



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 1209-95


1
2 FROM: Mayor Rick Mystrom MEETING DATE: December 12, 1995
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4 SUBJECT: Ratification of the Section 36 Settlement Agreement
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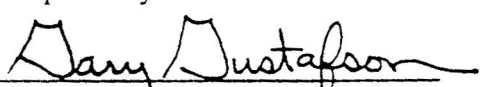
6 On November 2, 1995, the Heritage Land Bank (HLB) and the Alaska Center for the Environment
7 (ACE) signed a settlement agreement intended to resolve the petition (S-9583A) currently before the
8 Assembly concerning the platting of Section 36 on the upper Hillside. The parties now seek a
9 ratification of the settlement agreement by the Assembly, acting as the Board of Adjustment.

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11 The settlement agreement requires the Heritage Land Bank to enter into a soils testing and
12 groundwater monitoring consultant contract by March 1, 1996. The consultant will be responsible to
13 assemble pertinent information, identify potentially developable areas, conduct soil and percolation
14 tests in the potentially developable areas, and then issue a report with findings which segregates the
15 actual developable areas in Section 36 from the undevelopable areas. Based upon the results of the
16 study, the HLB will then initiate a replat of Section 36, segregating the developable from the
17 undevelopable areas. The HLB will also initiate a rezone of the undevelopable areas to PLI-P and
18 will initiate a management transfer of all undevelopable land to the Department of Cultural and
19 Recreational Services.

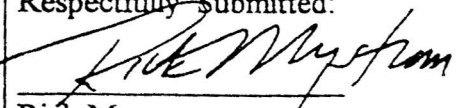
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21 The settlement agreement also provides that the appeal petition will be dismissed by ACE within 48
22 hours of the ratification of the settlement agreement by the Assembly. ACE has agreed to abide by
23 the results of the consultant's report concerning the location of the developable and undevelopable
24 areas. In addition, ACE agrees not to initiate a new petition or other appeal related to the future
25 development of Section 36 by the Heritage Land Bank and not to challenge the consultant's report if
26 used as the basis for a replat of Section 36.

27
28 This settlement agreement will resolve a long-standing dispute over future land use in Section 36. It
29 is consistent with the implementation recommendations included in the Section 36 Land Use Study
30 prepared for the area. The Administration requests your favorable consideration.

31
32 Concur:
33 
34 _____
35 Larry D. Crawford
36 Municipal Manager

Prepared by:


Gary Gustafson
Director, Heritage Land Bank

37
38 Respectfully Submitted:
39 
40 _____
41 Rick Mystrom
42 Mayor