



**CITY OF PALMER**  
 231 W. Evergreen Avenue • Palmer • Alaska • 99645  
 • Telephone 907-761-1322•

**SUBDIVISION PERMIT**

# _____ - _____
Date: _____

<b>SUBDIVISION INFORMATION:</b>	
Name of Proposed Subdivision: Cedar Park	
Property tax # 528748, 528749, 528750, 16089	
Legal Description: CEDAR HLS #2 PH 1 RSB T/A-1 TRACT 1, CEDAR HLS #2 PH 1 RSB T/A-1 TRACT 2, CEDAR HLS #2 PH 1 RSB T/A-1 TRACT 3, CEDAR HLS #2 PH I TRACT J	
General location of property: Old Glenn Highway and Marsh Road	
Total acres in proposed subdivision:  89 acres	Total Number of Lots/Parcels Proposed: 83 homesites
Access to the subdivision is from: Marsh Road and Old Glenn Highway	
Proposed source of Water: <input type="checkbox"/> City of Palmer Water Utility <input checked="" type="checkbox"/> Individual Well <input type="checkbox"/> Other _____	Proposed wastewater disposal: <input type="checkbox"/> City of Palmer Wastewater Utility <input checked="" type="checkbox"/> On-site sewage system <input type="checkbox"/> Other _____

<b>PROPERTY OWNER*</b>	<b>OWNER'S REPRESENTATIVE (If Any)</b>
Name: Cedar Park Properties, LLC	Name: Natalie Travers-Smyre
Mailing Address: 561 E 36 <sup>th</sup> Avenue, Suite 200 Anchorage, AK 99503	Mailing Address: 561 E 36 <sup>th</sup> Avenue, Suite 200 Anchorage, AK 99503
Contact Phone: 907-229-2703	Contact Phone: 907-727-4970
FAX:	FAX:
E-mail: cyoshimura@gci.net,	E-mail: natalie@bhhsalaska.com

\*Attach list of additional owners if any.

<b>ENGINEER/LAND SURVEYOR</b>	
Name: Gary LaRusso Keystone Engineering & Curt Holler Holler Engineering	
Mailing Address: PO Box 2216 Palmer, AK 99645 & 3375 Sams Drive Wasilla, AK 99654	Contact Phone: 907-355-6780 Gary & 907-232-0510 Curt
	FAX:
E-mail: gary@mtaonline.net holler@mtaonline.net	E-mail:

Signature of Applicant: \_\_\_\_\_ Date: 3/4/21

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
 (If different then Applicant)





**City of Palmer  
Attn: City Clerk**

231 W. Evergreen Avenue, Palmer, Alaska 99645  
Telephone: 907-745-3271 \* Fax: 907-745-0930

**Variance Application Form**

Palmer Municipal Code 12.12.080

Applicant: Cedar Park, LLC

Property Location(s): North of Marsh Road and East of Glenn Highway

Owner of Record: Cedar Park, LLC

Legal Description(Lot, Block): Tracts 1, 2, 3 and Tract J Cedar Hills

Zone: RI

Request variance from PMC 2015 IFC - 96' Diameter Cul De Sac

Reasons for variance request: We wish to construct our cul de sac bulbs to Matanuska-Susitna Borough standards according to the new SMS Construction Manual adopted January 1, 2021.

For "A" through "F" below, please see attached info "V1"

\*\*\*\*\*

The city council may grant a variance from the provisions of these regulations. The city council shall only grant variances that it deems necessary, or which it finds desirable from the standpoint of public interest. In making its findings, as required in this section, the city council shall take into account the nature of the proposed use of the land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision, and the probable effect of the proposed subdivision upon conditions in the vicinity. No variance shall be granted unless the city council finds the following contained in subsections (A), (B) and (C) of this section.

Please provide a written explanation stating how each of the following requirements has been met:

12.12.080 (A.) That there are such circumstances or conditions affecting said property that the strict application of the provisions of this chapter would clearly be impractical, unreasonable or undesirable to the general public. In such cases, the subdivider shall first state his reasons in writing to the specific provision or requirement involved and submit them to the city council. The subdivider bears the burden of proof;

See attached.

12.12.080 (B.) That the granting of the specific variance will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated;

See attached.

12.12.080 (C.) That the granting of the specific variance will not have the effect of nullifying the intent and purpose of this title or the comprehensive plan;

See attached.

The city council shall include its findings and the specific reasons for its action and shall also record its reasons and actions in its minutes.

Date of application: 3/4/2021

Signature of Owner's authorized representative 

Mailing address 561 E 36th Avenue, Suite 200 Anchorage, AK 99503

Phone/Contact number 907-229-2703

\$250 Nonrefundable Application Filing Fee Submitted: \_\_\_\_\_

\*\*Please attach any plans or documents pertinent to the request.

# CEDAR PARK

## VARIANCE V-1

### 96-foot Diameter Cul De Sac

The 2015 IFC that the City of Palmer adopted is a "model code," which is intended to be a base for tailoring to the specific needs and circumstances within a community. The 2015 IFC states that cul de sac bulbs are 96'. The 2018 IFC says that cul de sac bulbs are 96' when there is a hydrant. This wider cul de sac is required when a fire truck utilizes a fire hydrant in an emergency so that the access route will still be available for use by other emergency vehicles. Like most subdivisions found throughout the valley, this subdivision will be large lots without fire hydrants as all lots will be served with on-site wells, not City water.

The MSB newly adopted construction standard is an 85' cul de sac. The right of way for a cul de sac is 120' ( 60' radius). The 96' cul de sac does not fit within the right of way when considering the slope to the ditch and the back slope out of the ditch. Up until recently, cul de sac rights of way were created with a 50' radius. In addition to leaving access clear when there are hydrants (we are not proposing to be on City water), the reason for the 96' radius as found in the model code of IFC is also to accommodate the turning radius of the largest fire apparatus, which are typically found in large metropolitan areas with high rise buildings. This subdivision is zoned R-1. This subdivision will be single-family housing. Not high-rise construction.

Larger cul de sac bulbs also create more maintenance for the City, such as snow removal and resurfacing. The 85' cul de sac has a square foot area of 6362, while the 96' cul de sac has an area of 7238 square feet. An increased surface area of 876 square feet. Multiplied by the nine cul de sacs created in Cedar Park makes a total increase of 7,884 square feet. That is adding more than an entire extra cul de sac. Larger cul de sacs also subtract from the lot's front yards, replacing the green area with a hard-surfaced area that concentrates and increases water run-off.

This variance request is a minimum request that does not cause harm. It allows us to make reasonable use of the land and to reduce our impact on the land. At the same time, maintain access for Emergency Vehicles of the type that would be needed in this single-family home subdivision. All of the cul de sacs in Cedar Park will be constructed to those same standards that cul de sacs are built to throughout Alaska and throughout the Matanuska-Susitna Borough.

Goals as stated in the City of Palmer Comprehensive Plan as they pertain to Cedar Park are:

Space for new residential neighborhoods, primarily around the outer portions of the community, and mixed-use areas in the downtown core. Residential areas include internal open space, parks, and connecting trails.

Maintain the quality of existing neighborhoods, and provide space for the diversity of new residential uses, including housing for the upper end of the housing market, higher density housing in around downtown, and housing for seniors.

Respect private property rights. Find a practical balance between community policies that guide growth and the benefits of allowing individuals and businesses to develop properties as they see fit.

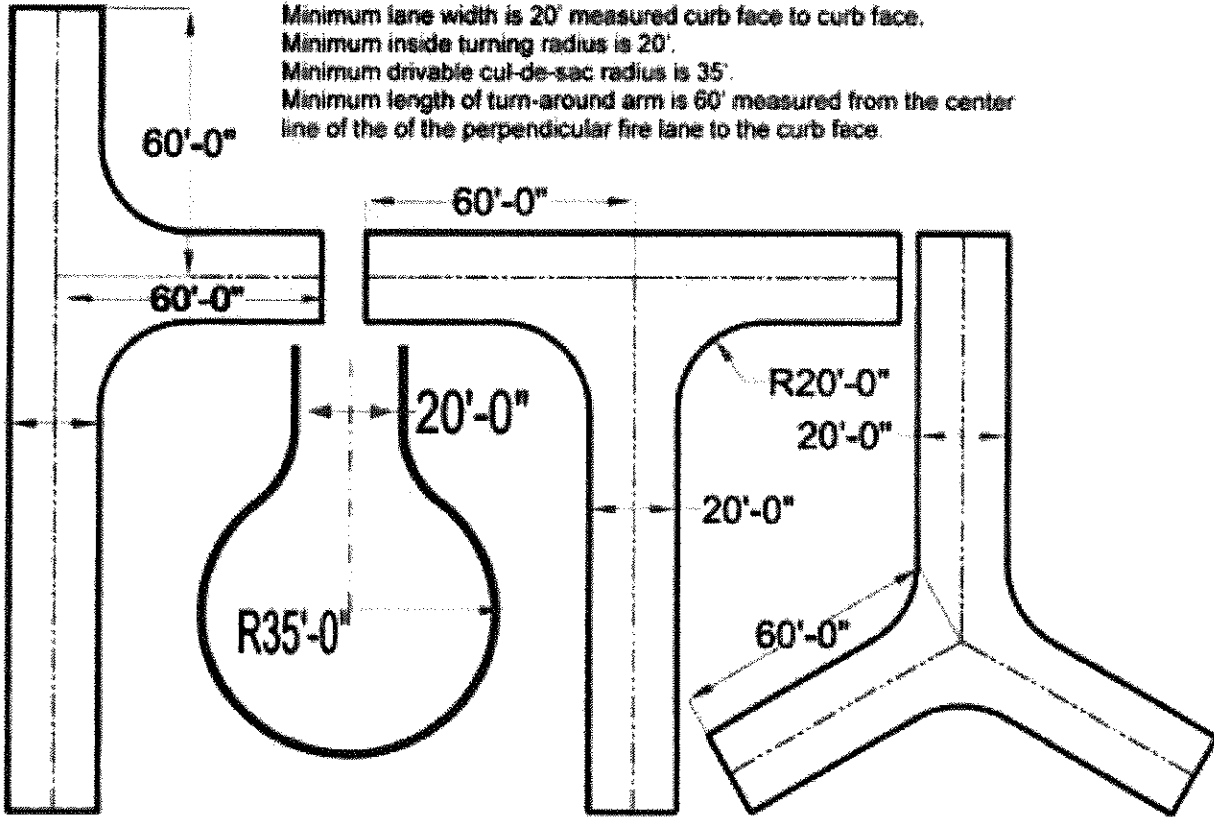
Cedar Park cul de sac size not only meets the goals of the Palmer Comprehensive plan, but Cedar Park will also implement those goals and ideals by allowing individuals to develop the property as they see fit, all while not sacrificing public safety or wise environmental standards.

The requirement to construct 96' cul de sacs is not typical of the area in which we live. Thousands and thousands of cul de sacs throughout the Matanuska-Susitna valley are built to 80 to 85 feet. We are proposing to construct what is typical throughout the valley for large lot subdivisions. It is unreasonable to have a different standard here.

This variance will not permit a land use different from what is allowed in the R-1 zone. It will not change the character of the use permitted in the R-1 zone. Allowing the 85' cul de sac will enhance the primary use found within the R-1 zone. Single-family housing. The larger lots that we propose further enhance the intended character of the zone as they will provide a much-needed mix of housing to the City of Palmer while requiring the most minimal public services.

## Approved Fire Apparatus Turn-Around Minimum Dimensions

Minimum lane width is 20' measured curb face to curb face.  
Minimum inside turning radius is 20'.  
Minimum drivable cul-de-sac radius is 35'.  
Minimum length of turn-around arm is 60' measured from the center line of the perpendicular fire lane to the curb face.



(Not to scale)



**City of Palmer  
Attn: City Clerk**

231 W. Evergreen Avenue, Palmer, Alaska 99645  
Telephone: 907-745-3271 \* Fax: 907-745-0930

**Variance Application Form**  
Palmer Municipal Code 12.12.080

Applicant: Cedar Park, LLC

Property Location(s): North of Marsh Road and East of Glenn Highway

Owner of Record: Cedar Park, LLC

Legal Description(Lot, Block): Tracts 1, 2, 3 and Tract J Cedar Hills

Zone: R1

Request variance from PMC 12.12.065 - Street Lights

Reasons for variance request: We wish to greatly reduce the amount of light pollution and the maintenance costs created by traditional street lights.

For "A" through "F" below, please see attached info "V2"

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The city council may grant a variance from the provisions of these regulations. The city council shall only grant variances that it deems necessary, or which it finds desirable from the standpoint of public interest. In making its findings, as required in this section, the city council shall take into account the nature of the proposed use of the land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision, and the probable effect of the proposed subdivision upon conditions in the vicinity. No variance shall be granted unless the city council finds the following contained in subsections (A), (B) and (C) of this section.

Please provide a written explanation stating how each of the following requirements has been met:



12.12.080 (A.) That there are such circumstances or conditions affecting said property that the strict application of the provisions of this chapter would clearly be impractical, unreasonable or undesirable to the general public. In such cases, the subdivider shall first state his reasons in writing to the specific provision or requirement involved and submit them to the city council. The subdivider bears the burden of proof;

See attached.

12.12.080 (B.) That the granting of the specific variance will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated;

See attached.

12.12.080 (C.) That the granting of the specific variance will not have the effect of nullifying the intent and purpose of this title or the comprehensive plan;

See attached.

The city council shall include its findings and the specific reasons for its action and shall also record its reasons and actions in its minutes.

Date of application: 3/4/2021

Signature of Owner's authorized representative 

Mailing address 561 E 36th Avenue, Suite 200 Anchorage, AK 99503

Phone/Contact number 907-229-2703

\$250 Nonrefundable Application Filing Fee Submitted: \_\_\_\_\_

\*\*Please attach any plans or documents pertinent to the request.

# CEDAR PARK

## VARIANCE V-2

### Street Lights

City of Palmer code 12.12 065 states that Street Lighting is required though it does not say what type of street lighting is required. We propose to have as part of our subdivision a design requirement for individual designer-style driveway lights at the end of each driveway. These lights will significantly reduce the light pollution that is created when traditional street lighting is installed. Our driveway lighting system will have attractive lighting at each driveway which will light the street and mark the entrance to each driveway adding further usefulness to the lighting plan. Street lights are expensive to operate and maintain. Our lighting plan will eliminate those costs to the City.

Unlike the typical subdivision found within the City, the lots within this subdivision will be large, 30,000 square feet or larger. The spacing between residences in a large lot subdivision our street lighting and driveway delineating plan functions better and creates a more desirable neighborhood feel. Traditional street lighting is geared toward small-lot subdivisions.

Our lighting plan will benefit the adjoining properties, and the public as light pollution will be minimized, thereby creating an attractive environment for residents. The majority of the housing found on large lots in the valley is located in subdivisions where there is no street lighting except for the occasional street light placed at bus stops. We are proposing a light at every driveway.

Goals as stated in the City of Palmer Comprehensive Plan as they pertain to Cedar Park are:

Space for new residential neighborhoods, primarily around the outer portions of the community, and mixed-use areas in the downtown core. Residential areas include internal open space, parks, and connecting trails.

Maintain the quality of existing neighborhoods, and provide space for the diversity of new residential uses, including housing for the upper end of the housing market, higher density housing around downtown, and housing for seniors.

Respect private property rights. Find a practical balance between community policies that guide growth and the benefits of allowing individuals and businesses to develop properties as they see fit.

We are planning on large lots which do not require traditional street lighting. The goals of the Comprehensive plan generally speak to creating a community that maintains the rural character of Palmer. Our lighting plan promotes that desire. Large lots are only possible when the regulations are set up to encourage large lot creation. This requirement in City Code is one of the requirements that discourage the creation of large lots. It generally takes the minimally sized lots - that are as small as 8,400 square feet and 60' wide - to absorb the cost of these kinds of subdivision requirements.

This variance will not only protect but will enhance the character of the area. It keeps and strengthens the intent of the code and does not permit a use not otherwise found in City Code.



**City of Palmer**

231 W. Evergreen Avenue, Palmer, Alaska 99645

Telephone: 907-745-3790 \* Fax: 907-745-5443

**Variance Application Form**

Palmer Municipal Code 13.16.040

Applicant: Cedar Park, LLC

Property Location(s): North of Marsh Road and East of Glenn Highway

Owner of Record: Cedar Park, LLC

Legal Description (Lot, Block): Tracts 1, 2, 3 and Tract J Cedar Hills

Zone: R1

Request variance from PMC 13.16.20, 13.16.025, 13.16.030

Reasons for variance request: We wish to create large lots with on-site water and sewer. This is standard throughout Alaska when not creating small "city sized" lots.

For "A" through "F" below, please see attached info "V3"

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The city council may grant a variance from the provisions of these regulations in accordance with the procedures as set forth upon finding that undue hardship may result from strict compliance with specific provisions or that the requirements of these regulations or the application of such provisions is impractical or undesirable in a specific instance. The city council shall only grant variances that it deems necessary, or which it finds desirable from the standpoint of public interest. In making its findings, as required in this action, the city council shall take into account the nature of the proposed use of the land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision, and the probable effect of the proposed subdivision upon conditions in the vicinity. No variance shall be granted unless the city council finds the following:

Please provide a written explanation stating how each of the following requirements has been met:

13.16.040 A. That there are such special circumstances or conditions affecting said property that the strict application of the provisions of this chapter would clearly be impractical, unreasonable, or undesirable to the general public. In such cases, the subdivider shall first state his reasons in writing to the specific provision or requirement involved and submit them to the city council.

See attached.

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13.16.040 B. That the granting of the specific variance will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

See attached.

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13.16.040 C. The city council shall include its findings and the specific reasons for its action and shall also record its reasons and actions in its minutes.

See attached.

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The city council shall include its findings and the specific reasons for its action and shall also record its reasons and actions in its minutes.

Date of application: 03/04/2021

Signature of Owner's authorized representative 

Mailing address 561 E 36th Avenue Suite 200, Anchorage, AK 99503

Phone/Contact number 907-229-2703

\*\*Please attach any plans or documents pertinent to the request.

# CEDAR PARK

## VARIANCE V-3

### On-site Water and Sewer

City of Palmer code states in 13.08 that:

D. Subsections (A) and (B) of this section notwithstanding, a residential dwelling no larger than a two-family dwelling, located on a parcel having an area of at least 20,000 square feet shall not be required to be connected to the city sanitary sewer system or water distribution system; provided, that the city manager has granted a written waiver from the applicable requirements of subsections (A) and/or (B) of this section. Regarding water, the city manager shall not grant such a waiver unless the owner has proved to the city manager that the on-site water system complies with Alaska Department of Environmental Conservation regulations<sup>1</sup> 13.16.040 states that :The city council may grant a variance from the provisions of these regulations in accordance with the procedures as set forth upon finding that undue hardship may result from strict compliance with specific provisions or that the requirements of these regulations or the application of such provisions is impractical or undesirable in a specific instance.

We are asking for that written waiver.

The design of this subdivision is predicated on our desire, and the public's desire, for large lots close to the amenities that can be found in the valley's business centers. As such, we have purposely made each of our lots capable of accommodating on-site water and septic. Well and septic use is standard throughout Alaska. We have conducted soil testing on twenty-three individual proposed lots, which a minimum depth of twelve feet. These tests ensured the viability of on-site septic. We have drilled three water wells spaced throughout the subdivision to ensure individual on-site water wells' viability. The results of these three wells ranged between 10-30 gallons per minute which is more than adequate for typical household use.

Other subdivisions in the area and the City in general consist of small City sized lots. The adjoining Cedar Hills subdivisions have an average lot size of approximately 9,000 square feet with an average width at the building site of 75'. These small lots were made small to help absorb the cost of running public water lines. According to applicable codes, our lots are between 30,000 square feet and 43,000 square feet, which is appropriate for on-site water and sewer systems. Our average lot width is 140 feet plus.

As stated in the city code noted above, the City can allow on-site water and septic like what is found throughout Alaska when large lots are proposed. The public will not be harmed as engineers design these on-site systems. As an additional safeguard, the City has in its code a provision that gives the City authority to regulate these on-site systems. Lending institutions also require these systems to be tested before resale. An additional benefit to the City is that the landowners will be maintaining these systems, thereby eliminating the City's costs to maintain and replace public water and sewer systems.

Goals as stated in the City of Palmer Comprehensive Plan as they pertain to Cedar Park are:

Space for new residential neighborhoods, primarily around the outer portions of the community, and mixed-use areas in the downtown core. Residential areas include internal open space, parks, and connecting trails.

Maintain the quality of existing neighborhoods, and provide space for the diversity of new residential uses, including housing for the upper end of the housing market, higher density housing around downtown, and housing for seniors.

Respect private property rights. Find a practical balance between community policies that guide growth and the benefits of allowing individuals and businesses to develop properties as they see fit.

Cedar Park's desire for large lots and on-site water and septic will complement the Palmer Comprehensive Plan's goals. Large lots will provide for a mix of housing within the City limits. We will be providing upper-end housing within the City limits. This request is in harmony with the stated goals of the Comprehensive Plan. We desire to create a rural setting inside the City limits. Having to use City water and sewer would make it financially unfeasible to make large lots and not meet market demand.

The strict application of installing City water would make this property unusable for creating a large lot subdivision. This application will not create land use in a district where it is prohibited. We complement the goals of the Comprehensive Plan. We do not harm the public. The City has regulatory authority for on-site systems.



**City of Palmer**

231 W. Evergreen Avenue, Palmer, Alaska 99645  
Telephone: 907-745-3790 \* Fax: 907-745-5443

**Variance Application Form**

Palmer Municipal Code 13.16.040

Applicant: Cedar Park, LLC

Property Location(s): North of Marsh Road and East of Glenn Highway

Owner of Record: Cedar Park, LLC

Legal Description (Lot, Block): Tracts 1, 2, 3 and Tract J Cedar Hills

Zone: R1

Request variance from PMC 13.16.025 and any other City Code requirements for sprinklers or hydrants

Reasons for variance request: We wish to create large lots with on-site water and sewer. Hydrants are installed when utilizing City water. This is standard throughout Alaska when not creating small "city sized" lots.

For "A" through "F" below, please see attached info "V4"

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The city council may grant a variance from the provisions of these regulations in accordance with the procedures as set forth upon finding that undue hardship may result from strict compliance with specific provisions or that the requirements of these regulations or the application of such provisions is impractical or undesirable in a specific instance. The city council shall only grant variances that it deems necessary, or which it finds desirable from the standpoint of public interest. In making its findings, as required in this action, the city council shall take into account the nature of the proposed use of the land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision, and the probable effect of the proposed subdivision upon conditions in the vicinity. No variance shall be granted unless the city council finds the following:



Please provide a written explanation stating how each of the following requirements has been met:

13.16.040 A. That there are such special circumstances or conditions affecting said property that the strict application of the provisions of this chapter would clearly be impractical, unreasonable, or undesirable to the general public. In such cases, the subdivider shall first state his reasons in writing to the specific provision or requirement involved and submit them to the city council.

See attached.

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13.16.040 B. That the granting of the specific variance will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

See attached.

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13.16.040 C. The city council shall include its findings and the specific reasons for its action and shall also record its reasons and actions in its minutes.

See attached.

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The city council shall include its findings and the specific reasons for its action and shall also record its reasons and actions in its minutes.

Date of application: 03/04/2021

Signature of Owner's authorized representative 

Mailing address 561 E 36th Avenue Suite 200, Anchorage, AK 99503

Phone/Contact number 907-229-2703

\*\*Please attach any plans or documents pertinent to the request.

# CEDAR PARK

## VARIANCE V-4

### Fire Hydrants

City of Palmer code states in 13.08 that:

D. Subsections (A) and (B) of this section notwithstanding, a residential dwelling no larger than a two-family dwelling, located on a parcel having an area of at least 20,000 square feet shall not be required to be connected to the city sanitary sewer system or water distribution system; provided, that the city manager has granted a written waiver from the applicable requirements of subsections (A) and/or (B) of this section. Regarding water, the city manager shall not grant such a waiver unless the owner has proved to the city manager that the on-site water system complies with Alaska Department of Environmental Conservation regulations 13.16.040 states that :The city council may grant a variance from the provisions of these regulations in accordance with the procedures as set forth upon finding that undue hardship may result from strict compliance with specific provisions or that the requirements of these regulations or the application of such provisions is impractical or undesirable in a specific instance.

We are asking for that written waiver. Along with this waiver, we would not be installing hydrants as there would not be a water system to connect the hydrants to.

The design of this subdivision is predicated on our desire, and the public's desire, for large lots close to the amenities that can be found in the valley's business centers. As such, we have purposely made each of our lots capable of accommodating on-site water and septic. This is standard throughout Alaska. To install hydrants, we would have to extend the water system and create small lots, which is not financially feasible.

#### **IFC states:**

##### **D107.1 One- or two-family dwelling residential developments.**

Developments of one- or two-family dwellings where the number of *dwelling units* exceeds 30 shall be provided with two separate and *approved* fire apparatus access roads.

##### **Exceptions:**

1. Where there are more than 30 *dwelling units* on a single public or private fire apparatus access road and all *dwelling units* are equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the *International Fire Code*, access from two directions shall not be required.

2. The number of *dwelling units* on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.

We have carefully designed this subdivision so that neither hydrants nor individual home sprinklers would be required. Cedar Park has a loop road design that promotes safety by providing a second access. Its design is integrated with the existing Cedar Hills subdivision. We have also provided future access connection points for interconnectivity and even more accessible when the adjoining property is eventually developed. If we did not have the second access, or separately, the access provided for future connections, we would be required to provide hydrants or sprinklers.

Again, most subdivisions within the City limits or the limits of any City are not composed of large lots. Typically they are small lots that help absorb the cost of City utilities. With our average lot width of 140,' we are 233% wider than typical City lots. The cost AND maintenance of a water system with hydrants would, in effect, be more than double the per lot cost as these utilities are calculated on a per running foot cost basis. We would be forced to make small lots to make this a viable effort.

Granting this variance will provide us with a means to reasonably use our land in a manner that does not harm the public. We will be providing street address signage for ease of house identification in case of an emergency. We will be providing a "fire-wise" community and requiring the residents to adhere to those principles and guidelines. Additional information on fire-wise development has been provided. Being a fire-wise community will not only protect the residents within Cedar Park. Being a fire-wise community will protect the surrounding residents both inside and outside of the City limits.

There are no provisions in the Comprehensive plan that this request will conflict with. The character of the development will be rural, which is in harmony with the City Comprehensive Plan, and granting of this variance will not create use that is not allowed within the district. Application of the hydrant requirement will render the property useless for large lots.



**City of Palmer  
Attn: City Clerk**

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Telephone: 907-745-3271 \* Fax: 907-745-0930

**Variance Application Form**

Palmer Municipal Code 12.12.080

Applicant: Cedar Park, LLC

Property Location(s): North of Marsh Road and East of Glenn Highway

Owner of Record: Cedar Park, LLC

Legal Description(Lot, Block): Tracts 1, 2, 3 and Tract J Cedar Hills

Zone: R1

Request variance from PMC 12.12.035 and any other City Code requirement for curb and gutter

Reasons for variance request: We wish to create a large lot subdivision. Curb and gutter are installed when utilizing a City storm drain system. This is standard throughout Alaska when not creating "city sized" lots. We will be installing multiple infiltration points.

For "A" through "F" below, please see attached info "V5"

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The city council may grant a variance from the provisions of these regulations. The city council shall only grant variances that it deems necessary, or which it finds desirable from the standpoint of public interest. In making its findings, as required in this section, the city council shall take into account the nature of the proposed use of the land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision, and the probable effect of the proposed subdivision upon conditions in the vicinity. No variance shall be granted unless the city council finds the following contained in subsections (A), (B) and (C) of this section.

Please provide a written explanation stating how each of the following requirements has been met:

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See attached.

12.12.080 (B.) That the granting of the specific variance will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated;

See attached.

12.12.080 (C.) That the granting of the specific variance will not have the effect of nullifying the intent and purpose of this title or the comprehensive plan;

See attached.

The city council shall include its findings and the specific reasons for its action and shall also record its reasons and actions in its minutes.

Date of application: 3/4/2021

Signature of Owner's authorized representative 

Mailing address 561 E 36th Avenue, Suite 200 Anchorage, AK 99503

Phone/Contact number 907-229-2703

\$250 Nonrefundable Application Filing Fee Submitted: \_\_\_\_\_

\*\*Please attach any plans or documents pertinent to the request.

# CEDAR PARK

## VARIANCE V-5

### Curb and Gutter

The design of this subdivision is predicated on our desire, and the public's desire, for large lots close to the amenities that can be found in the valley's business centers. As such we have purposely made each of our lots capable of accommodating on-site drainage. In addition we will be providing a "low impact design" for the road run-off which will dispose of street drainage into multiple infiltration points along the waters path and at points of concentrated flow. We use the natural slope of the ground both on-site and off-site to ensure that all water that originated from Cedar Park stays in Cedar Park.

Curb and gutter concentrates water flow down the edge of the driving surface to a storm drain system or into a highway ditch and eventually into our waterways. We propose to keep all of our run-off water within the boundaries of Cedar Park. This area has water flow from off-site "upstream". The surrounding fields freeze in the winter and when we get a winter thaw the excess surface water flows across the ground. Curb and gutter does not help remediate this problem. Infiltration does. This has been proven in other developed areas. We wish to be provided the same opportunity to keep Cedar Park protected from excessive run-off.

Providing curb and gutter does not protect the public as well as on-site infiltration does. On-site infiltration protects the environment and the aquifer as pollutants are not concentrated and sent elsewhere downstream untreated. They are instead filtered through the ground replenishing the water supply. The goals and objectives of the Comprehensive Plan are not affected by this request as this helps maintain the rural character of the City by creating a subdivision of larger lots and protecting our water quality. If we had to install curb and gutter for Cedar Park we would be "priced out of the market". We would have to create small City sized lots in order to absorb the cost of the improvements. The application of this code would render this property useless for a large lot subdivision. This variance will not create a use in this district that is otherwise prohibited.