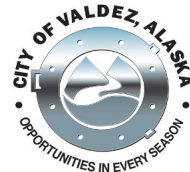


# **City of Valdez**

**212 Chenega Ave.  
Valdez, AK 99686**



## **Meeting Minutes - Final**

**Wednesday, June 10, 2020**

**7:00 PM**

**Regular Meeting**

**Council Chambers**

**Planning and Zoning Commission**

**REGULAR AGENDA - 7:00 PM****I. CALL TO ORDER**

Acting Chair Hasse called the meeting to order in Valdez City Council Chambers at 7:00 p.m.

**II. ROLL CALL**

**Present**      **5 -** Acting Chair Donald Haase  
Commission Member Brandon Reese  
Commission Member Harold Blehm (phone)  
Commission Member Stephen Goudreau (phone)  
Commission Member Rhonda Wade (phone)

**Excused**      **2 -** Chair Jess Gondek  
Commission Member Roger Kipar

**Also Present**   **1 -** Planning Director, Kate Huber  
Senior Planner, Paul Nylund

**III. APPROVAL OF MINUTES**

All meeting minutes were approved as presented.

**1. Planning and Zoning Regular Meeting Minutes of April 8, 2020**

MOTION: Commission Member Reese moved, seconded by Commission Member Goudreau, to approve the Planning and Zoning regular meeting minutes of April 8, 2020. The motion carried by the following vote after the following discussion occurred.

VOTE ON THE MOTION:

Yays:    5 Acting Chair Hasse, Commissioner Reese, Commissioner Blehm,  
Commissioner Goudreau, Commissioner Wade

Excused: 2 Chair Gondek, Commissioner Kipar

**2. Planning and Zoning Regular Meeting Minutes of April 22, 2020**

MOTION: Commission Member Reese moved, seconded by Commission Member Goudreau, to approve Planning and Zoning Regular Meeting Minutes of April 8, 2020. The motion carried by the following vote after the following discussion occurred.

VOTE ON THE MOTION:

Yays:    5 Acting Chair Hasse, Commissioner Reese, Chair Pro-Tempore  
Blehm, Commissioner Goudreau, Commissioner Wade

Excused: 2 Chair Gondek, Commissioner Kipar

**IV. PUBLIC BUSINESS FROM THE FLOOR**

There was no public business from the floor.

**V. NEW BUSINESS****1. Approval of Temporary Land Use Permit 20-07 for Christine O'Connor for the Roadside Potatohead Restaurant for Six Months on 325 Square Feet of Public Right-of-Way Immediately Adjacent to Lot 12, Block 40, Harbor Subdivision**

MOTION: Commission Member Reese moved, seconded by Commission Member Goudreau, to approve temporary land use permit 20-07 for the Roadside Potatohead Restaurant and Christine O'Connor for six months for a 325 square foot portion of public right-of-way immediately adjacent to her restaurant at Lot 12, Block 40, Harbor Subdivision. The motion carried by the following vote after the following discussion occurred.

Commissioner Goudreau had nothing to add, and said he was in favor of approval. Commissioner Wade also had nothing to add and was in favor. Commissioner Blehm said he had the same concerns regarding patrons being exposed to vehicle traffic as in prior years, and was in favor of the item except that he would like to see jersey barriers to protect the public. Commissioner Reese had no comments. Acting Chair Hasse said he thought it was a good thing for the community, and brought a sense of excitement to town.

**VOTE ON THE MOTION:**

Yays: 5 Acting Chair Hasse, Commissioner Reese, Commissioner Blehm, Commissioner Goudreau, Commissioner Wade

Excused: 2 Chair Gondek, Commissioner Kipar

**2. Approval of Temporary Land Use Permit #20-04 for Pruhs Construction for Six Months, for the following City of Valdez Owned Lots: 31,250 square foot portion of 226 S Harbor Drive, Tract G, Harbor Subdivision 201 S Harbor Drive (Tract S, Harbor Subdivision) and 19,293 SF of adjacent ROW on South Harbor Drive 134 East Pioneer Drive, Lot 3, Pioneer Commercial Subdivision 150 Pioneer Drive, Lots 3-6, Block 25, Mineral Creek Subdivision 210 Chenega Avenue, Lot 7, Block 25, Mineral Creek Subdivision**

MOTION: Commission Member Reese moved, seconded by Commission Member Goudreau to approve temporary land use permit #20-04 for Pruhs Construction for six months, for the following City of Valdez owned parcels: 31,250 SF portion of 226 S Harbor Drive, Tract G Harbor Subdivision (former Sea Otter RV Park) 201 S Harbor Drive (Tract S, Harbor Subdivision) and 19,293 SF of adjacent ROW on South Harbor Drive (Fisherman's Dock) 134 East Pioneer Drive, Lot 3 Pioneer Commercial Subdivision 150 Pioneer Drive, Lots 3-6, Block 25, Mineral Creek Subdivision 210 Chenega Avenue, Lot 7, Block 25, Mineral Creek Subdivision. The motion carried by the following vote after the following discussion

occurred.

Commissioner Goudreau had a question about the proposed use of the sea otter parcel. He said he thought it might be an issue with the Covid19 barricade that had been placed to prevent cannery workers from moving freely throughout the community.

Mr. Nathan Duval, Capital Facilities Director, said that because the City ran the checkpoint, they would be able to coordinate well between the two parties.

Commissioners Wade, Reese and Blehm had no comments.

Acting Chair Hasse said he was in favor of approval. He said he thought the street repavement project was of benefit to the community.

#### VOTE ON THE MOTION:

Yays: 5 Acting Chair Hasse, Commissioner Reese, Commissioner Blehm, Commissioner Goudreau, Commissioner Wade

Excused: 2 Chair Gondek, Commissioner Kipar

3. **Approval of Temporary Land Use Permit #20-06 for Harris Sand and Gravel for Six Months, for the Following City of Valdez Owned Lots: 311 Dylan Drive, Tract A ASLS 88-47 3483 Falcon Ave, Lot 18A, BK 1 Robe River Subdivision 3383 Eagle Ave, Lot 1A, BK 8 Robe River Subdivision 3468 Robe Ln, Lot 5, BK 2, Robe River Subdivision 3476 River Drive, Lot 4, BK 2, Robe River Subdivision 414 Derk Way Lot 3, BK 13 Robe River Subdivision**

MOTION: Commission Member Reese moved, seconded by Commission Member Goudreau, to approve temporary land use permit #20-06 for Harris Sand and Gravel for six months, for the following City of Valdez owned parcels: 311 Dylan Drive, Tract A ASLS 88-47 3483 Falcon Ave, Lot 18A, BK 1 Robe River Subdivision 3383 Eagle Ave, Lot 1A, BK 8 Robe River Subdivision 3468 Robe Ln, Lot 5, BK 2, Robe River Subdivision 476 Robe Ln Lot 4, BK 2, Robe River Subdivision 414 Derk Way Lot 3, BK 13 Robe River Subdivision. The motion carried by the following vote after the following discussion occurred.

Commissioner Goudreau asked if the applicant had failed to clean up for their permit area last year.

Ms. Huber said she thought Commissioner Goudreau was referencing one of the temporary land use permits the city had with Copper Valley Telecom and said staff was able to resolve that situation. She added that they had a temporary land use permit close out procedure to prevent that from happening again.

Commissioner Wade said she had no problem with approval. She asked if they were going to pave some of the streets they hadn't done last year.

Mr. Duval replied they were going to do the remainder of the subdivision, including Aurora and Borealis streets.

Commissioner Blehm and Commissioners Reese had no comments.

There being no further discussion, Acting Chair Hasse invited a vote on the motion.

VOTE ON THE MOTION:

Yays: 5 Acting Chair Hasse, Commissioner Reese, Commissioner Blehm, Commissioner Goudreau, Commissioner Wade

Excused: 2 Chair Gondek, Commissioner Kipar

**4. Approval of Recommendation to City Council to Authorize a Gravel Lease for Mega Trucking, LLC on a Portion of Tract A, ASLS 79-11 (2651 Richardson Highway)**

MOTION: Commission Member Reese moved, seconded by Commission Member Goudreau to the Commission recommendation will be reported to City Council for consideration during their discussion regarding approval of the gravel lease application from Mega Trucking, LLC on a Portion of Tract A, ASLS 79-116 (2651 Richardson Highway). The motion carried by the following vote after the following discussion occurred.

Commissioner Goudreau had no comments on this.

Commissioner Wade said she was concerned about the size of the area being too great to lease to one applicant. She noted that Valdez had limited areas for gravel extraction, and was concerned about tying a valuable area up with one lessee.

Acting Chair Hasse asked Commissioner Wade if this was a concern that would prevent her from supporting the recommendation.

Commissioner Wade said she was still in favor of approval, she just felt the Commission should consider that other parties might be interested in extraction in the area.

Acting Chair Hasse asked Ms. Huber if this was a concern that was shared by the City. Ms. Huber replied that the Commission voted to approve a conditional use permit for gravel extraction with a required buffer, which added to the lease area. She added that she would be forward Commissioner Wade's comments to the City Council.

Commissioner Blehm said he was uncomfortable with recommending approval of the twenty-year year lease term requested by the applicant. He felt a ten-year term with renewals after that would be suitable. He also asked if it was acceptable for the Commission to discuss an email with comments the Commission had received from Mr. Roger Kipar.

Ms. Huber said that Mr. Kipar had requested his comment be read aloud at the meeting for the record. Acting Chair Hasse asked Ms. Huber to read the comment aloud.

Ms. Huber read Mr. Kipar's comment out loud. He stated that he had applied for use of the same area that was being considered for lease to Mr. Passin, and been denied. He said he had emailed the Planning Department to ask why there were not the same concerns from city staff and had not heard a response. Mr. Kipar also made reference to the minutes of a Planning & Zoning Commission meeting on September 12, 2018 that discussed a different conditional use permit application.

Commissioner Blehm said he was not sure what to make of Mr. Kipar's comments. He said he did not feel the Commission had any role to play in corrective action if Mr. Kipar felt he was wronged.

Acting Chair Hasse asked Ms. Huber if this was the same lot Mr. Kipar had been denied a CUP for gravel extraction for. Ms. Huber replied that her understanding of the previous application was that it was for the 800 Glacier Haul road pit, adjacent to Glacier Haul Road. She added that the same concerns about gravel extraction along Glacier Haul Road were expressed by staff in the Mega Trucking agenda statement as well. Acting Chair Hasse said he remembered it that way as well.

Commissioner Reese said he agreed with Commissioner Blehm. He said that if Mr. Kipar feels he was done wrong, he should follow up in his own manner but that the Commission did not have a role in that.

Commissioner Blehm reiterated that he was uncomfortable with the twenty-year lease period requested. Acting Chair Hasse noted that the staff recommendation for approval was for five years, as the city prefers to do leases for no longer than five years.

Commissioner Reese asked if the Commission was voting on a twenty-year term or a five-year term. Acting Chair Hasse said they were voting on the five-year staff recommendation. He said they would have to amend it if they wanted anything different.

Commissioner Reese said he thought a large-scale operation like Mr. Passin was suggesting was going to take more time to develop than five years. He suggested the compromise of a recommendation of fifteen years.

Acting Chair Hasse said the Planning Commission should recommend what they thought best for the community.

Commissioner Reese made a motion to extend the term to fifteen years. Commissioner Goudreau seconded the motion. Commissioner Goudreau said he thought five years was way too short to accomplish what Mr. Passin wanted to do.

Commissioner Wade said she wouldn't vote against a fifteen-year term but would prefer a ten-year term.

Acting Chair Hasse said he felt it was in the public's best interest to lease the property for a gravel extraction operation.

Mr. Jesse Passin of Mega Trucking, LLC, applicant, said he felt with the investment in materials, labor and equipment needed upfront for his proposed extraction operation it was vital for him to secure a lease for longer than fifteen years. He said he did not want his business to be subject to the whims of Council. Mr. Passin said he would appreciate if they could secure a twenty-year lease, so he didn't have to invest a large sum of money not knowing whether or not City Council would renew a lease for him in the future.

Acting Chair Hasse invited a vote on the motion to amend the recommended lease term from five years to fifteen years. The motion failed by the following vote.

**VOTE ON THE MOTION TO AMEND:**

Yays: 3 Acting Chair Hasse, Commissioner Goudreau,  
Commissioner Reese

Nays: 2 Commissioner Blehm, Commissioner Wade

Excused: 2 Chair Gondek, Commissioner Kipar

Acting Chair Hasse invited a vote on the original motion.

**VOTE ON THE MOTION:**

Yays: 5 Acting Chair Hasse, Commissioner Reese, Commissioner Blehm,  
Commissioner Goudreau, Commissioner Wade

Excused: 2 Chair Gondek, Commissioner Kipar

**5. Approval of Recommendation to City Council to Establish a 60 Foot Wide Public Access Easement Off the West and Northern Boundary of privately owned Parcel A-1 of Tract A, ASLS 79-116**

MOTION: Commissioner Blehm moved, seconded by Commissioner Wade, to approve a recommendation to City Council to dedicate this easement, the Planning & Zoning Commission should determine whether or not dedicating public land for this purpose is in the public interest. If the Commission decides that this public access easement is in the public interest, they should approve a recommendation to Council to approve the dedication of this access easement. Otherwise, no such approval is advised. The motion carried by the following vote after the following discussion occurred.

Acting Chair Hasse said Commissioner Reese was stepping down from the dais to join the audience because he is one of the applicants of the discussion item.

Commissioners Wade, Blehm, and Goudreau were in favor of approval.

Acting Chair Hasse asked for clarification on the proposed 60' easement depicted.

Mr. Paul Nylund, Senior Planner, clarified the green line was the one that represented the easement, adjacent to the Rydor property.

There being no further discussion on the item, Acting Chair Hasse invited a vote on the motion.

**VOTE ON THE MOTION:**

Yays: 4 Acting Chair Hasse, Commissioner Blehm, Commissioner Goudreau, Commissioner Wade

Recused: 1 Commissioner Reese

Excused: 2 Chair Gondek, Commissioner Kipar

**VI. REPORTS**

**1. Planning Director's Report**

Ms. Huber updated the Commissioners on the temporary leave of their administrative assistant, and said a new administrative assistant that would be providing back up coverage. Ms. Huber said staff was back working at City Hall for the most part, and were waiting for materials to arrive for a new barrier window to protect from Covid19 exposure. In the meantime, the public was submitting application materials to the front desk at City Hall. Ms. Huber added that the Comprehensive Plan revision was still underway. She said the next public meeting for the revision would be July 14, 2020.

**VII. COMMISSION BUSINESS FROM THE FLOOR**

Commissioner Goudreau said he thought the hybrid virtual meeting went well. Commissioners Wade, Blehm and Reese had no comments. Acting Chair Hasse had no comments.

**VIII. ADJOURNMENT**

There being no further business, Acting Chair Hasse adjourned the meeting at 8:01 p.m.