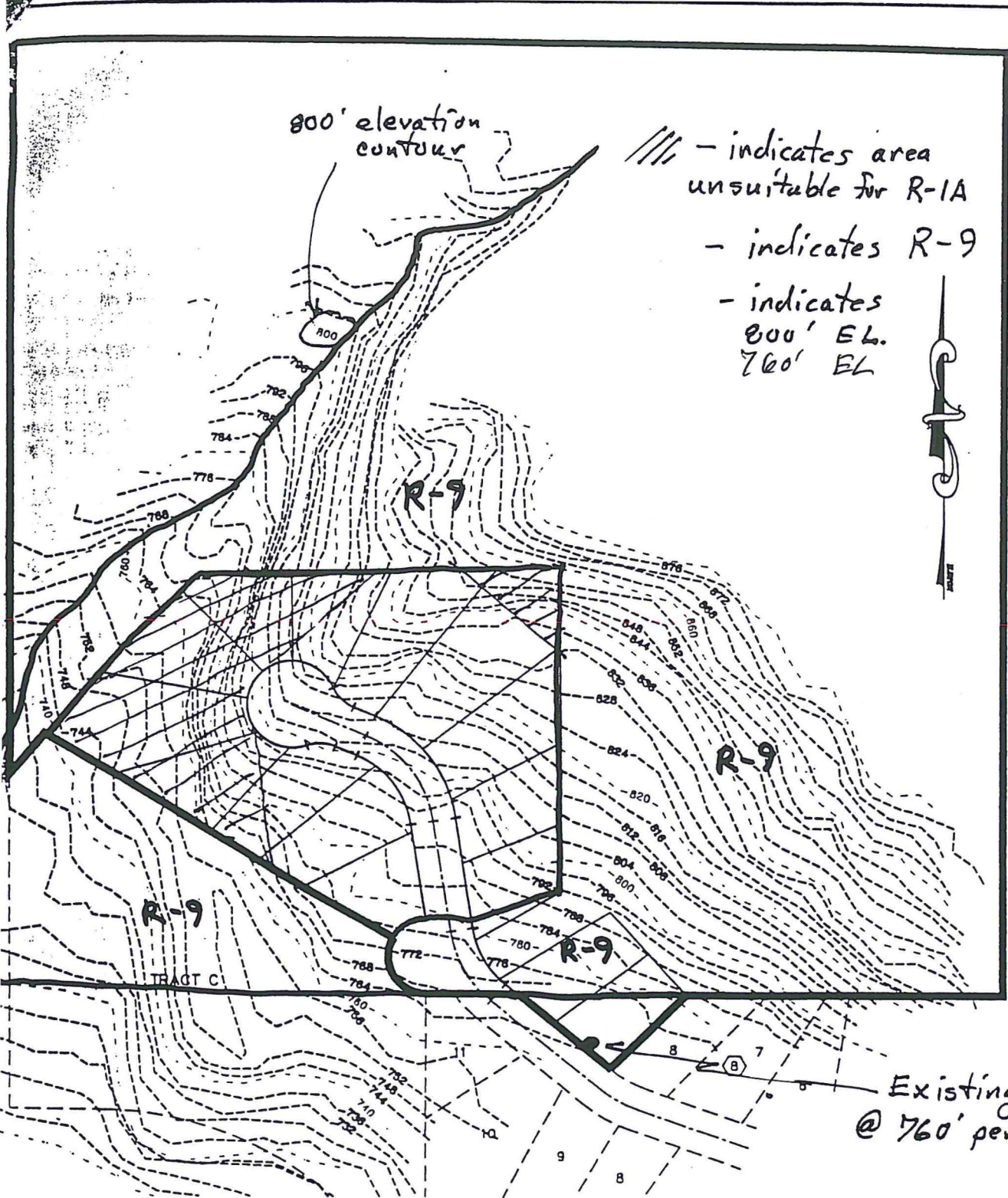
Sincerely submitted,



Arthur A. Braendel

Barbara F. Braendel

Tract C, Brendlewood Subdivision.



UNSUBDIVIDED

EXISTING CONTOURS

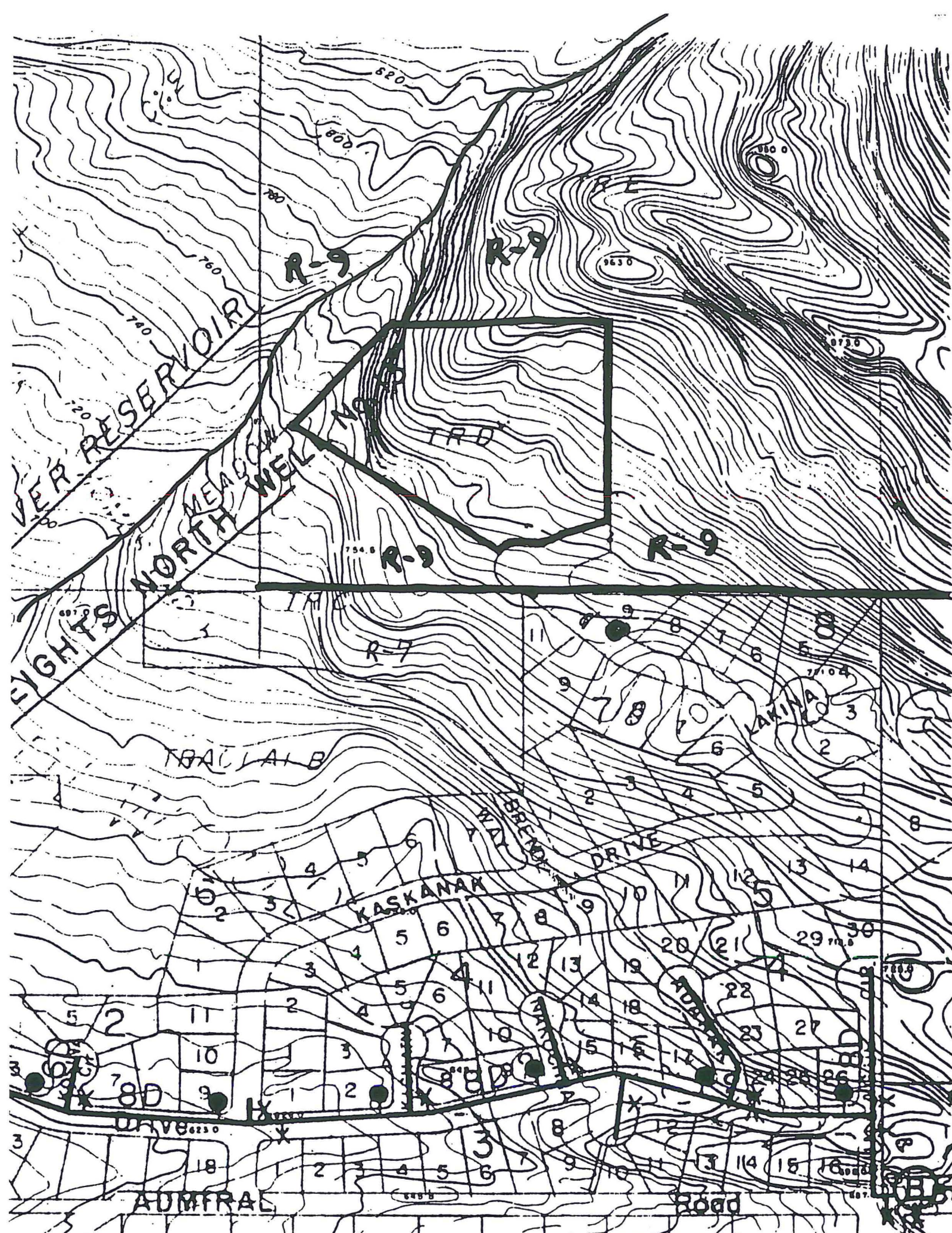


PROFESSIONAL AND TECHNICAL SERVICES, INC.
 CONSULTING-PLANNING-ENGINEERING-LAND SURVEYING
 4155 TUDOR CENTER DR., SUITE 101, ANCHORAGE, ALASKA 99508 (907) 561-6227

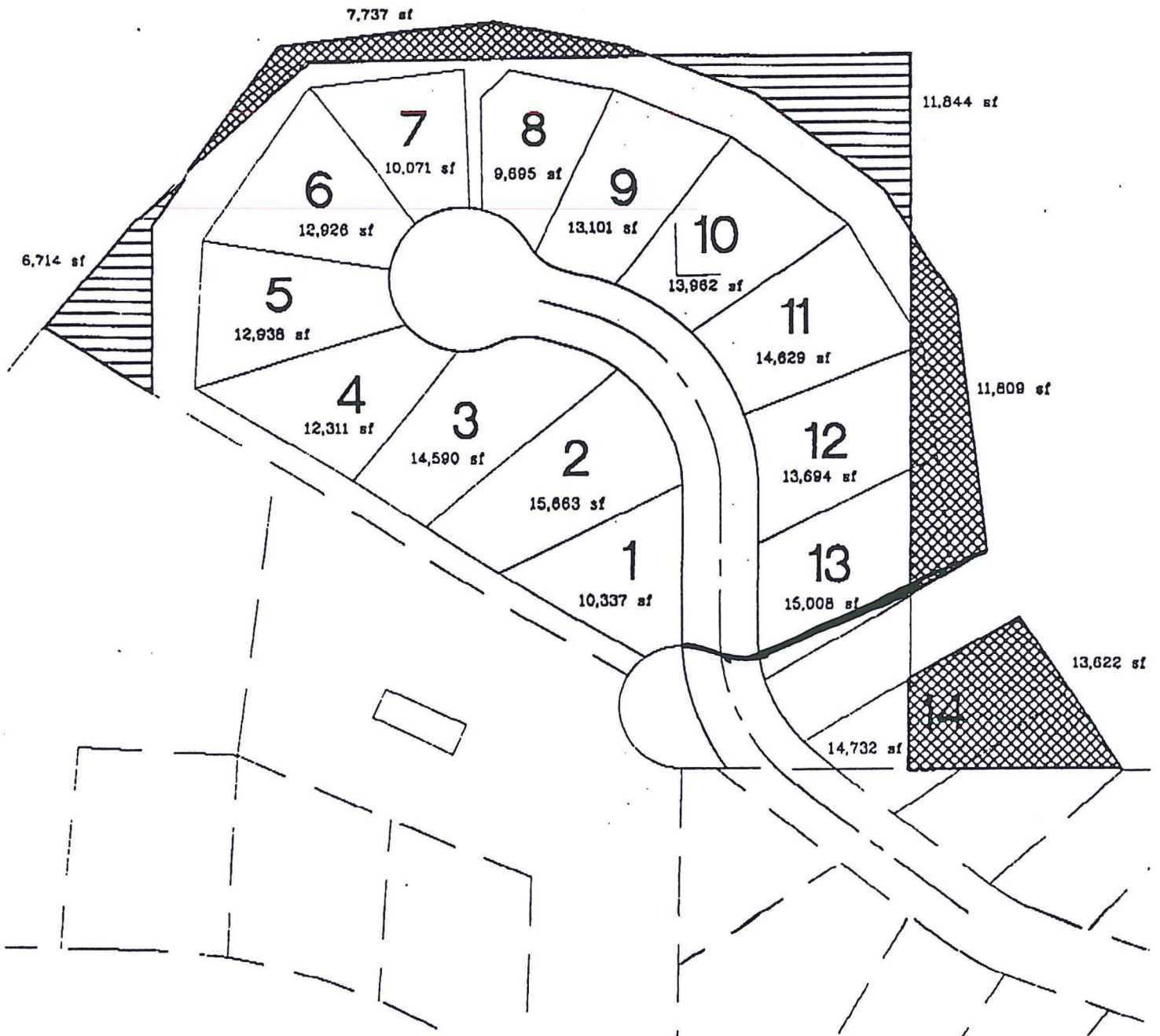
BRENDLWOOD SUBDIVISION

LOTS 10-23, BLOCK 8 AND TRACTS D-1, E-1

BB	FB: BWO5-01	SHEET 6 OF 6	SCALE: 1" = 200'
MAY 1998	DWG NO.: BWO5-ZA	S- _____	GRID: NW 154



scenario 5a



If you would like to comment on the petition this form may be used for your convenience.
Mailing Address: Municipality of Anchorage, Community Planning and Development, P.O. Box
196650, Anchorage, Alaska 99519-6650. For more information call 343-4215; 343-4220.

Name: A. Charles and Sandra L. Madsen

Address: 11633 Inspiration Dr. (off Stillwater Dr.)

Legal Description: Eagle River, AK 99577

Comments: We oppose more building in
area - due to "over building" already.

REZONING/RESIDENTS--PLANNING COMMISSION

98-114

Rec'd @ Muller
Henry 8/3/98

To: Municipality of Anchorage

From: Mr. and Mrs. John Stummer

11154 Kaskanak Drive
Eagle River, Alaska 99577
(907) 694-5486

Date: July 8, 1998

Subject: Case 98-114, Rezoning of Kaskanak Drive, Eagle River, Alaska

To Whom It May Concern,

Kaskanak Drive is a long steep road, with a hairpin turn, which ends in a cul-de-sac. There are already more than forty homes on this road with only one access to the outside world for the residents, and only one way in for emergency vehicles. The road is seldom plowed in winter, and children play on it in summer. The addition of 115 more car trips per day (a planning commission figure) along the entire length of Kaskanak Drive is a very unwelcome and dangerous prospect.

Water pressure at the upper end of Kaskanak Drive, as it now exists, is marginally acceptable for household use and unsatisfactory for fire fighting. We can not run more than one sprinkler at a time if we hope to get anything wet. The addition of 12 to 15 more homes further up the hill is not going to do anything to improve the situation.

Location is everything in real estate, and location played a large part in our decision to purchase the property at Block 7 Lot 10 of the Brendlwood subdivision. We are on the cul-de-sac at the end of Kaskanak Drive. The fact that the land around the cul-de-sac is zoned R-9 was also a large factor in our decision to purchase this property. If this rezoning is allowed, the location of my house changes from one on a quiet cul-de-sac to one on a busy thoroughfare.

Further, since we do live at the present end of Kaskanak Drive, this construction, if it is allowed to proceed, will be right in my front yard. That means several years putting up with the noise and dust of heavy equipment building roads, digging basements, and grading yards. Along with this, there will be a constant stream of trucks up and down Kaskanak Drive bringing in construction materials.

For these reasons, we are strongly opposed to this rezoning, and we believe the overwhelming majority of residents on Kaskanak Drive share in this position.

Thank-you.



John R. & Marian L. Stummer

