

MUNICIPALITY OF ANCHORAGE



Chugiak-Birchwood-Eagle River Rural Road Service Area
Board of Supervisors
12001 Business Blvd., Rm 131
Eagle River, AK 99577

Mayor Ethan Berkowitz

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Date: February 10, 2016

To: Maury Robinson, Deputy Director, Public Works/Administration

From: Randy McCain, Chair, Chugiak-Birchwood-Eagle River Rural Road Service Area, Board of Supervisors

Subject: A Motion for Approval of a Resolution Regarding the Design and Construction of Yosemite Drive

The Chugiak-Birchwood-Eagle River Rural Road Service Area, Board of Supervisors approves the attached Resolution regarding the design and construction of Yosemite Drive

This motion was approved at the February 10, 2016 special board meeting.



Randy McCain, Chair

Motion # 03-2016

Attachment: Resolution from CBERRRSA Special Meeting, February 10, 2016
Regarding Yosemite Drive Design and Construction

cc: Mayor Ethan Berkowitz
Assembly Member Amy Demboski
Municipality of Anchorage, Project Management and Engineering, Jerry Hanson, Director
Municipality of Anchorage, Planning Division, Hal Hart, Director
Municipality of Anchorage, Development Services, Sharen Walsh, Acting Deputy Director
Professional & Technical Services, Inc., Dan Kirsch
CBERRRSA Board of Supervisors

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RESOLUTION

This Resolution passed by motion heard on Wednesday, February 10th of 2016 by the Chugach Birchwood Eagle River Rural Road Service Area (CBERRRSA) by a vote of four (4) (in favor) to 0 (against).

WHEREAS, CBERRRSA heard presentations from the Municipality of Anchorage (MOA) and its representatives regarding the proposed design of Yosemite Drive, and CBERRRSA Board members reviewed the preliminary design drawings of Yosemite Drive, and

WHEREAS, CBERRRSA has serious concerns regarding the proposed design of Yosemite Drive;

WHEREAS, the following facts were discussed:

1. The Anchorage School District (ASD) was required to construct Yosemite Drive to Collector Standards based on a preliminary plat approved by the MOA Platting Board in Platting Case S-11099-3 (June 1, 2005).
2. ASD refused to construct the road after the preliminary plat approval by the MOA Platting Board; and claimed that ASD was not responsible for construction of roads, but stated that the CBERRRSA was responsible for road improvements.
3. The case was appealed to the Superior Court of the State of Alaska by LBJLLC and the Superior Court determined in *LBJ v. Anchorage Board of Adjustment and Anchorage School District Case*, 3AN-06-4251 Ci. (October 8, 2008 J. Torrisi) that ASD is responsible for the improvements of Yosemite Drive to Collector Standards in accordance with MOA Title 21. ASD appealed the case to the Supreme Court of the State of Alaska, and the Supreme Court affirmed the Superior Court decision in *Anchorage Board of Adjustment and Anchorage School District, v. LBJ*, Opinion 6467 (Alaska April 2, 2010).
4. ASD entered into a contract with MOA in 2014 to have MOA manage the design and construction of Yosemite Drive to urban collector standards.
5. On June 24, 2015, the ASD entered into a Subdivision Agreement with the MOA (File No. 12-010. Section 4.02 A.1 required:

Yosemite Drive will be reconstructed to Municipal standards in its entirety as a public street from Eagle River Loop Road to Yellowstone Drive as a 33-foot –wide paved street (back of curb to back of curb) including Type I (barrier) curb and gutter; with a five-foot-wide (5') concrete sidewalk constructed on one side of Yosemite Drive and attached to the back of curb from Eagle River Loop Road to Yellowstone Drive, and an eight-foot-wide (8') asphalt surface multi-use pathway on the other side of Yosemite Drive and separated from the Yosemite Drive back of curb by six and a half feet (6.5') from Eagle River Loop Road to Yellowstone Drive; as generally depicted on Typical Sections for Primary Streets Detail No. 20-3 of the of the Municipality of Anchorage Standard Specifications.

Street improvements shall include smooth transitions to existing infrastructure at Yellowstone Drive; and traffic channelization lanes (and signalization) at the intersection of Yosemite Drive and Eagle River Loop Road as required by the Municipal Traffic Engineer.

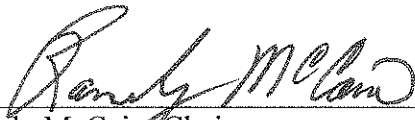
These requirements did not require a 1000 foot long raised median on Yosemite Drive.

6. Yosemite Drive is the only access to the Eagle River Area High School as well as Eagle Pointe Subdivision. The Mental Health Land Trust owns land on both sides of Yosemite Drive which it intends to develop at some point in the future.
7. The proposed design of the intersection of Yosemite Drive with Eagle River Loop Road reflects multiple south bound lanes to be constructed on Yosemite Drive.
8. The proposed design of Yosemite Drive includes a raised median for a distance of approximately 1,000 feet starting at the intersection of Yosemite Drive with Eagle River Loop Road;
9. The proposed design of the first 1,000 feet of the north bound portion of Yosemite Drive reflects only one 11 foot wide paved lane with a 6.5 foot wide paved shoulder;
10. As presently designed the raised median precludes left turn access to the Mental Health Lands Trust (MHLT) parcel of land located west of Yosemite Drive;
11. Also, as presently designed the raised median prevents future vehicular traffic from gaining access to the south bound lanes of Yosemite Drive from the MHLT land that are located east of Yosemite Drive

12. The proposed design of the first 1,000 feet of the north bound Yosemite Drive is inadequate from a safety viewpoint because north bound vehicular traffic, including fire trucks and ambulances, would be prevented from moving along Yosemite Drive in a north bound direction should a vehicle have to stop or park in that segment of Yosemite Drive due to mechanical problems or any other reason
13. The raised median will eventually have to be cut to provide access and egress to and from the Mental Health Lands Trust (MHLT) parcels of land located along Yosemite Drive
14. The proposed design is also inadequate when the median is cut to provide access to the MHLT parcel of land located west of Yosemite Drive because north bound traffic may not be able to proceed when the south bound traffic on Yosemite Drive blocks the vehicular access to the MHLT parcel of land during the morning and afternoon traffic peak hours
15. The south bound traffic on Yosemite Drive is extremely heavy during the morning peak traffic flow and during the afternoon peak when students leave the Eagle River Area High School. During the peak hours the vehicular traffic extends for at least 1,500 feet on the south bound lane of Yosemite Drive
16. The intersection of Yosemite Drive and Eagle River Loop Road could very well become congested because of vehicular traffic backup on Yosemite Drive, and traffic flow on Eagle River Loop Road could be seriously affected
17. Roads with the characteristics of the proposed first north bound 1,000 feet of Yosemite Drive are always designed and constructed with at least two traffic lanes in each direction when long raised medians have to be introduced for safety reasons
18. Staff stated that the real reason MOA / ASD do not want to widen Yosemite Drive to reflect two north bound lanes is because the intersection of Yosemite Drive and Eagle River Loop Road traffic signal cabinets and one traffic signal post would have to be moved, and there would be a cost associated with moving the cabinets and the pole
19. Costs of required road improvements associated with new preliminary plats are not a factor in the determination of what road improvements have to be constructed
20. The widening of Yosemite Drive to reflect two north bound traffic lanes would be only 8 feet for 1,000 feet of the road. Those 8 feet would be added to the 6.5 foot wide paved shoulder proposed to be constructed this summer, and that combination would create the second traffic lane and the 3.5 paved shoulder
21. If constructed as presently proposed by the representatives of MOA the segment of Yosemite Drive in question would very likely have to be improved in a few years after acceptance of the improved Yosemite Drive by MOA and CBERRRSA to reflect two north bound traffic lanes

22. It is expected that CBERRRSA would have to accept Yosemite Drive after its construction this summer for road maintenance
23. Acceptance of the road by CBERRRSA implies that future required improvements to Yosemite Drive would have to be performed and financed by CBERRRSA
24. The obvious future required improvement would be to widen the road to create the second north bound lane for 1,000 feet
25. Future widening of the road to reflect that second lane and paved shoulder would require removal and reconstruction of the pedestrian trail for about 1,000 feet, reconstruction of the storm drain, removing and relocating the street lights in that segment of Yosemite Drive, removing and reinstalling traffic signs, re-landscaping the five foot wide area that separates the street from the sidewalk, etc. This is wasteful.
26. The property owners of Eagle River, Birchwood, and Chugiak would likely have to pay for the costs of the design and construction of the second lane via property taxes

THEREFORE, Chugiak Birchwood Eagle River Rural Road Service Area Board of Supervisors requests that the Mayor of the Municipality of Anchorage and/or the Municipality of Anchorage Assembly direct the Managers and the Designers of the Yosemite Drive project, a project the Anchorage School District is responsible to design and construct, to ensure that the design of Yosemite Drive that is proposed to be construct this summer includes two north bound lanes along the length of the raised median to provide an adequate and safe collector road.



Randy McCain, Chair
Chugiak Birchwood Eagle River Rural Road Service Area