

**PLANNING DEPARTMENT**  
**PLANNING STAFF ANALYSIS**

**PLATTING**

**DATE:** September 5, 2007

**CASE:** S-11622-1 T12, R3W, Section 36

**GRID:** SW 3040, SW 3041, To subdivide 2 parcels into 5 tracts  
 SW 3140, SW 3141

**SITE:** ±641 acres

**LAND USE:** Antenna Farm and Undeveloped

**SOILS:** Not serviced by public water or sewer

**TOPO:** Very steep

**VEGETATION:** Birch, spruce, mountain hemlock, and undergrowth

**ZONING:** R-10, Residential Alpine Slope District  
 AF, Antenna Farm District  
 PLI-p, Public Lands and Institutions (Parks) District

**COMPREHENSIVE PLAN**

Classification: The *Anchorage 2020* Land Use Policy Map does not classify this area.

The *1982 Anchorage Bowl Comprehensive Development Plan* classifies this area as Public Lands and Institutions

Intensity: 0 D.U.A.

**SURROUNDING AREA**

	NORTH	EAST	SOUTH	WEST
Zoning:	R-6; R-8; R-9	R-8	R-10 SL; R-7; R-6	R-6; R-9; PLI SL; R-6 SL
Land Use:	Single-Family Residential; Vacant	Vacant; Single-Family Residential	Vacant; Single-Family Residential	Single-Family Residential Vacant; Fire Station; Bear Valley Elementary School

## **FINDINGS**

1. Physical Planning:
  - a. AO 2002-160, an ordinance amending the zoning map and providing for the rezoning of this site from R-10 and PLI-p to PLI-p, is effective subject to creation of a legal boundary for the entire property and resolution of access for the properties located to the east.
  - b. Wetlands and stream investigations should be made prior to final plat, particularly in vicinity of proposed access roads in order to identify potential construction and maintenance issues. Should wetlands and/or stream crossings be needed, COE permits would be required. A plat note requiring the need for wetland/stream investigations prior to access road construction should be included.
2. Development Review:
  - a. Provide a stream maintenance and protection easement “at least 25 feet wide on either side of the stream” as required by AMC 21.80.040. Provide a plat note referencing the stream protection setback requirements of AMC 21.45.210.
  - b. Wetlands Map 103 shows that proposed tracts one and five affected by Class A wetlands. Show the wetlands boundary on the plat. Provide a plat note indicating that a permit from the Army Corps of Engineers is required for work on the property.
3. Project Management and Engineering (PM&E):
  - a. Project Management and Engineering understands no roadway construction will be required of the petitioner as a condition to file this plat, nor is a corresponding subdivision agreement required at this time. Reference AO 02-160. Proposed dedications of right-of-way and public use easements, and a “floating” public use easement provide for discretion to resolve physical access to residential zoned properties to the east of Section 36. PM&E recommends notes be placed on the plat, and advisory notices be recorded against adjacent properties to the east, to publicly notice the adjacent properties of certain requirements and expectations for roadway construction through Section 36 (with associated costs and subdivision agreements) as these eastern properties propose development.
4. Municipal Traffic Department:
  - a. Assembly Ordinance 02-160 created this park and requires that this plat will resolve physical access to residential zoned properties to the east of Sec 36.

- b. Rights of way or tracts for existing roadways can be placed on the plat with no additional design or construction required. (Specifically Clarks Road, Alascom Road, and Heights Hill Road.)
  - c. Vacate 50' Section Line Easement on south boundary of Section 36.
  - d. No roadway construction will be required with this plat.
  - e. Plat Note to read: "Construction of access to benefit development of properties to the east shall be resolved with Traffic and Project Management and Engineering."
  - f. Plat Note to read: "Subdivision agreement to construct access to benefit development of properties to the east shall be resolved with Traffic and Project Management and Engineering."
5. Alaska Department of Transportation (ADOT):
- a. We are unable in only looking at the subdivision plat to determine the level of development for the subdivision. As Clarks Road and Rabbit Creek Road are both State facilities out Traffic Impact Analysis requirements will apply to qualifying developments.
6. Fire Plan Review:
- a. Future development shall require fire apparatus access roads meeting the requirements of the International Fire Code.
7. Right-of-Way (ROW):
- a. Enter into a subdivision or improvement of a public place agreement to provide all road and drainage improvements.
  - b. Provide utility and drainage easements as required. Review time 45 minutes.
8. Watershed Management Services (WMS):
- a. Prior to recording a final plat, resolve the need to map the streams on this parcel with WMS.
9. Flood Hazard Review:
- a. There are various streams located in the area not shown on the plat; resolve with Watershed Management.

- b. Prior to recording the final plat, the following plat note is requested: "Prior to subdivision of any development of Tract 8 a Flood Study shall be conducted to provide base flood evaluations for Little Rabbit Creek."
10. Anchorage Water and Wastewater Utility (AWWU):
    - a. Wastewater facilities are to be in accordance with the Hillside Wastewater Management Plan (HWMP).
    - b. Subject area is outside the AWWU certified water service area.
    - c. AWWU has no objection to the proposed platting action.
  11. On-Site Water and Wastewater Services (OSWWS):
    - a. Information to satisfy the requirements specified by AMC 21.15, AMC 15.55 and AMC 15.65 must be submitted for each lot within this proposed subdivision. This information must include, but may not necessarily be limited to:
      - i. Adequate soils testing per proposed lot, percolation testing, and ground water monitoring must be conducted to confirm the suitability for development using on-site wastewater disposal systems. Ground water monitoring must be conducted during high ground water season in either the fall (October) or spring (April-May).
      - ii. Topographical information must be submitted.
      - iii. This office will require:
        1. Three (3) wastewater absorption field sites for each proposed Lot must be platted in accordance with AMC 15.65.
        2. Notes shall be placed on the plat stating the maximum number of bedrooms the home can be constructed on each lot corresponding to the design of the wastewater absorption field sites.
        3. Notes shall be placed on the plat stating, "The area to be used for wastewater disposal system and replacement subsurface disposal fields on each lot shall be unavailable for use for driveways, parking areas or structures."
        4. Note on plat specifying that, "Wastewater disposal systems shall be Category III Nitrate Reducing systems designed in accordance with AMC 15.65."

- b. An aquifer test shall be conducted within the proposed subdivision. This aquifer test shall include one pumping well and a minimum of two observation wells. The aquifer test shall show that there is an adequate water supply to support the proposed subdivision and the effects of the appropriation of water to serve this subdivision on surrounding properties. The aquifer test shall be accomplished according to procedures outlined by this department.

12. Parks and Recreation Division:

- a. Parks and Recreation understands that the subject property was designated by the Municipal Assembly to become park land upon completing certain conditions of A.O. 2002-160, which rezones the subject property to PLI-p. Parks and Recreation understands that, under AO 2002-160, legal and physical access to adjoining properties, as well as recreational access, must be addressed as part of the platting process.
- b. The 2006 *Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan* identifies Section 36 for Community Use park improvements and calls for development of a master plan for the area. Parks and Recreation expects to begin a public master planning process for Section 36 in the fall of 2007. It is expected that this process would address issues including road as well as trail access within and through Sec. 36 to adjoining property. It is noted that the *Areawide Trails Plan* shows multiple planned multi-use paved and unpaved trails traversing this area.
- c. Parks and Recreation recommends that final approval of a plat of the subject property not be granted until appropriate studies and analysis of Section 36 including access issues are completed by the Planning Department and/or Parks and Recreation Department cooperatively.

13. Non-Motorized Transportation Coordinator:

- a. Plat should dedicate trail easements as shown on the Area-Wide Trails Plat (ATP).
- b. Per the ATP, one proposed Multi-Use Unpaved Trail runs roughly north/south through the property. This easement should be a 25' wide dedicated trail easement.
- c. The other trails run on either side of Clarks Road, Heights Hill Road and Jamie Avenue. Basically, 20' is needed for the paved trails, 15' for the unpaved trails. The plat should ensure that the road easement is wide enough to contain these road and trail facilities as shown in the ATP, or dedicate sufficient room to house these facilities.

- d. On Clarks Rd., a paved multi-use trail to the north and an unpaved multi-use trail to the south.
  - e. On Heights Hill Rd., a paved multi-use trail on the east and an unpaved multi-use trail on the west.
  - f. On Jamie Ave., and unpaved multi-use trail is shown in an extended easement from heights hill to the west.
14. Addressing:
- a. Making the following draft changes:
    - i. STREET NAMES: 155<sup>th</sup> Ave, 149<sup>th</sup> Ave, 140<sup>th</sup> Ave should be E 155<sup>th</sup> Ave, E 149<sup>th</sup> Ave, E 140<sup>th</sup> Ave, Clarks Road should be Clark's Road (with apostrophe),
    - ii. STREET NAMES, VICINITY MAP: Clarks Road should be Clark's Road (with apostrophe), 155<sup>th</sup> Ave and 149<sup>th</sup> Ave, 140<sup>th</sup> Ave should be E 155<sup>th</sup> Ave and E 149<sup>th</sup> Ave and E 140<sup>th</sup> Ave
    - iii. MAP INFORMATION: No problems
    - iv. TITLE BLOCK INFORMATION: No problems, should show S-11621
15. Public Transportation (PeopleMover):
- a. No comment
16. Municipal Light and Power (ML&P):
- a. No comment
17. Alaska Communications Systems (ACS):
- a. No objection
18. Community Council:
- a. See attached comments
19. Public Comment:
- a. See attached comments

**PROPERTY HISTORY**

03-22-63		The Army managed and operated a 2.5-acre site known as the Rabbit Creek Radio Relay Site since the early 1960's. Bureau of Land Management, Department of the Interior issued Public Land Order 2993 that withdrew lands for use of Departments of Army and Air Force, specifically, the 2.5 acre Rabbit Creek Radio Relay Site.
1963		The 1963 Mandatory Borough Act grant boroughs (municipalities) the right to select and acquire certain state lands within their boundaries.
1978		The Municipal Land Entitlement Program of 1978 was intended to facilitate transfer of land from the state to boroughs and unified municipalities.
1979		The MOA filed an application for the Section 36 parcels with Alaska Department of Natural Resources under the Municipal Land Entitlement Program.
11-08-83		Department of Defense sold to Alascom the Rabbit Creek Radio Relay Site, consisting of 2.5 acres. This site is now an inholding within Section 36 zoned as AF (Antenna Farm).
02-15-84	PLO 2993, Deed Bk. 1048, Pg. 791	Easement Deed. Grantor, United States of America. Grantee, Alascom Inc. This is the area encompassed by the Antennae Farm.
02-15-84	Bk. 1048 Pg. 795	Deed of land. Grantor, United States of America. Grantee, Alascom Inc. This is the roadway to the Antennae Farm.
1984		MOA/Heritage Land Bank compiled a comprehensive inventory for all lands selected from the State; the outcome placed Section 36 in the Heritage Land Bank for future public use or disposal. Prior to public use or disposal a site plan or master plan had to be developed first in order to determine the most appropriate use and development pattern. However, the Fink Administration did not follow the recommendation of HLB and the Planning and Zoning Commission's recommendation of developing a site plan or master plan prior to development and proceeded to prepare the property for disposal.
1986		Local residents requested Anchorage Parks and

		Recreation Commission ask the administration to apply to HLB for the transfer of management authority for all of Section 36. HLB could not take action on the transfer request since the Municipality did not have patent to all of the parcels in Section 36.
1987		Following Assembly enacted AO 87-98 (S) which better defined land management responsibilities for HLB, an initial Five Year Management Plan was prepared that called for the development of a land use plan for Section 36.
1988		An update of the 1984 HLB Inventory Study was completed. Section 36 recommendations reiterated the need to do a master plan to identify areas for residential development, trails, greenbelts, and open space.
1989		MOA received the last patent to the Section 36, and HLB initiated a land use study. Local residents again made a formal request to the Administration and Parks and Recreation Commission to transfer Section 36 to MOA/Parks and Recreation.
11-10-92	A.O. 92-125	MOA Assembly adopted Section 36 Land Use Study as an element of the Anchorage Bowl Comprehensive Development Plan. It called for a mix of residential development, trails, greenbelts, and open space, conditioned upon further soils testing and ground water monitoring prior to platting and zoning.
11-10-92	A.O. 92-122	MOA Assembly approved AF, R-10 and PLI-p zoning for portions of Section 36 as identified on Exhibit A (see historical information in back of this analysis)
11-02-95		After earlier attempts to sell portions of Section 36 (nearly 200 acres) were thwarted, the Municipality attempted to go forward with development plans. The Alaska Center for the Environment filed suit against the Municipality to block development of Section 36. A "Settlement Agreement" was reached between the parties requiring the HLB to enter a soils and groundwater monitoring contract to identify potentially developable areas with Section 36 and then issue a report which segregates developable areas from undevelopable areas. The tests and monitoring were conducted in 1997 and concluded much of the property to have low return potential versus platting and infrastructure expense.



### Ownership

Section 36 consists of two large parcels of land owned by the Municipality of Anchorage totaling ±641 acres and a ±2.5 acres parcel owned by Alascom.

The Municipality's parcels are identified in property appraisal records as:

Tax # 017-131-04	T12N, R3W, Section 36, S2S2N2 Portion	480 acres *
Tax # 017-081-07	T12N, R3W, Section 36, N2N2 Portion	158 acres *

\* Acreage is approximate, and includes the road right-of-way

### Surrounded Properties

Unknown	BLM Patent Bk. 150 Pg. 93	Deed of Wayne Friberg Morgan Homestead northeast of Section 36.
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### COMMENTS

#### Site Description

Section 36 is approximately a square mile of largely undeveloped land. The exceptions are Municipal and Alascom owned antennas. There are two distinguishing physical features within the boundaries of Section 36: a mountainous ridgeline with north-facing and south-facing slopes and an extensive low-lying wetland area.

The forested ridgeline divides Section 36 in an east-west direction, gradually descending in elevation in a series of knolls from east to west. Forest cover along the slopes includes a unique stand of mountain hemlock and large white spruce in addition to a mix of birch, poplar, and alders. Drainage flows north to Rabbit Creek, and south to the extensive wetland area that primarily feeds into the Little Rabbit Creek.

The wetland area encompasses nearly 25% of Section 36. *The Anchorage Wetlands Management Plan* designates this area for preservation. The wetlands area functions as a moose calving area. Moose and bear move along the stream corridors in search of food and migration. Also, Section 36 is home to a variety of birds, and large and small fur bearing animals.

Rabbit Creek Road cuts through the northwest corner of Section 36. Clarks Road, a paved neighborhood collector street, bisects the Section 36 in an east-west direction. Heights Hill Road goes southward from Clarks Road, crossing the wetlands area to connect to Jamie Road and an adjoining residential subdivision.

There is a short winding private road extending north from Clarks Road leading to the 2.5-acre Alascom in-holding located at the western end of the ridgeline. In addition to

the Alascom facility, there are three antenna towers on adjacent Municipal owned land that are operated by the Alaska Department of Transportation and Public Facilities.

Proposal

This is a request to subdivide 2 parcels, comprising ±641 acres, into 5 tracts. This subdivision will dedicate the existing roads [Rabbit Creek Road, Clarks Road, Alascom Drive, and Heights Hills Road (formerly Hurricane Drive)] and 3 new unnamed public use easements.

Rezoning

The purpose of this platting case is to fulfill the requirement of A.O. 2006-160. Currently, Section 36 has 3 different zoning districts: R-10, AF, and PLI-p. On August 2, 2002, the Planning and Zoning Commission approved the rezone of Section 36 to PLI-p. The rezone will take effect when this plat is recorded. Section 2 of A.O. 2002-160 states that the rezone:

“shall not become effective until a plat is recorded creating a legal boundary for the entire property. At the time of platting, the platting authority shall resolve legal and physical access to the adjoining residential properties to the east. Currently, there are five access routes traversing the property consisting of: Rabbit Creek Road, Clarks Road, Heights Hill, Private Alascom Road and a historic and currently used homestead road, also known as Clark’s Road, accessing property to the east. Recreational access shall be incorporated into the platting action.”

The rezone does not include ±8 acres which his zoned AF. Tract 4 of this plat and the Alascom in-holding make up the AF zoned area.

Public Use Easements

There are 5 properties bordering the eastern boundary of Section 36. This plat will resolve access to all of these properties. The northernmost property east of Section 36 will be accessed by a future public use easement. The location of the public use easement has yet to be determined.

Also, there are 3 properties that will be accessed through the proposed public use easement that runs north from Clarks Road. Two the 3 properties are currently accessed through a jeep trail. The third property has not access. The public use easement will replace the jeep trail.

All of the public use easements are not necessary for Section 36, but will benefit the properties to the east. At the time that the properties to the east subdivide, then they will be responsible for constructing the public use easements.

Limited Road Service Area

Clarks Road and Rabbit Creek Road are state owned roads. They are maintained by the Rabbit Creek Heights View and Rabbit Creek Heights Limited Road Service Area (LRSA).

The ROW width for all of the dedicated roads and the public use easements is 100 feet. This width was selected to accommodate future trails and pedestrian paths, drainage and utilities, side slopes, and landscaping for the area.

Trails

The Area-Wide Trails Plan shows planned trails along both sides of Clarks Road and Heights Hills Road. Additionally, there is a planned trail that runs from Clarks Road north. Section 36 will be rezoned to PLI-p when this plat is recorded. Also, management of Section 36 will be transferred from HLB to the Parks and Recreation Department. Therefore, the Parks and Recreation Department should have the freedom to construct trails in the most appropriate locations based on further examination of the best location. If the Parks and Recreation determines that the best location for the trails continues to be on either side of Clarks Road and Heights Hills Road, then they may do that. The Department recommends a plat note stating that the location of trails will be determined by the Parks and Recreation Department.

Soils Analysis

No residential development will occur on Section 36. Therefore, soils testing for on-site systems is not necessary. The Department recommends a plat note stating that soils testing is required if development occurs.

**DEPARTMENT RECOMMENDATION**

Approval of the plat for 18 months subject to:

1. Resolve utility easements.
2. Prior to processing the final plat, resolve with Watershed Management Services and PM&E the location and easement dimensions required for streams.
3. Show the wetlands boundary on the plat.
4. Eliminate the jeep trail from the plat
5. Place the following notes on the plat:
  - a. "Public use easements are being provided for the benefit of the undeveloped properties to the east. Road improvements will be determined by PM&E when development is requested."

6. Make the following draft changes:

- a. STREET NAMES: 155<sup>th</sup> Ave, 149<sup>th</sup> Ave, 140<sup>th</sup> Ave should be E 155<sup>th</sup> Ave, E 149<sup>th</sup> Ave, E 140<sup>th</sup> Ave, Clarks Road should be Clark's Road (with apostrophe),
- b. STREET NAMES, VICINITY MAP: Clarks Road should be Clark's Road (with apostrophe), 155<sup>th</sup> Ave and 149<sup>th</sup> Ave, 140<sup>th</sup> Ave should be E 155<sup>th</sup> Ave and E 149<sup>th</sup> Ave and E 140<sup>th</sup> Ave
- c. TITLE BLOCK INFORMATION: Show S-11621

Reviewed by:

Prepared by:

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Tom Nelson  
Director

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Francis McLaughlin  
Associate Planner

**Case S-11622-1**