



## Planning Commission Meeting Agenda

Rescheduled Regular Meeting Thursday, July 21, 2016– 6:30PM  
City Hall Council Chambers 300 Chief Eddie Hoffman Highway

### MEMBERS

Joy Shantz  
Chair  
Term Expires  
12/2017

John Guinn  
Vice-Chair  
Term Expires  
12/2016

Nikki Hoffman  
Council Rep.  
Term Expires  
10/2017

Kathy Hanson  
Commission Member  
Term Expires  
12/2017

Cliff Linderoth  
Commission Member  
Term Expires  
12/2017

Lorin Bradbury  
Commission Member  
Term Expires  
12/2017

Vacant  
Commission Member  
Term Expires

Ted Meyer  
Ex-Officio Member

Betsy Jumper  
Recorder

### AGENDA

- I. CALL TO ORDER
- II. ROLL CALL
- III. PEOPLE TO BE HEARD – (5 Minute Limit)
- IV. APPROVAL OF THE MINUTES FROM THE JUNE 9, 2016 MEETING
- V. APPROVAL OF THE AGENDA
- VI. OLD BUSINESS
  - A. PUBLIC HEARING: Applicant: Baba's Pizza is applying for a Conditional Use Permit to obtain a liquor license. The Legal Description is United States Survey Number 4117, lot 38E of Park Place Subdivision. The physical address is 1725 State Highway. (Action Item)
- VII. NEW BUSINESS:
  - A. U.S. Army Corps of Engineers Wetland, General Permit Status
- VIII. PLANNER'S REPORT
- IX. COMMISSIONER'S COMMENTS
- X. ADJOURNMENT

# City of Bethel, Alaska

## Planning Commission Meeting

June 9, 2016

Regular Meeting

Bethel, Alaska

### I. CALL TO ORDER

A regular meeting of the Planning Commission was held on Thursday, June 9, 2016, at 6:30 PM at the City Hall back room in Bethel, Alaska. Chair Shantz called the meeting to order at 6:38 pm.

### II. ROLL CALL

Compromising a quorum of the Commission, the following members were present for roll call: Joy Shantz, Lorin Bradbury, Kathy Hanson and Cliff Linderoth. John Guinn was absent and Nikki Hoffman was attending another City meeting.

Also present was Planning Director Ted Meyer and Recorder Betsy Jumper. City Attorney Burley came in to answer questions.

### III. PEOPLE TO BE HEARD

Nobody wished to be heard.

### IV. MOTION TO APPROVE THE MINUTES OF THE APRIL 14, 2016 MEETING

<b>MOVED:</b>	Kathy Hanson	To approve the April 14, 2016 minutes.
<b>SECONDED:</b>	Cliff Linderoth	
<b>VOTE ON MOTION</b>	All in favor 4 and 0 opposed. Motion carries.	

### MOTION TO APPROVE THE MINUTES OF THE MAY 26, 2016 SPECIAL MEETING

<b>MOVED:</b>	Kathy Hanson	To approve the May 26, 2016 special meeting minutes.
<b>SECONDED:</b>	Lorin Bradbury	
<b>VOTE ON MOTION</b>	All in favor 4 and 0 opposed. Motion carries.	

### V. APPROVAL OF THE AGENDA

#### MOTION TO APPROVE THE AGENDA OF JUNE 9, 2016

<b>MOVED:</b>	Kathy Hanson	To approve the agenda.
<b>SECONDED:</b>	Cliff Linderoth	
<b>VOTE ON MOTION</b>	All in favor 4 and 0 opposed. Motion carries.	

**VI. NEW BUSINESS:** A. PUBLIC HEARING: Applicant: Baba's Pizza is applying for a Conditional Use Permit to obtain a liquor license. The Legal Description is United States Survey Number 4117, lot 38E of Park Place Subdivision. The physical address is 1725 State Highway.

*Chairman Shantz opened the public meeting.*

The Planning Director gave his report on the Baba's Conditional Use permit application and his facts and findings.

Applicant Surasak Suwanprapa stated the reason why they submitted an application was to increase sales in the restaurant.

**People to be Heard:**

- Seth O'Brien - spoke in opposition against Baba's Restaurant selling liquor;
- Shantel O'Brien – spoke in opposition.

Due to a conflict of interest, Commissioner Linderoth recused himself.

*Chairman Shantz closed the public meeting.*

**B. RESIGNATION OF COMMISSIONER KUHNE (Action item)**

**MOTION TO ACCEPT THE RESIGNATION OF COMMISSIONER KUHNE**

<b>MOVED:</b>	Lorin Bradbury	To accept the resignation on the Planning Commission.
<b>SECONDED:</b>	Kathy Hanson	
<b>VOTE ON MOTION</b>	All in favor 4 and 0 opposed. Motion carries.	

**VII. PLANNER'S REPORT:** Ted went over the Planning Director's monthly activity report.

**IX . COMMISSIONER'S COMMENTS:** Cliff: no comments; Kathy: glad to see people came out to speak to the Planning Commission; Joy: happy to see 2 sided documents in the packet; Lorin: nice to see people come out to the meeting, and also concerned about the wetlands and development . And, one more thing, to see about getting zoning done, to make our lives easier.

**X. ADJOURNMENT**

<b>MOVED:</b>	Kathy Hanson	Motion to adjourn the meeting at 8:50 PM.
<b>SECONDED:</b>	Lorin Bradbury	
<b>VOTE ON MOTION</b>	4 yes and 0 opposed. Motion carries.	

The next meeting will be on July 21, 2016

\_\_\_\_\_, Joy Shantz, Chairman  
ATTEST: \_\_\_\_\_, Betsy Jumper, Recorder

DRAFT

**CITY OF BETHEL PLANNING OFFICE**  
 Po Box 1388  
 Bethel, AK 99559  
  
 (907) 543-5306  
 (907) 543-4168 (facsimile)



**APPLICATION FOR A CONDITIONAL USE PERMIT  
 REGULATION OF ALCOHOLIC BEVERAGE USES  
 BETHEL MUNICIPAL CODE 5.08 AND BETHEL MUNICIPAL CODE 18.60.20**

*Carefully read instructions and applicable City code. Fill out forms completely. Attach information as needed. Incomplete applications will create a delay in the review process.*

Application Fee must be attached:	<b>\$200.00</b>	Conditional Use Permit
Payment Type:	<input type="checkbox"/> Credit Card	<input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Cash

**1. General Information**

<b>NAME OF APPLICANT:</b>	Surasak Suwanprapa DBA BABA PIZZA & SUB
Physical Address:	1725 State Hwy. Bethel, AK, 99559
Mailing Address:	P.O. BOX. 1268 Bethel, AK, 99559
Home Phone Number:	
Work Phone Number:	(907) 543-3500
Cell Phone Number:	(907) 545-4666
Email Address:	NUMALASKA@LIVE.COM

**Please note:**

The City of Bethel will not communicate regarding the application with anyone other than the applicant or his/her designated agent. If applicant will be represented by an agent or attorney, proof of consent for representation must be submitted with the application.

**MAY 1 2016**

<b>NAME OF PROPERTY OWNER:</b> (If different from Applicant)	Samuel Delon Chavez
Physical Address:	1736 Moss creek Ave. Anchorage, Ak, 99507
Mailing Address:	1736 Moss creek Ave. Anchorage, Ak, 99507
Home Phone Number:	
Work Phone Number:	
Cell Phone Number:	(907)903-4196
Email Address:	delonak@yahoo.com

## 2. Property Information / Legal Description

Township: T8N	Range: R71W
Section: S18	Meridian: SM
Subdivision: Park Place	Block(s):
Lot(s): 38E	US Survey or Plat No.: 4117
Street Address:	

## 3. Conditional Use Description

- a. *Please provide a detailed description of the proposed conditional use (additional sheets of paper may be attached if necessary):*

Restaurant with Dine in service. Serve Beer and Wine  
This building has been there over 20 years under Brothers Pizza Business. We took over this building in 2012 under Baba Pizza & Sub. There is no problems in the neighborhood with our business.

#### **4. Mapping**

- a. Provide a Site Map of the property drawn to Scale. Please include the following:
  1. Name of property owner and date (in lower right hand corner)
  2. Map Scale
  3. North Arrow
  4. Property lines with dimensions
  5. Streets abutting the property with names
  6. Draw in locations of existing and planned buildings with dimensions
  7. Locations of water and sewage facilities, with capacities if applicable
  8. Property driveways and vehicle parking areas showing the number of 9'x 18' parking spaces
  9. Indicate access points to and from the property
- b. Provide a map or plat of the general area surrounding the parcel. The map must include street names and notations of the uses and structures that exist on the abutting and nearby lots.
- c. List all buildings and structures located within 600' of the property (whether or not owned by the applicant):

#### **5. Owner's Statement**

1. I hereby apply for approval for an alcoholic beverage use conditional use permit on the above property as described in this application.
2. I understand all activity must be conducted in compliance with all applicable standards of the Bethel Municipal Code, Chapters 5.08, 18.04 and 18.60 and with all other applicable State or Federal laws.
3. The information submitted in this application is accurate and complete to the best of my knowledge.

7. Special features and restrictions designed to minimize negative impacts and to ensure the public health, safety and welfare of the residents;
  8. A complete site plan permit application for the proposed use, including fill placement, quantities and contours and drainage plans;
  9. If any part of the project is located in a flood hazard area or in an area where the project may adversely affect drainage or floods in a flood hazard area, the proposal shall address the relevant matters and standards covered by BMC [15.08.160](#) through [15.08.180](#);
  10. The names and addresses of all persons who own property within six hundred (600) feet of the boundaries of the parcel.
- B. A fee shall be included as established by resolution of the city council. [Ord. 01-05 § 8.]

*18.60.030 Hearing and notification*

- A. Upon receipt of a complete application for a conditional use permit, the land use administrator shall set a date for public hearing before the planning commission. The public hearing shall be scheduled no sooner than twenty (20) calendar days and no later than fifty (50) calendar days from the date of acceptance of a complete application.
- B. Notice of the public hearing on a proposed conditional use shall be provided as set out in BMC [18.04.070](#). [Ord. 01-05 § 8.]

*18.60.040 Staff review*

- A. The land use administrator shall review the conditional use permit application and the accompanying site plan permit application for completeness and request any additional material required. Upon determining that the application is complete, the land use administrator shall prepare a staff report with analysis and recommendations. The report shall specifically address drainage on the parcel. The land use administrator may recommend any conditions reasonably necessary for the proposed use to permit the conclusions required under subsection B of this section. The written staff report containing the analysis, proposed conditions and conclusions shall be provided to the planning commission with their meeting materials one (1) week prior to the public hearing.
- B. The land use administrator may make a recommendation for approval only when the proposed use and conditions clearly support the following conclusions:

commission may take action on the agenda item even if the applicant or an authorized representative is not present at the public hearing. The planning commission may deny the project based entirely on failure of the applicant or an informed, authorized representative to be available at the hearing.

B. The planning commission shall consider the matter at a public hearing. The commission shall consider the application, the land use administrator's staff report, any written comments from members of the public submitted prior to the public hearing, and oral comments made at the public hearing.

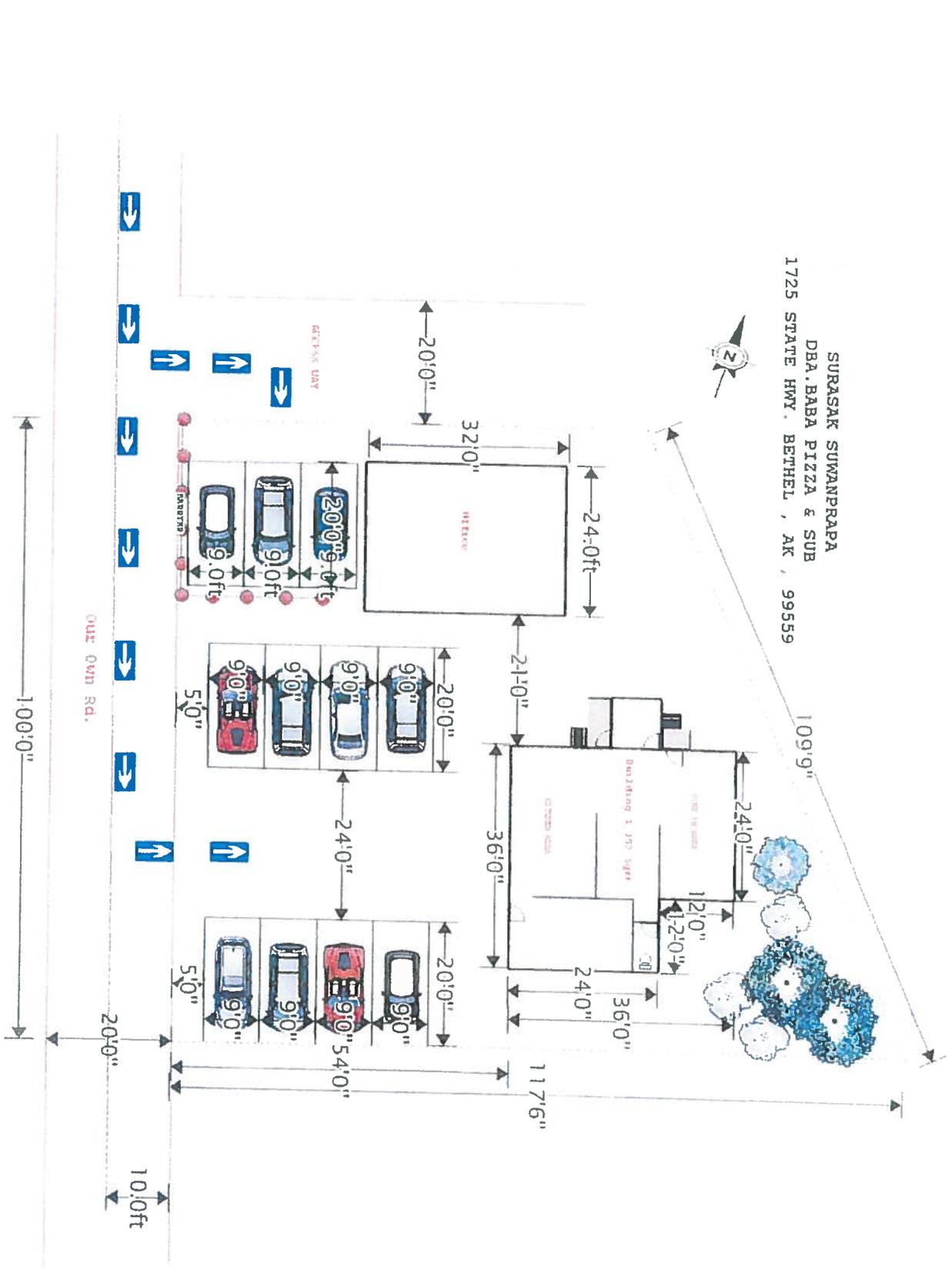
C. During all phases of the public hearing, any speaker shall address the chairperson prior to making any comment. If any person wishes to question any other person in attendance, the question shall be directed through the chairperson. All public hearings shall be conducted in the following manner:

1. The chairperson shall explain the hearing procedure;
2. Planning department staff shall present a staff report and recommendations regarding the subject project;
3. The planning commissioners shall ask staff any questions they may have regarding the staff review and recommendations;
4. The applicant shall be given the opportunity to explain the nature of the project and any other relevant information, including rebuttal or additional information regarding any of the correspondence received and matters raised by the staff or the commission;
5. Planning commissioners may ask the applicant any questions they may have about the project;
6. The neighbors or any other interested persons will be given the opportunity to speak. The chairperson will read all written comments submitted regarding the proposed project or copies shall be provided to each commission member. Information provided should be limited to facts. Persons who have given testimony previously during the hearing may comment on any new information limiting comments to new information only. The chairperson may limit repetitious testimony based on time constraints or other situations which may arise;
7. Members of the planning commission may ask any questions of neighbors or other interested persons;
8. The applicant shall be given the opportunity to rebut factual matters raised by the staff, neighbors and other interested persons;

one (1) year from the date of approval. For a permit to be considered "exercised," substantial improvement to the land must be performed within one (1) year from the date of approval. Substantial improvement is the completion of fifty (50) percent or more of the total authorized improvements as specified on the subject permit as measured by cost. If the conditional use permit is primarily for a use not involving substantial improvements to the land, the permit is "exercised" when the use commences and continues for thirty (30) days or more.

B. A conditional use permit approval subject to lapse may be extended by the planning commission for an additional period of up to one (1) year; provided, that prior to the expiration date, a written request for extension is submitted to the planning commission and good cause for the extension is shown. [Ord. 01-05 § 8.]

SURASAK SUWANPRAPA  
 DBA. BABA PIZZA & SUB  
 1725 STATE HWY. BETHEL, AK 99559



**Memo**

TO: City of Bethel Planning Commission  
FROM: Ted Meyer, Planner  
SUBJECT: **Findings and Recommendation for a Conditional Use Permit Application Submitted by Surasak Suwanprapa, owner of Baba's Pizza Restaurant.**  
DATE: 6/2/16

**Background**

Surasak Suwanprapa, owner of Baba's Pizza Restaurant seeks a Conditional Use Permit to supplement his existing restaurant business with alcohol sales. The property is located at 1725 State Highway in Bethel, Alaska. Per Bethel Municipal Code Section 5.08.060 (Alcoholic Beverages), a Conditional Use Permit is required for the sale of alcohol.

The Conditional Use Permit provides additional review of land uses which are generally considered appropriate in certain zoning districts provided that appropriate safeguards are considered to ensure their compatibility with permitted principal uses. The conditional use permit procedure is intended to allow more scrutiny on the impact of the proposed conditional use on surrounding property, and the application of controls and safeguards to assure that the conditional use will be compatible with the surrounding area.

Below is Code Section 18.60.040 (Conditional Use Permit) followed by 10 questions answered by staff regarding the location of the proposed conditional use. The answers to these questions form the basis for the Planner's recommendation to the Planning Commission.

***BMC 18.60.040 Staff Review***

*A. The land use administrator shall review the conditional use permit application and the accompanying site plan permit application for completeness and request any additional material required. Upon determining that the application is complete, the land use administrator shall prepare a staff report with analysis and recommendations. The report shall specifically address drainage on the parcel. The land use administrator may recommend any conditions reasonably necessary for the proposed use to permit the conclusions required under subsection B of this section. The written staff report containing the analysis, proposed conditions and conclusions shall be provided to the planning commission with their meeting materials one (1) week prior to the public hearing.*

*B. The land use administrator may make a recommendation for approval only when the proposed use and conditions clearly support the following conclusions:*

**Staff Findings**

**1. The conditional use meets the standards otherwise applicable to a use in the applicable land use district.**

Baba's Restaurant is located in the General Use District (*see attached Bethel Zoning Map*). This district is intended to allow a mix of compatible residential and commercial uses.

**2. There are adequate existing or proposed sewage capacity, transportation facilities, parking area, drainage facilities and water supply to serve the proposed conditional use without causing a substantial negative impact on the existing level of services provided by such public facilities.**

The building that the Baba's Restaurant occupies has been a restaurant business site for 21 years. The restaurant has a 1,000 gallon water tank and a 1,500 gallon sewer tank. The City delivers water and hauls away sewage once per week.

***Existing Parking***

Existing, off-street parking at the restaurant has customers parking in front of and perpendicular to the restaurant. Customers also park in front of and perpendicular to the office/staff house located on the north side of the property.

***Planned Parking***

For off-street parking, BMC 18.48.160(D16) requires one parking space per 100 square feet of restaurant gross floor area. With a floor area of 1,152 square feet, 11.5 (12) off-street parking spaces are required. According to the attached scaled, site map drawing, the parking area will be reconfigured into three rows of four vehicles. Two rows are in front of the building (parking spaces are the required 9' x 20-feet). The two rows of parking spaces will be separated by the required 24-foot aisle (*see photo #1, 2, and 3*).

**July 15 Update**

At the May 26<sup>th</sup> hearing, there was concern about the row of four parking spaces in front of Baba's staff house in which customers would have to back out into the street when leaving the premises (*see photo #4*). In response, Baba's owner reconfigured the parking spaces from perpendicular parking to parallel in front of the staff house. Customers would use the access easement on the west side to enter and exit from the newly configured parking spaces (*see photos #8 & #9*). When leaving the customers would back into the easement and drive head first out into the street (*photo #9*). With this new parking arrangement, one parking was lost (from 12 total parking spaces to 11).

It is anticipated that traffic to and from the Baba's should increase as their objective in supplementing their pizza business with alcohol sales is to increase the number of customers. There are currently no drainage issues on the property.

**3. The conditional use conforms to the intent and purposes of the land use code that are set out in BMC [16.04.010](#);**

The proposed Conditional Use conforms to the intent and purposes of the land use code that are set out in BMC 16.04.010 (*see code directly below*)

**16.04.010 Purposes.**

A. In addition to the purposes set out in each title, the purposes of BMC Titles [15](#), [16](#), [17](#), and [18](#) together are to:

1. Promote a logical growth pattern within the city and the economic extension of public services and facilities;
  2. Encourage the most appropriate use of land throughout the city;
  3. Reduce congestion in the streets;
  4. Enhance safety from fire, flooding and other dangers;
  5. Provide adequate light, air and open space;
  6. Preserve property values;
  7. Prevent the overcrowding of the land;
  8. Avoid undue concentration of population;
  9. Facilitate adequate provisions for transportation, water, sewage, drainage, schools, parks and other facilities;
  10. Assure that development does not adversely affect either the ability of the city to deliver public services or the safety of property and the health, safety and welfare of persons;
  11. Assure that the burdens placed on public facilities by development are borne by the development;
  12. Promote the public health, safety and welfare.
- B. BMC Titles 15, 16, 17 and 18 shall be interpreted and administered to complement each other and so as to implement the purposes set out in subsection A of this section. [Ord. 10-15 § 4.]

**4. The use and structures proposed are of an appropriate character and scale for the neighborhood in which the project will be located, including parts of the neighborhood that may lie outside the land use district within which the parcel is located.**

Within the 600 foot radius of Baba’s Restaurant, below are the following uses from west to east: *(see attached Land Use Map for reference)*

**On Hoffman Road, Behind Baba’s to the West**

Automotive shop, 8 residences, and one warehouse.

**East Side of “Our Own “ Street**

**(addresses are listed as on Chief Eddie Hoffman)**

Q2 Store, 6 residences, 1 shop, Baba’s Restaurant

**West Side of “Our Own “ Street and East Side of Raven Road**

A residential trailer court that includes 68 trailers, one office/shop, and 4 houses.

**West Side of Raven Road**

2 residences

**Total Uses by Type in the 600-foot Radius**

- 20 single family residences
- 68 trailer court residences (located across the street from Baba’s in the GU District as well)
- 3 shops
- 1 warehouse
- 1 convenience store
- 1 restaurant

There are no churches, schools, or alcohol inpatient/outpatient centers in the area. Three hundred and thirty-five feet to the west begins a PLI Zoning District (Public Lands and Institutions). To the east (315 feet away) begins a residential-zoned area. There is an Open Space Zone located 460 feet to the north.

**5. The conditional use is in accordance with and furthers the goals and policies of the comprehensive plan.**

The conditional use is in accordance with the Bethel Comprehensive Plan 2035, adopted in 2011. Under the Goals and Strategies Section of Chapter 4 (Land Use, Housing, and the Environment), the relevant sections, "Growth Patterns" and "Land Use Compatibility" both deal with development site location.

Goal #2 under "Growth Patterns" encourages future growth to locate near existing employment centers and public services (*see page 4-8 of the attached section of the Bethel Comprehensive Plan*). The addition of the new service in an existing retail establishment of Baba's Restaurant adheres to the associated Action step #1b that encourages infill of development.

Under the Land Use Compatibility section (*see page 4-11 of the attached section of the Bethel Comprehensive Plan*), Goal #3 provides for compatibility among adjoining land uses so that future development maintains or improves the quality of life or land value of surrounding uses". The associated Map 4.4 (*Future Land Use Plan Map - see page 4-10 of the attached section of the Bethel Comprehensive Plan*) is a long-term vision of how and where the city will grow and change over the next 20 years to accommodate expected population and job growth (versus the current City's Zoning Map which designates how land can be used and what can be built on any given property today).

The Future Land Use Map designates the current Baba's site as being in the "Mixed Use Residential" District (defined as, "residential primary (residential and limited, residential-compatible uses). Compared to the Mixed Use Commercial District, the Mixed Use Residential requires more scrutiny of proposed commercial uses which is the purpose of this CUP process.

**6. The proposed use will not subject surrounding properties nor vehicles and pedestrians using nearby streets and ways to hazardous or substantially increased traffic conditions.**

It is anticipated that there will be an increase in customers to and from the Baba's if alcohol sales begin. Access to and from the site is currently from "Our Own" Road (*see photo #5*), a small private road that accesses Chief Eddie Hoffman Highway (CEH). The road has a 20- Right-of-Way.

Most daily traffic to "Our Own" Road is to the Q2 Store, the residences in the trailer court across the street, and to Baba's. There are 7 side streets inside the trailer court with 68 trailers and 4 houses. I understand the traffic pattern has vehicles coming from the west on CEH will access the trailer court from Raven Street (*photo #6*) and vehicles coming from the east on CEH will access the trailer court from "Our Own" Road. However, 3 (of 7) side streets have blocked, dead ends and allow no access to and from "Our Own" Road.

**7. There is a demonstrated need for the conditional use limited primarily to the area proposed, or, if the use will generally serve a larger area, then a demonstration that the use**

**is essential to the city generally, and because of a feature of the property, the general need can be met by the property, but cannot be met as a principal permitted use on other property in the city.**

Customers to Baba's Restaurant come from all over the city. Business to Baba's also comes from the trailer court across the street. The Q2 store on the corner attracts customers from all over the city as well.

**8. The use, under the conditions proposed, will be compatible with existing and principal uses authorized and will not cause negative impacts on nearby property, including impacts from drainage, that exceed the impacts that would ordinarily be expected from principal permitted uses of the property that is the subject of the application.**

Although Baba's Restaurant is located in the General Use Zoning District, the site is located across the street from a residential trailer court located in the GU District as well.

The restaurant has operated on the site since 1995. Alcohol sales would be added to the existing Baba's restaurant, in which vehicles currently come and go. There are no drainage problems on the property.

**9. If any part of the project is located in a flood hazard area or in an area where the project may adversely affect drainage or floods in a flood hazard area, the conditions proposed adequately address the relevant matters and standards covered by BMC 15.08.160 through 15.08.180. [Ord. 01-05 § 8.]**

Baba's is located outside the floodplain.

**10. The proposed conditional use will not be detrimental to the general public health, safety or welfare or to the environment.**

Concern for the public's health, safety, and general welfare are reflected in the regulations of the Bethel Municipal Code. Below is a summary of findings:

### **Summary of Findings**

1. The location for the Conditional Use Permit request by Baba's Restaurant is consistent with the City of Bethel's General Use Zoning District.
2. The proposed use would be generally compatible with other uses in the surrounding area. However, I'd like to see what the turnout is of residents who live within the 600-foot radius and the type of statements made regarding the proposed Conditional Use.
3. The conditional use is in accordance with two land use goals in the Bethel Comprehensive Plan's Land Use Goals and Strategies section. It is consistent with the encouragement of the "infill" of development, and consistent with the encouragement of future growth to locate near existing employment centers and public services. According to the Future Land Use Plan Map, Baba's would be located in a Mixed Use Residential area (limited residential-compatible uses), which requires more scrutiny, which is the purpose of this CUP.

4. There is current safe access to and from Baba's Restaurant from "Our Own" Road. This road is claimed to be a not-too-busy-road. There will be no significant increase in traffic around Baba's due to the anticipated increase in customers.

**July 15, 2016 Update**

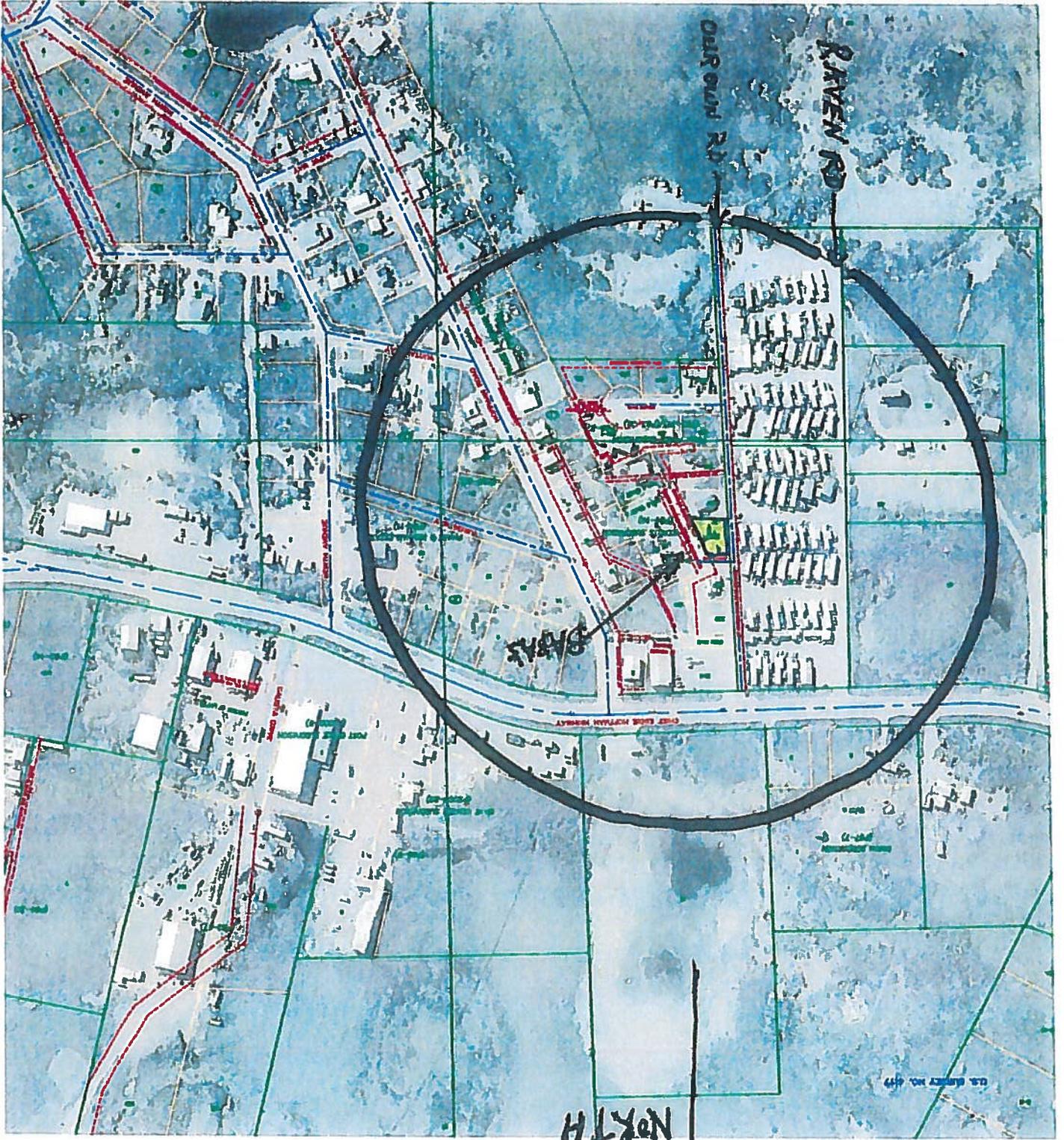
5. The planned parking area is shy  $\frac{1}{2}$  parking space of the  $11\frac{1}{2}$  parking space requirement. However, there will be no backing out into the street as was the case in the initial parking configuration.

**Recommendation to the Planning Commission**

**July 15, 2016 Update**

The findings are generally consistent with the BMC. Since the first hearing held on May 26, Baba's Restaurant mitigated concerns about having to back into the street when leaving, by putting in parallel parking spaces instead of perpendicular spaces. This increased safety when leaving the premises.

I recommend approval of the Conditional Use Permit for Surasak Suwanprapa, owner of Baba's Restaurant for the sale of alcohol on the property located at 520 3<sup>rd</sup> Avenue in Bethel, Alaska.



RAVEN RD  
DALLAS RD

SHEAS

NORTH



Photo 1



1 of 3 REGULAR ROWS OF PARKING  
ON Southside.



PHOTO 2

1 OF 3 REQUIRRED PARKING ROWS  
- ON NORTH SIDE.



Another Angle of 3 Rows  
of Parking

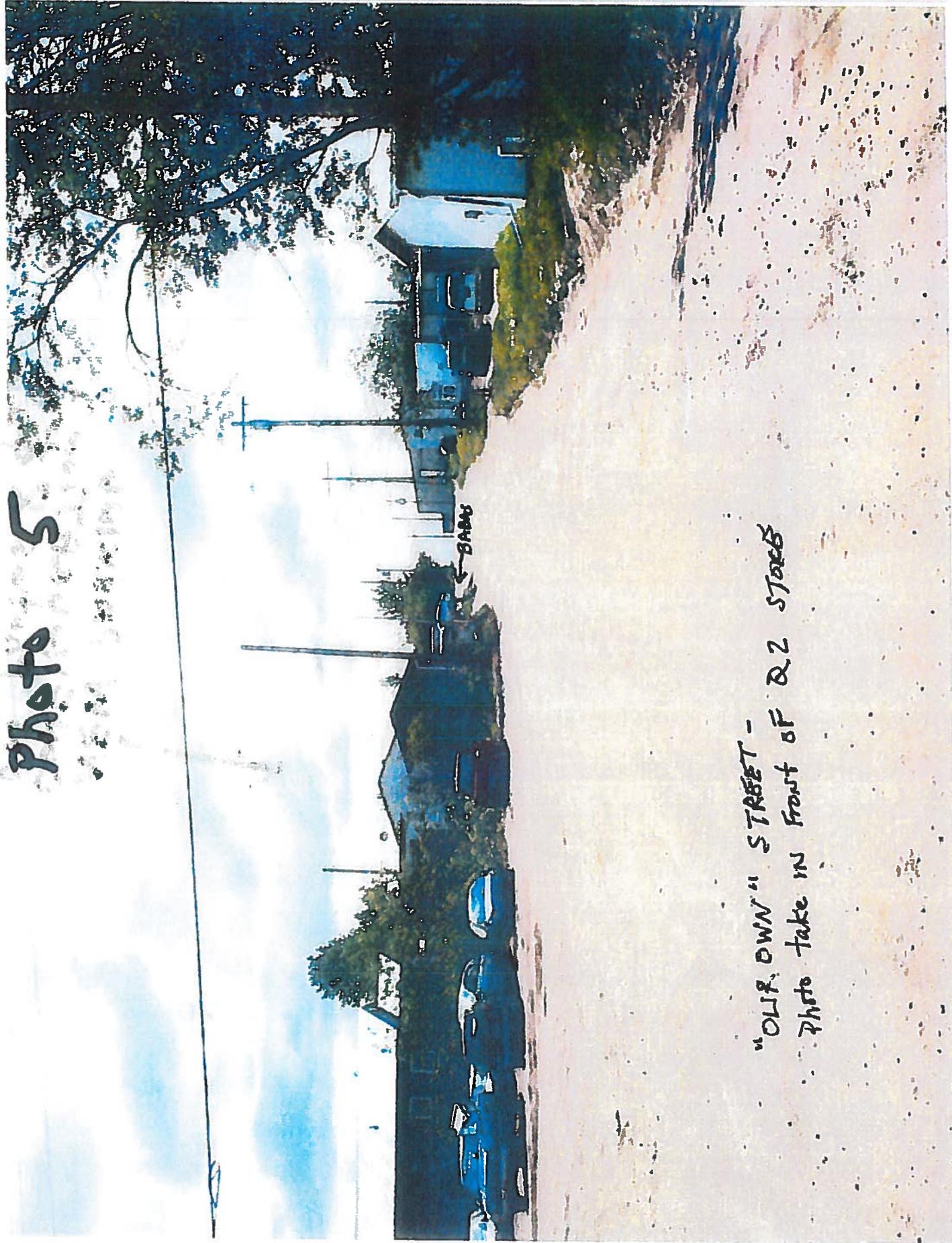
Photo 4



2 OF 3 ROWS  
OF REQUIRED PARKING

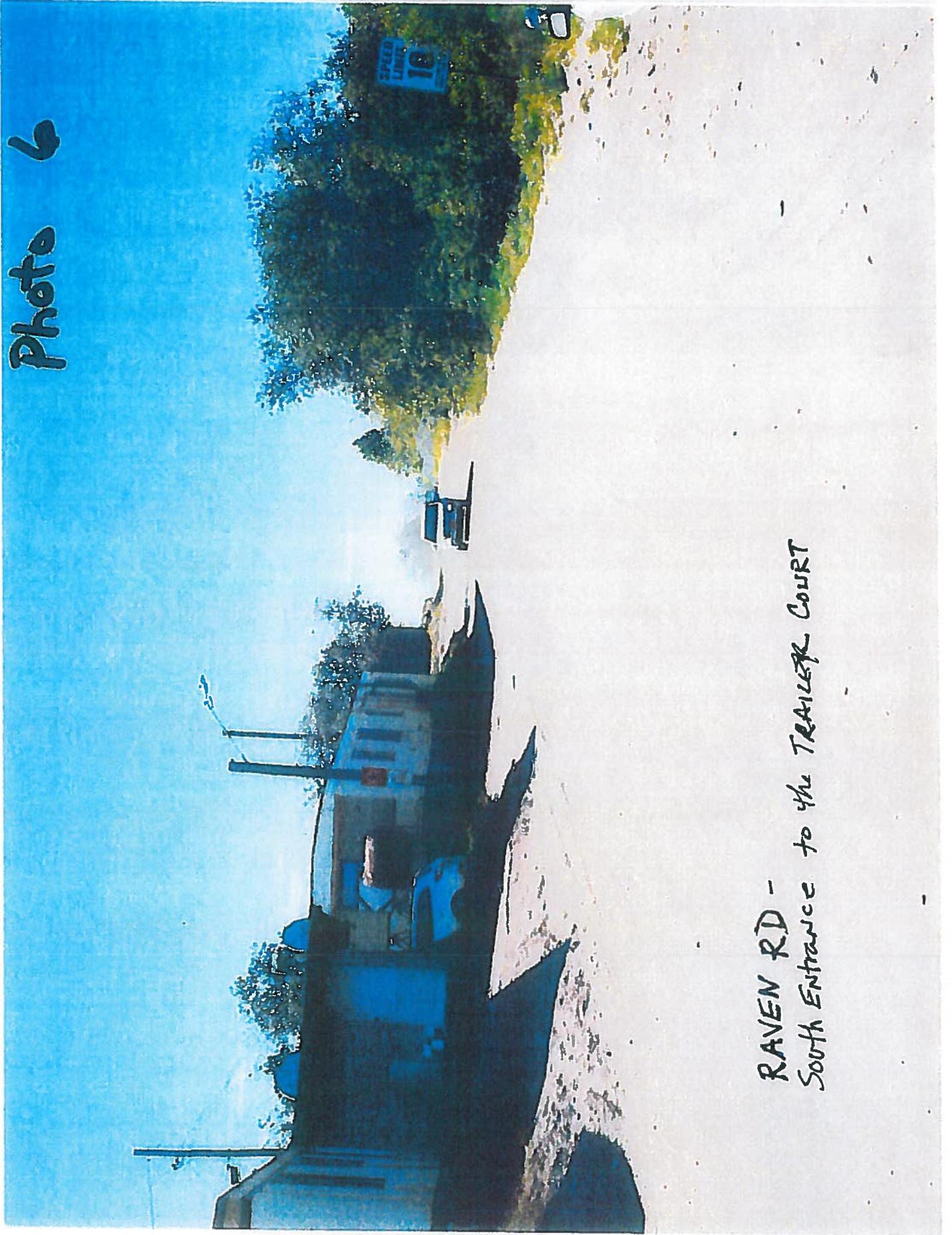
NEW PARKING  
CONFIGURATION  
ON PHOTOS 8 & 9

Photo 5



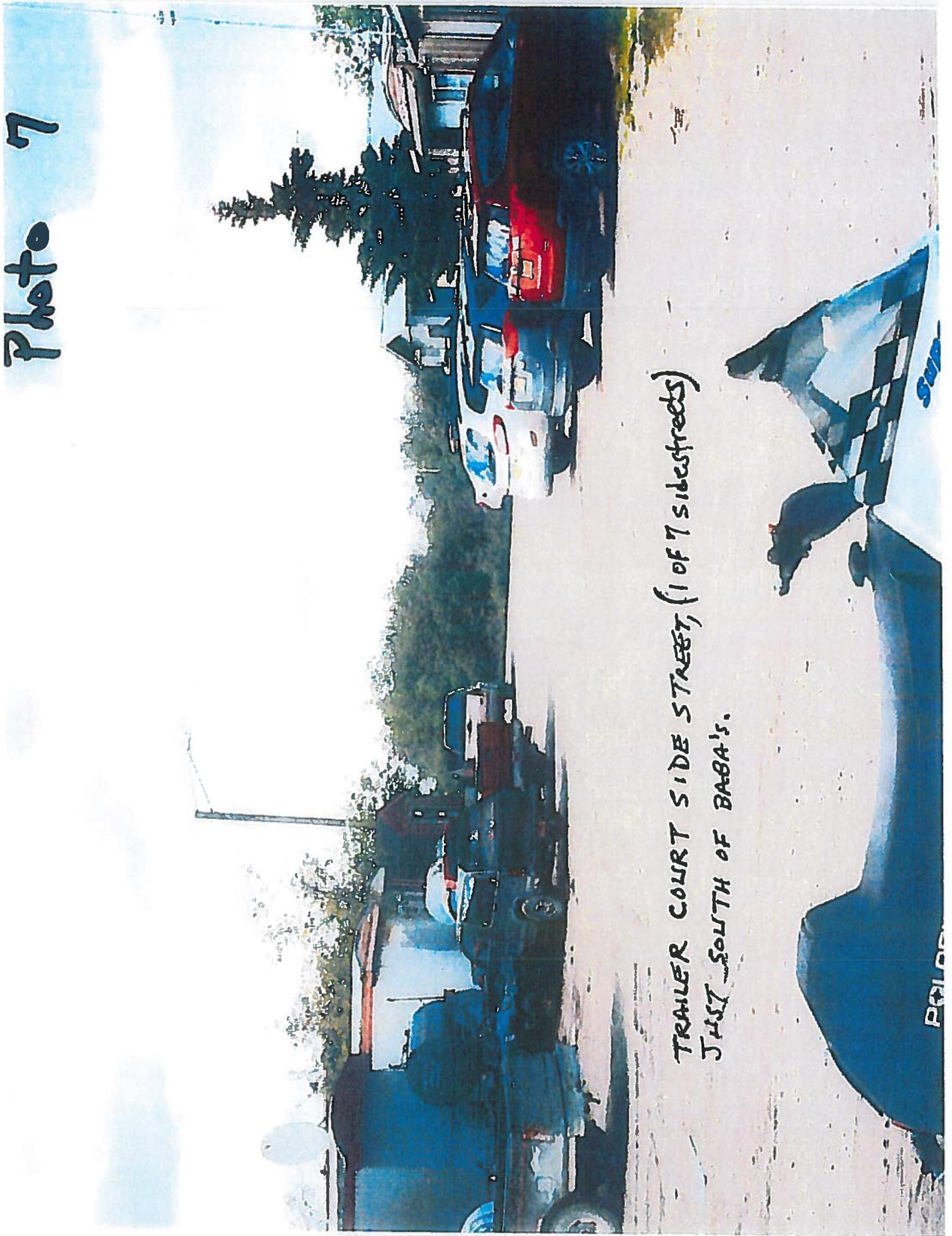
"OUR OWN" STREET -  
Photo take in front of Q2 STORE

Photo 6



RAVEN RD -  
South Entrance to the TRAILER COURT

Photo 7



TRAILER COURT SIDE STREET, (1 OF 7 SIDESTREETS)  
JUST SOUTH OF BABA'S.

7/15/16 Photo #8



#1

NEW PARKING CONFIGURATION  
IN FRONT OF BABA'S STAFF HOUSE.  
- NO MORE BACKING OUT.

7/15/16

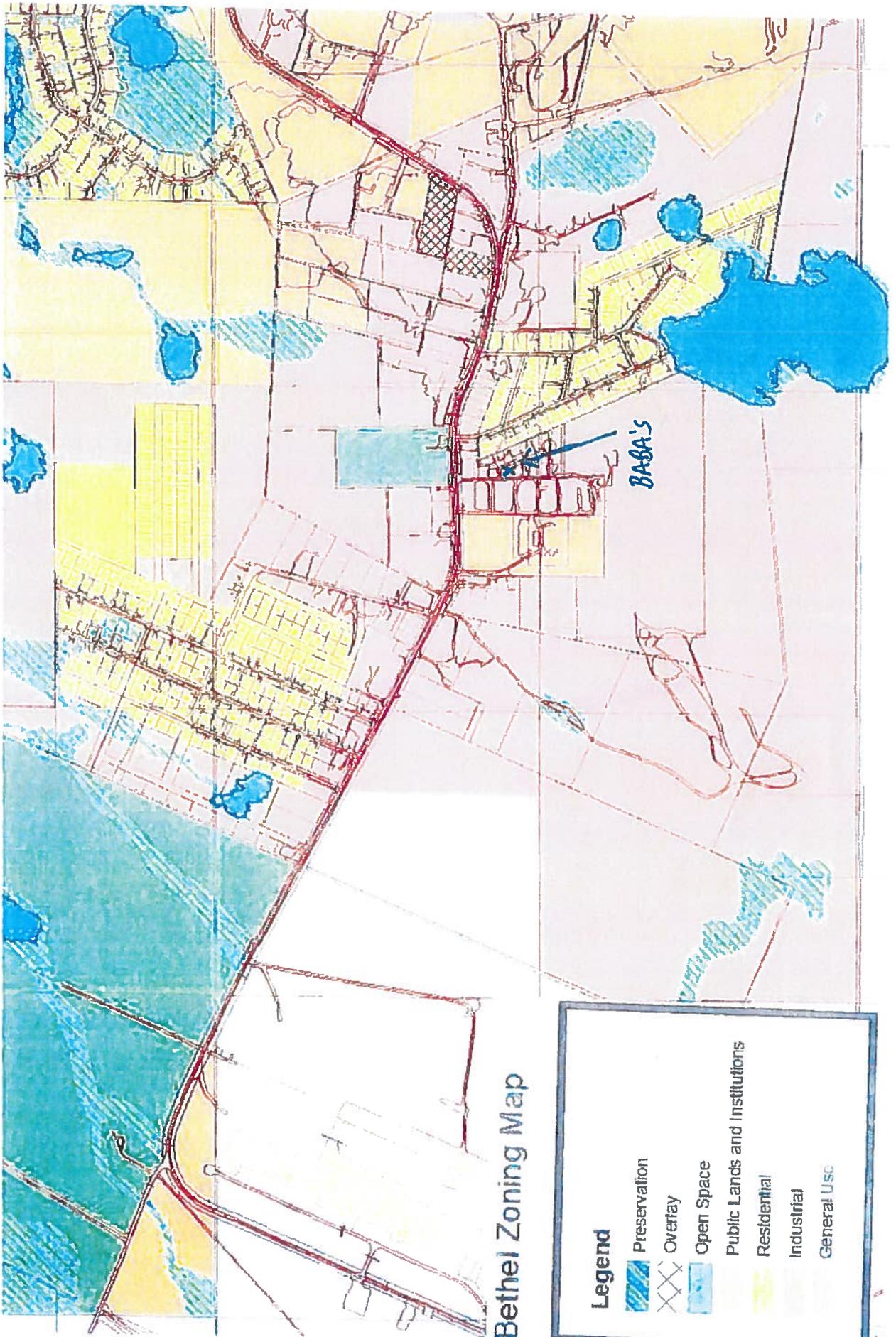
Photo # 9



#2

NEW PARKING  
CONFIGURATION

← 12' WIDE ACCESS  
EASEMENT. WILL BE  
CLEARED OF PARKED VEHICLES  
& LEVELED FOR DRIVING INTO  
NEW PARKING CONFIGURATION.



Bethel Zoning Map

**Legend**

-  Preservation
-  Overlay
-  Open Space
-  Public Lands and Institutions
-  Residential
-  Industrial
-  General Use

## Growth Patterns

**GOAL 2: Encourage future growth to locate near existing employment centers and public services. Coordinate plans affecting the location of growth with plans for the location of water, wastewater and roads, as economically feasible.**

**Strategy 1:** Explore policies (including infill and redevelopment) that could be used to encourage development of lands within or adjoining existing developed areas that have the potential to accommodate new growth

**Action 1a:** Identify and map areas within or adjoining existing developed areas that have the potential to accommodate new growth, these include vacant or underutilized lands served by roads with good access to public services and employment

*Candidate areas include*

- *The developed areas of "downtown Bethel"*
- *Undeveloped land immediately adjoining downtown Bethel for example the land adjoining the easternmost of the possible "donut hole" road routes – a new north-south road and water/sewer line just west the existing downtown Bethel*
- *River front land downriver from the existing port, and the vicinity of the East Harbor*

**Action 1b:** Review and work to remove barriers that discourage infill and redevelopment (e.g. lack of access to properties excessive restrictions in the BUC)

**Action 1c:** Create appropriate incentives for individual landowners to redevelop property and or carry out infill projects that would otherwise not be feasible.

*This might include assisting land owners apply for façade improvement grants, energy-related building upgrades or temporary reductions in taxes (this latter is a strategy that typically applies in communities with property taxes and may not be possible in Bethel).*

**Action 1d:** Plan for and develop expanded infrastructure, as needed, to support priority uses

*For example, water and sewer lines serving expanded or relocated port facilities*

**Policy 1e:** Protect the interests of current users as land is redeveloped

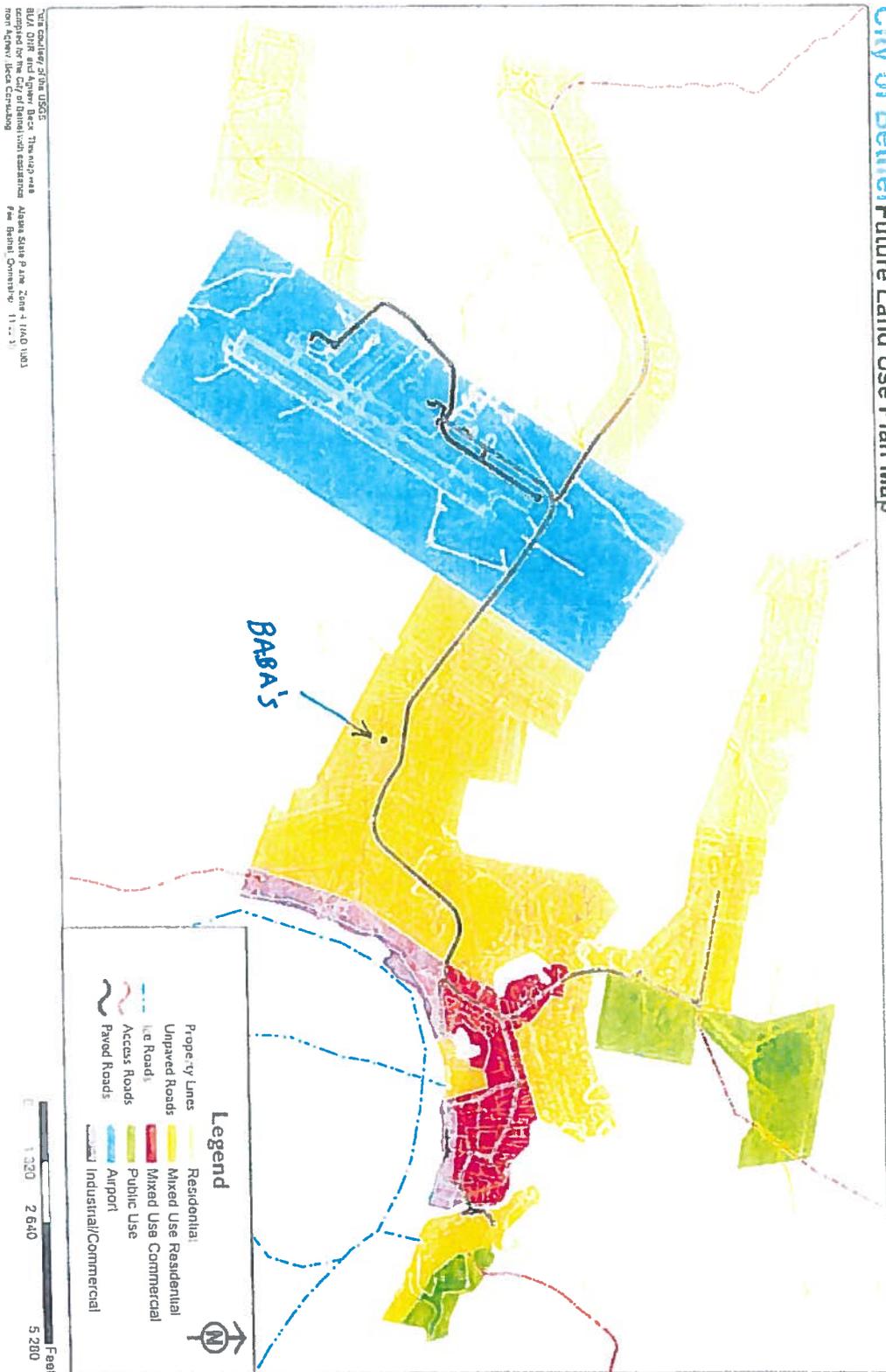
*For example, if the City partners with a private developer in redeveloping land currently used for housing, take steps to provide affordable housing available to households currently living on the property*

**Strategy 2:** Remove regulatory hurdles and/or create incentives for more concentrated development.

**Action 2a:** Review and revise (as necessary) Bethel's existing parking requirements; where possible, reduce parking requirements and encourage shared parking or access for alternative transportation modes (e.g., pedestrian facilities public transit)

*Public discussion indicated some concern about new retail businesses having adequate off-street parking. BMC Chapter 18.48 Article II. Off-Street Parking and Loading includes parking requirements for all uses. If there is a lack of parking, this code could be revised to require additional spaces. However, if development is concentrated (particularly in central commercial areas) and transportation policies promote alternative modes (e.g., sidewalks for walking or bicycling, legal access for snowmachines), the need for off-street parking can be reduced. Likewise, the need for larger parking areas can be reduced through the use of shared parking arrangements.*

Map 4.4  
**City of Bethel Future Land Use Plan Map**

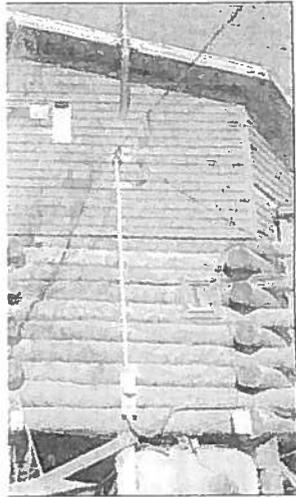


All the requirements of BMC 18.04.070 Notice were followed/done.

**ate**

10 square foot lot/down-  
on Chief Eddie Hoffman  
ate Highway) across from  
rious offers only. 907-543-  
cnx)

**Property.** 7 units located  
a. 543-2750 or 545-0929.



**rm, log home, located at**  
New reduced asking price!  
84,500. Contact Dave at  
for more info. (25)(11/18-  
(3/26-cnx)

**Notice**

**SHIP Freedom isn't free,**  
of Americans have paid  
e freedom we enjoy today.  
Veterans of Foreign Wars  
se who served America.  
erans legislation and then  
to get it through Congress,  
projects that benefit all  
VFW is an opportunity for  
tinue to serve. Contact the  
Lindsey Post #10041 at  
sk what you can do for your  
(3/26-cnx)

**XPAYER**

ear 2016 the City of Bethel  
ated the following amount  
ncipal purposes under the  
cial assistance Acts:  
ng For Municipal: \$373,949  
t sales tax rate needed  
ount in the municipality,  
(9-7/13)

**ion of Village Council**  
**sing Authority**

- Native Village of Hooper Bay, Alaska 99604
- Native Village of Kipnuk, P.O. Box 57, Kipnuk, Alaska 99614
- Napakiak IRA Council, P.O. Box 34069, Napakiak, Alaska 99634
- Umkumiut Tribal Council, P.O. Box 90062, Nightmute, Alaska 99690
- Oscarville Traditional Council, P.O. Box 6129, Oscarville, Alaska 99559
- Nunakauyak Traditional Council, P.O. Box 37048, Toksook Bay, Alaska 99637
- Tununak IRA Council, P.O. Box 77, Tununak, Alaska 99681

**REQUEST FOR RELEASE OF FUNDS**

On or about July 13, 2016, the said organizations will authorize the Association of Village Council Presidents Regional Housing Authority (AVCP RHA) to submit a request to the Alaska Office of Native American Programs (ONAP/HUD) for the release of IHBG funds under NAHASDA, as amended, to undertake projects known as 2017 Chefnak New Development, 2017 Hooper Bay New Development, 2017 Kipnuk New Development, 2017 Napakiak New Development, 2017 Nightmute New Development, 2017 Oscarville New Development, 2017 Toksook Bay New Development, 2017 Tununak New Development. The projects consist of: construction of (2) Units in Chefnak located at LOTS 7 and 8 of Block 20, Chefnak 2012 Subdivision. (2) Units in Hooper Bay located at LOTS 14 and 30, Tract C, Uinaq Subdivision. (2) Units in Kipnuk located at LOTS 1 and 2, Kipnuk 2012 Subdivision. (2) Units in Napakiak located at LOTS 3, 4, Block 7, Napakiak 2012 Subdivision. (1) Unit in Nightmute located at LOT 4, Block 1, Nightmute 2010 Subdivision. (2) Units in Oscarville located at LOTS 7 and 8, Oscarville Subdivision. (2) Units in Toksook Bay located at LOTS 8 and 16, Block 2, Caingilnguq Subdivision. (2) Units in Tununak located at LOTS 1 and 2, Block 2, Tununak 2012 Subdivision, at an estimated cost of \$400,000 per single family unit.

The activities proposed are categorically excluded under HUD regulations at 24 CFR 58 from National Environmental Policy Act requirements. An Environmental Review Record (ERR) that documents the environmental determinations for these projects is on file at the AVCP RHA Development Planning Department at 411 Ptarmigan Road, Bethel, Alaska and may be examined or copied weekdays from 8:30 AM to 5:00 PM.

**PUBLIC COMMENTS**

Any Individual, group or agency may submit written comments on the ERR to the AVCP RHA Planning Department. All comments received by July 13, 2016 will be considered by the said Tribes prior to authorizing submission of a request for release of funds.

**RELEASE OF FUNDS**

The said organizations certify to AONAP/ HUD that Mary Tunuchuk for Chefnak Traditional Council, Edgar Hoelscher for Native Village of Hooper Bay, Jimmy Paul

and related laws and authorities and allows the said organizations to use Program Funds.

**OBJECTIONS TO RELEASE OF FUNDS**

AONAP/ HUD will consider objections to its release of funds and the said organizations' certification for a period of fifteen days following the anticipated submission date or it's actual receipt by HUD regulations at 24 CFR Part 58; © the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by AONAP/ HUD; or (d) another Federal Agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to AONAP/ HUD at 3000 C Street, Suite 401, Anchorage, Alaska 99503. Potential objectors should contact AONAP/ HUD to verify the actual last day of the objection period.

- Mary Tunuchuk, Chefnak Traditional Council
- Edgar Hoelscher, Native Village of Hooper Bay
- Jimmy Paul, Native Village of Kipnuk,
- Nicholas Paul, Napakiak IRA Council
- Jay Dull Sr., Umkumiut Tribal Council
- Nicholai Steven, Oscarville Traditional Council
- Simeon John, Nunakauyak Traditional Council,
- George Hooper Jr., Tununak IRA Council (758)(7/6-13)

**PUBLIC HEARING NOTICE**  
**CONDITIONAL USE PERMIT**

**Notice is hereby given** that on May 11, 2016, the City of Bethel Planning Office received an application for a Conditional Use Permit for a liquor license. The legal description is United States Survey 4117, lot 38E, of Park Place Subdivision in the Bethel Recording District. The physical address is 1725 State Highway.

**Land Owner:** Samuel Delon Chavez, 1736 Moss Creek Ave., Anchorage, AK. 99507. Phone 907-9034196.

**Applicant:** Surasak Suwanprapa dba Baba's Pizza, P.O. Box 1268, Bethel, AK. 99559. Phone 907-543-3500.

**Purpose:** To obtain a liquor license in order to sell alcohol at Baba's Restaurant.

**City of Bethel Contact:** Ted Meyer, Planning Director, City of Bethel Planning Dept., phone 907-543-5603.

**Time and Place:** The rescheduled regular meeting of the City of Bethel Planning Commission, 6:30 PM July 21, 2016 at City Hall, located at 300 Chief Eddie Hoffman Highway in Council Chambers. (148)(7/13)

**KYUK from page 5**

with people in Bethel," said Eurich. "We are both excited to be able to work in an area of the nation where the indigenous

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Posted at AC Quick Stop, Corina's Caselot Groceries, City Hall, and the Post Office on July 15, 2016.

*To Whom this May Concern:*

*You are receiving this notice of a Public Hearing pursuant to Bethel Municipal Code 18.04.070 "Notice shall be mailed to the owners of each parcel of property any part of which is within six (600) feet of the exterior boundary that is the subject of the application".*

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MEMO

TO: Ann Capela, Manager  
From: Ted Meyer, Planner  
SUBJECT: Wetland GP Information  
DATE: 6/28/16

The current wetland GP administered by the City of Bethel authorizes the discharge of fill material into the waters of the U.S. including Wetlands, for the purposes of creating foundation pads for structures, utilities, associated roads, driveways, parking areas, and other domestic, governmental, and commercial development. Put another way, the City of Bethel currently has authority to approve development that includes new fill and/or pad footprint extensions anywhere in Bethel as long as they are located outside the excluded, high value areas (*shown in red on the attached map*). This authority provides much latitude in current development approval as the only development standards we are to follow, in addition to what is written in GP POA-2011-124, are in our own municipal code.

Once the GP program expires on August 31, 2016, responsibility for permit authorization reverts back to the Corps (jurisdictional has always been with the Corps. The GP just allowed the City of Bethel to issue permits for work in wetlands outside of the high value exclusion areas). The result will be that development occurring anywhere in the City with new fill (development occurring outside any existing footprint) will require the developer to submit a request for a jurisdictional determination and application to the Corps. For request to fill up to ½ acre it will take about 45 days (after receipt of a complete application as determined by the Corps) to process. For requests for fill quantities greater than ½ acre it will take up to 120 days to process (after receipt of a complete application). The City of Bethel Site Plan Permit application would be approved only when the Corps application has been approved.

Today, I personally reviewed each of the 41 Site Plan Permits approved thus far, and found that all development thus far has been concentrated inside existing footprints. For the Snack Shack's CUP requirement to develop 17 parking spaces in the rear of their property, we sent them to the Corps for the wetland jurisdictional determination, because they were going to extend the footprint of their parking pad (at the time, we thought we no longer had GP jurisdiction).

I was told by Ryan Winn and reconfirmed today by Mary Romero that we still have authorization to process permits under the GP until August 31, 2016.

GENERAL PERMIT



# Special Public Notice

US Army Corps  
of Engineers  
Alaska District

**ANCHORAGE**  
Regulatory Division (1145)  
CEPOA-RD  
Post Office Box 6898  
JBER, Alaska 99506-0898

**DATE:** August 17, 2011  
**IDENTIFICATION NO.:** SPN-2011-124  
(In reply, respond to above number)  
**EXPIRATION DATE:** August 31, 2016

**RE-ISSUANCE OF GENERAL PERMIT POA-2011-124  
DISCHARGE OF DREDGED AND/OR FILL MATERIAL INTO WETLANDS  
AT BETHEL, ALASKA**

The Alaska District, United States (U.S.) Army Corps of Engineers, in accordance with its regulations and pursuant to Section 404 of the Clean Water Act (Public Law 95-217, 33 U.S.C. 1344 et. Seq.) has issued General Permit POA-2011-124, which permits the placement of dredged and/or fill material into waters of the United States (U.S.), including wetlands, within specific areas of Bethel, Alaska. The GP boundary is limited to an area within the city limits of Bethel, less excluded areas.

This GP authorizes the discharge of fill material into waters of the U. S., including wetlands, for the purpose of creating foundation pads for structures, utilities, associated roads, driveways, parking areas, and other domestic, governmental, and commercial development. The GP authorizes excavation activities including mechanized land clearing and other activities that could result in a re-deposition of fill material. The GP also authorizes those activities when the placement of piling would have the effect of a discharge of fill material.

Maps showing the areas subject to authorization under this GP, and areas specifically excluded, are available for public use at the City of Bethel, Planning Department Office, and at the Regulatory Division, Alaska District, Corps of Engineers. A map showing the boundaries of areas covered or excluded under this GP is attached for guidance (Enclosure I). The area excluded from GP coverage would be subject to an individual permit review.

GP POA-2001-124 has been re-issued for a period of five (5) years, effective the date of the signature shown on the last page of the attached permit. At the end of this five (5) year period, an evaluation of the GP will be made, and at that time it will be decided whether or not this GP should be renewed. The District Commander may at any time during this five (5) year period alter, modify, suspend, or revoke this permit, if he deems such action is in the public interest.

The attached GP POA-2011-124 outlines criteria that would have to be met in order for work to be authorized under this GP. All authorized activities must be in accordance with the conditions of the GP. Failure to comply with the terms and conditions of the permit could result in suspension, modification,

or revocation of the permit, and/or imposition of penalties as provided by law.

The discharge of dredged and/or fill material authorized under this GP may be undertaken and completed without prior notification to the Corps of Engineers, provided that the applicant comply with the terms and conditions of the GP.

As stated in Condition 1 of the GP a "Site Plan Review" must be approved by the City of Bethel Planning Department prior to beginning work under this permit. A "Site Plan Approval" form and drawing guidance are attached (Enclosures 2a-c). If the proposed work does not meet the requirement of the terms and conditions of the GP the applicant would be required to apply for an individual permit or different form of authorization.

Any questions or requests for additional information should be directed to: Alaska District, Corps of Engineers, Attention: Mr. Robert Jobson, Regulatory Division, Post Office Box 6898, JBER, Alaska 99506-0898, phone (907) 753-2716 or toll free in Alaska at (800) 478-2712.

District Engineer  
U.S. Army, Corps of Engineers

Enclosure

RE-ISSUANCE GENERAL PERMIT POA-2011-124

Discharge of Dredged and/or Fill Material into Wetlands  
In Bethel, Alaska

INTRODUCTION

Under the authority of Section 404 of the Clean Water Act (Public Law 95-217, 33 U.S.C. 1344 et.seq.), the Secretary of the Army authorizes the placement of dredged and fill material into waters of the U.S., including wetlands, within specific areas of Bethel, Alaska. A maximum of 7,696 acres of waters of the U.S. are included within the area subject to this General Permit (GP) and would potentially be authorized for development. The GP boundary is limited to an area within the city limits of Bethel, less excluded areas (Enclosure 1).

AUTHORIZED ACTIVITIES

This GP authorizes the placement of fill material into waters of the U.S., including wetlands, for the purpose of creating foundation pads for structures, utilities, associated roads, driveways, parking areas, and other domestic, governmental, and commercial development. The GP authorizes excavation activities, including mechanized land clearing, ditching, and other excavation activities that can result in the re-deposition of material. The GP authorizes activities where the placement of pilings and/or boardwalks would have the effect of a discharge of fill material.

General Permit POA-2011-124 is valid for five (5) years from the date of issuance. The District Engineer may, at any time during this period, alter, modify, or revoke the permit if he deems such action to be in the public interest.

PROCEDURES

All authorizations are contingent upon receiving approval from the City of Bethel. As stated in condition number 1 below, a "Site Plan Review" must be approved by the City of Bethel Planning Department prior to beginning work under this permit. A "Site Plan Review" application form is attached for guidance (Enclosure 2a and 2b). An example of a project drawing is also attached (Enclosure 2c). If the City of Bethel reviews the project and does not approve the site plan or the proposed work would not meet the requirements of the terms and conditions of GP POA-2011-124, the GP would not apply and the applicant would be required to apply for a Department of the Army individual permit or a different form of authorization from the Corps of Engineers.

Information required for evaluating the "Site Plan Review" includes:

1. Name, address, and phone number of responsible party.
2. Scaled drawings on paper no smaller than 8.5" by 11" in size, to include the location and a plan and cross section view of the proposed fill. The drawings shall also show lot size and the placement of structures to be located on the wetland fills.
3. State the purpose of the fill (e.g., building foundation, road, etc.).

4. The type of fill material.

GENERAL CONDITIONS:

All activities identified and authorized by this GP must be consistent with the following conditions:

1. That each applicant/permittee inform the City of Bethel of the proposed project no less than 10 days before beginning work under this permit. The applicant/permittee will complete and receive approval of a "City of Bethel, Site Plan Review" from the City Planning Department before starting work. If the City of Bethel, Planning Department determines that a proposed project would not be authorized by this GP, then the applicant would need to apply for an individual Department of the Army (DA) permit from the Corps of Engineers.
2. That discharges are not authorized within certain excluded areas as shown on the 1:500 Scale "General Permit Area" map available for viewing at the City of Bethel, Planning Department, Public Works Building, 1155 Ridgecrest Drive, Bethel, Alaska 99559; telephone(907) 543-5301.
3. No discharged dredged or fill material shall consist of unsuitable fill material. This includes but is not limited to trash, metal debris, car bodies, over burden material, wood waste, asphalt, and petroleum products. All material used for construction or discharged must also be free from toxic pollutants in toxic amounts as defined by Alaska State law and the Toxic Pollutants List in Section 307 of the Clean Water Act.
4. Natural drainage patterns shall be maintained using appropriate ditching, culverts, storm drain systems, and other measures, to the extent practicable, without introducing ponding or drying. Excessive ponding and/or dewatering of areas adjacent to fill areas shall indicate noncompliance with this condition.
5. Appropriate and effective erosion controls shall be implemented and maintained before, during, and after construction, until such time as all disturbed areas have been permanently stabilized.
6. Slopes of fills shall be no greater than 2:1 (horizontal to vertical), and all side slopes shall be stabilized by re-vegetating with native grasses, mulch, sandbagging and/or other reasonable material after fill placement. This stabilization would minimize erosion, turbidity, siltation, and prevent inadvertent sloughing of fill into adjacent wetlands or waters.
7. The proposed activity shall not adversely affect a threatened or endangered species as identified in 50 CFR 17.11 and 17.12, August 23, 1973, "Endangered and Threatened Wildlife and Plants" and subsequent updates, or endanger the critical habitat of such species. The subsequent discovery of the presence of a threatened or endangered species which may be affected by a permitted action or related activities shall result in immediate suspense of the GP for the specific project until Section 7 consultation required by the Endangered Species Act of 1973, as amended, is complete.

8. The permittee must maintain the lands and facilities subject to this GP in good condition and in conformance with the terms and conditions of this GP.

Permittee is not relieved of this requirement even if the activity is abandoned. The permittee may transfer the permit to a third party in compliance with condition number nine below. Should the permittee cease to maintain the authorized activity or should they desire to abandon the project without a transferee, then the permittee must obtain approval from this office, which may require restoration of the area.

9. If the permittee sells the property rights or transfers a lease associated with an activity authorized by this GP, they must obtain the signature of the new property owner or new lessee, along with appropriate documentation to record the transaction, and submit them to this office to validate the transfer of the authorized activity.

10. No activity, which may affect historic properties listed or eligible for listing, in the National Register of Historic Places is authorized, until the Corps has completed Section 106 review, as per the National Historic Preservation Act. In addition, if any previously unknown historic or archeological remains are discovered while accomplishing the activity authorized by this GP, you must immediately notify this office and the State Historic Preservation Office of what you have found. The DE will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places. If the activity occurs on Federal land, the land manager is responsible for coordination.

11. A water quality certification has been issued for this GP by the Alaska Department of Environmental Conservation as required under Section 401 of the Clean Water Act (Public Law 95-217). For your convenience, a copy of the certification is attached. The permittee must comply with the conditions specified in the certification as general conditions to this permit.

12. Permittee must allow the City of Bethel, the DE, or their designated representatives, to inspect the authorized activity at any time deemed necessary to ensure that the work is being or has been accomplished in accordance with the terms and conditions of this GP.

13. If permafrost is present, sufficient fill (or other methods of insulation) shall be placed on the ground to provide thermal stability. Signs of thermokarsting or standing water indicate non-compliance with this condition.

14. No fill or construction materials shall be stockpiled in waters of the U.S. including wetlands, outside of the project boundary which shall be staked, or otherwise delineated, prior to any mechanized land clearing or fill placement.

15. The activities authorized under this GP shall not adversely affect Essential Fish Habitat (EFH). Section 305 (b) of the Magnuson-Stevens Fishery Conservation and Management Act and 50 CFR Part 60 provide the requirements

for EFH consultation. The District Engineer shall make a determination whether or not the action will adversely affect EFH. The determination and an EFH assessment (per 50 CFR 600.920) shall be provided in any subsequent notice should the action adversely affect EFH.

REPORTING AND MONITORING:

The City of Bethel shall submit a summary report of all approved "Site Plan Review" authorizations under this GP, on a quarterly basis, to the Alaska District, Corps of Engineers, Regulatory Division, North Branch. The summary report shall include the name and address of responsible party, project location, fill quantity, dimensions of fill, and purpose of the authorized fill. If questions as to the applicability of the GP arise, or if there is any uncertainty whether a project is authorized by the GP, then the City of Bethel shall contact the Alaska District, Corps of Engineers, Regulatory Division, North Branch for assistance prior to approving the specific "Site Plan Review". These quarterly reports are due by the last day of March, June, September, and December for the previous 3 calendar months, for the entire term of the permit. In addition, the City of Bethel shall provide a map annually showing the permitted activities for the previous year by January 10.

LIMITS OF THIS AUTHORIZATION:

- (1) This permit would not obviate the need to obtain other Federal, state, or local authorizations required by law.
- (2) This permit would not grant any property rights or exclusive privileges.
- (3) This permit would not authorize any injury to the property or rights of others.
- (4) This permit would not authorize interference with any existing or proposed Federal Project.

LIMITS OF FEDERAL LIABILITY:

In issuing this permit, the Federal Government would not assume any liability for the following:

- (1) Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- (2) Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- (3) Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

- (4) Design or construction deficiencies associated with the permitted work.
- (5) Damage claims associated with any future modification, suspension, or revocation of this permit.

REVALUATION OF PERMIT DECISION:

The Corps may reevaluate its decision to issue a GP authorization to any person or agency at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to the following:

- (1) The permittee or the City of Bethel fails to comply with the terms and conditions of this permit.
- (2) The information provided by the permittee in support of an application under the GP proves to have been false, incomplete, or inaccurate.
- (3) Significant new information surfaces which this office did not consider in reaching the original public interest decision.
- (4) The City of Bethel (itself) is found to be party to violations of the Clean Water Act. If the DE determines that this has occurred, this GP may be modified by the Corps, such that the Alaska District Regulatory Branch would assume the verification role until such time as the issue is resolved to the District Engineer's satisfaction. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring the permittee to comply with terms and conditions of the GP and for the initiation of legal action where appropriate. The permittee will be required to pay for any corrective measures ordered by this office, and if the permittee fails to comply with such directive, this office may in certain situations (as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill the permittee for the cost.

INSPECTION:

The DE, or his designated representative, may inspect sites of authorized work to determine that the work is being, or has been, performed in conformance with the terms and conditions of this GP. In the event that work is being or has been performed in noncompliance with this GP, appropriate measures shall be taken to resolve the violation, including a requirement to obtain an individual permit.

PENALTIES FOR VIOLATION:

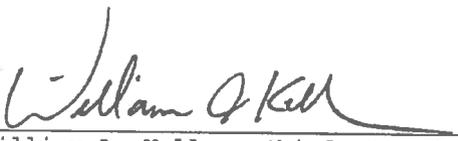
Failure to comply with the terms and conditions of this GP may result in suspension of the work, revocation of the permit, removal of dredged and/or fill material or other structures, restoration of waters and/or wetlands, and/or imposition of penalties as provided by law. The discharge of dredged and/or fill material not in accordance with the terms and conditions of this GP is a violation of Section 301 of the Clean Water Act (33 U.S.C. 1319), and upon conviction thereof is punishable, in accordance with Section 309 of the Clean Water Act (33 U.S.C. 1319), by a fine of not less than \$2,500, nor more than \$25,000, per day of violation, or by imprisonment of not more than one year, or both. That individual is also subject to a civil penalty not to exceed \$25,000 per day of the violation.

EXTENSION, MODIFICATION, AND REVOCATION OF GENERAL PERMIT:

This GP may be revoked by issuance of Public Notice at any time the DE determines that the individual or cumulative effects of the activities authorized herein are having an unacceptable adverse effect upon the public interest. Following such revocation, all new applications will be processed under individual permit application review procedures and the DE would decide on a case-by-case basis if previously authorized activities should be revoked, suspended, or modified. This GP and its associated State Water Quality Certification will be in effect for a period of five years. During that time, it may be modified by the DE if the determines that the singular or cumulative impacts of the activities authorized by this GP have an unacceptable adverse effect upon the public interest. During its fifth year, this GP and the work authorized under it shall be reviewed to determine if this GP should be modified, extended, or discontinued. The time limit for authorizing work under this GP ends five years from the date of issuance. Any activity authorized by this GP before the expiration date must also be completed by that date, unless the activities are underway, will be completed within twelve months of the expiration date, and the permittee notifies the Corps of their intent to continue work on the project. Further time extension may be considered on a case-by-case basis under provisions of 33 CFR 325.6. If the applicant finds that they need more time to complete the authorized activity, they may submit their request for a time extension to this office for consideration at least one month before the expiration date.

FOR THE DISTRICT ENGINEER:

Aug 16, 2011  
Date

  
William A. Keller, Chief, North Branch  
Regulatory Division  
Alaska District, Army Corps of Engineers

# CITY OF BETHEL

P.O. BOX 1388-BETHEL-ALASKA-99559  
907-543-5301  
FAX# 907-543-2046

## 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 area. Approval of plans does not presume to give approval to oversights by the City of Bethel Planning Office not grant authority to violate or cancel the provisions of any other federal, state or local laws regulating the use of development of this land.

<b>Name of Applicant</b>		<b>Legal Description of Property</b>	
<b>Mailing Address</b>	<b>Phone Number</b>	<b>Lot #:</b>	<b>Block #:</b>
		<b>Plat Number</b>	
<b>City</b>	<b>State</b>	<b>USS Survey Number</b>	
<b>Name of Property Owner</b>		<b>R./T./Sec.</b>	
<b>Date</b>			
<b>Authorization of Property Owner (Signature)</b>		<b>Subdivision</b>	
<b>Mail Approval/Permit to:</b>		<b>Physical Address</b>	

**Please Do Not Write Below This Line. To be filled out by Planning Dept. Staff**

<b>Fire Marshall Approval:</b>	<b>Flood Hazard Zone:</b>
<b>Authorized &amp; Mandatory Improvements:</b>	
<b>City of Bethel Reviewed:</b>	<b>Date:</b>
<b>City of Bethel Approved:</b>	<b>Date:</b>

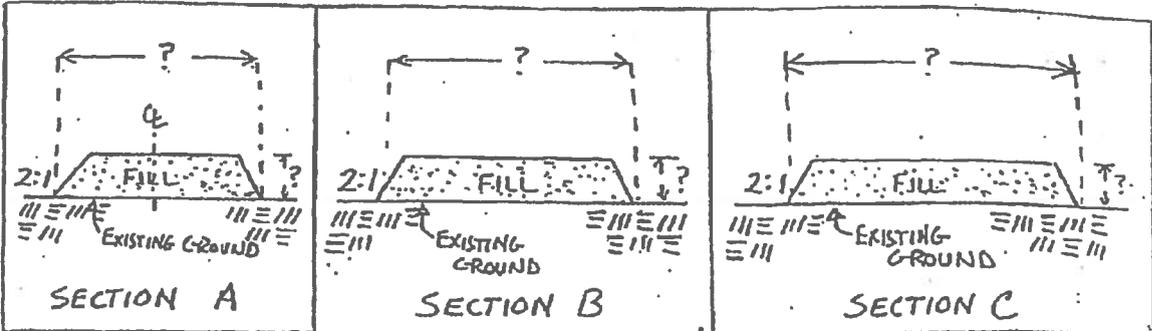
Enclosure 2a

**Draw to scale and show the following:**

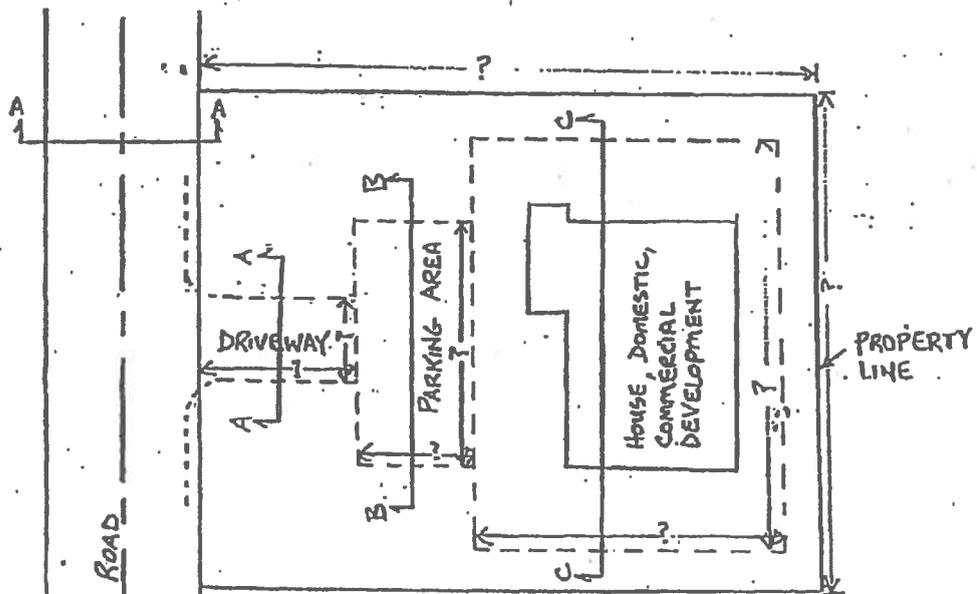
1. The location and dimension of the boundary lines, easements, and required setbacks.
2. The location and use of existing and proposed buildings on the site. The approximate location of existing structures on abutting property (within 50 ft.).
3. The location of existing and proposed improvements including parking and loading areas, pedestrian and vehicular access, landscaped areas, service and utility areas, fencing, signs, and lighting. Proposed improvements to building must be clearly labeled.
4. The location of watercourses and drainage features.
5. Illustration of existing and proposed changes to topography. A cross section drawing showing the length, height, width, and type of fill material.

<b>Intended improvements: Describe Improvements or site activity.</b>	
<b>Intended use: Residential, or Commercial.</b>	
<b>Lot Size:</b>	<b>Sq. ft.      Proposed total number of Residential and/or Commercial building on lot. #</b>
<b>If placing fill indicate: (If no fill is needed, indicate: 0 ).</b>	
<b>(Required) Max. Height of fill:</b>	<b>Method of stabilizing sand pad slope</b>
<b>(Required) Length of fill:</b>	<b>Seeding <input type="checkbox"/>      Sandbagging <input type="checkbox"/></b>
<b>(Required) Width of fill:</b>	
<b>If improvements include construction, renovation or relocation of a residence, or an addition to a residence, indicate the following:</b>	
<b># of bedrooms:</b>	<b>Water tank size:      Sewer tank size:</b>
	<b>Gals.      Gals.</b>
<b>I attest that all information and measurements presented are correct.</b>	
<b>Signature of applicant:</b>	

Enclosure 2b



This is an example drawing. The drawing provided must include a plan and section view, location, dimensions, lot size, structures, purpose of the fill, and type of fill material.



NOTE:  
THIS IS A TYPICAL REPRESENTATION  
OF A DEVELOPMENT

PLAN VIEW

SCALE: NONE

Enclosure 2c

# STATE OF ALASKA

SEAN PARNELL, GOVERNOR

## DEPT. OF ENVIRONMENTAL CONSERVATION

### DIVISION OF WATER

Wastewater Discharge Authorization Program

555 Cordova Street  
Anchorage, AK 99501-2617  
Phone: (907) 269-7564

Fax: (907) 334-2415

TTY: (907) 269-7511

<http://www.state.ak.us/dec/>

May 4, 2011

Certified Mail 7003 1680 0004 2882 3468

Robert Jobson  
Regulatory Division, Alaska District  
Corps of Engineers  
CEPOA-RD, PO Box 6898  
JBER, Alaska 99506-0898



Subject: General Permit for Bethel, Alaska POA-2011-124

Dear Mr. Jobson:

In accordance with Section 401 of the Federal Clean Water Act of 1977 and provisions of the Alaska Water Quality Standards, the Department of Environmental Conservation is issuing the enclosed Certificate of Reasonable Assurance for issuance of a general permit for the discharge of dredge and/or fill material into wetlands at Bethel, Alaska

Department of Environmental Conservation (DEC) regulations provide that any person who disagrees with this decision may request an informal review by the Division Director in accordance with 18 AAC 15.185 or an adjudicatory hearing in accordance with 18 AAC 15.195 - 18 AAC 15.340. An informal review request must be delivered to the Director, Division of Water, 555 Cordova Street, Anchorage, AK 99501, within 15 days of the permit decision. Visit <http://www.dec.state.ak.us/commish/ReviewGuidance.htm> for information on Administrative Appeals of Department decisions.

An adjudicatory hearing request must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, PO Box 111800, Juneau, AK 99811-1800, within 30 days of the permit decision. If a hearing is not requested within 30 days, the right to appeal is waived.

By copy of this letter we are advising the U.S. Army Corps of Engineers of our actions and enclosing a copy of the certification for their use.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Morgan".

Sharon Morgan, Manager  
Wastewater Discharge Authorization Program

Enclosure

cc: (with encl.)

Michael Daigneault, ADF&G/Habitat, Anch.

Matt LaCroix, EPA, AK Operations

Sean Palmer, ADEC, Anchorage

Ann Rappoport, USF&WS, Anchorage

**STATE OF ALASKA**  
**DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**CERTIFICATE OF REASONABLE ASSURANCE**

A Certificate of Reasonable Assurance (CRA), in accordance with Section 401 of the Federal Clean Water Act and the Alaska Water Quality Standards is issued to the Regulatory Division, Corps of Engineers, CEPOA-RD, PO Box 6898, JBER, Alaska 99506-0898, for the general permit (GP) that authorizes the placement of dredged and/or fill material into waters of the U.S., including wetlands, for the purpose of creating foundation pads for structures, utilities, associated roads, driveways, parking areas, and other domestic, governmental, and commercial development within specific areas of Bethel. The GP would authorize excavation activities including mechanized land clearing and other activities that could result in a re-deposition of fill material. The GP would also authorize activities when the placement of piling would have the effect of a discharge of fill material. The proposed GP POA-2011-124 outlines criteria that would have to be met in order for work to be authorized under the GP. All authorized activities must be in accordance with the procedures and general conditions of the GP.

The proposed activity is located in Bethel, Alaska.

Public notice of the application for this certification was given as required by 18 AAC 15.180.

A State Water Quality Certification is required under Section 401 because the proposed activity will be authorized by a U.S. Army Corps of Engineers permit, reference number POA-2011-124, and a discharge may result from the proposed activity.

The DEC reviewed the application and certifies that there is reasonable assurance that the proposed activity, as well as any discharge which may result, will comply with applicable provisions of Section 401 of the Clean Water Act and the Alaska Water Quality Standards, 18 AAC 70.

This certification expires five (5) years after the date the certification is signed. If your project is not completed by then and work under U.S Army Corps of Engineers Permit will continue, you must submit an application for renewal of this certification no later than 30 days before the expiration date (18 AAC 15.100).

Date May 4, 2011

Sharon Morgan  
Sharon Morgan, Manager  
Wastewater Discharge Authorization Program



**ENCLOSURE 1.**

**BOUNDARY OF GENERAL PERMIT POA-2011-124 (BETHEL GP)**

This GP applies to the area within the linear boundary less the area within the boundary shaded in red. The areas excluded from this GP is shaded in red. This Map is not intended for use in determining applicability of GP POA-2011-124 for specific projects. A 1:500 scale map is available for such use at the City of Bethel, Planning Department and the Alaska District, Corps of Engineers, Regulatory Division, North Branch.

To: Ann Capela, City Manager  
From: Ted Meyer, Planner  
Subject: June 2016 Activity Report  
Date: June 30, 2016

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### **Marijuana Advisory Committee**

Two sections of the draft ordinance were edited by the Committee at the June 8 meeting.

### **Mapping**

Sent the City Attorney's edits of the proposed mapping contract with WHPacific for Zoning and Land Status map work to WHP for review. The accepted all edits and returned the signed copy back to the City.

### **Code Enforcement**

Responded to complaints regarding code violations. Had one vehicle located on city property (at the dumpster site on Ptarmigan Road at Tundra Ridge) towed to the Public Works lot. The vehicle posed a traffic hazard by significantly blocking the line of sight from vehicles coming from the west.

### **Site Plan Permits**

We are processing many Site Plan Permit applications. Most involve fill for existing pads. 42 have been approved to date.

### **Minor Plats**

Approved a Minor Re-plat on Ptarmigan Road.

### **ONC Proposed Right of Way to Lot 15**

Coordinating with the City Attorney and RPK Engineering for getting proper documentation for an agreement between ONC and the City for the ROW/easement.

### **FEMA Risk Map Update**

DCRA, Homeland Security, and FEMA staff came to Bethel on June 15 to update the map used in the National Flood Insurance Program for Bethel. Various city department staff and citizens participated in the work.

### **Planning Commission Business**

1. The Conditional Use Permit hearing for alcohol sales at Baba's was held at a Special Meeting on Thursday, June 9. The quorum was lost during the meeting due to a conflict of interest realized during one of the public testimonials. The hearing is to be continued on the July 21 PC meeting date.
2. Code Amendment  
Preparing a draft ordinance to amend the BMC by designating which City Zoning Districts will allow marijuana facilities (and requiring a Conditional Use Permit). This amendment will be presented at the July 21 Planning Commission meeting for recommendation to the City Council.