

City of Bethel, Alaska Planning Commission

Dec 11, 2014

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A regular meeting of the Planning Commission was held on December 11, 2014 at 6:30 PM in the City of Bethel Council Chambers room, in Bethel, Alaska.

Chair John Guinn called the meeting to order at 6:30 PM.

II. ROLL CALL

Compromising a quorum of the Committee, the following members were present for roll call: John Guinn, Joy Shantz (telephonically), Abe Palacios, Cliff Linderoth, and Kathy Hanson. Heather Pike arrived after roll call.

Ex-Officio members present were the following: Rachael Pitts, and Betsy Jumper, Recorder.

III. PEOPLE TO BE HEARD

--Bev Hoffman,- don't plan on being here the whole meeting- wanted to speak on 3 items; 1) in favor of the proposed Lyman Hoffman Subdivision; 2) a timeline for dust control is needed on land use permits issued by the Planning Dept.; and 3) happy to see some of the work done on zoning. Apologized for having had to resign from the Planning Commission.

IV. APPROVAL OF AGENDA

MOTION TO APPROVE THE AGENDA OF THE DEC. 11, 2014 MEETING

MOVED:	Kathy Hanson	To approve the agenda, with Item A under New Business (the preliminary plat of the proposed Lyman Hoffman Subdivision), to be moved up to be the first agenda item.
SECONDED:	Cliff Linderoth	
VOTE ON MOTION	All in favor Motion passes 5 yes and 0 opposed.	

V. APPROVAL OF THE MINUTES

MOTION TO APPROVE THE MINUTES OF OCTOBER 9, 2014

MOVED:	Kathy Hanson	To approve the Oct. 9, 2014 minutes.
SECONDED:	Abe Palacios	
VOTE ON MOTION	All in favor Motion passes 5 yes and 0 Opposed	

VI. NEW BUSINESS: A. Public Hearing: Preliminary plat of a proposed Hoffman Subdivision, adjacent to Tsikoyak (Martha Larson) Subdivision. The location is BIA Road. The purpose is to create the following lots: Tract A, Lots 1-32, Block 1, Lots 1-11 Block 2, Lot 1 Block 3, Lots 1-16, Block 4, Lots 1-8 Block 5, Lots 1-7 Block 6, Lots 1-3 Block 7, and four Open Space Tracts. The location is BIA Road. The purpose is to create commercial and residential lots.

Chairman Guinn opened the Public Hearing.

The Planning Director introduced herself and presented a report on the preliminary plat of the proposed Lyman Hoffman Subdivision.

PEOPLE TO BE HEARD: (5 minute limit)

- Frank Neitz – spoke in favor of the new proposed Lyman Hoffman Subdivision;
- Roger Nance – spoke in opposition of the new proposed Lyman Hoffman Subdivision;
- Shannon Freitas – spoke in opposition of the new proposed Lyman Hoffman Subdivision.
- John Sargent – spoke in favor of the proposed subdivision, with conditions that should be considered; let's see things in writing.

Chairman Guinn closed the Public hearing.

Lyman Hoffman introduced himself and spoke about the proposed subdivision and the plans and need for it. He introduced his daughter Trina Short, saying she would be taking care of most of this subdivision development if approved, and also introduced David Niman, an engineer who will be addressing the wetlands requirements.

Rachael commented that a lot of good points were brought to attention for the Planning Commission to consider. There will be multiple reviews done by the City, the BIA, and the Army Corps of Engineers.

Commissioner Hanson had a question in regards to snow machine access trails.

MOTION TO SUSPEND THE RULES TO HEAR FROM ANY MEMBERS OF THE GALLERY THAT MAY HAVE QUESTIONS FOR THE DEVELOPER AND/OR PLANNING COMMISSIONER MEMBERS; TO OPEN UP THE MEETING FOR PUBLIC QUESTIONS BACK AND FORTH

MOVED:	Heather Pike	To suspend the rules to hear questions.
SECONDED:	Cliff Linderoth	
VOTE ON MOTION	All in favor Motion passes 5 yes and 0 Opposed	

Commissioner Hanson had a question for gallery member Frank Neitz, who is on the Public Works Committee-- a main concern with any new development is the infrastructure—where do we stand Public Works wise? Lots of issues and challenges.

Commissioner Linderoth stated he thought it was piped water and sewer that was "sinking the City"; hauled water and sewer is "carrying its own". The rate review being put in place now should make it self-sustaining. We might want to consider an impact fee to the developer that might include the cost of a water or sewer truck or somehow address that. Sustaining rates, as you get more customers, may carry its own weight. Those are my thoughts and understanding of the rates.

Citizen John Sargent ran off some figures in regards to daily water and sewer routes, and how many more routes and the costs and labor associated would need to be added for a new development. It would in nice if the development agreement had some sort of impact fee to the developer to address some of these issues to aid the City.

Citizen Nance had questions and comments about snow machine accesses, culverts, wetlands, and drainages.

Developer Hoffman spoke about snow machines trespassing on his private property, and then had engineer David Nieman address the meeting. He gave a brief overview of culverts and issues facing the development such as natural flows of drainages, the wetlands, soil, and other engineer related items. He also gave a brief overview of his resume.

Lyman stated this development won't happen overnight; he hopes the lots will be sold within 3 years, and is already receiving inquiries from folks wanting land to build on. We need to take growth one step at a time; and I believe many lots will be brought on speculation, as it is very difficult now to find developable land. Also, snow machine access is very important to me as well. Many obstacles will have to be met in order to make this a reality. There is a need for land development in Bethel. We need, as a community, to take the next step to insure Bethel is a growing and vibrant place, and also, a good place to live.

Commissioner Shantz commented that all property owners have the right to develop their land right up to the easement edge as long as it's in compliance with the BMC and Bethel Comprehensive Plan and all the other laws of the land. You can't have development without conservation. My 2 biggest concerns are the stress that would be caused on the city infrastructure, of the water and sewer, fire, public safety issues. I would like to see written statements from all city depts. indicating what type of impact this would have on them. My other concern would be the wetland issue and I think that will probably come out down the road, if there is an issue. The City does need development, people are looking for for lots, but I think development needs to be done very carefully, and in accordance with our plans and codes.

City Attorney Patty Burley advised the commission on three choices:

- 1) Can approve the preliminary plat as is;
- 2) Can approve the preliminary plat conditionally; or
- 3) Disapprove the preliminary plat.

Commissioner Hanson would like to hear from, at a later date, from the Public Works Director and the City Manager on how the City and its infrastructure would have the ability to respond to a new subdivision for water and sewer and roads, as well as the school bus services. It seems to me we should be hearing from the Public Works Director on these issues.

Commissioner Linderoth stated a conditional approval would open it up for input from everybody, public works, and so on. That won't get hashed out tonight. We could approve it now as is, or approve it, but request to hear more stuff (conditionally), or, just throw it out the window, and it's done, except we have to say why we threw it out the window.

MOTION TO APPROVE THE PRELIMINARY PLAT, CONDITIONALLY

MOVED:	Cliff Linderoth	To approve the Lyman Hoffman Subdivision preliminary plat,
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		with conditions.
SECONDED:	Heather Pike	
VOTE ON MOTION	All in favor Motion passes 5 yes and 0 Opposed	

The city attorney stated something more specific needs to be said about the above motion; what sort of conditions?

Commissioner Pike would like to hear a little more about a developer agreement in meeting with the City; I think that would be a more detailed map of where we need to start and what we need to look at would be helpful. The LED lighting that was brought up was something I also had in the back of my mind, also the lengths/widths of the roads. I am comfortable with the drainages and wetlands, and the report the engineer presented. The trails are a concern for me, however, and we can bring that up with the trails committee down the road. There needs to be some open areas that are designated, whether over the culverts or off to the side, so we don't make things worse as we move forward. The kids need a good, safe place to play as well and that's a big concern-- they're our future. Also, we don't want to have others encroaching on others' properties. That's kind of where I'm at-- would like to see/learn more about a developer agreement.

Commissioner Palacios also would like to see a developer agreement with the City and agrees we do need a place to develop. We do have our problems with the City in regards to infrastructure and utilities, but is that the burden of the developer? No, it's not, although it needs to be discussed. It's consideration, for the community as a whole, but we also understand we need a new development. Many people come up to me saying you should pass that, -- we're looking for a lot to build a house, and then I've had others say we don't want it, because of the utilities. I agree with conditionally approving this, providing it's done in accordance with the BMC, and developing a development agreement is what I would like to see.

Commissioner Hanson asked could that development agreement address the city utilities question?

Commissioner Pike commented on the burden of the City as far as water and sewer; with this rate increase Council just passed, we can go out there for funding and we would be getting new customers with a new subdivision. I think we'll be able to stand on our own two feet.

Commissioner Linderoth stated that a big upfront fee, if it took a new truck, that could be included in an impact fee; the cost of the actual delivering the service, I don't know in the water and sewer rate increase plan if that had depreciation or replacement scheduled in to those costs. Course right now they're out looking into getting new water and sewer trucks and the new rates aren't in effect yet, so the money isn't there yet. When a big block of development takes place, it will take more trucks, like that gentleman pointed out. The services have to be addressed somewhere, and that's where an impact fee could be done. It should not wind up being a burden on the City. I think that's the sort of thing that could be covered in a developer agreement.

MOTION TO APPROVE THE PRELIMINARY PLAT, WITH CONDITIONAL PERMITTING; AN AMENDMENT TO THE MAIN MOTION

MOVED:	Heather Pike	To amend the above referenced preliminary plat, with the conditions of: a development agreement coinciding with the City and the Developer ; meeting the minimum of the Bethel Municipal Code and the Bethel Comprehensive Plan.
SECONDED:	Cliff Linderoth	
VOTE ON MOTION	All in favor Motion passes 5 yes and 0 opposed.	

Discussion: On the above motion, Commissioner Shantz wanted to amend that the conditions include the Bethel Comprehensive Plan as well.

Planning Director Pitts explained to the Planning Commission what needs to be done and the steps involved in making a development agreement with the City and the developer.

A. Public Hearing: Preliminary plat of a proposed Hoffman Subdivison, adjacent to Tsikoyak (Martha Larson) Subdivison. The location is BIA Road. The purpose is to create the following lots: Tract A, Lots 1-32, Block 1, Lots 1-11 Block 2, Lot 1 Block 3, Lots 1-16, Block 4, Lots 1-8 Block 5, Lots 1-7 Block 6, Lots 1-3 Block 7, and four Open Space Tracts. The location is BIA Road. The purpose is to create commercial and residential lots.

MOVED:	Heather pike	To approve the preliminary plat, with the conditions of: a development agreement coinciding with the City and the Developer and abiding by the Bethel Municipal Code and the Bethel Comprehensive Plan.
SECONDED:	Abe Palacios	
VOTE ON MAIN MOTION	All in favor Motion passes 5 yes and 0 opposed.	

Chairman Guinn opened the Public Hearing.

VII. UNFINISHED BUSINESS : A. Public Hearing: Preliminary Plat of Jung and Active Lot, US Survey 3790, Lots 6A, 6B, 6C, 7A, and 7B, Block 8, and lots 6A and 6B Block 9. The address is 177-179 East Avenue. The purpose is to create dedications.

Rachael presented the case and the history of the plat.

MOTION TO TAKE A 5 MINUTE BREAK		
MOVED:	Heather Pike	To take a 5 minute break.
SECONDED:	Abe Palacios	

VOTE ON MOTION	All in favor Motion passes 5 yes and 0 opposed.	

MOTION TO CLOSE THE PUBLIC HEARING

MOVED:	Kathy Hanson	To close the public hearing portion of the meeting.
SECONDED:	Abe Palacios	
VOTE ON MOTION	All in favor Motion passes 5 yes and 0 opposed.	

UNFINISHED BUSINESS : A. Public Hearing: Preliminary Plat of Jung and Active Lot, US Survey 3790, Lots 6A, 6B, 6C, 7A, and 7B, Block 8, and lots 6A and 6B Block 9. The address is 177-179 East Avenue. The purpose is to create dedications.

MOTION MADE TO ACCEPT THE PRELIMINARY PLAT OF THE JUNG AND ACTIVE LOTS

MOVED:	Abe Palacios	To accept the Preliminary Plat of the Jung and Active lots.
SECONDED:	Kathy Hanson	
VOTE ON MOTION	All in favor Motion passes 5 yes and 0 opposed.	

B. Public Hearing : Amendments to the Bethel Municipal Code, Titles 15-18. The titles are; 15. Buildings, Construction, and Flood Control; 16. Planning, Land Use, Platting, and Development; 17. Subdivisions and ; 18. Zoning.

MOTION TO TAKE A 5 MINUTE BREAK

MOVED:	Heather Pike	To take a 5 minute break.
SECONDED:	Abe Palacios	
VOTE ON MOTION	All in favor Motion passes 5 yes and 0 opposed.	

Meeting called back to order.

B. Public Hearing : Amendments to the Bethel Municipal Code, Titles 15-18. The titles are; 15. Buildings, Construction, and Flood Control; 16. Planning, Land Use, Platting, and Development; 17. Subdivisions and ; 18. Zoning. MOTION TO POSTPONE ITEM B

MOVED:	Kathy Hanson	To postpone Item B (under Old business, BMC Amendments) until next Planning Meeting, due to the late hour.
SECONDED:	Cliff Linderoth	
VOTE ON MOTION	All in favor Motion passes 5 yes and 0 opposed	

IX. DIRECTOR'S REPORT: Rachael presented the December's monthly report. Bethel's in an exciting stage of growth and I think the Planning Commission can do great things next year--Happy Holidays.

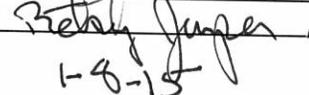
X. COMMITTEE MEMBER COMMENTS: Heather: with the passing of proposition 2 (marijuana) the Planning Commission should be talking and thinking about it in terms of zoning issues/restrictions—to start moving along with this issue and to update the code with it. Also, share a meal with somebody. Happy Holidays. Bubba: no comments, except Happy Holidays, and share a meal, that's a good idea. Kathy: thanks Patty for being here to help. Requests a list site plan permits issued be at every meeting. In addition to the marijuana issue and the BMC, we absolutely need to address wind turbines--what, where, how big, how tall, etc. We cannot put this off for much longer; we need a starting point of where to begin. Happy Holidays. Cliff: lots of thoughts about input into the new subdivision—what we should be looking for in terms of the developer agreement; there's lots of things that come in there. The public input was good. I also notice my term expires this month. Have a good holiday season. Joy: agreed with Kathy, we have a lot of ordinances on the books, why can't we have an ordinance dealing with wind turbines, prior to zoning. I think we need to get an ordinance to City Council as soon as possible so they can mull it over and get something in place. The other thing I have a comment on is a question on the minutes—we called the meeting to order in November, had roll call, and didn't have a quorum. I wonder if that should be reflected in minutes as well. Which brings me to the reason I left rapidly was to eliminate the chance of there being an illegal meeting. I don't know what happened after I left but I'm hoping there wasn't an illegal meeting. Merry Christmas. John: Happy Holidays to everyone.

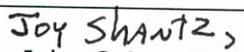
XI. ADJOURNMENT

TIME:

MOVED:	Kathy Hanson	Motion to adjourn the meeting at 8:45 pm.
SECONDED:	Cliff Linderoth	
VOTE ON MOTION	Motion carried 5 yes and 0 opposed.	

Next meeting on January 8, 2015

ATTEST: 
 Betsy Jumper, Recorder
1-8-15


Joy Shantz,
~~John Guinn~~, Chairperson