

**Bethel Planning Commission Resolution**  
**Bethel Planning Commission**  
**Resolution No. 2013 – 1**

**A RESOLUTION OF THE PLANNING COMMISSION DISAPPROVING THE CONDITIONAL USE PERMIT APPLICATION FOR A SIXTY-FOOT TELECOMMUNICATIONS TOWER AT 9116 PTARMIGAN STREET, PLAT 80-2, BLOCK 10, LOT 15, BETHEL ALASKA, 99559.**

**WHEREAS**, the Planning Commission has disapproved the request at a Special Meeting on May 23, 2013; and

**WHEREAS**, the Planning Commission has determined that the tower is not a compatible use with the neighborhood in Residential zoning; and

**WHEREAS**, the Tundra Ridge Covenants permit commercial uses on a limited number of lots, and not on the proposed lot; and

**WHEREAS**, the effects of such towers on the health of the public cannot be determined at this time;

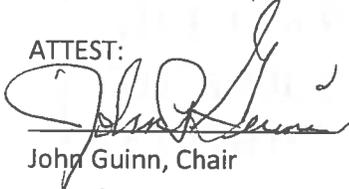
**NOW THEREFORE BE IT RESOLVED** that the **PLANNING COMMISSION** has reviewed the request for the Conditional Use and has disapproved the request.

PASSED AND APPROVED BY THE BETHEL PLANNING COMMISSION by a duly constituted quorum on this \_\_\_\_23rd\_\_ day of \_\_\_\_May\_\_\_\_, 2013.

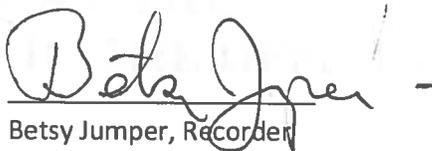
City of Bethel City Planning Commission Action:

Vote: In Favor: 4 Opposed: \_\_\_\_ Abstained: 1

ATTEST:

  
John Guinn, Chair

City of Bethel Planning Commission

  
Betsy Jumper, Recorder

City of Bethel Planning Commission

Bethel Recording District:

After recording please return to:

City of Bethel Planning Department

PO Box 1388

Bethel, Alaska 99559



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2013-000583-0

# Bethel Planning Commission Resolution

## Bethel Planning Commission

### Resolution No. 2013 – 2

**A RESOLUTION OF THE PLANNING COMMISSION APPROVING THE CONDITIONAL USE PERMIT APPLICATION FOR AN EIGHTY-FOOT TELECOMMUNICATIONS TOWER AT 124 GUNDERSON COURT, PLAT 81-13, BLOCK 13, LOT 2, BETHEL ALASKA, 99559.**

**WHEREAS**, the Planning Commission has approved the request at a Public Hearing on September 12, 2013;

**WHEREAS**, the Planning Commission has determined that the tower is a compatible use with the neighborhood in General Use zoning;

**WHEREAS**, the site has received a review reference the requirements of the Army Corps of Engineers wetlands determinations, which recommends land use within stated boundaries per the report provided by the applicant;

**WHEREAS**, the tower will improve telecommunication services in the Tundra Ridge and Uiviq subdivisions as well as other parts of the City;

**WHEREAS**, the Comprehensive Plan supports that improvement of telecommunications infrastructure in the city;

**NOW THEREFORE BE IT RESOLVED** that the **PLANNING COMMISSION** has reviewed the request for the Conditional Use and has approved the request.

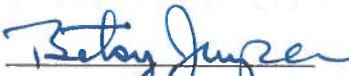
PASSED AND APPROVED BY THE BETHEL PLANNING COMMISSION by a duly constituted quorum on this \_\_\_12th\_\_\_ day of \_\_\_September\_\_\_, 2013.

City of Bethel City Planning Commission Action:

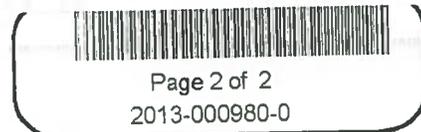
Vote: In Favor: 5 Opposed: 0 Abstained: \_\_\_\_\_

ATTEST:

  
John Guinn, Chair  
City of Bethel Planning Commission

  
Betsy Jumper, Recorder  
City of Bethel Planning Commission

Bethel Recording District:  
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City of Bethel Planning Department  
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Bethel, Alaska 99559



**Bethel Planning Commission Resolution**  
**Bethel Planning Commission**  
**Resolution No. 2013 – 3**

**A RESOLUTION OF THE PLANNING COMMISSION APPROVING THE CONDITIONAL USE PERMIT APPLICATION FOR AN 80-FOOT TELECOMMUNICATIONS TOWER AND ACCESSORY STRUCTURE AT 822 PTARMIGAN ROAD, LEGAL DESCRIPTION PLAT NO. 2005-32, BLOCK 1, LOT 22, BETHEL RECORDING DISTRICT, BETHEL, ALASKA 99559.**

**WHEREAS**, the Planning Commission has approved the request at a Public Hearing on December 5, 2013; and

**WHEREAS**, the Planning Commission has determined that the tower is a compatible use with the neighborhood in General Use zoning;

**WHEREAS**, the site does not require special review for drainage or flooding;

**WHEREAS**, the tower will improve telecommunication services in the Tundra Ridge and Uiviq Subdivisions as well as other parts of the City;

**WHEREAS**, the Comprehensive Plan supports the improvement of telecommunications infrastructure in the City;

**NOW THEREFORE BE IT RESOLVED** that the **PLANNING COMMISSION** has reviewed the request for the Conditional Use and has approved the request.

PASSED AND APPROVED BY THE BETHEL PLANNING COMMISSION by a duly constituted quorum on this   5th   day of   December  , 2013.

City of Bethel City Planning Commission Action:

Vote: In Favor:   4   Opposed:   0   Abstained:       

ATTEST:

  
\_\_\_\_\_  
John Guinn, Chair  
City of Bethel Planning Commission

  
\_\_\_\_\_  
Betsy Jumper, Recorder  
City of Bethel Planning Commission

Bethel Recording District:  
After recording please return to:  
City of Bethel Planning Department  
PO Box 1388  
Bethel, Alaska 99559

  
Page 2 of 2  
2013-001410-0

**City of Bethel Planning Commission  
Resolution 12-1**

**A resolution approving the Tract 5D Plat 2002-6 located  
Within; Section 17, T08N, R07W, S.M.  
U. S. Survey 4000 of Bethel Recording District.  
Northern Fiber Optic Link**

**WHEREAS**, the new Northern Fiber Optic Link is being developed by Kodiak Kenai Cable Company is located at Standard Oil Road. The proposed site is to develop a "Extending the Kodiak Fiber Link (KKFL) broadband Infrastructure to the Aleutian Islands and Western Alaska which includes landing in Bethel" that would interconnect with carriers to provide high speed broadband connectivity to enhanced public welfare and safety services through telemedicine, distance learning, emergency services, and Homeland Security. The high speed communication infrastructure to benefit rural Alaskan communities and promote economic development;

**AND WHEREAS**, the Planning Commission approved the survey 5-0 on May 10, 2012;

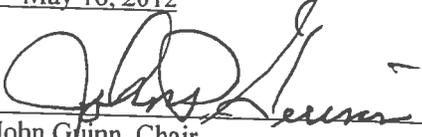
**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the survey, for U.S. Survey 4117, creating Tract 5D located at Standard Oil Road Within; Section 17, T08N, R07W, S.M. U. S. Survey 4000 of Bethel Recording District. Known as Northern Fiber Optic Link.

City of Bethel Planning Commission Action:

Vote: In Favor   5   Opposed   0   Abstained   0  

Date:   May 10, 2012  

Attest:

  
John Guinn, Chair  
City of Bethel Planning Commission

  
Betsy Jumper, Recorder  
City of Bethel Planning Commission

# Bethel Planning Commission Resolution

## Bethel Planning Commission

### Resolution No. 2012 – 2

**A RESOLUTION OF THE PLANNING COMMISSION APPROVING A PLANNED UNIT DEVELOPMENT (PUD) ZONING OVERLAY FOR THE PRE-MATERNAL FACILITY AND THE ASSISTED LIVING HOME, LOCATED AT 1100 CHIEF EDDIE HOFFMAN HIGHWAY, BETHEL, ALASKA, 99559. LEGAL DESCRIPTION LOT 8-A2 OF PLAT 83-41, AND LOT 3A, US SURVEY 4117, R71W, T8N, S18, SEWARD MERIDIAN**

**WHEREAS**, the Planning Commission has approved the zoning overlay on September 13, 2012; and

**WHEREAS**, the Planning Director / Platting officer for the City of Bethel has determined that this zoning overlay conforms to city code, pursuant to BMC 18.52, and recommends that the zoning overlay be approved.

**NOW THEREFORE BE IT RESOLVED** that the **PLANNING COMMISSION** has reviewed the proposed Planned Unit Development Zoning Overlay.

**PASSED AND APPROVED BY THE BETHEL PLANNING COMMISSION** by a duly constituted quorum on this 11<sup>th</sup> day of October, 2012.

City of Bethel City Planning Commission Action:

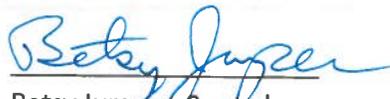
Vote: In Favor: 4 Opposed: 0 Abstained: 0

ATTEST:



John Guinn, Chair

City of Bethel Planning Commission



Betsy Jumper, Recorder

City of Bethel Planning Commission

Bethel Recording District:

After recording please return to:

City of Bethel Planning Department

PO Box 1388

Bethel, Alaska 99559



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2012-001314-0

# Bethel Planning Commission Resolution

## Bethel Planning Commission

### Resolution No. 2012 – 3

**A RESOLUTION OF THE PLANNING COMMISSION APPROVING THE FINAL PLAT FOR TRACT B (TEN ACRES) OF THE CITY OF BETHEL RECREATIONAL CENTER SUBDIVISION, LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 8 NORTH, RANGE 71 WEST, SEWARD MERIDIAN, ALASKA, AND IN THE AKIACHAK CORRIDOR, BETHEL ALASKA, 99559.**

**WHEREAS**, the Planning Commission has approved the final plat on September 13, 2012; and

**WHEREAS**, there are no public improvements required for this plat; and

**WHEREAS**, the Planning Director / Platting officer for the City of Bethel has determined that this plat conforms to the requirements of the Final Plat, pursuant to BMC 17.16, and recommends that the Final Plat be approved.

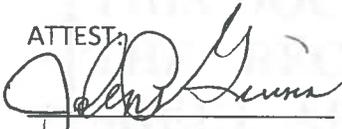
**NOW THEREFORE BE IT RESOLVED** that the **PLANNING COMMISSION** has reviewed the Final Plat for Tract B, 10 Acres, for the development of a Recreational / Pool Facility, and hereby has approved the plat for recording in the Bethel District Recorder's Office.

PASSED AND APPROVED BY THE BETHEL PLANNING COMMISSION by a duly constituted quorum on this 8<sup>th</sup> day of Nov., 2012.

City of Bethel City Planning Commission Action:

Vote: In Favor: 6 Opposed: 0 Abstained: 0

ATTEST:



John Guinn, Chair  
City of Bethel Planning Commission



Betsy Jumper, Recorder  
City of Bethel Planning Commission

Bethel Recording District:

After recording please return to:

City of Bethel Planning Department  
PO Box 1388  
Bethel, Alaska 99559



2 of 2

2012-001557-0



### Bethel Planning Commission Resolution

Bethel Planning Commission

RESOLUTION NO. 2011 - 01

A RESOLUTION OF THE PLANNING COMMISSION RECOGNIZING THE SIGNIFICANCE OF COASTAL PLANNING AND SUPPORTING LEGISLATION THAT WILL CONTINUE THE ALASKA COASTAL MANAGEMENT PROGRAM (ACMP).

WHEREAS, the PLANNING COMMISSION has a recognized coastal management plan with procedures and policies to guide development activities in the coastal zone boundary; and

WHEREAS, the people of the Bethel Region want to provide for a voice in state and federal permitting decisions within their area; and

WHEREAS, the BETHEL Coastal Management Plan receives it's authority as part of the networked Alaska Coastal Management Program; and

WHEREAS, the ACMP will sunset on July 1, 2011 unless the Alaska State legislature extends the program; and

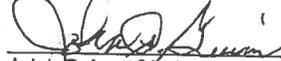
NOW, THEREFORE BE IT RESOLVED that the PLANNING COMMISSION recognizes the significance of coastal planning and supports legislation that will continue the Alaska Coastal Management Program.

PASSED AND APPROVED BY THE PLANNING COMMISSION on this 13th day of January, 2011.

City of Bethel Planning Commission Action:

Vote: In Favor: 4 Opposed: 0 Abstained:

ATTEST:

  
John Guinn, Chair  
City of Bethel Planning Commission

 - 1-18-11  
Betsy Jumper, Recorder  
City of Bethel Planning Commission

After recording please return  
City of Bethel - Planning  
P.O. Box 1388  
Bethel, AK. 99559

Bethel Recording District

# Bethel Planning Commission Resolution

Bethel Planning Commission

RESOLUTION NO. 2011 - 01

**A RESOLUTION OF THE PLANNING COMMISSION RECOGNIZING THE SIGNIFICANCE OF COASTAL PLANNING AND SUPPORTING LEGISLATION THAT WILL CONTINUE THE ALASKA COASTAL MANAGEMENT PROGRAM (ACMP).**

**WHEREAS**, the PLANNING COMMISSION has a recognized coastal management plan with procedures and policies to guide development activities in the coastal zone boundary; and

**WHEREAS**, the people of the Bethel Region want to provide for a voice in state and federal permitting decisions within their area; and

**WHEREAS**, the BETHEL Coastal Management Plan receives it's authority as part of the networked Alaska Coastal Management Program; and

**WHEREAS**, the ACMP will sunset on July 1, 2011 unless the Alaska State legislature extends the program; and

**NOW, THEREFORE BE IT RESOLVED** that the PLANNING COMMISSION recognizes the significance of coastal planning and supports legislation that will continue the Alaska Coastal Management Program.

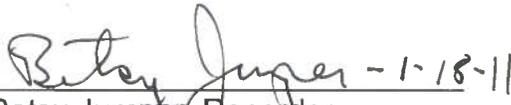
PASSED AND APPROVED BY THE PLANNING COMMISSION on this 13th day of January, 2011.

City of Bethel Planning Commission Action:

Vote: In Favor: 4 Opposed: 0 Abstained:

ATTEST:

  
John Guinn, Chair  
City of Bethel Planning Commission

 - 1-18-11  
Betsy Jumper, Recorder  
City of Bethel Planning Commission

**City of Bethel Planning Commission  
Resolution 11-02**

**A resolution approving the Abbreviated Plat /Preliminary-Final Plat/Conditional Use Permit  
for Alaska Housing Finance Corporation (AHFC), Lot 58, 59, 61, 62, BK 3 U. S. Survey  
plat 87-6 of Bethel Recording district.  
Alaska Housing Finance Corporation (AHFC) Administrative Facility**

**WHEREAS**, Alaska Housing Finance Corporation located at 1029 Ridgecrest Drive in the ASHA Subdivision. The proposed site is to combine four lots into three lots with one lot being constructed as the new administration facility which includes a administrative office, work area with a garage for AHFC located in Bethel;

**AND WHEREAS**, the Planning Commission approved the Abbreviated Plat /Preliminary/Final Plat/Conditional Use Permit on July 14, 2011;

**AND WHEREAS**, there are no public improvements required for this plat;

**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that abbreviated plat, the preliminary-final plat conforms to the requirements of a final plat, pursuant to BMC 17.16, and the conditional use permit conforms with requirements of the "Conditional Use Permit (CUP)" pursuant to BMC 16.04.010 recommends that the Final Plat and conditional use permit be approved;

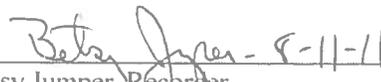
**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Abbreviated Plat, Final Plat, and Conditional Use Permit for Alaska Housing Finance Corporation (AHFC), creating Lot 58A, 59A, 61A, BK 3 U. S. Survey plat 87-6 with Lot 61A Bk 3 being the New Administrative Facility under CUP of Bethel Recording district.

City of Bethel Planning Commission Action:

Vote: In Favor   5   Opposed   0   Abstained   0  

Date:   July 14, 2011  

Attest:   
John Gujrin, Chair  
City of Bethel Planning Commission

 - 8-11-11  
Betsy Jumper, Recorder  
City of Bethel Planning Commission

**City of Bethel Planning Commission  
Resolution 11-03**

**A resolution approving the Preliminary-Final Plat/ Yukon-Kuskokwim Hospital Corporation (YKHC) Lot 3 U. S. Survey 4117 of Bethel Recording District. Yukon-Kuskokwim Hospital Corporation (YKHC) New Long Term Care Facility**

**WHEREAS**, the new Bethel Long Term Care Facility is located at 1100 Chief Eddie Hoffman Hwy. The proposed site is to develop a "Long Term Care Facility" that provides a type of care of residents: it is a place of residence for people who require constant nursing care and have significant deficiencies with activities of daily living. Residents include the elderly and younger adults with physical or mental disabilities. Residents in a skilled nursing facility may also receive physical, occupational, and other rehabilitative therapies following an accident or illness;

**AND WHEREAS**, the Planning Commission approved the Preliminary/Final Plat on July 14, 2011;

**AND WHEREAS**, there will be a restricted emergency road access on the NE corner Lot 3 US Survey 4117 off of Chief Eddie Hoffman Hwy as well as being required that the current and future owners of the new Long Term Care Facility is responsible for all necessary connections or improvement and maintenance of any necessary water and sewer services that would be tied into present or replacement of future infrastructure development with the approval of the Public Works Department the public improvements required for this plat;

**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that the preliminary-final plat conforms to the requirements of a final plat, pursuant to BMC 17.16, recommends that the Final Plat be approved;

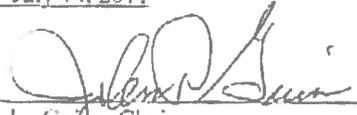
**AND WHEREAS**, the Planning Commission approved the transfer back to the City of Bethel of proposed site (1) property the City of Bethel that was transferred to YKHC to locate the Long Term Care Facility at location lot 2 Block 9 Ptarmigan Tundra View Subdivision, in Sect 8, T.8N., R.71W., Seward Meridian. YKHC has ninety (90) days from the approval of this preliminary/final plat to transfer deed back to City of Bethel;

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Preliminary/Final Plat, for Lot 3 U.S. Survey 4117, creating Lot 3 being the New Bethel Long Term Care Facility of Bethel Recording district.

City of Bethel Planning Commission Action:

Vote: In Favor   5   Opposed   0   Abstained   0  

Date:   July 14, 2011  

Attest:   
John Guion, Chair  
City of Bethel Planning Commission

 - 8-11-11  
Betsy Jumper, Recorder  
City of Bethel Planning Commission

## Resolution of the Bethel Planning Commission

### RESOLUTION NO. 2010 - 01

#### A RESOLUTION SUPPORTING ORDINANCE #09-47 AMENDING BETHEL MUNICIPAL CODE, CHAPTER 5.08, ALCOHOLIC BEVERAGES, TO ADD PROVISIONS REGARDING ALCOHOLIC BEVERAGE SALES IN THE CITY OF BETHEL

**WHEREAS,** the City of Bethel planning commission reviews, recommends, and administers measures necessary to implement the comprehensive plan, including measures provided under AS 29.40.040, "land use permit requirements designed to encourage or discourage specified uses and construction of specified structures, or to minimize unfavorable effects of uses and the construction of structures";

**WHEREAS,** Bethel Municipal Code 2.24.050 G. states all formal actions of the planning commission shall be by resolution;

**WHEREAS,** Ordinance 09-47 having restriction of alcohol sales and zoning regulations must be sent to the planning commission for review;

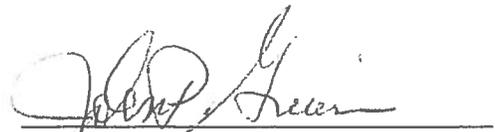
**WHEREAS,** after the review of Ordinance 09-47 the planning commission has no objection to the zoning restrictions of prohibited sales within five hundred (500) ft of a church building or school grounds outlined under 5.08.011 and support the passage of the said document by the Bethel City Council;

**THEREFORE, BE IT RESOLVED** that the City of Bethel Planning Commission supports the passage and implementation of zoning regulations regarding the sales of alcoholic beverages within five (500) ft of a church or school grounds established in Ordinance 09-47.

ENACTED THIS 11 DAY OF Feb. 2010 BY A VOTE OF 5 IN FAVOR AND 0 OPPOSED

ATTEST:

  
Betsy Jumper, Recorder

  
John Guinn, Chair

## Resolution of the Bethel Planning Commission

### RESOLUTION NO. 2010 - 02

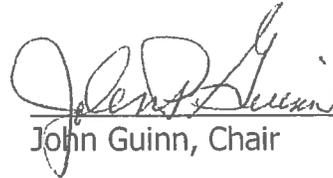
#### **A RESOLUTION SUPPORTING ORDINANCE #09-44 AMENDING BETHEL MUNICIPAL CODE, CHAPTER 5.08, ALCOHOLIC BEVERAGES, TO ADD THE PROVISIONS REGARDING ALCOHOLIC BEVERAGE SALES AND SERVICE OF ALCOHOLIC BEVERAGES WITHIN TWO HUNDRED (200) FEET OF A CHURCH OR SCHOOL GROUNDS; ALCOHOLIC BEVERAGE PACKAGE STORES OR BARS WITHIN THREE (300) FEET OF ANY CHURCH SCHOOL GROUNDS IN THE CITY OF BETHEL**

- WHEREAS,** the City of Bethel planning commission reviews, recommends, and administers measures necessary to implement the comprehensive plan, including measures provided under AS 29.40.040, "land use permit requirements designed to encourage or discourage specified uses and construction of specified structures, or to minimize unfavorable effects of uses and the construction of structures";
- WHEREAS,** Bethel Municipal Code 2.24.050 G. states all formal actions of the planning commission shall be by resolution;
- WHEREAS,** Ordinance 09-44 having restriction of alcohol sales and zoning regulations must be sent to the planning commission for review;
- WHEREAS,** the planning commission reviewed in its original form, Ordinance 09-44 on December 10, 2009 with 6-0 motion passed with no objections;
- WHEREAS,** the city council modified the document to reflect prohibited sales of alcoholic beverages in package stores or bars within three hundred (300) ft of any church building or school ground and prohibited sales of alcoholic beverages within two hundred (200)ft of any church building or school grounds;
- WHEREAS,** after the review of the modified Ordinance 09-44 the planning commission has no objection to the zoning restrictions of prohibited sales of alcoholic beverages in package stores or bars within three hundred (300) ft of any church building or school ground and prohibited sales of alcoholic beverages within two hundred (200) ft of any church building or school grounds;

**THEREFORE, BE IT RESOLVED** that the City of Bethel Planning Commission supports the passage and implementation of zoning regulations regarding prohibited sales of alcoholic beverages established in Ordinance 09-44.

**ENACTED THIS** 11 <sup>Feb</sup> **DAY OF** 2010 **BY A VOTE OF** 5 **IN FAVOR AND** 0 **OPPOSED**

ATTEST:

  
\_\_\_\_\_  
John Guinn, Chair

  
\_\_\_\_\_  
Betsy Jumper, Recorder

Introduced by:

Date:

Action:

Vote:

# CITY OF BETHEL, ALASKA

## Resolution # 2010-03

### A RESOLUTION OF THE CITY OF BETHEL PLANNING COMMISSION APPROVING A LAND USE AMENDMENT TO THE CITY OF BETHEL'S 1997 COMPREHENSIVE PLAN PERTAINING TO INTOXICATING BEVERAGES

**WHEREAS**, the City of Bethel voters have removed the local option from the City of Bethel, thereby authorizing the sales of alcoholic beverages within the City upon Alcoholic Beverage Control Board (ABC) issuance of an intoxicating beverage license; and

**WHEREAS**, whether or not a local option is in place within the City of Bethel, the deleterious effects of intoxicating beverages upon the community cause negative land use impacts resulting in the deterioration of neighborhoods and commercial areas all to the detriment of the public's health, safety and welfare; and

**WHEREAS**, various land use tools such as zoning, conditional uses, variances, permits and other measures may assist in mitigating the deleterious effects caused by intoxicating beverages; and

**WHEREAS**, Bethel Municipal Code (BMC) 2.24.030(B) states:

The planning commission shall:

1. Maintain and update the official map of the city;
2. Recommend to the city council integrated or consolidated land use and related codes;
3. Regularly review the comprehensive plan or its components and recommend to the city council updates or other changes. The comprehensive plan should include:
  - a. Statements of policies, goals and standards,
  - b. A land use plan,
  - c. A community facilities plan,
  - d. A transportation plan, and
  - e. Recommendations for implementation of the comprehensive plan;
4. Recommend to the city council ordinances to implement the comprehensive plan; and

Introduced by:

Date:

Action:

Vote:

**WHEREAS**, the Planning Commission recommends the adoption of the following amendment to Goal 7 in the Land Use section titled "Strategic Goals" on page 10 of the 1997 Comprehensive Plan:

**Goal 7:** Land Use ordinances and regulations applicable to the control of alcoholic beverage sales should be utilized to mitigate the potential adverse impacts of alcohol related establishments on neighborhoods, commercial establishments and other areas throughout the City.

Intoxicating beverage sales and activities may cause a deleterious effect upon the community, may cause negative land use impacts resulting in the deterioration of neighborhoods, commercial and other areas all to the detriment of the public's health, safety and welfare, accordingly the following land use tools may be adapted by the City Council to protect the public's health, safety and welfare:

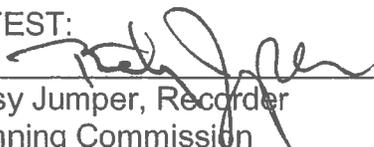
- Zoning regulations restricting the use of land and improvements by geographic districts;
- Land use permit requirements designed to encourage or discourage specified uses and construction of specified structures, or to minimize unfavorable effects of the uses on the construction of structures; and
- Measures to further the goals and objectives of the Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission hereby adopts the following amendment to the Land Use sections strategic goals on page 10 of the 1997 Comprehensive Plan Goal 7 and then set forth again;

**APPROVED** and **SIGNED** this 11 day of Feb., 2010

  
\_\_\_\_\_  
John Guinn, Chair  
Planning Commission

ATTEST:

  
\_\_\_\_\_  
Betsy Jumper, Recorder  
Planning Commission



**City of Bethel Planning Commission  
Resolution 10-03**

**A resolution approving the Final Abbreviated Plat of Lot 2B Block 5A Ptarmigan Tundra View  
Subdivision Plat 2008-19**

**WHEREAS**, AVCP filed a Preliminary Plat with the City of Bethel Planning Office in June 2010 subdividing Lot 2B, Block 5A Ptarmigan Tundra View Subdivision, creating Lot 2C & Lot 2D, Block 5A;

**AND WHEREAS**, the Planning Commission approved the Preliminary Plat on August 12, 2010;

**AND WHEREAS**, there are no public improvements required for this subdivision;

**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of a Final Plat, pursuant to BMC 17.16, and recommends that the Final Plat be approved.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Final Plat for Lot 2B, Block 5A Ptarmigan Tundra View Subdivision, creating Lot 2C & Lot 2D Block 5A and hereby approves the plat for recording in the Bethel District Recorders Office.

City of Bethel Planning Commission Action:

Vote: In Favor 4 Opposed 0 Abstained 1

Date: August 12, 2010

Attest: \_\_\_\_\_

*John Guinn*  
John Guinn, Chair

*Bethel Recording District  
Please return to:  
City of Bethel  
Planning Dept.  
P.O. Box 1388  
Bethel, AK. 99559*

# Bethel Planning Commission Resolution

Bethel Planning Commission

RESOLUTION NO. 2010 - 04

## A RESOLUTION SUPPORTING PLANNING COMMISSION AWARDED AGNEW::BECK CONSULTING LLC , TO DEVELOP A NEW BETHEL COMPREHENSIVE MASTER PLAN.

**WHEREAS,** the City of Bethel Planning Commission reviews, recommends, and administers policy statements, goals, standards, and maps for guiding the physical, social, and economic development, both private and public, recommendations for implementation of the comprehensive plan, including measures provided under AS 29.40.030, "with the recommendations of the Planning Commission, the council shall adopt by ordinance a comprehensive plan. The council shall, after receiving the recommendations of the planning commission, periodically undertake an overall review of the comprehensive plan and update the plan as necessary; and

**WHEREAS,** Bethel Municipal Code 2.24.050 G. states all formal actions of the planning commission shall be by resolution; and

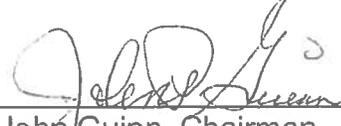
**WHEREAS,** On January 25, 2009 the planning commission reviewed all RFP proposals for the "New Bethel Comprehensive Master Plan" and followed three criteria objectives which had equal weight in their importance from the RFP; and

**WHEREAS,** the Bethel Planning Commission based on the score ranking of 85 points approved to award the "New Comprehensive Master Plan contract to Agnew::Beck Consulting LLC"; and

**THEREFORE, BE IT RESOLVED** that the City of Bethel Planning Commission supports Resolution 2010-04 and for the City of Bethel Council to accept the award to Agnew::Beck Consulting LLC, to develop the Bethel Comprehensive Master Plan.

ATTEST:

 -2-11-10  
Betsy Jumper, Recorder

  
John Guinn, Chairman



**City of Bethel Planning Commission  
Resolution 10-04**

**A resolution approving the Preliminary/Final Plat of Lot 1 Block 60 US Survey 3729 Bethel  
Readiness Center**

**WHEREAS**, Alaska Army National Guard filed a Preliminary/Final Plat with the City of Bethel Planning Office in March 2010 platting Lot 1 Block 60 developing a new Bethel Readiness Center (AKARNG) at the Bethel Airport;

**AND WHEREAS**, the Planning Commission approved the Preliminary Plat on August 12, 2010;

**AND WHEREAS**, there are no public improvements required for this plat;

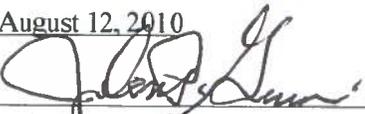
**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of a Final Plat, pursuant to BMC 17.16, and recommends that the Final Plat be approved.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Final Plat for Lot 1 Block 60 developing a new Bethel Readiness Center (AKARNG) at the Bethel Airport and hereby approves the plat for recording in the Bethel District Recorders Office.

City of Bethel Planning Commission Action:

Vote: In Favor   5   Opposed   0   Abstained   0  

Date:   August 12, 2010  

Attest:   
John Quinn, Chair

*Bethel Recording District  
Please return to:  
City of Bethel  
Planning Dept.  
P.O. Box 1388  
Bethel, AK. 99559*

**City of Bethel Planning Commission  
Resolution 10-05**

**A resolution approving the Final Abbreviated Plat of Charles Subdivision Mary Charles Native Allotment Certificate No. 50-92-0326 lots 4&5, S1/2SW1/4, Section 24, T8N, R72W Seward Meridian, Alaska (Excluding that portion deeded to the State of Alaska, BK 80, PG 239, B.R.D.)**

**WHEREAS**, State of Alaska Abbreviated Plat concerning the Plat of Charles Subdivision Mary Charles Native Allotment Certificate No. 50-92-0326 lots 4&5, S1/2SW1/4, Section 24, T8N, R72W Seward Meridian, Alaska (Excluding that portion deeded to the State of Alaska, BK 80, PG 239, B.R.D.);

**AND WHEREAS**, the Planning Commission approved the Abbreviated Plat on November 10, 2010;

**AND WHEREAS**, there are no public improvements required for this subdivision;

**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of a Abbreviated Plat, pursuant to BMC 17.18.060, and recommends that the Abbreviated Final Plat be approved.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Abbreviated Final Plat Charles Subdivision Mary Charles Native Allotment Certificate No. 50-92-0326 lots 4&5, S1/2SW1/4, Section 24, T8N, R72W Seward Meridian, Alaska (Excluding that portion deeded to the State of Alaska, BK 80, PG 239, B.R.D.) and hereby approves the plat for recording in the Bethel District Recorders Office.

City of Bethel Planning Commission Action:

Vote: In Favor   4   Opposed   1   Abstained   0  

Date: November 10, 2010

Attest:   
John Guinn, Chair



2 of 2

2011-000358-0

**City of Bethel Planning Commission  
Resolution 10-06**

**A RESOLUTION APPROVING THE FINAL ABBREVIATED PLAT ATKINS SUBDIVISION Carol F. Atkins Native Allotment Certificate No. 50-92-0352 lots 1 NW1/4 SE1/4 NE1/4, N1/2 SW1/4 NE1/4, N1/2 SW1/4 NE1/4, N1/4 SE1/4 NW1/4, W1/2 NE1/4 NW1/4, Section 19, T8N, R71W) Bethel Recording District. *Seward Meridian,***

**WHEREAS**, State of Alaska Abbreviated Plat concerning the Plat Atkins Subdivision Carol F. Atkins Native Allotment Certificate No. 50-92-0352 lots 1 NW1/4 SE1/4 NE1/4, N1/2 SW1/4 NE1/4, N1/2 SW1/4 NE1/4, N1/4 SE1/4 NW1/4, W1/2 NE1/4 NW1/4, Section 19, T8N, R71W ;

**AND WHEREAS**, the Planning Commission approved the Abbreviated Plat on November 10, 2010;

**AND WHEREAS**, there are no public improvements required for this subdivision;

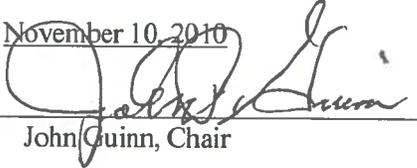
**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of Abbreviated Final Plat, pursuant to BMC 17.18.060, and recommends that the Abbreviated Final Plat be approved.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Abbreviated Final Plat Atkins Subdivision Carol F. Atkins Native Allotment Certificate No. 50-92-0352 lots 1 NW1/4 SE1/4 NE1/4, N1/2 SW1/4 NE1/4, N1/2 SW1/4 NE1/4, N1/4 SE1/4 NW1/4, W1/2 NE1/4 NW1/4, Section 19, T8N, R71W) and hereby approves the plat for recording in the Bethel District Recorders Office. *Seward Meridian.*

City of Bethel Planning Commission Action:

Vote: In Favor   5   Opposed   0   Abstained   0  

Date: November 10, 2010

Attest:   
John Quinn, Chair



2 of 2

2011-000357-0

**City of Bethel Planning Commission  
Resolution 10-06**

**A RESOLUTION APPROVING THE FINAL ABBREVIATED PLAT ATKINS SUBDIVISION Carol F. Atkins Native Allotment Certificate No. 50-92-0352 lots 1 NW1/4 SE1/4 NE1/4, N1/2 SW1/4 NE1/4, N1/2 SW1/4 NE1/4, N1/4 SE1/4 NW1/4, W1/2 NE1/4 NW1/4, Section 19, T8N, R71W) Bethel Recording District.**

**WHEREAS**, State of Alaska Abbreviated Plat concerning the Plat Atkins Subdivision Carol F. Atkins Native Allotment Certificate No. 50-92-0352 lots 1 NW1/4 SE1/4 NE1/4, N1/2 SW1/4 NE1/4, N1/2 SW1/4 NE1/4, N1/4 SE1/4 NW1/4, W1/2 NE1/4 NW1/4, Section 19, T8N, R71W ;

**AND WHEREAS**, the Planning Commission approved the Abbreviated Plat on November 10, 2010;

**AND WHEREAS**, there are no public improvements required for this subdivision;

**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of Abbreviated Final Plat, pursuant to BMC 17.18.060, and recommends that the Abbreviated Final Plat be approved.

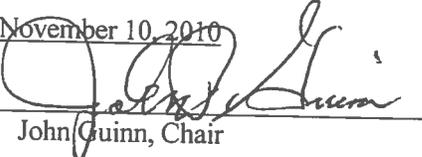
**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Abbreviated Final Plat Atkins Subdivision Carol F. Atkins Native Allotment Certificate No. 50-92-0352 lots 1 NW1/4 SE1/4 NE1/4, N1/2 SW1/4 NE1/4, N1/2 SW1/4 NE1/4, N1/4 SE1/4 NW1/4, W1/2 NE1/4 NW1/4, Section 19, T8N, R71W) and hereby approves the plat for recording in the Bethel District Recorders Office.

City of Bethel Planning Commission Action:

Vote: In Favor   5   Opposed   0   Abstained   0  

Date: November 10, 2010

Attest:

  
John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 09-02**

**A resolution approving the Final Abbreviated Plat of Lot 1 & 2 Block 12 Kasayuli Subdivision  
Plat 98-3**

WHEREAS, Gary & Janet Vanasse filed a Preliminary Plat with the City of Bethel Planning Office in November 2009 subdividing Lot 1 & 2, Block 12 Kasayuli Subdivision, creating Lot 1A, Block 12;

AND WHEREAS, the Planning Commission approved the Preliminary Plat on February 12, 2009;

AND WHEREAS, there are no public improvements required for this subdivision;

AND WHEREAS, the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of a Final Plat, pursuant to BMC 17.16, and recommends that the Final Plat be approved.

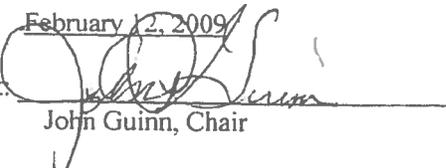
NOW, THEREFORE BE IT RESOLVED, that the Planning Commission has reviewed the Final Plat for Lot 1 & 2, Block 12 Kasayuli Subdivision, creating Lot 1A Block 12 and hereby approves the plat for recording in the Bethel District Recorders Office.

City of Bethel Planning Commission Action:

Vote: In Favor   4   Opposed   0   Abstained           

Date: February 12, 2009

Attest:

  
John Guinn, Chair

# Bethel Planning Commission Resolution

## Bethel Planning Commission RESOLUTION NO. 2008 -01

A RESOLUTION APPROVING THE FINAL PLAT OF LOTS 14A & 14B, Block 11, U.S. Survey No. 3230 A & B

**WHEREAS:** Rivercity Development LLC filed a preliminary plat with the City of Bethel Planning Office in May 2008 Lot 14 Block 11, U.S. Survey No. 3230 A & B including utility easements and an access easement; and

**WHEREAS:** the Planning Commission conditionally approved the preliminary plat at its regularly scheduled meeting of June 12, 2008; and

**WHEREAS:** the Final Plat reflects the changes required of the conditional approval; and

**WHEREAS:** the subdivision requires no further public improvements; and

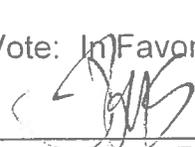
**WHEREAS:** no objection was noted by either the Public Works Department or the Fire Chief; and

**WHEREAS:** the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of the Bethel Municipal Code and recommends that that final plat be approved.

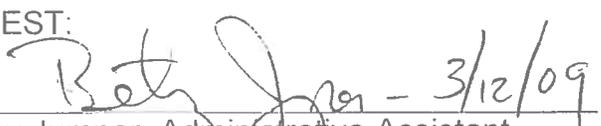
**NOW, THEREFORE, BE IT RESOLVED,** that the Planning Commission has reviewed the Final Plat for the subdivision of Lot 14 Block 11, U.S. Survey No. 3230 A & B and hereby approved the plat for recording in the Bethel District Records Office.

**APPROVED** and **SIGNED** this 9 day of June, 2008.

Vote: In Favor 4 Opposed 0 Abstained

  
\_\_\_\_\_  
Joy Shantz, Planning Commission Chair Pro-Tem

ATTEST:

  
\_\_\_\_\_  
Betsy Jumper, Administrative Assistant  
City of Bethel, Alaska Planning Commission

# Bethel Planning Commission Resolution

## Bethel Planning Commission Resolution # 08-02

### A RESOLUTION APROVING THE VACATION OF RIGHT-OF-WAY FOUND ON TUNDRA VIEW BETHEL ADDITION LOT 1B, BLOCK 9; LOT 2B, BLOCK 5A; BLOCK 4A & BLOCK 7A.

**WHEREAS**, AVCP-RHA filed a preliminary plat with the City of Bethel Planning Office in May 2008 Re-subdividing lot 2a, block 5a, lot 1a, block 9 (p 20005-20) and block 4 & block 7 (p 83-7) with vacation of rights-of-way, right-way-way dedication, lot lines & utility easement; and

**WHEREAS**, the Planning Commission approved the vacation found on the preliminary plat at its regularly scheduled meeting of June 12, 2008; and

**WHEREAS**, no objection was noted by either the Public Works Department or the Fire Chief; and

**WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this vacation conforms to the requirements of the Bethel Municipal Code and recommends that the final plat be approved;

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission has reviewed the Vacation proposed on the Final Plat of Tundra View Bethel Addition Lot 1B, Block 9; Lot 2B, Block 5A; and Block 4A & Block 7A and the recommendations of the Planning/Platting Officer, and hereby approves this plat for recording with the Bethel District Recorders Office.

**APPROVED** and **SIGNED** this \_\_\_\_ day of \_\_\_\_\_, 2008

Vote: In Favor \_\_\_\_ Opposed \_\_\_\_ Abstained \_\_\_\_

\_\_\_\_\_  
John Guinn, Chair

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

# Bethel Planning Commission Resolution

## Bethel Planning Commission Resolution # 08-03

### A RESOLUTION APROVING THE FINAL PLAT, VACATION AND DEDICATION OF RIGHT-OF-WAY OF TUNDRA VIEW BETHEL ADDITION LOT 1B, BLOCK 9; LOT 2B, BLOCK 5A; BLOCK 4A & BLOCK 7A.

**WHEREAS**, AVCP-RHA filed a preliminary plat with the City of Bethel Planning Office in May 2008 Re-subdividing lot 2a, block 5a, lot 1a, block 9 (p 20005-20) and block 4 & block 7 (p 83-7) with vacation of rights-of-way, lot lines & utility easement; and

**WHEREAS**, petitioners AVCP RHA and the City of Bethel are the owners of interest of all lands adjacent to the right-of-way to be vacated; and

**WHEREAS**, no objection was noted by either the Public Works Department or the Fire Chief; and

**WHEREAS**, the Planning Department and Planning Commission have not acknowledged any negative impacts resulting from the proposed vacation; and

**WHEREAS**, the amount land to be vacated will be replaced with an equal amount of dedicated right-of-way; and

**WHEREAS**, the Planning Commission approved the preliminary plat, vacation and dedication of right-of-way at its regularly scheduled meeting of June 12, 2008; and

**WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this plat and vacation conforms to the requirements of the Bethel Municipal Code and recommends that the final plat be approved;

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission has reviewed the Final Plat and Vacation proposed in the Tundra View Bethel Addition Lot 1B, Block 9; Lot 2B, Block 5A; and Block 4A & Block 7A and the recommendations of the Planning/Platting Officer, and hereby approves this plat for recording with the Bethel District Recorders Office.

**APPROVED** and **SIGNED** this \_\_\_\_ day of \_\_\_\_\_, 2008

Vote: In Favor \_\_\_\_ Opposed \_\_\_\_ Abstained \_\_\_\_

APPROVED JULY 10, 2008

\_\_\_\_\_  
John Guinn, Chair

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

# Bethel Planning Commission Resolution

Bethel Planning Commission  
RESOLUTION NO. 2008 -04

**A RESOLUTION APPROVING SUB-DIVISION OF LOT 5, BLOCK 15, U.S. SURVEY NO. 3230 B OF THE BETHEL RECORDING DISTRICT INTO TWO LOTS.**

**WHEREAS:** Bethel Boys filed a preliminary plat with the City of Bethel Planning Office in September 2008 subdividing lot 5, block 15, U.S. Survey No. 3230 B creating Lot 5 A and Lot 5 B; and

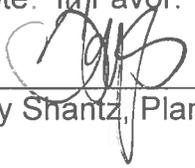
**WHEREAS:** the Planning Commission approved the preliminary plat with amendments (any future development must be hooked up to City water/sewer lines) on November 13, 2008 at its regularly scheduled meeting; and

**AND WHEREAS:** the Planning Director/Platting Officer for the City of Bethel has determined this plat conforms to the requirements of a Final Plat, pursuant to BMC 17.16, and recommends that the Final Plat be approved.

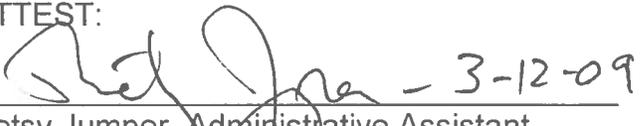
**NOW, THEREFORE, BE IT RESOLVED,** that the Planning Commission has reviewed the Final Plat for Lot 5 Block 15, U.S. Survey No. 3230 B subdividing into Lot 5 A and Lot 5 B.

**APPROVED** and **SIGNED** this 13 day of Nov, 2008

Vote: In Favor: 4 Opposed: 0 Abstained: 0

  
\_\_\_\_\_  
Joy Shantz, Planning Commission Chair Pro-Tem

ATTEST:

  
\_\_\_\_\_  
Betsy Jumper, Administrative Assistant  
City of Bethel, Alaska Planning Commission

# Bethel Planning Commission Resolution

## Bethel Planning Commission RESOLUTION NO. 2007 -01

A RESOLUTION OF SUPPORT BY THE BETHEL PLANNING COMMISSION FOR USE OF CITY LAND NEXT TO THE YUUT CENTER FOR A RECEIVING HOME OPERATED BY YKHC.

**WHEREAS:** The current parcel of land designated for use by YKHC would require extensive development regarding utility extensions to the property; and,

**WHEREAS:** The newly proposed site has utilities readily accessible for new development; and,

**WHEREAS:** The Bethel Planning Commission would like to foster cooperative development among organizations located within the City that may provide benefits for one another; and,

**WHEREAS:** The YKHC Assisted Living Home intends to utilize students participating in nearby YUUT programs; and,

**WHEREAS:** The prospects regarding the location and cooperation suggested would further enhance the ability YUUT and the City of Bethel to attract students from around the region; and,

**WHEREAS:** The City of Bethel Planning Commission encourages further development of the Core Township Land; and,

**WHEREAS:** The City of Bethel Planning Commission plans to promote other cooperative develop in the locale and supports ventures that provide services and support to those living in the Kuskokim Delta; and,

**WHEREAS:** YKHC would develop a Plat for the site including; a lot for their use of the same general dimensions as the lot for their use on J.B. Crow Road, additional lots that provide a logical progression from currently platted properties and an amendment to the currently platted right-of-way (ROW); and,

**WHEREAS:** The newly proposed lot would be in exchange for the existing lot leased by YKHC near JB Crow Road;and,

**WHEREAS:** The development on the newly proposed site will include an ingress and egress for travelers of the ROW to turnaround.

DISAPPROVED APRIL 12, 2007

**NOW, THEREFORE, BE IT RESOLVED** that the Bethel Planning Commission recommends the Bethel City Council enter into an agreement for this use of City Property with YKHC.

**APPROVED** and **SIGNED** this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Planning Commission Chair

**ATTEST:**

\_\_\_\_\_  
Jeff Lee, COB Planning

# Bethel Planning Commission Resolution

## Bethel Planning Commission RESOLUTION NO. 2007 -02

A RESOLUTION OF SUPPORT BY THE BETHEL PLANNING COMMISSION  
FOR THE TRANSFER OF CITY LAND ON AND ADJACENT TO THE ONC  
MULTIPURPOSE BUILDING.

**WHEREAS:** The City of Bethel and ONC have entered into an era of cooperation; and,

**WHEREAS:** The City and ONC participate in joint meetings to hear common issues; and,

**WHEREAS:** ONC has granted use of the HUD Indian Community Development Block Grant (ICDBG) to provide funding of City projects for 2006 and 2007 with an approximate value of \$625,000; and,

**WHEREAS:** ONC agreed on use of ICDBG funding opportunity this year to support the Fire Station Roof Project; and,

**WHEREAS:** ONC will provide up to \$75,000 for funding of a joint long range transportation plan; and,

**WHEREAS:** The City of Bethel Planning Commission encourages further development of jointly beneficial opportunities between ONC and The City of Bethel; and,

**NOW, THEREFORE, BE IT RESOLVED** that the Bethel Planning Commission recommends the Bethel City Council enter into an agreement for transfer of land under and near the multipurpose facility with ONC.

**APPROVED** and **SIGNED** this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Planning Commission Chair

APPROVED JULY 12, 2007

**ATTEST:**

---

Jeff Lee, COB Planning

*CITY OF BETHEL, ALASKA  
PLANNING COMMISSION*

**Resolution #07-05**

**A RESOLUTION BY THE BETHEL PLANNING COMMISSION SUPPORTING THE  
FUTURE DEDICATION OF LAND FOR DEVELOPMENT OF THE PROPOSED  
BETHEL RECREATION CENTER**

**WHEREAS:** the community of Bethel, with approximately 5,900 permanent residents, currently has no public or private facility that offers a variety of indoor recreation opportunities, such as the use of a swimming pool, fitness center, or gymnasium on a daily basis; and

**WHEREAS:** the need for a community recreation facility was expressed by the public as a priority in the 1979 Community Comprehensive Plan and has been mentioned in every community plan since 1982;

**WHEREAS:** the Community Economic Development Strategy Plan (2003), co-produced by the City of Bethel and Orutsararmiut Native Council, is a plan containing input from the Bethel community over the course of one year that recommends that the City of Bethel work with other partners to "develop healthy activities for youth and adults" and "obtain funds to construct and build a recreational center"; and

**WHEREAS:** a multiuse recreation facility that offers people a range of activities in which to engage, such as swimming, racquetball, volleyball, running, arts and crafts, karate, ballet, and aerobics, offers many benefits to residents and visitors; increased health and longevity, employment and entrepreneurship opportunities, a place to socialize and be a spectator or participant, and incentive for the recruitment and retention of employees; and

**WHEREAS:** the City of Bethel has previously passed a Resolution (#05-38) supporting development of a Multiuse Recreation Facility in Bethel.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Planning Commission of Bethel, Alaska recommends that the Bethel City Council authorize the use of approximately 10 acres for building the Bethel Multiuse Recreation Center, upon passage of the Bethel Sales Tax Measure in the October, 2007 general election.

**PASSED AND APPROVED THIS 11th DAY OF OCTOBER, 2007, BY A VOTE OF 5 IN FAVOR AND 0 OPPOSED.**

\_\_\_\_\_  
John Guinn, Chair

ATTEST:

\_\_\_\_\_  
Jeff Lee, Planning Technician

*APPROVED OCTOBER 11, 2007*



# Bethel Planning Commission Resolution

## **Bethel Planning Commission RESOLUTION NO. 2007 -06**

A RESOLUTION OF SUPPORT FROM THE BETHEL PLANNING COMMISSION  
REQUESTING DEDICATION OF THE BETHEL COURTHOUSE BUILDING IN HONOR OF  
NORA GUINN.

- WHEREAS:** The Bethel Planning Commission and people of the Kuskokwim Delta recognize Nora Guinn's contribution to the legal justice system; and,
- WHEREAS:** Nora Guinn had spent many years in public service to those of the Kuskokwim Delta; and,
- WHEREAS:** Nora Guinn served as a United State Commissioner prior to Alaska statehood; and,
- WHEREAS:** Nora Guinn was appointed Deputy Magistrate and then District Court Magistrate; and,
- WHEREAS:** Nora Guinn became the first woman and Native Alaskan to be named District Court Judge in the State of Alaska, serving from 1967 until 1976; and,
- WHEREAS:** Nora Guinn was appointed Master of the Family Division of the Alaska Supreme Court; and,
- WHEREAS:** Nora Guinn has received many awards for her years of public service including the First Lady Award (1979), Alaska Native Woman of the Year (1983), and Calista's Citizen of the Year (1984); and,
- WHEREAS:** Nora Guinn had given her time to serve on the boards and councils of the Kuskokwim Delta including Bethel City Council, the Governor's Board of Alaska Legal Services Criminal Justice, the Southcentral Health Planning Commission, the Lower Kuskokwim School District Board, the Bethel Prematernal Home Board, the Kuskokwim Valley Native Corporation Board, the Eddie Hoffman Senior Center Board, the Orutsaramiut Native Council Board and the Calista Cooperation Board; and,
- WHEREAS:** The Bethel Planning Commission wishes to give special recognition to Nora Guinn's service to the people of the Kuskokwim Delta.

APPROVED OCTOBER 11, 2007

**NOW, THEREFORE, BE IT RESOLVED** that the Bethel Planning Commission recommends that the Bethel City Council dedicate and name the Bethel Courthouse Building in honor of Nora Guinn.

**PASSED AND APPROVED THIS 11th DAY OF October, 2007, BY A VOTE OF 5 IN FAVOR AND 0 OPPOSED.**

---

John Guinn, Chair

**ATTEST:**

---

Jeff Lee, COB Planning

# Bethel Planning Commission Resolution

## **Bethel Planning Commission RESOLUTION NO. 2007 -06**

A RESOLUTION OF SUPPORT FROM THE BETHEL PLANNING COMMISSION  
REQUESTING DEDICATION OF THE BETHEL COURTHOUSE BUILDING IN HONOR OF  
NORA GUINN.

- WHEREAS:** The Bethel Planning Commission and people of the Kuskokwim Delta recognize Nora Guinn's contribution to the legal justice system; and,
- WHEREAS:** Nora Guinn had spent many years in public service to those of the Kuskokwim Delta; and,
- WHEREAS:** Nora Guinn served as a United State Commissioner prior to Alaska statehood; and,
- WHEREAS:** Nora Guinn was appointed Deputy Magistrate and then District Court Magistrate; and,
- WHEREAS:** Nora Guinn became the first woman and Native Alaskan to be named District Court Judge in the State of Alaska, serving from 1967 until 1976; and,
- WHEREAS:** Nora Guinn was appointed Master of the Family Division of the Alaska Supreme Court; and,
- WHEREAS:** Nora Guinn has received many awards for her years of public service including the First Lady Award (1979), Alaska Native Woman of the Year (1983), and Calista's Citizen of the Year (1984); and,
- WHEREAS:** Nora Guinn had given her time to serve on the boards and councils of the Kuskokwim Delta including Bethel City Council, the Governor's Board of Alaska Legal Services Criminal Justice, the Southcentral Health Planning Commission, the Lower Kuskokwim School District Board, the Bethel Prematernal Home Board, the Kuskokwim Valley Native Corporation Board, the Eddie Hoffman Senior Center Board, the Orutsaramiut Native Council Board and the Calista Cooperation Board; and,
- WHEREAS:** The Bethel Planning Commission wishes to give special recognition to Nora Guinn's service to the people of the Kuskokwim Delta.

APPROVED OCTOBER 11, 2007

**NOW, THEREFORE, BE IT RESOLVED** that the Bethel Planning Commission recommends that the Bethel City Council dedicate and name the Bethel Courthouse Building in honor of Nora Guinn.

**PASSED AND APPROVED THIS 11th DAY OF October, 2007, BY A VOTE OF 5 IN FAVOR AND 0 OPPOSED.**

---

John Guinn, Chair

**ATTEST:**

---

Jeff Lee, COB Planning

**City of Bethel Planning Commission  
Resolution 06-01**

**A resolution approving the final plat of the City of Bethel land exchange with the Russian Orthodox Church**

**WHEREAS**, Bethel City Council approves the land exchange between the City of Bethel and the Russian Orthodox Church.

**AND WHEREAS**, The Russian Orthodox Church and the City of Bethel bring forward the final plat for the land exchange;

**AND WHEREAS**, by previous action of the Planning Commission taken on October 13, 2005 preliminary plat approval by a vote of 6-0;

**AND WHEREAS** the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of a Final Plat, pursuant to BMC 17.16, and recommends that it be approved for recording.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Final Plat for "Russian Orthodox Church Land Exchange" and hereby approves the plat for recording in Bethel District Records Office.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
John Guinn, Chair

APPROVED JANUARY 12, 2006

**City of Bethel Planning Commission  
Resolution 06-02**

**A resolution approving the final plat of the Tacan Site**

**WHEREAS**, The Planning Commission approves the preliminary plat for the Tacan Site on Oct. 13, 2005.

**AND WHEREAS**, The City of Bethel brings forward the final plat for the Tacan Site;

**AND WHEREAS**, by previous action of the Planning Commission taken on October 13, 2005 preliminary plat approval by a vote of 6-0;

**AND WHEREAS** the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of a Final Plat, pursuant to BMC 17.16, and recommends that it be approved for recording.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Final Plat for "Tacan Site" and hereby approves the plat for recording in Bethel District Records Office.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

APPROVED FEBRUARY 9, 2006

**City of Bethel Planning Commission  
Resolution 06-03**

**A resolution approving the Final Plat of Lot 6 Chaney's Steamboat Slough Subdivision #1**

**WHEREAS**, Jerry Domnick filed a Preliminary Plat with the City of Bethel Planning Office in May 2006 subdividing Chaney's Steamboat Slough Subdivision #1, creating Lot 6;

**AND WHEREAS**, the Planning Commission approved the Preliminary Plat on June 8, 2006;

**AND WHEREAS**, there are no public improvements required for this subdivision;

**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of a Final Plat, pursuant to BMC 17.16, and recommends that the Final Plat be approved.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Final Plat for Lot 6 Chaney's Steamboat Slough Subdivision #1 and hereby approves the plat for recording in the Bethel District Recorders Office.

City of Bethel Planning Commission Action:

Vote: In Favor   7   Opposed   0   Abstained   0  

Date:   July 13, 2006  

Attest: \_\_\_\_\_  
          John Guinn, Chair

JULY 13  
APPROVED ~~FEBRUARY 9, 2006~~

**City of Bethel Planning Commission  
Resolution 06-04**

**A resolution approving the Final Plat of Lot 7 Chaney's Steamboat Slough Subdivision #1**

**WHEREAS**, Stan Corp filed a Preliminary Plat with the City of Bethel Planning Office in May 2006 subdividing Chaney's Steamboat Slough Subdivision #1, creating Lot 7;

**AND WHEREAS**, the Planning Commission approved the Preliminary Plat on June 8, 2006;

**AND WHEREAS**, there are no public improvements required for this subdivision;

**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of a Final Plat, pursuant to BMC 17.16, and recommends that the Final Plat be approved.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Final Plat for Lot 7 Chaney's Steamboat Slough Subdivision #1 and hereby approves the plat for recording in the Bethel District Records Office.

City of Bethel Planning Commission Action:

Vote: In Favor   7   Opposed   0   Abstained   0  

Date:   July 13, 2006  

Attest: \_\_\_\_\_  
          John Guinn, Chair

APPROVED JULY 13, 2006

**City of Bethel Planning Commission  
Resolution 06-05**

**A resolution approving the final plat of Bethel Courthouse Subdivision**

**WHEREAS**, a preliminary plat was submitted with the City of Bethel Planning Office in May 2006, A subdivision of Lot 1 Courthouse Subdivision (Plat 99-12) and Lots 2A & 2B, Block 1 City Center Subdivision (Plat 81-7) and a Vacation of a portion of the 20' Public Parking and Access Easement;

**AND WHEREAS**, the Planning Commission approved the Preliminary Plat on June 8, 2006;

**AND WHEREAS**, the planned public improvements meet the standards of the Public Works Director for this subdivision;

**AND WHEREAS**, there are no other public improvements needed or necessary for this Plat to receive final approval;

**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this Plat conforms to the requirements of a Final Plat, pursuant to BMC 17.16, and recommends that the Final Plat be approved.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Final Plat for Bethel Courthouse Subdivision and hereby approves the plat for recording in the Bethel District Recorders Office.

City of Bethel Planning Commission Action:

Vote: In Favor   7   Opposed   0   Abstained   0  

Date:   July 13, 2006  

Attest: \_\_\_\_\_  
          John Guinn, Chair

APPROVED JULY 13, 2006

**City of Bethel Planning Commission  
Resolution 06-06**

**A resolution supporting an amendment to the official map and land use code**

**WHEREAS**, in June 2006 Bethel Native Corporation applied for an amendment to the official map and land use code involving Lot 1, US Survey 1002, P96-15, 820 First Avenue, and 21,000 square feet of the remainder of US Survey 1002 to change the current land use designation of Public Lands and Institutions (PLI) to General Use (GU);

**AND WHEREAS**, Bethel Native Corporation wishes to allow for multiple uses afforded other properties in the area;

**AND WHEREAS**, the conditions of the land to be redesignated have changed and the previous designation is currently inappropriate;

**AND WHEREAS**, the proposed zoning amendment would further the goals and objectives of Bethel's Comprehensive Plan;

**AND WHEREAS**, the proposed zoning amendment would conform, standardize, and extend the zoning district to that shared with all surrounding lands;

**AND WHEREAS**, the Planning Director/Land Use Administrator for the City of Bethel has determined that the proposed zoning amendment has not been found to be in conflict with the provisions found in Title 18 of the Bethel Municipal Code and recommends approval of the redesignation;

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the application for an amendment of the official map and land use code and recommends that the proposal be presented in ordinance form to the Bethel City Council to gain approval.

City of Bethel Planning Commission Action:

Vote: In Favor   5   Opposed   0   Abstained   2  

Date:   July 13, 2006  

Attest: \_\_\_\_\_  
          John Guinn, Chair

*ZONING AT FISH PLANT LOCATION  
APPROVED  
(CITY COUNCIL ORD. 06-16)*

# Bethel Planning Commission Resolution

## Bethel Planning Commission RESOLUTION NO. 2006 -07

### A RESOLUTION OF SUPPORT BY THE BETHEL PLANNING COMMISSION FOR THE BETHEL COASTAL DISTRICT'S REVISED COASTAL MANAGEMENT PLAN.

**WHEREAS:** The original coastal management plan for the Bethel Coastal District was written in 1983 and the enforceable policies took effect in 1984; and,

**WHEREAS:** The Bethel Coastal Management Plan (BCMP) 2006 Plan Amendment has been amended in accordance with the revised Alaska Coastal Management Program (ACMP) statutes at AS 46.39 and AS 46.40 and the new ACMP regulations at 11 AAC 110, 11 AAC 112, and 11 AAC 114; and,

**WHEREAS:** This plan will guide the Bethel Coastal District's participation in the ACMP, a voluntary state program for the cooperative management of uses and activities in the coastal zone; and,

**WHEREAS:** The Bethel Coastal District circulated the plan amendment for public review and comment in accordance with state law at 11 AAC 114.345; and,

**WHEREAS:** In the process of revising its plan, the Bethel Coastal District has asked for comments from all involved parties; and,

**WHEREAS:** The Bethel Coastal District has considered all comments received during the public review and comment period, and has incorporated any necessary changes into the draft plan amendment; and,

**WHEREAS:** The information contained within the district plan and the public participation effort also provide documentation of local usage relating to coastal uses and resources that are of unique concern to the district; and

**WHEREAS:** State law at 11 AAC 114.345 (c)(4) requires that the Coastal District obtain a resolution of support from the municipal planning commission, or governing body before it is submitted to the Department of Natural Resources for consideration; and,

**WHEREAS:** The Bethel Planning Commission held a public hearing on February 9, 2006 to receive comments on the public review draft plan amendment, and finds, based on public comment, that it is in the best interest of the district to grant concept approval to the plan.

APPROVED OCTOBER 12, 2006

**NOW, THEREFORE, BE IT RESOLVED** that the Bethel Planning Commission recommends the Bethel City Council adopt the BCMP 2006 Plan Amendment.

**APPROVED** and **SIGNED** this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Planning Commission Chair

**ATTEST:**

\_\_\_\_\_  
Richard Abboud, Planning Director



# CITY OF BETHEL

## PLANNING OFFICE

P.O. Box 1388 • Bethel, Alaska 99559

907-543-5301

Fax # 907-543-2046

### City of Bethel Planning Commission Resolution 05-01

**A resolution approving the dedication of approximately 1 acre of land within the Memorial Cemetery Subdivision on Tower Road for a Veterans Memorial Cemetery site.**

**WHEREAS**, the City of Bethel is the owner of the surface estate of Tract 42, an approximate 185.4 acre parcel of land situated west of the Bethel Airport;

**AND WHEREAS**, Memorial Cemetery Subdivision subdivides Tract 42 into Tract 42 A, B, C and Memorial Cemetery Parkway. Tract 42 B creates a 14.37 acre new cemetery site, Tract C creates a 15.42 acre remainder of Tract 42 south of Memorial Cemetery Parkway, Tract 42 A creates a 174.61 acre remainder north of Memorial Cemetery Parkway and Memorial Cemetery Parkway, a 1.02 acre access road connecting Tower Road with Tract 42 B;

**AND WHEREAS**, the City of Bethel in partnership with American Legion Post #10, Veterans of Foreign Wars Post 10041, and Bethel Community Services Foundation, Inc. desires to develop an approximate 1 acre Veterans Memorial Cemetery site for veterans and spouses of veterans at this new cemetery, as exhibited on the attached Exhibit A;

**AND WHEREAS**, the American Legion, Veterans of Foreign Wars and Bethel Community Services Foundation have committed to contributing to the financial costs of surveying, platting, fencing and landscaping of this Veterans Memorial parcel.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission for the City of Bethel has reviewed the proposed location of the Veterans Memorial Cemetery within Memorial Cemetery Subdivision and recommends this set-aside dedication and use of approximately one acre for veterans and spouses of veterans.

City of Bethel Planning Commission Action:

Vote: In Favor 6 Opposed 0 Abstained 0

Date: Feb 10, 2005

Attest: John Guinn  
John Guinn, Chair



# CITY OF BETHEL

## PLANNING OFFICE

P.O. Box 1388 • Bethel, Alaska 99559

907-543-5301

Fax # 907-543-2046

### City of Bethel Planning Commission Resolution 05-02

#### A resolution approving the final plat of AVCP-HA Subdivision

**WHEREAS**, on June 3, 2004 the AVCP-Development Corporation (AVCP-DC) applied for a variance to a setback encroachment on Lt 2, Blk 5A, Ptarmigan-Tundra View Subdivision;

**AND WHEREAS**, on July 15, 2004 the AVCP-DC brought forward a preliminary plat that provided a corrective solution to the encroachment issue on Lt 2, Blk 5A, and further provided for the widening of the right-of-way from 50' to 60', the new minimum right-of-way width currently in ordinance on the unnamed street fronting Lu Lu Heron Congregate Care Facility;

**AND WHEREAS**, on July 15, 2004, at the applicant's request, the Planning Commission placed the variance application in abeyance pending final approval of this plat;

**AND WHEREAS**, by previous action of the Planning Commission taken on January 13, 2005 two previously dedicated but unnamed rights-of-ways of Ptarmigan-Tundra View Subdivision that are included in this plat were named;

**AND WHEREAS**, the right-of-way fronting Lu Lu Heron Congregate Care Facility has been named "J.B.Crow Road", and the right-of-way between Block 5A, Block 4 and Block 2, Block 3 has been named "Cakayak Road (John Samuelson Sr.)";

**AND WHEREAS**, the 50' public right-of-way on the west boundary between Block 10 and Block 9, Lots 1A & 2A (Plat 83-07), be re-designated as "alley", due to drainage and conditions located within restricted wetlands;

**AND WHEREAS** the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of a Final Plat, pursuant to BMC 17.16, and recommends that it be approved for recording.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Final Plat for "AVCP-HA Block 5A and Block 9 Subdivision" and hereby approves the plat for recording in Bethel District Recorders Office. Further, the Planning Commission formerly closes the AVCP-DC request for variance file for Lt 2, Blk 5A with no further action being taken.

City of Bethel Planning Commission Action:

Vote: In Favor 6 Opposed 0 Abstained 0

Date: 2-10-05

Attest: John Guinn  
John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 05-03**

**A resolution recommending to the City Council the acquisition of Lot 2, Block 8, US Survey 3790.**

**WHEREAS**, the City of Bethel (“City”) and the US Army Corps of Engineers (“Corps”) is preparing to rehabilitate and extend the seawall infrastructure along the east side of Brown’s Slough and adjacent Kuskokwim River from just below the Brown’s Slough Bridge to the mouth of the Small Boat Harbor;

**AND WHEREAS**, the City of Bethel is required, as provided in the project Bank Stabilization Agreement (“Agreement”) with the Corps, a local match for this project;

**AND WHEREAS**, the City of Bethel is also required by the Agreement to acquire permanent maintenance easements from upland land owners along the full length of the project. The cost of acquiring these maintenance easements is a contribution to the local match requirements of the Agreement;

**AND WHEREAS**, Lot 2, Block 8, US Survey 3790 is included in the necessary properties for a maintenance easement acquisition;

**AND WHEREAS**, Lot 2, Block 8, US Survey 3790 is a very small lot situated between parcels already owned by the City of Bethel;

**AND WHEREAS**, the required maintenance easement acquisition on Lot 2, Block 8, US Survey 3790 would encumber better than 90% of the parcel thus restricting future uses by the current private owner, Norian Holdings;

**AND WHEREAS**, the City administration has negotiated a purchase price for the entire parcel at an amount approved by the Corps as attributable to the city’s local match requirement in the project Agreement.

**NOW, THEREFORE BE IT RESOLVED**, pursuant to BMC 04.08.010, the Planning Commission finds that the acquisition of the fee interest in the full surface estate of Lot 2, Block 8, US Survey 3790 is in the best interest of the city and recommends this acquisition to council.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 05-04**

**A resolution approving the final plat of Yuut Elitnaurviat People's Learning Center  
Subdivision**

**WHEREAS**, on May 26, 2005 the Yuut Elitnaurviat People's Learning Center applied for a preliminary plat on Tracts A1 and A2,;

**AND WHEREAS**, on May 26, 2005 the Yuut Elitnaurviat People's Learning Center brought forward a preliminary plat that creates a separate lot for the vocation education building that would occupy Tract A1;

**AND WHEREAS**, by previous action of the Planning Commission taken on May 26, 2005 preliminary plat approval by a vote of 4-0;

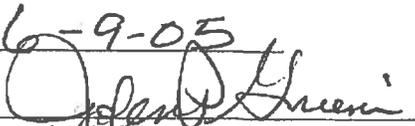
**AND WHEREAS** the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of a Final Plat, pursuant to BMC 17.16, and recommends that it be approved for recording.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Final Plat for "Yuut Elitnaurviat People's Learning Center" and hereby approves the plat for recording in Bethel District Recorders Office.

City of Bethel Planning Commission Action:

Vote: In Favor 4 Opposed 0 Abstained 0

Date: 6-9-05

Attest:   
John Gunn, Chair

**City of Bethel Planning Commission  
Resolution 04-01**

**A resolution recommending to the City Council a land exchange between William Updegrove and Sharon Neth of an equal amount of city land to accommodate a necessary sewer and water line placement in Phase B of the City Subdivision water and sewer improvement project.**

**WHEREAS**, William Updegrove and Sharon Neth are the owners of Lot 15, Block 6, Resubdivided Block 9, City Subdivision, US Survey 3770, NW Addition to Bethel Townsite, Plat 71-425, Records of the Bethel Recording District ("Lot 15");

**AND WHEREAS**, the City of Bethel is the owner of Lot 14, Block 6, Resubdivided Block 9, City Subdivision, US Survey 3770, NW Addition to Bethel Townsite, Plat 71-425, Records of the Bethel Recording District ("Lot 14");

**AND WHEREAS**, the City of Bethel requires approximately 1,449 S/F along the north boundary of Lot 15 to accommodate new sewer and water lines being placed as part of Phase B, City Subdivision Sewer and Water Improvement Project;

**AND WHEREAS**, there is a 20 foot Walkway easement separating Lots 14 and 15 that is designated a Preservation District on the official Land Use Map dated July 10, 1990;

**AND WHEREAS**, in lieu of monetary compensation for the 1,449 S/F of Lot 15 the owners of Lot 15 wish to exchange an equal amount of land from the east side 20' Walkway that is contiguous to the west boundary of Lot 15.

**NOW, THEREFORE BE IT RESOLVED**, the Planning Commission has reviewed the above outlined proposal and attached exhibit drawing and recommends to the City Council, pursuant to BMC 04.08.010, that a 1,449 portion of the Walkway separating Lots 14 and 15 be disposed of pursuant to BMC 04.08.030 A., in exchange for a similar amount of square footage area situated on the north end of Lot 15, as exhibited on the attached exhibit drawing.

Further be it resolved that the Planning Commission recommends that the 20' Walkway be reestablished by relocating the east boundary of Lot 14 westerly to accommodate this 20' Walkway, and that the 10' existing drainage easement of record currently located along the east boundary of Lot 14 be reestablished within the newly created east boundary of Lot 14, as exhibited on the attached drawing.

*APPROVED JANUARY 8, 2004*

Further be it resolved that the Planning Commission recommends that within the disposal ordinance passed by the City Council, approving this disposal and exchange, the newly situated 20' Walkway, pursuant to BMC 18.08.020 B., be designated a Preservation District on the city's Official Land Use Map.

Further be it resolved that the Planning Commission directs the Planning Director/Platting Officer, upon recording of the deed transfer documents in this matter, to complete the necessary platting requirements in accordance with BMC Chapter 17.20, Minor Replats.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 04-02**

**A RESOLUTION TO THE CITY COUNCIL RECOMMENDING AN  
AMENDMENT TO THE BETHEL MUNICIPAL CODE SECTION 18.80.050  
ENTITLED "CONVERSION OF NONCONFORMITY" TO ADD A  
PROCEDURE FOR A LANDOWNER TO APPLY FOR A PERMIT ALLOWING  
CERTAIN NONCONFORMING STRUCTURES TO REMAIN IN  
NONCONFORMING**

**WHEREAS**, it has come to the attention of the Planning Office that some properties developed prior to December 31, 1990 unintentionally encroached into the required yard area setbacks thus creating a nonconforming property;

**AND WHEREAS**, most lending institutions will no longer finance properties that are nonconforming, thus placing an extreme burden on the property owner at the time of sale;

**AND WHEREAS**, most of these properties nonconformance is not detrimental to the general public health, safety or welfare, or environment of the immediate neighborhood or community;

**AND WHEREAS**, the present City of Bethel code requires the correction of all nonconformities within two years of the transfer of the interest in a property, either through a conditional use permit or a variance;

**AND WHEREAS**, the current City of Bethel code does not allow for the issuance of a conditional use permit in any land use district for a nonconforming yard area setback. The city's authority for the issuance of variances is first governed under state statute, then by city ordinance. Most properties in yard area setback nonconformity do not qualify under the restrictive statute and ordinance requirements for the issuance of a variance.

**NOW, THEREFORE BE IT RESOLVED**, the Planning Commission finds that BMC 18.80.050 B. intended to provide for the application of a conditional use permit as a process for addressing yard area setback nonconformity and proposed Ordinance # 04-08 adequately addresses a procedure for accomplishing this intent.

APPROVED JUNE 10, 2004

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 04-03**

**A resolution recommending to the City Council the disposal of an approximate 1,700 S/F portion of Tract B1, Resubdivided Block 9, City Subdivision, US Survey 3770, N W Addition to the Bethel Townsite to Irene Venes and Joseph Venes Jr. as property no longer necessary for municipal purposes.**

**WHEREAS**, Irene Venes and Joseph Venes Jr. are the owners of Lot 1, Block 6, Resubdivided Block 9, City Subdivision, US Survey 3770, NW Addition to Bethel Townsite, Plat 71-425, Records of the Bethel Recording District ("Lot 1");

**AND WHEREAS**, the City of Bethel is the owner of Tract B1, Resubdivided Block 9, City Subdivision, US Survey 3770, NW Addition to Bethel Townsite, Plat 71-425, Records of the Bethel Recording District ("Tract B1");

**AND WHEREAS**, Lot 1 shares a common and contiguous boundary with Tract B1. The owners of Lot 1 reportedly built their home on Lot 1 in 1977. This construction occurred without the benefit of a site survey. A subsequent as-built survey has shown this home encroaches 2.81 feet into the city owned Tract B1;

**AND WHEREAS**, the owners of Lot 1 are requesting that the city convey a 14 foot wide strip along the common boundary of Lot 1 and Tract B1 to correct both the 2.81 foot encroachment, and an additional 10 feet to insure the property conforms to the current sideyard setback requirements in ordinance, an area comprising approximately 1,700 S/F;

**AND WHEREAS**, the portion of Tract B1 affected by the proposed conveyance to the owners of Lot 1 is approximately 12,100 S/F. The reduction of a 1,700 S/F area in Tract B1 leaves a remainder of approximately 10,400 S/F. This reduction in area of Tract B1 at this location does not appear to substantially effect the future use of this portion of Tract B1;

**AND WHEREAS**, the owners of Lot 1 have procured a current fair market value appraisal that has valued the 1,700 S/F proposed transfer portion of Tract B1 at \$3,200.

**NOW, THEREFORE BE IT RESOLVED**, the Planning Commission finds that the encroachment of the Venes residence on Tract B1 was an inadvertent error. The Planning Commission recommends to the City Council, pursuant to BMC 04.08.010, that a 1,700 S/F portion of Tract B1 contiguous to the northerly boundary of Lot 1 be disposed of pursuant to BMC 04.08.030 A., at the current appraised value to the owners of Lot 1.

*APPROVED OCTOBER 28, 2004*

Further be it resolved that the Planning Commission directs the Planning Director/Platting Officer, upon recording of a deed transferring the portion of Tract B1, to complete the necessary platting requirements in accordance with BMC Chapter 17.20, Minor Replats.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 04-04**

**A resolution recommending to the City Council the disposal by lease of the Bethel Group Home property to the Lower Kuskokwim School District.**

**WHEREAS**, the city is the owner of Tract B, Block 3 and Tract D, Turnkey III Subdivision, Plat 87-6, Records of the Bethel Recording District, properties previously leased from the city by the Bethel Group Home, Inc. (“the Property”);

**AND WHEREAS**, the Bethel Group Home previously provided residential services to children in facilities located and owned by the Bethel Group Home, Inc. on the Property. The program services of the Bethel Group Home have now been transferred to the Yukon-Kuskokwim Health Corporation. As a result the facilities located on the property are currently vacant;

**AND WHEREAS**, suitable facilities for children’s programs within the Bethel community are much needed;

**AND WHEREAS**, the Lower Kuskokwim School District has acquired the facilities located on the Property from the Bethel Group Home, Inc. and desires to continue using these facilities for children related programs and activities.

**NOW, THEREFORE BE IT RESOLVED**, the Planning Commission recommends to the City Council, pursuant to BMC 04.08.010, that the Property be leased to the Lower Kuskokwim School District, pursuant to BMC 04.08.030 B., Disposal to Entity Providing a Necessary Public Service.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 04-05**

**A resolution approving the final plat of Kasayuli Access Road Subdivision**

**WHEREAS**, the Yukon-Kuskokwim Health Corporation filed a preliminary replat with the City of Bethel Planning Office in July 2004 subdividing Government Lots 1, 3, 4, 14, 16, 17, Tract 42, and Tract 44. Creating a public right-of-way Tract 44A, and Government Lots 1A, 3A, 4A, 14A, 15A, 16A, 17A, Tract 42A, and Tract 42B;

**AND WHEREAS**, the Planning Commission approved the preliminary plat on August 12, 2004;

**AND WHEREAS**, the Director of Public Works for the City of Bethel has inspected the required public improvements for this subdivision and has approved these;

**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of a Final Plat, pursuant to BMC 17.16, and recommends that the final plat be approved.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Final Plat for Kasayuli Access Road Subdivision and hereby approves the plat for recording in Bethel District Recorders Office.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
John Guinn, Chair

*APPROVED DECEMBER 9, 2004*

**City of Bethel Planning Commission  
Resolution 04-06**

**A resolution approving the final plat of YKHC Receiving Home Subdivision**

**WHEREAS**, the Yukon-Kuskokwim Health Corporation filed a preliminary plat with the City of Bethel Planning Office in July 2004 subdividing Lot 4A, Government Lot 57, US Survey 4117 and creating Lots 4A1 and 4A2, Government Lot 57, US Survey;

**AND WHEREAS**, the Planning Commission approved the preliminary plat on August 12, 2004;

**AND WHEREAS**, there are no public improvements required for this subdivision;

**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of a Final Plat, pursuant to BMC 17.16, and recommends that the final plat be approved.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Final Plat for YKHC Receiving Home Subdivision and hereby approves the plat for recording in the Bethel District Records Office.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

*APPROVED DECEMBER 9, 2004*

**City of Bethel Planning Commission  
Resolution 03-01**

**A resolution approving the subdivision plat of Yuut Elitnaurviate-Peoples Learning Center Subdivision as an Abbreviated Plat, and Waiver.**

**WHEREAS**, the City of Bethel is the owner of a 381 acre parcel of land situated west of, and contiguous to, City Subdivision;

**AND WHEREAS**, the Yuut Elitnaurviate -Peoples Learning Center campus is intended to operate as a collaborative partnership of organizations serving secondary and postsecondary educational needs within the region that will serve teens and young adults in diverse career pathways targeted at the regions most significant labor market needs and employment opportunities;

**AND WHEREAS**, the Planning Commission had previously determined, with the passage of Resolution No. 01-04, that the area west of City Subdivision and south of Ptarmigan Road situated in the southwest quarter of Section 8, Range 71 West, Township 8 North, Seward Meridian, and now defined by this subdivision plat, is well suited for the location of this learning center campus. It is centrally located within the community, currently zoned as Public Lands and Institutions, and accessible to piped sewer and water;

**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of an Abbreviated Plat, pursuant to BMC 17.18, and recommends that the final plat be Waived in accordance with BMC 17.18.070.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the plat for the Yuut Elitnaurviate/Peoples Learning Center Subdivision, and the recommendations of the Planning Director/Platting Officer, and hereby Waive the final plat hearing in this matter and directs the Planning Director/Platting Officer to complete the requirements of a final plat administratively in accordance with BMC 17.18.050.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED JANUARY 23, 2003

Attest: \_\_\_\_\_

John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 03-02**

**A resolution recommending to the City Council the conveyance of a portion of city land dedicated as a public easement contiguous to the southern boundary of Lot 21, Block 5, Plat 78-4, US Survey 3230 B, records of the Bethel Recording District, in exchange for a grant of easement to the City of Bethel for the purposes that the city now possess in the parcel being conveyed.**

**WHEREAS**, Robert Sept is the owner of record of Lot 21, Block 5, Plat 78-4, US Survey 3230 B, Records of the Bethel Recording District (Page 0095 Book 065 BRD);

**AND WHEREAS**, A Site Plan Application for placing improvements on Lot 21 was presented to the Planning Office on August 8, 2002 by Tomas Israelsson, Robert Septs' construction contractor. This application requested approval for the addition of site fill and the construction of two 24" X 48' single story duplexes. The application sketch showed all building setbacks to be in compliance with city ordinance. A Site Plan Permit was issued for this land use with the additional requirement for the placement a 24" driveway culvert;

**AND WHEREAS**, during initial construction of the duplexes there was a miss communication between the contractor and land surveyor that resulted in the duplex being constructed adjacent to the southern boundary of Lot 21 being located 3.8 feet out of compliance with the 10 foot setback requirement on Lot 21's southern boundary;

**AND WHEREAS**, the southern boundary of Lot 21 abuts a platted public easement of record dedicated for the use and benefit of the City of Bethel;

**AND WHEREAS**, the nonconformity of the landowners' present building to the southern boundary setback may not qualify for a variance.

**NOW, THEREFORE BE IT RESOLVED**, the Planning Commission, in consideration of the economic hardship the relocating of the duplex would impose on the landowner, recommends to the City Council that the city convey by quit claim deed to Robert Sept a 4' X 100' portion of city land dedicated as a public easement abutting the southern boundary of Lot 21, as shown on the attached exhibit drawing, in exchange for a grant of easement from Robert Sept for the same 4' X 100' parcel, granting to the city all the uses and benefits it currently possess in this city land dedicated as a public easement. The intended result being that the city suffer no net loss in use or benefit to the area currently contained within the city land dedicated as a public easement as platted, and the landowners new building located on the southern boundary of Lot 21 is in conformity with the required ten foot setback.

*APPROVED JANUARY 23, 2003*

Be it further resolved that upon completion of the required land transaction actions by the City Council the Planning Director is authorized to complete the subdivision of Lot 21 pursuant to BMC 17.20 Minor Replats – Lot Line Adjustments.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 03-03**

**A resolution approving the final plat of Mission Lake Subdivision**

**WHEREAS**, the Alaska Moravian Church filed a preliminary plat with the City of Bethel Planning Office in April 2001 subdividing Tract C-2, Mumtretlek Subdivision and creating Lots 8 thru 12, Block 6, Mumtretlek Subdivision, Uyaquq Circle a public right-of-way and Tract C-2-A as the Remainder of Tract C-2;

**AND WHEREAS**, the Planning Commission approved the preliminary plat for Mission Lake Subdivision on April 12, 2001;

**AND WHEREAS**, the Director of Public Works for the City of Bethel has inspected the required public improvements for this subdivision, and by letter dated March 4, 2003 has approved these;

**AND WHEREAS**, Bethel Utilities Corporation, in response to the Final Plat noticing, has submitted a letter dated March 5, 2003 requesting the establishment of an additional 10 foot public easement beginning at the intersection of Uyaquq Circle and Mission Lake Road and terminating at the opposite intersection of Uyaquq Circle and Mission Lake Road;

**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of a Final Plat, pursuant to BMC 17.16, and recommends that the final plat be approved with the addition of a 10 foot public easement to be placed inside the lot boundaries of Lots 8 through 12, Block 6 beginning at the intersection of Uyaquq Circle and Mission Lake Road and terminating at the opposite intersection of Uyaquq Circle and Mission Lake Road.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Final Plat for Mission Lake Subdivision, and the recommendations of the Planning Director/Platting Officer, and hereby approves, conditioned upon the final plat recording copy including the 10 foot public easement referenced herein, for recording with Bethel District Recorders Office.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 03-04**

**A resolution approving the final plat of Napakiak Corporations Lot 10 A, Block 13, Tundra Ridge Subdivision.**

**WHEREAS**, Napakiak Corporation filed a preliminary plat with the City of Bethel Planning Office in January 2003 removing the common boundary and easements between Lots 10 and 11, Block 13, Tundra Ridge Subdivision, thereby creating a single Lot 10 A, Block 13, Tundra Ridge Subdivision;

**AND WHEREAS**, the Planning Commission approved the preliminary plat at its regularly scheduled meeting of February 13, 2003;

**AND WHEREAS**, the Director of Public Works has submitted a letter dated February 20, 2003 stating that the removal of the boundary easements currently situated on the common boundaries of Lots 10 and 11, Block 13 should not affect the future development of piped sewer and water services on the newly created Lot 10 A, Block 13;

**AND WHEREAS**, there are no other public improvements needed or necessary for this plat to receive final approval;

**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of a Final Plat, pursuant to BMC 17.16, and recommends that the final plat be approved.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the Final Plat for Napakiak Property Lot 10 A in Block 13 subdivision, and the recommendations of the Planning Director/Platting Officer, and hereby approves this plat for recording with the Bethel District Recorders Office.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
John Guinn, Chair

*APPROVED MARCH 13, 2003*

**City of Bethel Planning Commission  
Resolution 03-05**

**A resolution approving the Memorial Cemetery Subdivision as an Abbreviated Plat, and Waiver**

**WHEREAS**, the City of Bethel is the owner of the surface estate of Tract 42, an approximate 185.4 acre parcel of land situated west of the Bethel Airport;

**AND WHEREAS**, the City of Bethel desires to increase the land available for the development of a future cemetery site;

**AND WHEREAS**, Memorial Cemetery Subdivision subdivides Tract 42 into Tract 42 A, B, C and Memorial Cemetery Parkway. Tract 42 B creates a 14.37 acre new cemetery site, Tract C creates a 15.42 acre remainder of Tract 42 south of Memorial Cemetery Parkway, Tract 42 A creates a 174.61 acre remainder north of Memorial Cemetery Parkway and Memorial Cemetery Parkway, a 1.02 acre access road connecting Tower Road with Tract 42 B;

**AND WHEREAS**, the City of Bethel has conducted soils analysis of the proposed Tract 42 B Memorial Cemetery site and found these soils suitable for a cemetery;

**AND WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has determined that this plat conforms to the requirements of an Abbreviated Plat, pursuant to BMC 17.18, and recommends that the final plat be Waived in accordance with BMC 17.18.070.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission has reviewed the subdivision plat of Memorial Cemetery Subdivision, and the recommendations of the Planning Director/Platting Officer, and hereby Waive the final plat hearing in this matter and directs the Planning Director/Platting Officer to complete the requirements of a final plat administratively in accordance with BMC 17.18.050.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

APPROVED APRIL 10, 2003

**City of Bethel Planning Commission  
Resolution 03-06**

**A resolution approving the final plat of Yukon Kuskokwim Health Corporation, Kasayuli Phase Three Subdivision – 2003.**

**WHEREAS**, on April 10, 2003 the Planning Commission approved the preliminary plat for the creation of Lot 4A of Block 1, Lot 1A of Block 2, Lot 6A of Block 11 and Lot 22A of Block 9 by vacating the common property boundary between Lots 4 & 5 of Block 1, Lots 1 & 2 of Block 2, Lots 6 & 7 of Block 11 and Lots 22 & 23 of Block 9, Kasayuli Subdivision for the purpose of developing a single structure duplex housing unit on the newly created lots;

**AND WHEREAS**, this subdivision requires no further public improvements then those already in place as a condition for final plat approval.

**NOW, THEREFORE BE IT RESOLVED** the Planning Commission for the City of Bethel approves the Final Plat for Kasayuli Phase Three Subdivision - 2003 and accepts all public dedications as exhibited or granted on the Final Plat.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

APPROVED MAY 8, 2003

**City of Bethel Planning Commission  
Resolution 02-01**

**A resolution authorizing the final plat to vacate the Third Street right-of-way**

**WHEREAS**, the City of Bethel owns the Third Street right-of-way as shown within United States Survey (USS) 3770, Northwest Addition to the Townsite of Bethel, Alaska, dated December 6, 1963,

**AND WHEREAS**, on December 4, 2001 the Planning Office received a letter petition from Tunistia Properties, Incorporated and Allan Winterstien, as owners of record or representing the owner of record, to vacate approximately 400 feet of the Third Street right-of-way abutting the following properties (see attached exhibit):

<u>Lot and Block</u>	<u>Owner of Record</u>	<u>BRD Recording</u>
Lot 7, Block 5 USS 3770	Calista Homes, Inc.	Book 54, Page 853-855
Lot 8, Block 5 USS 3770	Calista Homes, Inc.	Book 54, Page 853-855
Tract C-1 Mumtretlek Subdv.	Allan W. and Theordora R. Wintersteen	Book 79, Page 944-949
Lot 2, Block 2 City Center Subdv.	City of Bethel	Book 47, Page 538-550

**AND WHEREAS**, the Planning Commission reviewed applicants petition at the Commission's regularly scheduled meeting of December 13, 2001 and moved to have the petition scheduled for public hearing;

**AND WHEREAS**, the Third Street right-of-way is undeveloped, 80 feet wide, approximately 400 feet long and currently designated as a Preservation District. The lands abutting this right-of-way are designated General Use;

**AND WHEREAS**, this right-of-way is poorly suited for public road development in that it would add an additional intersecting roadway to the poorly configured and already congested intersection of Chief Eddie Hoffman Highway, Willow Street and Third Avenue;

*APPROVED JANUARY 10, 2002*

**AND WHEREAS**, this right-of-way is a major drainage that collects runoff water from several streets and channels this to Dull Lake. Adequate drainage needs to be preserved within this area through the retention of a Preservation District designation;

**AND WHEREAS**, Calista Homes, Incorporated, the owner of record of Lots 7 & 8, Block 5, USS 3770, wishes to cure the none conforming buildings that are situated on the boundary line that separates Lots 7 & 8 by vacating the common property line between Lots 7 & 8;

**AND WHEREAS**, the Director of the Public Works Department, by memorandum of January 2, 2002, stated no objection to this vacation with the exception that an adequate drainage area be maintained.

**NOW, THEREFORE BE IT RESOLVED** that the Planning Commission for the City of Bethel finds that the property contained in the undeveloped Third Street right-of-way is no longer necessary for public use except for the preservation of a designated drainage area. That upon the 31<sup>st</sup> day after passage of this resolution, unless otherwise vetoed or modified by the city council pursuant to BMC 17.32.045, the planning director shall notify petitioners to proceed with final plat application as prescribed within BMC 17.32.050 A. The final plat application shall be made pursuant to BMC 17.16. The final plat shall reestablish a Preservation District 10 feet on either side of the platted center line of the right-of-way (20 feet total width), running the full length of the vacated right-of-way. It shall also vacate the common boundary on the Calista Homes, Incorporated Lots 7 & 8, Block 5, US Survey 3770 and create a common single lot with a new lot designation. The vacated lands on either side of the Preservation District shall be redesignated General Use and so noted on the final plat and the official city Land Use Map.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 02-02**

**A resolution approving the final plat of BNC Industrial Park Subdivision, a subdivision of  
Remainder Tract 5A, US Survey 4000, Bethel, Alaska**

**WHEREAS**, pursuant to the Certificate to Plat, Order No. 01-06533 dated August 31, 2001, issued by First American Title of Alaska, record title of Remainder Tract 5A, a subdivision of Tract 5, US Survey 4000, filed under Plat No. 92-2, Records of the Bethel Recording District, is vested in Bethel Native Corporation;

**AND WHEREAS**, on September 20, 2001 the Planning Commission approved the preliminary plat for the subdivision of Remainder Tract 5A into BNC Industrial Park Subdivision, Tracts 1, 2, and 3;

**AND WHEREAS**, on October 11, 2001 the Planning Commission held a public hearing on the petition from Bethel Native Corporation to redesignate the land use within BNC Industrial Park Subdivision from Public Lands and Institutions to an Industrial Use designation for Tract 2, the proposed site of a new bulk fuel storage facility, and a General Use designation for the remainder of the subdivision. The Planning Commission approved this land use redesignation, and recommended through Resolution #01-05 an amendment to the official land use map to the City Council;

**AND WHEREAS**, on January 8, 2002 the City Council passed Ordinance #01-48 approving these land use redesignations to the official land use map;

**AND WHEREAS**, by letter dated August 31, 2001, the State of Alaska, Department of Transportation and Public Facilities (DOT&PF) requested that no additional direct access be provided from Tract 3 of the new subdivision directly onto Chief Eddie Hoffman Highway, and that the 100 foot right-of-way of Chief Eddie Hoffman Highway be rededicated where it passes through Tract 1 of the new subdivision;

**AND WHEREAS**, the subdivider has provided for the right-of-way dedication requested by DOT&PF for Chief Eddie Hoffman Highway by changing that portion of Tract 1 on the north side of Chief Eddie Hoffman Highway to Tract 4, thus establishing separate tract boundaries on either side of the 100 foot right-of-way and dedicating the right-of-way on the plat;

*APPROVED FEBRUARY 22, 2002*

**AND WHEREAS**, as further requested by DOT&PF, there is no additional separate access provided from Tract 3 to Chief Eddie Hoffman Highway;

**AND WHEREAS**, this subdivision requires no further public improvements then those already in place as a condition for final approval of this plat.

**NOW, THEREFORE BE IT RESOLVED** the Planning Commission for the City of Bethel approves the Final Plat for BNC Industrial Park Subdivision and accepts all public dedications as exhibited or stated on the Final Plat.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 02-03**

**A resolution approving the final plat vacating the Third Street right-of-way, US Survey 3770,  
Bethel, Alaska**

**WHEREAS**, the City of Bethel owns the Third Street right-of-way as shown within United States Survey (USS) 3770, Northwest Addition to the Townsite of Bethel, Alaska, dated December 6, 1963,

**AND WHEREAS**, on December 4, 2001 the Planning Office received a letter petition from Tunistia Properties, Incorporated and Allan Winterstien, as owners of record or representing the owner of record, to vacate approximately 400 feet of the Third Street right-of-way abutting the following properties:

<u>Lot and Block</u>	<u>Appearing of Record</u>	<u>BRD Recording</u>
Lot 7, Block 5 USS 3770	Calista Homes, Inc.	Book 54, Page 853-855
Lot 8, Block 5 USS 3770	Calista Homes, Inc.	Book 54, Page 853-855
Tract C-1 Mumtretlek Subdv.	Allan W. and Theodora R. Wintersteen	Book 79, Page 944-949
Lot 2, Block 2 City Center Subdv.	City of Bethel	Book 47, Page 538-550

**AND WHEREAS**, pursuant to the Certificate to Plat, Order No. 00055530 dated October 9, 2001, issued by Pacific Northwest Title of Alaska, Inc., record title of Lots 7 and 8, Block 5, Northwest Addition to the Townsite of Bethel, US Survey 3770, records of the Bethel Recording District at Bethel, Alaska, is vested in Calista Homes, Inc.;

**AND WHEREAS**, pursuant to the Certificate to Plat, Order No. 00057418 dated February 13, 2002, issued by Pacific Northwest Title of Alaska, Inc., record title of Lot C-1, Mumtretlek Subdivision, Plat 70-444, records of the Bethel Recording District at

*APPROVED APRIL 11, 2002*

Bethel, Alaska, is vested in Allan W. Wintersteen and Theodora Wintersteen, also appearing of record as Theodora R. Wintersteen;

**AND WHEREAS**, Calista Homes, Incorporated, the owner of record of Lots 7 and 8, Block 5, USS 3770 also petitioned to cure the none conforming buildings that are situated on the boundary line that separates Lots 7 & 8 by vacating the common property line between Lots 7 & 8;

**AND WHEREAS**, the Planning Commission reviewed applicants petition at the Commission's regularly scheduled meeting of December 13, 2001 and moved to have the petition scheduled for public hearing;

**AND WHEREAS**, at the regularly scheduled Planning Commission meeting of January 10, 2002 the Commission unanimously approved Resolution # 02-01, a resolution finding that the Third Street right-of-way, with the exception of the need to establish a 20 foot drainage corridor the full length of the right-of-way, was no longer necessary for public use and authorized the preparation and submission of a final plat for this vacation;

**AND WHEREAS**, at the regularly scheduled City Council meeting of January 22, 2002 the City Council approved Planning Commission Resolution #02-01 without modification;

**AND WHEREAS**, this vacation and subdivision requires no further public improvements then those already in place as a condition for final approval of this plat.

**NOW, THEREFORE BE IT RESOLVED** the Planning Commission for the City of Bethel approves the Final Plat for the Third Street vacation and accepts all public dedications as exhibited and stated therein.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 02-04**

**A resolution recommending to the City Council that BMC sections 17.24.228 through 17.24.280 pertaining to mandatory installation of piped water and sewer in new subdivisions be repealed pending a formal study of the impact on future development and possible modifications to their current implementation.**

**WHEREAS**, Ordinance #01-05 (Planning Commission Substitute) amended Title 15 Flood Control regulations; Title 16 Comprehensive Plan and definitions; Title 17 Platting and Subdivision regulations, and Title 18 Zoning and Supplemental regulations. This ordinance was passed and became effective on April 10, 2001.

**AND WHEREAS**, after the ordinances introduction in January 2001, the council referred it to the planning commission for public hearing purposes. To be consistent with the Comprehensive Plan, included within these amendments was the requirement that all new subdivisions be provided with piped water and sewer infrastructure. At the conclusion of the planning commissions public hearing process, the commission felt that these regulations required more evaluation and process which might produce recommendations for different scenarios of implementation then stipulated. Therefore, the planning commission recommended in their version of the ordinance (Planning Commission Substitute) that the effective date of sections 17.24.228 through 17.24.280 be deferred until January 1, 2002. This deferment was adopted by council with the passage of Ordinance #01-05 on April 10, 2001;

**AND WHEREAS**, the Planning Commission has long recognized that the implementation of these sections represents many complex policy issues including the timing of necessary funding for scheduling the ongoing retrofitting of sewer and water pipe systems on existing properties, the possibility that strict adherence to these sections could place many developer built systems at locations where they may not be connected to the city's central system for many years in the future and thereby become obsolete or fall into disrepair, and the ever increasing costs associated with the present sewer and water truck haul system. Further, the Planning Commission recognizes that strict adherence to these sections will prevent further development of small subdivisions that would not place inordinate extra costs on the existing truck hauled sewer and water service system, and are necessary to accommodate reasonable future planning and development;

**AND WHEREAS**, the City Council, Public Works Committee and the Planning Commission have scheduled, on their respective agendas, several informal and formal hearings on these sections over the past eight months;

**AND WHEREAS**, these additional public input sessions have produced little or no definitive recommendations for appropriately modifying these sections that will accommodate reasonable future development;

**NOW, THEREFORE BE IT RESOLVED**, pursuant to BMC 18.76.010 A. 2. the Planning Commission for the City of Bethel recommends to the City Council that sections 17.24.228 through 17.24.280 be repealed pending a formal study on their future impact, and possible recommended alternatives to both to the Comprehensive Plan and the current ordinances.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 02-05**

**A resolution approving the final plat of Yukon Kuskokwim Health Corporation (YKHC) Kasayuli Phase Two Subdivision - 2002, a subdivision of Lots 13A, 15A and 17A of Block 7, Lots 5A and 7A of Block 8, and Lots 4A and 8A of Block 9, Kasayuli Subdivision.**

**WHEREAS**, on May 30, 2002 the Planning Commission approved the preliminary plat for the subdivision of Lots 13 & 14, 15 & 16, 17 & 18 of Block 7, Lots 5 & 6, 7 & 8 of Block 8, and Lots 4 & 5 and 8 & 9 of Block 9, thereby removing the common boundaries separating these and creating Lots 13A, 15A and 17A of Block 7, Lots 5A and 7A of Block 8, and Lots 4A and 8A of Block 9, Kasayuli Subdivision;

**AND WHEREAS**, this subdivision requires no further public improvements then those already in place as a condition for final approval of this plat.

**NOW, THEREFORE BE IT RESOLVED** the Planning Commission for the City of Bethel approves the Final Plat for Kasayuli Phase Two Subdivision – 2002 subdivision and accepts all public dedications as exhibited or granted on the Final Plat.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

APPROVED JULY 11, 2002

**City of Bethel Planning Commission  
Resolution 01-01**

**A Resolution to the City Council recommending consideration be given to discounting city owned sand to be used by private parties in developing public improvements within dedicated public rights-of-ways and other public purposes.**

**WHEREAS**, the City of Bethel is committed to achieving the best possible road system and other public improvements to serve the city's residents and visitors;

**AND WHEREAS**, the City owns and manages certain sand reserves that are typically used for the improvement and maintenance of public improvements within public dedicated rights-of-ways and other public purposes;

**AND WHEREAS**, public improvements that are developed by the private sector will, upon successful completion, become part of the city's public infrastructure. Sand is a common base fill for all roads and similar type improvements and represents a substantial portion of the cost in developing these;

**AND WHEREAS**, reducing the cost of this essential commodity for public improvement purposes will reduce development costs, and therefore the eventual costs borne by Bethel citizens.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission recommends to Council that the city manager investigate the discounted use of publicly owned sand resources by private sector developers for these public purposes.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
John Guinn, Chair

DISAPPROVED MAY 10, 2001

**City of Bethel Planning Commission  
Resolution 01-02**

**A resolution of finding recommending the vacation of a portion of the 7<sup>th</sup> Avenue right-of-way**

**WHEREAS**, the City of Bethel owns the 7<sup>th</sup> Avenue right-of-way as shown within United States Survey (USS) 3230 A&B, Townsite of Bethel, dated January 4, 1954,

**AND WHEREAS**, petitioners Helen Hancken, Leigh Gill and Myron Angstman, as owners of interest or representing the owner of interest, petitioned the Planning Commission to vacate approximately 317 feet of the 7<sup>th</sup> Avenue right-of-way contiguous to the following properties (see attached exhibit):

<u>Lot and Block</u>	<u>Owner of Record</u>	<u>BRD Recording</u>
Lot 1A Block 4	Myron E. and Suzanne L. Angstman	Book 82, Page 51-52
Lot 3, Block 4	Long Pond Enterprises, LLC	Book 83, Page 159
Lot 4, Block 4	Long Pond Enterprises, LLC	Book 83, Page 155
Lot 1, Block 1	Myron Angstman	Book 88, Page 698-700
Lot 2, Block 1	Suzanne L. Angstman Revocable Trust	Book 83, Page 151
Lot 3, Block 1	Freedom Medical Services, Inc	Book 89, Page 689-690

**AND WHEREAS**, the Planning Commission held a public hearing on this petition at its regularly scheduled meeting of May 10, 2001;

**AND WHEREAS**, testimony and evidence presented at this hearing revealed that of the approximate 317 feet of the right-of-way that the petitioner's are asking the city to vacate, approximately 217 feet of the right-of-way remains unimproved without a road. The area is zoned General Use with the exception of Lot 1, Block 1, which had been previously sold by the city to Mr. Angstman through a public bid sale. This lot had been rezoned as Open Space by the city council as a condition of this sale;

*A P P R O V E D   J U N E 1 4 , 2 0 0 1*

**AND WHEREAS**, the proposed vacated area is within the designated Special Hazard flood zone and significant portions of several of the subject lots (those contiguous to Brown's Slough) are within the Corps of Engineers restricted wetlands (requiring Corps permitting for development);

**AND WHEREAS**, the petitioner's have acknowledged that they will be responsible for the platting of easements to accommodate access to all lots within the vacated area and the development and maintenance of access roads within these easements to the lots within the vacated area. Further, if this vacation is granted, petitioner Angstman will vacate the common property boundary between Lots 1 and 2 of Block 1 (lots contiguous to Brown's Slough) and consent to a rezoning of the new common lot as Open Space;

**AND WHEREAS**, The Director of Public Works Department, by memorandum of May 8, 2001, stated no objection to this vacation;

**AND WHEREAS**, that the Planning Commission finds that this vacation is of benefit to the city in that the potential future cost of developing the 217 feet of the 7<sup>th</sup> Avenue road system easterly to Brown's Slough to provide public road access to Lots 1 and 2 of Block 1, and Lot 1A of Block 4 would entail considerable expense. That this location is minimally developed at this time, and is poorly suited for more development due to the Special Hazard flood zone and restricted wetlands status. Additionally the rezoning to Open Space of Lots 1 and 2 of Block 1 will insure that development does not occur within these potentially high maintenance and flood prone wetlands areas.

**NOW, THEREFORE BE IT RESOLVED** that upon the 31<sup>st</sup> day after passage of this resolution, unless otherwise vetoed or modified by the city council pursuant to BMC 17.32.045, the Planning Commission directs the planning director to notify petitioners to proceed with final plat submission.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 01-03**

**A Resolution to the City Council recommending conveying a portion of Tract 1A Remainder, USS 3790, East Addition to the Townsite of Bethel, to David Mc Carr for the purpose of constructing a single family residence.**

**WHEREAS**, the City of Bethel is the owner of Tract 1A Remainder, USS 3790, East Addition to the Townsite of Bethel (Tract 1A);

**AND WHEREAS**, the Comprehensive Plan provides in part, "*We assert the right of all Bethel citizens to adequate and affordable housing with better access to important community facilities such as the hospital, teen center, senior center, schools, and the business district. We envision a housing supply that offers a diverse supply of good quality housing options meeting the needs of all citizens.*";

**AND WHEREAS**, David Mc Carr, a 77 year old resident of Bethel, has resided at 590 Hanger Lake Road for the past 40-42 years. His present residence occupies a portion of city owned Tract 1A. David Mc Carr reports that he acquired permission to occupy this site from Edward Hoffman Sr.;

**AND WHEREAS**, Orutsararmiut Natve Council (ONC) has determined that David Mc Carr is eligible to have his current substandard residence replaced with new housing under housing programs administered by ONC through Housing and Urban Development (HUD);

**AND WHEREAS**, ONC is prepared to replace David Mc Carr's residence with a new residence if David Mc Carr can obtain from the city sufficient interest in the real estate where his house is presently located that will satisfy HUD housing requirements.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission recommends to the City Council that a 12, 717 sq/ft portion of Tract 1A, as shown on the attached exhibit, be subdivided and conveyed to David Mc Carr pursuant to BMC 4.08.030, Property No Longer Necessary for Municipal Purposes. That said conveyance be by ordinance conveying the city's interest to David Mc Carr for the sum of \$10.00 and other considerations contained herein.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

APPROVED AUGUST 9, 2001

**City of Bethel Planning Commission  
Resolution 01-04**

**A Resolution to the City Council recommending reserving 10 acres west of City Subdivision as the future site of the Yuut Elitnaurviat/Peoples Learning Center.**

**WHEREAS**, the City of Bethel is the owner of a 381 acre parcel of land situated west of, and contiguous to, City Subdivision (see attached exhibit);

**AND WHEREAS**, the Yuut Elitnaurviat/Peoples Learning Center is intended to operate as a collaborative partnership of organizations serving secondary and postsecondary educational needs within the region that will serve teens and young adults in diverse career pathways targeted at the regions most significant labor market needs and employment opportunities;

**AND WHEREAS**, the City Council passed Resolution No. 00-31 on October 24, 2000 that, "supports the proposal efforts and planning of the Yuut Elitnaurviat/Peoples Learning Center." ;

**AND WHEREAS**, the Land Use section of the Comprehensive Plan designates the area west of City Subdivision, " as the most suitable for future residential and commercial development.";

**AND WHEREAS**, the area west of City Subdivision and south of Ptarmigan Road is well suited for the location of a school campus. It is centrally located within the community, currently zoned as Public Lands and Institutions, and accessible to piped sewer and water.

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission recommends to the City Council that the city reserve 10 acres within the area west of City Subdivision, to be more precisely defined and situated at a later date, for a period of 10 years, as the future site of the Yuut Elitnaurviat/Peoples Learning Center.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

APPROVED AUGUST 9, 2001

INDUSTRIAL PARK  
ZONING

**City of Bethel Planning Commission  
Resolution 01-05**

**A Resolution to the City Council recommending the land use redistricting of certain lands  
within Tract 5A, USS 4000.**

**WHEREAS**, at its regularly scheduled meeting of September 20, 2001, the Planning Commission approved the preliminary plat application of Bethel Native Corporation (BNC) to subdivide Tract 5A of USS 4000 into the BNC Industrial Park Subdivision. This subdivision creates Tracts 1, 2 and 3 for the purpose of developing a bulk fuel storage facility on Tract 2, and other uses. Currently all lands within Tract 5A are designated on the official land use map(s) of the City of Bethel as Public Lands and Institutions. In a letter petition dated September 27, 2001 BNC has requested a redistricting of Tract 2 to an Industrial Use District. Applicant has further requested the remaining tracts contained in the BNC Industrial Park Subdivision be redistricted as a General Use District;

**AND WHEREAS**, the currently adopted City of Bethel Comprehensive Plan vision statement pertaining to Land Use provides:

*We value the physical development and expansion of Bethel while recognizing that future growth should maintain a commitment to our cultural and historic heritage, resource conservation, the environment, and neighborhoods. We envision a community environment enhanced by, and balanced with, land uses that support economic development, recreational opportunities, natural areas, parks, and open space. We value the mix of land uses and diversity that has occurred over time.*

*We support the continued development of businesses and industries in Bethel and encourage them to support locations mostly in a central area near the river.* (Underline emphasis added)

*We support congregating government services in a central location to strengthen the downtown core and facilitate pedestrian access to services.;*

**AND WHEREAS**, the currently adopted City of Bethel Comprehensive Plan "Future Land Use Map" recommends the expanded development of an Industrial Land Use District in the vicinity of the current City of Bethel petro port;

**AND WHEREAS**, Tract 2 of the proposed BNC Industrial Park Subdivision is the proposed new site of a bulk fuel storage facility being developed jointly by BNC and Crowley Marine Services, Inc. Tract 2 is currently designated as Public Lands and Institutions. The southern boundary of Tract 2 is contiguous to an existing Industrial Use District;

APPROVED OCTOBER 11, 2001

**AND WHEREAS**, the remaining tracts within the proposed BNC Industrial Park are also currently designated Public Lands and Institutions. Applicants letter petition requests that these be redistricted to a General Use District;

**AND WHEREAS**, BMC 18.36.010 provides: "*The General Use District is intended to allow a mix of compatible residential and commercial uses. Noxious, injurious, or hazardous uses shall not be permitted in the GU District*".

**AND WHEREAS**, a General Use District allows, as one of its conditional uses, all the uses currently authorized in a Public Lands and Institutions District. Further, a General Use District provides for more flexible mixed development in an area that is well suited for such.

**NOW, THEREFORE BE IT RESOLVED**, pursuant to BMC 18.08.020 the Planning Commission recommends to the City Council that the current Official Land Use Map dated July 10, 1990 be amended by ordinance to reflect the following redistricting:

1. The land contained within the boundary of Tract 2 of the proposed BNC Industrial Park Subdivision be redistricted as an Industrial District.
2. The lands contained with the boundaries of Tracts 1 and 3 of the proposed BNC Industrial Park Subdivision be redistricted as a General Use District.
3. The redistricting is effective upon Planning Commission approval of the final plat, and recording of the final plat, for BNC Industrial Park Subdivision.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 01-06**

**A Resolution recommending the disposal by lease of a portion of Datu Park to the Kuskokwim 300 Race Committee for the purpose of locating the Race Committee headquarters building**

**WHEREAS**, The City of Bethel (city) is the owner of an approximate 7,500 S/F park site between First Ave. and the Kuskokwim River in the vicinity of the First National Bank building, and known as Datu Park.. This park site was donated to the city by Bethel Marina, Inc. through a metes and bounds Statutory Quitclaim Deed Subject to Conditions (deed) in October of 1984 (Book 39 Pages 930-931, Bethel Recording District);

**AND WHEREAS**, the deed reserved certain rights for the grantor, Bethel Marina, Inc., and imposed certain conditions and restrictions as to the properties use, to wit, "shall be used solely for and as a public park or open space";

**AND WHEREAS**, the Kuskokwim 300 Race Committee (Race Committee) formerly approached the Planning Commission by letter request in November 1996 requesting use of the easterly portion of the park site for a permanent race headquarters and visitor center building site;

**AND WHEREAS**, after public discussions at the Planning Commission meetings of January 9<sup>th</sup> and February 13<sup>th</sup>, 1997 the Planning Commission had requested that staff prepare a resolution to the city council in support of the Race Committees lease of a portion of the park site at an annual lease rate of \$100.00 for 5 years with a 5 year renewal option. This resolution action would be conditioned upon approval by the city attorney that such a proposed use would not violate current deed restrictions;

**AND WHEREAS**, on February 25, 1997 the planning office wrote the Race Committee representatives that it was the opinion of the city attorney that the deed restrictions contained in the current deed did prohibit the construction of permanent building improvements, and further recommending that the Race Committee contact the grantor, Bethel Marina, Inc. for an amended deed removing the building and use restrictions;

**AND WHEREAS**, on September 25, 2001 the Race Committee communicated by letter that they had received an amended deed from the grantor that allowed for the exclusive use of a portion of the park site for the construction of a building, and other Kuskokwim 300 Race activities;

*APPROVED OCTOBER 11, 2001*

**AND WHEREAS**, the Planning Commission fully supports the activities and contribution to the community of the Kuskokwim 300 Race Committee.

**NOW, THEREFORE, BE IT RESOLVED**, pursuant to BMC 04.08.030 B., Disposal to an Entity Providing a Necessary Public Service, the Planning Commission recommends that the City Council authorize the disposal by lease for a period of 5 years with an option to renew for 5 years at \$100.00 per year, an easterly portion of Datu Park sufficient to locate the Race Committees building.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

SEE ALSO  
01-02

**City of Bethel Planning Commission  
Resolution 01-07**

**A resolution approving the final plat vacation of a portion of the 7<sup>th</sup> Avenue right-of-way**

**WHEREAS**, the City of Bethel owns the 7<sup>th</sup> Avenue right-of-way as shown within United States Survey (USS) 3230 A&B, Townsite of Bethel, dated January 4, 1954,

**AND WHEREAS**, petitioners Helen Hancken, Leigh Gill and Myron Angstman, as owners of interest or representing the owner of interest, petitioned the Planning Commission to vacate approximately 317 feet of the 7<sup>th</sup> Avenue right-of-way contiguous to the following properties (see attached exhibit):

<u>Lot and Block</u>	<u>Owner of Record</u>	<u>BRD Recording</u>
Lot 1A Block 4	Myron E. and Suzanne L. Angstman	Book 82, Page 51-52
Lot 3, Block 4	Long Pond Enterprises, LLC	Book 83, Page 159
Lot 4, Block 4	Long Pond Enterprises, LLC	Book 83, Page 155
Lot 1, Block 1	Myron Angstman	Book 88, Page 698-700
Lot 2, Block 1	Suzanne L. Angstman Revocable Trust	Book 83, Page 151
Lot 3, Block 1	Freedom Medical Services, Inc	Book 89, Page 689-690

**AND WHEREAS**, the Planning Commission held a public hearing on this petition at its regularly scheduled meeting of May 10, 2001;

**AND WHEREAS**, testimony and evidence presented at this hearing revealed that of the approximate 317 feet of the right-of-way that the petitioner's are asking the city to vacate, approximately 217 feet of the right-of-way remains unimproved without a road. The area is zoned General Use with the exception of Lot 1, Block 1, which had been previously sold by the city to Mr. Angstman through a public bid sale. This lot had been rezoned as Open Space by the city council as a condition of this sale;

APPROVED NOVEMBER 8, 2001

**AND WHEREAS**, the proposed vacated area is within the designated Special Hazard flood zone and significant portions of several of the subject lots (those contiguous to Brown's Slough) are within the Corps of Engineers restricted wetlands (requiring Corps permitting for development);

**AND WHEREAS**, the petitioner's have acknowledged that they will be responsible for the platting of easements to accommodate access to all lots within the vacated area and the development and maintenance of access roads within these easements to the lots within the vacated area. Further, if this vacation is granted, petitioner Angstman will vacate the common property boundary between Lots 1 and 2 of Block 1 (lots contiguous to Brown's Slough) and consent to a rezoning of the new common lot as Open Space;

**AND WHEREAS**, The Director of Public Works Department, by memorandum of May 8, 2001, stated no objection to this vacation;

**AND WHEREAS**, that the Planning Commission finds that this vacation is of benefit to the city in that the potential future cost of developing the 217 feet of the 7<sup>th</sup> Avenue road system easterly to Brown's Slough to provide public road access to Lots 1 and 2 of Block 1, and Lot 1A of Block 4 would entail considerable expense. That this location is minimally developed at this time, and is poorly suited for more development due to the Special Hazard flood zone and restricted wetlands status. Additionally the rezoning to Open Space of Lots 1 and 2 of Block 1 will insure that development does not occur within these potentially high maintenance and flood prone wetlands areas.

**NOW, THEREFORE BE IT RESOLVED** that upon the 31<sup>st</sup> day after passage of this resolution, unless otherwise vetoed or modified by the city council pursuant to BMC 17.32.045, the Planning Commission directs the planning director to notify petitioners to proceed with final plat submission.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

**City of Bethel Planning Commission  
Resolution 01-08**

**A resolution approving the final plat for "Lots 1 and 2 (Remainder) Mc Carr Subdivision"**

**WHEREAS**, the City of Bethel owns Tract 1A Remainder, Block 2, USS 3790, East Addition to the Townsite of Bethel;

**AND WHEREAS**, at its regularly scheduled meeting of August 9, 2001 the Planning Commission approved a preliminary plat application for the subdivision of a 12,717 S/F parcel within Tract 1A. At this same meeting the Planning Commission passed Resolution 01-03 recommending to the city council the disposal, under BMC 04.08.030, of this 12,717 S/F parcel to David Mc Carr;

**AND WHEREAS**, on September 25, 2001 the city council passed Ordinance # 01-32 approving the disposal of this 12,717 S/F parcel to David Mc Carr. This ordinance authorizes the city manager to execute a deed of conveyance to David Mc Carr upon the recording of a plat delineating this 12,717 S/F parcel;

**AND WHEREAS**, the City of Bethel Planning Office approved the application for final plat on October 17, 2001. This final plat is identified as "Lots 1 and 2 (Remainder) Mc Carr Subdivision". The subdivision creates Lot 1, a 12,717 S/F parcel to be conveyed to David Mc Carr, and Lot 2 (Remainder), the remainder of original Tract 1A.

**NOW, THEREFORE BE IT RESOLVED** that the Planning Commission approves this final plat as presented for recording .

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chair

*APPROVED NOVEMBER 8, 2001*

**Planning Commission  
Resolution 00-1**

**A Resolution recommending the land exchange of a portion of privately owned seawall embankment that is part of Lots 6A and 7A, Block 1, Mumtretlek Subdivision, and a contiguous upland portion of City property, pursuant to City of Bethel Ordinance 04.08.020.**

**WHEREAS**, the City of Bethel is the owner of a 1,125 S/F parcel of level upland situated between the southwest boundary of Lot 6A, Block 1, Mumtretlek Subdivision, and the seawall embankment;

**AND WHEREAS**, Laura K. Whitman is the owner of record of Lots 6A and 7A, Block 1, Mumtretlek Subdivision, to-wit: Statutory Warranty Deeds, recorded July 30, 1999, Book 84, Pages 541 and 544, Records of the Bethel Recording District;

**AND WHEREAS**, a 1,603 S/F portion of Lot 6A (169 S/F) and 7A (1,34 S/F) are situated on the current seawall bank. The seawall bank is part of the City of Bethel riverbank stabilization project. No easement has been granted to the city for access to this portion of the bank stabilization project;

**AND WHEREAS**, the city has acquired ownership or maintenance easements along the waterfront for most of the properties within the riverbank stabilization project from contiguous upland land owners;

**AND WHEREAS**, Laura K. Whitman is offering to exchange the 1,603 S/F portions of Lots 6A and 7A for the 1,125 S/F portion of city owned land, as exhibited on the attached Exhibit A, at stipulated equal value.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission finds that it is in the best interest of the city to own and control the above described portion of Lots 6A and 7A that lie within the riverbank stabilization project. That the city owned property that is proposed to be exchanged has limited public value as it currently exists. The Planning Commission recommends the exchange of these parcels as a stipulated equal value exchange, pursuant to City of Bethel Ordinance 04.08.020 .

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chairman

*APPROVED FEBRUARY 10, 2000*

**Planning Commission  
Resolution 00-2**

**A Resolution recommending adding Standard Oil Road to the Department of Transportation and Public Facilities State Transportation Improvement Plan.**

**WHEREAS**, the City of Bethel is the owner of a 1,125 S/F parcel of level upland situated between the southwest boundary of Lot 6A, Block 1, Mumtretlek Subdivision, and the seawall embankment;

**AND WHEREAS**, Laura K. Whitman is the owner of record of Lots 6A and 7A, Block 1, Mumtretlek Subdivision, to-wit: Statutory Warranty Deeds, recorded July 30, 1999, Book 84, Pages 541 and 544, Records of the Bethel Recording District;

**AND WHEREAS**, a 1,603 S/F portion of Lot 6A (169 S/F) and 7A (1,34 S/F) are situated on the current seawall bank. The seawall bank is part of the City of Bethel riverbank stabilization project. No easement has been granted to the city for access to this portion of the bank stabilization project;

**AND WHEREAS**, the city has acquired ownership or maintenance easements along the waterfront for most of the properties within the riverbank stabilization project from contiguous upland land owners;

**AND WHEREAS**, Laura K. Whitman is offering to exchange the 1,603 S/F portions of Lots 6A and 7A for the 1,125 S/F portion of city owned land, as exhibited on the attached Exhibit A, at stipulated equal value.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission finds that it is in the best interest of the city to own and control the above described portion of Lots 6A and 7A that lie within the riverbank stabilization project. That the city owned property that is proposed to be exchanged has limited public value as it currently exists. The Planning Commission recommends the exchange of these parcels as a stipulated equal value exchange, pursuant to City of Bethel Ordinance 04.08.020 .

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chairman

**Planning Commission  
Resolution 99-1**

**A Resolution recognizing the 100<sup>th</sup> Anniversary of the Veterans of Foreign Wars by adding an additional name to a portion of Akiak Drive as "Veterans Way".**

**WHEREAS**, this year marks the 100<sup>th</sup> anniversary of the Veterans of Foreign Wars. Founded in 1899 by veterans of the Spanish-American War, the VFW is dedicated to serving all of America's 26 million veterans and their families;

**AND WHEREAS**, in recognition of this 100<sup>th</sup> anniversary, the Robert W. Lindsey VFW Post #10041 located on Akiak Drive, Bethel, Alaska, has requested the City of Bethel to add an additional commemorative name to a portion of Akiak Drive, from the intersection Chief Eddie Hoffman Highway to the Robert W. Lindsey Post Home, as Veterans Way.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of Bethel so dedicates an additional commemorative name to that portion of Akiak Drive between Chief Eddie Hoffman Highway and Robert W. Lindsey VFW Post Home as "Veterans Way". Further, that the street sign(s) so designating this commemorative portion of Akiak Drive be of different colors than street name designation signs, and that the sign(s) bear the wording and letter sizes on both sides as follows:

First (top) line -VETERANS WAY (5inch letters)  
Second line: Veterans of Foreign Wars 1899-1999 (2 inch letters)  
Third line: Commemorating all who have served (2 inch letters)

Approved by the City of Bethel Planning Commission:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
John Guinn, Chairman

APPROVED MARCH 25, 1999

**Planning Commission  
Resolution 99-2**

**A Resolution recommending the acquisition of land from Bethel Native Corporation and the granting of a public right-of-way and utility easement between City Subdivision and Blueberry Field Subdivision.**

**WHEREAS**, Bethel Utilities Corporation (BUC) requires access to real property owned by the City of Bethel (City) and Bethel Native Corporation (BNC) for the purpose of providing for the installation and maintenance of new and additional electric utility services to Blueberry Field Subdivision,

**AND WHEREAS**, The City and BNC find that it is mutually advantageous to provide for a future planned right-of-way between City Subdivision and Blueberry Field Subdivision thus providing access to more centrally located development within the city, and concurrently, the placement of a utility easement to accommodate BUC immediate needs,

**AND WHEREAS**, no easement currently exists in the immediate vicinity for the purpose of the installation of electric utility services,

**AND WHEREAS**, the area between City Subdivision and Blueberry Field Subdivision is consistent with preferred Development Suitability and sewer and water priority phasing of the August 1997 revised City of Bethel Comprehensive Plan,

**AND WHEREAS**, the location of the proposed right-of-way and utility easement is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 7; the SW $\frac{1}{4}$ SW $\frac{1}{4}$  and Government Lot 5, Section 8; Government Lot 1, Section 17; and Government Lot 1, Section 18, all in T. 8 N., R. 71 W., Seward Meridian, Alaska, which is more particularly described as follows and reflected on the attached Exhibits 1, 2, and 3:

There are three distinct elements to the parcels description:

Element No. 1

As shown on the attached Exhibit No.2, a 60 foot wide strip of land located in Government Lot ii Section 17. T. 8 N., R. 71 W., SM., lying adjacent to and west of the west boundary line of Block 3. of the plat of Block 9, Northwest Addition to the Bethel Townsite of U.S. Survey No.3770, according to plat No.71-425, Bethel Recording

APPROVED JULY 8, 1999

District, bounded on the north by the line common to Sections 8 and 17, and bounded on the south by an extension of the north right-of-way line of Kwethluk Lane, the west line of said 60 foot wide strip lengthening or shortening so as to terminate on the bounding lines. The east line of the above described 60 foot strip is computed as having a course of "North", 317.63 feet, more or less, and the strip contains an approximate area of 19,805 square feet, equal to 0.455 acres.

The land affected by Element No. 1 is owned by Bethel Native Corporation. There is an existing Bethel Utilities Corporation power line in place near the east line of Element No. 1, which lies inside previously granted utility easements ten feet wide on each side of the west line of the plat of Block 9, Northwest Addition to the Bethel Townsite of U.S. Survey No.3770, according to plat No.71-425, Bethel Recording District. It is the intent of this description to restrict placement of all main line utilities to the east 10 feet of this 60 foot wide strip.

#### Element No.2

As shown on the attached Exhibit No. 1, a 60 foot wide strip of land lying adjacent to and north of the following described line. Beginning at the intersection of the line common to Sections 8 and 17 with the west line of the plat of Block 9, Northwest Addition to the Bethel Townsite of U.S. Survey No. 3770, according to plat No. 91-425, Bethel Recording District; thence west, along said section line, an approximate distance of 832 feet to an angle point at the northwest corner of the Annie David Allotment. case No. F-16135, said point to be determined by future survey and plat under authority of the U.S Bureau of Land Management; thence deflecting to the left, 30°00'00" on an approximate bearing of S 60° W, a distance of 60.00 feet to an angle point which is southerly of and 30.00 feet measured perpendicularly to the section line; thence continuing west, parallel with the north line of Section 17, an approximate distance of 608 feet to the west line of Section 17; thence west, parallel with the line common to Sections 7 and 18 which line is southerly of and 30.00 feet measured perpendicularly to said section line, an approximate distance of 164 feet to a point ending on the southerly extension of the east line of Lot 12, Block 5, Blueberry Field Subdivision, Phase II, according to Plat No. 71-425, Bethel Recording District. At the east end of the above described 60 foot wide strip, its north line is to be lengthened or shortened so as to terminate on the west line of Plat No.71-425, Bethel Recording District, and at the west end of the strip, its north line is to be lengthened or shortened so as to terminate on the east line of Lot 12, Block 8, Blueberry Field Subdivision, Phase I, plat No 84-9, Bethel Recording District. The total area of the above described strip of land is 99,849 square feet, equal to 2.292 acres, more or less, of which that part within Section 8, under City of Bethel ownership as of the date of this legal description, contains 58,272 square feet. equal to 1.338 acres, more or less. The remainder of this element of the strip conveyance, within Sections 7, 17 & 18, is owned by Bethel Native Corporation, and contains 41,577 square feet, equal to 0.954 acres, more or less

At the northwest corner of the Annie David Allotment, the above described 60 foot wide strip transitions from being entirely on the north side of the line common to Sections 8 and 17, to being 30 feet on each side of the section line. It is the intent of this description that the north line of the strip be parallel to the south line, making

direction changes by way of angle points in the same manner as the south line is described.

It is the intent of this description to restrict placement of all main line utilities to the southerly 10 feet of this 60 foot wide strip, except where it is determined by Bethel Utilities Corporation to cross said strip from Element No.2 to Element No. 3.

Element No.3

As shown on the attached Exhibit No. 3, commencing for reference at the southeast coiner of Lot 12, Block 5, Blueberry Field Subdivision, Phase II, according to Plat No. 84-9, Bethel Recording District, said point lying on the south line of Section 7; thence North, 30.00 feet to the Point of Beginning, on the east boundary line of said Lot 12; from the Point of Beginning, North, tracing the east boundary line of Plat No. 84-9, a distance of 463.28 feet more or less, to the southeast corner of Lot 37, Block 5, Plat No.84-9; thence East, perpendicular to the east line of plat No. 84-9, 10.00 feet; thence South, parallel to the east line of Plat No.84-9, a distance of 245.00 feet; thence on a line that may be adjusted for mathematical closure upon survey, S 30°23'00" E, 98.86 feet to an angle point; thence South, parallel and 60.00 feet from the east line of Plat No. 84-9, 133.00 feet, a distance intended to be held firm, to a point 30.00 feet northerly of the south line of said Section 7; thence West, parallel with the south line of said Section 7, 60.00 feet to the Point of Beginning, having an area or 13,414 square feet, equal to 0.308 acres, more or less. The land affected by Element No.3 is owned by Bethel Native Corporation.

It is the intent of this description to restrict placement of all main line utilities to the west 10 feet of Element No, 3, as described above,

The total area of this public right-of-way and utility easement, consisting of all three elements described above, is 133,068 square feet, equal to 3.055 acres, more or less.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends that the City Council accept conveyance of those Elements and portions of those Elements described above in Bethel Native Corporation ownership pursuant to BMC 04.08.20, land Acquisition, for the purposes described herein,

**FURTHER, BE IT RESOLVED** that the Planning Commission recommends to the City Council upon acceptance of the conveyance(s) from Bethel Native Corporation, the council grant Bethel Utilities Corporation a utility easement under the following terms and conditions Pursuant to BMC 04.08.030 B., Disposal to an Entity Providing a Necessary Public Service:

Recommended terms of grant of utility easement to Bethel Utilities Corporation (BUC):

BUC, its representatives, agents, and contractors shall have the right to construct, erect, install, operate, maintain, and repair its electric power distribution facilities, including but not limited to poles, conductors, transformers, anchors, guys and other affiliated components and hardware, located or to be located on said easement, in accordance with the provisions of Section 5.5, or amendments thereto, of BUC's tariff as filed with the Alaska Public Utilities Commission, for the purpose of providing electric service to its customers.

BUC may access this easement as may be reasonably necessary or incidental to insuring continuous and unimpeded electric service.

BUC may allow such easement to be accessed by joint users of BUC's poles located within the boundaries of this easement to construct erect, install, operate, maintain, and repair attachments to BUC's poles subject to a joint use agreement between BUC and the joint user.

The City, its successor and assigns reserve such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired.

The City agrees that this easement shall run with the land, and may be assigned by BUC for the purpose and rights acquired herein. If BUC, its heirs and assigns ceases to use this easement for the purposes stated herein, it shall cease and terminate and the rights and easement acquired shall revert back to the City, its successor and assigns.

Approved by the City of Bethel Planning Commission:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
John Guinn, Chairman

## Legal Description of

### **A Public Right-of-Way and Utility Easement**

The purpose of this legal description is to describe a public right-of-way and utility easement located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 7; the SWV4SW $\frac{1}{4}$  and Government Lot 5, Section 8; Government Lot 1, Section 17; and Government Lot 1, Section 18, all in T. 8 N., R. 71 W., Seward Meridian, Alaska.

There are three distinct elements to this description, as follows:

#### Element No. 1

A 60 foot wide strip of land located in Government Lot ii Section 17. T. 8 N., R. 71 W., SM., lying adjacent to and west of the west boundary line of Block 3. of the plat of Block 9, Northwest Addition to the Bethel Townsite of U.S. Survey No.3770, according to plat No.71-425, Bethel Recording District, bounded on the north by the line common to Sections 8 and 17, and bounded on the south by an extension of the north right-of--way line of Kwethluk Lane, the west line of said 60 foot wide strip lengthening or shortening so as to terminate on the bounding lines. The east line of the above described 60 foot strip is computed as having a course of "North", 317.63 feet, more or less, and the strip contains an approximate area of 1 9,805 square feet, equal to 0.455 acres.

The land affected by Element No, 1 is owned by Bethel Native Corporation. There is an existing Bethel Utilities Corporation power line in place near the east line of Element No. 1, which lies inside previously granted utility casements ten feet wide on each side of the west line of the plat of Block 9, Northwest Addition to the Bethel Townsite of U.S. Survey No.3770, according to plat No.71-425, Bethel Recording District. It is the intent of this description to restrict placement of all main line utilities to the east 10 feet of this 60 root wide strip.

#### Element No.2

A 60 fool wide strip of land lying adjacent to and north of the following described line. Beginning at the intersection of the line common to Sections 8 and 17 with the west line of the plat of Block 9, Northwest Addition to the Bethel Townsite of U.S. Survey No. 3770, according to plat No. 91-425, Bethel Recording District; thence west, along said section line, an approximate distance of 832 feet to an angle point at the northwest corner of the Annie David Allotment. case No. F-16135, said point to be determined by future survey and plat under authority of the U.S Bureau of Land Management; thence deflecting to the left, 30°00'00" on an approximate bearing of S 60° W, a distance of 60.00 feet to an angle point which is southerly of and 30.00 feet measured perpendicularly to the section line; thence continuing west, parallel with the north line of Section 17, an approximate distance of 608 feet to the west line of Section 17; thence west, parallel with the line common to Sections 7 and 18 which line is southerly of and 30.00 feet measured perpendicularly to said section line, an approximate distance of 164 feet to a point ending on the southerly extension of the east line of Lot 12, Block 5, Blueberry Field Subdivision, Phase II, according td Plat No. 71-425, Bethel Recording District. At the east end of the

above described 60 foot wide strip, its north line is to be lengthened or shortened so as to terminate on the west line of Plat No.71-425, Bethel Recording District, and at the west end of the strip, its north line is to be lengthened or shortened so as to terminate on the east line of Lot 12, Block 8, Blueberry Field Subdivision, Phase II, plat No 84-9, Bethel Recording District. The total area of the above described strip of land is 99,849 square feet, equal to 2.292 acres, more or less, of which that part within Section 8, under City of Bethel ownership as of the date of this legal description, contains 58,272 square feet. equal to 1.338 acres, more or less. The remainder of this element of the strip conveyance, within Sections 7, 17 & 18, is owned by Bethel Native Corporation, and contains 41,577 square feet, equal to 0.954 acres, more or less

At the northwest corner of the Annie David Allotment, the above described 60 foot wide strip transitions from being entirely on the north side of the line common to Sections 8 and 17, to being 30 feet on each side of the section line. It is the intent of this description that the north line of the strip be parallel to the south line, making direction changes by way of angle points in the same manner as the south line is described.

It is the intent of this description to restrict placement of all main line utilities to the southerly 10 feet of this 60 foot wide strip, except where it is determined by Bethel Utilities Corporation to cross said strip from Element No.2 to Element No. 3.

### Element No.3

Commencing for reference at the southeast corner of Lot 12, Block 5, Blueberry Field Subdivision, Phase II, according to Plat No. 84-9, Bethel Recording District, said point lying on the south line of Section 7; thence North, 30.00 feet to the Point of Beginning, on the east boundary line of said Lot 12; from the Point of Beginning, North, tracing the east boundary line of Plat No. 84-9. a distance of 463.28 feet more or less, to the southeast corner of Lot 37, Block 5, Plat No.84-9; thence East, perpendicular to the east line of plat No. 84-9, 10.00 feet; thence South, parallel to the east line of Plat No.84-9, a distance of 245.00 feet; thence on a line that may be adjusted for mathematical closure upon survey, S 30°23'00" E, 98.86 feet to an angle point; thence South, parallel and 60.00 feet from the east line of Plat No. 84-9, 133.00 feet, a distance intended to be held firm, to a point 30.00 feet northerly of the south line of said Section 7; thence West, parallel with the south line of said Section 7, 60.00 feet to the Point of Beginning, having an area of 13,414 square feet, equal to 0.308 acres, more or less. The land affected by Element No.3 is owned by Bethel Native Corporation.

It is the intent of this description to restrict placement of all main line utilities to the west 10 feet of Element No, 3, as described above,

The total area of this public right-of-way and utility easement, consisting of all three elements described above, is 133,068 square feet, equal to 3.055 acres, more or less.

**Planning Commission  
Resolution 99-3**

**A Resolution recommending the disposal of an interest in real property pursuant to City of Bethel Ordinance 04.08.030, no longer necessary for public purposes.**

**WHEREAS**, the City of Bethel is the owner of Lot 1, Block 1, USS 3230 A&B located on the easterly terminus of the undeveloped portion of the 7<sup>th</sup> Avenue right-of-way and Brown's Slough. A triangular shaped parcel containing approximately 13,587 S/F ;

**AND WHEREAS**, the parcel is bordered on its northeast boundary by a Preservation District. The area is currently listed within the city's most recently adopted Comprehensive Plan as least suitable for development. The parcel never has had, nor currently has, any developed improvements or land fill. The parcel is within the Special Hazard Flood Zone and portions remain submerged by the waters of Brown's Slough year round. The current land use status of the parcel is General Use;

**AND WHEREAS**, the Planning Commission has received a Petition dated April 23, 1999 from Myron Angstman, the owner of the contiguous Lot 2, Block 1, USS 3230 A&B, requesting the purchase of Lot 1, Block 1.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission finds that the subject parcel is no longer necessary for a municipal purpose and therefore suitable for public disposal. The Planning Commission recommends to the City Council that the parcel be offered for disposal pursuant to City of Bethel Ordinance 04.08.030 (A.). FURTHER THAT, upon the disposal of the city's interest in said parcel that the conveyance instrument used to convey said interest stipulate that all easements of record remain in place and undisturbed, and that no use of said parcel shall restrict, impede or otherwise interfere with the navigable use of Brown's Slough without first receiving a lawful permit for such a restriction, impediment or interference. FURTHER THAT, within the ordinance authorizing such disposal the parcels land use status be changed from General Use to an Open Space District as defined in City of Bethel Ordinance 18.28, and such change be reflected on the city's official Land Use Status Map.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chairman

APPROVED JULY 8, 1999

**Planning Commission  
Resolution 99-4**

**A Resolution recommending the routing and design of the proposed separated pedestrian and bike trail between Ridgecrest Drive and the Bethel Airport.**

**WHEREAS**, in the 1998-2000 State Transportation Improvement Plan (STIP) the City of Bethel was funded for a Trails and Recreational Access For Alaskans (TRAAK) project for a 4.2 mile separated pedestrian and bike trail between the vicinity of the Bethel Regional High School on Ridgecrest Drive and the Bethel Airport;

**AND WHEREAS**, the State of Alaska, Department of Transportation and Public Facilities (DOTPF) held a public forum on the proposed routing and design of this project in Bethel on May 13, 1999;

**AND WHEREAS**, it was the consensus of this discussion forum that the trail utilize as much as practicable the existing rights-of-ways along Ridgecrest Drive and Chief Eddie Hoffman Highway for this project. Further, it was recommended by the DOTPF staff in attendance at this May 13<sup>th</sup> meeting that the trail design be accomplished, as much as practicable, through the widening and surfacing of the existing roadbeds within these rights-of-ways. It was further determined by the DOTPF staff that the use of the existing rights-of-ways would best insure adequate maintenance of the trail in the future.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Bethel recommends that this trail project be designed, as much as practicable, within the existing rights-of-ways of Ridgecrest Drive and Chief Eddie Hoffman Highway through the extension and appropriate surfacing of the existing roadbeds.

City of Bethel Planning Commission Action:

Vote: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

John Guinn, Chairman

APPROVED JULY 8, 1999

**Planning Commission  
Resolution 96-31**

**A Resolution removing "swimming" as a specific use of Sand Pit Lake recreational site.**

**WHEREAS**, the City of Bethel is the owner of Lot 15, USS 4117, a 10.54 acre recreational site located on Chief Eddie Hoffman Highway, Bethel, Ak.

**AND WHEREAS**, the City of Bethel received said parcel by United State Patent (Patent No. 50-69-0049) under the Recreation and Public Purposes Act (43 U.S.C. 869 *et seq.* June 14, 1926).

**AND WHEREAS**, said patent provided for the exclusive use of this site as, "- - -for use for recreational purposes only;" , subject to an approved Development and Management Plan ("Plan").

**AND WHEREAS**, the City of Bethel filed with the Bureau of Land Management ("BLM") a Plan on July 29, 1965 that described the City's specific use of, and need for, this site as Picnic and Swimming Area.

**AND WHEREAS**, the drainage deposition pond that is located within the boundaries of this site is without a suitable source of water that would allow this pond to be used for swimming without creating a significant health hazard. AND, because of this water quality condition the City of Bethel has not authorized the use of this pond for swimming purposes for at least the past 15 years.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission requests the City Administration to amend the current Plan on file with BLM by excluding swimming as a use.

Approved by the City of Bethel Planning Commission:

Vote: Unanimous

Date: August 15, 1996

Attest: \_\_\_\_\_  
John F. Malone, Planning Administrator

APPROVED AUGUST 15, 1996