



# CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559  
907-543-2087  
FAX # 543-4171

## PLANNING COMMISSION MINUTES

PAGE 1

DATE: July 13, 1995

### City of Bethel Planning Commission

#### Regular Meeting of

#### I. CALL TO ORDER

The meeting was convened at 7:30 PM, at the City Finance Conference Room, Bethel, Alaska, by Chairman Guinn.

#### II. ROLL CALL

Present: Guinn, Hickson, McComas, Andrew, Hamilton

Absent: Metcalfe, Warner

#### III. APPROVAL OF MINUTES

**motion** M/M by McComas, 2nd by Hickson to approve the minutes of the June 8, 1995, regular Commission meeting as presented.

#### IV. APPROVAL OF AGENDA

**motion** M/M by Hamilton, 2nd by McComas to approve the agenda posted. Voice vote. Motion carried unanimously.

**V. COMMUNICATIONS**

Mr. Nolan noted that the Planning Department had received a request from Tom Warner, who would be unable to attend the meeting, to have his comments on the review of the preliminary plat of Kasayuli Subdivision, Item B under new business, become part of the public record.

**VI. PLANNER'S REPORT**

The Planning Department has just completed its quarterly report to the Corps of Engineers which is required for the General Permit (GP). We had 23 of 35 permits approved under the GP this quarter compared to 7 of 14 last quarter.

The Planning Department is completing work on the district's final progress and financial report and annual report for the Alaska Coastal Management Plan.

There are presently four applicants for the position of Planning Manager. An additional four application packets have been mailed. We are having a better response to our latest advertisement. I think that the wording of the new announcement and the change in salary are the major factors in the increased interest.

**VII. PEOPLE TO BE HEARD**

There were no people to be heard.

**VIII. OLD BUSINESS**

**ITEM A: SUBDIVISION OF TRACT 5A1, USS 4000 - YKHC**

The Yukon Kuskokwim Health Corporation (YKHC) has submitted a request to subdivide Tract 5A1, USS 4000 into three lots. Tract 5A1 is 5.536 acres in size. The subdivision breaks Tract 5A1 into lot 1 (14,257 sq. ft), lot 2 (13,050 sq. ft.) and lot 3 ( 4.909 acres). A Supportive Living unit is being built on lot 1. The Planning Department found no problem with this subdivision.

John Guinn gave the committee members an overview of the proposed subdivision and its use by YKHC. Mr. Guinn, because of his affiliation with this project, abstained from voting. Mr. Andrew and Ms. Hamilton stated they also were employed by YKHC but that there was no conflict of interest.

**motion**

M/M by Metcalfe 2nd by Hickson to approve the subdivision of Tract 5A1, USS 4000. Voice vote. Motion passes unanimously.

**ITEM B: SUBDIVISION OF PARCEL C-1, USS 3729 - FAA**

The Planning Committee asked the Planning Department to investigate and provide information on the disposal of this property by the City. The request by the FAA first came before this body on February 17, 1993. There was no decision made at this meeting. It was next heard at the March 11, 1993 meeting. It was tabled until the next meeting. In the April 8, 1993 session a motion was made, and passed, to recommend to the Council they enter into negotiations for the disposal of the land with the Commission's concern about "compounding" noted. March 10, 1994 a motion was made to recommend the sale of City land, if the City Council amended the ordinance to drop the reverter clause, if the sewer line is built and if there are no hook-up costs to future customers of the sewer line. The City Council approved Ordinance 94-06, which approved the disposal, on March 22, 1994.

DATE: July 13, 1995

The Planning Manager made the commission aware that, although the members may be opposed to the disposal itself, they were only able to act on the approval of the subdivision.

**motion** M/M by McComas 2nd by Andrew to approve the subdivision of Parcel C-1, USS 3729. Voice vote. Motion passes unanimously.

**ITEM C: RIGHT OF WAY FOR TSIKOYAK SUBDIVISION - WALTER LARSON**

Mr. Larson is asking for assurance from the City that a 60' right of way along BIA road will be accepted. The ADOT originally requested that the Larsons' provide a 100' right of way for their subdivision.

One of the conditions for passage of the final plat of Tsikoyak Subdivision made in the February 23, 1995 Commission meeting was that the access to BIA Road meet State DOT requirements as to number and size.

The Planning Commission never stipulated a 100' right of way in their conditions for approval of the final plat. If the ADOT did not require this right of way then the Planning Department saw no reason why Mr. Larson's request should not be approved.

The committee members were all in agreement that Mr. Larson has been run around long enough and that this would not impose any significant problems for the City.

**motion** M/M by Hamilton 2nd by Andrew that the Planning Commission agree that a sixty foot right-of-way is adequate. Voice vote. Motion passes unanimously.

**IX. NEW BUSINESS**

**ITEM A: SUBDIVISION OF LOT 1, BLOCK 5, USS `870 - CITY**

This is the lot where the bus barn and the Bojangles building now sit on. The Korean Church of Christ has made proposals to the City to purchase the Bojangles building and move it to a separate lot to be leased from the City. To provide the church with the needed lot the City wishes to subdivide the present lot into two lots and lease the smaller parcel to the church.

The surveyor, McClintock Land Associates, is currently surveying the property and the plat will not be available for recording for about two weeks. The Planning Department is asking the approval be given at this time and the plats signed and recorded when available.

Mr. McComas gave a few reasons for approval. He stated that the Korean Church was the only group or individual that the City is going to be able to sell the Bojangles building to and the City needs to move it or tear it down. There is also a large mortgage on the building and this will go a long way towards removing that burden from the City.

**motion** M/M by Hickson 2nd by Andrew to approve the subdivision of lot 1, block 5, USS 870. Voice vote. Motion passes unanimously.

**ITEM B: REVIEW OF THE PRELIMINARY PLAT KASAYULI SUBDIVISION - YKHC**

Mr. Guinn excused himself from the voting members and turned the Chair over to Mr. McComas. Mr. Guinn is working for YKHC to develop this subdivision. Ms. Hamilton and Mr. Andrew also work for YKHC but were not found to be in conflict with this issue.

The Yukon Kuskokwim Health Corporation has submitted a preliminary plat for a 144 lot subdivision in the southeast 1/4 of the northeast 1/4 and the south 1/2 of the northwest 1/4 of section 23 township 8 north range 72 west of the Seward Meridian containing 146.36 acres. This proposed subdivision will provide affordable housing for YKHC employees.

**PLANNING COMMISSION MINUTES**

**PAGE 6**

**DATE: July 13, 1995**

Mark Stemp, president of the Bethel Native Corporation, spoke in favor of the subdivision. It will open up access to BNC property and to surrounding native allotments. He spoke of the need for affordable housing and offered BNC's support.

Mr. Nolan indicated that he had been asked by both the Fire Chief and the Public Works Director to speak on their behalf. Objections to this plan would be its distance from the City core area. Police, Fire, and Sanitation services will be strained to provide adequate service to this area. Winter storms could cut this subdivision off for days at a time. The possibility of YKHC providing its own water, sewer, and garbage service should be looked into. The Fire Chief and the Public Works Director both like the basic plan but have not given their approval. Both department heads have grave concerns over the problems that this subdivision will create for the City.

The Planning Department is unsettled as to its stand on this development. There are pros and cons which make it difficult to come to a firm decision on whether or not to recommend approval. On the pro side is the need for housing, the site, the general subdivision layout and future expansion. There is a current land shortage for housing starts. City growth and development are at a standstill due to the lack of available building lots. This property, which is located on an excellent site, would provide an abundance of large buildable lots. The site itself is on an elevated, well drained area providing good views and solid footings. The overall subdivision layout is excellent in its use of the property. It has large lots with good access and plenty of well defined and usable recreation areas. The location will provide opportunity for others in this area to develop their own properties. On the negative side is the distance from the City core and the adverse effect it will have on the City services. The Planning Department was in favor of some of the lots being made available for other than YKHC employees.

John Guinn responded to the distance objection. Land is relatively unavailable and that land that is needed to be developed. He understood the City Departments reluctance to approve of this project but did not think distance should be a determining factor for approval. Committee members agreed with Mr. Guinn on this point. A response was also given to Mr. Warners objections. It was agreed that aircraft noise was considered to affect other areas as well and should not be a limiting factor.

This area was thought to be zoned general use and the ability for some lots to contain commercial ventures would be applicable.

For the record John Guinn abstained from voting due to his relationship with the development of this project. Joan Hamilton and Louie Andrew, both YKHC employees, were found not to have a conflict of interest and were allowed to vote.

**motion** M/M by Hickson 2nd by Hamilton to approve the review of the preliminary plat of Kasayuli Subdivision. Voice vote. Motion passes unanimously. Voice vote. Motion passes unanimously.

The chair was returned to Mr. Guinn.

**ITEM C: RECOMMENDATION TO THE CITY COUNCIL ON PROPOSED SALE OF CITY OWNED BUILDING KNOWN AS BOJANGLES - KOREAN CHURCH**

Kilsoo Seo has asked the City to sell the Korean Church of Christ the property known as the Bojangles building. This building is located at 503 1st Avenue. It is a two story, steel girder quonset constructed structure with a metal sheeting exterior and a dry wall interior. The building measures 45' x 87' with an approximate total of 7,560 sq. ft. It is equipped with domestic water, sewer and heating.

The building will be moved approximately 200' from its present location to a lot (presented as ITEM A in this meeting) which will be subdivided from the current lot. There will be a lease proposal for this lot which is also City owned. A preliminary offer of \$40,00.00 has been made for this property. The sale will also be subject to provisions for payment of a mortgage already on the building.

The Planning Department recommends this sale for two reasons. First, the City has been looking for someone to purchase this property for some time and wants it moved. Second, it will provide a good location for a needed community service.

**motion** M/M by McComas 2nd by Hamilton to accept the proposed offer for the Bojangles building. Voice vote. Motion passes unanimously.

**ITEM D: RECOMMENDATION TO THE CITY COUNCIL ON PROPOSED LEASE OF A PORTION OF LOT 1, BLOCK 5, USS 870 - KOREAN CHURCH**

This proposed lease is consistent with the requests of ITEM A and ITEM C of this section. The Korean Church of Christ is proposing to lease a newly subdivided lot on Lot 1, Block 5, USS 870 from the City for approximately \$1800.00 annually over a period of ten years.

**motion** M/M by Hamilton 2nd by Andrew to accept the proposed lease of lot 1, block 5, USS 870 to the Korean Church. Voice vote. Motion passes unanimously.

**ITEM E: RECOMMENDATION TO THE CITY COUNCIL ON PROPOSED SALE OF A UTILITY EASEMENT ON A PORTION OF LOT 8, BLOCK 20, USS 3230 - BETHEL UTILITY CORPORATION**

Lenny Welch, acting on behalf of Bethel Utilities Corporation, has requested a permanent utility easement on lot 8, block 20, USS 3230. The City Council has issued a special use permit for this property to provide two new power poles for Whitney Seafood's fish processor. The easement should be continuous so that service can be provided to this area on a permanent basis.

The Planning Department recommended the approval of this easement disposal. The special use permit was given so the poles could be placed in the ground immediately while awaiting a permanent easement.

**motion** M/M by McComas 2nd by Hickson to approve the disposal of the utility easement with the condition that the old pole be removed. Voice vote. Motion passes unanimously.

**X. ADJOURNMENT**

**motion** M/M by Hamilton 2nd by McComas to adjourn the meeting. Voice vote.  
Motion carried unanimously.

PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 1995.

\_\_\_\_\_  
**John Guinn, Chairman**

**ATTEST:**

\_\_\_\_\_  
**Richard Nolan, Acting Planning Manager**

## **COMMUNICATIONS**

No communications to report.

## **PLANNERS REPORT**

The City Manager, Administrative Clerk and myself have concluded interviewing the new applicants for the position of Planning Manager. We had several very qualified applicants and the City Manager has offered the position to Steven Pilcher of Spokane, Washington.

Mr. Pilcher has over 15 years of experience in local government planning, environmental administration, and community development work. He has a Master's degree in International Management which has provided him with a good background in multicultural relations, management concepts and economic and social development issues. He is currently a City Planner with the City of Spokane. He has worked as the Planning Director for the City of Fife, Washington and as a Planner for Pierce County, Washington.

Mr. Pilcher is married, with two children, ages 9 and 13. His wife, who is an Alaskan Native (Tlingit), is a Certified Registered Nurse specializing in Neonatal Intensive Care.

## **NEW BUSINESS**

### **ITEM A: PRELIMINARY PLAT FOR PROPOSED SUBDIVISION, BLOCK 2, MARTINA OSCAR SUBDIVISION - KARLUK DESIGN (Public Hearing)**

This is a subdivision of existing Tracts A & B, Martina Oscar Subdivision. The developer is Osborne Construction/Kelly-Ryan Joint Venture acting on behalf of Martina Oscar, the current owner, and for AVCP Housing Authority. The purpose of the subdivision is for the development of AVCP Housing's Mutual Help Housing Project. The developer, Osborne/Kelly-Ryan, is in negotiation with AVCP for the development contract.

The project is currently proposing to utilize sewage holding tanks and water holding tanks. There is the possibility that the City sewer and water system could be extended to this area. AVCP does have some money set aside for an extension project.

The Planning Department has looked over the plat and has found only a few discrepancies:

1. BMC 17.24.040 states "a permanent turnaround of seventy-foot radius shall be provided at the end of each cul-de-sac and dead-end road." The turnarounds in this proposed plat are fifty-foot radius.
2. BMC 17.24.170 indicates that utility easements shall be provided. Proof of coordination between the subdivider and the applicable utility companies shall be submitted with the preliminary plat.

City of Bethel  
Planning Department  
P.O. Box 388  
Bethel, Alaska 99559

9519

July 21, 1995

ATTN: Richard Norland  
RE: Preliminary Plat Approval  
SUBJ: Proposed Block 2 Martina Oscar Subdivision

Dear Mr. Richard Norland,

The attached preliminary plat is herewith being submitted for placement on the agenda of the August 10, 1995, Planning Commission meeting.

The subject plat is a subdivision of existing Tracts A & B Martina Oscar Subdivision. The petitioner's name is Osborne Construction/Kelly-Ryan Joint Venture. They are acting as the developer for Martina Oscar, who is the current owner, and for AVCP Housing Authority. The purpose of the plat is for development of AVCP Housing's Mutual Help Housing Project. Osborne/Kelly-Ryan are in negotiation with AVCP for the development contract.

The project is currently proposing to utilize sewage holding tanks and water holding tanks.

Included with this transmittal you will find:

- a) Plat Application Fee in the amount of \$245.00;
- b) Six blue-line plat copies;
- c) Preliminary Title Report

If you have any questions or require additional information, please don't hesitate to contact me.

Sincerely,



Paul D. Whipple  
KARLUK DESIGN

cc: George Osborne, Osborne Construction  
Kelly Pleas, Kelly-Ryan

**"THE DIFFERENCE BETWEEN ORDINARY AND EXTRAORDINARY  
IS THAT LITTLE EXTRA!"**

**OSBORNE CONSTRUCTION, COMPANY  
C/O KARLUK DESIGN  
1049 E. 6th Avenue**

ISSUED THROUGH THE OFFICE OF:

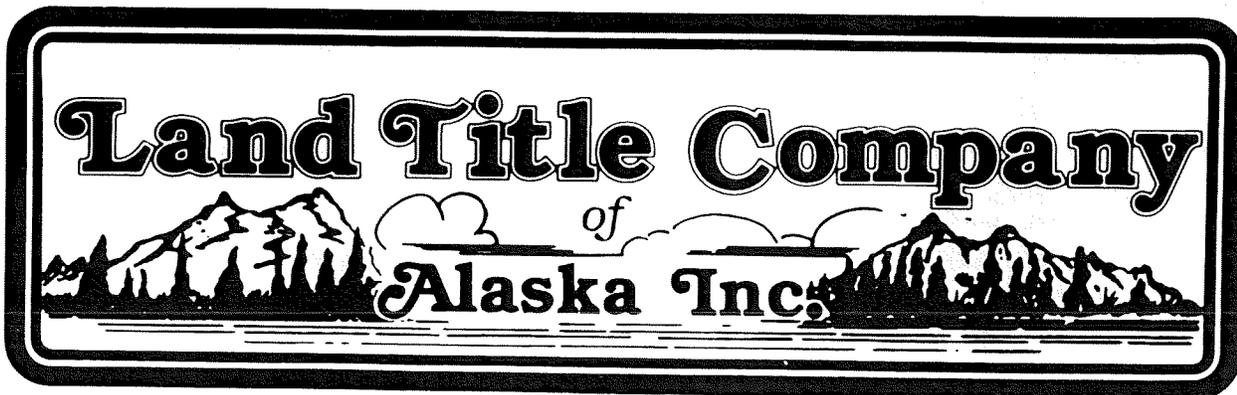
**LAND TITLE COMPANY OF ALASKA, INC.**

3330 Arctic Blvd., Suite 103  
Anchorage, Alaska 99503  
(907) 563-LAND (5263)  
FAX 563-2522

FOR: PAUL WHIPPLE

OUR REFERENCE : L-59406BE  
YOUR REFERENCE : MARTINA OSCAR

DMH



**LAND TITLE COMPANY OF ALASKA, INC.**

3330 ARCTIC BLVD., #103  
ANCHORAGE, ALASKA 99503  
(907) 563-5263

CERTIFICATE TO PLAT

TO: OSBORNE CONSTRUCTION  
C/O KARLUK DESIGN

Date : May 12, 1995  
Order No. : L-59406BE  
Fee : \$250.00

ATTN: PAUL WHIPPLE

This is a Certificate to Plat as of May 12, 1995 at 8:00 a.m. for a Plat of the following described Property to wit:

TRACTS "A" & "B", MARTINA OSCAR SUBDIVISION, PHASE I, according to Plat 81-10, filed July 28, 1981, Bethel Recording District, Fourth Judicial District, State of Alaska.

The Company certifies that record title is vested in:

MARTINA OSCAR, as to the fee simple estate

SUBJECT TO:

1. Reservations and exceptions as contained in Native Allotment recorded January 17, 1978 in Book 24 at Page 432.
2. Restrictions against alienation and taxation pursuant to the provisions of the Act of May 17, 1906 (34 Stat 197) as amended, as imposed upon said land by Native Allotment Serial No. F-13614, recorded January 17, 1978 in Book 24 at Page 432.

Please Note:

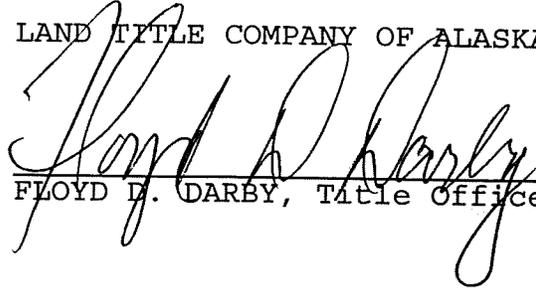
1. Full approval of the Bureau of Indian Affairs is required to remove the above restrictions.
2. Any conveyance of said land without such approval is void.
3. Notes as shown on the plat of said subdivision. Plat 81-10.

(CONTINUED ON NEXT PAGE)

4. This Certificate to Plat is restricted to the use of the addressee as noted herein for the purposes requested and is not to be used as a basis for closing any transaction affecting said premises. Liability of the Company is limited to the compensation received.

NOTE: Not taxed at this time.

LAND TITLE COMPANY OF ALASKA, INC.

  
\_\_\_\_\_  
FLOYD D. DARBY, Title Officer

FDD/dmh

F-13614 (Anch.)

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Anchorage, Alaska

BOOK 24 PAGE 432  
Bethel Recording District

NATIVE ALLOTMENT

IT IS HEREBY CERTIFIED That pursuant to the authority delegated to him by Bureau Order No. 701, as amended November 7, 1975 (40 F.R. 52069) of the Director of the Bureau of Land Management, the Chief, Branch of Lands and Minerals Operations, in the Division of Technical Services, Alaska State Office on December 2, 1977, approved the application, Anchorage Serial Number F-13614 (Anch.), of Martina Oscar of Bethel, Alaska, filed pursuant to the Act of May 17, 1906 (34 Stat. 197; 43 U.S.C. 270-1), as amended, for:

Seward Meridian, Alaska  
T. 8 N., R. 71 W.  
Section 5, N4SW4;  
Section 6, E4SE4.

Containing 160.00 acres.

Therefore, let it be known that pursuant to the said Act of May 17, 1906, as amended, the land above described shall be deemed the homestead of the allottee and her heirs in perpetuity, and shall be inalienable and nontaxable until otherwise provided by Congress or until the Secretary of the Interior or his delegate, pursuant to the provisions of the said Act of May 17, 1906, as amended, approves a deed of conveyance vesting in the purchaser a complete title to the land.

EXCEPTING AND RESERVING TO THE UNITED STATES

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945;
2. A right-of-way thereon for the construction of railroads, telegraph, and telephone lines, as prescribed and directed by the Act of March 12, 1914, 38 Stat. 305; and
3. All the oil and gas in the land so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of March 8, 1922, 42 Stat. 415, as amended and supplemented.



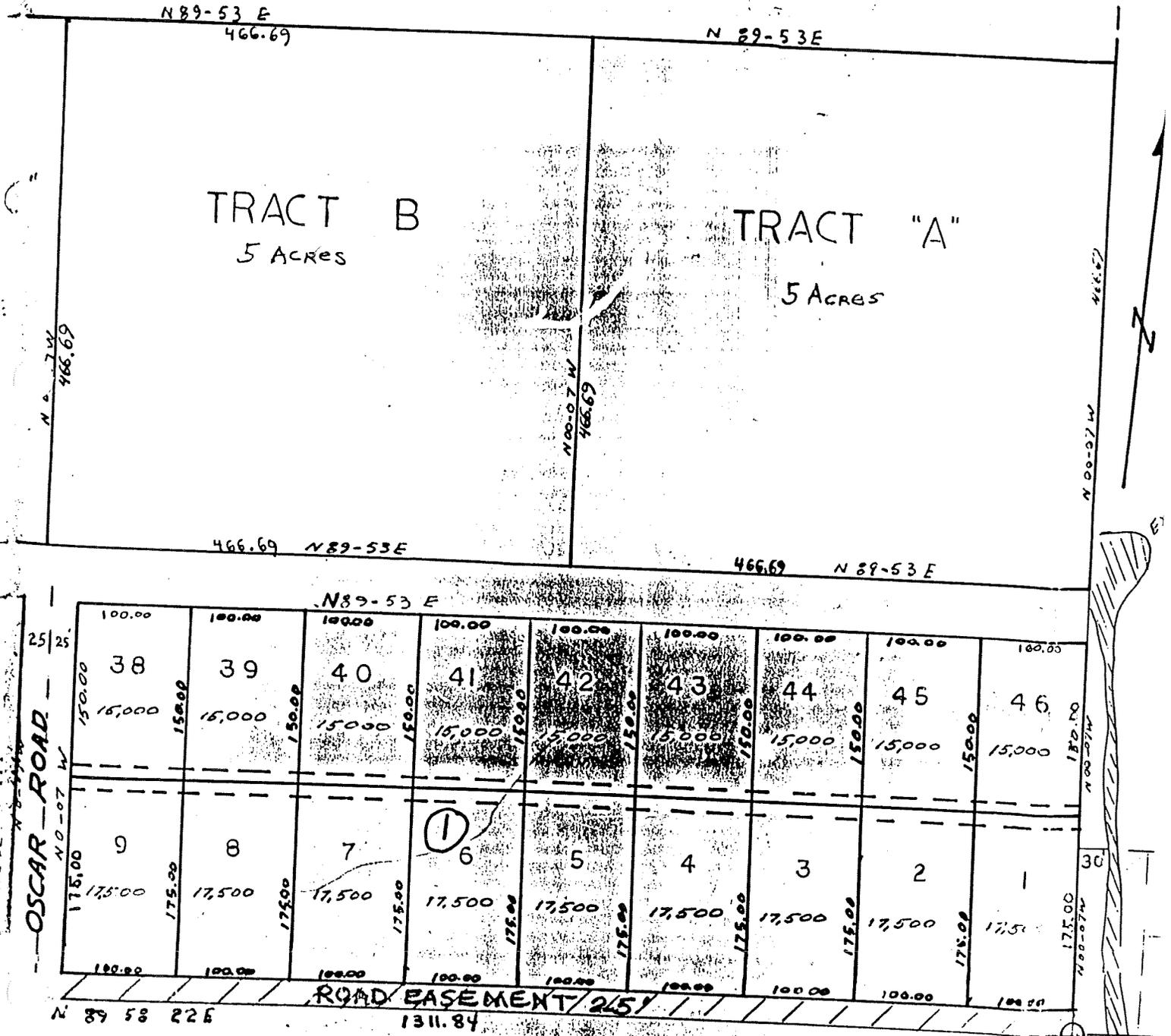
*[Signature]*  
Chief, Branch of Lands and Minerals Operations  
Anchorage, Alaska  
95439

RECORDED  
BETHEL RECORDING DISTRICT  
780032

Certificate No. 50-78-0011

SURVEY  
 I HEREBY CERTIFY  
 SURVEYING IN ALL  
 SURVEY MADE BY ME  
 THAT THE CONVEN  
 LOCATED AND THAT  
 ARE CORRECT.

*ced*



OSCAR ROAD

ROAD EASEMENT 215'

N 89 58 22 E

1311.84

55 W 1/16  
58

...NOTES MARTINA OSCAR SUBDIVISION...

1. LEGAL DESCRIPTION RECORDED IN BOOK 24 PG 432 OF THE BETHEL RECORDING DISTRICT

2. DESCRIPTION; SEWARD MERIDIAN ALASKA T.8N R.71W

SECTION 5, W 1/2 SW 1/4;

SECTION 6, E 1/2 SE 1/4.

CONTAINING 160.00 ACRES

3. EXCEPTING AND RESERVING TO THE UNITED STATES THE FOLLOWING RIGHT TO UNDECLARED AND UNSPECIFIED EASEMENTS

A. A RIGHT-OF-WAY THEREON FOR DITCHES AND CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES. ACT OF AUGUST 30, 1890 26 STAT. 381; 43 U.S.C. 945;

B. A RIGHT-OF-WAY THEREON FOR THE CONSTRUCTION OF RAILROADS, TELEGRAPH, AND TELEPHONE LINES AS PRESCRIBED AND DIRECTED BY THE ACT OF MARCH 12, 1914. 38 STAT. 305; AND

C. ALL THE OIL AND GAS IN THE LAND SO PATENTED AND TO IT, OR PERSONS AUTHORIZED BY IT, THE RIGHT TO PROSPECT FOR, MINE, AND REMOVE, SUCH DEPOSITS FROM THE SAME UPON COMPLIANCE WITH THE CONDITIONS AND SUBJECT TO THE PROVISIONS AND LIMITATIONS OF THE ACT OF MARCH 8, 1922 42 STAT. 416 AS AMENDED AND SUPPLEMENTED.

4. BASIS OF BEARING; SECTION LINE BET: S5 AND S8 AS PER PLAT OF PTARMIGAN SUBDIVISION DATED MARCH 1977.

E-7

#3



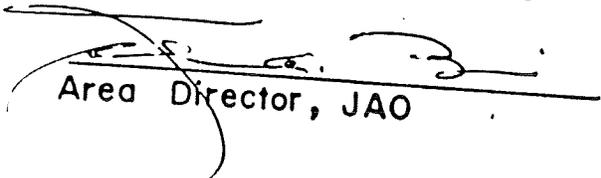
81-10

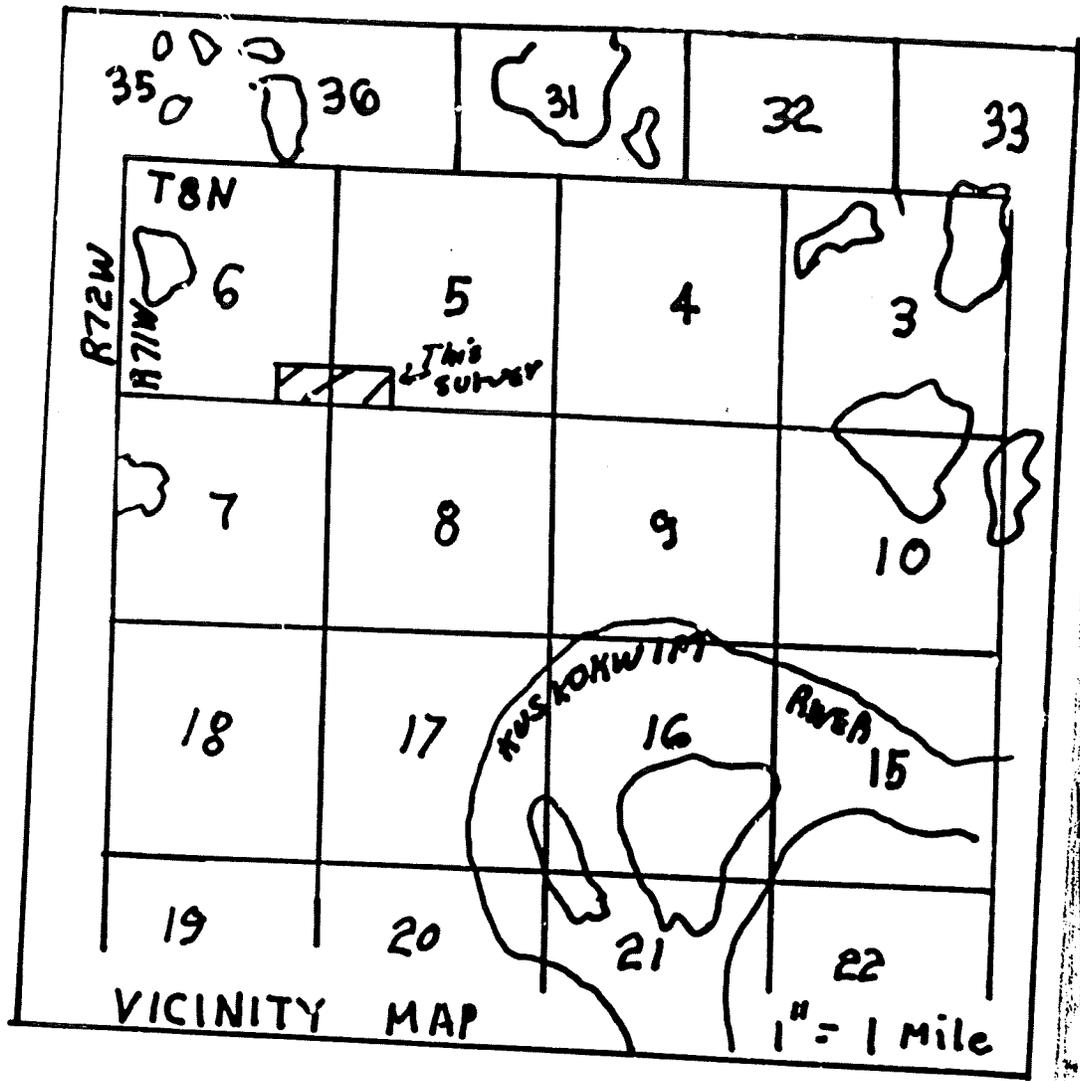
RECORDED - FILED 10-  
Bethel REC. DIST.  
DATE July 28<sup>th</sup> 1981  
TIME 9:43 A.M.  
Requested by Martina Oscar  
Address Bethel, Alaska 99559

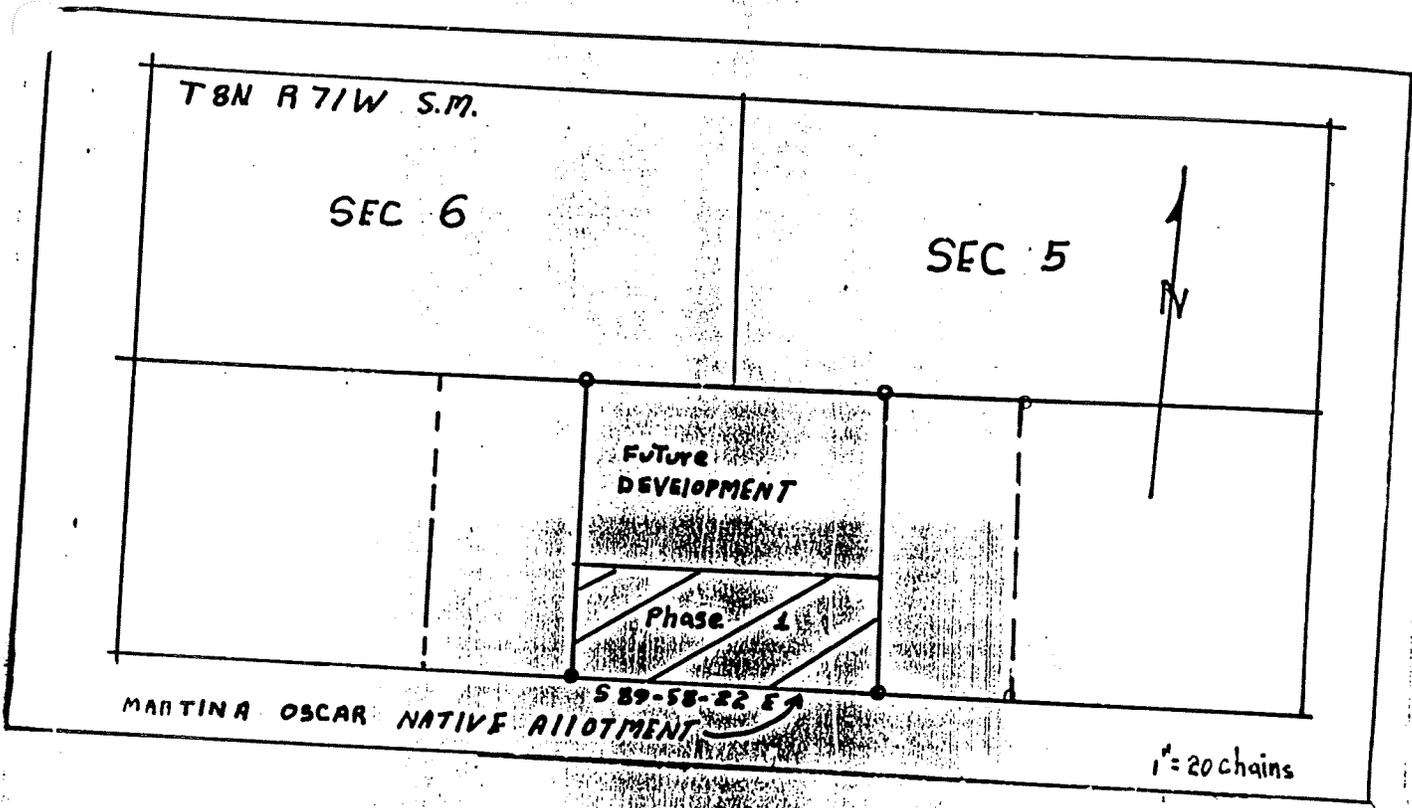
PLAT OF PHASE ONE of	
MARTINA OSCAR SUBDIVISION	
Scale 1" = 100'	Drawn by AB 12/20/80
owned by MARTINA OSCAR Bethel, Alaska	DELTA SURVEYING CO. Box 862 Bethel, Alaska 99559

U.S. DEPARTMENT OF THE INTERIOR

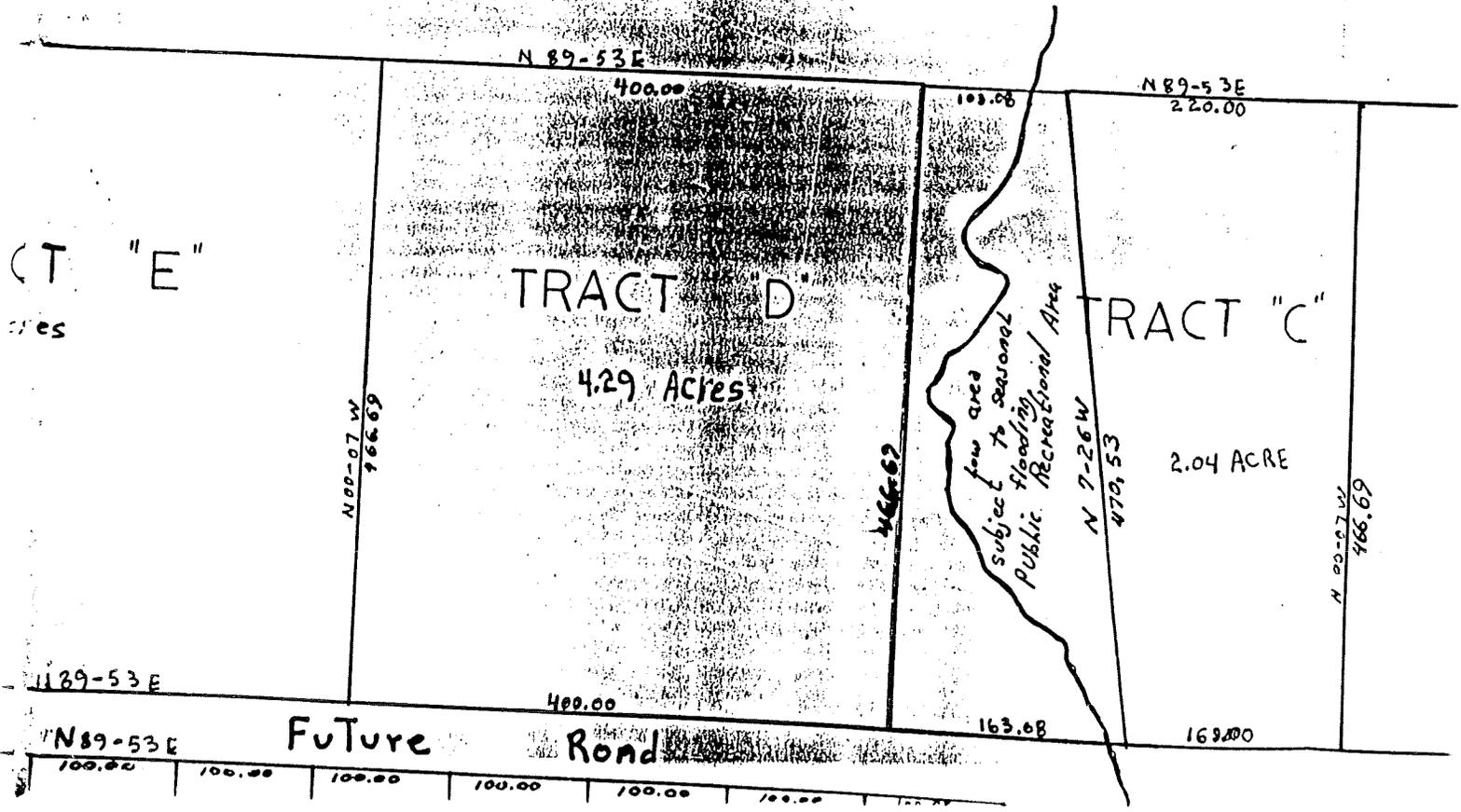
The Within plat and dedication is hereby approved this 4 day of MAY 1981, pursuant to authority delegated in Departmental Release No. 1666, dated 8/16/74; 230 DMI; IO BIAM 3.1, dated 6/3/75.

  
Area Director, JAO





FUTURE DEVELOPMENT



**ITEM B: REQUEST FOR VARIANCE LOT 3 BLOCK 2, UIVIQ SUBDIVISION - DAVID  
KUTCH  
(Public Hearing)**

Mr. Kutch is planning to make an addition to his present residence. The addition would be 16' x 28' and would require a variance from the front setback. The encroachment would be 4', leaving a front setback of 11' from the road right-of-way. The variance is needed due to financial constraints and construction schedules.

James Kohl, an adjoining neighbor, has been advised of the need for a variance and has no objections.

**ITEM C: REQUEST FOR VARIANCE LOT 10 BLOCK 13, USS 3230 - UNITED  
PENTECOSTAL CHURCH**

**(Public Hearing)**

Lot 10 is a triangular corner lot on Bridge Avenue and Alder Street. The United Pentecostal Church is seeking an addition to their current structure which will encroach on the Alder Street setback requirement.

The current building already encroaches on the side street setback. New construction will not create any further encroachment. I will have a drawing available at the meeting.

**ITEM D: REQUEST FOR VARIANCE TRACT A, PTARMIGAN SUBDIVISION - YKHC**

**(Public Hearing)**

YKHC is planning a 24' x 48' maintenance and storage facility on Tract A, Ptarmigan Subdivision. The structure would be built on the property line between Tract A and Lots 11 & 12, Turnkey III Subdivision. YKHC owns these lots. The space between adjoining structures is greater than 20'.

The placement of the water and sewer lines across this area limits the space available.

## EASEMENT

THE GRANTOR, CITY OF BETHEL, P. O. Box 388, Bethel Alaska, for and in consideration of SEVEN HUNDRED FIFTY EIGHT and 00/100ths DOLLARS (758.00) in hand paid, grants unto the GRANTEE, YUKON KUSKOKWIM HEALTH CORPORATION, P.O. Box 528, Bethel, Alaska 99559, their successors or assignees, a right of way easement along, over and across the following described real estate in the state of Alaska, to wit:

A portion of the following described tract of land:

Tract A, PTARMIGAN SUBDIVISION, according to the official plat thereof, filed under Plat Number 78-1, Records of the Bethel Recording District, Fourth Judicial District, State of Alaska, more particularly described as follows:

Commencing at the Northeast Corner of Ptarmigan Subdivision marked with a 3" brass cap monument;

thence S 00 01" 00" E along the boundary line between Ptarmigan Subdivision and Turnkey III Housing Subdivision 200.50' to the True Point of Beginning;

thence continuing along said line S 00 01' 00" E 28.28';

thence S 62 06' 53" W 9.61' to the East Right of Way line of Akakeek Street;

thence Northerly along said right of way line on a curve concave to the right of way having a radius of 300' a distance of 25.13';

thence N 62 06' 53" E 20.35' more or less to the True Point of Beginning.

said parcel containing 379 s.f., more or less.

This right of way is granted to assist Grantee in rendering the following necessary public service: a hospital. Should this right-of-way cease to be used for this necessary public purpose by Grantee,, its successors or assignees, then it shall immediately cease and terminate and all rights granted herein shall revert to the owner of the fee.

Grantor hereby covenants that the Grantor has good title to the aforescribed tract of land and covenants that the Grantee shall have quiet and peaceable possession thereof.

**GRANTOR:**  
CITY OF BETHEL

DATED: \_\_\_\_\_

William J. Hunter

By: William J. Hunter  
Its: City Manager

PAY TO: CITY OF BETHEL VENDOR #: 3912307

ADDRESS: BETHEL

CITY/STATE/ZIP CODE: \_\_\_\_\_

PURPOSE	PROGRAM #/EXPENSE:	AMOUNT
LAND PURCHASE FOR	:	:
EASEMENT	1010000000900	758 <sup>00</sup>
227 A+B	:	:
	:	:
	:	:

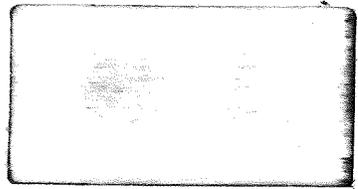
REQUESTED BY: G. MCINTYRE DATE: 5-25-98 TOTAL: 758<sup>00</sup>

APPROVED BY: [Signature] DATE: 5/24/98

\*\*\*\*\*  
 Routing Options  
 Deliver to \_\_\_\_\_ Dept \_\_\_\_\_  
 Will be picked up by self \_\_\_\_\_  
 Other \_\_\_\_\_

DATE PAID: MAY 24  
 CHECK NO: 54545

You must attach back-up copies of all receipts and invoices.



**YUKON - KUSKOKWIM HEALTH CORPORATION**  
 Obligation Description

2332-54545-76

54545

Vendor number

Ticket #

Amount

83496 LAND PURCHASE-EASEMENT-227 A&B 3912300

758.00

\*\*\*\* Total \*\*\*\*

758.00

greg



**YUKON - KUSKOKWIM HEALTH CORPORATION**  
 GENERAL ACCOUNT  
 P.O. BOX 528 PH. 907-543-3321  
 BETHEL, ALASKA 99559

**NATIONAL BANK OF ALASKA**  
 BETHEL BRANCH  
 BETHEL, AK 99559  
 89-571252

54545

2332-54545-76

05/24/1995

\*\*\*\*\*758.00

\*\*\* Seven Hundred Fifty Eight Dollars and 00 Cents \*\*\*

DATE

AMOUNT

PAID TO THE ORDER OF  
 CITY OF BETHEL  
 P.O. BOX 388  
 BETHEL AK 99559

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**ITEM E: RESUBDIVISION OF LOT 11A, USS 4117 - DON ELLIOTT**

**(Public Hearing)**

Don Elliott is subdividing Lot 11A, USS 4117 into two lots. One lot will be approximately 1 acre and the other approximately 3 acres. This subdivision follows the all of the criteria listed under BMC 17.08.15 for an Abbreviated Plat.

**ITEM F:      CONDITIONAL USE PERMIT FOR TEMPORARY OFFICE IN A RESIDENTIAL  
DISTRICT AT 154 TORGESON, LOT 5, BLOCK 3, MUMTRTLIK SUBDIVISION  
- VERLA MOJIN**

**(Public Hearing)**

A request has been made to utilize an accessory building on this lot as a temporary office. The office will be comprised of two people and will provide a base for a contractor on the seawall project. I have been advised that there will not be any movement of equipment in this area and there should be no significant additional traffic as a result. The office will be in place only for the time period required for completion of the seawall project.

There will be no advertisement or signs posted.



# CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559

543-2297—Area Code 907

## CONDITIONAL USE PERMIT APPLICATION

The applicant shall complete a Conditional Use Permit application which describes the following: (18.60.020 B.M.C.)

1. Potential impacts on pedestrian and vehicular traffic circulation and safety.

*None there is no thru-traffic*

2. Potential output of noise, fumes, dust or other environmental pollution.

*None*

3. Special features designed to ensure the public health, safety and welfare of the residents.

*Utilities Water Sewer Garbage*

**ITEM G: DISCUSSION OF PLANNING COMMISSIONS ROLE AND INTERACTION WITH CITY COUNCIL**

This item was requested by the City Council representative at the last meeting. The City Council is going to be contacting all of the Committees over the next several months to establish guidelines for all committees. I will be asking Buford McComas to lead this discussion.

Norma and David Runfola  
P.O. Box 887  
130 Torgerson Sq.  
Bethel, Alaska  
543-2722

August 10, 1994

City of Bethel Planning Commission  
P.O. Box 388  
Bethel, Alaska

Re.: Public hearing for a conditional use permit, proposed by  
Verla Mojin, for 154 Torgerson Square, Lot 5, Block 7,  
Menterillik Subdivision.

To the Planning Commission members:

We are writing to you in order to inform you of our concerns in regard to the aforementioned matter. It is our understanding that Verla Mojin and Stuart Greydanus, owners of the property at 154 Torgerson, are hoping to receive a conditional use permit for office space therein. Apparently, the office is to be used by a construction company.

We hope your commission has the foresight to understand, that a construction company located on this particular lot would present a hazard for the residents of both Torgerson and Kilbuck streets. With a permit to allow for such a commercial office, it follows that the company vehicles--and perhaps even heavy equipment--would use the road as a regular thoroughfare.

Houses are clustered tightly along the shoulder of the last 100 yards of Kilbuck as it leads into Torgerson; which, itself, is a very narrow lane with two blind, ninety degree turns. Several families have children and pets that often play in and around the two streets. (We, ourselves, have a six year old boy and are expecting a second child in the fall. We also own a small dog.) Also, it seems that because 154 Torgerson is a relatively small lot, the company may be forced to park their vehicles in the street. All this would create unnecessary and dangerous commercial traffic in a residential subdivision, in addition to annoying noise pollution.

Thus, we wish to ask your commission how would permitting a variance for a commercial enterprise on Torgerson Square benefit first, the residents of the neighborhood, and, second, the residents of the City of Bethel? Our street has been planned as a residential zone in order to avoid the expansion of commercial enterprise into a neighborhood designed for families and their homes. Residential areas are set aside in communities to provide

Norma and David Runfola  
August 10, 1995  
Page Two

quiet, safe places to raise children and enjoy leisure time away from the workplace. Allowing commercial development in a residential zone treads upon our entire community's right to peace in our lives and our pursuit of happiness.

Please consider the needs of the entire community when discerning the best course to take in this matter. Thank you for your time and consideration.

Sincerely,

*Norma Runfola*

Norma Runfola

*David M. Runfola*

David M. Runfola

The relocation of Stuart Greydanus and Verla Mojin onto the lot they now occupy at 154 Torgeson began with the sale of this small strip of property by the Moravian Church. The property is primarily composed of a former road running under telephone and utility lines. It has been a small open space for foot traffic and a turnaround area for city service trucks for immediate neighbors. It was reportedly suggested to the Church to give this small parcel to the city as a community service, but the Church rejected the idea.

Mr. Greydanus moved his trailer onto the lot on Wednesday, July 26, 1995, stabilizing it so that it now blocks 50% of the view from 150 Torgeson. The property line of his lot in fact runs along the actual front of the residence behind his property at 150 Torgeson. Since the Moravian Church has owned both properties, it must be quite aware of this situation. The house at 150 Torgeson is a historical site in Bethel, with a hand-dug basement. Mr. Greydanus moved his trailer onto his lot while the permanent residents at that address were out of town. On Thursday, Aug. 3, the announcement appeared in the Tundra Drums requesting that the lot at 154 Torgeson, under the name of Verla Mojin, be used as commercial property. Neighbors heard by word-of-mouth of the intention of Mr. Greydanus/Ms. Mojin to have the office of Red Sann Construction located on this lot.

Neighbors contacted to discuss the repercussions of such a change in the community reported that they were unaware of the proposed change and its specific potential consequences. Yet, the commercial office of the company responsible for Bethel's seawall construction over the next three years will have considerable impact on this approximately 200-foot long strip of land. It is within feet of homes, yards, children, and privacy. An office supervising such construction work will clearly involve increased vehicle traffic and congestion. The addition of Mr. Greydanus's trailer and vehicles into the front yard of 150 Torgeson has already brought much vehicle traffic.

Due to the small area involved in the planned commercial venture of Mr. Greydanus/Ms. Mojin, and its very close proximity to homes and families, as a resident at 150 Torgeson, I respectfully request that this application be rejected.

Thank you.



Louann Rank

Aug. 17, 1995

150 Torgensen  
Bethel, AK 99559  
17 August 1995

To the Planning Commission;

Thank you for the opportunity to voice my concerns to you. I am unable to attend this meeting because of my involvement in a play. Please accept my letter:

I became aware that Stuart Greydanus was requesting a commercial use permit for he and his partner's land by reading the notice in the Newspaper. I am very grateful that the city has a process in place by which citizens can be involved in the planning process.

I am adamantly opposed to any commercial activity on our block on Torgensen Square. I have been living at 150 Torgensen for two years. I have always enjoyed being on a quiet street, at a dead-end, with very little traffic. The special appeal of the location is being able to sit quietly on the river.

There are many children who live in the two neighboring houses - 5 to be exact. I am extremely concerned that people who do not live in our area would not be as attentive to going slow, and not be fully aware of the children, puppies, and dogs that like to play next to the road. This fear is augmented by the fact that our road is very narrow and there is a blind corner that leads right up to Mr. Greydanus's property.

I further believe that it appears inappropriate for the Port Master to be benefitting financially from a contract that he helped negotiate. Whether this is true or not, it sounds rather like the "good old boys network" of scratching each others' back.

Additionally, I do not believe that the Seawall project is contingent upon Red Sam finding an office space along the Seawall. I have heard other people express interest in leasing office space, some of which is available at the City Dock.

In conclusion, I believe that our area has been zoned Residential for a reason. And that is to provide citizens safe, quiet places to rest and have their homes. I cannot think of any reason why this permit should be granted.

Thank you for your time and for listening to me.

Sincerely,

A handwritten signature in cursive script that reads "Armen Sourry". The signature is written in black ink and is positioned below the typed name "Armen Sourry".

**CITY OF BETHEL**  
Planning Commission  
8/17/95

Public Hearing Testimony on:

**Conditional Use Permit for Temporary Office in a Residential District at  
154 Torgeson, Lot 5, Block3, Mumtretlik Subdivision - Verla Mojin**

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I would like to thank the City of Bethel Planning Commission for allowing me the opportunity to address my concerns regarding the proposal for a conditional use permit for a temporary office in a residential district at 154 Torgeson, Lot 5, Block 3, Mumtretlik Subdivision.

I have been a resident in this neighborhood at 150 Torgeson for 2 1/2 years. We are blessed with a quiet, peaceful place to live and have caring, thoughtful neighbors. We welcome the addition of Ms. Mojin and Mr. Greydanus as our neighbors, as they have recently purchased a lot adjacent to us and have relocated their trailer-home to the lot. However, I strongly oppose the granting of a conditional use permit for a commercial venture in the subdivision. It is my understanding, from Mr. Greydanus, that he wishes to lease a portion of the property to Redd Sam Construction for their office building during the Bethel seawall project.

The addition of a new home in our neighborhood has brought an increase in traffic and noise, causing a significant change in the climate of the area, but this is to be expected somewhat. The further addition of a construction office would dramatically change the character and nature of the subdivision we live in.

I oppose the issuance of the proposed conditional use permit for the following reasons:

- The placement of a construction office at this location will result in a dramatic increase in vehicle traffic on an already small lane and congested residential area;
- The increase in traffic will bring with it additional noise, thus disturbing a peace in our neighborhood;
- Our neighborhood is home and playground to many young children. An increase in traffic on such a small roadway constitutes a threat to the safety and well being of these children; and
- There are other possible sites more suitable for such an operation outside of residential areas.

I urge the Planning Commission to think about the neighborhood they live in and ask yourselves what impact the placement of a construction office next to your home would have on your family's life.

Thank you again for taking my thoughts into consideration.

Mark Jenkins  
150 Torgeson/P.O. Box 2316  
Bethel, AK 99559  
(907) 543-2880

