

**MUNICIPALITY OF ANCHORAGE
MEMORANDUM**

DATE: October 13, 2022

TO: Heritage Land Bank Advisory Commission

THRU: Craig H. Lyon, Planning Director
THRU: Dave Whitfield, Current Planning Manager

FROM: Ryan Yelle, Senior Planner

SUBJECT: AMC Title 21 Planning Entitlement Process for Proposed Holtan Hills Residential Development

The Holtan Hills Residential Development as proposed by Holtan Hills, LLC in its current concept will require approval of at least two planning entitlements: a Conditional Use Permit for a Planned Unit Development (CUP-PUD), and a phased subdivision. Should these entitlements involve any deviation from code standards either by choice or necessity, applicable variance requests shall accompany either the CUP-PUD or subdivision applications. If these entitlements are applied for concurrently, they may be decided upon by the Planning and Zoning Commission through a single public hearing. Should they be applied for separately, the CUP-PUD (and any associated variances) shall be decided upon by the Planning and Zoning Commission and the phased subdivision (and any associated variances) shall be decided upon by the Platting Board. The intent, purpose, and approximate timeline for each entitlement is outlined below:

Conditional Use Permit for a Planned Unit Development

Purpose: CUP-PUDs allow an applicant to develop a residential and/or mixed-use neighborhood to a higher density than what is otherwise allowed under the intended densities of the underlying zoning district. Further requirements for open space, utility installation, and landscaping are standard for any new CUP-PUD. Additionally, further flexibility to lot size dimensions, lot coverage, and minimum setbacks are allowed. However, it is important to note that any other residential, street cross section, and design standards of the underlying zoning district still apply.

Pre-Application Requirements:

In general with some exceptions, an applicant applying for an entitlement that requires approval through a public hearing shall conduct the following meetings prior to submitting an application to the Planning Department:

- 1) A pre-application conference requested by the applicant and facilitated by the Planning Department. The purpose of a pre-application conference is to allow the applicant an opportunity to introduce a project to reviewing agencies and solicit feedback on their proposal prior to submitting a final application.
- 2) A properly noticed community meeting conducted in accordance with the procedures of AMC 21.03.020C. Community meetings allow the applicant an opportunity to speak with community members about their project and both listen to any concerns they may have and answer questions.

**Approval
Process:**

Applications for a CUP-PUD are evaluated by the Planning Department who presents a recommendation for Approval, Approval with Conditions or Denial to the Planning and Zoning Commission. Both the recommendation from Planning and the final decision of the Planning and Zoning Commission should be reached through an evaluation of the Conditional Use Permit approval criteria of AMC 21.03.080D, Planned Unit Development approval criteria of AMC 21.07.110H.1., compliance with the minimum standards of AMC 21.07.110H.2., and comments received from both reviewing agencies and the public.

**Application
Timeline:**

Approximately 90 days factoring in noticing procedures for the required community meeting, public hearing, and to allow for sufficient review of the application materials by the public, community council, reviewing agencies and Planning Department.

**Decision-Making
Body:**

Planning and Zoning Commission through a public hearing.

Phased Subdivision

Purpose:

The purpose of the subdivision review process is to ensure compliance with the subdivision standards and requirements set forth in chapter 21.08, *Subdivision Standards*, which are designed to ensure quality development in the municipality consistent with the comprehensive plan.

**Pre-Application
Requirements:**

An applicant applying for an entitlement that requires approval through a public hearing shall conduct the following meetings prior to submitting an application to the Planning Department:

- 1) A pre-application conference requested by the applicant and facilitated by the Planning Department shall be conducted. The purpose of a pre-application conference is to allow the applicant an opportunity to introduce a project to reviewing agencies and solicit feedback on their proposal prior to submittal a final application.
- 2) A properly noticed community meeting conducted in accordance with the procedures of AMC 21.03.020C. Community meetings allow the applicant an opportunity to speak with community members about their plat and both listen to any concerns they may have and answer questions.

**Approval
Process:**

Applications for subdivision are evaluated by the Planning Department who presents a recommendation for Approval, Approval with Conditions, or Denial to the applicable decision-making body. In this case, it is intended that the CUP-PUD and subdivision will be heard concurrently and thus may be decided upon by the Planning and Zoning Commission. Any recommendation by the Planning Department and decision by the Planning and Zoning Commission or Platting Board should be reached through an evaluation of the subdivision approval criteria of AMC 21.03.200C.9., compliance with the minimum subdivision standards of AMC 21.08., and comments received from reviewing agencies and the public.

**Application
Timeline:**

Approximately 90 days factoring noticing procedures for the required community meeting, public hearing, and to allow for sufficient review of the application materials by the public, community council, reviewing agencies, and Planning Department.

**Decision-Making
Body:**

Planning and Zoning Commission through a public hearing if heard concurrently with the PUD-CUP; Platting Board if heard separately.

Variance (if applicable)

Purpose:

The variance process is intended to provide limited relief from the requirements of this title in those cases where strict application of a particular requirement will create a practical difficulty or unnecessary hardship prohibiting the reasonable use of land in a manner otherwise allowed under this title. It is not intended that variances be granted merely to remove

inconveniences or financial burdens that the requirements of this title may impose on property owners in general. Rather, it is intended to provide relief where the requirements of this title render the land difficult or impossible to use because of some unique physical attribute of the property itself. State and/or federal laws or requirements may not be varied by the municipality. Variances are not intended to allow things that are otherwise prohibited in this title.

Pre-Application Requirements:

None, although any applicant may request a concept meeting with the Planning Department to discuss their request prior to submitting an application.

Approval Process:

Applications for variances are evaluated according to the applicable variance standards by the Planning Department who presents a recommendation for Approval, Approval with Conditions, or Denial to the applicable decision-making body. The decision-making body for a variance request depends upon which standard the applicant is seeking relief from. Dimensional variances are heard by the Zoning Board of Examiner's and Appeals, design variances are heard by the Urban Design Commission, and subdivision variances are heard by the Platting Board. However, should a variance request accompany an entitlement of a higher level of review, the variance request is heard before the decision-making body of the higher entitlement (i.e. a Major Site Plan Review with an accompanying design variance may be heard concurrently before the Planning and Zoning Commission)

Application Timeline:

Approximately 60 days factoring noticing procedures for the public hearing and to allow for sufficient review of the application materials by the public, community council, reviewing agencies, and Planning Department.

Decision-Making Body:

Dimensional variances are heard by the Zoning Board of Examiner's and Appeals, design variances are heard by the Urban Design Commission, and subdivision variances are heard by the Platting Board.