



# CITY OF BETHEL

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## Planning Commission Minutes

### Regularly Scheduled Meeting July 8, 1999

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

**7:30 PM**

**I. CALL TO ORDER**

Meeting was called to order at 7:36p.m. by Chairman John Guinn.

**II. ROLL CALL**

Present: Guinn, Blake, Hamilton, Charlie, Trailov, Notti.

Absent: Andrew

Others Present: John Malone, Nick Arafiles, Mike Rapoza, Paul O'Brien

**III. APPROVAL OF MINUTES**

Commissioner Notti made one amendment to the minutes on Page 2 concerning his statement concerning the status of native allotment conveyances to third parties. Amendment was placed on the signature copy of the minutes at the meeting.

M/M Blake/Trailov to approve the minutes of the March 25, 1999 meeting as amended.

Approved -unanimous.

**IV. APPROVAL OF AGENDA**

M/M Notti/Trailov to approve Agenda

Approved-unanimous

**V. COMMUNICATIONS**

No additional from those included in meeting packets.

**VI. PLANNER'S REPORT**

John Malone informed the Commission members that the Planning Office has seen the typical seasonal increase in Site Plan Applications. The fourth quarter reports for the Army Corps of Engineers, Census, and Coastal Zone Management reports are about completed.

**VII. PEOPLE TO BE HEARD**

There were no people to be heard.

**VIII. OLD BUSINESS**

ITEM A: RESOLUTION 99-2, A PROPOSED RIGHT-OF-WAY AND UTILITY EASEMENT BY BETHEL NATIVE CORPORATION, BETHEL UTILITIES CORPORATION, AND THE CITY OF BETHEL FROM CITY SUBDV. TO THE EAST BOUNDARY OF BLUEBERRY FIELD SUBDV. (PUBLIC HEARING)

Mr. Guinn opened the public hearing.

No public testimony was offered.

Mr. Guinn closed the public hearing.

Commission member discussion followed. There was no opposition to the proposed Resolution 99-2 recommending to Council the dedication of a right-of-way.

M/M Hamilton/Blake to approve Resolution 99-2.

Vote: 5 in favor, none opposed, none abstained.

ITEM B: INTRODUCTION OF FINAL PLAT FOR AC'URUNAQ SUBDV., A SUBDIVISION OF TRACT L, TUNDRA RIDGE SUBDV.

The following May 28, 1999 staff report from the Planner to the Commissioner's was provided in their meeting packets:

**SUBJECT:** Final Plat Approval – Ac'urunaq Subdivision

The enclosed final plat has been submitted for your approval. I recommend conditional approval pending the following additions, determinations and conditions before signing:

1. A topographic map was also submitted for the purposes of establishing a drainage plan. This has been submitted to the Public Works Department for evaluation and recommendations. Your approval be conditioned upon approval of a drainage plan by the Public Works Dept.
2. You will need decide if a performance bond or suitable security needs be provided to insure completion of public improvements. If you so impose this requirement an agreed upon cost estimate needs to be completed for these.
3. The developer has platted the westerly terminus and required temporary terminating cul-de-sac of Ayaginar Dr. on the adjoining property owners land. In the cover letter that accompanied the final plat from Mc Clintock Land Assoc's, the projects designer and surveyor, it is indicated that a letter of non objection is being sought by this land owner for this portion of the road. This is not an adequate conveyance for a public right-of-way. The conveyance to the city need be in the form of a warranty deed. A contractually binding document from this landowner that will convey this right-

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of-way to the city, after title is acquired, is probably a suitable alternative if this allotment holder has not yet acquired a final conveyance from BLM.

4. An additional signature block for the Secretary of Tununrmiut Corp. should be included attesting that the Acting Manager is authorized to execute the plat on behalf of the corporation. Evidence of Tununrmiut Corp. ownership (deed) needs be provided.
5. Plat does not show individual lot monumentation, this need be provided for each lot.

Mr. Guinn opened the public hearing.

No public testimony was offered.

Mr. Guinn closed the public hearing.

M/M Blake/Notti to accept the Final Plat by unanimous consent, but prior to signing by the Commission Chair that the staff recommendations be satisfactorily complied with.

Approved - no objection.

**IX. NEW BUSINESS**

ITEM A: VARIANCE APPLICATION OF MICHAEL RAPOZA FOR A  
VARIANCE OF THE SETBACK REQUIREMENTS FOR A SINGLE FAMILY  
RESIDENCE LOCATED ON LOT 5, BLOCK 4 TSIKOYAK SUBDV. (4308 AMY'S  
WAY) (PUBLIC HEARING)

Mr. Guinn asked Mr. Malone to introduce Item A.

Mr. Malone referred the Commission to the staff report, Mr. Rapozas variance application and the attached copy of an as-built survey done by Albert Bianchi included in their meeting packet.

Mr. Malone then asked Mr. Paul O'Brien, Mr. Rapoza's contractor, to comment.

Mr. O'Brien informed the Commission that the lot was surveyed on three separate occasions, and each time different numbers were produced as to the encroachment distances on the property boundary in question. Mr. O'Brien further stated that the survey monuments used to measure the setback were bent, as was noted by the surveyor's notes on his most recent as-built survey. The house is currently 1-1/4" to 3" over the required setback.

No further testimony was offered.

Mr. Guinn closed the public hearing.

M/M Hamilton/Blake to approve the variance application by unanimous consent.  
Approved - no objection.

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ITEM B: RESOLUTION 99-3. PETITION BY MYRON ANGSTMAN FOR THE DISPOSAL OF CITY OWNED LOT 1, BLOCK 1, USS3230 LOCATED AT THE EASTERLY TERMINUS OF THE UNDEVELOPED 7<sup>TH</sup> AVE. RIGHT-OF-WAY.  
(PUBLIC HEARING)

Mr. Guinn asked Mr. Malone to introduce Item B.

Mr. Malone referred the Commissioner's to Mr. Angstman's letter Petition to the Commission dated April 26<sup>th</sup>, and a draft resolution to the City Council recommending the subject parcels disposal as no longer necessary for public purposes. Mr. Malone commented that under the conditions stipulated within the resolution for the parcels disposal, i.e. that its land status be redesignated to Open Space, any easements of record remain undisturbed and that no use be permitted that would adversely affect the navigability of Brown's Slough, the staff supported the disposal.

Mr. Guinn opened the public hearing.

No public testimony was offered.

Mr. Guinn closed the public hearing.

M/M Notti/Trailov to approve Resolution 99-3.  
Vote: 5 in favor, none opposed, 1 abstained.

ITEM C: PETITION BY MYRON ANGSTMAN FOR THE VACATING OF APPROXIMATELY 200 FEET OF THE UNDEVELOPED RIGHT-OF-WAY OF 7<sup>TH</sup> AVE. LOCATED AT THE EASTERLY TERMINUS OF 7<sup>TH</sup> AVE. AND BROWN SLOUGH. AFFECTED PROPERTY OWNERS ARE MYRON ANGSTMAN AND THE CITY OF BETHEL. (INTRODUCTION OF PRELIMINARY PLAT - PUBLIC HEARING)

Mr. Guinn asked Mr. Malone to introduce Item C.

Mr. Malone recommended that this item be accepted for introduction only, and that any action be held in abeyance pending the City Council's actions under New Business Item B above.

M/M Blake/Notti to approve the introduction of the plat by unanimous consent.  
Approved - no objection.

ITEM D: RESOLUTION 99-4. A RESOLUTION ENDORSING THE ROUTING AND DESIGN OF THE PROPOSED SEPARATED PEDESTRIAN AND BIKE TRAIL FROM THE AREA OF BETHEL REGIONAL HIGH SCHOOL TO THE BETHEL AIRPORT.  
(PUBLIC HEARING)

Mr. Guinn asked Mr. Malone to introduce Item D.

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Mr. Malone reported that the draft resolution in the meeting packet was requested by the state Department of Transportation after a previously held public hearing on the proposed routing for this pathway.

Mr. Guinn opened the public hearing.

No public testimony was offered.

Mr. Guinn closed the public hearing.

M/M Hamilton/Notti to approve Resolution 99-4.

Vote: 6 in favor, none opposed, none abstained.

ITEM E: INTRODUCTION OF ABRIEVIATED PLAT FOR COURTHOUSE SUBDV. A SUBDIVISION OF LOT 3A, BLOCK 1, CITY CENTER SUBDV. APPLICANT IS THE CITY OF BETHEL.

Mr. Guinn opened the public hearing.

No public testimony was heard.

Mr. Guinn closed the public hearing.

Mr. Malone reported that the purpose of the subdivision was to create a separate lot around the current city office buildings being renovated as a new court house complex for mortgage purposes. Commission member discussion followed. There was no opposition to the proposal.

M/M Blake/Trailov to approve the plat.

Approved - no objection.

**X. ADJOURNMENT**

M/M Blake/Hamilton to adjourn.

Approved- unanimous

Meeting was adjourned at 8:35p.m.

**Prepared By:** Nick Arafiles, Administrative Assistant

**Approved:**   
DARIO ~~John Guinn~~, Chairman  
NOTTI

**Date:** Dec 9, 1999