

# Planning Commission Minutes

Scheduled Meeting January 8, 2004

**PUBLIC WORKS BLDG., SECOND FLOOR CONFERENCE ROOM**

**6:30 PM**

## **I. CALL TO ORDER**

Meeting was called to Order by Chair Guinn at 6:42 PM.

## **II. ROLL CALL**

Present: J. Guinn, B. Glasheen, P. Jennings, T. Rodgers, J. Shantz

Excused: J. Hamilton, M. Charlie

Others Present: J. Malone, City Planner

S. Moseley, Admin. Assistant, Recorder of Minutes

## **III. APPROVAL OF MINUTES**

T. Rodgers stated that he wanted his comment added to the November 13 minutes at the end of the Planners Report that the reason Ben Dale could not develop his proposed Venes Subdivision was because he could not get bonding for BNC for the access road across BNC land.

No objection.

MM/T. Rodgers/P. Jennings to approve the Minutes of November 13, 2003 with amendments.

Unanimous

## **IV. APPROVAL OF AGENDA**

MM J. Shantz/T. Rodgers to approve the Agenda with addition of Item C, New Business, Resolution 04-01.

Unanimous

## **V. COMMUNICATIONS**

Meeting Handouts: 1. Resolution 04-01 – Land exchange - City Sub sewer and water project.

2. New National Guard Readiness Center - site plan drawing and email request for city participation on art committee.

All others included in the meeting packets.

**VI. PLANNERS REPORT**

Mr. Malone reported:

Alaska Coastal Management Program: I attended the annual northwestern ACMP conference on December 3-5. Of course the big topic was the pending new regulations. DNR had several consultants, speakers and a preliminary draft for discussion purposes – and a lot of discussion there was! One of the biggest concerns for the coastal districts will be the required rewrite of the district plans. This can not begin until the new regulations are in place as the regulations will dictate the form and extent of the plan rewrite. Over the summer the coastal districts formed an Alaska Coastal District Association. At this December meeting we approved the by-laws for this. The main purpose for the new association is to present as a single voice in areas of statewide concern such as the plan rewrites.

New Army National Guard Readiness Center: There is a lot of activity going on with several contractors on this project – most involving design, EA and permitting. The DOT/PF project engineer and representatives from the guard are scheduled to be here on the 21<sup>st</sup> for further discussions on the site permitting and relocation of the sewage lift station currently located at the highway entrance to the site. Public Works advises that this lift station is in need of upgrading, especially with the pending new National Guard facilities that will be coming on line. We are presently working on a funding source for this relocation and upgrade. One of your handouts is a 35% site design drawing. Also included is an email from the DOT/PF project engineer requesting the city's participation in the art committee for the project. The art committee would be involved in the design and location of the Territorial Guard memorial park. As you can see, the site drawing includes a conceptual location for this. As a reminder, the inclusion of such a memorial park was included both in your resolution recommending the sites disposal for the new readiness center, and in councils ordinance authorizing the disposal.

US Army Corps of Engineers General Permit Renewal (April '04): In early December I had an all morning meeting with Mary Leykom and Don Rice from Corps Regulatory. They have introduced two additional items of discussion for our GP renewal. The first is the borrow pits. They would like us to assume management jurisdiction over these. This would entail extraction and reclamation plans. The second is Haroldson Estates Subdivision. This subdivision has never been included in our GP. There are numerous violation concerns that I have brought to the Corps attention over the years. So far the Corps has taken no enforcement action on these. I would strongly recommend that we do not accept the inclusion of this subdivision in our GP renewal.

Seawall Project – Brown's Slough and East Ave.: As previously reported the easement surveys have been completed. Affiliated Appraisers of Anchorage has been very prompt in responding to the sole source contract approved in ordinance by council at their December 9<sup>th</sup> meeting.

Affiliated completed their site work on December 22nd, and the appraisals on January 5th. These were conveyed to Corps Reality yesterday for review.

ROW Acquisition Ordinance: On Monday (January 5) the city manager, city attorney and I met with representatives of DOT/PF and the attorney general representative for DOT/PF in Anchorage over the hold harmless provision in our proposed ordinance. Also discussed at length were the Tundra Ridge Rd and Ptarmigan St project ROW's. As I've previously reported, the state had strong objections to this hold harmless provision. Our ordinance would also be the only one in the state dealing with these ROW acquisitions that has such a provision. We held fast to our position that we needed such protection because of the protracted time afforded these acquisitions between a preliminary plat filing and a final plat. Further, we had no control over the actions taken by the state in these acquisition matters - of particular concern was allotment and restricted deed lands. The attorney's were directed to return to the table together to fashion an indemnification provision that would be acceptable to both parties. I was notified yesterday evening by the city manager that the meeting of the attorney's did not resolve this. Reportedly the state's position is that they have no insurance for such an indemnification, additionally it is a contradiction to state policy to place the state in a potential role of financial liability without appropriation authority from the legislature. It is now our city attorney's recommendation that this ordinance be amended to only include the Tundra Ridge Rd project. This would limit our liability exposure to just the acquisitions currently underway for this project. Further, it would not impede progress by DOT/PF in proceeding with these acquisitions - any further ROW acquisitions by the state would require an additional ordinance.

Personnel: Quinton Duruji has resigned effective December 19th. He will be returning to school as a fulltime student in Fairbanks.

Address Map Project: We are very close to completing the remainder of the physical address insertions in the digital map. With Quinton Duruji's departure this project will most likely be delayed again. As soon as the office staffing situation improves this will once again be a priority. Aside from the final map insertions, as I've previously reported many addressees need be formerly noticed of numbering changes that have necessarily been made to correct numbering sequence errors. Once these have been resolved, affected agencies need also be noticed.

Quarterly Reports: Many thanks to Sandra - two (Corps of Engineers & Bureau of Census) of our three quarterly reports are out and timely. The Coastal Management quarterly is due on the 15<sup>th</sup> - it will be on time.

## **VII. PEOPLE TO BE HEARD**

None at this time.

**IX. COMMISSIONERS COMMENTS**

T. Rodgers wished everyone a Happy New Year.

J. Shantz wished everyone a Happy New year and stated that since she missed the last meeting could she get copies of the handouts from the November meeting.

Mr. Malone will provide.

P. Jennings had no comment at this time.

B. Glasheen stated he would like to know about anything further on the addition to the courthouse.

Mr. Malone replied that he had no further information then that which he had provided at the November meeting. T. Rodgers stated that there were probably at least three proposals being considered by council. B. Glasheen said he felt there had to be a better way for the addition then the relocation of the road (Radio Way).

J. Guinn wished everyone a Happy New Year.

**X. OLD BUSINESS**

**ITEM A. TRAILS PLAN. DISCUSSION OF AN AMENDMENT TO THE SUBDIVISION ORDINANCE TITLE 17 TO REQUIRE DEDICATED TRAILS IF A TRAIL PREVIOUSLY EXISTED. REQUESTED BY CITY COUNCIL.**

DISCUSSION ITEM

Chair Guinn asked Mr. Malone to introduce this item.

Mr. Malone stated that the issue of trails had again been referred from council through the city manager. What was being requested by council was the consideration of amending the platting ordinances to include the platting of existing trails in new subdivision applications. He further stated that he did not know the legal implications of this and recommended that this first be referred to the city attorney for an evaluation of how such a provision could be applied.

J. Shantz asked this would also apply to established subdivisions. Mr. Malone replied that it would not.

Mr. Malone further reported that he has received no comment from his memo to the city manager that recommended that certain right-of-ways be evaluated for the inclusion of trails.

No action taken. The Commission would like to wait to see what the legal issues will be before further deliberations.

**X. NEW BUSINESS**

**ITEM A. ESTABLISHING A PERMITTING SYSTEM PERSUANT TO BMC 17.04.070 B. FOR THE PLACEMENT OF UTILITIES WITHIN PUBLICLY DEDICATED WAYS OR EASEMENTS.**

DISCUSSION ITEM

Chair Guinn asked Mr. Malone to introduce this item.

Mr. Malone stated that it was requested by the city manger that this utility permitting system be reviewed by the PC. He further stated that in the previously passed land use ordinances of several years back there was included a provision for utility placement permitting. The current public works director had decided to implement this due to there being many underground cable placements that were unknown to the city, and some in areas that would lead to conflict with both future road rehabilitation plans and maintenance. He further reported that the currently developed forms were very similar to that in use by DOT/PF and covered both applications for overhead and underground utilities. What remains is for the director of public works to recommend to council a fee schedule for these, and a time limit for the permits.

T.Rodgers stated that they should have a time limit.

Mr. Malone said he would convey that message to the director of public works.

No action taken.

**ITEM B. ELECTION OF OFFICERS.**

ACTION ITEM

MM J. Shantz/T. Rodgers to elect John Guinn as the Chair.

MM J. Guinn/B. Glasheen to elect J. Shantz as Vice Chair.

T. Rogers asked for unanimous consent.

Unanimous

**ITEM C. RESOULTION 04-01. A RESOLUTION RECOMMENDING TO COUNCIL AN EQUAL LAND EXCHANGE BETWEEN THE OWNERS OF LOT 15, BLOCK 6, CITY SUBDIVISION AND THE ADJOINING CITY LOT 14, TO ACCOMIDATE SEWER AND WATER**

Planning Commission Minutes, January 8, 2004 (Cont)

LINES IN PHASE B OF CITY SUBDIVISION WATER AND SEWER IMPROVEMENT PROJECT.

ACTION ITEM

Chair Guinn asked Mr. Malone to introduce this item.

Mr. Malone stated that he was invited to a meeting in the city managers office on January 2<sup>nd</sup> with Mr. Updegrove, the land owner of Lot 15 in City Subdivision. The result of that meeting was an agreement to exchange an equal portion of city land adjoining the Updegrove property for the necessary piped sewer and water utility easement land at the rear of Updegrove's property. He further reported that the exchange land, as reflected on the attached resolution drawing, would actually come from the Public Walkway easement adjoining the west boundary of the Updegrove property. This Public Walkway easement would then be relocated, along with the contiguous drainage easement, to the west on city Lot 14. Therefore none of the publicly dedicated easements would be removed or diminish in size.

No further discussion.

Chair Guinn asked for a role call vote on the resolution.

In Favor: 5 Opposed: 0 Abstained: 0

**XI. ADJOURNMENT**

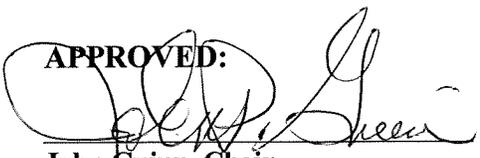
M/M P.Jennings/J.Shantz to adjourn.

Unanimous

Meeting adjourned at 7:32 PM.

Minutes prepared by Sandra Moseley, Administrative Assistant

**APPROVED:**

  
John Guinn, Chair

Date: 3/11/04