

NECC

Northeast Community Council

Minutes – October 20, 2005

CALL TO ORDER: 7:02 pm.

Pledge of Allegiance: Lead by Boy Scout Troop #232 Meets Mondays at 7:00pm at Creekside Elementary School. Contact Scoutmaster Scott Jacobs, 337-5016, or scjacobs@gci.net with any questions. Troop #232 attended as part of community involvement studies.

Approval: Previous Minutes

September meeting minutes approved unanimously.

Approval: Agenda

Motion to revise order of the Agenda to take the Wal-Mart Site Discussion prior to other Wal-Mart items. No object to the revision, and addenda was approved unanimously.

Treasurers Report: Total of \$487.87 in checking account, plus an additional donation of \$20.00 received this evening. It was noted that \$38.40 is owed to Peggy Robinson as approved at the October Executive Board meeting.

Representatives Reports: (in no particular order)

Senator Bettye Davis:

- Aid for the Senator was present and took notes. Reported that United We Stand, and the Anchorage Community Foundation were sponsoring a hurricane Katrina relief fund for Katrina refugees in Anchorage. Statewide approximately 300 people have been placed. Looking for clothing, transportation, financial aid. All contributions stay in state.
- The Senator may be contacted at 269-0144, or at senator_bettye_davis@legis.state.ak.us about this or any other issue.

Senator Gretchen Guess:

- Has been working on the workers compensation task force examining the cost of works comp insurance.
- Workshop October 29th at Loussac Library on Methamphetamine.
- Asked for time on future agenda for community feedback on draft legislation she will present.
- Question (Sheila Howe): What is possibility of revising state liquor license statute to define separation distances as "boundary line to boundary line" instead of the "door threshold to door threshold" as it is currently written? Senator Guess: This is possible. Tried to make this revision her freshmen year in the Senate about five years ago. Can try again. Note: This item requires some study. Depending on how the law was worded, businesses that are currently many hundreds of feet apart on a door-to-door basis, could be reduced to being only 60 feet apart (the width of a street) on a boundary-to-boundary basis.

Representative Tom Anderson:

- Not present, no report.

Representative Max Gruenberg:

- Has been discussion a variety of stoplight and traffic safety issues in the NECC with DOT&PF, such as stoplights for Debarr at Creekside, and at Edwards Street to improve the turns off of side streets onto Debarr. Also looking for crosswalk upgrades for Ptarmigan Elementary School. Note: Opticon control systems are to be included in the stoplight upgrades, allowing AFD remote control of the signals.
- Has been participating in the "Legislator in the Classroom" Program, teaching in various ASD classrooms.

Anchorage Assembly Member Paul Bauer: (338-8306)

- Working on the long-range transportation plan.
- Question (Shelia Howe), same liquor license ordinance question as for Senator Guess.

Anchorage Assembly Member Ken Stout:

- Assembly is working on the large animal ordinance. There are more than 5000 horses on the hillside in Anchorage.

- Also working on drainage issues caused by private development in the Scenic Park area (just north of the Muldoon curve).

Anchorage School Board, Tim Steel:

- The school board is currently examining various schools for goal setting purposes.
- Has not yet bid the site work portion of the Muldoon area Middle School yet.
- The budget process is starting.
- The school district census is currently approximately 49,500 students. 1st and K classes are down, but picking back up. High School is picking up.
- Bob Roses discussed the ASD emergency preparedness plans. It may be found on the ASD web page at www.asdk12.org. Look for Memo #53, Emergency Preparedness.

Community Activity Reports: (in no particular order)

- **Anchorage Fire Department – Patterson Station, 267-5006**
 - Report given under the business agenda.
- **Community Patrols** – Not present. Please contact the following individuals with questions, or to volunteer for the Community Patrols. They are really in need of help with patrol work.
 - Aaron Pascar, Nunaka Valley Patrol, 223-4630
 - Michelle Daugherty, Northeast Patrol, 748-7800
 - Other phone numbers of interest:

Junk cars - 729-7878	Graffiti Busters - 343-4663
Streetlights - 263-5483	Potholes - 343-6363
- **Northeast Community Center** – Bob Rupke
 - Presenting preparing the 2006 budget. Hope to replace some of the rugs in the building.
 - Also looking at increasing custodial work in the building.
- **Weed and Seed** – Tim Sullivan No report.
- **Road Construction Updates** – Various people. No report.
- **Federation of Community Councils** – Bob Rupke
 - Open house last month at the FCC was a success, with about 70 people attending.
 - October meeting included a discussion on assisted living homes in Anchorage. There are hundreds of this homes in town.
- **Green House Property Update** – Don Smith
 - Spoke about status of property. No Sale as of yet on the back property for a city park. However, the contract for this sale has been prepared and is being reviewed by the partners now.
- **Anchorage Police Department** – Sergeant Stanton
 - email: cstanton@ci.anchorage.ak.us
 - Office hours are 1200 noon – 10:00 pm at Muldoon Community Center.
 - No report this meeting.
 - Note: Current APD academy graduates October 27th. Next academy begins in January.
- **Wal-Mart Development of Miller Property** No Report – was planed under the business section of agenda.
- **Capital Improvement Program** – Ainslie Phillips
 - Starting to compile the 2006 list. Please send CIP items to Ainslie.
 - Request was made to get a copy of last years CIP list posted on the website.
 - Muldoon Beautification is in jeopardy due to recent shortfalls and earmarking of items in the DOT budget.

BUSINESS:

(1) Eastview Estates Development, Harvey Prickett w/ Dean Architects

- Not present.

(2) Teri Peters, Northeast Park District Manager

- Could not attend, will be placed on future agenda.

(3) Title 21 Revisions, Motion to be Made, Ainslie Phillips

- Ainslie Phillips made the following motion:

NECC October 20, 2005 Motion (1):

The Northeast Community Council request that the MOA amend Title 21 to require that all developments, construction projects and / or building projects of four or more residential units, or any commercial space of 5000 square feet or more be required to submit design and site plans, including elevations thru an appropriate public hearing process.

- General discussion. There was some concern by some members as to need for the motion, and some concern as to whether this was a hasty action that required more thought.
- A friendly amendment was made, revising the motion (as underlined above) to include commercial space developments.
- The general purpose of the motion is to insure that the public is informed of developments next door to them, and that a process exists for them to make their concerns none. Developments of this nature must already submit these plans for the approval of the planning department. This would just add the requirement for the plans to be presented to the public as well. This is not a hasty action, the general requirement for the process has been discussed by the NECC on several occasions.
- Procedural Motion to postpone action on this motion till next month was made. Postponement was discussed. Motion failed: 9 in favor; a substantial number (in excess of 30) opposed.
- Additional discussion: The motion does not define the requirements for a public hearing process. It merely asks that one be required. The actual requirements for the process are left up to the assembly. In its simplest form, the public process could consist of a presentation before a community council.

Motion was voted upon and passed: 42 in favor; 5 opposed; 2 abstaining.

(4) AFD Response Patterns, Diane Rush, AFD

- AFD firefighter Diane Rush, stationed at the Patterson fire station prepared a report examining AFD response patterns, and projecting those response patterns as the town center grows and the Middle School opens.
- At present, most AFD runs are to the east on Debarr, past the Middle School. More than 10 runs per day on average to residential areas to the north. It would be beneficial to move the fire station east of the school to reduce emergency traffic past the school and to eliminate traffic conflicts in this area. Relocation of the fire station has been discussed several times in the past. The fire station is not particularly close to its major call centers, and the station itself is difficult to use, as the engines must back into their parking bays.
- Diane indicated that Cook Inlet Housing had indicated their willingness to donate nine acres of land between Old Harbor and Fred Meyers for a fire station relocation. Jeff Judd with Cook Inlet clarified this: Cook Inlet was willing to donate a portion of that land, assuming they acquired it from Wal-Mart or Jack Miller, or a part of some other Cook Inlet property, but at present did not own the land behind Fred Meyer and thus could not donate it.
- Discussion about rerouting the school access through the adjacent neighborhoods to avoid fire traffic on Debar. Peggy Robinson: This was examined during the design process. The traffic volumes in the residential neighborhoods would be unmanageable.
- Discussion of various alternative sites: ASD property by the theater is too far from the service area; Boundary Street site is too far away from the central service area.
- Diane: State DOT does not want to install an emergency signal on Debarr. Max Gruenberg: They are presently reconsidering this at his request.
- Don Smith: An emergency signal is a band-aid. The facility is no longer appropriate and needs to be replaced.
- Diane: A site of approximately 4 acres is required.

(5) Bartlett High Access Improvements, Bob Adler

- Not present.

(6) Creekside Town Center Financial Report to the MOA, Presentation and Discussion by NECC Executive Board

- The MOA Heritage Land Bank commissioned a study on the financial feasibility of the town center in December of 2003. The analysis basically concluded that the town center is not financially feasible. This report was not shared with the public. While the report was prepared only as a draft, is out of date, and a number of things have changed, it still raises the question as to whether or not the town center is financially viable.
- In 2003, the MOA administration made the NECC Towncenter Committee aware that a financial study had been done, and advised the committee as to the general findings of the report. At that time, the city indicated that the only thing feasible on the towncenter land was site condos. However, the actual report was not given to the NECC Towncenter Committee, nor was it release to the rest of the City departments or the assembly until just recently. The HLB has not been willing to release the report. There were various opinions as to why: it was a draft document not ready for release; it was the property of Venture, etc.
- Paul Bauer and Ken Stout indicated that the report was not given to the assembly until May of this year, when various assembly members had requested cost information on the towncenter development as part of the ongoing work sessions on towncenter development and tax abatement financing.
- The NECC Executive Board, various MOA assembly members are concerned about proceeding with a development that is reportedly not economically feasible. However, there have been various changes in events since the preparation of the report, and the report does not consider intangibles, such as quality of life or aesthetics.
- Jeff Judd, Directory of Operations for Cook Inlet Housing Authority, who owns part of the towncenter land offered the following:
 - Report is a draft.
 - The MOA paid for the report, not Venture or Mark Pfeffer. Pfeffer did get the State to give the City a grant to study the towncenter, but the City was the organization that is the financer and owner of the report.
 - The report is correct that the largest challenge to the towncenter development, but did not consider the State and Federal resources that Cook Inlet Housing brings as a public housing authority, which substantially improves the financial viability.
 - Original report included the Miller Property, which is not currently included in the Towncenter. This portion is proposed for development by Wal-Mart, whose resources were not considered.
 - Tax abatement is potentially available to assist with the financing, up to 10 years under State law.
 - A variety of work has already been done or is underway:
 - Creek Restoration (approx \$0.5 million)
 - Environmental Cleanup (approx \$1 million)
 - Land sold, and under development for the school.
 - First segments of Creekside Parkway are funded and scheduled for construction.
 - Cook Inlet is finalizing zoning issues with MOA Planning, hope to have this complete within the next 60 days, and begin development of housing this coming center.
 - Mark Pfeffer / Jerry Nesser (Venture) is selling 9 more acres to Cook Inlet. If AHFC funding is secured, they will have a 60 units mixed density town house development underway.
- There were questions regarding the status of the towncenter committee. This will be considered at the next executive board meeting for inclusion on a future agenda.

(7) Wal-Mart Development – Topics to be Discussed:

- 1) Reconsideration of August 2005 Package Store on Miller Property License Motion
 - 2) Design and Site Plan Development
 - 3) Community and Social Impacts
- Item #2 will be taken first, as per the earlier motion to revise the order of the agenda
 - President Bob Roses reviewed the ongoing committee process that has been working to define and revise the Wal-Mart site plan to address community concerns. There have been 7 to 8 committee meetings since May. Initially about 75 people participated, and then declined to 30 to 40 persons at each meeting. The last two meetings had 6 and 7 people respectively.
 - Mary Fortain reported on the last committee meeting (October 5th, 2005). At that meeting, buffers on Old Harbor and Patterson were discussed, size of the tire and lube center, the transportation and traffic study, air quality,

vehicle and pedestrian impacts at the middle school, related issues were discussed. At the conclusion of the meeting, the committees recommendation was a "Do Not Pass" on the Wal-Mart development, with a vote of 4 in favor (of not passing), 1 against, and 1 abstaining, primarily due to the magnitude of the traffic and air quality impacts.

- Jim Sawhill of Lounsbury and Associates presented display boards of the currently Wal-Mart site plan and provided a summary of the project development on the 53 acre site as it has evolved through the committee process:
 - Wal-Mart is now located against Debarr, and Sams towards Old Harbor. Truck bays have been moved away from residences.
 - Buffer on the Old Harbor side was increased from 45 feet to 85 feet, plus a 25 foot ROW, giving a total width of 110 feet, with fence and trees. Trail into Old harbor through the pocket park has been eliminated.
 - Increased the buffer on Patterson side from 30 feet to 55 feet, plus the 30 foot road ROW for a total of 85 feet. Patterson trail has been extended to the north. Patterson itself will be widened, and extended into the Wal-Mart property.
 - Buffer behind Fred Meyer, between the multifamily zoned R3M property and Old Harbor is a total of 60 feet, including the 25 foot ROW. This property, per Jeff Judd with Cook Inlet comprises about 9 acres and could support 60 to 70 units under current zoning.
 - The Sam's Club is somewhat smaller than original proposed, the Wal-Mart is somewhat larger. Only the Sam's Club is proposed to have a liquor package store. Only the Sam's Club will have a garage (tire bay). The Wal-Mart is proposed to be a 24 hour store.
 - Elevations for the buildings have not been prepared yet. Will be coordinated with Venture Development and the towncenter standards.
 - The next step on the Wal-Mart agenda is the rezone of the R2M portion of the property to B3 or I2. This rezone will stipulate the design requirements for the site as a whole. During this rezone process, Wal-Mart will bring the excess land (i.e. the residential area behind Fred Meyers, and any surplus commercial areas) into the towncenter (they have volunteered to do this, they are not necessarily required to do so.).
 - A traffic impact analysis (TIA) was completed and sent to DOT on or about 10/20/05. Examined traffic in 2008 and 2018. The Creekside wishbone road design helps with traffic by spreading it out between the three intersections. With just the Wal-Mart / Sam's Club in place, traffic in the region continues at a "C" level of service. With the full buildout of the towncenter, traffic degrades significantly, and additional lanes are needed at the intersections to maintain LOS C.
- Community Concerns:
 - A homeowner near NW corner of site on Patterson with new duplex is concerned there is not enough buffer in this location. Requested that truck traffic be routed through the road system, not the parking lots against the residences. Lounsbury is concerned about safety of mixing truck and POV traffic on Creekside.
 - Don Smith – Doesn't like Wal-Mart, but the Wal-Mart development is better than some of the alternatives, namely high density housing. Wal-Mart has made a lot of concessions, the plan is good, and they are providing more concessions than any other developer could afford to do.
 - Lori: The proposed development does not comply with the intent of the towncenter concepts, doesn't provide pedestrian amenities, will cost the community tax dollars, and should be voted against.
 - Sally K: Additional buffer and / or a fence still needs to be provided to separate Old harbor from the R2M property.
 - Jeff Judd: Site is currently I2. Wal-Mart is certainly not a quality residential development, but it is better than industrial development. Cook Inlet Housing has discussed the Wal-Mart plans with Wal-Mart, and suggested a number of items to address some of the community and towncenter concerns, namely: ensure outpaccels conform to towncenter standards; contribute the R2M land to Cook Inlet for residential construction to towncenter standards. Jeff asked that any approval motion address these conditions, and address the relocation of the fire station.
- Secretary Dean Syta made the following motion:

NECC October 20, 2005 Motion (2):

The NECC recognizes Wal-Mart's and Lounsbury & Associates' efforts to address community concerns while crafting current site plans for the proposed Wal-Mart development. The NECC is generally pleased with the progress that has been made with the site plans, and furthermore the NECC is generally pleased with the overall concept of the site as presented to the NECC on October 20, 2005. The NECC supports further development and refinement of this site plan, provided Wal-Mart and Lounsbury Associates continue to work with the NECC to address the communities remaining concerns and desires as the plans are finalized.

- Question was called. Vote on the question failed 41 in favor, 26 opposed, 3 abstaining (required a 2/3rds majority)
- Additional general discussion of the motion and towncenter concepts.
- Jeff Judd requested the motion be amended to include "Should Wal-Mart acquire the property, they shall donate the R2M property north of Fred Meyer to Cook Inlet housing for inclusion in the towncenter." The parliamentarian ruled this amendment to be a separate motion for separate action.
- The question was called again, vote on the question passed, 65 in favor, 5 opposed, 4 abstaining.
- Motion (2) was voted upon. The motion passed: 55 in favor, 16 opposed, 7 abstaining.
- Jeff Judd then made the following separate motion:

NECC October 20, 2005 Motion (3):

Should Wal-Mart acquire the Miller property and develop the site as a Wal-Mart and / or Sams Club, Wal-Mart shall donate that portion of the site immediately to the north of the Fred Meyer site to Cook Inlet Housing Authority as an expansion of the towncenter area with future development on this parcel to be conducted by Cook Inlet Housing in a manner consistent with the towncenter concepts.

- General discussion of motion. The intent of the motion was to establish a means of, and standards for, the development of this parcel, in addition to the obvious benefits to Cook Inlet housing. Many felt this verged on eminent domain, and gave Cook Inlet an unfair advantage.
- At approximately 9:54 pm, Peggy Robison made a motion to extend the meeting beyond 10:00 pm until all of the Wal-Mart items on the agenda were addressed. Motion to extend failed due to lack of 2/3rd majority: 37 in favor; 33 opposed. The time limit on the meeting remained at 10:00 pm.
- Motion (3) was not acted upon. Discussion of the motion did not continue as business moved to the following:

Point of Personnel Privilege for President Bob Roses

- Bob Roses, President NECC, announced his intent to run for elected office (House Seat #19, currently held by Tom Anderson, who will not be running again). Bob asked for council direction as to whether or not he should remain as President of the NECC.
- Brief discussion. This situation is not specifically covered in the bylaws, Bob wanted to address any consideration of conflict of interest. It should be noted that Bob's term as President is up in May.
- Troy Carlock made the following motion:

NECC October 20, 2005 Motion (4):

That the NECC keep Bob [i.e. directs Bob to continue] as President of the community council while he runs for office.

Motion was voted upon and passed: 45 in favor; Opposing vote was taken as members began leaving and was difficult to confirm, but in no case was it more than 6 opposed; 1 abstaining (Bob Roses).

MEETING ADJOURNMENT: 10:00 pm.