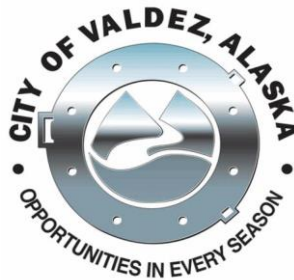


# City of Valdez

*212 Chenega Ave.  
Valdez, AK 99686*



## Meeting Minutes - Draft

**Wednesday, September 14, 2016**

**7:00 PM**

**Council Chambers**

# **Planning and Zoning Commission**

## **REGULAR AGENDA - 7:00 PM**

### **I. CALL TO ORDER**

### **II. ROLL CALL**

**Present** 9 - Chair Donald Haase  
Chair Pro Tempore Jess Gondek  
Commission Member Brandon Reese  
Commission Member Kristian Fagerberg  
Commission Member Roger Kipar  
Commission Member Steven J Cotter  
Planning Technician Keri Talbott  
Sr. Office Assistant Selah Bauer  
Director of Community & Economic Development Lisa Von Bargaen

**Excused** 1 - Commission Member Harold Blehm

**Absent** 1 - Sr. GIS Planning Tech AnnMarie Lain

### **III. APPROVAL OF MINUTES**

**MOTION:** Commission Member Kipar moved, seconded by Commission Member Cotter, to Approve the Regular Meeting Minutes of August 10, 2016. The motion carried by the following vote after the following discussion occurred.

**Yays:** 6 - Chair Haase, Chair Pro Tempore Gondek, Commission Member Reese, Commission Member Fagerberg, Commission Member Kipar, and Commission Member Cotter

**Absent:** 1 - Commission Member Blehm

1.

**Attachments:** [PZ meeting minutes 8-10-16.docx](#)

### **IV. PUBLIC APPEARANCES**

### **V. PUBLIC BUSINESS FROM THE FLOOR**

### **VI. PUBLIC HEARINGS**

1. **Attachments:** [Rezone application.pdf](#)
2. [ValdezMap1.pdf](#)

**Note**

Phyllis Johnson spoke and said she has the adjoining property to Mr. Minish's property. She asked how the rezoning of Allen Minish's property from Commercial to Commercial Residential will affect her property. Community and Economic Development Director, Lisa Von Bargaen, said she will provide Ms. Johnson a list of the differences between what is allowed in the general Commercial Zoning District and Commercial Residential Zoning District. Director Von Bargaen said the Commercial Residential District is designed to be less intrusive than the General Commercial Zoning District. It is designed to be adjacent to residential neighborhoods. Ms. Von Bargaen said she can't imagine that it would have any impact on Ms. Johnson's property or business whatsoever.

Ms. Johnson said she had copies of the codes, but wanted more clarification on the main differences in the zoning types. Ms. Von Bargaen said she has time next week to meet with Ms. Johnson to go over said differences. Chairman Haase asked for clarification on the summary statement regarding which lot is defined specifically as Commercial Residential, and whether or not it adjoins Ms. Johnson's property currently, in order to give Ms. Johnson an idea of what people in her neighborhood have done already with that type of property. Planning Technician, Keri Talbott, provided a map and pointed out the surrounding properties and identified them.

Chairman Haase closed the Public Hearing.

**VII. REPORTS**

1. *Zoning & Subdivision Activity Report - September 2016*

[Attachments:Zoning & Subdivision Activity Report - September 12 2016.docx](#)

**VIII. COMMISSION BUSINESS FROM THE FLOOR****Note**

Commissioner Fagerberg asked Community and Economic Development Director, Lisa Von Bargaen, for an update for Aleutian Village Trailer Park. Director Von Bargaen explained that the State found a mechanism to sell the property directly to the City of Valdez. They are going to convey the property to DOT so DOT can sell it to the City of Valdez. Director Von Bargaen said an appraisal has been scheduled by the State of Alaska. She said she met with the Aleut Corporation three weeks ago to try to arrange for a way the City could get on the Aleutian Village property to do environmental testing. "So far they have been unwilling to let us do Phase I environmental testing," Director Von Bargaen said, "so we went to the State." Director Von Bargaen said the State of Alaska has a clause in their lease that allows them to access the Aleutian Village property to do environmental testing.

The City of Valdez asked if they could do the testing themselves under that clause, but the Attorney General replied that that was not possible. Director Von Bargaen said the City of Valdez then asked the State if the State would do the environmental testing, if the City paid for it. Again

their request was denied by the Attorney General. The City then went back and approached the Aleut Corporation to ask them to allow the City to access their property for testing, and they said no, Director Von Barga said. However, they did agree to allow the City to do an As-Built survey of what is currently on the land.

Director Von Barga said one of the biggest issues the City has with Aleutian Trailer Park is that they don't want to continue the current violations taking place on the land now, if the City gets ownership of it. She said it is important to locate each mobile home, positioning of fuel tanks, etc., so decisions can be made regarding the property. Director Von Barga said she is currently working on scheduling a meeting with the sub-committee of the City Council to discuss moving forward with the As-Built survey, as that project needs to be completed this fall season.

Director Von Barga added that the Aleut Corporation will be sending out another letter to residents of Aleutian Trailer Park, likely in the near future, to reserve their rights to close the park within 270 days. Commissioner Fagerberg asked Director Von Barga if it is the intention of the City to purchase the Aleutian Trailer Park property. Director Von Barga replied, "That is the intention to purchase the property, but there is a lot that has to happen before that."

Commissioner Fagerberg asked Director Von Barga if the City would continue to use the land as a trailer park. Director Von Barga said there is no finalized plan yet, partly because the City doesn't know what all of the issues are environmentally and otherwise. She said DOT told the City that the land lease will be transferred to the City of Valdez, once the City purchases the property. At that time, the City of Valdez will become the Lessor with the Aleut Corporation, instead of the State of Alaska being the Lessor. Then the City will have the ability to enforce specific clauses within the lease. Director Von Barga said she has advised the Aleut Corporation of this as well.

Commissioner Kipar asked Ms. Von Barga what the time frame of the sale is. "I don't have any idea," Director Von Barga said. "The City is planning on purchasing the property, but if the State comes back and says they want 10 million dollars for the property, I'm sure the City Council is going to give pause." Director Von Barga said she doesn't expect the State will say that, but there are several factors that the sale would depend on, such as environmental, etc. "The City of Valdez will mandate that the State of Alaska provide us with the environmental information prior to us purchasing the land." Director Von Barga said. "My assumption is that once a purchase agreement goes into effect, or is negotiated, that part of that will be either the State goes in and does the environmental, or the State forces that issue within the lease to the Aleut Corporation, so that we have that information ahead of time."

Commissioner Brandon Reece asked Director Von Barga for clarification on purchases and leases of the Aleutian Trailer Park. "Currently the Aleut Company leases the land from the State," Commissioner Reece asked. Director Von Barga replied, "That is correct." She went on to say that the State owns the land and leases to the Aleut Corporation. More specifically, the land is owned by DNR, but DOT has an operating agreement to manage the land. "DNR only has a handful of ways they

can divest themselves of property," Director Von Barga said. "So what they are having to do, in order to not have to use those statutory required channels, is actually deed the land from DNR to DOT, so DOT has the ability to sell it under their regulatory authority."

Commissioner Reece asked if the goal of the city is not to have to lease the land at all, if they purchase it? Director Von Barga replied that the City will not be leasing the land at all. "What will happen is, the lease on the property with the Aleut Corporation, would transfer with the sale," Director Von Barga said. "We would become the Lessor and landlord to the Aleut Corporation, rather than the State holding that roll right now."

Commissioner Reece asked if the Aleut Corporation wants out completely. Director Von Barga said yes. Commissioner Reece asked are what the specific reasons the Aleut Corporation wants out. Director Von Barga replied that Aleut Corporation has plainly stated that it doesn't fit within their business model anymore. Commissioner Reece asked if they want out because of environmental issues. Director Von Barga said that the Aleut Corporation doesn't believe that there are any major environmental issues.

Commissioner Kipar asked if there was ever a gas station or other such auto shops or anything else on the property. Director Von Barga said it was previously a gravel lot from which material was taken for fill for the new town (new Valdez).

Chair Haase asked if there was anything else any of the Commissioners wanted to add. Commissioner Kipar said he has gotten a lot of positive feedback about the new Community Garden. He said they look beautiful, and he suggested that the long-term care patients at the hospital could be able to walk around and enjoy the garden, as they are located close to the hospital.

Director Von Barga thanked the Commissioners for taking time out of their week to meet with the consultants, Kimley-Horn, and participating in the branding/redevelopment process.

## **IX. ADJOURNMENT**

There being no further business, Chair Haase adjourned the meeting at 7:25pm.