

Regular Meeting



212 Chenega Ave.
Valdez, AK 99686

City of Valdez

Meeting Minutes - Final

Planning and Zoning Commission

Wednesday, July 26, 2017

7:00 PM

Council Chambers

REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

II. ROLL CALL

Present 4 - Chair Donald Haase
Chair Pro Tempore Jess Gondek
Commission Member Roger Kipar
Commission Member Victor Weaver

Excused 3 - Commission Member Brandon Reese
Commission Member Harold Blehm
Commission Member Kristian Fagerberg

Also Present 2 - Administrative Assistant Sue Moeller
Sr. GIS Planning Tech Paul Nylund

III. APPROVAL OF MINUTES

1. Approval of the Planning & Zoning Commission Regular Meeting Minutes of July 12, 2017.

Commissioner Gondek moved, seconded by Commissioner Kipar to approve the Planning and Zoning Commission regular meeting minutes of July 12, 2017. Motion passed.

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IV. PUBLIC HEARINGS

1. Appeal of Abatement Notice and Order for Lot 20 Block 3, Mineral Creek Subdivision. Appellant, Misty Phillips.

The Commissioners disclosed that they had no financial interest or ex parte contracts.

Testimony of Appellant:

Misty Phillips stated that she had nothing more to add that was not included in her letter of appeal. The five vehicles on the property were for business and personal use. Ms. Phillips stated that she purchased the property in January, and gave the previous owner of the motor home through May to retrieve their property. Ms. Phillips stated that her business associate stayed in the motor home.

Commissioner Haase then asked for input from Acting Director Paul Nylund, who stated that the statement of findings in the packet reflected the Department's description of the situation.

Commissioner Haase then asked if there was any comment from the audience, at which time Ms. Janai Comer read a letter authored by her husband, Bill Comer, urging the Committee to continue with the City's efforts to enforce the Nuisance Code violations at 137 Gulkana. Mr. Comer's concerns were that the property values will be affected by the state of Ms. Phillips yard, most significantly regarding the Winnebago motor home parked along the property line with a propane tank and flexible sewer line. Mr. Comer also added that in the past year, the Valdez Police Department has received nine calls for service in the past year. After reading her husband's letter, Ms. Comer then added her experience having lived on Gulkana Street was that of a fun and friendly neighborhood where neighbors looked out for each other and took pride in the property's appearance. Ms. Comer then mentioned recently experiencing an odor coming from the Gulkana property that burned her eyes, and stated she was concerned for her grandchildren, who lived in the neighborhood.

Commissioner Haase asked about the RV the abatement was referring to. Ms. Phillips reiterated that the original motor home addressed in the 1979 abatement had been removed on or around May 3rd. Ms. Phillips also stated that she had just met Mr. Comer in the spring, and he indicated he was going to sue Ms. Phillips. Ms. Phillips is dealing with plumbing issues in the home and is using the Winnebago's shower. She is trying to make some money this summer to pay for upgrades to her place.

Richard Moffet then spoke. He identified himself as Ms. Phillip's business associate, and the sole occupant of the motor home from May through September. He assured the Commission that the motor home was insured, drivable, licensed, and legal. Mr. Moffet noted that while he had upgraded to sewer lines in the home, Ms. Phillips will need to rebuild the current home. Mr. Moffet also noted that Ms. Phillips burned pallets she had gotten from the canneries, which may account for the smell noticed by Ms. Comer.

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With no further comments from the floor, the Commission went into executive session at 7:15pm.

Meeting Reconvened at 9:15pm

ANNOUNCEMENT OF DECISION

The Commission reconvened at 9:15pm. Regarding the Findings of Fact, the Commission found in favor of the appellant with regards to findings one, two and four. The Commission upheld the enforcement of finding number three. In commenting on the findings, Commissioner Haase noted the findings one, two and four, were too vague to warrant action on the abatement. Finding one was clearly noted in the City code, and was appropriate to pursue. The Community Development Director was to write a letter to Ms. Phillips outlining the abatement actions necessary after the Commission's decision.

V. NEW BUSINESS

1. The motion to approve the Land Use Permit #17-01 with Pacific Pile & Marine for 18 months on Tract S, Harbor Subdivision for the Placement of Two Temporary Office Trailers during Phase II of Construction of New Harbor Upland Development Facilities passed after a brief discussion as follows:

Commission Haase asked for clarification of the location of the property as being directly across from SERVS. Port Director Talbott indicated that that was correct.

Commissioner Gondek moved, seconded by Commissioner Weaver to approve land use permit #17-01 with Pacific Pile & Marine for 18 months on Tract S, Harbor Subdivision for the placement of two temporary office trailers during Phase II of construction of the New Harbor Upland Development Facilities.

VI. COMMISSION BUSINESS FROM THE FLOOR

Commissioner Weaver stated that he would like to see a work session on how best to approach abatement issues, especially regarding the deliberation of the issues. Commission Haase asked that that be placed on the agenda as an agenda item.

Commissioner Kipar recommended making more land available to store boats, RVs, and planes so people could live in compliance with the codes.

VII. ADJOURNMENT

With no further business from the Commission, the meeting was adjourned by Chair Haase at about 9:30pm