

REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

II. ROLL CALL

Commission Members Present:	<i>Chair Don Haase Commission Member Roger Kipar Commission Member Harold Blehm Commission Member Kristian Fagerberg Commission Member Steven Cotter Commission Member Brandon Reese</i>
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Commission Members Absent:	<i>Chair Pro-Tempore Jess Gondek</i>
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Also Present:	<i>Sr. Office Assistant Keri Talbott Planning GIS Technician AnnMarie Lain</i>
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III. APPROVAL OF MINUTES

1. Regular Meeting Minutes of May 25th, 2016.

MOTION: Commission Member Roger Kipar moved, seconded by Commission Member Kristian Fagerberg, to Approve Regular Meeting Minutes of May 25th, 2016.

VOTE ON THE MOTION: 6 yeas, 1 absent (Jess Gondek). **MOTION CARRIED.**

IV. PUBLIC APPEARANCES

V. PUBLIC BUSINESS FROM THE FLOOR

Mr. Dwain Dunning explained he was supposed to get the second reading on his request for a rezone on his property at 4371 Richardson Highway, but he has been requested to look at a different method. He stated that he would have liked it to have gone before the Commission for a second reading so he could have gotten input from the Commission as to their insights on what he was looking to do. He asked the Commission on what process he needed to take his property from Multi-family to a Commercial greenery. Without water and sewer connections it is hard to provide a seventy two unit family complex that was designed when it was rezoned in 1982.

Ms. Lain explained she wanted to provide a little background. She had met with

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Mr. Dunning yesterday. What was realized when doing the review is that the Comprehensive Plan required a buffer zone between multi-family and light industrial. This rezone application does not provide for that. In the meeting on Monday, she asked Mr. Dunning for more time to look at other possibilities. Ultimately when people bring rezone applications to Community Development, the last thing we want to do is bring an application forward without staff's recommendation. What we are trying to do is figure out a way for Mr. Dunning to do what he wants, but in a way that protects the adjacent property owner and that conforms to the Comprehensive Plan. She explained that because of this request, we needed to look at a different way to meet those needs. She stated that she, the City Manager and Ms. Von Bargaen sat down and had a meeting where they discussed alternatives. There are a few different things that have been discussed with Mr. Dunning, and that is where it was left. Depending on Mr. Dunning's desires, there should be a rezone application at the next meeting.

Ms. Lain explained that with each application the Comprehensive Plan is reviewed and the Commission is provided with information from it to support the application. The public hearing is just a public hearing. It did not have staff's input or analysis. This review is when staff realized there is inconsistency between the Plan and Mr. Dunning's desired use of the property. Typically we would like to know that before we bring it forward for public hearing. She explained that one staff member who normally does rezones has been gone for a month and a half, and that she and Ms. Talbott have been working on five rezones at one time.

Mr. Dunning stated that he didn't realize that the Comprehensive Plan review didn't come up until after the first reading. Ms. Lain explained it was a lack of training on Staff's part. When the application is received, the Technician should be able to look at it and see if it is not going to be able to be processed. That is the step that did not happen. She explained that they should have a meeting with Mr. Dunning the next day to expedite the process.

Mr. Dunning explained his security plan to Commissioner Cotter by request. He stated he had not submitted to the Fire Marshal yet until he puts in the application to the State of Alaska. It is a brand new build for a building.

Chair Haase thanked Mr. Dunning for his time and stated that they would try and get it on the next agenda. He expressed that he knew that time is important because Mr. Dunning wanted to submit an application to the State for Marijuana cultivation.

VI. PUBLIC HEARINGS

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

1. **(Rezone #16-04) Approve Recommendation to City Council to authorize the Rezone of Lots 1, 2, & 3, Tract D, Port Valdez Subdivision from R-A (Single-Family Residential) to C-R (Commercial Residential) with a Condition. Applicant: Todd Wegner.**

MOTION: Commission Member Steven Cotter moved, seconded by Commission Member Roger Kipar, to approve (Rezone #16-04) a Recommendation to City Council to authorize the Rezone of Lots 1, 2, & 3, Tract D, Port Valdez Subdivision from R-A (Single-Family Residential) to C-R (Commercial Residential) with a Condition.

Commissioner Cotter explained he had read through the materials and spoken briefly with Mr. Wegner. He expressed he did not see any issues with it. He did not see any arguments against what Mr. Wegner is proposing to do.

Chair Haase expressed that his concern is with the driveway being so steep. He asked if that bothered anyone else, or was he the only one concerned. He expressed that in private residences exceptions are made, but they are moving into the commercial realm. He explained that he tried to find the grade, but could not find it on any of the plats. The standard is a 6, but Mr. Wegner's is probably over 20.

Commissioner Reese stated that they are putting people at risk because of the grade and how it empties on to Hazelet. There is no place to stop at the bottom. If you slide on the way down, it's very dangerous.

Commissioner Kipar asked who owned the driveway. Chair Haase stated he thought it was Port Valdez. He thought one side of it is owned by Jack Roe and the other is still Port Valdez Company.

Commissioner Blehm stated that Mr. Wegner did not say anything about seasonal use. He asked if they assumed that Mr. Wegner would be using these cabins twelve months of the year. Chairman Haase stated that his assumption is that Mr. Wegner would be using them for seasonal use, but if Mr. Wegner is to sell, there would be no telling what the next person could do use with the property.

Ms. Lain stated that brought up a really good point about the road. What she did not know is from looking at the plat map if there is a 60' road easement. One thing that the staff analysis did not look at, and it is an important reason we have these discussions, is the Municipal Code in relation to that. She explained that she would go back to find out if that easement is dedicated as a public easement

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for road access or if it is a private road and the corresponding code to that.

Commissioner Blehm stated that in the winter there would be no way a fire truck or ambulance would be able to get up that road. Summer time would not be an issue because the emergency vehicles are four wheel drive.

Commissioner Kipar stated that if Mr. Wegner or the City did not own the road, changing the grade is impossible. They could put in a switchback, but it would be difficult, if not impossible. Mr. Wegner should have liability insurance, all business owners should.

Commissioner Reese stated it is one thing to endanger yourself on your own property, but it was another to bring people in from out of town that did not know what they were getting themselves into. It becomes a public safety issue. We can't just let someone put out-of-towners at risk without them understanding what has happened. He asked when reasonable emergency vehicles can't get up there, are we putting the public at risk.

Ms. Lain stated that it would be a wise decision to postpone until staff can come back and address some of these issues. Commissioner Blehm stated that would be a good idea. Ms. Talbott asked if these were issues regarding the rezone, or should be addressed on the Conditional Use Permit. Ms. Lain stated rezone. Chair Haase stated his issue was going from private, single family to something that is a public use and allows commercial.

MOTION: Commission Member Brandon Reese moved, seconded by Commission Member Steven Cotter, to Postpone (Rezone #16-04) Approval of a Recommendation to City Council to authorize the Rezone of Lots 1, 2, & 3, Tract D, Port Valdez Subdivision from R-A (Single-Family Residential) to C-R (Commercial Residential) with a Condition.

VOTE ON THE MOTION: 6 yeas, 1 absent (Jess Gondek). MOTION CARRIED.

IX. REPORTS

1. Update on Hobart Street Enforcement Order

Ms. Lain explained it was just a report.

2. Brownfield Grant Proposal Update

Ms. Lain explained that there was nothing to add to the report.

X. COMMISSION BUSINESS FROM THE FLOOR

Mr. Kipar explained that Dump Haul Road is a road that has awesome scenery. He recently got involved with the gravel pit on Dump Haul Road. He travels this road on a daily basis. Lots of tourists drive on Dump Haul Road. He had a question for Administration. When did Dump Haul Road become the City of Valdez landfill? To elaborate, a few years ago, a huge pile of riprap was stockpiled across from the Valdez Glacier Stream in case it was needed. Soon after, concrete from abatements in town were stockpiled there. Now they are stockpiling asphalt. They are also stockpiling dirt. Dump Haul is maintained only for the City of Valdez landfill and C&D pit. The maintenance ends at the C&D pit. In the summer the pot holes are horrendous. In the winter the City does plow the loop up to Airport Road. Several driveways go off of the road and people have been dumping trash for years. Now it looks like the City has gone and dumped piles of gravel in the front of the driveways. It was his understanding that these roads were access for recreational purposes. Now it looks like it is all part of the City landfill. It is ridiculous. He urged all the Commissioners to drive down Dump Haul Road which has gorgeous scenery, but now the City of Valdez is using both sides of the road to dump their waste.

Commissioner Reese stated that was an excellent point. He had noticed the same thing.

Ms. Lain asked for clarification if it was after the C&D pit. Commissioner Kipar stated it was before. There are all kinds of construction debris. Piles and piles. Ms. Lain stated she would go out and take a look and report back at the next meeting.

XI. ADJOURNMENT

There being no further business Chair Haase adjourned the meeting at 7:33 P.M.