

# Bear Valley:

*Where Anchorage meets with the spirit of the last frontier*



## Bear Valley Community Council

BVCC Website: <http://www.bvcc.info/>

Federation of Community Councils: <http://www.communitycouncils.org/>

### **BVCC Meeting Minutes– December 13, 2006 Council Meeting**

Compiled by Jim Steele

Meeting Minutes are posted at two locations online: <http://www.bvcc.info/minutes.htm> and at <http://www.communitycouncils.org/> (click on the Bear Valley link, and then click on the Minutes link).

The council meeting was held in the multi-purpose room at the Bear Valley Elementary School, 15001 Mountain Air Drive and began at approximately 7:20 pm. 21 people attended including 17 BVCC members indicating a quorum of council members present.

**BVCC Vice Chair Scott Pexton** kicked things off and introduced Jerry Pineau and Tom Nelson.

**Jerry Pineau** is a Senior Administrative Officer with the Public Works Department. He was there to discuss the Limited Road Service Areas, specifically those of Rabbit Creek Heights and Bear Valley. LRSA's are service areas, established by the Anchorage Assembly under Anchorage Municipal Code (AMC) Title 27, to provide limited road maintenance services for rural roads on the Anchorage hillside. There are twenty-one individual services areas serving the hillside. Each service area has a locally elected Board of Supervisors. All road maintenance work is carried out by private contractors, through competitive bids, for each service area. Mr. Pineau provided an Anchorage map of the current service areas. This map, along with others, can be found on the Municipality's website at <http://www.muni.org/streets/maps.cfm>. He also spoke to LRSA revenue and costs and touched on certain options for raising cash, i.e., grants and bonds. Each service area maintains a separate fund for use exclusively for that service area. Funds not used in any calendar year are carried over to that service area fund balance for future road maintenance and repairs. Some LRSA's have as little as \$2,500, some as high as \$250,000.

Drainage remains a big issue in this area. LRSA's are limited to what they can do due to cost. When it is needed, they will remove glaciations and free-up frozen culverts. Upcoming ballot proposition would allow south Goldenvue to be a rural road service area so that they can start collecting money in order to do some major projects. This will need to be approved by the resident voters.

Scott Pexton asked a question concerning the use of state grants. Mr. Pineau responded that many were in progress. As part of the approval process, they make their way through both the Assembly and the Mayor's office. If approved, they are added to a growing list of hundreds that are then prioritized based on neediness and available budgets. A possible way around this would enlist the help of local legislators to bring the area issues forward, i.e., a request for \$50K for a specific area.

A follow-up question by Scott Pexton – What is the difference between a capital project and a maintenance project? Tough for Mr. Pineau to answer because there is no clear, legal definition. If communities want to perform cap work on their roads, i.e., chip seal or sectional re-paving, it is considered a maintenance project. If, on the other hand, they are going to be re-shaping, re-widening, performing re-drainage, etc., those would be considered capital projects. It's the gray area in between that's troublesome. A legal, agreed upon definition is pending. Best advice he could offer was to make sure our LRSA's worked within the scope of their abilities.

Todd Brown asked two questions:

Why did the glaciations seem to be the worse in areas recently improved last year (he was referring to the recent ditch work performed along Nickleen Rd.)?

Is it legal for homeowners, particularly new builders, to use the drainage ditches to drain their properties?

Todd also shared feelings regarding the increase in property taxes and how we should expect better services. He suspects that the re-platting efforts in the past few years have boosted area values.

Mr. Pineau addressed the glaciations issue by stating that the LRSA boards we're taking a harder look at this problem because of the past two winters. The Municipality will respond when problems get out of hand, as was evidenced already once this year. As to the drainage issue, houses can drain there until a problem occurs at which point the city gets involved.

Dianne Homes stated that houses that drain their properties into ditches are illegal.

Another member felt that the new contractor was doing a great job. Recommended that residents bury heat tape in their driveways and culverts in the summer. Mr. Pineau did state that once a culvert is inspected by the Municipality, it becomes the responsibility of the Municipality. Note that this only applies to culverts located in the public right-of-way.

Caryn Smith, who is holds Seat B in the Bear Valley LRSA board, announced that she will not be running again next year and encouraged anyone interested to prepare for the upcoming elections.

**Jerry Pineau**

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Anchorage LRSA information, including all current Seat holders, can be found online at

<http://www.muni.org/streets/LRSA.cfm>

The Municipality's Street Maintenance Department has it's own site at

<http://www.muni.org/streets/index.cfm>

Scott Pexton gave the floor to Tom Nelson.

**Tom Nelson**, Municipality Planning Director, provided history and status on Title 21 land use codes. Dating back 40 years, they address property development standards and zoning requirements. The Title 21 code rewrite project is part of the city's multi-year process of updating land use regulations which haven't changed significantly in more than 35 years. The Title 21 Rewrite website is available online at: [http://www.muni.org/planning/prj\\_Title21.cfm](http://www.muni.org/planning/prj_Title21.cfm). For more information of this nature, please refer to the November Bear Valley Community Council's meeting minutes on their website at [www.bvcc.info/minutes.htm](http://www.bvcc.info/minutes.htm).

Mr. Nelson explained that past code interpretation and practice encouraged separation of zoning areas, i.e., light manufacturing and commercial separated from residential zones. This practice comes at a price, namely in transportation congestion. With Anchorage pushing up instead of out due to land availability, the hillside continues receiving development pressure. In the more developed areas of the city, the focus is now on developing new design standards that mix market segments and place higher accountability on responsible development.

The Title 21 development process has been underway for 4 years now. The initial phases focused on analyzing the existing codes and creating a document that identified areas that would provide value in developing revisions. The result was 3 modules which have been and continue to be living documents, undergoing several changes and public reviews. To date, over 1000 written comments have been received. According to Mr. Nelson, all were reviewed and considered. Furthermore, he added, it's a long process that takes patience - work through the issues, get feedback, change course, etc.

Changes to the latest revision include an effort to ensure that the plan is consistent with community objectives and easier to use. A table of contents has been created for each section along with purpose statements, helping readers better locate and understand content. General focus remains on re-development, maximizing the use of what the municipality has available. Yet another objective is to provide more certainty around expectations and standards – especially with development approvals and processes, etc.

The Bear Valley area has certain germane characteristics that make it less likely to experience major change. It is made up predominately of R6, R7, and R10 zoning. Mr. Nelson mentioned that the planning effort is also focusing on developing more refined and specific slope development standards. Slopes greater than 30% require extra care and have tighter provisions, i.e., single loaded streets, soil and hydrology studies.

Susanne Comellas, Rabbit Creek Community Council Chair, raised concerns about the Conservation Subdivision proposal. This approach clusters homes on relatively small lots while the remaining land is set aside from development and considered “open space.” An approach that is finding widespread acceptance in more urbanized communities, there is a growing concern that it may not be a good fit for specific areas of Anchorage. As Mrs. Comellas put it, it seems written for areas like Bear Valley and could easily be mismanaged. For example, developers could buy a 5 acre parcel alongside 20 acres of wetland and build multi-family dwellings in the 5 acres claiming the 20 acres as open space. If all of the land in Bear Valley were 100% developable (it's not), this might have more credibility among residents. Fears center around land owners that today own large plots of land that can't be built upon. If this proposal were to pass, they could feasibly purchase adjoining lots and build dwellings using the entire, combined parcel's size to determine numbers.

Proponents argue that this form of clustering emphasizes the quality as well as the quantity of land preserved from development and gives local planners, developers, and community residents an easy-to-follow planning technique for managing growth within a regional landscape framework.

Mr. Nelson explained that as the rural landscapes in this area continue to undergo the changes brought about by increasing residential development, we are faced with an ever increasing urgency to find alternative ways to approach the residential development process. Such alternatives need to preserve natural areas for healthy human and ecosystem function. How this approach is applied, and how residents understand this approach, will have significant ramifications for its future use, acceptance, and feasibility. Residents' understanding of these concepts is key.

Todd Brown asked about open space – any rules about vegetation – does it need to be natural, etc.? Open space in this area needs to remain intact. Can't be touched. All design standards need to be met.

Scott Pexton asked the status of the land use plan map. Mr. Nelson responded that it has been through P&Z, who made some recommendations which he hopes will be adopted by the Assembly in the near future. Essentially it is on hold.

More information on this concept will be posted on the BVCC website in the near future ([www.bvcc.info](http://www.bvcc.info)).

**Tom Nelson**

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Title 21 information can be found online at  
[http://www.muni.org/planning/prj\\_Title21.cfm](http://www.muni.org/planning/prj_Title21.cfm)

Anchorage's Comprehensive 202 Plan can be found online at  
[http://www.muni.org/Planning/prj\\_Anch2020.cfm](http://www.muni.org/Planning/prj_Anch2020.cfm)

Assembly Updates

**Janice Shamberg**, Assembly Member

AO 2006-64(S), establishes design, location, and conditional use standards, and set the maximum heights for high voltage transmission towers at 70 feet. This ordinance was written as a result of the transmission towers erected along East Northern Lights Blvd. by Chugach Electric Assoc. this year and caps the height of towers, limits the amount of grubbing, requires landscaping, requires notification when lines deviate from the Utility Corridor Plan and established conditional use standards when established height is exceeded.

The Assembly approved a new wireless tower for Dobson Cellular next to Service High School.

AO 2006-152, provides for recovery of reasonable costs of emergency services to a motor vehicle accident caused by an individual operating under the influence. This ordinance ensures that all impairing substances are included, eliminates the "big gulp" defense, and eliminates the defense of "ignorance of effect".

#### HALO Updates

**Dan Stone**, Member-At-Large

No updates

#### FCC Updates

**Scott Pexton**, BVCC Vice Chair

General discussion of prevalent council issues. Scott submitted road maintenance, development process, and the transfer of Section 36 to park land.

The next FCC meeting will be held in January.

#### Police Matters

**Sergeant Cindi Stanton**, APD

The police academy will be holding a its next graduation ceremony on the 21<sup>st</sup> of December. Recruit attrition runs high at 43% on average during a recruit's first year.

She is hopeful that many of the officers that were reallocated in October to responding to all calls will be re-focused on traffic in January.

There were 4 incidents in the Bear Valley area over the past month, all minor. Cars that required towing, snow machine use issues, and a well-fare check.

No questions.

#### Closing Items

Dan Stone made a motion to approve the November meeting minutes. Scott Pexton seconded the motion. The motion was approved. These have been posted to the BVCC's website at [www.bvcc.info/minutes.htm](http://www.bvcc.info/minutes.htm)

The council meeting adjourned at approximately at 9:05 PM. There was some discussion as to whether there would be a January BVCC meeting. If not, the next BVCC meeting will be held on Valentine's Day, Wednesday, February 14, 2007. Please check the website for updates.

End of meeting minutes.