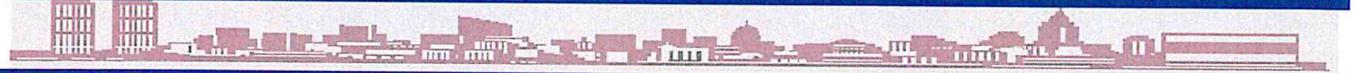


Application for Preliminary Plat

Municipality of Anchorage
 Planning Department
 PO Box 196650
 Anchorage, AK 99519-6650



PETITIONER*		PETITIONER REPRESENTATIVE (IF ANY)	
Name (last name first) Spinell Homes		Name (last name first) The Boutet Company	
Mailing Address 1900 West Northern Lights		Mailing Address 601 East 57th <i>Place</i> Suite 102	
Anchorage, AK., 99517		Anchorage, AK., 99518	
Contact Phone – Day 907-343-1600	Evening	Contact Phone – Day 907-522-6776	Evening
E-mail andre@spinellhomes.com		E-mail thoffman@tbcak.com	

*Report additional petitioners or disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

PROPERTY INFORMATION			
Property Tax # (000-000-00-000): 0064214100014			
Site Street Address:			
Current legal description: (use additional sheet if necessary) Tract A2, Checkpoint Subd., Plat 2018-39			
Zoning: R-3	Acreage: 6.657	Underlying Plat #: 2018-39	Grid #: SW1238
# Lots: 0	# Tracts: 1	Total # parcels: 1	

PROPOSED SUBDIVISION INFORMATION		
Proposed legal description: (use additional sheet if necessary) Lots 1-56 and Tracts 1 and 2, Birch Meadows Subdivision		
# Lots: 56	# Tracts: 2	Total # parcels: 58

I hereby certify that (I am)(I have been authorized to act for) the owner of the property described above and that I petition to subdivide it in conformance with Title 21 of the Anchorage Municipal Code of Ordinances. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the subdivision. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff or the Platting Authority for administrative reasons.

Signature  Owner Representative (Representatives must provide written proof of authorization) Date: 4/11/22

Tony Hoffman
 Print Name

Accepted by: <i>FM</i>	Poster & Affidavit: <i>2 + affidavit</i>	Fee: <i>\$15,045.00</i>	Case Number: <i>512667</i>	Meeting Date: <i>P25 07/11/2022</i>
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COMPREHENSIVE PLAN INFORMATION

Improvement Area (per AMC 21.08.050B.): Class A Class B

Anchorage 2040 Land Use Designation:
 Neighborhood (Residential) Center Corridor
 Open Space Facilities and Institutions Industrial Area

Anchorage 2040 Growth Supporting Features:
 Transit-supportive Development Greenway-supported Development
 Traditional Neighborhood Residential Mixed-use

Eagle River-Chugiak-Peters Creek Land Use Classification:
 Commercial Industrial Parks/opens space
 Public Land Institutions Marginal land Alpine/Slope Affected
 Special Study Residential at _____ dwelling units per acre

Girdwood- Turnagain Arm
 Commercial Industrial Parks/opens space
 Public Land Institutions Marginal land Alpine/Slope Affected
 Special Study Residential at _____ dwelling units per acre

ENVIRONMENTAL INFORMATION (All or portion of site affected)

Wetland Classification: None "C" "B" "A"
 Avalanche Zone: None Blue Zone Red Zone
 Floodplain: None 100 year 500 year
 Seismic Zone (Harding/Lawson): "1" "2" "3" "4" "5"

RECENT REGULATORY INFORMATION (Events that have occurred in last 5 years for all or portion of site)

Rezoning - Case Number:
 Preliminary Plat Final Plat - Case Number(s): 2018-39
 Conditional Use - Case Number(s):
 Zoning variance - Case Number(s):
 Land Use Enforcement Action for
 Building or Land Use Permit for Master F&G C15-2197, AWWU PS16-007
 Wetland permit: Army Corps of Engineers Municipality of Anchorage

POTABLE WATER AND WASTE WATER DISPOSAL

Potable Water provide by: Public utility Community well Private well
 Wastewater disposal method: Public utility Community system Private on-site

APPLICATION REQUIREMENTS

(One of each applicable item is required for initial submittal, additional copies are required after initial submittal)

Signed application (original)
 Watershed sign off form, completed
 8½" by 11" reduced copy of plat
 Certificate to Plat

4 copies required: Subdivision drainage plan

9 copies required: Topographic map of platted area

16 copies required:
 (7 copies for a short plat)
 Signed application (copies)
 Preliminary plat
 As-built (if applicable)
 Summary of community meeting(s) (not required for short plat)

(Additional information may be required)

Additional required documents unless specifically waived by Platting Officer:
 Soils investigation and analysis reports (4 copies) Waived by _____

Application for Subdivision Variance

Municipality of Anchorage
 Planning Department
 PO Box 196650
 Anchorage, AK 99519-6650



PETITIONER*		PETITIONER REPRESENTATIVE (IF ANY)	
Name (last name first) Spinell Homes		Name (last name first) The Boutet Company	
Mailing Address 1900 West Northern Lights		Mailing Address 601 East 57th Place, Suite 102	
Anchorage, AK., 99517		Anchorage, AK., 99518	
Contact Phone – Day 907-343-1600	Evening	Contact Phone – Day 907-522-6776	Evening
E-mail andre@spinellhomes.com		E-mail thoffman@tbcak.com	

*Report additional petitioners or disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

PROPERTY INFORMATION
Property Tax # (000-000-00-000): 0064214100014
Site Street Address:
Current legal description: (use additional sheet if necessary) Tract A2, Checkpoint Subd., Plat 2018-39

REQUEST
The variance is for relief from the requirement to: Dedicate internal street
Associated platting case number (if applicable):

I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I am petitioning for an subdivision variance in conformance with Title 21 of the Anchorage Municipal Code of Ordinances. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the variance. I understand that the burden of evidence to show compliance with the variance standards rests with me, the applicant.

Signature 	<input type="radio"/> Owner <input checked="" type="radio"/> Representative (Representatives must provide written proof of authorization)	Date 4/12/22
Print Name Tony Hoffman		

Accepted by:	Poster & Affidavit:	Fee \$945⁰⁰	Case Number 512667	Meeting Date P2c: 07/11/2022
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VARIANCE(S) REQUESTED FROM (CODE CITATIONS):

AMC 21. 08.040A.i (Private Street Dedication)

AMC 21.

APPLICATION REQUIREMENTS

(One of each applicable item is required for initial submittal, additional copies are required after initial submittal)

If associated with a preliminary plat application: Signed application(original) and Signed application (16 copies)

If not associated with a preliminary plat application:

1 copy required: Signed application(original)

16 copies required: Signed application (copies)

Variance narrative, addressing:

The need for the variance

The effect of granting the variance

An analysis of how the proposal meets the variance standards below

Underlying plat

Proposed plot plan or site plan, to scale (new construction)

Topographic map of site

Photographs

(Additional information may be required.)

VARIANCE STANDARDS

The Platting Board may only grant a variance if the Board finds that **all** of the following 4 standards are substantially satisfied. Each standard must have a response in as much detail as it takes to explain how your property's condition satisfies the standard. The burden of proof rests with you.

- a. There are special circumstances or conditions affecting the property such that the strict application of the provisions of the subdivision regulations would clearly be impractical, unreasonable, or undesirable to the general public;
- b. The granting of the specific variance will not be detrimental to the public welfare or injurious to other property in the area in which such property is situated;
- c. Such variance will not have the effect of nullifying the intent and purpose of the subdivision regulations or the comprehensive plan of the municipality; and
- d. Undue hardship would result from strict compliance with specific provisions or requirements of the subdivision regulations. The applicant may supplement the form with supporting documents.

Birch Meadow Subdivision
SUBDIVISION DESIGN VARIANCE NARRATIVE
ROAD DEDICATION
(A.M.C. 21.080.040A.1)

Anchorage Municipal Code AMC 21.08.040A.1 states that "All street rights-of-way shall be dedicated to the public, unless a variance for private streets is approved by the platting board...." . **We are requesting that the road providing access to these lots be encompassed in a 38' private access, utility and open space tract adjacent to the lots as shown on the preliminary plat.**

Variance Standards

There are special circumstances or conditions affecting the property such that the strict application of the provisions of the subdivision regulations would clearly be impractical, unreasonable, or undesirable to the general public;

Response: The application of this requirement is both impractical and unreasonable in that it does not allow fullest and best use of the property. Creating smaller lots will allow for more economical building practices, which is a benefit to the community in that it allows for a lower price point. And the smaller lots would not be possible if we dedicated full width roads. The homeowners association will be responsible for plowing, snow removal and maintenance of the road.

The granting of the specific variance will not be detrimental to the public welfare or injurious to other property in the area in which such property is situated;

Response: The requested variance does not affect any other properties adjacent to the proposed subdivision. Since the road and roadway improvements will be privately maintained by the homeowners association there is a cost benefit to the public.

Such variance will not have the effect of nullifying the intent and purpose of the subdivision regulations or the comprehensive plan of the municipality; and

Response: The requested variance does not negate any other subdivision standard, and in fact enhances the maximum use of the property. Approval of the variance will allow the development to proceed in a smaller footprint, thereby creating less disturbance to the property.

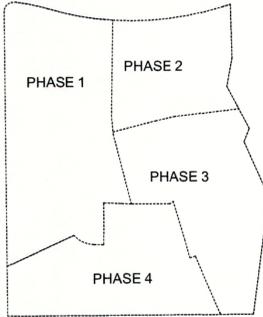
Undue hardship would result from strict compliance with specific provisions or requirements of the subdivision regulations.

Response: Strict compliance with this requirement would create undue hardship, since it would preclude effective, responsible development of the property. As noted in the narrative, this style of development has occurred throughout the Checkpoint and Whisperwood Community and it is difficult to ascertain where the public road dedication ends and the private roads begin.

ADDITIONAL VARIANCE REQUIREMENTS (AMC 21.08.040A.1)

Anchorage Municipal Code AMC 21.080.040A.1 states that "All street rights-of-way shall be dedicated to the public, unless a variance for private streets is approved by the platting board. Applicants for a variance for private streets shall demonstrate the following:"

- a. *Why a private street is appropriate and preferable to a publicly dedicated street;*
Response: Allowing the street to be constructed is preferable in that it allows for a more “compact” development, since it has a narrower effective roadway and the building setback is not so deep from the edge of road (compared to a full 60 foot ROW). Also, the Municipality will not be required to maintain the road, a saving in cost and manpower to the city.
- b. *That a private party is willing and able to maintain a private street to public standards...*
Response: The developer will be required to build the road, and form a binding homeowners association that will have the required dues structure to maintain the road.
- c. *That a private street presents no conflict or obstruction to the orderly expansion of the public street system...*
Response: The proposed road is an internal loop, with no possible connections to any other developed road.



Phase 1: 2022-2023
 Phase 2: 2023-2024
 Phase 3: 2024-2025
 Phase 4: 2025-2026
 (Dates are subject to market demand)

PHASING PLAN

EXISTING ZONING: R-3

Tract A-2 Area: 289,952 s.f.

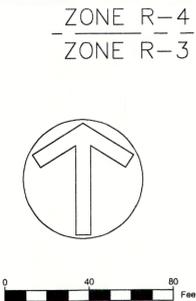
Phase 1 Data:
 Area: 101,326 s.f.
 21 Lots, 1 Tract

Remaining Phases:
 Area: 188,626 s.f.
 35 Lots, 1 Tract

Overall Lot Size Average: 3980 s.f.
 Overall Gross Density: 8.4 du/a

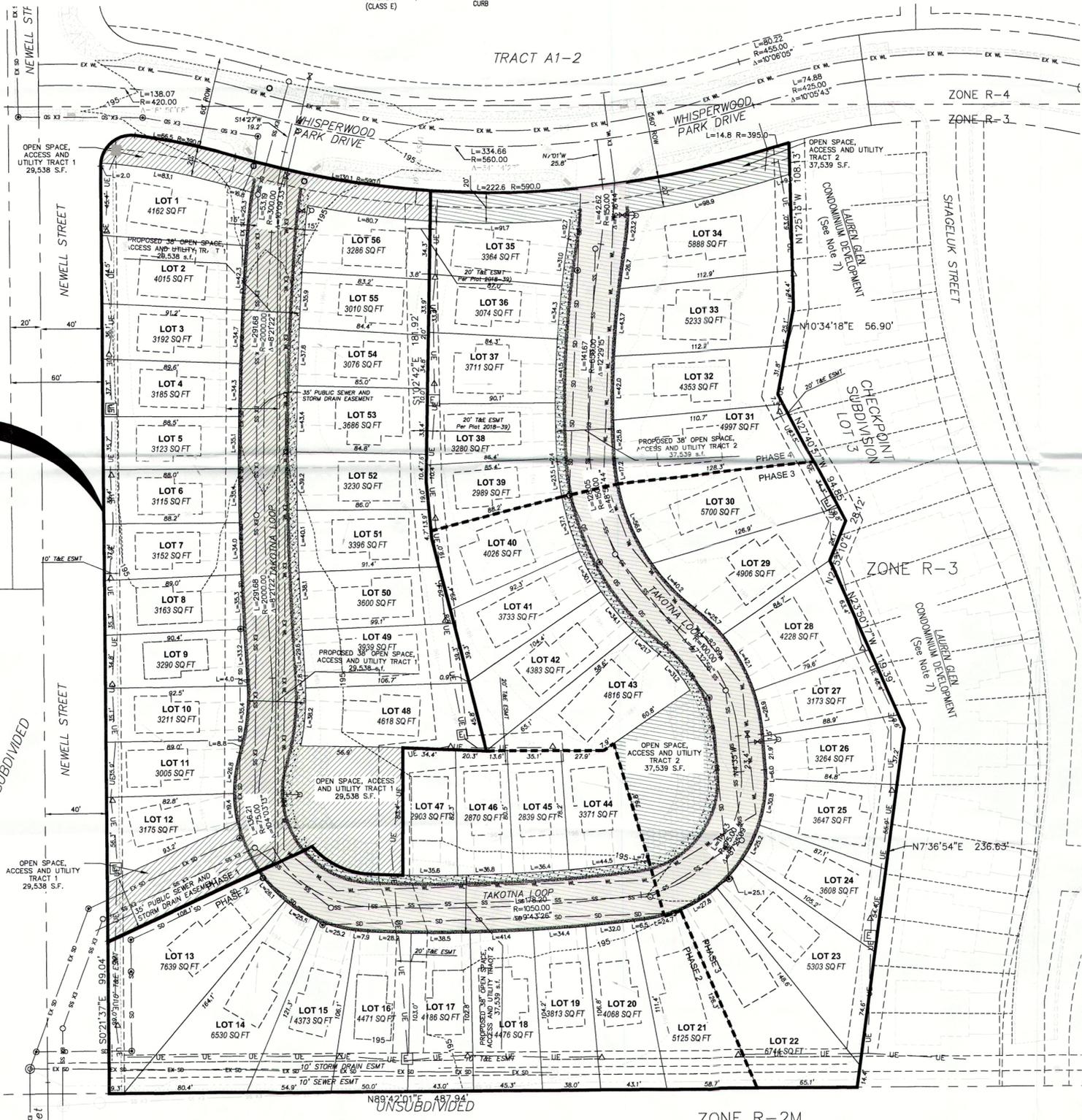
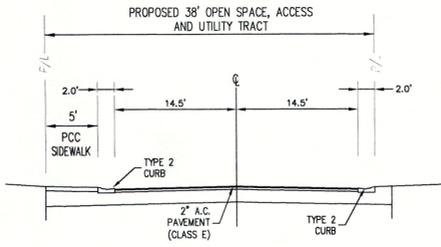
Notes:

- UNLESS NOTED OTHERWISE, EASEMENTS SHOWN ON HERE ARE EXISTING, EITHER RECORDED BY DOCUMENT OR BY THE UNDERLYING PLAT (2018-39).
- THE PROPERTY OWNER AND UTILITIES SHALL NOT RAISE, LOWER OR REGRADE THE PROPERTY IN A MANNER THAT WILL ALTER THE DRAINAGE PATTERNS FROM THOSE SHOWN ON THE APPROVED GRADING AND DRAINAGE PLAN WITHOUT PRIOR APPROVAL FROM THE MUNICIPALITY OF ANCHORAGE BUILDING SAFETY OFFICE.
- PROPERTY OWNERS AND UTILITIES SHALL NOT OBSTRUCT, IMPEDE OR ALTER APPROVED DRAINAGE FACILITIES (E.G. SWALES, DITCHES) IN ANY WAY THAT WILL ADVERSELY AFFECT ADJACENT PROPERTIES OR RIGHTS-OF-WAY.
- TRACTS 1 AND 2 ARE PRIVATE ACCESS, OPEN SPACE AND UTILITY TRACTS
- THE MUNICIPALITY WILL NOT NOW, AND WILL NOT IN THE FUTURE ACCEPT THE OWNERSHIP OF, OR THE MAINTENANCE OF, OR THE RESPONSIBILITY FOR SNOW PLOWING OR ROAD IMPROVEMENTS IN TRACTS 1 AND 2. OWNERSHIP, MAINTENANCE AND SNOW CLEARING SHALL REMAIN THE COLLECTIVE RESPONSIBILITY OF THE PROPERTY OWNERS OF THE LOTS THAT RECEIVE THEIR ACCESS OFF OF THESE TRACTS.
- TRACTS 1 AND 2 ARE TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- THE LAUREN GLEN CONDOMINIUM DEVELOPMENT HOMES ON THE WEST SIDE OF SHAGELUK STREET HAVE NOT BEEN CONSTRUCTED. THEY ARE SHOWN PER DESIGN. THE STREET AND UTILITIES ARE FULLY IMPROVED AS SHOWN.
- THE TRACT AREAS INDICATED AS "ACCESS, OPEN SPACE AND UTILITY" ARE NOT NECESSARILY THE AREAS USED IN THE CALCULATION OF THE REQUIRED OPEN SPACE OF THE PLANNED UNIT APPLICATION.



PHASE 1
 101,326 S.F.
 LOTS 1-12,
 48-56 and
 TRACT 1

TAKOTNA LOOP CROSS SECTION



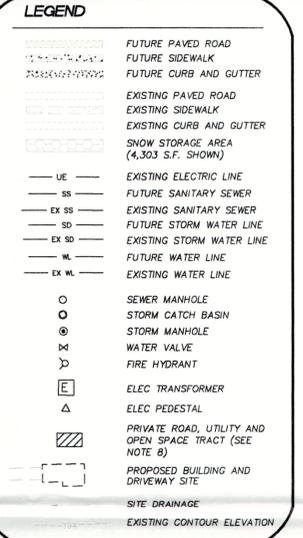
Certificate of Ownership and Dedication

I (we) hereby certify that I (we) hold the herein specified property interest in the property described hereon. I hereby dedicate to the municipality all areas depicted for use as public utility easements, streets, alleys, thoroughfares, parks, and other public areas shown hereon. There shall be reserved adjacent to the dedicated streets shown hereon a slope reservation easement sufficient to contain cut and fill slopes of 1.5 feet horizontal for each one foot vertical (1.5 to 1) of cut or fill for the purpose of providing and maintaining the lateral support of the constructed streets. There is reserved to the grantors, their heirs, successors and assigns, the right to use such areas at any time upon providing and maintaining other adequate lateral support, as approved by the municipality.

I (we) hereby agree to this plat, and to any restriction or covenant appearing hereon and any such restriction or covenant shall be binding and enforceable against present and successive owners of this subdivided property.

Andre Spinelli
 Managing Member

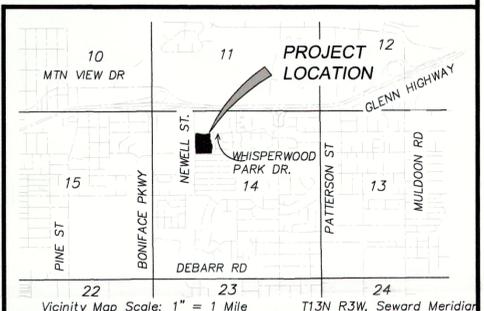
Spinelli Homes
 1900 W. Northern Lights Blvd
 Anchorage, AK, 99517



Utility Notes:
 The utilities and road construction shown on here (both constructed and future construction) are per MOA approved plans as follows:

Private Development Plans:
 MOA Master Fill and Grade C15-2197
 AWWU Private System PS16-007

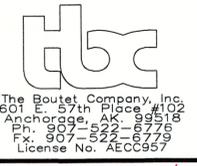
Subdivision Agreement 16-005
 AWWU Private Development WS20-002



PRELIMINARY PLAT
 Lots 1-56 and
 Tracts 1 and 2,
 Birch Meadow Subdivision

A subdivision of Checkpoint Subdivision
 Tract A2, Plat 2018-39
 Located within the NW 1/4 of Section 14,
 T13N, R3W, State of Alaska,
 Contains 6.657 Acres, More or less

MOA Grid Map: SW1238
 Scaled 1"=40'
 Drawn By/TH Checked: AS
 Job No.
 Date: 4/11/2022
 Plat No.:
 SHEET: 1 of 1



5/2667 Pac: 07/11/2022