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11-23-2020

**CANYON VIEW ESTATES**

Lots 1-13 Block 1, Lots 1-7 Block 2, Tracts A, B, C, 1 & 2  
 Case No. S12545  
 (Subdivision Plat Conforming to Municipal Code)

**SUBDIVISION TIMELINE**

November 5, 2019	Pre-application conference with MOA departments
November 13, 2019	Hillside Community Council presentation
December 11, 2019	Bear Valley Community Council presentation
December 12, 2019	Glen Alps Community Council presentation
February 4, 2020	Submit Preliminary Plat to Planning
May 20, 2020	Platting Board public hearing; closed with no action taken
June 3, 2020	Platting Board approved plat with denial of vacations and variances
September 16, 2020	Platting Board approved the Findings of Fact
August 24, 2020	New evidence or changed circumstances filed with municipal clerk
November 5, 2020	Platting Board asked to see Subdivision Plat

**REVISED PLAT SUMMARY**

The Canyon View Estates plat was approved, subject to conditions, at the June 3rd Platting Board hearing. On November 5th, the Platting Board requested to see the revised Canyon View Estates plat "that is responsive to and meets code." Please see the attached Canyon View Estates plat that meets all title 21 code requirements. It is our understanding that the Platting Board considers the denial of two variance requests and one vacation request at the June 3<sup>rd</sup> hearing to be a change of circumstances and the reason for this additional review. See below for an overview of the denied requests and their effect on the plat.

The three requests that were denied by the Platting Board are:

- A. Denial of the request for vacation (elimination) of three (3) Public Use Easements, 2016-013102-0, 2016-013103-0, 2016013104-0.
- B. Denial of a variance from AMC 21.08.030K.2 *Dimensions*, to exceed the lot width-to-depth ratio of one third for lots 2-8, 14 & 15.
- C. Denial of a variance from AMC 21.08.050H.4 *Pedestrian Facilities-Trails* to provide sidewalks, walkways, trails and pathways.

In accordance with these denied requests and all other conditions subject to approval of the preliminary plat, the preliminary plat was revised. The changes resulting from the denied requests are as follows:

*A. Denial of the request for vacation (elimination) of three (3) Public Use Easements, 2016-013102-0, 2016-013103-0, 2016013104-0.*

The preliminary plat showed the three (3) Public Use Easements 2016-013102-0, 2016-013103-0, and 2016013104-0 as "Vacated this Plat".

The revised plat shows the three (3) Public Use Easements 2016-013102-0, 2016-013103-0, and 2016013104-0 as existing with no changes. A 60' right-of-way is also being dedicated over the existing as-built Canyon Road as required and a 20' T&E Easement is being dedicated on each side of the ROW. This 100' wide corridor of ROW and easements encompass much of the existing PUE's. R-10 zoning allows for homes to be set back from the ROW or PUE by 10'.

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*B. Denial of a variance from AMC 21.08.030K.2 Dimensions, to exceed the lot width-to-depth ratio of one third for lots 2-8, lot 14 & 15.*

The preliminary plat showed lots 2-8 & 14-15 exceeding the lot width-to-depth ratio of one third.

The revised plat shows that lots 2-8 & 10-13 have reduced depth, bringing them within the width-to-depth ratio of one third as per AMC 21.08.030.K.2. By reducing the depth of these lots and including the area into lot 9 this brings them into compliance with code. All lots reflected in the revised plat meet the lot width-to-depth ratio of one third as per AMC 21.08.030.K.2.

LOT DEPTH-TO-WIDTHS FOR LOTS 2-8 & 10-13 TABLE

Lot No.	Width	Depth	Under 3:1
Lot 2	148.01'	405.07'	2.74:1
Lot 3	157.42'	464.67'	2.95:1
Lot 4	156.88'	461.33'	2.94:1
Lot 5	166.89'	452.46'	2.71:1
Lot 6	177.82'	484.01'	2.72:1
Lot 7	192.49'	510.00'	2.65:1
Lot 8	196.44'	474.53'	2.42:1
Lot 10	169.00'	397.60'	2.35:1
Lot 11	169.15'	406.86'	2.41:1
Lot 12	166.54'	432.71'	2.60:1
Lot 13	177.95'	462.53'	2.60:1

*C. Denial of a variance from AMC 21.08.050H.4 Pedestrian Facilities-Trails to provide sidewalks, walkways, trails and pathways.*

The preliminary plat showed the dedication of a 100' Public Use Easement south of Rabbit Creek, a 10' Public Use Easement from Tract B to Fairkytes Cir. and a conceptual trail on the site plan. Part of the denied variance was for constructing trails, including a pedestrian pathway along Canyon Road within the existing PUE.

The revised plat shows multiple trail easements as requested per the platting conditions and the MOA Trails Coordinator. These 20' Trail Easements and their locations have been preliminarily approved by the Trails Coordinator and is reflected in conditions 7, 8, and 9 of the Summary of Action. A pedestrian pathway along Canyon Road, in the proposed dedicated ROW, has been designed and submitted for review and approval to Private Development and is reflected in condition 11 of the Summary of Action.

The Pedestrian Facilities-Trails are;

- A 100' Public Use Easement is being dedicated by this plat on the south side of Rabbit Creek.
- A gravel pathway on one side of Canyon Road.
- 20' Trail easement being dedicated from Canyon Road through Tract B and Tract C, down to the PUE at Rabbit Creek.
- 20' Trail Easement being dedicated in Tract A along the PUE as shown.
- 20' Trail Easement being dedicated from Canyon Road to Fairkytes Cir.

The above revisions shown on the final plat configuration comply with the Summary of Action which includes denial of the three previously requested variances. Residential development of the proposed lots can be achieved with the existing PUE's left in place. Lot depths have been slightly adjusted to comply with the one-third width to depth ratio as well as R-10 zoning requirements of Title 21. A gravel pathway is proposed to be constructed along Canyon Road in compliance with condition E.11. And finally, trail easements are now dedicated in the various locations listed above providing pedestrian access to the Rabbit Creek corridor. This is a phased plat and phase 2 is being shown for reference. In this revised plat there are a total of 25 lots shown, including future phase 2. In the preliminary plat, 27 lots were shown.

All of these changes were made to the plat as a normal and necessary step of creating a subdivision that meets all the requirements and conditions set forth by Anchorage Municipal Code and the Platting Board after rigorous public and municipal review. Any conditions of approval must be adequately resolved before a final plat may be approved and recorded. Even when there are no variances or vacations denied by the Platting Board, the final plat typically has numerous changes made by the time it is recorded. Some of the changes can be because of easements added per the utility companies request, summary of action conditions, Watershed updates, Private Development requests and On-Site requirements.

This final plat configuration is substantially the same as the previously submitted preliminary plat and does not warrant any additional conditions.

Ms. Michelle McNulty, Planning Director  
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Municipality of Anchorage  
4700 Elmore Road  
Anchorage, AK 99507

Re: Canyon Road Public Use Easements

December 3, 2020

Dear Ms. McNulty,

At our Community Council meeting on November 12<sup>th</sup>, 2020 we discussed the existing roadside trail which parallels Canyon Road through the proposed Canyon View Estates Subdivision. For your information, this existing pedestrian trail follows along the route of the natural gas line and winds through the triangular portion of the public use easement in the vicinity of the eastern boundary of the property. This trail is regularly used by many residents of the neighborhood as a preferable alternative to walking along the shoulder of Canyon Road.

As you will recall, three Public Use Easements which vary in width from 100 feet to significantly wider were acquired by the Municipality in 2015 as part of a state-funded project to improve access to Chugach State Park. The purposes of these easements (as stated in the easement documents) are to accommodate various public uses including public streets, walkways, trails, drainage and drainage facilities.

The preliminary plat submitted by the developer of Canyon View Estates called for the vacation of much of these easements down to the minimum allowable ROW width of 60 feet for a Collector Street. At the conclusion of the public hearing, the Platting Board voted to deny this request.

AMC Title 21.03.230 stipulates that in order to vacate a public use easement the platting authority must deem the area to be of value to the Municipality unless proven otherwise.

After discussing these facts, the Glen Alps Community Council voted to send you this letter to provide you with formal notice of the existence of this trail, and of its public value to residents of our neighborhood. The Glen Alps Community Council requests that you take whatever action is necessary to retain the existing public use easements in their entirety for this and other public uses.

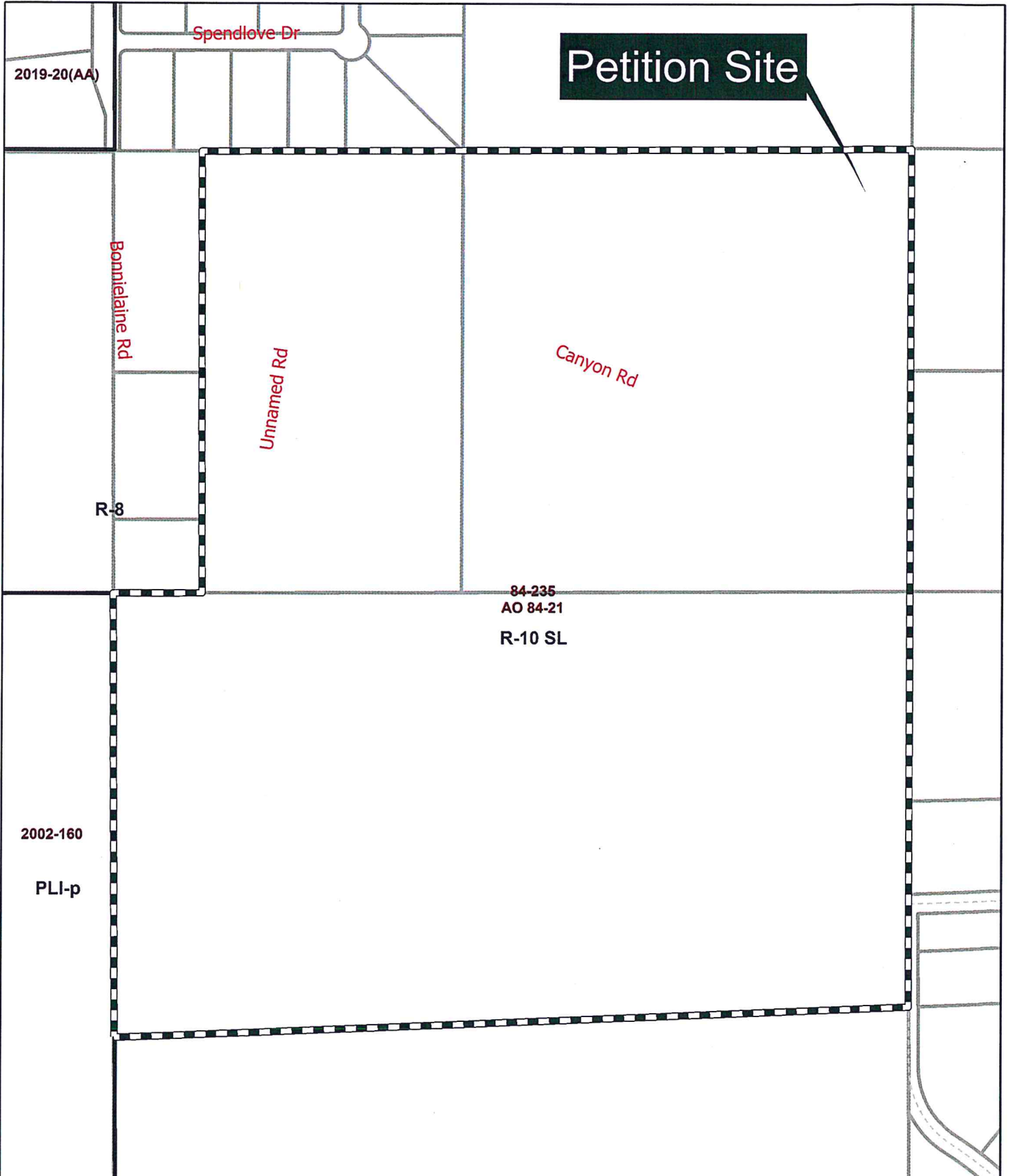
Thank you.

Greg Kuijper, President  
Glen Alps Community Council

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02/03/2021



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Petition Site

