



CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559

907-543-2087

FAX # 543-4171

PLANNING COMMISSION MINUTES

RE-SCHEDULED REGULAR MEETING AUGUST 17, 1995

(City Clerk's note: Due to the failure of the recording equipment, the names of the Commission members making and seconding motions was unavailable.)

I. CALL TO ORDER

Chairman Guinn called the meeting to order at 7:35 pm, at the City Office Conference Room, Bethel, Alaska.

II. ROLL CALL

Present: Andrew, Guinn, Hamilton, Hickson, McComas, Warner

Absent: Metcalfe

III. APPROVAL OF MINUTES

It was noted in the minutes of the July 13, 1995, regular meeting that Metcalfe was absent from the meeting. It was also noted that the reason for the no conflict of interest decision made at the last meeting was because the Commission found no financial interest or benefit. It was also requested that all written communication be included with the minutes.

Motion was made and seconded to approve the July 13, 1995, minutes as corrected. Motion carried unanimously.

IV. APPROVAL OF AGENDA

Motion was made and seconded to approve the agenda as presented. Motion carried unanimously.

V. COMMUNICATIONS

None

VI. PLANNER'S REPORT

City Manager William Hunter, acting for the Planning Manager, reported the number one candidate for the vacant Planning Manager position had declined the City's offer. An offer has been extended to the second candidate, but the City had received no response as of 8/17/95.

VII. PEOPLE TO BE HEARD

No one testified under people to be heard.

Commission member Andrew pointed out that the City had granted a site plan to place a structure in the platted road across the slough, and it was his understanding that the Commission and the City had agreed that this would no longer happen. Mr. Andrew suggested that the Planning Manager research records more thoroughly prior to approving site plan applications.

VIII. OLD BUSINESS

None

IX. NEW BUSINESS

ITEM A: Preliminary Plat For Proposed Subdivision, Block 2, Martina Oscar, Subdivision-Karluk Design

A representative for Karluk Design testified in support of this subdivision.

The Commission expressed its concern that the design does not call for the connection of the structures to the City's piped water and sewer system as required by ordinance. City Manager Hunter also expressed his concern that because the units were for low-income families, the need for an escrow account had not been addressed for the eventual hook-up to the piped water and sewer system. A representative from AVCP indicated that money might be available to the City for the purchase of another water or sewer truck to offset the increased demand on the City.

Motion made and seconded to approve the preliminary plat for the proposed subdivision. Motion carried unanimously.

ITEM B: Request For Variance Lot 3 Block 2, Uiviq Subdivision-David Kutch

David Kutch testified in support of the variance. Mr. Kutch indicated that he had contacted neighbors to the property and they expressed no opposition, as well as contacting the Public Works Department for the road easement requirements, again with no opposition.

Motion made and seconded to approve the variance. Motion carried, 5-Yes, 1-No (Warner).

ITEM C: Request For Variance Lot 10 Block 13, USS 3230-United Pentecostal Church

No representative from the United Pentecostal Church attended the meeting.

Motion made and seconded to table this item to the next meeting. Motion carried unanimously.

ITEM D: Request for Variance Tract A, Ptarmigan Subdivision--YKHC

A representative from YKHC testified in support of the variance, and indicated the variance was to assist in providing support systems to their employees in the adjacent properties. The representative also addressed the drainage problems caused by the variance and assured the Commission that the proper culverts would be installed.

Motion made and seconded to approve the variance. Motion carried, 4-Yes, 1-No (Warner), 1-Abstention (Guinn).

ITEM E: Resubdivision of Lot 11A, USS 4117--Don Elliott

Mr. Elliott was not in attendance at the meeting.

Motion made and seconded to table this item to the next meeting. Motion carried unanimously.

ITEM F: Conditional Use Permit for Temporary Office in a Residential District at 154 Torgerson, Lot 5, Block 3, Mumtretlik Subdivision--Verla Mojin

Stuart Greydanus, representing Ms. Mojin, presented an overview of the proposed activities on the property.

Public testimony was heard against the conditional use permit, both written and oral (written testimony is attached as part of these official minutes).

Motion was made and seconded to deny the conditional use permit. Motion carried unanimously.

ITEM G: Discussion of Planning Commission's Role and Interaction with City Council

Discussion regarding the Planning Commission's role was held.

Council member McComas stated that the Planning Commission's recommendations should go directly to the City Council for its consideration, and that the Planning Manager should attend Council meetings to speak in support of the Commission's recommendations. City Manager Hunter responded that all recommendations from the Committees and Commissions do go directly to the City Council through the City Clerk. Mr. Hunter continued that all legal matters are referred to the attorney through the City Council or City Manager and replies are sent to the City Manager, and that the role of the staff is to serve as the secretariat and provide clerical support, but staff's attendance at Council meetings is directed by the Department Head with the

appropriate overtime authorization. Discussion followed regarding the process for introducing ordinances to the City Council.

Commissioner Warner stated that the Commission was not applying the ordinances of the City rigorously and consistently to regulate growth. Mr. Warner admonished the Commission to take health, safety, water and sewer requirements, and noise impact issues into account when considering new subdivisions or variances.

X. ADJOURNMENT

Motion was made and seconded to adjourn the meeting at approximately 10:20 p.m. Motion carried unanimously.

PASSED AND APPROVED THIS _____ DAY OF _____, 1995.

John Guinn, Chair

PLANNERS REPORT

The City of Bethel has a new Planning Manager. Franklin Etheridge is scheduled to arrive in Bethel on the 18th of September. He is married, has two children and is from Hinesville, Georgia.

His educational background includes a Master's degree in Public Administration, an Undergraduate degree in Economic Geography concentrating in city and regional planning.

Mr. Etheridge was a Captain in the Air Force and served as a Staff Officer in the planning and execution of directives dealing with the physical and social infrastructures. He was assigned as a Geodesist (a precise land surveyor) in the positions of Survey Party Chief, Project Manager and Operations Officer. He was released from the military due to the recent downsizing.

He served as a graduate intern to a county manager where he wrote to fiscal budgets and successfully brought new industries to the county.

He is presently employed as a Public Administration Consultant to the Marlboro County, South Carolina Administrator.

The Planning Department was recently questioned on its approval of a Site Plan for Bruce Larson. As presented the application met with the ordinances and guidelines for approval in a residential area. Apparently the intended use was to be a bunk house for pilots employed at Yute Air. The City Fire Marshall was contacted by local residents and asked to intercede. He contacted the State Fire Marshall who, after interviewing Mr. Larson about the intent of the project, stopped the work. The purpose of the building and its floor plan have been changed to conform with the residential requirements. It is now a 4-5 bedroom home that will possibly be used as rental unit.

OLD BUSINESS

**ITEM A: 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. Alder Street is dedicated as 80 feet wide and the new construction will not cause any problems with traffic. I will have a drawing available at the meeting.

The Planning Department feels that this proposed variance is acceptable and finds no reason to deny it.



CITY OF BETHEL

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

SITE PLAN APPLICATION

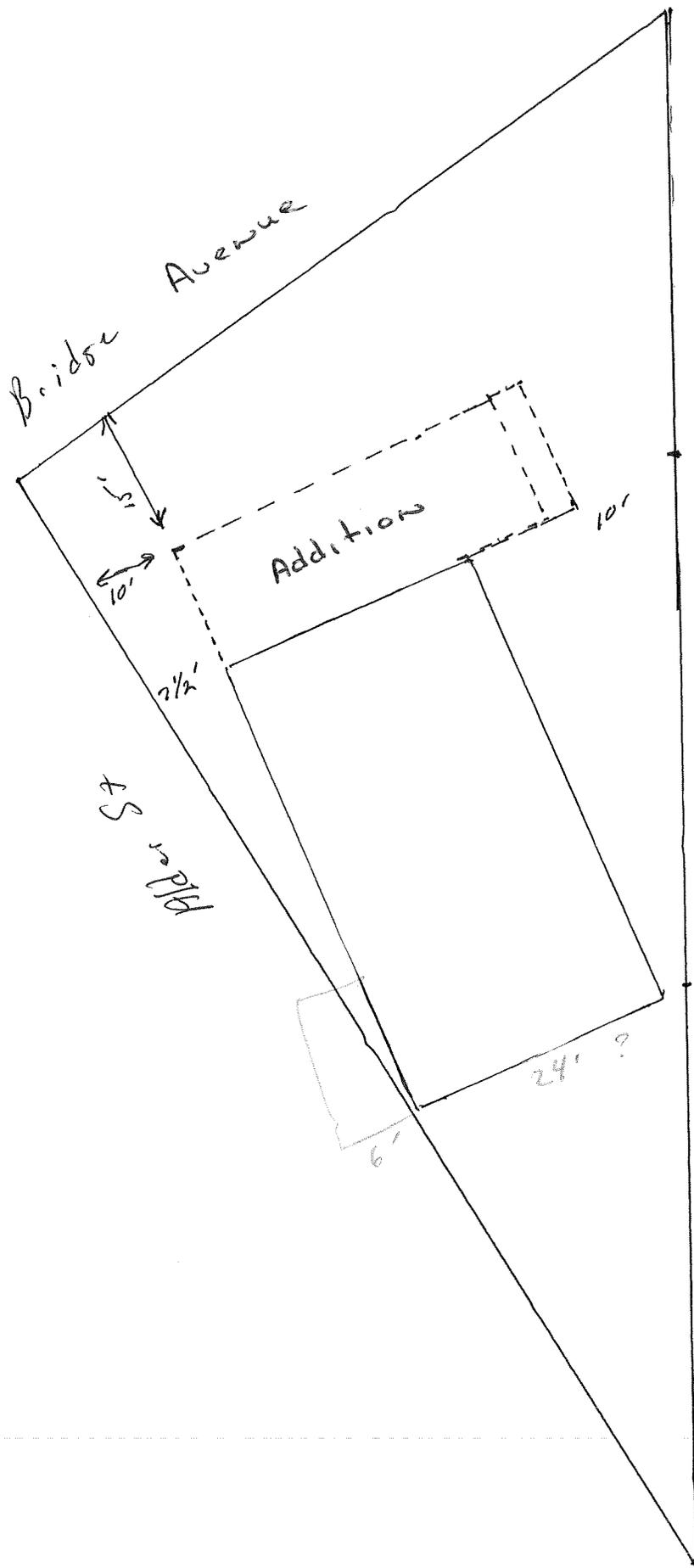
Title 18 of the Bethel Municipal Code requires the review of a Site Plan prior to the erection of any improvement on real property within the City Limits. Application for a Site Plan Review shall be filed with the City of Bethel Planning Department. Upon approval of the application a permit will be issued and is required to be displayed on the property to be improved. By submitting this application you are authorizing public access to the displayed site plan permit. Approval of plans submitted does not presume to give approval to oversights by the City of Bethel Planning Department nor grant authority to violate or cancel the provisions of any other State or Local law regulating the use and development of this land.

Name of Applicant: <i>United Pentecostal Church</i>		Legal Description of Property: <i>LOT 10 BLOCK 14</i>	
Mailing Address: <i>P.O. Box 1748</i>		Phone: <i>(907)543-3240</i>	<i>USS 3230</i>
City: <i>Bethel</i>	State: <i>AK</i>	Zip: <i>99559</i>	
Name of Property Owner: <i>United Pentecostal Church</i>			
Authorization (Signature) of Property Owner: <i>[Signature]</i>		Date: <i>7/26/55</i>	Street Address: <i>1210 Bridge St.</i>
Mail Approval/Permit To:			

Please **DO NOT WRITE BELOW THIS LINE.** The box below is to be filled out by Bethel Planning Department Staff.

Fire Marshall Approval Granted?		Flood Hazard Zone Status?	
Authorized and mandatory improvements:			
City of Bethel Reviewed:		Date:	City of Bethel Approved:
			Date:

"Deep Sea Port and Transportation Center of the Kuskokwim"



ITEM B: 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.

I have not received the plat for this subdivision as of the 8th of September. I have talked with the surveyor in charge of the project and expect to have the finished plat by the meeting date.

The Planning Department has found this subdivision to comply with all of the City's requirements and asks that the commission approve it. I may find some problems with the final plat when received but will point out any problems.



CITY OF BETHEL

Utility Service Department

P.O. Box 1387 • Bethel, Alaska 99559

(907) 543-2023 Services

(907) 543-3150 Billing

Dan Elliott

Box 68
Bethel, Alaska phone# 543-2552

Subdividing - LOT 11 A.

(Elliott Subdivision)

permission from Land Dept
to subdivide LOT 11 A and
(VSS-4117) LOT - B.
WILL sell approx 4 acres or more

Dan Elliott

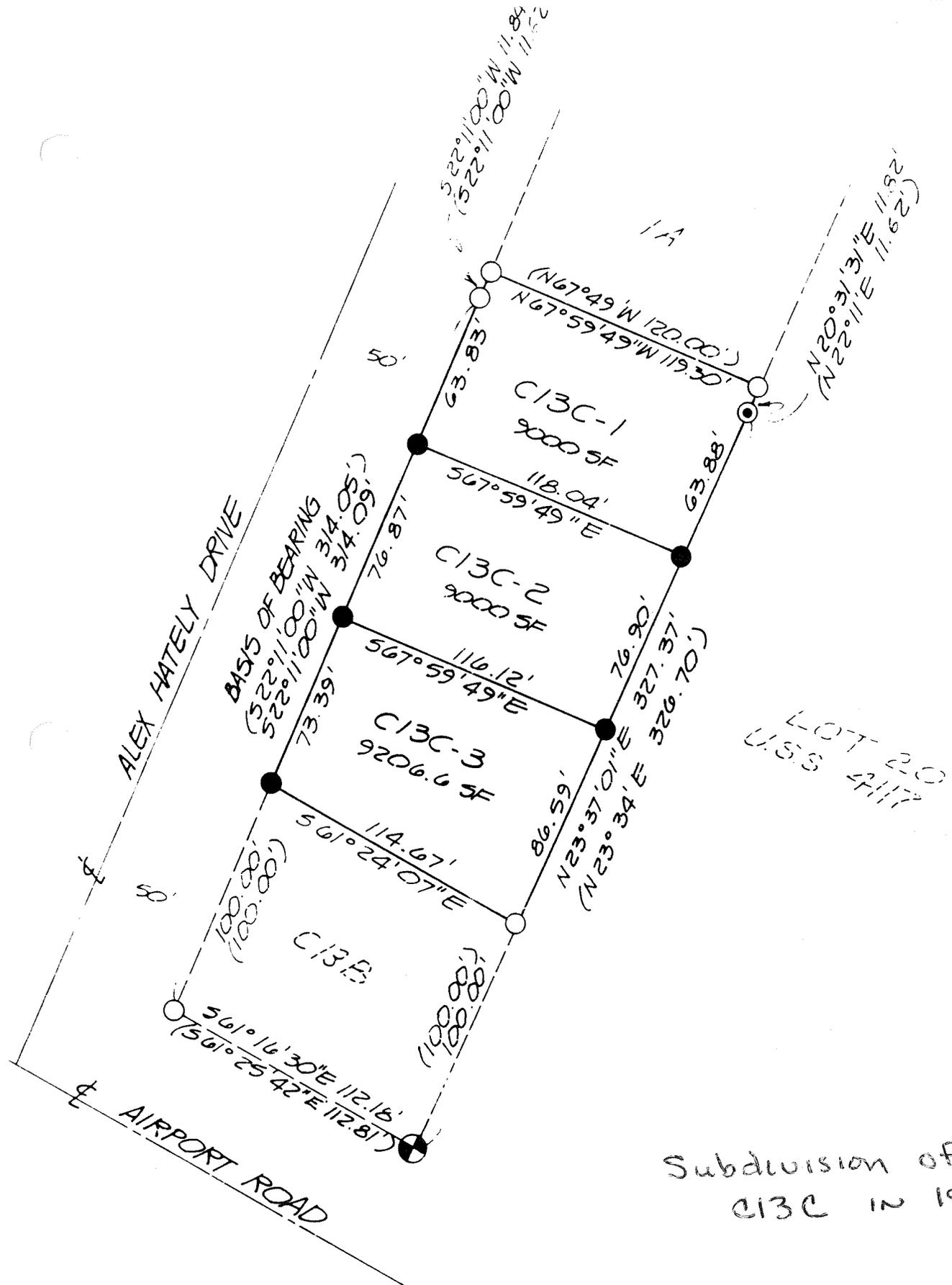
NEW BUSINESS

ITEM A: RESUBDIVISION OF LOT 13C, BLUEBERRY SUBDIVISION - KEN DOSTERT (Public Hearing)

Lot 13C, Blueberry Subdivision was subdivided into lots C13C-1, C13C-2 and C13C-3 in 1989. Mr. Dostert is asking to change the lot lines of that plat. At this time the lot lines run through structures which have been built on the existing lots. Moving the lot lines will alleviate this problem. The new lots will all meet the General Use size requirements.

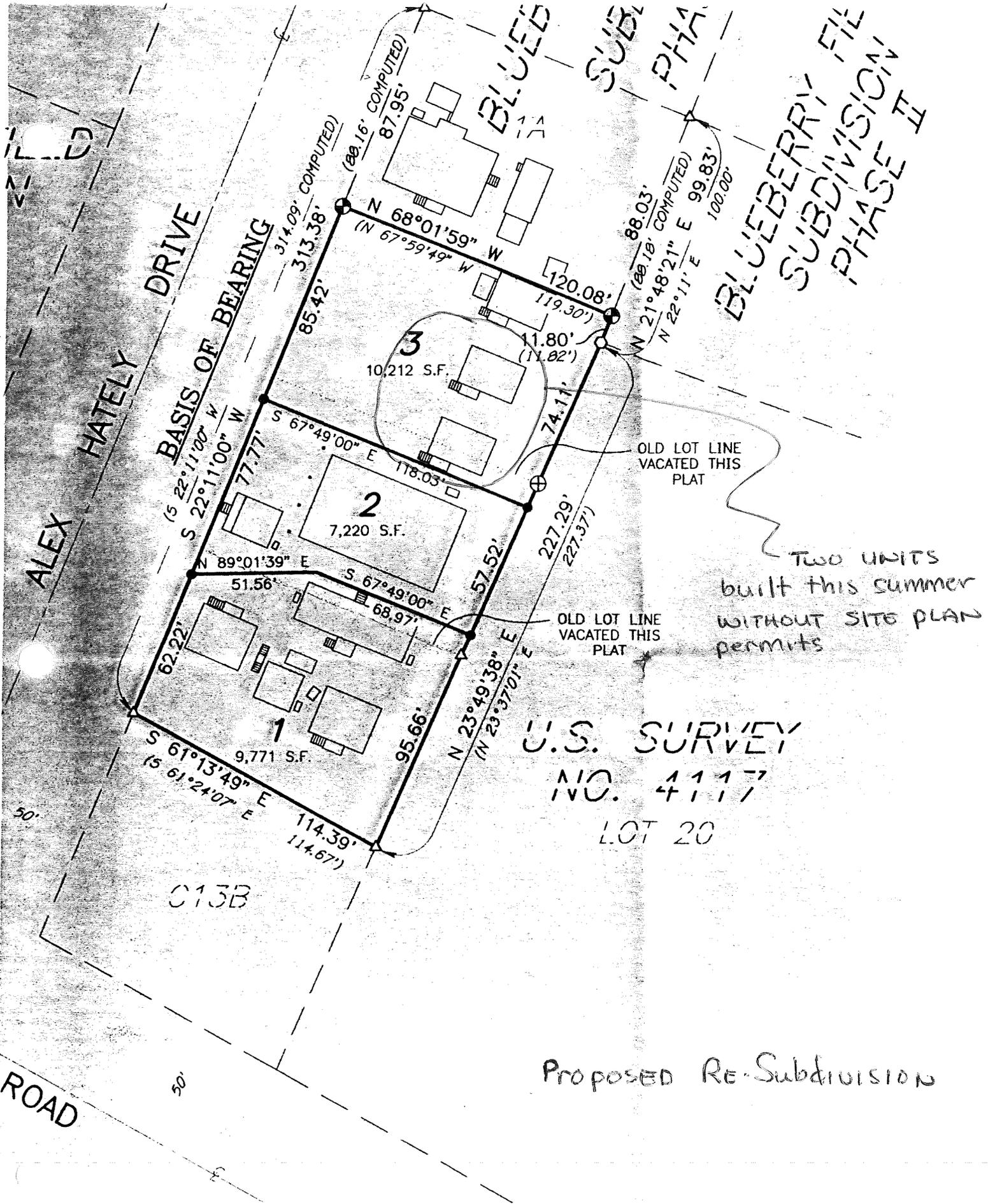
Earlier this summer Mr Dostert was contacted by the Planning Department and advised that construction of two new buildings on Lots C13C-2 and C13C-3 was in violation of City ordinances and would require a Site Plan Permit, a Variance and Fire Marshall approval. The buildings have since been completed without any of the requirements being met.

The Planning Department asks the commission to approve the subdivision on the condition that Mr Dostert apply for and receive approval of a Site Plan Permit, a Variance and Fire Marshall approval for the buildings constructed on lots C13C-2 and C13C-3. The Fire Marshall approval will not be needed if the buildings are not being used commercially.



Subdivision of Lot
C13C in 1989





U.S. SURVEY
NO. 4117
LOT 20

PROPOSED RE-SUBDIVISION

C13B

ALEX HATELY DRIVE

DRIVE

BASIS OF BEARING

BLUEBERRY

SUB

PHIA

BLUEBERRY FILE
SUBDIVISION
PHASE II

OLD LOT LINE
VACATED THIS
PLAT

OLD LOT LINE
VACATED THIS
PLAT

TWO UNITS
built this summer
WITHOUT SITE PLAN
permits

ROAD

BMC 18.84.040 Penalties and remedies. A. Civil remedies. If there is a violation of the terms of any provision within this ordinance, the City Manager, Land Use Administrator or any aggrieved citizen may institute or cause to be instituted any appropriate civil action to enjoin this violation and proceed to obtain damages for any injury the plaintiff suffered as a result of the violation. Any action to enjoin any violation of this ordinance may be brought notwithstanding the availability of any other remedy.

B. Failure to comply with an order of correction within the time frames provided in 18.84.030 shall constitute a fineable violation and upon conviction is punishable by a fine of not less than twenty-five dollars (\$25.00) and not more than three hundred dollars (\$300.00). Each day that the violation continues after the expiration date specified in Section 18.84.030 shall be considered a separate offense.

You have ninety (90) days from the postmarked date of this letter to come into compliance with City codes. During this compliance period further construction will not be allowed and will constitute a fineable violation for every day construction is in progress.

To comply with City codes a commercial Site Plan Permit must be issued by the Planning Department. Also, the Land Use Administrator must receive a copy of the written approval by the State Fire Marshal of the building plans prior to approval of a Site Plan Permit.

If you have any questions please feel free to contact me at the City offices.

Sincerely,



Richard Nolan
Acting Planning Manager

**ITEM B: FINAL PLAT APPROVAL UIVUQ SUBDIVISION, ADDITION NO. 1 -
BETHEL NATIVE CORPORATION
(Public Hearing)**

Preliminary approval for this subdivision was given at the February meeting with the following motion:

motion M/M by McComas 2nd by Andrew to approve the plat for Uivug Subdivision with the condition that the entire 10% open space be included in the plat, fifteen foot utility easements where easements are indicated and all telephone and television cables will be buried. Voice vote. Motion carries unanimously.

The plat, which has been presented for final approval, has met the condition imposed by the committee. The open space on the final plat makes up approximately 13% of the total area or 16% of the total area when the right-of-way is not included.

The plat indicates utility and drainage easements of 15 feet on all lots. Note #2 states that all telephone and television cables will be installed underground.

The Planning Department finds no fault with the plat as presented and recommends approval.

ITEM C: PROPOSED CHANGES TO TITLE 18

Tom Warner has asked that the Planning Commission review, discuss and amend the following list of changes to Title 18.

Proposed Changes to Title 18

Changes are shown in *italics*.

18.12.020 Definitions.

Dwelling, Two Family. *A single residential structure constructed on a single foundation, with common roof and wall lines, containing two dwelling units. Each dwelling unit totally separated from the other by a fire wall (or ceiling if the dwelling units are on separate levels) sufficient to meet the requirements of the State of Alaska Fire Marshals Office.*

18.32.020 Permitted principal uses and structures.

E. *Delete entire line.*

18.32.030 Conditional uses.

A. *Three family residential structure (i.e. triplex) and residential apartment buildings (see Chapter 18.48 for standards and procedures).*

18.36.020 Permitted principal uses and structures.

C. *Three family residential structures (i.e. triplex) and residential apartment buildings (for standards, see Chapter 18.48, supplemental regulations).*

18.48.040 Standards and listing of commercial uses.

C. Listing of commercial uses:

31. Hotels, motels, hostels, bed and breakfast, *bunk houses*, and boarding houses.

18.52.020 Minimum area required.

B. Minor Planned Development.

1. For two single-family residential structures or a combination of single-family residential structures and principal commercial structures not to exceed two, the minimum lot size shall be *10,000* square feet.

18.52.040 Access. Each principal structure must be accessed by either a road right-of-way or interior access *lane* in order