

Spenard Community Council Meeting

Wednesday, January 8, 2014 7:00 – 9:00 p.m.

Spenard Recreation Center, 2020 W 48th Ave.

1. Minutes and Agenda Approval – *Bob Auth*

- The president called the meeting to order.
- The agenda and December meeting minutes were approved with no corrections.
- Announcements (see agenda+newsletter)
 - Jason Bergerson announced that the Alaska Bar Association is offering free legal help on Martin Luther King Day (Jan 20th) at the Mountain View Boys and Girls Club. Flyers are available on the table. Help includes divorce and domestic law, bankruptcy, and other services. Volunteers will also be helping people sign up for social services.
 - Bob Auth announced that a 4/5th grade teacher at Willow Crest would like a member of the council to come talk to their class about how to make change in the community and make plans happen. There is a playground that is not accessible to all students (kids on autism spectrum or who have disabilities) and the students have been working on writing letters and trying to change the playground.

2. Assembly Report – *Rep. Ernie Hall*

- There has been a short break in Assembly action with the holidays, but everyone is back at work now.
- Rep. Hall has been working on some issues, one member would like the elections moved up to be in cycle with the state elections. The Assembly is considering this but it is something which will have opportunities for public comment later on. He clarified that if that was changed, there would still be two simultaneous elections (they cannot be combined). There is also a proposal to have mail-in vote, with some polling places open that day as well.
- **Upcoming agenda for Assembly meeting:** will include discussion of the award to CH2MHill as the oversight contractor for the Port. He noted that the Muni is also in litigation with the company, but mainly because they acquired Veco and took on liability for that company. Ernie is confident in CH2MHill's qualifications and work.
- **Tennis courts:** There will be NO discussion of the tennis courts this time! Ernie felt that the discussion ended with a reasonable conclusion, but isn't sure what will happen because the funding number is much lower than the project originally requested. He was disappointed that the issue became such a distraction.
- **Assembly elections.** The filing date is January 26th, for an April 1 election, and candidates will be filing soon. The first order of business after the elections are complete is to review the Muni budget.
- **Comments and Discussion**
 - Peggy Auth asked about prospective grant applications by the Muni, given that the legislature has said available funding will be much lower. Is the number being applied for realistic? Rep. Hall responded that he believes most funding requests will come in the form of bonds. Projects such as the port upgrades need to happen, and will likely also have federal funding as well especially as regards the military. He would also like to see a contract management firm in place to handle such projects, rather than leaving it with the administration alone. One priority he would like see moved forward is funding for the Spenard Road reconstruction—but the Muni must also put up funding as well.

3. Legislative Report –*Rep. Harriet Drummond*

- Legislators are preparing to go to Juneau, many are leaving tomorrow. Rep. Drummond will be leaving next week, and commented that the actual distance to move for three months is disconcerting—the cost of doing business in Alaska is high, and she hopes the states reconsider and be consistent.

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- Rep. Drummond has been helping seniors apply for driver's licenses online to avoid an extra fee for doing renewal in person. A member pointed out that renewals can also happen by mail, but missing certain deadlines requires coming in person which costs more and is inconvenient. Since seniors often don't have computers and free access to computers is not always available, it puts them at a disadvantage. Multiple constituents have contacted her about this issue.
- She will be introducing a bill to ban neonicotinoids in Alaska—this pesticide isn't used in Alaska currently, but it has been correlated with huge bee die-offs which affects pollination and agriculture. The European Union has banned this substance and the EPA will likely not ban it for several years. A member asked if other states are banning it? Harriet wasn't sure, but would like to see Alaska be proactive before this is introduced. Another member pointed out that some states have tried to ban the substance, but if it is already in use it is difficult to ban; it would not ban personal use in a greenhouse, but commercial use.
- Alaska has chosen not to expand Medicaid, but Harriet will be supporting a bill to expand Denali Kid Care—Alaska has one of the lowest qualifying income thresholds for families (meaning it is difficult to qualify), and expanding eligibility will help keep more kids healthy. (Parents won't qualify, just kids).
- The Legislative Information Office (LIO) upgrade will continue downtown, and Harriet pointed out the unfortunate timing of construction which was costly and should have been better timed with when the legislature was in session. A member also pointed out that the proposed cost of renovations for the city Dept of Health building is also very high, he does not want to see such high-dollar project estimates funded by the state.
- Rep. Drummond and Sen. Gardner held a community meeting on January 7 to learn more about the proposed natural gas pipeline, Larry Persily presented and about 60 people attended. They will hold other meetings during session.
- **The Anchorage Caucus Meeting** will be on Saturday, January 11, 2014, 9am to noon at the Loussac Assembly chambers. Anchorage legislators will have a public meeting to hear constituents' concerns for the coming year.
- TJ, Sen. Berta Gardner's aide, announced that Sen. Gardner is working on organizing constituent meetings in the new future. Residents will receive mailings with advance notice of these meetings.
- The Spenard Road project is a high priority for both Rep. Drummond and Sen. Gardner—there are several priority projects in Harriet's district (16) but she wants to emphasize the regional importance of these projects: Loussac Library, Midtown transit center, upgrades to Spenard Road. Harriet encourages the Assembly to look again at their priorities and consider the overall importance of the projects in this area and the benefit to the entire city.

4. **Airport Report** – Zaramie Lindseth

- See *Airport newsletter* or check for updates online, www.anchorageairport.com
- **Airport Master Plan:** The consulting team is reviewing public comments and doing compilation of the data to complete a draft plan. More information to come soon, including the next public meeting.
- **Preferential Runway Use Program:** Bob Auth shared that the preferential runway use system is in jeopardy under the new plan: the Airport is considering abandoning this program during "daylight hours" (up to 15 hours a day, 7 a.m. to 10 p.m.). This would put about 350 households in a proximate noise contour (currently there are 35 households in this contour already affected). Bob also pointed out that maintaining the preferential runway use program is in the West Anchorage District Plan, with a strong recommendation to keep it in place. This would also increase noise over schools in the area as well. Zaramie noted that the Airport is revising the numbers down, possibly to 55 additional households affected rather than a total

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of 350. Bob noted that there has been little coverage of this issue and that it will have a huge impact on the neighborhood, and urges others to comment on this issue.

- **Airport Communications Committee:** Matt Klamann shared the background on this committee, including its success in creating a communications plan for the Airport and making sure that Airport representatives come to community meetings. Now that these items have been accomplished and the system seems to be working well, Matt has suggested that this committee be sunsetted. He is asking the council for a resolution to formally sunset the committee. It has been caucused since this summer, and the members were not interested in meeting further. Individual comments can still be submitted on the communications plan itself.
- **Proposed resolution** was moved and seconded.
- **Discussion:**
 - Merle Akers, who acted as a bystander on this meeting is not opposed to sunseting the committee, but does not want to leave the committee as is. He is concerned that in the new Master Plan, there is no mechanism for supporting ongoing communications with the Airport, because if it is dissolved it cannot be the mechanism identified in the Master Plan. He would like to see this addressed before sunseting the committee. He likes this structure, which encourages compromise and working out issues, and does not want the task force model (the land swap task force) because it is more adversarial.
 - Cathy Gleason also supports the collaborative model, and while she is fine with sunseting the communications committee itself, she would not like to see this avenue of communication lost. The resolution proposed allows for meetings until the final Master Plan is complete, and she would like to see the committee meet again at least once before the process is complete. This resolution will also be presented to the Turnagain CC tomorrow, and she believes it is a good compromise and leaves the door open for future communications.
 - Bob and Matt agreed that the community council heads or other representatives could still meet with the Airport. Matt also noted that the committee itself has no legal power and was not intended for making policy recommendations, but more for opening communications with the Airport and the community. The committee's role is limited, and would not be the avenue for addressing some other issues. He believes this is a big flaw in the Master Plan and encourages others to comment.
 - Phil Isley is satisfied that the committee has done its job, and that there are other avenues (e.g. community council members) for working with the Airport. He is in favor of sunseting because now the community councils can communicate directly with the Airport, or designate people to attend their meetings, or other strategies.
 - Tom McGrath agrees, and sees that the resolution does still allow for other avenues of communication. He is also satisfied with its work and supports passing the resolution.
- **Vote:** all in favor, none opposed. **The resolution passed.**

5. Ure Park Re-zone and Related Proposed Ordinance – *Bill Marsh and others*

- Bob noted that this issue was discussed in November, and the council passed a resolution in support of the re-zone (see resolution draft).
- There are several issues in play: the re-zone of the park properties (the council supported this, but Planning & Zoning opposed it in a recent memo), the proposed ordinance change to limit public notice to adding disposal of public land to the ballot to 30 days (currently 180 days), and the proposed long-term lease disposal of the park to the Lions Club.
- **Comments and Discussion**

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- Bill Marsh and his neighbors have been working on this issue extensively and testified to P&Z. He gave more background—in November, the re-zone and re-plat was presented to the council as a housekeeping measure, and the Lions gave their long-term ideas but not concrete plans. However, subsequent proposals given to P&Z showed that the Lions would like to demolish the structure and construct a new 5,000 sf structure on the less-than-1 acre property, with parking for 8 cars but with likely 30 members attending meetings. The only way this is allowable is if the zoning is changed to PLI-P, in any other circumstance this would not be allowed under current zoning. P&Z staff recommended not making this change (approval of the proposed building) because it is a 169-household neighborhood with that park, and Roosevelt Park. Mark and his neighbors have no specific objection to the Lions Club and their works, but they do not think a warehouse-style building is appropriate, and he and his neighbors want to avoid land use planning problems. The proposed building would be about \$500,000 construction cost. There are other buildings available in the area, and there is no specific need to use this property, the Lions Club has just been using this area for many years.
- Ken Crassell, a Lions member, feels it is unfair to only hear one side of the story. The Lions are not just a social club, but do work in the community. He has been known some of the neighbors in the area (some now deceased) who appreciated the Lions' presence in the neighborhood. He felt the presentation mischaracterized their proposed plans—words like “warehouse” are misleading. He thanked the group for their time.
- Tom pointed out that the Lions have come at least twice with proposals to build a new clubhouse—the community council supported them in the past, but once the zoning issue was discovered the plan couldn't move forward. He does feel it is a housekeeping issue because either way, the parcels need to be zoned PLI to represent the current land use. This group has supported their work in the past.
- Peggy noted that her concern is with the process—the discussion in November was about a housekeeping issue and not about the subsequent Lions proposal for the property which was later publicly noticed. Concerning the disposal of public land, the designees can be very nice people, but this has been a distortion of public process. She and others wished that this information would have been shared more clearly in November, rather than just presenting as a simple re-zoning issue with no further plans in the works at the time.
- Mark reiterated that the intended use of zoning is supposed to protect against incompatible uses, and no other way is this allowed except when changing the zoning and allowing for the long-term lease. This land does not function as a public park, and he does not believe the new proposal would provide opportunities for this either.
- Ernie Hall pointed out that the Spenard Community Council has reviewed these proposals in the past and has supported the Lions Club plans in the past. The Lions Club has been working with the Muni since 2012, beginning with their own property but then also considering the park land. The reason the proposal changed was that the Muni did not properly notice the proposal, so the Lions Club would have to wait another year. The Lions Club has been working with the Muni for multiple years, and followed the proper process, and the Muni did not want to punish them for their own mistake by making them wait another 180+ days.
- Bob reiterated the main issue from the council's perspective was that when the Muni and members of the Lions Club presented the new form of the proposal in November, there was a disingenuous presentation: “There's no immediate plan, this is long term thinking, and just a household issue.” Had there been an upfront

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presentation about what was in the works on the property and how it related to the re-zone and re-plat, the council would not be as frustrated—their issue is not specifically with the Lions Club either, but the process had issues.

- Jason asked if there is an action item? Bob noted that the council has taken a position on the re-zone already, but another possible action would be to comment on the revised public notice ordinance through a resolution.
- Anna asked why the original ordinance was drafted for reducing from 180 days to 30 days? That seemed to be the origin of some of the controversy. Ernie answered that it was drafted initially to address the issue of Ure Park but was also in response to all other public notice processes being around 90 days. Cathy Gleason pointed out that the 30 day notice was still in the original ordinance. When Ernie and Rep. Steele reviewed the draft from the attorney, they changed it from 30 to 90 days, and it has since been further changed to simply allow a waiver for the usual process in this particular case. (see copy of AO 131 with strikeouts of old language). Every other public process of similar type requires 90 days notice so this is more consistent with Muni code in other areas.
- Phil was not in favor of making the change in zoning which would allow the proposed plan to be feasible. Based on what has been described, the new building would not be compatible for neighborhood and would have negative impacts on them. He wondered why the Lions could not build on the property they do own, and/or seek another location for their new clubhouse.
- Another member pointed out that he is frustrated with what seems the Muni like changing public ordinance and overall rules because of their bureaucratic error, this is more troubling than the process would have been without this introduction of a change to the public notice rules. He also has no issues with the Lions, but is unhappy with the public notice issue.
- Mark noted that the spirit of the regulation is to not let public lands be easily disposed of, and to give plenty of notice for those who do not support the disposal because their job to convince the citywide voters is a difficult one. Others in the room supported keeping the 180 day notice period.
- **Proposed resolution:** The council supports the existing 180 day public notice for disposal of municipal park land, and not the 14-day notice as proposed in AO 131. The resolution was moved and seconded.
- **Discussion**
 - Some members reiterated their concern for preserving good public process.
 - Originally the resolution supported a 90 day notice period, but some members asked that it be amended to support 180 period instead. This was accepted.
- **Vote:** 8 in favor, 1 opposed. **The motion for resolution passed.**

6. 4619 Spenard Road Re-plat and Re-zone Petition – Steve Agni, representative of <i>Justin Green, property owner</i>
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- The hearing before Planning & Zoning will happen on Monday, February 3.
- Steve Agni, owner of Development Managers, has worked in Spenard for some years. Justin Green hired him recently to redevelop the property at 4619 Spenard, formerly the “ceramic palace.” In 1975, a deed transfer gave Lot 1 and western half of Lot 2 to a new owner, with a “split zone” of half commercial, half R-2 residential. The property is about 4700 sf on its own, and has generally been built on jointly with the other lot. The Muni has been assessing the property as one economic unit, but they recently found that the zoning is actually residential and would need to be changed in order to re-plat and use the parcel as one unit. The proposal is to build a small office building, with a potential tenant in place.

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Having a commercial property would be in accord with the Spenard Road plan and other plans; P&Z staff have agreed that this change would be in line with the intent of the corridor's zoning to have commercial properties on Spenard.

- **Comments and Discussion**

- A member asked about what looks like a secondary driveway off Aspen? Steve clarified that this is actually a “hammerhead” turnaround for cars. The only entrance and exit would be on Spenard Road.
- The same member commented that in the past, during his involvement with the community council, the council has generally supported the consolidation of lots fronting Spenard Rd. into parcels that are appropriate for commercial uses. He sees this as being in line with that move, since design and financing can be difficult for very small lots.
- Peggy pointed out that one big concern of the council is the loss of residential property through these kinds of zoning changes. Her view is that the council is generally in favor of upgrading Spenard, but not with loss of residential property. Spenard has lost a lot of housing units between Minnesota and International in recent years.
- Steve also clarified that the other half of the lot was made into its own small lot and currently has a house on it, and the residential half lot was transferred to the adjacent property. It cannot be used on its own, but is an economic unit which is now tied to its neighboring property.
- Phil Isley asked for clarification on the actual boundaries based on the site plan. Steve verified that the boundaries are the same as currently there, except the building will be turned 90 degrees from what the previous building was (oriented not toward Spenard anymore).
- Cathy pointed out that having a lot of ingress and egress points on Spenard Road is a concern, and has been a concern in Turnagain. She wondered if this would be a traffic concern. Steve noted that this is a “destination” office versus a “convenience” office, so it will primarily be just employees coming at the beginning and end of the day. Phil agreed that the traffic can get problematic at rush hour.
- Peggy asked why the building was re-oriented to not face Spenard? Steve explained it is primarily a parking issue, the parking space needed to be large enough and the north portion of the property
- A member felt that this is primarily a housekeeping issue to clean up the zoning on this property, and gives the owner the opportunity to actually do something about the “eyesore” which has existed for many years.
- Bob asked whether the group would want to consider not allowing a driveway on Aspen, if it is a commercial property? The group considered this, and one member suggested if a second driveway is needed, to have a right-turn-only exit which would feed back onto Spenard Road. Some other members were fine with a secondary driveway if the property would be used for residential.
- Another member has made several calls about this building, and lately has been getting good response from the representative (a man named John at Premier).
- Jason noted that there are two different tracks of discussion—concerns about the loss of residential property, and a desire to allow for commercial redevelopment. Is there consensus on which position the council supports (business to residential, versus residential to business)?
- Steve reiterated that it is in the owner's interest to get the project built and put it to highest and best use. They have already done research into which is the best design for the property, and they will likely not substantially change it.

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- Peggy and Jason expressed frustration with this property and the Green family in the past, given the lack of communication with the council and a lack of concrete plans or timelines for redeveloping the building until now. They would like to have a public site plan review once the zoning change has been made and the proposal is moving forward with P&Z. They are also concerned about whether this plan will move forward after the re-zone, since there is financial benefit in having the property re-zoned to commercial. They would like some assurance that a building project will happen.
- Bob suggested a revision to the proposed resolution which includes site plan review over the project in future, and a possible sunset date for the project after re-zoning occurs, e.g. 36 months (3 years).
- **Proposed resolution:** The council supports the zoning change from the split zoning R2-M to Commercial. Moved and seconded. Amended to include a public site plan review and a sunset period of 36 months from the re-zone.

Discussion

- The group added language about site plan review and the sunset provision of 36 months (3 years).
- Steve requested of the group that public site plan review not necessary unless changes are made to the site plan from what he shared this evening. Jason still expressed reservations about whether this plan will go forward, and would like to see public site plan review regardless of what the final plan ends up being.
- **Vote:** 8 in favor, none opposed. **The motion for resolution passed.**

7. Anchorage School District Budget Report – Tami Agosti-Gisler, Anchorage School Board

- Tami was not present at the meeting.

8. Proposed Council Boundary Change – Bob Auth

- The Muni is considering moving Spenard Beach Park from Turnagain into Spenard. Much of the area surrounding this park is in Turnagain, and the boundary has changed in the past.
- **Comments and Discussion**
 - None
- **Proposed resolution:** transfer Spenard Beach Park from Turnagain to Spenard. Moved and seconded.
 - **No discussion**
 - **Vote:** all in favor, none opposed. **The motion for resolution passed.**

9. Council Business : Upcoming Election – Bob Auth

- The bylaws require an annual officers' election in February.
- The Council seeks nominations beginning with this meeting (January) and will vote in February.
- Jason nominated the same slate of officers, which was accepted. Tom nominated Phil Isley for council chair.
- Nominations:
 - President – Bob Auth, Phil Isley
 - Vice President – Jason Bergerson
 - Secretary – Anna Brawley
 - Treasurer – Allen Thornhill

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10. Officers' Report – *Bob Auth, Jason Bergerson, Allen Thornhill, Anna Brawley*

- **President:** Spenard CC received the \$9,800 grant to cover the cost of the security cameras. Two cameras are operational: Tommy's Burger Stop and Blaine's Art shop. Two more have yet to be placed. Already the executive committee is working with an individual involved in a car accident to give her footage of a specific time and date for the insurance investigation.
- **VP / FCC:** None.
- **Treasurer:** 2014 dues are due next month! Bring your \$5 and fill out a membership form.
- **Secretary:** None.

11. Old + New Business

- [None]

The meeting was moved to adjourn at 9:05 p.m.