

Rogers Park Community Council Newsletter October 2005

The RPCC met in session on Monday, October 10, 2005.

Guests present; Sen. Ellis, Reps. Gara and Gardner, Assemblymen Coffey and Traini, and RPCC officers Mjos, Simmers, Christopherson, and Evans.

Recruitment for a permanent vice-president continues. While there is no bounty or finders fee, our sincere thanks go to the person(s) who recruit or, heavens, volunteer.

Mr. Lance Powell, ML&P, PowellLB@ci.anchorage.ak.us, 263-5245, is requesting comments from neighbors regarding undergrounding utilities as part of the Fireweed-LaTouche renovation.

Margaret Forbes of Habitat for Humanity notified us that there is a HfH opportunity for ten family residences soon to be constructed in Spenard. The RPCC is reminded to encourage any prospective families to contact Ms. Forbes at 230-3785 or 272-0800, ext. 108.

The Anne Brooks road report. The muni is re-evaluating the plans for the Fireweed project from Spenard Road to the Seward Highway. The staff will host a public hearing about a new on-ramp for Minnesota Drive on November 17. For current road and project information visit the website, www.midtownroads.com <<http://www.midtownroads.com>> .

Fireweed-LaTouche. Brad Milichuk from DOWL Engineers explained that public comments have been received and that the citizen's advisory committee is meeting monthly. The RPCC Board is quite concerned that resident's proposals and suggestions are being ignored, and that innovative designs, proven elsewhere, have been discarded in favor of unimaginative and unresponsive planning. According to the Surface Transportation Policy Project, "The tendency of many communities to equate wider streets with better streets" means that they "are overdesigned, at substantial cost to society". Information: www.dowl.com <<http://www.dowl.com>> .

Assembly report. Messrs. Traini and Coffey noted upcoming issues include methamphetamine abuse prevention, sales tax (a hearing is soon to be scheduled), the budget, adult entertainment, and a proposal to add more police in addition to several recent academy graduates.

The RPCC Capital Improvements Projects (CIP) priority list from our spring survey was reviewed, as was the overall success of the survey process, including Anne Brook's use of electronic Survey Monkey.

Oxford House. This assemblage was to discuss the issue of the Oxford House concerns, which were raised at the September 12 meeting. Presenters were assigned time limits for their presentations and to respond to questions and statements from the floor. In light of the emotional atmosphere, the rules of conduct were outlined, in particular, the strict maintenance of a civil and respectful decorum.

Mr. Frederick Boness, municipal attorney, explained that Oxford House is covered by both the Americans with Disabilities Act and the Fair Housing (and anti-discrimination) Act. Communities cannot apply any restrictions on an Oxford House, which they do not apply to any other residence. Additionally, because recovering polysubstance abusers are classified as disabled and/or handicapped the community may be required to make special accommodation for their welfare. Many court challenges have been brought against Oxford Houses, and all have been defeated. Oxford House is neither boarding house, assisted living facility, for-profit, nor a rehabilitation facility, and therefore not subject to licensing. The density of Oxford Houses in a neighborhood cannot be controlled any more than any other type of "single family" residence, such as students living together.

The definition of "family" being "one or more persons occupying premises and living as a 'single housekeeping unit', as distinguished from a group occupying a rooming house, club, fraternity house or hotel". [The Federal Anti-Drug Abuse Act of 1988, PL100-690, defined how recovery homes should operate. These reflect Oxford House rules of operation. The specific criteria for operation reflect this federal law, and, as such, "trump" any local laws relating to expulsion or eviction of an Oxford House.]

The Oxford House (www.oxfordhouse.org <<http://www.oxfordhouse.org/>>) representative Cliff Wilson (350-6799) invited the community to an open house at the residence, 2931 Yale, on October 28 from 4-7 pm. The goal of this national nonprofit is to provide a supportive family-like environment where sobriety is possible for someone coming out of drug or alcohol treatment. There is no therapy provided. Residents share equally all expenses. Each house is run democratically, with elections every six months.

There are no government subsidies. AA attendance is voluntary. Any rule infraction results in automatic and swift expulsion. Mr. Coffey noted the Oxford House sobriety rate of 87% compared with the usual care/detoxification rate of 18%; this after a multi-year study by DePaul University, available on the OH website. New residents are admitted only after a vote based on their commitment to sobriety. It is specified that Oxford Houses be located in "safe" neighborhoods, as well as in proximity to public transit and employment. It is fully expected that residences will be maintained in an exemplary state. Some residents may be on probation; no sex offenders are ever admitted. The average length of stay is 10.8 months, but there is no maximum. Mr. Wilson stated that residents' identities are not confidential but are, in fact, posted on the premises. Mr. Wilson agreed to post contact information on the door, and volunteered to personally accept any phone communiqués.

The landlords, Mr. And Mrs. David Poulin, were not in attendance but submitted a letter from their attorney, Gregory Grebe which, at their request, was circulated to members present.

Several documents obtained from the state at Rep. Gara's request, primarily seeking clarification on Assisted Living Facility and Oxford House issues, were circulated to the membership. These confirmed the Oxford House positions and the interpretations provided by Messrs. Boness, Weaver, and Dean.

Municipal Planning Department, Mr. Jerry Weaver, processes many and varied permit applications for residential treatment facilities; none is required for an Oxford House, nor is a public notice required. On a different subject, the Municipality is exploring a possible ordinance, which would control the density of residential treatment facilities.

Municipal Zoning Enforcement, Mr. Brian Dean. He described his job as investigating citizen complaints of possible zoning infractions. When something akin to an Oxford House becomes public knowledge he experiences a flurry of complaints, almost all of which later evaporate.

Were Oxford House providing therapeutic services he would investigate as a possible permit violation. Support by fellow residents does not constitute therapy, however. When asked if there were any evidence that property values have fallen due to the proximity of an Oxford House, Mr. Dean related that he has not seen any evidence either way.

The speakers remained after adjournment and entertained questions.

The November 14 meeting will feature discussions on the Fireweed-LaTouche upgrade, Loussac Library, Jacobsen Park, and more....

Online links to note:

1. Assisted Living facilities, www.hss.state.ak.us/dph/CL/ALL/default.htm
<<http://www.hss.state.ak.us/dph/CL/ALL/default.htm>>

2. Residential and collector street creations:
www.oregon.gov/LCD/docs/publications/narrowstreets.pdf
<<http://www.oregon.gov/LCD/docs/publications/narrowstreets.pdf>>

3. Mobility-Friendly Street Standards: rewing@transact.org

4. 2006-7 muni general operating, capital, and utilities budget:
www.muni.org/omb/2006budgetde.cfm <<http://www.muni.org/omb/2006budgetde.cfm>>

Respectfully,
Peter Mjos, President