

# PUBLIC HEARING



## Planning Commission Meeting Agenda

Regular Meeting Thursday, April 11, 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

Mike Walter  
Committee Member  
Term Expires  
12/2013

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 – (15 Minute Limit)
- IV. APPROVAL OF MINUTES OF THE MARCH 14, 2013 MEETING
- V. APPROVAL OF AGENDA
- VI. DIRECTOR'S REPORT
- VII. COMMISSIONER'S COMMENTS
- VIII. UNFINISHED BUSINESS:
- IX. NEW BUSINESS
  - A. Request by the Yukon Kuskokwim Health Corporation to vacate a right-of-way easement at 700 Chief Eddie Hoffman Highway. The request was filed on March 14, 2013. Property is United States Survey No. 4117, Lot 51, approximately 28,296 square feet.
- X. ADJOURNMENT

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# City of Bethel, Alaska

## Planning Commission

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March 14, 2013

Regular Meeting

Bethel, Alaska

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### 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, Joy Shantz, Rick Robb, Mike Walter, Abe Palacios, and Cliff Linderoth.

Ex -Officio members present were the following: Rachael Pitts, Planning Director and Betsy Jumper, Recorder

### III. PEOPLE TO BE HEARD

- None

### IV. APPROVAL OF AGENDA

#### MOTION TO APPROVE THE AGENDA FOR THE MARCH 14, 2013 MEETING

<b>MOVED:</b>	Joy Shantz	To approve the agenda for the March 14, 2013 meeting.
<b>SECONDED:</b>	Abe Palacios	
<b>VOTE ON MAIN MOTION</b>		
All in favor Motion passes; 6 yes and 0 opposed.		

### V. APPROVAL OF MINUTES

#### MOTION TO APPROVE THE MINUTES FROM THE FEBRUARY 14, 2013 MEETING

<b>MOVED:</b>	Mike Walter	To approve the minutes of the Feb. 14, 2013 meeting.
<b>SECONDED:</b>	Rick Robb	
<b>VOTE ON MAIN MOTION</b>		
All in favor Motion passes; 6 yes and 0 opposed.		

**VI. PLANNER'S REPORT:** Rachael went over the monthly planner's report.

**VII. COMMISSIONER'S COMMENTS:** Joy inquired about the "APOC" statements, what the status is, etc. and Rick informed her that the City Clerk and Council are formulating a new financial disclosure statement that should hopefully be done soon. Rick also shared with the group the status of the Airport Master Plan.

**VIII. SPECIAL ORDER OF BUSINESS:** A. Election of Planning Commission Chairman; B. Election of Planning Commission Vice-chairman.

**MOTION TO ELECT JOHN GUINN AS CHAIRMAN**

<b>MOVED:</b>	Joy Shantz	To elect John Guinn as Chairman of the Planning Commission.
<b>SECONDED:</b>	Abe Palacios	
<b>VOTE ON MAIN MOTION</b>	All in favor Motion passes; 6 yes and 0 opposed.	

**MOTION TO ELECT JOY SHANTZ AS VICE-CHAIRMAN**

<b>MOVED:</b>	Abe Palacios	To elect Joy Shantz as Vice-Chairman of the Planning Commission.
<b>SECONDED:</b>	Cliff Linderoth	
<b>VOTE ON MAIN MOTION</b>	All in favor Motion passes; 6 yes and 0 opposed.	

**IX. UNFINISHED BUSINESS:** A. Rewriting the Bethel Municipal Code (BMC) on Nuisance Properties (to focus on abandoned homes and focusing responsibility for regulatory process to city staff) Sec. 15.03-abandoned homes, to rescind 15.04.

The Planning Commission went over the proposed revision to the BMC in depth and came up with some changes.

**MOTION TO CHANGE/AMEND THE DEFINITION OF ITEM "E" (section 15.03.010)**

<b>MOVED:</b>	Rick Robb	To change the language of "E" fire hazard language—to delete part of the definition in the paragraph and to insert "any combustible or explosive material stored in a negligent and unsafe manner".
<b>SECONDED:</b>	Cliff Linderoth	
<b>VOTE ON MAIN MOTION</b>	All in favor Motion passes; 6 yes and 0 opposed.	

**MOTION TO STRIKE THE WORD "MORALS" THROUGHOUT SECTION 15.03**

<b>MOVED:</b>	Joy Shantz	To get rid of the words "morals", throughout Section 15.03 of the BMC.
<b>SECONDED:</b>	Mike Walter	
<b>VOTE ON MAIN MOTION</b>	All in favor Motion passes; 6 yes and 0 opposed.	

**MOTION TO STRIKE THE WORD "IMMORAL" IN ALL INSTANCES FROM SEC. 15.03**

<b>MOVED:</b>	Mike Walter	To remove the word "immoral" throughout Section 15.03 of the BMC.
<b>SECONDED:</b>	Joy Shantz	
<b>VOTE ON MAIN MOTION</b>	All in favor Motion passes; 6 yes and 0 opposed.	

**MOTION MADE IN ALL INSTANCES WHERE IT SAYS "CITY PLANNER, OR THEIR DESIGNEE" TO CHANGE IT TO "CITY PLANNER, OR ACTING CITY PLANNER" UNDER SEC. 15.03.050 NOTICE AND ABATEMENT**

<b>MOVED:</b>	Mike Walter	To remove "City Planner or their designee" to "City Planner and Acting City Planner" under Section 15.03.050 of the BMC.
<b>SECONDED:</b>	Cliff Linderoth	
<b>VOTE ON MAIN MOTION</b>	All in favor Motion passes; 5 yes and 1 opposed.	

**MOTION TO AMEND IN ALL INSTANCES, " FIRE CHIEF AND ACTING FIRE CHIEF, THE POLICE CHIEF AND ACTING POLICE CHIEF" AND DELETE "DESIGNEE" UNDER SECTION 15.03.040, NUMBER 5.**

<b>MOVED:</b>	Mike Walter	To amend in all instances "fire chief and acting fire chief, the police chief and acting police chief" and delete "designee".
<b>SECONDED:</b>	Joy Shantz	
<b>VOTE ON MAIN MOTION</b>	All in favor Motion fails; 0 yes and 6 opposed.	

**MOTION TO ACCEPT AND RECOMMEND TO CITY COUNCIL, THE REWRITE OF SECTION 15.03 WITH NOTED CHANGES**

<b>MOVED:</b>	Joy Shantz	To accept the rewrite of Abandoned Homes, Section 15.03 (to rescind Sec. 15.04).
<b>SECONDED:</b>	Mike Walter	
<b>VOTE ON MAIN MOTION</b>	All in favor Motion passes; 6 yes and 0 opposed.	

- X. NEW BUSINESS:** Zoning change for a new proposed residential subdivision ("Snowridge") Subdivision, located East and West of Tundra Ridge Road, and South of Tundra Ridge Subdivision.

**XI. MOTION TO ACCEPT THE ZONING CHANGE.**

<b>MOVED:</b>	Mike Williams	To accept/approve the zoning change, from General Use, Preservation, and no designated zoning district, to Residential Zoning for the Snowridge Subdivsion.
<b>SECONDED:</b>	Joy Shantz	
<b>VOTE ON MAIN MOTION</b>	All in favor Motion passes; 6 yes and 0 opposed.	

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

<b>MOVED:</b>	Joy Shantz	To adjourn the meeting at 8:00 pm.
<b>SECONDED:</b>	Abe Palacios	
<b>VOTE ON MAIN MOTION</b>	All in favor Motion passes; 6 yes and 0 opposed.	

Next meeting will be on April 11, 2013.

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John Guinn, Chairman

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Betsy Jumper, Recorder

## Planning Department Report

**From:** Rachael Pitts, Planning Director

**Date:** April 1, 2013

A follow-up on Lot 15, which was transferred to the Alaska National Guard for the construction of the Readiness Center, indicates we should get it transferred back to the City by the end of the year. The lot is now intended for a city park. A representative of ONC has contacted the Planning Department about getting a right-of-way through the parcel for access to Lot 13, where they are proposing a residential subdivision (USS 4117).

NFIP: Based on the latest information from the state flood coordinator, NFIP will be raising their flood insurance rates throughout the country. More information will be available at a later date.

Zoning: The zoning application for Residential on 150 acres (Snow Ridge) located near Tundra Ridge Subdivision was approved by the Planning Commission on March 14<sup>th</sup>. It is moving forward for City Council review.

YKHC will be coming forward to request a road vacation on hospital property. The easement was never utilized. The Planning Department has also been contacted concerning the possibility of a telecommunications tower in the Ptarmigan corridor.

Site Plan Permit Applications and Code Enforcement: We have issued six Site Permits to date.

### Construction Projects:

*Swimming Pool:* The Director and Dave Cobb are working with BNC to get a power easement across their property to install new poles and lines. There is a temporary power source available in the Akiachak corridor, however augmentation of the power resources will be needed at a later date.

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

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.



# **CITY OF BETHEL**

## **PLANNING OFFICE**

P.O. Box 1388 • Bethel, Alaska 99559

907-543-5301

Fax # 907-543-4186

## **PUBLIC HEARING NOTICE**

On April 11, 2013, the City of Bethel Planning Commission will hear a request by the Yukon-Kuskokwim Health Corporation to vacate a road easement at 700 Chief Eddie Hoffman Highway, Bethel, Alaska, 99559. The request was filed on March 14, 2013. Property is United States Survey #4117, lot 51, approximately 28, 296 square feet. The meeting will be held at City Council Chambers, at City Hall, located at 300 Chief Eddie Hoffman Highway, at 6:30 PM.

To Whom this 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  
Sent to on April 3, 2013

Martha Guest  
P.O. Box 534  
Bethel

Frank Jones  
p.o. BOX 306  
Bethel

Mary Weiss  
P.O. BoX 158  
Bethel

Bubba & Pauline  
Palacios  
Box 1876  
Bethel

Jon Nerby  
Box 2043  
Bethel

Anna Reed  
Box 3683  
Palmer, AK. 99645

Tamara Camille  
Box 1672  
Bethel

Kevin & Sarah Phelan  
Box 2871  
Bethel



# CITY OF BETHEL

## PLANNING OFFICE

P.O. Box 1388 • Bethel, Alaska 99559

907-543-5301

Fax # 907-543-4186

April 4, 2013

Memo To: City of Bethel Planning Commission

From: Rachael Pitts, Planning Director

Reference: Application from YKHC for a Right-of-Way Vacation

The Yukon Kuskokwim Health Corporation has applied for a right-of-way vacation on their property at 700 Chief Eddie Hoffman Highway (see attachments). Based on the attached aerial, the right-of-way was never developed as initially intended. The requested vacation coincides with a BUC utility easement (20-foot wide powerline easement).

Properties north of YKHC have an existing road that aligns approximately east-west to provide circulation to BNC property, the Annie David allotment, and City Subdivision.

The remainder of the right-of-way is on State of Alaska property, near the Juvenile Jail. The state has not developed their portion of the right-of-way as a road.

The right-of-way as it exists on the YKHC property has been built over, and vacating the right-of-way will bring the building(s) into conformity with city code.

With the exception of any objections that may arise at the public hearing, the Planning Department supports the application for a partial right-of-way vacation (on YKHC property) as shown on the preliminary plat. Existing traffic circulation appears to be sufficient to accommodate adjoining properties.

### Findings:

1. The vacation is not primarily for a private purpose.
2. The area is no longer necessary for public use or the public welfare.
3. The public welfare will be enhanced by the vacation.

# CITY OF BETHEL

P.O. BOX 1388, BETHEL, ALASKA-99559 <http://www.cityofbethel.org> 907-543-5306, FAX# 907-543-4186

## APPLICATION FOR VACATING ~~EASEMENT~~

Right of Way

\_\_\_\_\_ Yukon Kuskokwim Health Corporation \_\_\_\_\_

Name of Party Requesting Action

Date: 3/14/2013

\_\_\_\_\_ 700 Chief Eddie Hoffman Highway \_\_\_\_\_

\_\_\_\_\_ Bethel, Alaska 99559 \_\_\_\_\_

Address

Telephone: 907-543-6000

Attach a list of all property owners within 600 feet of the easement boundaries.

Reason for requesting easement to be vacated:

At the present time there is no road constructed within the right-of-way. There appears to be no need for a road in this area.

Additional information needed by the City of Bethel Planning Department:

1. Preliminary Plat of requested vacation.
2. Application Fee is \$100.
3. List of property owners within 600 feet of easement boundaries.

After completed application is received by the City:

1. Planning Department receives the application and fee.
2. A public hearing is scheduled with the Planning Commission to review the request.
3. Planning staff notifies all property owners within 600 feet of the easement boundaries.
4. If the Planning Commission and the City Council agree to the request, a final plat shall be submitted to the Planning Department.
5. Applicant is required to pay necessary recording fees to record vacation with State of Alaska Recorder of Deeds in the Bethel Recording District.

  
Signature of Applicant

AT Request of Kris Markke Y.K.H.C.

DESCRIPTION OF RIGHT OF WAY  
TO BE VACATED

A portion of Lot 5 (now Tract 49), U.S. Survey No. 4117, located within Bethel Alaska, Bethel Recording District more particularly described as follows:

Beginning at the northeast corner of Lot 4A1, a point common with the northwest corner of Lot 56, Plat 2005-19, the POINT OF BEGINNING;

Thence N24°36'00"W, parallel with the east boundary line of Lot 5 (now Tract 49), 704.15' feet to a brass cap;

Thence S86°58'00"E 45.15' feet to a point along the east boundary line of Lot 5, U.S. Survey 4117, located S24°36'00"E ; 22.58' feet from a Brass Cap at corner 2 of U.S. Survey 4000;

Thence S24°36'00"E 710.68' feet to a BLM Brass Cap at the southeast corner of Lot 5 (now Tract 49);

Thence N80°07'00"W 48.53' feet to the POINT OF BEGINNING

This Right of Way contains approximately 28,296 square feet. All as shown on the attached "Exhibit A"



Unused Road Alignment at YKHC and Detention Facility