

PUBLIC HEARING



Planning Commission Hearing Agenda

Hearing Thursday, September 12, 2013 – 6:30PM
City Hall Council Chambers 300 Chief Eddie Hoffman Highway

MEMBERS

John Guinn
Chair
Term Expires
12/2013

Joy Shantz
Vice-Chair
Term Expires
12/2013

Rick Robb
Council Rep.
Term Expires
10/2013

VACANT
Committee Member
Term Expires

Abe Palacios
Committee Member
Term Expires
12/2015

Cliff Linderth
Committee Member
Term Expires
12/2014

VACANT
Committee Member
Term Expires

Rachael Pitts
Ex-Officio Member

AGENDA

- I. CALL TO ORDER
- II. ROLL CALL
- III. PEOPLE TO BE HEARD – (5 Minute Limit)
- IV. APPROVAL OF MINUTES OF THE AUGUST 8, 2013 MEETING
- V. APPROVAL OF AGENDA
- VI. PLANNER'S REPORT
- VII. COMMISSIONER'S COMMENTS
- VIII. UNFINISHED BUSINESS
- IX. NEW BUSINESS
 - A. Public Hearing: Conditional Use Permit Application from GCI for a Telecommunications Tower and Utility Structure to be located at 124 Gunderson Court, Bethel, Alaska 99559. Legal Description: Plat 81-13, Block 13, Lot 2.
 - B. Initiation of Residential Planned Unit Development Zoning for the Kasayuli and Larson Subdivisions
- X. ADJOURNMENT

Posted: September 6, 2013, at AC, Swanson's, City Hall

City of Bethel, Alaska

Planning Commission

August 8, 2013

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A regular meeting of the Planning Commission was held on at 6: 30 pm in the City Hall conference room in Bethel, Alaska.

Chairman, John Guinn, called the meeting to order at 6:30 pm.

II. ROLL CALL

Compromising a quorum of the Commission, the following members were present for roll call: John Guinn, Rick Robb, Cliff Linderoth, and Joy Shantz. Excused: Abe Palacios.

Ex -Officio members present were the following:

Rachael Pitts, Planning Director

Betsy Jumper, Recorder

III. PEOPLE TO BE HEARD

- None

IV. APPROVAL OF AGENDA

MOTION TO APPROVE THE AGENDA FOR THE AUGUST 8, 2013 MEETING

MOVED:	Joy Shantz	To approve the agenda for the August 8, 2013 meeting.
SECONDED:	Rick Robb	
VOTE ON MAIN MOTION	All in favor Motion passes; 4 yes and 0 opposed.	

V. APPROVAL OF MINUTES

MOTION TO APPROVE THE MINUTES FROM THE JULY 11 2013 Meeting

MOVED:	Joy Shantz	To approve the minutes of the July 11, 2013 meeting.
SECONDED:	Rick Robb	
VOTE ON MAIN MOTION	All in favor Motion passes; 4 yes and 0 opposed.	

VI. PLANNER'S REPORT: Rachael talked about the activities of the planning department.

VII. COMMISSIONER'S COMMENTS: Cliff asks people to think about Donlin Creek and the impact/effect it will have on the infrastructure of Bethel; Rick says the abandoned homes ordinance goes to Council next week; John asks the Planning Director to advertise the two open vacancies on the Planning Commission.

VIII. UNFINISHED BUSINESS: None.

IX. NEW BUSINESS: A. Calendar for the Planning Commission Meetings for the Remainder of the Year: After a brief discussion, it was decided to keep the calendar as is for the remainder of 2013. **B. Planning for the APA/AML:** The Planning Director inquired as to who might be interested in attending as there is travel money in the budget. Joy said yes, but doesn't know for sure; Cliff is interested but would like more information on it; John will think about it, and Rick said it depends.

X. **ADJOURNMENT, Motion to adjourn the meeting.**

MOVED:	Cliff Linderoth	To adjourn the meeting at 6:50 pm.
SECONDED:	Joy Shantz	
VOTE ON MAIN MOTION	All in favor Motion passes; 4 yes and 0 opposed.	

Next meeting will be on September 12, 2013.

John Guinn, Chairman

Betsy Jumper, Recorder

Planning Department Report

From: Rachael Pitts, Planning Director

Date: September 1, 2013

A request has come in for a Conditional Use Permit for an 80-foot telecommunications tower. It is scheduled for the September 12th Planning Commission meeting.

The old Police Station has been demolished, and the new parking lot is being prepared for use. Some final touches are being put on the new station.

There may be a few more properties to survey before the summer is over. We are getting estimates on that.

The Abandoned Homes ordinance did not pass, but more work will be done on it, possibly for presentation in the fall. Staff has suggested an amendment to the present code pertaining to lot setbacks. Staff is reviewing.

There is an archeological dig planned for the Lind property here in Bethel.

Site Plan Permit Applications and Code Enforcement: The Planning Department has issued fifty-four Site Plan Permits to date.

The Planner is researching some properties that do not have water and wastewater services, and are deteriorated or occupied by transients. She has been identifying cars in the right-of-way, and is contacting the state for ownership information. The issue of abandoned cars is complex, and the planner is reviewing the present procedures.

Construction Projects:

Swimming Pool: The support structure is in place, with entrances. The parking area has been extended with fill.

Prematernal Home and Long Term Care Facility: Siding and roofing are being constructed.

Yiut Elitnaurviat Dormitory: The structure is more or less complete.

Kipusvik Shopping Center: Girders are being put in place.

Opportunities: There may be a grant available to move a family in a flood prone home to a new home. If anyone can identify an appropriate property, possibly by the Slough, let the Planner know.

DRAFT



**City of Bethel
Planning Department
Staff Report for Zoning Request, August 12, 2013**

Planning Commission Hearing Date: September 12, 2013
 Request: From: No designated zoning district
 To: Residential Planned Unit Development
 Residential and Commercial
 Proposed Land Use:
 Acres: 146.35
 Location: Kasayuli Subdivision, Plat No. 98-3 Bethel Recording District
 Owner: Yukon Kuskokwim Health Corporation, and individual property owners
 Applicant / Representative:
 Staff Recommendation: Approve Residential Planned Unit Development per Map

Comprehensive Plan Conformity		
Street Status	The primary access to the parcel is Tower Road.	
<i>Economic Development Goal 8: Enhance the quality of life in Bethel to attract and retain individuals and businesses.</i>		
The existing Kasayuli development was designed to provide quality residential living and a limited number of other land uses within the subdivision. There are still available lots to be developed at an attractive location.		
<i>Land Use Goal 4: Encourage a range of housing opportunities for current and future Bethel residents, including more housing within the purchasing or rental capabilities of young families, single people, school teachers and other workers.</i>		
Residential land uses at this location will provide opportunities for new housing to purchase or rent. Taking into account the growth of facilities and population in Bethel in the last few years, it is more important than ever to plan for new housing stock. This location provides housing that is convenient to the airport and the hospital.		
Surrounding Land Uses and Zoning		
	Land Use	Zoning
On Site	Residential and Commercial uses	Undesignated
North	Open Space	Undesignated
South	Open space	Undesignated

East	Open space, and airport property	Undesignated
West	Open Space	Undesignated

Background, Issues, and Analysis

Kasayuli Subdivision was approved and accepted by the Bethel City Council in 1998. The subdivision was designed for good drainage, with large open space areas to be used for drainage and recreation. Most of the lots were designated, by way of covenants, to be residential. A smaller number were intended to be commercial, multi-family, or have a special purpose such as well development and a commercial laundromat.

The subdivision is located southwest of the Bethel Airport, but far enough away to minimize noise impacts. The State of Alaska is currently in a planning process for airport expansion over the next twenty years, and current maps show that expansion is planned to extend west of the airport.

There is a need for residential land development in Bethel. The residential shortage contributes to high land and rent costs. Bethel has been growing, and more housing will contribute to the quality of life in the city.

The parcel is located on the west side of Bethel, outside of the areas FEMA identifies as floodplain. There are some wetland areas that are exempt from the General Permit for the Discharge of Dredged and/or Fill Material into Wetlands at Bethel. Kasayuli Subdivision is not subject to any fill or flood restrictions.

Zoning for Kasayuli Subdivision

At the time the subdivision was approved, the Bethel Municipal Code did not contain any zoning categories that matched the Kasayuli Subdivision covenants. Over the years the Planning Department has been providing Site Plan Permits using only a minimum of control over land uses there.

This proposal for an Residential Planned Unit Development overlay would allow the city to enforce some minimum requirements for permitting that are compatible with the subdivision covenants. City staff ask that much of the PUD review be waived, since it occurred prior to the 1998 acceptance of the subdivision. The overlay would allow the city to give development permits according to the attached map. On the zoning map for the city the area would be designated as a zoning overlay. Zoning overlays are like regular zoning, they can be changed or removed through an application and hearing process at a later time. In the event of a broader land use planning process, this overlay can be removed.

The focus of the overlay request is to utilize categories that focus solely on the Site Plan Permit approval process. Other parts of the covenants will be left to the Kasayuli Neighborhood Association to address. The city merely wants the chance to apply unambiguous land use designations in the subdivision for the permitting process.

Findings

- 1. The request for a Residential Planned Unit Development is compatible with the Bethel Comprehensive Plan.**
- 2. The subdivision design review occurred prior to 1998 and should be waived for this application.**
- 3. The location of housing at this location will not interfere with any current airport expansion plans.**
- 4. The subdivision is not located in an area identified at this time as floodplain by FEMA, or restricted by the Army Corps of Engineers.**
- 5. The proposed overlay includes a minimum of regulation to be focused on the issuance of Site Plan Permits.**

Stipulations

1. Site Plan Permits must be obtained from the Bethel Planning Department for fill, and construction.
2. The platting, permitting, and construction processes must conform to the City of Bethel Municipal Code, and any and all requirements of the State Fire Marshall must be met.
3. At the time piped water and sewer services are provided to the area, property owners are required to hook up to these services. Until that time properties must provide sufficient clearance for water and wastewater trucks to access the residences and businesses.
4. The Planning Department will assign street numbers to individual properties, and these must be visible from the street.

Writer

REP

8/12/2013

Attachments

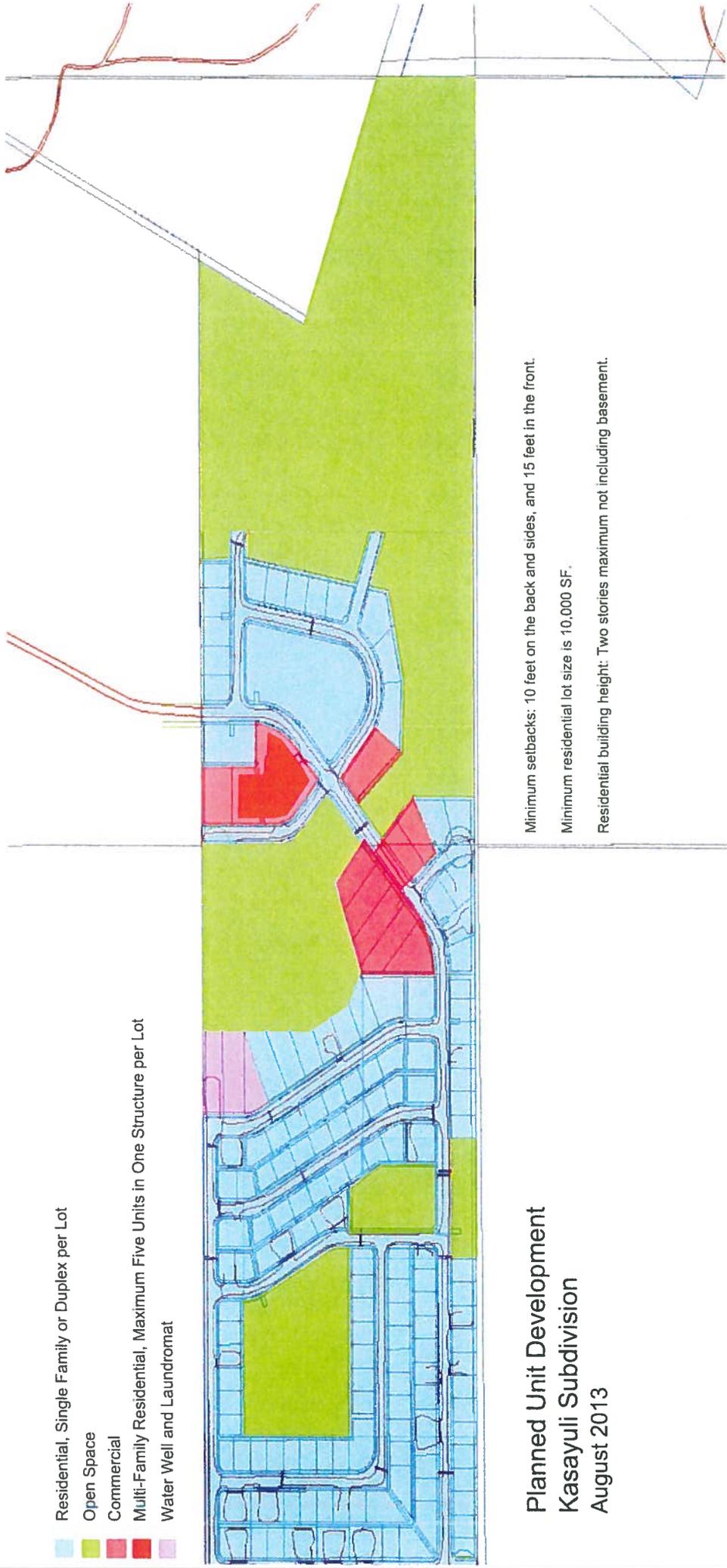
Application

Proposed Zoning Overlay Map

Plat 98-3, Bethel Recording District

BMC Chapter 18.52 Planned Unit Development

Declaration of Restrictive Covenants Kasayuli Subdivision



- Residential, Single Family or Duplex per Lot
- Open Space
- Commercial
- Multi-Family Residential, Maximum Five Units in One Structure per Lot
- Water Well and Laundromat

**Planned Unit Development
Kasayuli Subdivision
August 2013**

Minimum setbacks: 10 feet on the back and sides, and 15 feet in the front.
 Minimum residential lot size is 10,000 SF.
 Residential building height: Two stories maximum not including basement.

AFTER RECORDING. RETURN TO:

Mr. John P. Guinn
Yukon-Kuskokwim Health Corporation
P.O. Box 528
Bethel, Alaska 99559

**DECLARATION OF RESTRICTIVE COVENANTS
KASAYULI SUBDIVISION**

YUKON-KUSKOKWIM HEALTH CORPORATION, P.O. Box 528, Bethel, Alaska 99559 ("YKHC"), owner of the following described real property located in the City of Bethel, Fourth Judicial District, State of Alaska:

Lots 1-5, Block 1; Lot 1-6, Block 2; Lots 1-4, Block 3; Lots 1-4, Block 4; Lots 1-5, Block 5; Lots 1-16, Block 6; Lots 1-21, Block 7; Lots 1-17, Block 8; Lots 1-23, Block 9; Lots 1-44, Block 10; Lots 1-16, Block 11; Lots 1-13, Block 12; Lots 1-11, Block 13; Tract A; Tract B-1; Tract B-2; Tract C; Tract D; Tract E; Tract F; Tract G and Tract H; KASAYULI SUBDIVISION REPLAT, according to Plat No. 98-3, filed on FEB. 18, 1998 in the Bethel Recording District, Fourth Judicial District, State of Alaska,

hereby makes the following declaration ("Declaration") as to the easements, covenants, conditions, reservations, limitations, restrictions, and uses to which the above-described lots (the "Subdivision") may be put, and hereby specifies that such Declaration shall constitute covenants to run with the land, as provided by law, shall be binding on all parties owning lots in the Subdivision and all persons claiming under them, and shall be for the benefit of all such future owners, or any of them, or their heirs and assigns, this Declaration being designated for the purpose of keeping the Subdivision desirable, uniform, and suitable in use and architectural design as specified herein.

1. Land Use.

a. Lots shall be used for residential purposes only; residential purposes mean a dwelling unit consisting of a single family residence or consisting of a duplex. A duplex is defined as one structure containing separate dwelling units for two families, having a common roof line, floor line, continuous foundation, and common exterior. No dwelling, building, or out building shall be commenced, erected, placed, or maintained upon the Subdivision, nor shall any exterior addition to or change or alteration in any such structure, be made which is not in conformance with the municipal ordinances and building codes of the City of Bethel and the provisions of this Declaration.

In the absence of city codes, then building codes adopted by the State of Alaska. Only one residential dwelling (whether single family or duplex) shall be built on each lot. Notwithstanding the foregoing, YKHC may use those lots described in 1(c) below for multi-family rental housing consisting of dwellings not larger than one five-plex (a maximum of five separate dwelling units in one structure) on each lot; those lots described in 1(d) below for future commercial use; and those lots described in 1(e) below for well development and laundromat facilities.

b. Each owner shall maintain their respective dwelling units, patios, out buildings, fences, and other improvements in good condition and repair, and shall maintain an attractive and viable landscaping, including grass or other seeded ground cover, on their lot. Each lot must be seeded with grass or similar ground cover by the owner within twelve (12) months from the time of the beginning of construction of a dwelling on such lot.

c. Lots 2 through 5, Block 5, shall be retained and reserved by YKHC for the purpose of rental housing. Maximum size of dwelling units on these lots shall be limited to five-plexes.

d. Lot 4, Block 3; Lot 3 & 4, Block 4, Lots 2-6, Block 5; and Lots 1-5, Block 6 shall be reserved by YKHC for sale for future commercial use.

e. Lots 14-16, Block 6 shall be retained and reserved by YKHC for the purpose of water well development and laundromat facilities.

f. A restriction is hereby written into each deed from YKHC to the purchaser of a lot, allowing YKHC or its successors or assigns to exercise, for 100 years after YKHC's conveyance of each lot, first right of refusal to purchase such lot and improvements thereon should the owner seek to sell, convey, or to enter into a lease with a term longer than four years. The purchase price shall be equal to the fair market value of the lot and improvements. Each owner shall give YKHC written notice of intent to sell or to enter into such long term lease. YKHC shall then have thirty (30) days to reach a purchase agreement with the selling owner.

2. **Dwelling Size and Quality.** Residential dwellings shall not contain more than two stories in height, not counting a basement. A single family dwelling unit and each dwelling unit in a duplex shall be a minimum of 800 square feet, excluding basement and garage areas, for single story dwellings. Two-story dwelling units shall have a minimum of 800 square feet for the ground floor, excluding basement and garage areas. For a two-story residence that has a minimum of 800 square feet on the second floor, a garage may count for 300 square feet toward the 800 square foot minimum on the ground floor. The garage shall be for not more than two cars. All residences, out buildings, additions, other structures, and sewer and water systems shall be new construction, and constructed with quality workmanship and materials. All buildings shall, as a minimum, meet or exceed AHFC and HUD criteria and meet ICBO inspections.

3. **Building Locations.** No building shall be located on any lot closer than fifteen (15) feet from any front lot line, or closer than ten (10) feet from any side lot line, or closer than ten (10)

feet from any rear lot line. However, in the case of corner lots the set back from the side street line shall be not less than fifteen (15) feet. For the purpose of this covenant, eaves, steps, and open porches shall not be considered as part of the building for the side and rear lot lines, provided that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot. Steps and open porches shall be considered as part of the building for front lot lines, or for side street lines in the case of corner lots.

4. **Completion of Exteriors.** All residential dwellings must be enclosed and exteriors finished within twelve (12) months from the time of the beginning of construction, with quality workmanship and finish materials.

5. **Filling In and Removing.** No lot shall be increased in size by filling in the waters or drainageways it abuts. The elevation of a lot shall not be changed so as to materially affect the surface elevation or grade of the surrounding lots. No rock, gravel, sand, clay, or other materials shall be excavated or removed from any lot for commercial purposes.

6. **Walls and Fences.** No boundary wall, fence, hedge, or shrubbery shall be constructed or permitted with a height of more than four (4) feet. Walls, fences, hedges, or shrubbery along a rear lot line, or along side lot lines (but not a side street lot line for corner lots) are permitted up to a maximum height of six (6) feet. No wall, fence, hedge, or shrubbery which obstructs sight lines at elevations between two (2) and six (6) feet above the roadway or street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines.

7. **Phased Subdivision Development/Addition of Land to Subdivision.** YKHC reserves the right to develop additional lots or tracts of land not subject to this Declaration, but which adjoin or are part of the Subdivision plat. YKHC reserves the right to add additional phases to the Subdivision, which additional phases may, or may not, be made subject to and governed by this Declaration. Further YKHC reserves the right to develop additional phases of the Subdivision plat that may permit lots or certain tracts or property to be used for multi-family residential purposes or nonresidential purposes.

8. **Public Water and Sewer.** In the event any public or governmental authority should require the installation of public water or public sanitary sewers and appurtenances in part or in all of the Subdivision, the owners of lots in the Subdivision shall pay their proportionate share, if any, of the cost and expense of installing such systems. This proportionate share will be computed by the total number of lots served by the system or section of the system and dividing the total lots served into the total cost of the system. All buildings must be connected to the system, if any are connected, as soon as such system is constructed and thereafter further use of existing water supply or sewage/septic tanks shall be prohibited.

9. **Existing Water Supply and Sewage Disposal Systems.** Owners of lots shall comply with all applicable City of Bethel municipal ordinances, regulations, and building codes, or those of such other governmental authority having jurisdiction, with respect to requirements for on-

site water supply storage tanks and sewage systems/septic sanitary disposal.

10. **Reservation of Land for Dedication as Park.** YKHC reserves the right to convey or otherwise dispose of one or more lots in the Subdivision for dedication to the City of Bethel as neighborhood park land for the use and benefit of the owners and occupants of the Subdivision. YKHC may, but is not required to, develop such lots or dedicate such lots for park purposes.

11. **Nuisances.** No noxious or offensive activity shall be carried on or upon any lot, nor shall anything be done thereon which may be or become a nuisance, or cause unreasonable embarrassment, disturbance, or annoyance to other owners in the peaceful enjoyment of their lots.

12. **Temporary Structures and Trailers or Mobile Homes.** No temporary structure, boat, truck, trailer, camper, or recreational vehicle of any kind shall be used as a permanent or temporary living area or for storage purposes while located in the Subdivision. No mobile homes may be permanently or temporarily placed, maintained, or occupied on any lot. There is excepted herefrom the placement of a trailer on a lot during construction of a permanent structure, upon completion of which the trailer shall be removed. Freezer vans may be placed on the property for use as a storage shed, smoke house, or other similar use, if it is enclosed in a quality wood or finished metal siding within three months of placement upon the lot, but in no case shall such structure be used for living quarters for any period of time.

13. **Animals.** No animals, livestock, farm animals, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, or other common household pets may be kept, provided that they are not kept, bred, or maintained for any commercial purpose, and that not more than two such pets are kept on any one lot at the same time. Dog teams are not allowed, whether for personal or commercial use, except on Lots 1 through 16, Block 11. Any household pets maintained on a lot shall, whenever kept, allowed, or taken outside a residential dwelling on said lot, be enclosed in a dog kennel, run, or other fenced enclosure or if same is not available, shall be at all times maintained on a leash or a fixed tether such that the animal cannot stray off the property upon which it is maintained.

14. **Waste Material.** No trash, garbage, rubbish, refuse, or other solid waste of any kind, including, but not limited to, inoperable automobiles, appliances and furniture, shall be thrown, dumped, stored, disposed of, or otherwise placed in any part of the Subdivision. Garbage and similar solid wastes shall be kept in sheltered, secure, sanitary containers well-suited for that purpose. The owner or occupant of each lot shall be responsible for the disposal outside of the Subdivision of all such trash, garbage, rubbish, refuse, or other solid waste.

15. **Storage.** All boats, cars, trucks, trailers, campers, motorcycles, snow machines, all-terrain vehicles, and cross country vehicles of any type, midget cars, and all other similar types of property must be stored, kept, located, and maintained behind the front building set-back line and no such property may be stored, kept, or maintained on any street in the Subdivision.

16. **Street Parking.** No car or truck or similar type of vehicle shall be parked on a

permanent or on a regular basis on any street in the Subdivision.

17. **Parking and Vehicular Restrictions.** No vehicles in an inoperative condition shall be parked on a lot subject to this Declaration which would constitute a nuisance. All vehicles on any lot must be licensed. For purposes of this Declaration, an inoperative vehicle parked longer than sixty (60) days shall be considered a nuisance. At no time shall more than one inoperative vehicle be placed on a lot. No commercial vehicles or heavy equipment such as bulldozers, road graders or long wheel base trucks or vans may be parked on any lot or street except during that time it is actually working in the Subdivision in a continuous manner.

18. **Airplanes.** No airplane or airplane parts shall be stored or maintained on Subdivision lots, except inside a garage or storage building.

19. **Drainage.** All driveways and walkways from streets shall conform with the natural drainage and shall be culverted where there is any chance that the driveway or walkway would affect the natural drainage. Owners of lots shall be responsible for maintaining culverts under their driveways, and shall not fill in or otherwise obstruct any drainage ditches adjoining their lots.

20. **Signs.** No sign of any kind shall be displayed to the public view on any lot except one sign of not more than five (5) square feet identifying lot owner or occupants and one sign of not more than ten (10) square feet advertising the property for sale or rent, or signs used by a builder to advertise the properties during the construction or sales period.

21. **Alcoholic Beverages and Controlled Substances.** The sale of alcoholic beverages and controlled substances is prohibited in Kasayuli Subdivision.

22. **Easements.** Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Within these easements, no structure, planting or other material shall be placed or permitted to remain, which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow or increase turbidity of drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible. Lot owners shall permit utility support structures and guide wires to be installed on lots which are not within the easements reserved. Maintenance of the support structures and guide wires are the responsibility of the utility company. All lots in the Subdivision shall be subject to an avigation easement in favor of YKHC and the State of Alaska, Department of Transportation and Public Facilities, for the benefit of the Bethel Airport.

23. **Business or Commercial Activities.** No business or commercial activity shall be maintained or conducted on any lot except as allowed in 1.d. Provided, however, that professional and administrative occupations may be carried on within residences on lots so long as there exists no external evidence thereof. For the purpose of this covenant, customer traffic is strictly prohibited on premises for any operation.

24. **Re-Subdivision.** No lot shall be re-subdivided by plat or deed which will result in any one lot or fragment of the original lot smaller than 10,000 square feet, except as may be necessary to convey title to a side-by-side duplex unit as a zero lot line dwelling.

25. **Reservation of Right to Establish Homeowners Association.**

a. YKHC reserves the right to create the Kasayuli Subdivision Homeowners Association (the "Association") under the Common Interest Ownership Act.

b. Each owner of a lot in the Subdivision shall be and is hereby deemed to be a member of the Association, and shall be bound by the Articles of Incorporation, Bylaws, rules and regulations, and other actions of the Association, including, but not limited to, the obligation to pay dues as set by the Association.

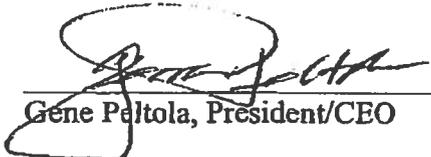
26. **Term.** These covenants will continue in full force and effect in perpetuity.

27. **Enforcement.** Enforcement may be by proceedings at law or equity against any person or persons violating or attempting to violate this Declaration, and such proceedings may seek to restrain such violation and recover damages. The failure to promptly enforce any of the covenants or restrictions in this Declaration shall not bar their enforcement or be construed as constituting an abandonment of any of such covenants or restrictions.

28. **Severability.** Invalidation of any one provision of this Declaration by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

DATED this 8th day of April 1999.

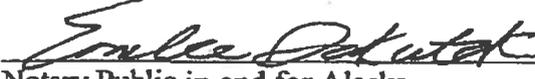
YUKON-KUSKOKWIM HEALTH CORPORATION


Gene Peltola, President/CEO

STATE OF ALASKA)
) ss.
FOURTH JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 8th day of April 1999 by Gene Peltola, Executive Director of YUKON KUSKOKWIM HEALTH CORPORATION, an Alaska nonprofit corporation, on behalf of the corporation.




Notary Public in and for Alaska
My Commission Expires: July 24, 2000

000628
33cc

RECORDED-FILED
BETHEL RECORDING
DISTRICT

APR 15 10 08 AM '99
REQUESTED BY YKHC
ADDRESS _____

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DRAFT



City of Bethel
Planning Department
Staff Report for Zoning Request, August 12, 2013

Planning Commission Hearing Date: September 12, 2013
 Request: From: No designated zoning district
 To: Residential Planned Unit Development
 Residential and Commercial
 Proposed Land Use:
 Acres: 37.67
 Location: Tsikoyak (Larsen) Subdivision, Plat No. 96-18 Bethel Recording District
 Owner: Martha Larsen, and individual property owners
 Applicant / Representative:
 Staff Recommendation: Approve Residential Planned Unit Development per Map

Comprehensive Plan Conformity		
Street Status	The primary access to the parcel is BIA Road.	
<i>Economic Development Goal 8: Enhance the quality of life in Bethel to attract and retain individuals and businesses.</i>		
The existing Tsikoyak development was designed to provide quality residential living and a limited number of other land uses within the subdivision. There are still available lots to be developed at an attractive location.		
<i>Land Use Goal 4: Encourage a range of housing opportunities for current and future Bethel residents, including more housing within the purchasing or rental capabilities of young families, single people, school teachers and other workers.</i>		
Residential land uses at this location will provide opportunities for new housing to purchase or rent. Taking into account the growth of facilities and population in Bethel in the last few years, it is more important than ever to plan for new housing stock. This location provides housing that is convenient to the airport and the hospital.		
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West	Open Space	Undesignated
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Background, Issues, and Analysis

Tsikoyak Subdivision was approved and accepted by the Bethel Planning Commission in 1996. Most of the lots were designated, by way of covenants, to be residential. A smaller number were intended to be commercial or open space.

The subdivision is located northwest of the Bethel Airport, but far enough away to minimize noise impacts. The State of Alaska is currently in a planning process for airport expansion over the next twenty years, and current maps show that expansion is planned to extend west of the airport.

There is a need for residential land development in Bethel. The residential shortage contributes to high land and rent costs. Bethel has been growing, and more housing will contribute to the quality of life in the city.

The parcel is located on the west side of Bethel, outside of the areas FEMA identifies as floodplain. There are some wetland areas that are exempt from the General Permit for the Discharge of Dredged and/or Fill Material into Wetlands at Bethel. Tsikoyak Subdivision is not subject to any fill or flood restrictions.

Zoning for Tsikoyak Subdivision

At the time the subdivision was approved, the Bethel Municipal Code did not contain any zoning categories that matched the Tsikoyak Subdivision covenants. Over the years the Planning Department has been providing Site Plan Permits using only a minimum of control over land uses there.

This proposal for an Residential Planned Unit Development overlay would allow the city to enforce some minimum requirements for permitting that are compatible with the subdivision covenants. City staff ask that much of the PUD review be waived, since it occurred prior to the 1996 acceptance of the subdivision. The overlay would allow the city to give development permits according to the attached map. On the zoning map for the city the area would be designated as a zoning overlay. Zoning overlays are like regular zoning, they can be changed or removed through an application and hearing process at a later time. In the event of a broader land use planning process, this overlay can be removed.

The focus of the overlay request is to utilize categories that focus solely on the Site Plan Permit approval process. Other parts of the covenants will be left to the Tsikoyak Neighborhood Association to address. The city merely wants the chance to apply unambiguous land use designations in the subdivision for the permitting process.

Findings

- 1. The request for a Residential Planned Unit Development is compatible with the Bethel Comprehensive Plan.**
- 2. The subdivision design review occurred prior to 1997 and should be waived for this application.**
- 3. The location of housing at this location will not interfere with any current airport expansion plans.**
- 4. The subdivision is not located in an area identified at this time as floodplain by FEMA, or restricted by the Army Corps of Engineers.**
- 5. The proposed overlay includes a minimum of regulation to be focused on the issuance of Site Plan Permits.**

Stipulations

1. Site Plan Permits must be obtained from the Bethel Planning Department for fill, and construction.
2. The platting, permitting, and construction processes must conform to the City of Bethel Municipal Code, and any and all requirements of the State Fire Marshall must be met.
3. At the time piped water and sewer services are provided to the area, property owners are required to hook up to these services. Until that time properties must provide sufficient clearance for water and wastewater trucks to access the residences and businesses.
4. The Planning Department will assign street numbers to individual properties, and these must be visible from the street.

Writer

REP

8/12/2013

Attachments

Application

Proposed Zoning Overlay Map

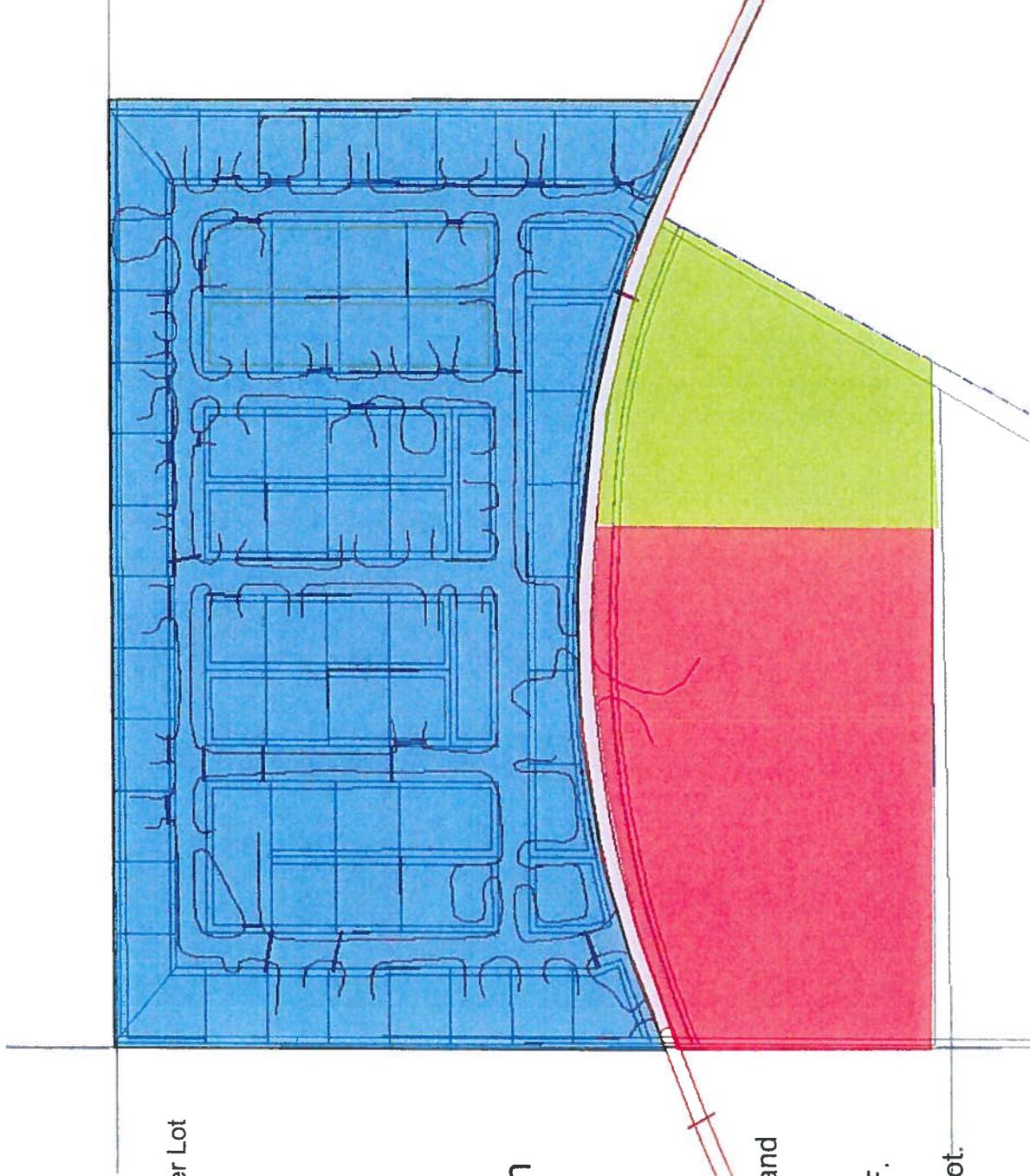
Plat 96-18, Bethel Recording District

BMC Chapter 18.52 Planned Unit Development

Conditions, Covenants, and Restrictions Tsikoyak Subdivision Bethel, Alaska

- Residential, Single Family or Duplex per Lot
- Commercial
- Open Space

Planned Unit Development Tsikoyak (Larsen) Subdivision August 2013



Minimum setbacks: 10 feet on the back and sides, and 15 feet in the front.

Minimum residential lot size is 10,000 SF.

Maximum two structures per residential lot.

CONDITIONS, COVENANTS, AND RESTRICTIONS
TSIKOYAK SUBDIVISION
BETHEL, ALASKA

1. All Rights-of-Way and Utility Easements have been dedicated to the public, per official plat of Tsikoyak Subdivision as recorded in the Bethel Recording District, Bethel, Alaska.
2. It shall be the responsibility of each person purchasing land to construct the driveway to their purchased land at their own expense. It shall be the responsibility of each person purchasing land to provide suitable culverts across their driveway and to maintain the culverts and driveway in a satisfactory manner at all times.
3. Each purchaser of land in Tsikoyak Subdivision shall be responsible for all costs necessary to provide the electrical hook-up to their property from the main power line. The main power line will be installed for by Bethel Utilities Corporation.
4. Each purchaser shall be responsible for providing a holding tank for "gray water" and sewage disposal for their property. The fresh water storage tank shall meet the requirements set forth in the City of Bethel Ordinance regarding same. No person or persons shall permit gray water or sewage to be placed or spilled on the land on or near their property. Each person is responsible for the removal of his or her gray water and sewage waste. Under no circumstances will there be raw sewage spilled in this Subdivision. If accidental spills do occur, they must be treated (neutralized) by the person or persons responsible and must be reported to the local Department of Environmental Conservation Agency, State of Alaska.
5. Under no circumstances will trash be stored or remain on property so as to endanger health, life, or loss of limb, or create an eyesore to the public.
6. Construction on the residential lots will support not more than one residential structure per lot. Duplexes are permitted.

Dwellings shall be a minimum size of 576 square feet (may include an arctic entry way). The use or storage of "ship containers" or cargo vans is permitted on residential property providing outside of container be finished to match the residential structure requirement.

In addition to one residential structure, the lot owner may have one detached non-residential structure on the property. This detached structure shall not be used for commercial purposes.


Martha A. Larson

986 5244

No house trailers, or pulled two-wheel type camper-trailers shall be attached or stored on any parcel of land in Tsikoyak subdivision.

7. Any inoperable vehicle shall be kept in a garage or other closed structure. In no event shall an inoperable vehicle, or seldom used vehicle, be parked in the street, includes cars, trucks, airplanes, boats, motorcycles and snow machines.
8. All motor vehicles shall be operated with effective mufflers in Tsikoyak Subdivision.
9. There shall be no more than two (2) family pets per household. All pets shall be restricted to their owner's property. It is the owner's responsibility to cage or leash pets so they do not wander onto the property of others.
10. There shall be no fencing over 6 feet high on residential lots. If live trees or hedges are used as fencing, this restriction does not apply.
11. A residential lot shall not be resubdivided.
12. Prior to the sale of any lots, the owner of Tsikoyak Subdivision reserves the right to amend the parcels of land listed as commercial. The amendment may increase or decrease the size of any commercial lot shown on the plat. The amendment may redesignate a portion of commercial lot shown on the plat. The owner of Tsikoyak Subdivision will file a record of such action with the Bethel Recorder's Office.
13. No person or persons may use the utilities rights-of-way in Tsikoyak Subdivision for ingress or egress to any other parcel of property in or adjoining Tsikoyak Subdivision without the express written approval of the owner or her designated representative.
14. Parcels of property purchased for commercial or residential use shall not be used for any act which is in violation of local, state, or federal law.
15. Failure to comply with these Conditions, Covenants, and Restrictions, and while owner financing for lot purchased is in place, shall cause said lot whereupon the incompletion occurs, to revert back to the owner of Tsikoyak Subdivision, and the purchase money forfeited to the said owner.

Once title is conveyed to purchaser by said owner, item #15 shall be null and void; however, local, state, and/or federal law shall remain in effect.



 Martha A. Larson

STATE OF ALASKA)
) ss:
FOURTH JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 7th
day of March, 1996 by Martha A. Larson.



Scotty Skelton
Notary Public for the State of Alaska
My Commission Expires: 12/2/97

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
JUNEAU AREA OFFICE

The within Conditions, Covenants, and Restrictions are hereby
this 5th day of September, 1996, pursuant to
authority delegated in 209 DM 8, Secretary's Order No. 3150 and
3177 amendment No. 2; and 10 BIAM Bulletin 13, as extended BIAM
Bulletin No. 9602.

Waman Weisley
Area Director

96-1824

21cc

RECORDED-FILED
BETHEL RECORDING
DISTRICT

SEP 17 2 57 PM '96

REQUESTED BY M. LARSON

ADDRESS _____

986 5244

RECORDED
AS THE STATE OF ALASKA
55 SEP -5 AM 8:59

Returned to:
Martha A. Larson
P.O. Box 132
Bethel, Ak. 99559

that are applicable to the airport. The map may consist of more than one (1) sheet, shall be to scale and shall accurately show the following:

1. The exterior boundaries of the applicable air space zones;
 2. The name or other identification of each of the airspace zones;
 3. A legend that provides a description of the location of each zone or surface, including a reference to the paragraph in the Federal Aviation Regulations that describes the zone or surface;
 4. The reference points within or outside the airport from which distance, elevation, height, bearing, vertical angle or other measurements are made in describing the airspace zones or surfaces;
 5. Existing topography, if available;
 6. Existing subdivisions, streets, roads and other rights of way, U.S. Surveys, section lines and similar features of land that will be useful in determining the location of a proposed development with respect to the boundaries of any airspace zone.
- C. The map required by subsection A of this section shall accurately show the airspace zones. Airspace zones that have a sloping surface shall be shown in ten- (10-) foot increments unless the land use administrator requires more frequent contour lines close to the airport or permits larger increments in areas farther from the airport. Separate maps may be submitted for the different airspace zones. Before submission to the land use administrator for final approval, the map must have been certified by the Federal Aviation Administration as accurately depicting the requirements of the relevant Federal Aviation Regulations, Part 77, subpart C. Upon reasonable intervals, and upon learning of a change in the airport or applicable regulations, the land use administrator may request Federal Aviation Administration review and recertification of the airport height map. [Ord. 01-05 § 8.]

Chapter 18.52

PLANNED UNIT DEVELOPMENT

Sections:

18.52.010	Intent.
18.52.020	Application.
18.52.030	Hearing and notification.
18.52.040	General provisions.
18.52.050	Residential planned unit developments.
18.52.060	Business planned unit developments.
18.52.070	Industrial planned unit developments.

18.52.010 Intent.

A. A planned unit development (PUD) is intended to allow flexibility in the land use code and to achieve the creation of a more desirable environment than would be possible through a strict application of the land use code. An applicant does not have a right to approval of a PUD permit, but has a right only to have the planning commission give fair consideration to an application for a PUD. The planning commission has discretion to deny a PUD application if it is not convinced the proposed development is compatible with principal permitted uses, existing neighborhood development, the environment, the comprehensive plan or maintenance of compatible and efficient development patterns.

B. The planning commission shall evaluate a proposed planned unit development in accordance with the following criteria:

1. Creative use of the land, imaginative architectural design, a consolidation of usable open space and recreation areas and the preservation of natural features;
2. The mixing of compatible land uses, residential densities and housing types within the neighborhood;
3. The efficiency of the configuration of utilities, vehicular and pedestrian circulation and parking facilities;
4. Enhancement of the surrounding environment;
5. Maintenance of population densities and lot coverage that are consistent with available pub-

lic services and the comprehensive plan. [Ord. 01-05 § 8.]

18.52.020 Application.

A. The applicant shall complete a PUD permit application on a form provided by the planning department in which the applicant shall state and describe in narrative:

1. A legal description and street address of the parcel;
2. The names and addresses of the owners of the parcel and of the applicant;
3. A description of the proposed PUD;
4. A map or plat of the general area surrounding the parcel, with notations of the uses and structures that exist on abutting and nearby lots;
5. A detailed map or plat of the development parcel showing existing and proposed streets, lots, building locations, uses, contour lines and other relevant features;
6. Potential impacts on pedestrian and vehicular traffic circulation and safety;
7. Potential output of noise, fumes, dust, wastes and other forms of potential environmental pollution;
8. Special features and restrictions designed to minimize negative impacts and to ensure the public health, safety and welfare of the residents;
9. A complete site plan permit application for the proposed use, including fill placement, quantities and contours and drainage plans;
10. If any part of the project is located in a flood hazard area or in an area where the project may adversely affect drainage or floods in a flood hazard area, the proposal shall address the relevant matters and standards covered by BMC 15.08.160 through 15.08.180;
11. The names and addresses of all persons who own property within six hundred (600) feet of the boundaries of the parcel.

B. A fee shall be included as established by resolution of the city council. [Ord. 01-05 § 8.]

18.52.030 Hearing and notification.

A. Upon receipt of a complete application for a PUD permit, the land use administrator shall set a date for public hearing before the planning commission. The public hearing shall be scheduled no

sooner than twenty (20) calendar days and no later than fifty (50) calendar days from the date of acceptance of a complete application.

B. Notice of the public hearing on a proposed PUD shall be provided as set out in BMC 18.04.070.

C. The public hearing shall be conducted substantially as provided in BMC 18.60.050(A) through (C). [Ord. 01-05 § 8.]

18.52.040 General provisions.

All residential, business and industrial planned unit developments shall meet the following minimum standards. In addition, the planning commission may require compliance with such other design standards relating to the construction, design and placement of buildings, landscaping, streets, roadways, pathways, drainageways and other site design features as it may deem necessary. The commission shall develop and publish guidelines to assist developers in meeting such standards.

A. The minimum site area for a planned unit development shall be two (2) acres for PUDs located entirely in the I, GU, DC or NC districts. If any portion of a proposed PUD is located within the PLI or R districts, the minimum site area shall be five (5) acres. The minimum site area for a PUD within the P district shall be one hundred (100) acres.

B. Building design and site development which involve grading for the placement of structures, parking areas, driveways and roadways shall be depicted on a site plan and shall be described in the written documents and shall specifically address drainage.

C. Major internal streets which are intended to serve a planned unit development shall be functionally connected to existing or proposed streets to provide adequate ingress and egress. The street system by which the PUD will access the core area of the city shall meet the minimum street standards issued by the city engineer.

D. A planned unit development shall be in accordance with the comprehensive plan.

E. All areas not devoted to buildings, structures, drives, walks, off-street parking facilities or other authorized installations shall be planted with visual enhancement landscaping.

F. All developments shall meet fire safety requirements established by the city fire department.

G. If any part of the development is in a flood hazard area or in a location that would affect flooding or drainage in a flood hazard area, the planning commission shall address the applicable standards and matters under BMC 15.08.160 through 15.08.180 and shall impose such requirements as necessary to ensure that flood hazards and potential flood damage will be minimized and that the development will not adversely affect flooding situations in the flood hazard area; the planning commission shall impose such requirements as appropriate to minimize or eliminate the adverse effects of the development on floods and potential flood damages, whether within or outside the development. [Ord. 01-05 § 8.]

18.52.050 Residential planned unit developments.

Planned unit developments in the R district shall be limited to residential planned unit developments. In addition to meeting the standards set forth in the general provisions for all PUDs, residential PUDs shall meet the following minimum standards:

A. The number of dwelling units per acre allowable on the gross usable area of a residential PUD shall be determined by the planning commission. However, in no event may the number of dwelling units per acre exceed four.

B. A minimum of thirty (30) percent of the site shall be reserved as usable open space. At least one-half (1/2) of such usable open space shall be contiguous, and no portion of the required open space may be less than two thousand (2,000) square feet in area or less than thirty (30) feet in its smallest dimension. A minimum of twelve (12) percent and a maximum of fifty (50) percent of required open space shall consist of yards which shall be reserved for the residents of individual dwellings. In multistory buildings, balconies or decks may be used in lieu of yards; provided, that the total area of all balconies or decks and yards is not less than the total yard area that would otherwise be required.

C. Permitted uses shall be limited to residential and accessory uses, convenience establishments and personal or professional services. A residential PUD may not include the storage or use of mobile homes, freezer vans, Quonset huts or similar structures. Any nonresidential use must be specifically authorized as to its exact location, type and size. In no event shall the floor area of nonresidential uses exceed ten (10) percent of the total internal floor area of the PUD.

D. Any nonresidential use permitted in a residential PUD shall be compatible with the residential nature of the development. Parking areas which are intended to serve nonresidential uses shall be separated from those designed to serve residential areas. Unless commercial and residential uses are combined within a single structure, commercial uses shall be separated from dwelling units by a heavily landscaped buffer zone having a minimum width of thirty (30) feet.

E. Pedestrian paths shall connect residential uses and nonresidential uses within a residential PUD.

F. Buffer landscaping shall be planted along each boundary of the planned unit development adjoining a nonresidential district or a right-of-way designated for collector or greater capacity.

G. Any two (2) adjacent buildings within a PUD shall be separated from each other by a distance equal to one-half the height of the taller building.

H. Streams shall, except for necessary bridges and crossings, be separated from streets, parking areas and structures with a landscaped buffer zone having a minimum width of fifty (50) feet.

I. Walls and ceiling-floor assemblies which are common to any two (2) dwellings shall have a minimum STC acoustic rating of fifty-five (55) and a minimum fire rating of one (1) hour.

J. Each required parking space for residential uses shall be provided with an electrical outlet.

K. Any PUD which will involve the formation of a horizontal property regime under the terms of AS 34.07.030, et seq., or any mandatory homeowners' or similar association must submit for review by the commission the articles of incorporation and bylaws of any such association prior to the sale of any property subject to the association.

The planning commission may require any provisions necessary to ensure that the provisions and intent of this title are met. [Ord. 01-05 § 8.]

NC

4

[Ord. 01-05 § 8.]

18.52.060 Business planned unit developments.

A business PUD may be allowed upon property in the I, GU, DC and NC districts. A PUD in any such district may include only those uses which are permitted principal uses and structures in any of the districts listed in this subsection; provided, that no use involving outdoor storage of inventory, hotel uses or wholesale uses shall be permitted where it would not otherwise be permitted in the district in which the PUD is located. In addition to meeting standards set forth in the general provisions for all PUDs, a business PUD shall meet the following minimum standards.

A. Parking lots and loading areas shall conform to BMC 18.48.150 through 18.48.210;

B. Buffer landscaping shall be planted along each boundary of a business planned unit development that adjoins a residential district;

C. A business PUD shall provide for safe and convenient pedestrian circulation;

D. Principal vehicular access points shall permit smooth traffic flow with controlled turning movements and minimize hazards to vehicular or pedestrian traffic. Access points shall be located in relation to major thoroughfares so that traffic congestion will not be created by the proposed development;

E. The maximum number of residential dwelling units per acre allowable within a business PUD shall be determined by the following schedule. If a business PUD is designed to include residential uses, the area to be devoted to such uses shall be identified on the PUD site plan, and the allowable density shall be calculated based only upon the areas indicated for residential use:

Land Use District Dwelling Units per Acre (gross area)

I	4
GU	4
DC	4

18.52.070 Industrial planned unit developments.

An industrial PUD may be allowed upon property in the I district. An industrial PUD may include only such uses as are permitted principal uses and structures in the district in which the proposed PUD is located. In addition, a residential PUD may be allowed in the I district; provided, however, that any residential uses must be situated on an area of at least ten (10) acres including dedicated streets, and screening landscaping shall be planted along each boundary of the residential planned unit development, except for vehicular and pedestrian ingress and egress points. A residential PUD which is located in the I district must conform to all of the standards required for a residential PUD in the R district. In addition to meeting standards set forth in the general provisions for all PUDs, an industrial PUD shall meet the following minimum standards:

A. Screening landscaping shall be planted along each boundary of an industrial planned unit development adjoining a residential district;

B. Principal vehicular access points shall be designed to permit smooth traffic flow with controlled turning movements and to minimize hazards to vehicular or pedestrian traffic. Access points shall be located in relation to major thoroughfares so that traffic congestion will not be created by the proposed development. [Ord. 01-05 § 8.]

R.C.V.O.
AUG 21 2013

CITY OF BETHEL
CONDITIONAL USE PERMIT APPLICATION
City of Bethel Planning Department
PO Box 1388, Bethel, Alaska - 99559
<http://www.cityofbethel.org>
907-543-4186

Bill them \$200

Applicant Name: The Alaska Wireless Network (AWN)

Address: 10831 Arctic Boulevard

City: Anchorage State: AK Zip Code: 99518

Phone: (907) - 868-2647 Email: ccoughlin@awn.com FAX: 907-274-3112

Property Owner: German and Sandra Pena

Address: 124 Gunderson Crt Bethel

Phone: (907) - 543-3610

Email: delcol24@hotmail.com
LutinFrench@yahoo.com

Site Address: 124 Gunderson / Lot 2 BIK13

Subdivision Name: Tundra ~~Bridge~~ Subdivision

Zoning: GENERAL USE

Legal Description: Lot 2 BIK13

Flood Zone: N/A

Describe Specifically the Nature of the Request:

<u>Build & Maintain</u>
<u>soft self-supporting tower (25x25 load frame)</u>
<u>with shelter (10x11).</u>
<u>Complete fencing around tower and shelter</u>

Describe the following:

1. Potential impacts on pedestrian and vehicular traffic circulation and safety.
This tower will not be located near any Pedestrian Crossings or vehicular traffic. Located .12 miles north of Farmigan Road.
2. Potential output of noise, fumes, dust or other environmental pollution.
There will be a fan in the shelter to keep the equipment cool and environmentally clean of dust.
3. Special features designed to ensure the public health, safety and welfare of the residents.
Special feature includes a fence surrounding the shelter to insure safety, otherwise public health is not an issue.

The following is required of the applicant:

1. A map or plat of the general area surrounding the parcel, with land uses annotated, and road access.
2. A complete Site Plan Permit Application.
3. The names and addresses of all persons who own property within 600 feet of the boundaries of the parcel.
4. The applicant or an authorized person is required to attend the public hearing.
5. The fee for a Conditional Use application is \$200.

I understand and will comply with the terms and conditions of the Conditional Use Permit.

C. C. Caughlin
Applicant's Signature

Date

Site Acquisition Specialist
Real Estate

GCI

907-727-5533

ccaughlin@gci.com

Planning Department Use

For Planning Department Use: On _____, the Planning
Commission _____
(Approved/Denied)

This Conditional Use Permit authorizes the following:

Chairperson, Planning Commission

Date

(Attach copy of BMC Chapter 18.60 for applicant)

12 CVD

AUG 22 2013

49-13

CITY OF BETHEL

P.O. BOX 1388, BETHEL, ALASKA-99559 <http://www.cityofbethel.org>
907-543-5301
FAX# 907-543-4186

COMMERCIAL SITE PLAN PERMIT APPLICATION

Title 18 of the Bethel Municipal Code requires the review of a Site Plan prior to the erection of any improvement on real property within the City limits. Application for a Commercial/Institutional Site Plan Review shall be filed with the City of Bethel Planning Department, Alaska State Fire Marshall, and Army Corp of Engineers. Upon approval of the application and responses from all state, federal and local departments, a permit will be issued and is required to be displayed on the property to be improved. By submitting this application you are authorizing public access to the displayed Site Plan Permit area. Approval of plans does not presume to give approval to oversights by the City of Bethel Planning Office nor grant authority to violate or cancel the provisions of any other federal, state or local laws regulating the use of development of this land.

Name of Applicant The Alaska Wireless Network, LLC	Phone Number 907-727-5533 907-222-9315
Mailing Address 6831 Arctic Blvd	Today's Date
City State Zip Anchorage AK 99518	Legal Description of Property Tundra Ridge Lot #: Lot 2 BIK13 Block #:
Name of Property Owner German & Sandra Pence	Plat Number (or) Plat # 81-13
Authorization of Property Owner (Signature)	USS Survey Number
Mail Approval/Permit to: 6831 Arctic Blvd Anchorage AK 99518	Physical Address of Property 124 Gunderson Crst Bethel

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

Fire Marshall Approval:	Bethel Fire Approval:
Public Works Approval:	Flood Hazard Zone: N/A
COE Approval:	Zoning: GENERAL USE
Authorized & Mandatory Improvements: (Attached Additional Info)	
City of Bethel Reviewed:	City of Bethel Approved:
Date:	Denial:
	Date:

Intended improvements: Describe improvements or site activity.

Site activity includes build/Constructing a cellular tower placed strategically to provide adequate coverage to the city of Bethel & to the Residents located at the Tundra Ridge Subdivisi

Intended use: Institution, or Commercial.

Lot Size: 25x25 Load Frame (1600 SQ FT) Sq. ft.: 40x40 fence area Proposed total number of Buildings: (1) 10x11 Shelter

If placing fill indicate: (If no fill is needed, indicate: 0). With in fence

(Required) Max. Height of fill: To be determined at time of construction
(Required) Length of fill: Construction
(Required) Width of fill:

Method of stabilizing sand pad slope ☑
Seeding Sandbagging

If improvements include construction, renovation or relocation of A commercial/institution, or an addition to a commercial/institution, indicate the following:

of rooms: 0 Please circle water/sewer service type: Hauled, or Piped

If Hauled please indicate:
Hauled water tank size(gal): 0 Hauled sewer tank size(gal): 0

I attest that all information and measurements presented are correct.

Signature of applicant: [Handwritten Signature]

WHEN DO I HAVE TO OBTAIN A PERMIT(S)?

A permit must be obtained at least ten (10) calendar days before construction begins. The permit can be obtained from the City Planning Office which is located upstairs at 1155 Ridgecrest Drive and is open weekdays from 8:00 a.m. to 12:00 noon and 1:00 p.m. to 5:00 p.m. The Planning Department Office legally has ten (10) days to review the permit before approval, disapproval, or approving it with modifications. Remember, it is illegal to build, place fill, etc., without first obtaining a site plan permit.

Individual permits are required for fill, construction, and floodplain development. There is a fee schedule which is downloadable from the website (<http://www.cityofbethel.org>) or can be obtained from the Planning Department:

Drawing of Site Improvements

Provide a rough drawing of the site, the buildings, the parking, the access, and the proposed improvements.

See Site drawing (last Page)

DELTA COTTAGES

BETHEL AK

OLYMPIA STAX
~~HARMIGAN~~ Subdivision

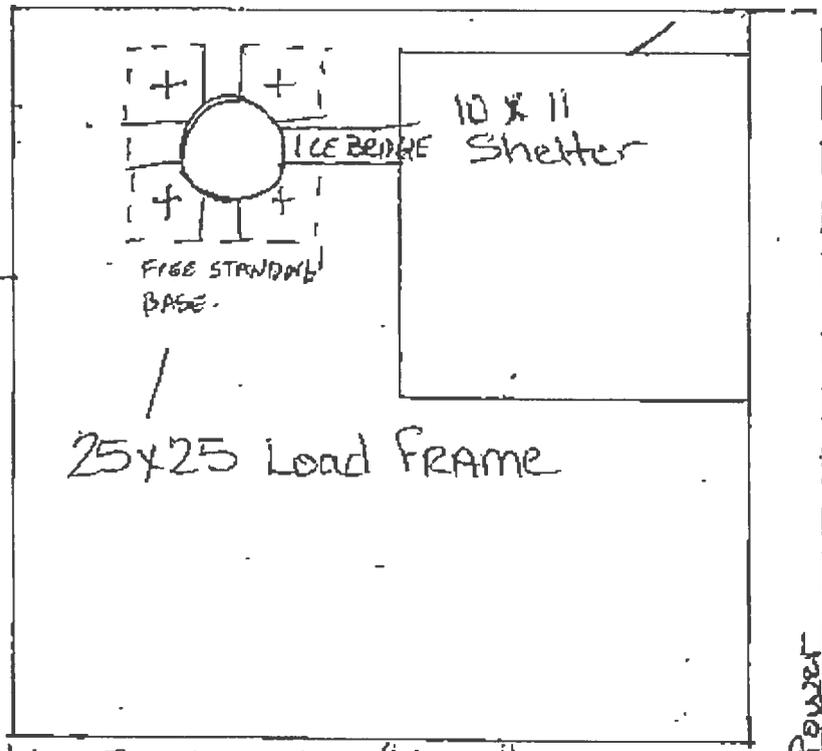
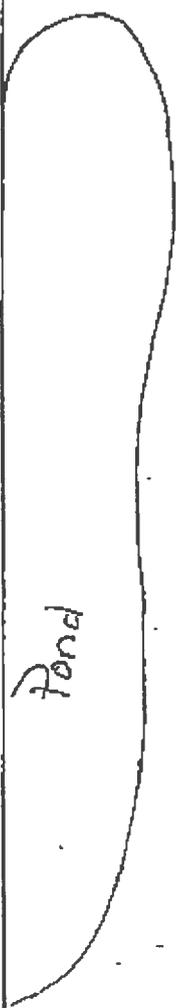
German & Sundra Poma

011-503-78-058186

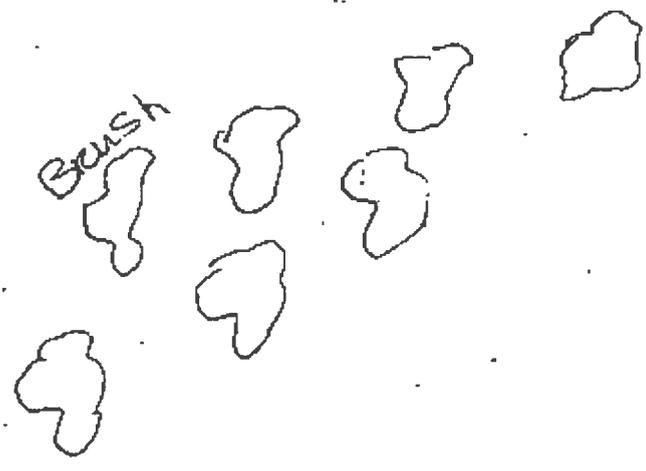
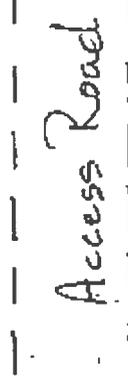
Cell phone

543-3610

545-2031



LOT SIZE 40x40





TOWER DETAIL COLLECT

Resident
PO Box 105
Bethel, Alaska 99559

Resident
PO Box 2772
Bethel, Alaska 99559

Resident
PO Box 2829
Bethel, Alaska 99559

Resident
PO Box 390
Bethel, Alaska 99559

Resident
PO Box 1404
Bethel, Alaska 99559

Resident
PO Box 2489
Bethel, Alaska 99559

Resident
PO Box 2042
Bethel, Alaska 99559

Resident
PO Box 2085
Bethel, Alaska 99559

Resident
PO Box 926
Bethel, Alaska 99559

Resident
PO Box 2374
Bethel, Alaska 99559

Resident
PO Box 1381
Bethel, Alaska 99559

Resident
PO Box 233929
Anchorage, Alaska 99523

Resident
PO Box 2973
Bethel, Alaska 99559

Resident
PO Box 2835
Bethel, Alaska 99559

Resident
PO Box 3545
Bethel, Alaska 99559

Resident
PO Box 3396
Bethel, Alaska 99559

Resident
PO Box 3134
Bethel, Alaska 99559

Resident
PO Box 2608
Bethel, Alaska 99559

Resident
PO Box 3541
Bethel, Alaska 99559

Resident
PO Box 2295
Bethel, Alaska 99559

Resident
PO Box 332
Bethel, Alaska 99559

Resident
PO Box 1046
Bethel, Alaska 99559

Resident
PO Box 2286
Bethel, Alaska 99559

Resident
PO Box 1296
Bethel, Alaska 99559

Resident
PO Box 3212
Bethel, Alaska 99559

Resident
PO Box 191
Bethel, Alaska 99559

Resident
PO Box 135
Bethel, Alaska 99559

LOWER BETHEL COUNCILS

Resident
PO Box 949
Bethel, Alaska 99559

Resident
PO Box 1344
Bethel, Alaska 99559

Resident
PO Box 711
Bethel, Alaska 99559

Resident
PO Box 1421
Bethel, Alaska 99559

Resident
PO Box 2841
Bethel, Alaska 99559

Resident
PO Box 1666
Bethel, Alaska 99559

Resident
PO Box 2443
Bethel, Alaska 99559

Resident
PO Box 1269
Bethel, Alaska 99559

Resident
PO Box 3113
Bethel, Alaska 99559

Resident
PO Box 1361
Bethel, Alaska 99559

Resident
PO Box 2321
Bethel, Alaska 99559

Resident
PO Box 2201
Bethel, Alaska 99559

Resident
PO Box 927
Bethel, Alaska 99559

Resident
PO Box 2317
Bethel, Alaska 99559

Resident
PO Box 1795
Bethel, Alaska 99559

Resident
PO Box 631
Bethel, Alaska 99559

Resident
PO Box 2663
Bethel, Alaska 99559

Resident
PO Box 627
Bethel, Alaska 99559

Resident
PO Box 1042
Bethel, Alaska 99559

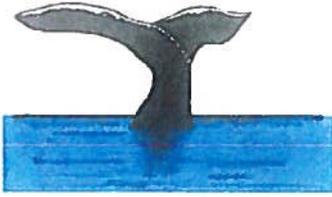
Resident
PO Box 1788
Bethel, Alaska 99559

George Charles
194321 Ostovia Circle
Eagle River, Alaska 99572

Maro Kargas
PO Box 1535
Bethel, Alaska 99559

Bethel Native Corporation
PO Box 719
Bethel, Alaska 99559

Lena Phillip
PO Box 53
Bethel, Alaska 99559



**Travis/Peterson
Environmental Consulting, Inc.**

August 23, 2013
1445-13

Michael D. Travis P.E.
Principal

3305 Arctic Boulevard, Suite 102
Anchorage, Alaska 99503

Phone: 907-522-4337
Fax: 907-522-4313
e-mail: mtravis@tpeci.com

Laurence A. Peterson
Operations Manager

329 2nd Street
Fairbanks, Alaska 99701

Phone: 907-455-7225
Fax: 907-455-7228
e-mail: lary@tpeci.com

GCI - Real Estate
6831 Arctic Boulevard
Anchorage, Alaska 99518

Attention: Ms. Cindy Coughlin – Site Acquisition Specialist

Re: Wetlands Determination 124 Gunderson Court, Bethel Alaska

Dear Ms Cindy Coughlin:

This letter summarizes the results of a visual wetland determination of 124 Gunderson Court, Bethel Alaska (Attachment 1) on August 23, 2013. Determinations were based on site photographs and visual observations of vegetation. No field work conducted on this site. No online information was available at the Natural Resource Conservation Web Soil Survey (WSS) or the United States Fish and Wildlife Service National Wetland Inventory regarding the subject property.

The subject property is located at 124 Gunderson Court in Bethel Alaska. The site is predominantly clear of the original vegetation, leaving mostly grasses and forbs. Some hydrophytic vegetation is present based on site photographs shown in Attachment 4. Cotton grass and other sedges can be seen in the perimeter of the site. Two ponds are located to the east and west of the proposed construction location. Small alders and willows surround the ponds. An access road exists to the center of the site and terminates in a large grassy area, which comprises the majority of the lot.

Wetland boundaries were drawn on site photographs based on vegetation and site characteristics. Based upon the available information, approximately half of the site contains wetlands subject to Section 404 of the Clean Water Act.

Project Contact Information

Current Property Name and Location	Project Sponsor	Principal Delineator
Delta Cottages 124 Gunderson Court Bethel, Alaska 99559 Tax lot 2; Block 13 Tundra Ridge Subdivision	Cindy Coughlin GCI - Real Estate 6831 Arctic Boulevard Anchorage, Alaska 99518	Dr. Eddie Packee Jr. TPECI 329 2 nd Street Fairbanks, Alaska 99701 (907) 455-7225

Jurisdictional Waters

The nearest Section 10 listed Traditionally Navigable Water is the Kuskokwim River located approximately 1.8 miles southwest of the subject property.

Conclusion

The U.S. Army Corps of Engineers process for evaluating permits is outlined in 33 CFR 332 (Section 404 (b)(1) analysis) provides a useful way to evaluate development on a mixed upland/wetland site. Pursuant to Section 404 (b) (1), the applicant has a duty to demonstrate that:

- 1) The applicant has avoided development in wetlands to the extent possible;
- 2) The applicant has minimized unavoidable impacts to wetlands to the extent possible; and
- 3) The applicant has mitigated for unavoidable impacts to wetland areas impacted by development.

Avoidance

TPECI recommends placing as much of the development into upland areas on the subject property as possible. Potential surface access routes that avoid wetlands are shown in the attached photos.

Minimization

If development in wetlands is unavoidable, TPECI recommends that if the site is developed then roads and pad development should be kept to one-half acre or less in order to qualify for a Nationwide Permit to fill wetlands subject to the Clean Water Act.

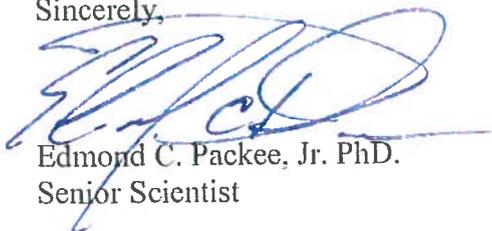
Mitigation

The Alaska District of the U.S. Army Corps of Engineers may require compensatory mitigation for unavoidable impacts to wetlands associated with the project. For information about the Alaska District's compensatory mitigation program, please refer to the information posted on the following web page:

- <http://www.poa.usace.army.mil/Portals/34/docs/regulatory/AKDistrictMitigationRGL0901.pdf>

If you have questions or comments related to the contents of this letter, please do not hesitate to contact me directly.

Sincerely,



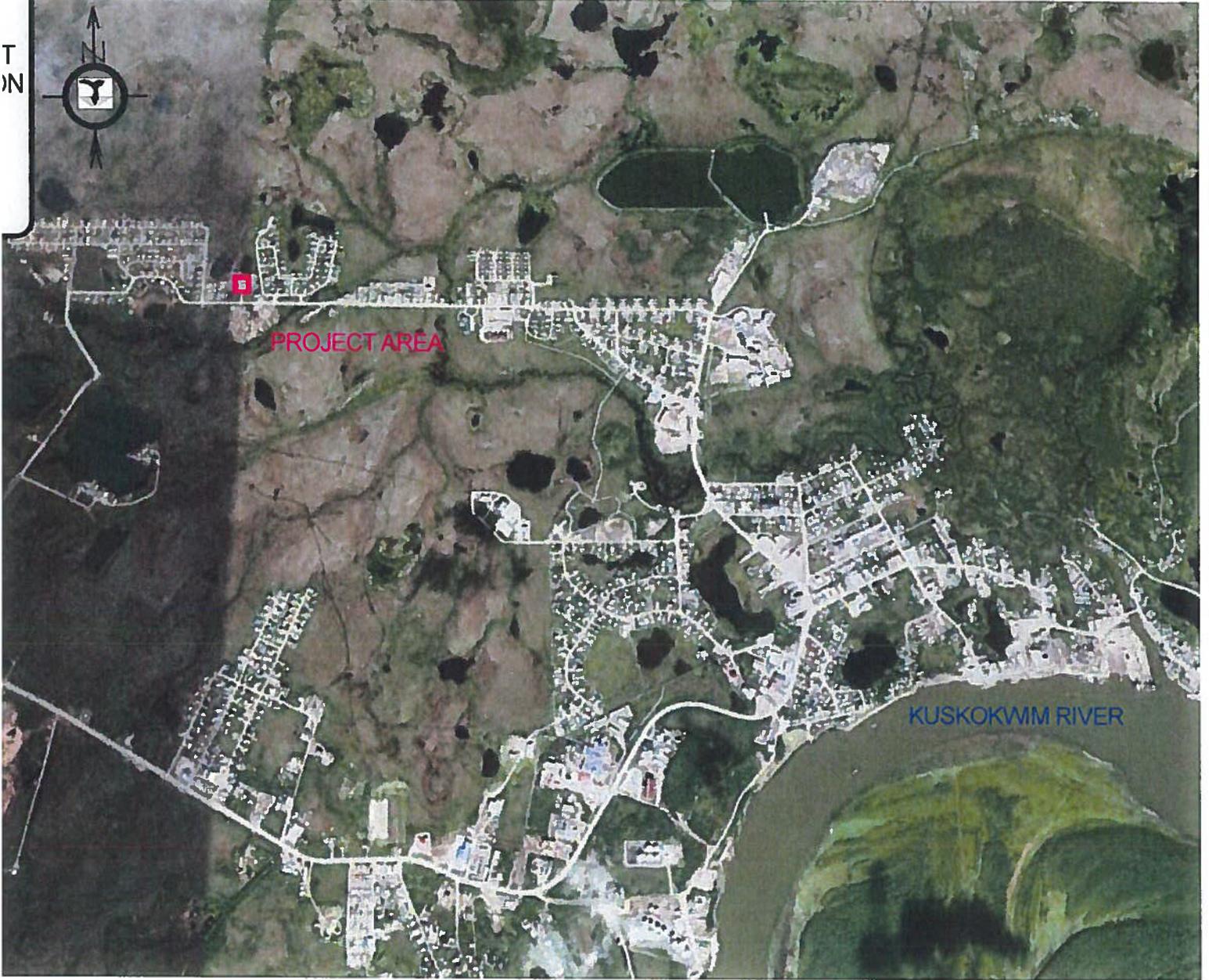
Edmond C. Packee, Jr. PhD.
Senior Scientist

Attachments: Attachment 1 – Figure 1
Attachment 2 – Site photos

Attachment 1

Figure 1

BETHEL, ALASKA



CONSULTING, INC.

NEW HORIZONS TELECOM INC
BETHEL WETLAND DETERMINATION

FIGURE 1
LOCATION AND VICINITY

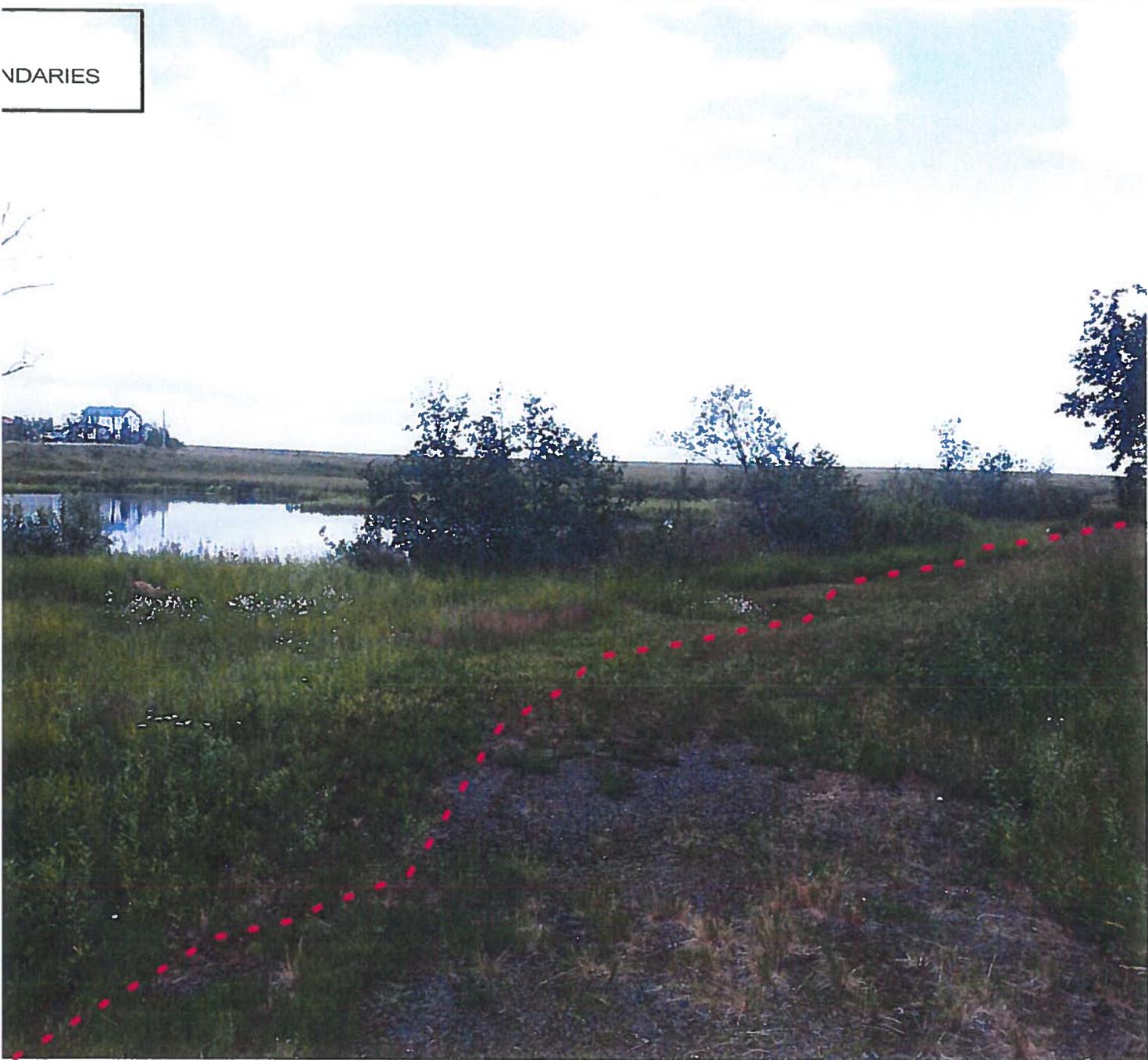
PROJECTS/1445/13/APPENDICES/A - SITE MAPS AND DRAWINGS/FIGURE1.SK

DATE: 08/23/2013

SCALE: AS SHOWN

Attachment 2
Site Photographs

BOUNDARIES



CONSULTING, INC.

NEW HORIZONS TELECOM INC
BETHEL WETLAND DETERMINATION

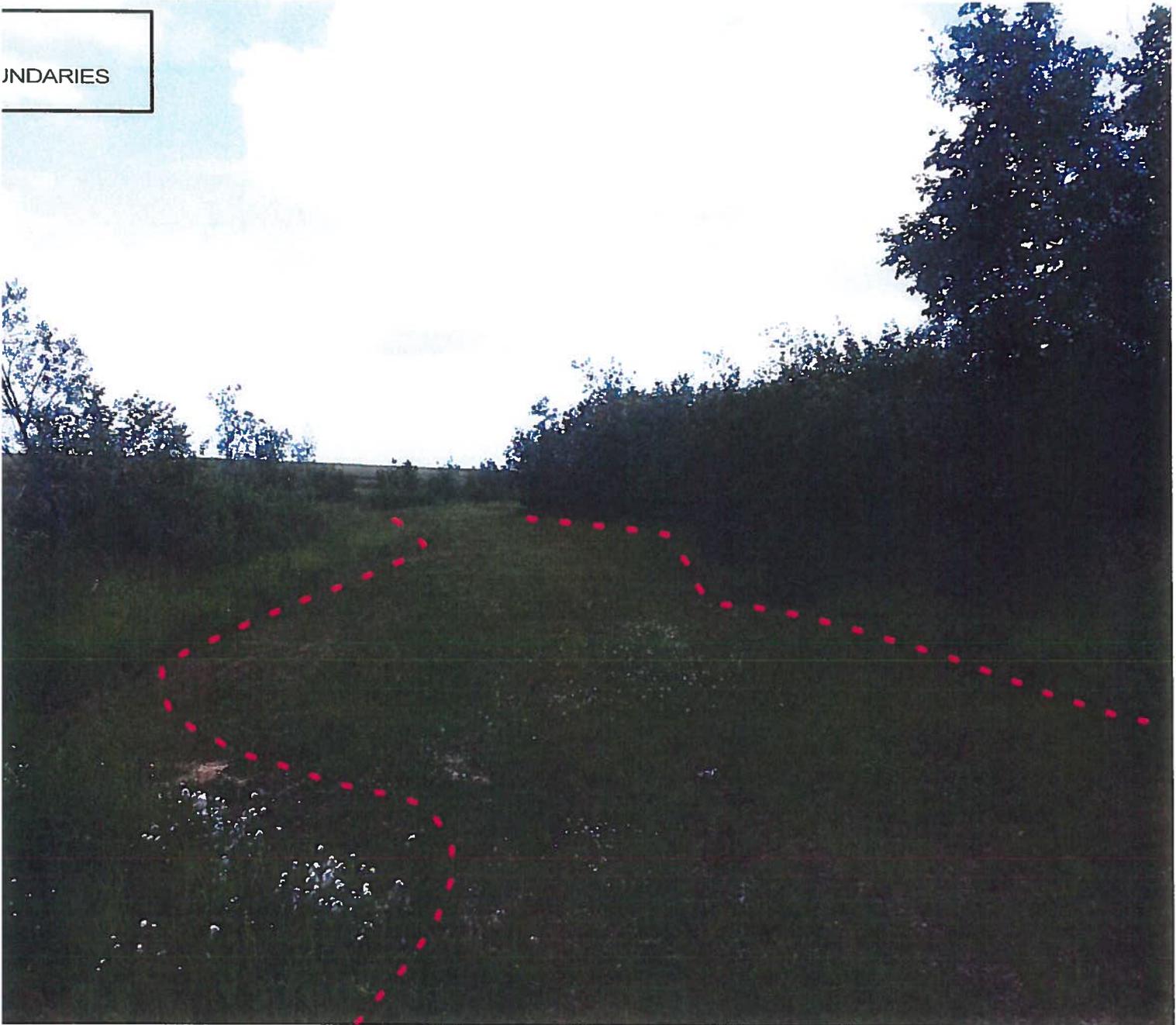
PHOTO 1
WETLAND BOUNDARIES

PROJECTS/1445/13/APPENDICES/A - SITE MAPS AND DRAWINGS/PHOTO1.SKIF

DATE: 08/23/2013

SCALE: AS SHOWN

BOUNDARIES



CONSULTING, INC.

NEW HORIZONS TELECOM INC
BETHEL WETLAND DETERMINATION

PHOTO 2
WETLAND BOUNDARIES

PROJECTS/1445/13/APPENDICES/A - SITE MAPS AND DRAWINGS/PHOTO2.SKIF

DATE: 08/23/2013

SCALE: AS SHOWN

BOUNDARIES



CONSULTING, INC.	NEW HORIZONS TELECOM INC BETHEL WETLAND DETERMINATION	PHOTO 3 WETLAND BOUNDARIES
PROJECTS/1445/13/APPENDICES/A - SITE MAPS AND DRAWINGS/PHOTO3.SKF	DATE: 08/23/2013	SCALE: AS SHOWN

LEGEND:

• • • WETLAND BOUNDARIES



CONSULTING, INC.

NEW HORIZONS TELECOM INC
BETHEL WETLAND DETERMINATION

PHOTO 4
WETLAND BOUNDARIES

ROJECTS/1445/13/APPENDICES/A - SITE MAPS AND DRAWINGS/PHOTO4.SKF

DATE: 08/23/2013

SCALE: AS SHOWN

LEGEND:

• • • WETLAND BOUNDARIES



CONSULTING, INC.

NEW HORIZONS TELECOM INC
BETHEL WETLAND DETERMINATION

PHOTO 5
WETLAND BOUNDARIES

ROJECTS/1445/13/APPENDICES/A - SITE MAPS AND DRAWINGS/PHOTO5.SKF

DATE: 08/23/2013

SCALE: AS SHOWN

BOUNDARIES



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BETHEL WETLAND DETERMINATION

PHOTO 6
WETLAND BOUNDARIES

PROJECTS/1445/13/APPENDICES/A - SITE MAPS AND DRAWINGS/PHOTO6.SKIF

DATE: 08/23/2013

SCALE: AS SHOWN

LEGEND:
● ● ● WETLAND BOUNDARIES



CONSULTING, INC.

NEW HORIZONS TELECOM INC
BETHEL WETLAND DETERMINATION

PHOTO 7
WETLAND BOUNDARIES

PROJECTS/1445/13/APPENDICES/A - SITE MAPS AND DRAWINGS/PHOTO7.SKIF

DATE: 08/23/2013

SCALE: AS SHOWN

LEGEND:

• • • WETLAND BOUNDARIES



CONSULTING, INC.

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BETHEL WETLAND DETERMINATION

PHOTO 8
WETLAND BOUNDARIES

PROJECTS/1445/13/APPENDICES/A - SITE MAPS AND DRAWINGS/PHOTO8.SKF

DATE: 08/23/2013

SCALE: AS SHOWN

BOUNDARIES



CONSULTING, INC.

NEW HORIZONS TELECOM INC
BETHEL WETLAND DETERMINATION

PHOTO 9
WETLAND BOUNDARIES

PROJECTS/1445/13/APPENDICES/A - SITE MAPS AND DRAWINGS/PHOTO9.SKF

DATE: 08/23/2013

SCALE: AS SHOWN

LEGEND:
● ● ● WETLAND BOUNDARIES



CONSULTING, INC.

NEW HORIZONS TELECOM INC
BETHEL WETLAND DETERMINATION

PHOTO 10
WETLAND BOUNDARIES

ROJECTS/1445/13/APPENDICES/A - SITE MAPS AND DRAWINGS/PHOTO10.SK

DATE: 08/23/2013

SCALE: AS SHOWN

LEGEND:

• • • WETLAND BOUNDARIES



PUBLIC HEARING NOTICE

On September 12, 2013, the City of Bethel Planning Commission will hear a request received in the Planning Office on August 21, 2013, by GCI, for a telecommunications tower and utility structure to be located at 124 Gunderson Court, Bethel, Alaska, 99559. Legal description: Plat# 81-13, Block 13, Lot 2. The hearing will be held at Bethel City Council Chambers, 300 Chief Eddie Hoffman Highway, at 6:30 pm. If you cannot attend the meeting but would like to comment, please call the Planning Department at 543-5306.

To Whom it May Concern:

You are receiving this notice of a Public Hearing pursuant to BMC 17.04.025, "Notice shall be mailed to the owners of each parcel of property any part of which is within 600 feet of the exterior boundary of the parcel that is the subject of the application or petition."

You have been identified on city utility service lists as someone who may have property interest in the area described above. If you are not the property owner, please pass this notice along to them.

Rachael Pitts
Planning Director

Letters from page 12

Enjoyed working

Dear Coastal Villages, I enjoyed working for CVRF because we worked in different places like store, church, council and school. The reason why I wanted to work is because I needed money to get me new stuff. I also wanted money to save for sport season.

Lewis Martin
Kwigillingok, AK

A good head start

Dear Coastal Villages, As an employee at CVRF went well working with my co-workers. At first I didn't know what I was

doing because it was my first time. Then towards the middle helped me know what I was doing which helped me experience more education for the future. While working it was tiring but was fun at the same time. Especially with co-workers made it more fun. With the money that they gave can help me buy school clothes or supplies. Working here to me is a good head start for my future.

Chelsea Oscar
Kwigillingok, AK

IT IS TIME TO ACT IN UNITY

"The loveless, self-centered power-holder will try to get his way by creating factions, skillfully fomenting conflict, and keeping others off balance. This modus operandi defeats

its own purposes. By working for harmony, the influential leader may lose some vote, but ultimately he will take the organization in a direction that benefits everyone." Quoted from the Influential Leader:

Calista Corporation shareholders have indeed an enormous stake as to what happens to our regional corporation. As shareholders, we have to interact with the present leadership and management so that something good can ultimately come out of our active participation. As of right now, many shareholders have received the annual report that has been mailed out as a precursor to other material that will emphasize those interested in running for the board of director seats in the upcoming annual meeting which will

Classifieds from page 17

safety and environmental hazard issues and to make the area safe for reuse. The Open Burn MRS was recommended for further munitions response action.

The U.S. Air Force finalized an evaluation of the MRS at the Cape Romanzof LRRS. The evaluation included identifying the types of munitions that may potentially be present, assessing current and future land use, and determining ease of access. In accordance with 32 Code of Federal Regulations Part 179 requirements, the public is invited to review and comment on the MRSP. The U.S. Air Force encourages the public to review the Information Repository documents to obtain more information about the Cape Romanzof LRRS MRS.

The MRSP documentation is available at the following locations:

611th Civil Engineer Squadron
10471 20th Street
Joint Base Elmendorf-Richardson, AK
99506

Scammon Bay Post Office
102 Johnson Rd.

Scammon Bay, Alaska 99662

The public comment period begins on September 18, 2013 and ends on October 16, 2013. During the public comment period, written comments or questions should be submitted to:

Keith Barnack
Restoration Project Manager
611th CES/CEAR
10471 20th Street
Joint Base Elmendorf-Richardson, AK
99506 (262)(9/4)

**THE U.S. AIR FORCE 611TH CIVIL
ENGINEER SQUADRON SEEKS
PUBLIC INPUT ON MUNITIONS**

September 18, 2013 and ends October 16, 2013. During the public comment period, written comments or questions should be submitted to:

Keith Barnack
Restoration Project Manager
611th CES/CEAR
10471 20th Street
Joint Base Elmendorf-Richardson, AK
99506 (256)(9/4-25)

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DEPARTMENT OF THE INTERIOR Bureau of Land Management F-14866-A, F-14866-A2 Alaska Native Claims Selection Notice of Decision Approving Lands for Conveyance

As required by 43 CFR 2650.7(d), notice is hereby given that an appealable decision will be issued by the Bureau of Land Management to Sea Lion Corporation. The decision approves the surface estate in the lands described below for conveyance pursuant to the Alaska Native Claims Settlement Act.

222 West Seventh Avenue, #13
Anchorage, Alaska 99513-7504

For further information, contact the Bureau of Land Management by phone at 907-271-5960, by e-mail at blm_ak_akso_public_room@blm.gov, or by telecommunication device (TTD) through the Federal Information Relay Service

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Take time to watch the wild
Visit friends and family
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Freight & passenger Charters; Charters@penair.com



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: ____ Opposed: ____ 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

DD
8/21/2013

... and the Alaska Federation of Natives (AFN) to actively champion numerous efforts benefiting Alaska Native people. On June 1, 2013 Nelson retired from AFN leaving behind a legacy of hard work and dedication.

... with different groups and continues to share and teach our values to people of all ages.

• **Calista Youth/Educator of the Year:** Peter Twitchell. Peter has shown tremen-

continued on page 8

... enough to support the crane necessary to move the turbine to its final pad. The contractor plans to have close-in (frame work covered) by late October so that internal work can be accomplished without adverse weather impacting results

Recently, I received an open letter from community members, asking why the Yukon Lodge building remains at its present location. The building is currently locked and no official business is being conducted. However, the building is situated on land leased from the property owners and the BIA is also involved in the pro-



Planning Commission Openings

Do you have a vision for the future? Would you like to help plan the growth of the city? Do you have time you can devote to worthwhile efforts to make Bethel a better place to live and work? Fill out an application for the Planning Commission and get more involved in city government. The Commission meets once a month (occasionally more) throughout the year at the City Council Chambers. The Commission is involved in planning, platting, and land use regulation. Eligibility: Resident of Bethel for at least one year.

MAKE A DIFFERENCE: Get an applications online at www.cityofbethel.org, or visit the Planning Department at the Public Works Building.



Association of Village Council Presidents

800.478.3521 (Toll Free)
907.543.7300 (Direct)
907.543.7329 (Fax)

Job Vacancies Monday, August 19, 2013

Job Title/Position	Department	Location
**On-Call Case Manager	TANF	Kotlik, Quinhagak, Hooper Bay, Kongiganak
**Community Family Service Specialist	ICWA	Nunam Iqua Tuluksak, Napakiak
**Case Manager	TANF	Quinhagak
**Staff Development Coordinator	Human Resources	Bethel
**Lead Teacher	Head Start	Scammon Bay
**Teacher	Head Start	Russian Mission, Quinhagak, Bethel
**Child Development Coordinator	Head Start	Bethel
**Human Resources Director	Administration	Bethel

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