

MUNICIPALITY OF ANCHORAGE
PLANNING AND ZONING COMMISSION RESOLUTION NO. 2022-025

A RESOLUTION APPROVING A PRELIMINARY PLAT OF BIRCH MEADOWS SUBDIVISION, LOTS 1-56 AND TRACTS 1 & 2; GENERALLY LOCATED NORTH OF EAST 6TH AVENUE, EAST OF THE NEWELL STREET RIGHT-OF-WAY ALIGNMENT, SOUTH OF WHISPERWOOD PARK DRIVE, AND WEST OF SHAGELUK STREET, IN ANCHORAGE.

(Case S12667; Parcel ID No. 006-421-41)

WHEREAS, an application has been received from Spinell Homes, Inc. requesting approval of a preliminary plat of Birch Meadow Subdivision, Lots 1-56 and Tracts 1 & 2; generally located north of east 6th Avenue, east of the Newell Street right-of-way alignment, south of Whisperwood Park Drive, and west of Shageluk Street, in Anchorage; and

WHEREAS, public hearing notices were published, posted, and mailed, and a public hearing was held before the Planning and Zoning Commission on July 11, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Planning and Zoning Commission that:

- A. The Commission makes the following findings of fact:
 - 1. This subdivision will create fifty-six lots which will allow the construction of a new building for single-family housing development.
 - 2. This plat is consistent with the comprehensive plan.
 - 3. The Commission approves the variance from AMC 21.08.040A.1., Dedication of Streets, to allow a private road to be constructed and maintained through a homeowners association.
 - 4. Public testimony was offered during the public hearing supporting single-family homes.

- B. Approval of the requested variance from the requirement to dedicate street right-of-way to the public in AMC 21.08.040A.1 Dedication of Streets right-of-way, all street rights-of-way shall be dedicated to the public, subject to:
 - 1. Recording a suitable plat within 60-months of preliminary approval and any approved time extensions.

- C. Approval of the phasing plan.

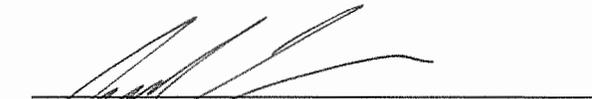
- D. The Commission approves the preliminary plat for 24 months, subject to the following conditions:
1. Resolve utility easements.
 2. Resolve with AWWU Planning the need to provide a 40-foot sanitary sewer and water easement for sewer and water mains.
 3. Establish a homeowner's association and provide a copy of the CC&R's to Planning for review and approval.
 4. Place the following notes on the plat:
 - a. The property owners and utilities shall not raise, lower, or re-grade the property in a manner that will alter drainage patterns without prior approval from Municipality of Anchorage Building Safety Office.
 - b. Property owners and utilities shall not obstruct, impede or alter approved drainage facilities (e.g. swales, ditches) in any way that will adversely impact adjacent properties or rights of way.
 - c. 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 roadway improvements in Tracts 1 & 2. Ownership, maintenance, and snow clearing shall remain the collective responsibility of the property owners of the lots which receive their access off of this tract.
 - d. Tracts 1 and 2 are owned and maintained by the homeowner's association.

PASSED AND APPROVED by the Municipal Planning and Zoning Commission this 11th day of July 2022.

ADOPTED by the Anchorage Municipal Planning and Zoning Commission this 8th day of August 2022. This written decision/resolution of the Planning and Zoning Commission is final and any party may appeal it within twenty (20) days to the Board of Adjustment pursuant to Anchorage Municipal Code 21.03.050A.



Craig H. Lyon
Secretary



Jared Gardner
Chair

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