



**RABBIT CREEK COMMUNITY COUNCIL (RCCC)**  
A Forum for Respectful Communication & Community Relations



**1057 West Fireweed Lane, Suite 100 / Anchorage, AK 99503**

Kristi Bishofberger and Deborah Wockenfuss, Department of Management Services  
Craig Lyon, Director, Planning  
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Municipality of Anchorage

August 25, 2023

Dear Responsible Municipality Officials:

Numerous Rabbit Creek Community Council (RCCC) residents have investigated and raised a number of serious public health and safety concerns over current plans for the Equestrian Heights Subdivision (EH), being developed under Plat 87-14. We note that paper plats are no longer accepted for developments and find it unfortunate that Plat 87-14 includes a denser development and other provisions which would not be acceptable under today's planning code.

Our primary concerns center on the impacts this development will cause from:

- 1) Stresses to existing neighbors' wells, many requiring holding tanks, and the potential for septic system contamination given the plat density of half-acre lots and EH high water table;
- 2) Illegally constructed ditches and changes in drainage due to new home construction that will impact existing homes; and
- 3) Transportation safety and road degradation due to increased uses from construction vehicles and new homeowners on existing substandard roads, and lack of emergency access and egress for all homeowners in the case of disasters.

We have provided an attachment with additional details about these concerns and our recommendations and requests for resolution. Those recommendations include asking: the Municipality of Anchorage (Muni) to monitor well capacities and flows in the area to ensure that minimums remain for all residents; Muni water experts to evaluate flows to determine whether restrictions are needed to protect on-site, nearby, and downstream health and safety; for remediation of illegal drainage ditches in the area as compensation for wetland impacts in the area; Muni or developer's confirmation of how drainage from the new development will not impact area roads or existing homes; that secondary access via Northfield be developed to ensure a secondary route for emergency access/egress is available to all area residents and to relieve traffic degradation on the only current access of narrow, steep, substandard 142<sup>nd</sup> Avenue.

The homeowners have contacted many Muni offices, including each of you, and the U.S. Army Corps of Engineers, Regulatory Division, in efforts to find answers to their questions. They, along with RCCC officers, have made numerous unsuccessful attempts to connect with the landowner via email and phone over the past year and a half. Neither the land owner nor the current developer have responded with requested information.

The RCCC, for both the affected residents already in the area and any new residents of the proposed development, requests your attention to the concerns and needed actions contained in the attachment. By this letter, we representatives of the RCCC and neighbors to the Equestrian Heights Subdivision are requesting a meeting with you and other pertinent staff to discuss these issues and potential resolutions at your earliest convenience.

Please reply to RCCC at [rabbetcreekcc@gmail.com](mailto:rabbetcreekcc@gmail.com) or call Co-chair Ann Rappoport at 907-230-3187.

Sincerely,



Ann Rappoport, Co-chair



John Riley, Co-chair

Attachment

cc: Randy Sulte and Zac Johnson, Anchorage Assembly  
Shane McCoy, Regulatory Division, U.S. Army Corps of Engineers  
Doug Schrage, Chief, AFD  
Dime Developers  
Dave Hultquist, Hultquist Homes  
Skylar Roosdett

## ATTACHMENT

### Equestrian Heights Development: Problem Areas/Issues and Recommended Resolutions

Background: Plat 87-14 for Equestrian Heights (EH) located east of Golden View Drive, and north and west of Rabbit Creek Road was approved in 1987 after previous unsuccessful attempts in the early 1980's. Equestrian Heights came to the attention of the area's neighbors when a Community Well on the plat was proposed in the late 1980s. Neighbors successfully lobbied the Planning and Zoning Commission to delete that provision due to existing low well capacity in the area. The plat was approved in 1987 with requirements for well and septic, compatible with the surrounding area. However, the plat was for half-acre lots inconsistent with the surrounding one acre lots typically considered necessary for well and septic.

Following are details around the three main problem areas with the current development of Plat 87-14: plat density - well water adequacy and potential for septic system contamination; off-site drainage; and transportation – safety, road degradation, and lack of secondary egress. Actions to minimize these problems for current and future residents are identified for each problem area.

Plat Density Concerns: The half-acre lots of EH are inconsistent with surrounding one-acre lots. Consequently, **well water adequacy** in existing and planned home development **may be seriously compromised** - for both "normal" residential use and emergency/wildfire protection. Additionally, septic system contamination may result from two sources. Note, neighbors are pleased that the current home under construction in EH is being developed on a 1-acre lot (two of the half-acre lots were combined). Development of future homes by similarly combining two of the half-acre lots would be preferable and would help prevent or minimize many of the issues raised below.

1. *Well Water Adequacy.* Homes in R-6 zones, such as this area, have historically required a minimum of 1-acre lots. The smaller, half-acre lots allowed under Plat 87-14 create the possibility of over-taxing the water supply for both existing wells in the wider area and for the new development. Available neighborhood data show 50% of existing wells within 50 to 500 feet of EH, in all directions, are less than adequate, with holding tanks required for a steady supply of water to these households. It seems logical that these homes are tapping the same aquifer that would supply water for homes in EH.

- a. Normal Residential Use is set at 150 gallons/day per bedroom in Anchorage, without allowing for exterior or other non-personal uses. Most normal residential requirements for water include both exterior watering, and other home, equipment maintenance, and personal uses. A more realistic minimum capacity should be set merely for "normal use".
- b. Emergency/Wildfire Protection Use must be factored into any "minimum" well flow requirements. In this Hillside location, where Anchorage Fire Department (AFD) access is limited (see below) and successful intervention would be significantly challenged in the case of wildfire, the

ability of homeowners to “irrigate” their home structures and surrounding area will be paramount both to *any* peace of mind they might have and to the slightest possibility that the structures might “survive” a wildfire.

The RCCC recommends very careful attention be paid to well flows and capacities found as each lot is developed to ensure that *even more than* “minimum” adequate capacity will remain for the overall area, in both existing and proposed new homes. What can the Municipality do to protect existing wells?

2. *Septic System Contamination* – This problem has two potential sources:

- a. *Septic Field Absorption Capacity and Location.* The platted development is over the probable water supply aquifer for the wider area. While EH is platted for half-acre lots, the current Municipal Code (AMC 15.65.110) requires lots of at least 40,000 sq. ft. in order to achieve the required 100-ft separation between well and septic.
- b. *High Water Table and Wetlands.* These exist throughout most of, or the entire, proposed development, potentially leading to the need for specially designed and constructed septic drain fields and/or holding tanks to avoid: (1) Water supply contamination, and/or (2) Flow of contaminants over land or through the water table, even into drainages, such as Gold Creek, that lead into Little Rabbit Creek and Potter Marsh in the Anchorage Coastal Wildlife Refuge.

The RCCC requests both:

- 1) Extremely close oversight of septic system designs relative to water table separation, and
- 2) An intensive and *early* look by experts at water flow underground, overland, and through drainages to determine if further restrictions need to be in place to protect on-site, nearby, and “downstream” health and safety.

Off-Site Drainage—This concern involves:

1. Existing illegally constructed drainage ditches in the southwest portion of the plat onto both undeveloped properties south of EH Lot 9 and Lot 5 of Melinda View Estates, and
2. The platted drainage easements (leading southwest from Rockingham Circle cul-de-sac, and southwest from the southeasterly curve of Northfield Drive toward Rabbit Creek Road) which, if not constructed with plentiful and well-maintained infiltration swales, etc., will likely drain into off-site properties, specifically:
  - a. South and west of EH Lot 9, including Melinda View Estates, Lot 5, and
  - b. South of EH Tract D.

*The RCCC notes that the illegal drainage ditches in question (dug to “drain the wetlands” in the 1980s) were at one time required by the Corps of Engineers to be*

remediated by any future developer to the original landform. We were disappointed to learn from the Corps of Engineers (Shane McCoy) that courts are unlikely to enforce remediation on an illegal drainage action that is over 5 years old. However, we suggest that this remediation could be completed as compensation for current wetland impacts due to the current development, or others in the area.

RCCC requests that the Muni should make all reasonable efforts to:

- 1) Ensure the platted easements are constructed so as to obviate unpermitted and damaging off-site drainage, and to
- 2) Look for an opportunity to require remediation – fill of illegal drainage ditches to their original non-draining state to restore the original wetlands - as compensation for other wetlands impacts in the area.

3. *Drainage from the new roadway “Northfield”* leading downhill into Pickett at 144<sup>th</sup> Avenue The design slope of 10% will likely result in drainage into this already constrained 90-degree turn intersection. The plat lacks a plan for handling this new drainage into the existing roadway. The addition of excess drainage will cause both safety issues and degradation/erosion of the roadway.

Therefore, the RCCC requests the Muni carefully evaluate this issue and then apply requirements for adequate drainage, off-street, to the development.

#### Transportation Safety, Road Degradation, and Secondary Access:

1. *Transportation Safety. 142<sup>nd</sup> Avenue Dangers and Inadequacies*—Currently the only access to all properties uphill from Golden View Drive and 142<sup>nd</sup> is via the “single access road” of 142<sup>nd</sup> which is a very steep slope uphill from both Golden View Drive and Buffalo Street (well above the 12% Muni maximum). This slope, in conjunction with the narrow character of the road and initial non-standard construction as a “homestead road”, with little-to-no decent subgrade and underlying springs, are cause for concern regarding the safety of additional traffic that could be imposed on it by both construction and transiting EH residents.

2. *142<sup>nd</sup> Avenue Degradation.* The substandard conditions of 142<sup>nd</sup> Avenue are already a major maintenance problem for the area’s Limited Road Service Area. What measures are in place to ensure that any damage to 142<sup>nd</sup> from the heavy vehicles needed for home construction will be properly repaired? The addition of EH traffic could impact the LRSA budget and further reduce already unsafe road conditions, resulting in hazardous, slower access/egress, by both residents and emergency equipment.

**3. *Secondary Access Limitations***—The single access area east of Golden View Drive and for homes along, and off of, 142<sup>nd</sup> Avenue has long been viewed as dangerous.

- a. Recent Review by the AFD of the proposed EH development resulted in a recommendation to construct the platted extension of Northfield from Pickett to the existing stretch of Northfield running north from Rabbit Creek

Road (see attached email). In an August 1, 2023, telephone conversation with a RCCC member (C. Kinard), the AFD reviewer noted this added development is an adequate trigger, given the number of already existing homes in the area, to require that secondary access be provided.

- b. The recent fires in and around Lahaina on the island of Maui Hawaii, are a horrific cautionary tale justifying the need for secondary access for Equestrian Heights.
  - 1) The charred bodies in burned cars who were stuck in Lahaina traffic due to inadequate roads is *already* a real possibility for this single-access neighborhood. State forestry models have indicated only moderate winds would fuel a wildfire encompassing the entire Hillside in only 15 minutes.
  - 2) Do we really want to add more housing and traffic to an already inadequate single access road? With a fast-burning wildfire, emergency responders and equipment would be in grave danger, unable to enter the neighborhood, especially with a clogged 142<sup>nd</sup> Street.
  - 3) AFD difficulty in access and delays in equipment use during the recent Zircon Circle home fire is another cautionary tale justifying need for adding secondary access via Northfield, to ensure residents can escape and AFD can respond in a timely manner for both existing and newly built homes.
- c. Wildfire Likelihood--AFD staff have told the neighborhood a Hillside wildfire is not a question of "if" but "when". Liability for lack of preparedness in Lahaina is already being addressed. Liability could be limited with advance preparations, i.e., immediate construction of a secondary access road through Equestrian Heights. RCCC has made similar recommendations for constructing secondary access roads in other locations with limited access in our area, and understands the tension between whether this is a responsibility of the developer or the Muni. A solution needs to be found, before the Muni and others are charged with ignoring the safety of residents.

Therefore, the RCCC Requests that the Muni immediately work with the developer and the LRSA to ensure that:

- 1) Added pressure on inadequate existing roads is kept to a minimum, by whatever traffic control measures may be available, and
- 2) Secondary access via Northfield is required to be constructed as part of the current development (outside of the lots accessing directly onto Pickett)--both for *critically needed* emergency access/egress for the entire area and to provide a safer route than 142<sup>nd</sup> Avenue for internal EH residents.