

**RCCC Meeting Minutes
June 14, 2001**

Present: Fries, Sell, Geuss, Grunblatt, Pease, Weinig, Miller
Minutes from May meeting were approved as read, Passed 6-0.

Announcements:

- AMATS conducted a MultiModal Transportation Survey this past winter. Executive Summary available for review.
- Alaska Department of Transportation and Public Facilities, Winter Transportation Study. 1997, Summary Newsletter, Spring 2001
- Review Draft of the 2000-2002 Housing and Community Development Consolidated Plan, 2001 Action Plan. Comments were due, 6/13.

Ordinances

- 2001-95 An ordinance amending Title 21 to expand the definition for Subdivision to include condominium, apartment, and similar developments and to establish standards for site plan review, construction, and warranty of public and private improvements for these developments. Hearing August 6, Comments 7/27 CIRCULATE to Board, Action July.
- 2001-85 An ordinance amending Title 21.20 establishing a procedure and standards for creation, elimination, and alteration of zoning overlay districts and amending Title 21 establishing a definition of overlay districts, Hearing July 9, Comments due June 29. CIRCULATE to Board, Action July.
- 2001-90 An ordinance amending Title 21 prohibiting pole mounted signs in all zoning districts, adding a 10 year amortization schedule for removal of existing pole mounted signs to Title 21 nonconforming uses and amending Title 23 Uniform Sign Code to redefine Pole Sign. Hearing July 16, Comments 7/6. Letter of Support
- 2001-91 An ordinance amending Title 21 to increase the allowable maximum sign viewing area for churches and schools from 20 square feet to 50 square feet for signs abutting collector streets or greater, to increase the number of signs per church or school to one sign per street frontage and to permit signs for schools to be illuminated or lighted. RESOLUTION passed with no objection that RCCC finds that current sign standards regarding size, street frontage and illumination are adequate. We oppose proposed increase in standards. Larger signs would be particularly intrusive in residential neighborhoods.
- 2001-92 An ordinance amending Title 21 to require a public hearing site plan review for all new developments in Zoning Districts R-0, B-1B, B-2A, B-B, B-3, 4, I-1,2, and 3. Hearing July 16, Comments due 7/6. Letter of Support. Council agreed to support public hearing/involvement in Title 21 revisions and request public hearing whenever conditional use permit is being sought.
- 2000-131 Council reaffirmed its support for 35 day public notice and adequate means of public notice in view of Mayor Weurch's veto of 2000-121. Moved Weinig, Second Geuss, passed 7-0. Letter to Assembly. IMMEDIATE ACTION

Code Enforcement

A presentation by Linda Meszaros regarding Golden View Park subdivision transgressions. Property in Woodridge abuts subdivision and neighbors are experiencing problems associated with clearing within the subdivision and along the utility easement.

- Clearing subcontractor (Carlos Tree Service) was causing flying rocks and debris to hit houses and one neighbor had a window broken.
- Electric subcontractor has caused three outages; electric, cable, and telephone resulting in outages of up to six days. Difficult to get timely repairs. Temporary cables are strewn across lawns.
- Unnecessary felling of trees.
- Piles of gravel are left after utilities are buried.

Mesaros has been in touch with Brian Dean of MOA code Enforcement but he didn't find anything out of the ordinary during his site inspection. He did agree that the 30 foot buffer that is platted is ineffective because 20 feet of

the buffer consists of the utility easement, leaving 10 feet on either side of vegetation.

Jess described development without a site plan on 19 acre tract of Village Scenic Parkway. The developer has torn the site up with excavator. A short plat was used to increase the property by 50% and then subdivide with no public notice. City planning department required a restoration plan to be tied to the development plan.

Other examples of code violations:

- Trailer on R-9 property on Rabbit Creek
- Clearing in utility right of ways in Turnagain area.

Ideas for strengthening code enforcement and/or redress of contractor and developer transgressions:

- Coordinate testimony by several community councils as persons-to-be-heard before the Assembly.
- File claims on your homeowners insurance policy.
- Should MOA require a better performance bond to hold developers to higher standards.
- Should MOA Title 21 definition of buffer be strengthened.

Dick Tremaine stated that Everett Mabry of Department of Public Works acknowledged that he has inadequate staff for code enforcement. Dick suggested creating a paper trail of code enforcement problems and send copies to Tremaine, Shamburg and Mabry.

Be aware that Dan Sullivan is asking for a moratorium on the airport parking lot until development of a transportation plan. This could delay the Hillside District Plan. We will revisit this issue in July.

Several community councils are willing to support stronger code enforcement including Turnagain, Ocean View, Taku Campbell.

Proposed Actions:

- Homeowners: Contact homeowners' insurance company and file claim.
- Request FCC to write a letter to MOA to strengthen code enforcement.
- Let LRSA and RCCC both talk to Jack Frost of MOA Right of Way Enforcement regarding action in ROW. Linda Meszaros will contact LRSA president.

ATT Tower Site

Charles Forbes, land surveyor presented information about the proposed ATT wireless site at 3600 DeArmoun Road across from Old Hog Farm. The request is for a conditional use permit for an 80 foot tower to cover a 5 km. Radius and serve residential areas with high speed internet access. An additional company could also locate on the same pole. The lot is heavily wooded and fairly flat. The pole site is close to property line, neighboring owner has not been informed yet. It is though the neighbor's house is about 80 feet from the property line. MOA Application state 133 feet.

Concern:

- There is a need to inform and involve neighboring landowners.
- Dick Tremaine gave notice of violation by ATT of MOA tower code (effective Jan 31 because they have not yet given written notice to MOA of all tower they own in town. As an MOA official Dick officially gave notice of violation to Mr. Forbes, an ATT paid representative. It was also thought that towers had to be twice the distance of the height of the tower from any residence.
- Where will other towers be proposed?
- Surveyor should go to Huffman O'Malley Community Council as well.

Action: Carol Fries asked for Mr. Forbes to answer the RCCC questions in writing on code compliance, and notify neighboring property owners and Huffman O'Malley Community Council before the next council meeting. RCCC will take action on this item at our next meeting.

Assisted Living Facilities

Susan Linford of Turnagain Community Council asked for support for an Assembly ordinance to require a permit for assisted living businesses in residential areas. She described her experience with an assisted living business adjacent to her house. Numerous problems with code enforcement regarding construction and MOA attempt to say that a Conditional Use permit would violate the Fair Housing Act. Their research indicates it does not present a violation. She is presenting this to all community councils. RCCC moved by Pease, seconded by Geuss, passed 7-0 to support requirement of a Conditional Use Permit for all businesses in residentially zoned neighborhoods. Addendum: definition of a business should be consistent with MOA intent to let single worker business of limited size within a residence.

Villages Scenic Parkway, Village View Estates

Jess Grunblatt indicated that a 12 acre tract has been expanded to 20 acres through a short plat. There has been extensive excavation with no site plan. Concerned neighbors have called the Planning Department to inspect the site and want to see a site plan. Neighbors are also worried about additional "sneak" re plats without public notice. Current zoning is R3-SL within the Hillside Wastewater Management District.

Proposed Action: A letter will be written to the Planning Department to address the concerns of Rabbit Creek Community Council and will pertain to all three Title 21 actions currently scheduled for July.

- Express regret that the developer didn't appear before the Community Council
- Record open-space on plat. (Open space is required in the zoning)
- Support for large lots as proposed at 3.5 acres.
- Encourage exploration of alternative on site wastewater treatment.

Proposed Jess Grunblatt, Second Nancy Pease, Passed with no objections.

Issues to address in July

- Conditional Use request to expand B&B located at DeArmoun and Sabine.
- Revisit ATT tower on DeArmoun

Other Action Items:

- Request to Assembly for 2000-231 support pertaining to requirements for protest petition.