

**PLANNING DEPARTMENT  
CURRENT PLANNING STAFF ANALYSIS  
PLATTING BOARD**

**DATE:** April 19, 2023

**CASE:** S12711  
Bill Russell Subdivision, Tract 1  
  
Subdivision of twelve (12) lots into one (1) tract and vacation of 20' alley dedicated per plat P-320.

**APPLICANT** Swell, LLC.

**REPRESENTATIVE** Tony Hoffman, The Boutet Company

**GRID:** SW1135

**LAND USE:** Vacant

**UTILITIES:** Public water and sewer

**TOPO:** Sloping towards the east

**VEGETATION:** Site has existing mature vegetation, with a variety of birch and spruce trees

**ZONING:** R-2M Mixed Residential

**COMPREHENSIVE PLAN**  
Classification: "Compact Mixed Residential- Medium" and "Greenway Supported Development" per the *Anchorage 2040 Land Use Plan*

**SURROUNDING AREA**

	<u>NORTH</u>	<u>EAST</u>	<u>SOUTH</u>	<u>WEST</u>
Zoning:	R-2M	R-2M	B-3	R-3
	Mixed	Mixed	General	Mixed
	Residential	Residential	Business	Residential

**ATTACHMENTS**

1. Maps
2. Application
3. Reviewing Agency and Public Comments
4. Posting Affidavit

## REQUEST

This is a request to subdivide twelve (12) lots into one tract and vacate the 20' alley right-of-way dedicated per plat P-320. This request is being made to combine the lots into a single tract of land for future development.

## AGENCY AND PUBLIC COMMENTS

Municipal reviewing agencies have no objections to the proposed vacation or preliminary plat. 637 public hearing notices were mailed on March 22, 2023. As of this writing, no comments were received from the public. The Northeast Community Council did not provide comment.

1. Utility easements have been requested.
2. Private Development comments:

**Roads:** The subject parcels are adjacent to the following rights-of-way:

- East 11<sup>th</sup> Court, Class IB Neighborhood Collector
- Boston Street, Class IC Neighborhood Collector
- East 12<sup>th</sup> Court, Class IC Neighborhood Collector
- State Street, Local Road

### **Improvement Recommendations:**

Improve State Street to half-street standards fully fronting and adjacent to the western property boundary to include barrier curb, gutter, sidewalk, and a minimum overall total pavement width of 24-feet.

East 11<sup>th</sup> Court, Boston Street, and East 12<sup>th</sup> Court appear to be constructed to current municipal standards. No improvements required at this time.

### **Dedication:**

Dedication of 5-feet of right-of-way for East 11<sup>th</sup> Court along the north property boundary as shown on the preliminary plat.

Dedication of 5-feet of right-of-way for Boston Street along the east property boundary as shown on the preliminary plat.

Dedication of 5-feet of right-of-way for East 12<sup>th</sup> Court along the south property boundary as shown on the preliminary plat.

Resolve the need for additional right-of-way along the western property boundary of the preliminary plat for State Street to accommodate the half-street improvements.

**Subdivision Agreement Requirements:**

Prior to final plat approval the petitioner shall enter into a subdivision agreement with Private Development for the required Class A area improvements, to include the asphalt street, traffic control devise, street signs, monuments, drainage facilities, and utilities.

**Plat Notes:**

Private Development recommends the following notes be added to the final plat:

- a. The property owners and utilities shall not raise, lower, or re-grade the property in a manner that will alter drainage patterns from those shown on the approved grading and drainage plan without prior approval from Municipality of Anchorage Building Safety Office.
- b. Property owners and utilities shall not obstruct, impede, or alter drainage facilities (e.g. swales, ditches) in any what that will adversely impact adjacent properties or rights-of-way.

The Private Development Section has no objection to the proposed subdivision and vacation subject to the above recommendations and conditions.

3. Traffic Engineering comments:

The Traffic Engineering Department has no objection to the vacation of the 20' alley right-of-way or preliminary plat subject to the following comments:

- a. Dedication of 5-feet of right-of-way for East 11<sup>th</sup> Court along the north property boundary as shown on the preliminary plat.
- b. Dedication of 5-feet of right-of-way for Boston Street along the east property boundary as shown on the preliminary plat.
- c. Dedication of 5-feet of right-of-way for East 12<sup>th</sup> Court along the south property boundary as shown on the preliminary plat.

d. Improvements along State Street may be required at the time of development for proposed commercial use. Remaining adjacent rights-of-way appear to be developed to current municipal standards.

4. Anchorage Water and Wastewater comments:

- a. AWWU water is available to the parcels.
- b. AWWU sanitary sewer service is not currently available to the parcels. In order to connect, a sewer main will need to be extended to fully front one side of the proposed tract.
- c. No assessments are due upon completion of the platting action.
- d. AWWU has no objection to this platting action.

5. Onsite Water and Wastewater Section comments:

No objection. The proposed tract will be served by public water and sewer.

6. Right-of-way (ROW) comments:

No comment or objection to the 20' alley right-of-way vacation. Recommend the placement of T&E Easements on all four sides of proposed Tract 1.

7. Alaska Department of Transportation (ADOT) comments:

No objection to the proposed platting action or vacation.

8. Addressing comments:

In the platted area:

- a. Correct street name to East 11<sup>th</sup> Court (not Ave.)
- b. Correct street name to East 12<sup>th</sup> Court (not Ave.)

**STAFF ANALYSIS**

The following criteria must be considered in any vacation of public rights-of-way, dedication, section line easement, Bureau of Land Management (BLM) easement, or public use easement:

- 1. The statement by the applicant alleging the right-of-way is surplus to the current and future needs of the public and the reasons for determining the right-of-way is surplus.**

The applicant has attached their statement pursuant to the above (see attached application), and states that the rights-of-way are surplus to current and future public needs. The proposed Bill Russell Subdivision retains physical and legal access to East 11<sup>th</sup> Court to the north, Boston Street to the east, East 12<sup>th</sup> Court to the south, and State Street to the west.

The Traffic Engineering Department states in their comments that they have no objection to the vacation, and with the proposed preliminary plat the alley is no longer necessary and in excess of municipal need.

- 2. The Municipality will not entertain any vacation of right-of-way on a street on the Official Streets and Highways Plan (OS&HP) unless it can be shown without a doubt that the right-of-way is clearly in excess of all future needs for right-of-way.**

The 20' alley is not classified on the Official Streets and Highways Plan.

- 3. Any right-of-way lying on the half-mile grid will not be considered for vacation unless it can without a doubt be shown that the right-of-way is clearly in excess of all future needs for right-of-way.**

The subject right-of-way is not located on the half-mile grid.

- 4. Any right-of-way lying on the quarter-mile grid will not be considered for vacation unless it can without a doubt be shown that the right-of-way is clearly in excess of all future needs for right-of-way.**

The subject right-of-way is not located on the quarter-mile grid.

- 5. In all cases it must be proven that the remaining property in the area can be adequately served and the traffic circulation is enhanced by the vacation of right-of-way.**

This vacation will not have any impact on traffic circulation and is not part of the Official Streets & Highways Plan. The right-of-way is in excess of Municipal need, and the preliminary plat request to subdivide the twelve lots into one tract negate the need for any future alley access.

- 6. The Municipality will consider realignment of right-of-way by vacation and rededication where it can be clearly shown the right-of-way realignment will enhance traffic circulation and will provide**

**for the movement of traffic with generally the same beginning and ending points as the original right-of-way.**

This vacation will not result in a realignment of any existing right-of-way and does not impact existing traffic circulation. The proposed Tract 1 has legal and physical access to East 11<sup>th</sup> Court, Boston street, East 12<sup>th</sup> Court, and State Street.

Municipal reviewing agencies have expressed no objection to the request to vacate the 20' alley right-of-way within the proposed Bill Russell Subdivision, Tract 1. The utility companies will have the opportunity to review the proposed plat and request easements as necessary. Therefore, staff believes that the right-of-way is in excess of municipal need and recommends approval of this vacation subject to conditions.

#### **DEPARTMENT RECOMMENDATION**

A. Approval of the request to vacate the 20' alley right-of-way per plat P-320 are subject to the following conditions:

1. Record a suitable plat within 24 months of its approval (and any time extensions).

B. Approval of the plat for 24 months subject to the following conditions:

1. Resolve utility easements.
2. Enter into a subdivision agreement with Private Development for the required Class A area improvements, to include State Street to half-street standards fully fronting and adjacent to the western property boundary to include barrier curb, gutter, sidewalk, and a minimum overall total pavement width of 24-feet.
3. Dedicate of 5-feet of right-of-way for East 11<sup>th</sup> Court along the north property boundary as shown on the preliminary plat.
4. Dedicate of 5-feet of right-of-way for Boston Street along the east property boundary as shown on the preliminary plat.
5. Dedicate of 5-feet of right-of-way for East 12<sup>th</sup> Court along the south property boundary as shown on the preliminary plat.
6. Place the following notes on the plat:
  - a. The property owner and utilities shall not raise, lower, or re-grade 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 Municipality of Anchorage Building Safety Office.

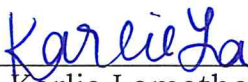
- b. Property owners and utilities shall not obstruct, impede alter approved drainage facilities (e.g. swales, ditches) in any way that will adversely impact adjacent properties or rights-of-way.
7. Make the following drafting changes:
- a. In the title block, add the case number (S12711).
  - b. In the platted area:
    - i. Correct the street names to East 11<sup>th</sup> Court and East 12<sup>th</sup> Court (not Avenue).
    - ii. Remove the "25" label near the southeast corner of proposed Tract 1, within the Boston Street right-of-way.

**ADVISORY COMMENT** (Traffic Engineering Department): Improvements along State Street may be required at the time of development for proposed commercial use.

Reviewed by:

Prepared by:

  
\_\_\_\_\_  
Craig H. Lyon  
Planning Director

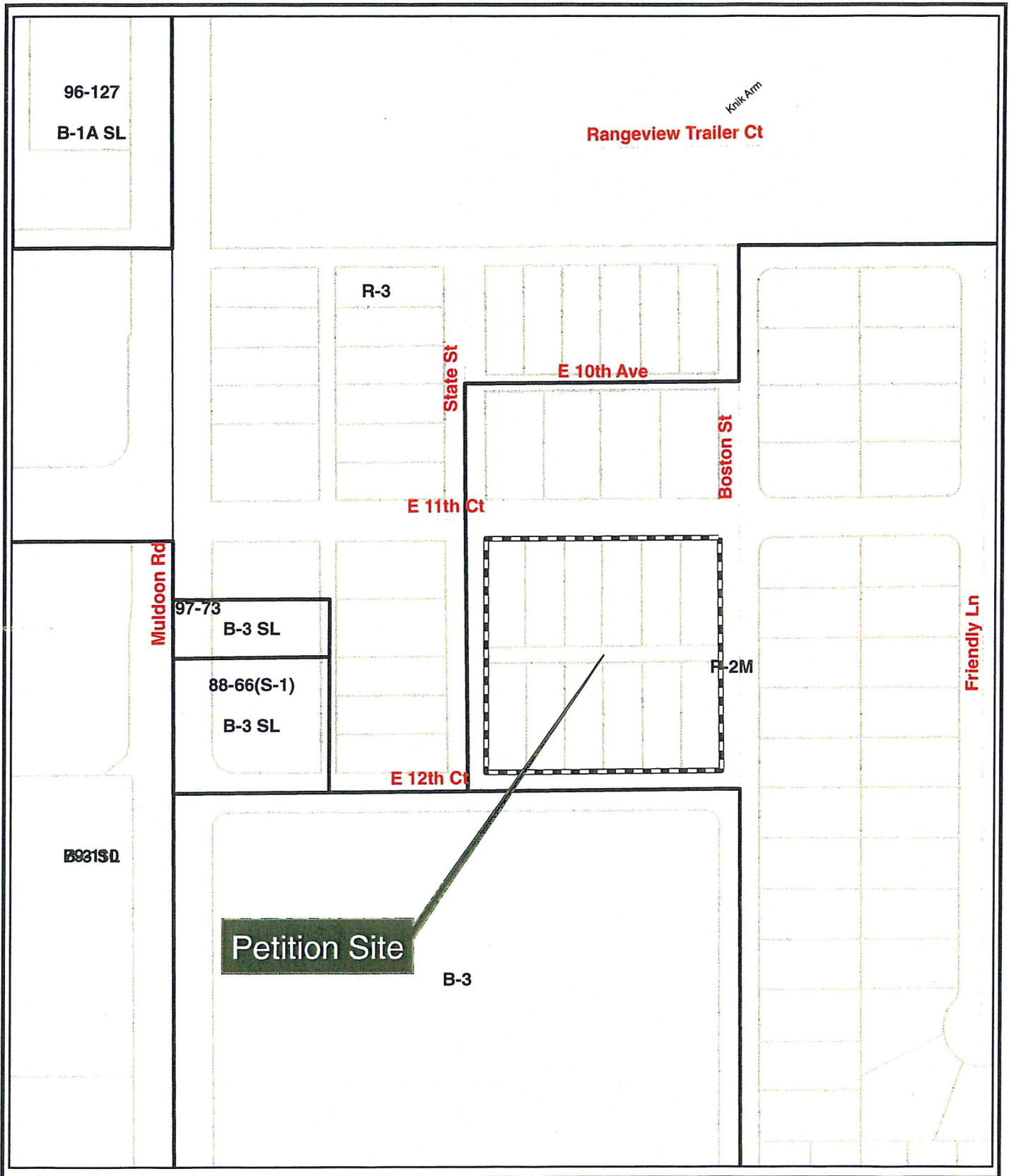
  
\_\_\_\_\_  
Karlie Lamothe  
Senior Planner

(Case S12711)

# **MAPS**

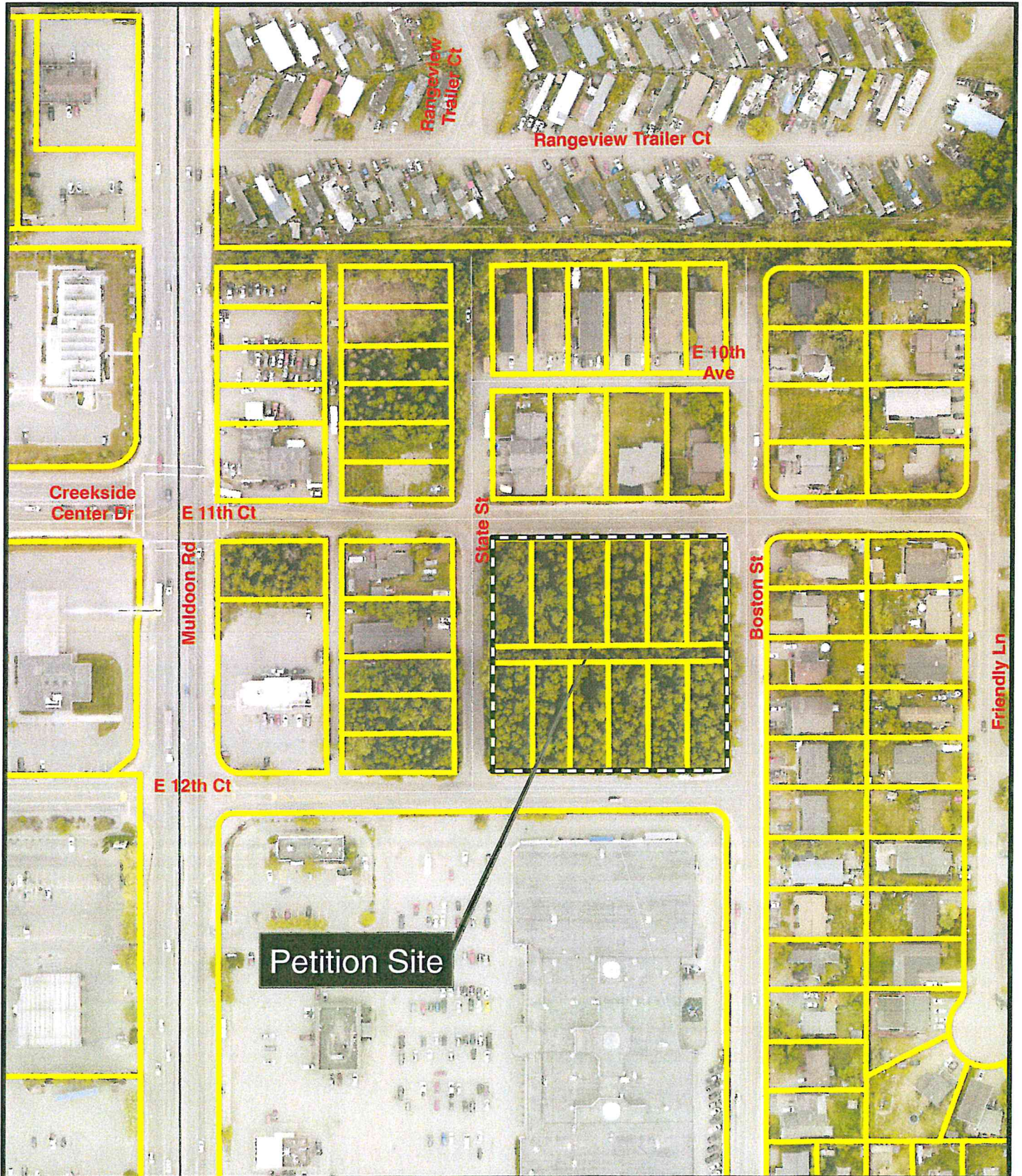


# S12711





# S12711





# **APPLICATION**

# 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)	SWELL, LLC	Name (last name first)	BOUTET COMPANY (TONY HOFFMAN)
Mailing Address	1113 WEST FIREWEED LANE	Mailing Address	601 EAST 57TH PLACE, #102
	ANCHORAGE, AK 99503		ANCHORAGE, AK 99518
Contact Phone – Day	Evening	Contact Phone – Day	Evening
907-277-2663		907-522-6776	
E-mail	GLENN.GELLERT@GMAIL.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):			
Site Street Address: <u>SEE ATTACHED LEGAL</u>			
Current legal description: (use additional sheet if necessary) LOTS 1-12, BLOCK 3, SUNNY ACRES SUBDIVISION, PLAT P-320			
Zoning: R-2M	Acreage: 2	Underlying Plat #: P-320	Grid #: 1341
# Lots: 12	# Tracts: 3	Total # parcels: 12	

PROPOSED SUBDIVISION INFORMATION		
Proposed legal description: (use additional sheet if necessary) BILL RUSSELL SUBDIVISION TRACT 1		
# Lots:	# Tracts: 1	Total # parcels: 1

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	<input type="radio"/> Owner <input checked="" type="radio"/> Representative (Representatives must provide written proof of authorization)	Date
<u>1/27/23</u>		
Print Name		

Accepted by:	Poster & Affidavit:	Fee:	Case Number: <b>S12711</b>	Meeting Date: <b>APR 19 2023</b>
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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): \_\_\_\_\_  
☐ Conditional Use - Case Number(s): \_\_\_\_\_  
☐ Zoning variance - Case Number(s): \_\_\_\_\_  
☐ Land Use Enforcement Action for \_\_\_\_\_  
☐ Building or Land Use Permit for \_\_\_\_\_  
☐ 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 \_\_\_\_\_



The Boutet Company, Inc.  
601 E. 57th Place, Suite 102

Phone 907.522.6776  
Fax 907.522.6779

## LEGAL DESCRIPTION OF PROPERTIES:

006-121-26-000, 006-121-39-000, 006-121-40-000, 006-121-41-000, 006-121-42-000, 006-121-43-000, 006-121-44-000, 006-121-45-000, 006-121-46-000, 006-121-47-000, 006-121-48-000, 006-121-25-000

S12711 APR 19 2023



# Application for Right-of-Way and Easement Vacation

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

PETITIONER*		PETITIONER REPRESENTATIVE (if any)	
Name (last name first) SWELL LLC		Name (last name first) BOUTET COMPANY (TONY HOFFMAN)	
Mailing Address 1113 WEST FIREWEED LANE		Mailing Address 601 EAST 57TH PLACE	
ANCHORAGE, AK 99503		ANCHORAGE, AK., 99518	
Contact Phone – Day: 907-277-2663	Evening:	Contact Phone – Day: 907-522-6776	Evening:
E-mail: GLENN.GELLERT@GMAIL.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.

RIGHT-OF-WAY AND/OR INFORMATION		
Benefiting Property Tax # (000-000-00-000): SEE ATTACHED SHEET		
Site Street Address:		
Description of right-of-way/easement: (use additional sheet if necessary)  20' ALLEYWAY LOCATED IN BLOCK 3, SUNNY ACRES SUBDIVISION, PLAT P-320		
Zoning: R-2M	Acreage: 0.03	Grid #: 1341
# Lots: 0	# Tracts: 0	Total # parcels: 0

I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I petition to vacate 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 vacation. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff, the Platting Board, or Planning and Zoning Commission for administrative reasons.

Signature	<input type="radio"/> Owner <input checked="" type="radio"/> Representative (Representatives must provide written proof of authorization)	Date 1/27/2023
Print Name Tony Hoffman		
Accepted by:	Poster & Affidavit:	Fee:
		Case Number: S12711
		Meeting Date: APR 19 2023



**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): \_\_\_\_\_  
☐ Conditional Use - Case Number(s): \_\_\_\_\_  
☐ Zoning variance - Case Number(s): \_\_\_\_\_  
☐ Land Use Enforcement Action for \_\_\_\_\_  
☐ Building or Land Use Permit for \_\_\_\_\_  
☐ Wetland permit: ☐ Army Corps of Engineers    ☐ Municipality of Anchorage

**POTABLE WATER AND WASTE WATER DISPOSAL**

- Potable Water provided 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)

**Fee:**

- Plat: Copies    ☐ Plat, full size    ☐ 8½x11 reduced copy    ☐ Watershed sign off form, completed  
 Other    ☐ Aerial photo    ☐ Housing stock    ☐ Zoning    ☐ One copy, original application  
 (8 sets short plat; 17 sets long plat)

Property Title: ☐ Certificate to Plat**Documents to provided unless waived by Platting Officer:**

- ☐ Site topography (4 copies minimum)    Waived by \_\_\_\_\_  
☐ Soils investigation and analysis reports (4 copies minimum)    Waived by \_\_\_\_\_  
☐ Subdivision drainage plan    Waived by \_\_\_\_\_



### **Municipal Vacation Policy**

In considering any vacation of public rights-of-way, dedication, section line easement, BLM easement, or public use easement, the Municipality uses the following to guide the Community Development Department recommendation to the Platting Board:

1. The statement by the applicant alleging the right-of-way is surplus to the current and future needs of the public and the reasons for determining the right-of-way is surplus.
2. The Municipality will not entertain any vacation of right-of-way on a street on the Official Streets and Highways Plan (OS&HP) unless it can be shown without a doubt that the right-of-way is clearly in excess of all future needs for right-of-way.
3. Any right-of-way lying on the half-mile grid will not be considered for vacation unless it can without a doubt be shown that the right-of-way is clearly in excess of all future needs for right-of-way.
4. Any right-of-way lying on the quarter mile grid will not be considered for vacation unless it can without a doubt be shown that the right-of-way is clearly in excess of all future needs for right-of-way.
5. In all cases it must be proven that the remaining property in the area can be adequately served and the traffic circulation is enhanced by the vacation of right-of-way.
6. The Municipality will consider realignment of right-of-way by vacation and rededication where it can be clearly shown the right-of-way realignment will enhance traffic circulation and will provide for the movement of traffic with generally the same beginning and ending points as the original right-of-way.



The Boutet Company, Inc.  
601 E. 57th Place, Suite 102

Phone 907.522.6776  
Fax 907.522.6779

## LEGAL DESCRIPTION OF PROPERTIES:

006-121-26-000, 006-121-39-000, 006-121-40-000, 006-121-41-000, 006-121-42-000, 006-121-43-000, 006-121-44-000, 006-121-45-000, 006-121-46-000, 006-121-47-000, 006-121-48-000, 006-121-25-000

S12711 APR 19 2023



The Boutet Company, Inc.  
601 E. 57th Place, Suite 102  
Anchorage, Alaska 99518

Phone 907.522.6776  
Fax 907.522.6779

1/19/2023

## BLOCK 3, LOTS 1-12, SUNNY ACRES SUBDIVIION 20' ALLEYWAY VACATION NARRATIVE

### Project Location, Proposal and Background

The project location is just east of Muldoon Road, between E. 11<sup>th</sup> and E. 12<sup>th</sup> Court.

The proposed legal description for the property is Bill Russell Subdivision, Tract 1.

The purpose of the proposed plat and vacation is to consolidate the property into one cohesive Tract for development of a Kids Corps Daycare.

Anchorage Municipal Code 21.03.230.A states *"The platting authority shall consider the merits of each vacation request, and in all cases the platting authority shall deem the area being vacated to be of value to the municipality unless proven otherwise. The burden of proof shall lie entirely with the petitioner. The presumption contained herein does not apply to vacations of private easements where the beneficiaries have provided written concurrence"*.

Following are the approval criteria stated in the Municipal Vacation Policy, and the responses:

1. *The statement by the applicant alleging the right-of-way is surplus to the current and future needs of the public and the reasons for determining the right-of-way is surplus.*

**Response:** As there is no indication in any of the Transportation plans and documents that suggests the 20' alleyway has been considered as a viable road connection, it is apparent the alleyway is excess to current and future needs . .

2. *The Municipality will not entertain any vacation of right-of-way on a street on the Official Streets and Highways Plan (OS&HP) unless it can be shown without a doubt that the right-of-way is clearly in excess of all future needs for right-of-way.*

**The 2014 OSHP does not indicate any future connections shown through the alleyway.**

3. *Any right-of-way lying on the half-mile grid will not be considered for vacation unless it can without a doubt be shown that the right-of-way is clearly in excess of all future needs for right-of-way.*

**The alleyway does not lie on the half mile grid.**

4. *Any right-of-way lying on the quarter mile grid will not be considered for vacation unless it can without a doubt be shown that the right-of-way is clearly in excess of all future needs for right-of-way.*

**The alleyway does not lie on the quarter mile grid.**

5. *In all cases it must be proven that the remaining property in the area can be adequately served and the traffic circulation is enhances by the vacation of right-of-way.*

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The entire site will be developed as a single tract. There is no access point on either the east or west end of the block, so the public will continue to be adequately served by the surrounding streets (Boston Street and State Street).

6. The Municipality will consider realignment of right-of-way by vacation and rededication where it can be clearly shown the right-of-way realignment will enhance traffic circulation and will provide for the movement of traffic with generally the same beginning and ending points as the original right-of-way.
- No realignment of Municipal right of way is being contemplated here.



S12711 APR 19 2023





**REVIEWING  
AGENCY AND  
PUBLIC  
COMMENTS**

**Kimmel, Corliss A.**

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**From:** Walters, Michael S.  
**Sent:** Thursday, March 23, 2023 7:04 AM  
**To:** Blake, Lori A.; Kimmel, Corliss A.  
**Subject:** S12711 Request for Reviewing Agency Comments

**RECEIVED**

MAR 23 2023

All:

ROW has the following comments for case number S12711:

No objections to the vacation of the 20' alley right of way. Recommend the placement of a T&E Easements on all 4 sides of the proposed Tract.

Regards,

Michael S Walters  
Senior Plan Reviewer  
Right of Way Section  
[michael.walters@anchorageak.gov](mailto:michael.walters@anchorageak.gov)  
Office: 907-343-8226  
Cell: 907-727-7637  
Fax: 907-249-7910

**#ANCWORKS!**

An online tool for Anchorage



# MUNICIPALITY OF ANCHORAGE



Development Services Department  
Private Development Section

Phone: 907-343-8301

Fax: 907-343-8200

*Mayor Dave Bronson*

**RECEIVED**

## MEMORANDUM

MAR 22 2023

### Comments to Preliminary Plat Applications/Petitions

**DATE:** March 17, 2023  
**TO:** Karlie Gedig, Senior Planner  
**FROM:** Judy Anunciacion, Private Development Engineer  
**SUBJECT:** Comments for Platting Authority  
**Case # S12711**

**Case No. S12711:** Request to subdivide twelve (12) lots into one (1) tract with vacation of 20-foot alleyway.

**Legal Description:** Lots 1-12, Block 3, Sunny Acres Subdivision (Plat P-320).

**Roads:** The subject parcels are adjacent to the following rights-of-way:

- East 11<sup>th</sup> Court, to the north, is a Class IB Neighborhood Collector.
- Boston Street, to the east, is a Class IC Neighborhood Collector.
- East 12<sup>th</sup> Court, to the south, is a Class IC Neighborhood Collector.
- State Street, to the west, is a local road.

#### **Improvements:**

Improve State Street to half-street standards fully fronting and adjacent to the western property boundary to include barrier curb, gutter, sidewalk and a minimum overall total pavement width of 24-feet.

East 11<sup>th</sup> Court, Boston Street, and East 12<sup>th</sup> Court appear to be constructed to current municipal standards. No improvements required at this time.

#### **Dedication:**

Dedication of 5-feet of right-of-way for East 11<sup>th</sup> Court along the north property boundary as shown on the preliminary plat.

Dedication of 5-feet of right-of-way for Boston Street along the east property boundary as shown on the preliminary plat.

Dedication of 5-feet of right-of-way for East 12<sup>th</sup> Court along the south property boundary as shown on the preliminary plat.



Resolve the need for additional right-of-way along the western property boundary of the preliminary plat for State Street to accommodate the half street improvements.

**Subdivision Agreement Requirements:**

Prior to final plat approval the petitioner shall enter into a subdivision agreement with Private Development for the required public Class A area improvements, to include the asphalt street, traffic control devices, street signs, monuments, drainage facilities and utilities.

**Plat Notes:**

- The property owner and utilities shall not raise, lower, or re-grade 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 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 impact adjacent properties or rights of way.

**Department Recommendations:**

The Private Development Section has no objection to the proposed subdivision subject to the above recommendations and conditions.

The Private Development Section has no objection to the request to vacate the 20-foot alley right-of-way.

**Kimmel, Corliss A.**

---

**From:** Stewart, Gloria I.  
**Sent:** Wednesday, March 22, 2023 8:52 AM  
**To:** Kimmel, Corliss A.; Blake, Lori A.  
**Cc:** GCI  
**Subject:** FW: S12711, S12713, S12716, S12717 Request for Reviewing Agency Comments  
**Attachments:** S12711 Routing Coversheet.pdf; S12711 Reviewing Agency Routing pg10.pdf; S12713 Routing Coversheet.pdf; S12713 Reviewing Agency Routing pg22.pdf; S12716 Routing Coversheet.pdf; S12717 Routing Coversheet.pdf; S12717 Routing Coversheet.pdf

RECEIVED

MAR 22 2023

Hi Ladies. Here is another set of comments that GCI should have sent to you : )



Planning Department  
MUNICIPALITY OF ANCHORAGE

Gloria I. Stewart  
Senior Planning Technician -  
Planning Department  
Current Planning Division - Zoning & Platting  
Email: [gloria.stewart@anchorageak.gov](mailto:gloria.stewart@anchorageak.gov)  
Phone: (907) 343-7934  
4700 Elmore Road, Anchorage, AK 99507  
[www.muni.org/planning](http://www.muni.org/planning)

**From:** OSP Design Group <[ospdesign@gci.com](mailto:ospdesign@gci.com)>  
**Sent:** Tuesday, March 21, 2023 6:59 PM  
**To:** Stewart, Gloria I. <[gloria.stewart@anchorageak.gov](mailto:gloria.stewart@anchorageak.gov)>  
**Cc:** OSP Design Group <[ospdesign@gci.com](mailto:ospdesign@gci.com)>  
**Subject:** RE: S12711, S12713, S12716, S12717 Request for Reviewing Agency Comments

[EXTERNAL EMAIL]

Gloria,

In review GCI has no comments or objections to the plats, attached are the signed plats for your records.  
(Due to file size I have attached the coversheet and signed plats only.)

In review GCI has underground telecommunication cables in the area without an easement established we object to the Alley ROW vacation for plat S12716 - Anchorage Townsite BLK 41 TRACT 1. However, should you reclassify the 20' x 240' Public Use Easement (PUE) to include PUBLIC UTILITY EASEMENT, we would rescind our objection.

In review GCI has underground telecommunication cables in the area without an easement established we object to the Alley ROW vacation for plat S12717 - Commercial Tract Fragment Lot Site Plan. However, should you reclassify the 20' x 240' Public Use Easement (PUE) to include PUBLIC UTILITY EASEMENT, we would rescind our objection.

Thanks,

**MIREYA ARMESTO**

GCI | Technician II, GIS Mapping  
m: 907-744-5166 | w: [www.gci.com](http://www.gci.com)

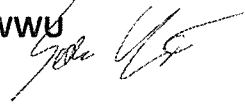
**From:** Stewart, Gloria I. <[gloria.stewart@anchorageak.gov](mailto:gloria.stewart@anchorageak.gov)>  
**Sent:** Tuesday, February 28, 2023 3:49 PM

RECEIVED

MAR 16 2023

# MEMORANDUM

**DATE:** March 16, 2023  
**TO:** Dave Whitfield, Platting Officer, Planning Section, Planning Division  
**FROM:** Seth Wise, Engineering Technician III, Planning Section, AWWU  
**RE:** Plat Case Comments  
Meeting Date: April 19, 2023  
Agency Comments Due: March 22, 2023



The Anchorage Water & Wastewater Utility has reviewed the reference plat(s) and has the following comments:

**S12711 LOTS 1-12, BLOCK 3, SUNNY ACRES SUBDIVISION (PLAT P-320) – Request to subdivide twelve (12) lots into one (1) tract with vacation of 20-foot alleyway, GRID SW1341.**

1. AWWU water is available to the parcels.
2. AWWU sanitary sewer service is not currently available to the parcels. In order to connect, a sewer main will need to be extended to fully front one side of the proposed tract.
3. No assessments are due upon completion of the platting action.
4. AWWU has no objection to this platting action.

If you have any questions pertaining to public water or sewer, please call 564-2757 or send an e-mail to [seth.wise@awwu.biz](mailto:seth.wise@awwu.biz).





**Municipality of Anchorage  
Development Services Department  
Onsite Water and Wastewater Section**



**MEMORANDUM**

**RECEIVED**

**DATE:** March 15, 2023  
**TO:** Dave Whitfield, Platting Officer  
**FROM:** Deb Wockenfuss, On-Site Water and Wastewater Section  
**SUBJECT:** Comments on Cases due March 22, 2023

MAR 15 2023

The On-Site Water & Wastewater Program has reviewed the following cases and has these comments:

S12711

Bill Russell Subdivision

Per the application, the proposed tract will be served by public water and sewer.  
No objection.

S12713

Mills Subdivision

1. The existing cabins on proposed Tracts A and B are to have sanitation facilities per Title 21. Prior to final plat approval the cabins are to have approved water and wastewater systems.
2. Submit plans, data, tests and engineering reports to the Onsite Water and Wastewater Section that substantiates the capability of the proposed Tract C to adequately dispose of wastewater, see AMC 15.65.405 for requirements.

S12716

Anchorage Original Townsite Blk 41 Tr 1

No objection

S12717

Anchorage Original Townsite Blk 41 Tr 1 Frag Lts 1 and 2



**MEMORANDUM**

**RECEIVED**

DATE: March 9, 2023,  
TO: Current Planning Division Supervisor.  
Planning Department  
THRU: Kristen A. Langley, Traffic Safety Section Supervisor,  
Traffic Engineering Department  
FROM: Randy Ribble, Assistant Traffic Engineer  
SUBJECT: Traffic Engineering Department Comments  
**S12711 Subdivide 12 lots into 1 Tract.  
Vacation of 20-foot Alley**

MAR 09 2023

**Sunny Acres Subdivision**

**Platting Action**

Traffic Engineering recommends approval of this platting action with the following comments.

Dedication of 5 feet of right of way for E 11<sup>th</sup> Court along north property frontage as indicated on preliminary plat.

Dedication of 5 feet of right of way for Boston Street along east property frontage as indicated on preliminary plat.

Dedication of 5 feet of right of way for E 12<sup>th</sup> Court along south property frontage as indicated on preliminary plat.

Improvements along State Street may be required at time of development for proposed commercial use. Remaining adjacent rights of ways appear to be developed to current municipal standards.

**Vacation Of Alley**

Traffic Engineering has no objection of vacation of existing undeveloped alley right of way.



THE STATE  
of **ALASKA**  
GOVERNOR MICHAEL J. DUNLEAVY

## Department of Transportation and Public Facilities

Program Development and Statewide Planning  
Anchorage Field Office

RECEIVED

MAR 08 2023

4111 Aviation Avenue  
P.O. Box 196900  
Anchorage, AK 99519-6900  
Main number: 907-269-0520  
Fax number: 907-269-0521  
Website: dot.alaska.gov

March 8, 2023

David Whitfield, Current Planning Manager  
MOA, Community Development Department  
Planning Division  
P.O. Box 196650  
Anchorage, Alaska 99519-6650

[Sent Electronically]

Re: MOA Plat Review

Dear Mr. Whitfield:

The Alaska Department of Transportation and Public Facilities (DOT&PF) has reviewed the following plats and has the following comments:

- **S12713 – Mills Subdivision Tracts A, B, & C**

The Alaska Department of Transportation and Public Facilities (DOT&PF) has reviewed the following plats and has the following comments:

- **S12711 – Bill Russell Subdivision – Tract 1 (11<sup>th</sup> and 12<sup>th</sup> Ct)**
  - No objection to the proposed platting action or vacation.
- **S12716 – Tract 1 Block 41, Anchorage Townsite – Prelim Plat and ROW Vacation**
  - No objections to the proposed platting action or vacation.
- **S12717 – Fragment Lots 1 and 2, Tract 1, Block 41, Anchorage Townsite**
  - No objections to the proposed platting action.

All properties accessing DOT&PF roads must apply to Right-of-Way for a driveway permit, subject to provisions listed in 17 AAC 10.020. Any previously issued driveway permits become invalid once the property undergoes a platting action and must be reissued.

*“Keep Alaska Moving through service and infrastructure.”*

We recommend the petitioner verify all section line easements and DOT&PF road rights-of-way adjacent to their property. For assistance, the petitioner may contact the Engineering group within the Right of Way section in DOT&PF at (907) 269-0700. The petitioner is liable to remove any improvements within the easements and rights-of-way that impede the operation and maintenance of those facilities even if they are not shown on the plat, so it is in the petitioner's best interest to identify the exact locations and widths of any such easements or rights-of-way before they improve the property.

If any section line easements or road rights-of-way exist within the bounds of their plat, we recommend the petitioner dedicate them. If there is an existing right-of-way or easement, the petitioner is unable to develop that portion of the property yet continues to pay property taxes on it; dedicating will remove that cost to the petitioner.

If there are any questions regarding these comments please feel free to contact me at (907) 269-0522 or [mark.eisenman@alaska.gov](mailto:mark.eisenman@alaska.gov).

Sincerely,



Mark Eisenman  
Anchorage Area Planner, DOT&PF

cc: Scott Thomas, P.E., Regional Traffic Engineer, Traffic Safety and Utilities, DOT&PF  
Sean Baski, P.E., Highway Design Group Chief, DOT&PF  
Jacob Ciufo, P.E., Regional Hydrologist, Hydrology DOT&PF  
Matt Walsh, Property Management Supervisor, DOT&PF  
Corliss Kimmel, Office Associate, Current Planning, MOA  
Lori Black, Office Associate, Current Planning, MOA  
Devki Rearden, Engineering Associate, DOT&PF

# MUNICIPALITY OF ANCHORAGE



Development Services Department  
Addressing email: [addressing@muni.org](mailto:addressing@muni.org)

Phone: 907 343-8466  
Fax: 907 249-7868

RECEIVED

MAR 07 2023

**S12711, Proposed Bill Russel Tract 1, SW1341**

- a. Preliminary Plat: in note area, Existing Lot Configuration:
  - i. Street name is E 11<sup>th</sup> CT (not Ave), please correct
  - ii. Street name is E 12<sup>th</sup> CT (not Ave), please correct

Regards,

Karleen Wilson  
Addressing



RECEIVED

MAR 06 2023

Date: 03/06/2023

To: MOA Current Planning Division

From: Chugach Electric Association, Inc.

Subject: MOA Case File No. S12711  
Sunny Acres Subd. Lots 1-12, Blk. 3, Plat P-320  
Proposed Name Bill Russell Subdivision, Tract 1

Chugach has no comments on the proposed resubdivision and alley vacation.  
Thank you for the opportunity to review.



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MAR 03 2023

March 3, 2023

Municipality of Anchorage  
Planning Division  
P.O. Box 196650  
Anchorage, AK 99519-6650

**SUBJECT:** Request for Comments

Alaska Communications has reviewed the plats listed below and recommends the following:

**S12711 Bill Russell Subd.**

Alaska Communications has no objections.

Sincerely,

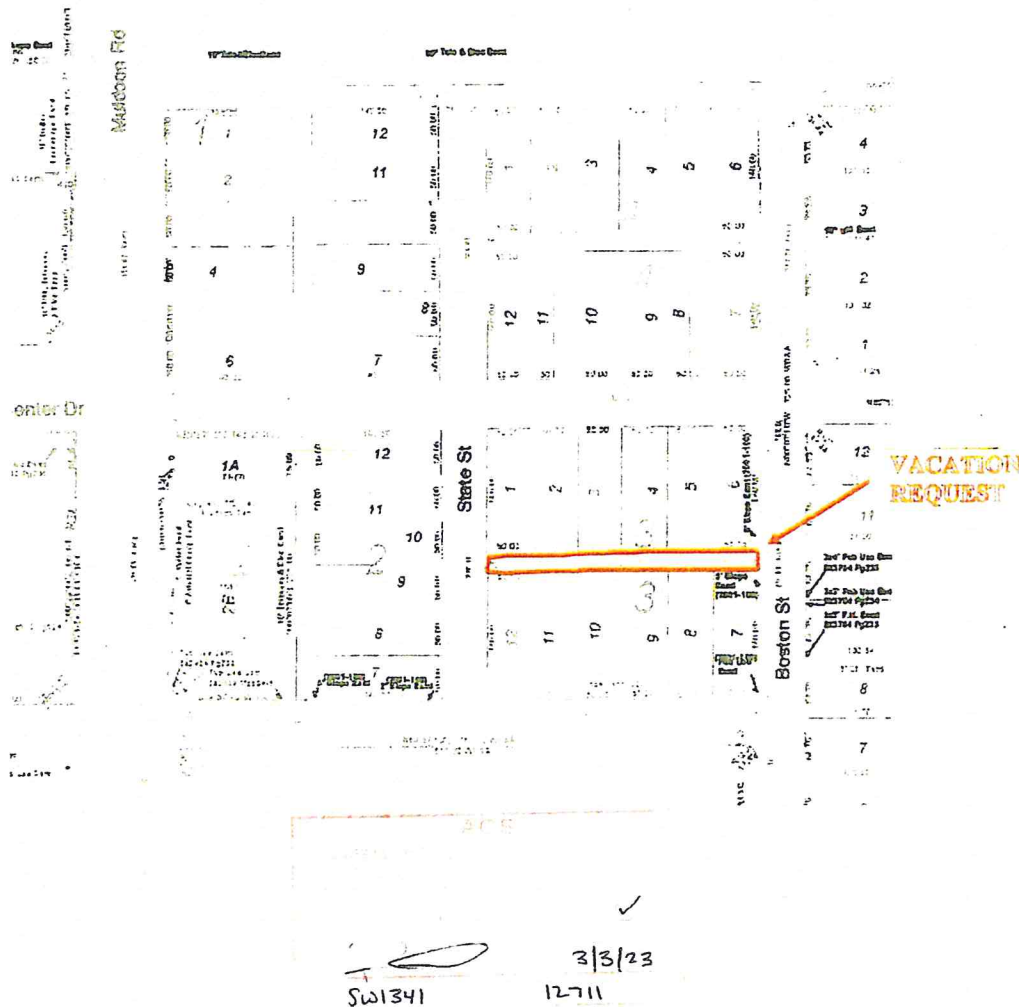
*Russell Tolentino*

*Russell Tolentino*

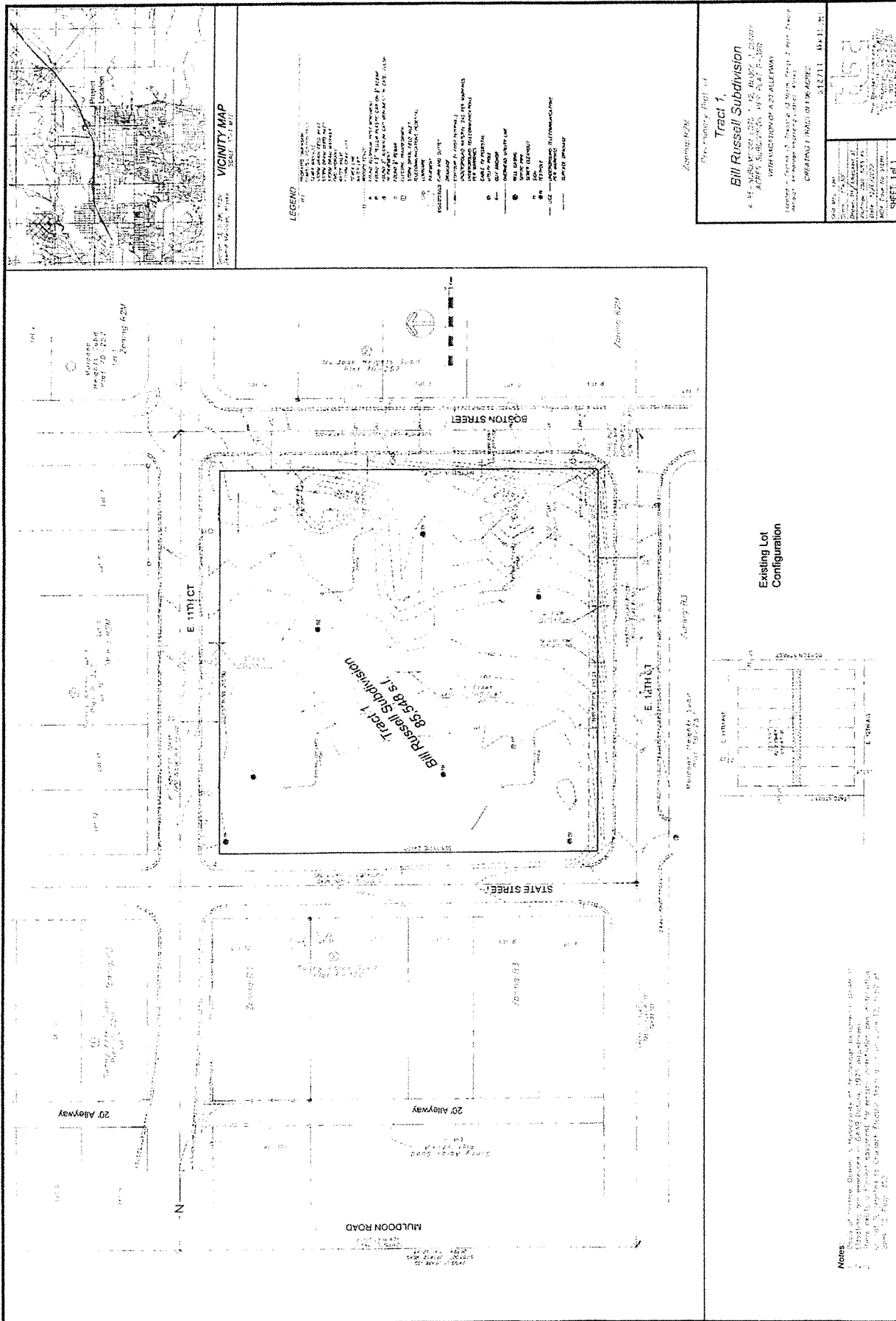
Network Engineer III  
600 Telephone Ave, Anchorage, AK 99503  
(d) 907-564-1423 | (c) 907-240-8753  
[russell.tolentino@acsalaska.com](mailto:russell.tolentino@acsalaska.com)

The entire site will be developed as a single tract. There is no access point on either the east or west end of the block, so the public will continue to be adequately served by the surrounding streets (Boston Street and State Street).

6. The Municipality will consider realignment of right-of-way by vacation and rededication where it can be clearly shown the right-of-way realignment will enhance traffic circulation and will provide for the movement of traffic with generally the same beginning and ending points as the original right-of-way. No realignment of Municipal right of way is being contemplated here.



S12711 APR 19 2023





**ENSTAR Natural Gas Company**  
A DIVISION OF SEMCO ENERGY  
Engineering Department, Right of Way Section  
401 E. International Airport Road  
P. O. Box 190288  
Anchorage, Alaska 99519-0288  
(907) 277-5551  
FAX (907) 334-7798

March 1, 2023

RECEIVED

MAR 01 2023

Municipality of Anchorage, Planning Division  
PO Box 196650  
Anchorage, AK 99519-7943

To whom it may concern:

ENSTAR Natural Gas Company has reviewed the following preliminary plat and has no comments or recommendations.

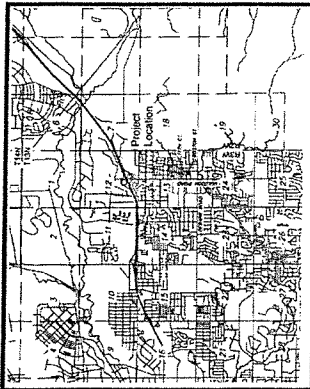
- **TRACT 1, BILL RUSSELL SUBDIVISION**  
**(MOA Case # S12711)**

If you have any questions, please feel free to contact me at 334-7944 or by email at [james.christopher@enstarnaturalgas.com](mailto:james.christopher@enstarnaturalgas.com).

Sincerely,

*James Christopher*

James Christopher  
Right of Way & Compliance Technician  
ENSTAR Natural Gas Company



VICINITY MAP  
SCALE: 1" = 1/4" MILE

LEGEND

- 1. LOT LINES
- 2. LOT AREA
- 3. LOT AREA PER ACRES
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Zoning: R2M

Preliminary Plat of:

Tract 1,

Bill Russell Subdivision

A RE-SUBDIVISION LOTS 1-12, BLOCK 3, SUNNY

ACRES SUBDIVISION, PER PLAT P-320

WITH VACATION OF A 20' ALLEYWAY

Located in Section 13, Township 13 North, Range 3 West, Seward

Mendota, Anchorage Borough, Alaska

CREATING 1 TRACT IN 1.98 ACRES

S12711, 3U, 1E, 14N, 1E

Old Map: 141

Scale: 1" = 30'

Drawn by: [Signature]

RE/Per: 200-545-49

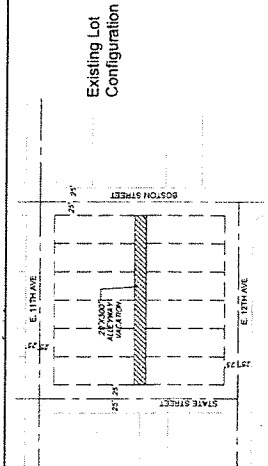
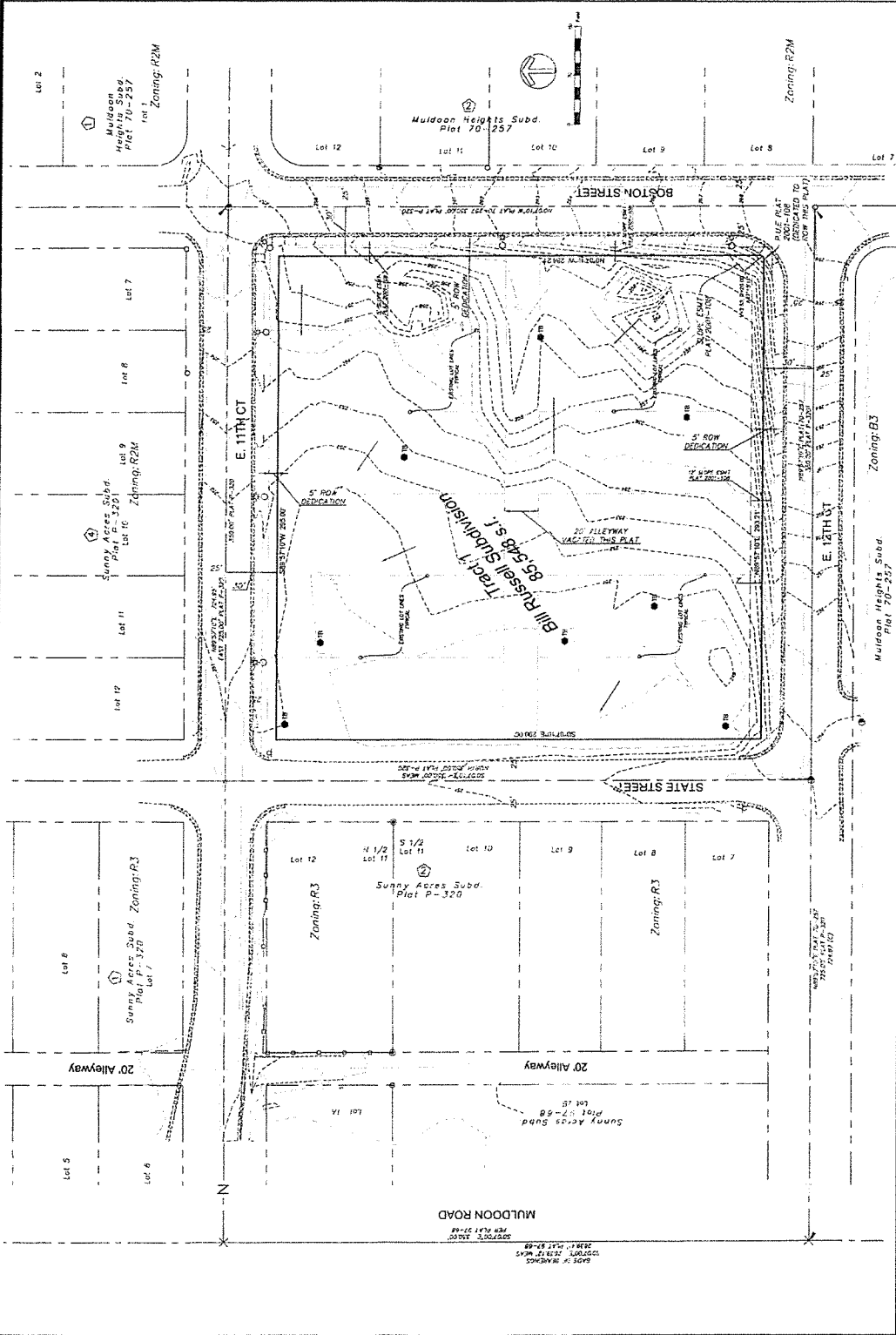
Date: 12/8/2022

MDP Case No. 19271

APPROVED BY: [Signature]

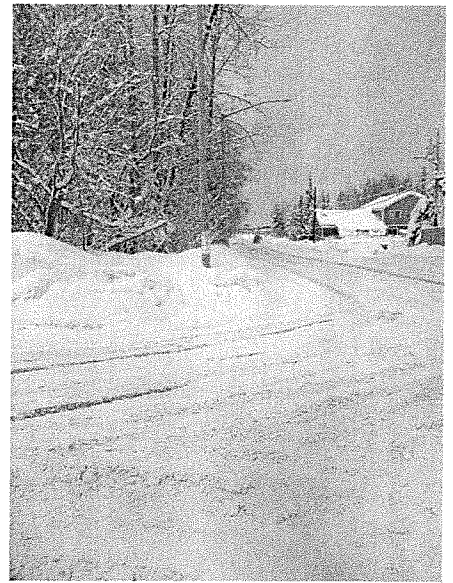
1-10-2023

1-10-2023



- Notes:
1. Basis of Vertical Datum is Municipality of Anchorage Benchmark GAMB 11
  2. Elevations are expressed in GAMB Datum, 1972 datum and distribution
  3. There exists a blanket easement for electric distribution and distribution on Lot 8, granted to Chugach Electric Association on June 17, 1952 at Book 7.2, Page 353.

# **POSTING AFFIDAVIT**

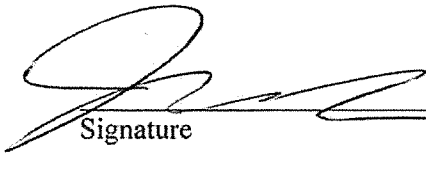


# AFFIDAVIT OF POSTING

CASE NUMBER: \$12711

I, JASON JACOBSON hereby certify that I have posted a Notice as prescribed by Anchorage Municipal Code 21.03.020H.5. on the property that I have petitioned for PLAT & VACATE. The notice was posted on 2/7/23 which is at least 21 days prior to the public hearing on this petition. I acknowledge this Notice(s) must be posted in plain sight and displayed until all public hearings have been completed.

Affirmed and signed this 7<sup>TH</sup> day of FEBRUARY, 2023.

  
Signature

## LEGAL DESCRIPTION

Tract or Lot: \_\_\_\_\_

Block: \_\_\_\_\_

Subdivision: \_\_\_\_\_