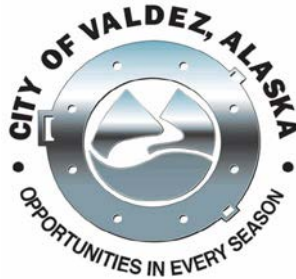


City of Valdez

212 Chenega Ave.
Valdez, AK 99686



Meeting Minutes - Draft

Wednesday, January 11, 2017

7:00 PM

Regular Meeting

Council Chambers

Planning and Zoning Commission

REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

The meeting was called to order at 7pm by Chair Haase.

II. ROLL CALL

Also present: Senior Planner/GIS Technician AnnMarie Lain, Senior Administrative Assistant Selah Bauer

II. APPROVAL OF MINUTES

Approval of November 22, 2016 Regular Meeting Minutes

Attachments: [Draft P&Z Commission Meeting Minutes_112216](#)

Moved by Commissioner Reese, and seconded by Commissioner Kipar to approve the regular meeting minutes from November 22, 2016. Motion carries by the following vote:

Yeas : Chair Haase, Pro Tempe Gondek, Commissioner Weaver, Commissioner Kipar, Commissioner Reese and Commissioner Blehm.

Excused: Commissioner Fagerberg

IV. PUBLIC BUSINESS FROM THE FLOOR

There was no public business from the floor.

V. NEW BUSINESS

1. Approval of Preliminary Plat (SUBD# 17-03) of Tract E Public Utility Easement.

Applicant: City of Valdez

Attachments: [CVT-CTWD-TR E-PRELIM.pdf](#)

[300ft Tract E.pdf](#)

[1703 TractE_121316.pdf](#)

[Prelim Check List TractE.pdf](#)

No motion was made; approval passed by the following vote:

Yeas : Chair Haase, Pro Tempe Gondek, Commissioner Weaver, Commissioner Kipar, Commissioner Reese and Commissioner Blehm.

Excused: Commissioner Fagerberg

2. Approval of Preliminary Plat (SUBD #17-02) of Barney Meyring Parkstrip Subdivision. Applicant: City of Valdez

[Attachments:BLK2-PUE-PRELIM.pdf](#)

[300BarneyParkStrip.pdf](#)

[Resolution 15-24.pdf](#)

[Prelim Check List Barney Parkstrip.pdf](#)

Motion to approve the preliminary plat of Barney Meyring Parkstrip Subdivision was made by Commissioner Kipar, and seconded by Commissioner Weaver.

Commissioner Blehm asked if the easement was large enough for use by the utility company. Senior Planner/GIS Technician AnnMarie Lain assured the Commission that the City historically had assisted the utilities to access the easements.

The question came up regarding the easements: are they surveyed easements done prior to construction, or after construction? Ms. Lain responded that they were surveyed easements done prior to any construction. Mr. Allen Minish commented that the northern corner jog was quite close to the basketball/tennis courts. Ms. Lain responded that the jog in the easement avoids the tennis courts, as verified by an overlay on GIS with the Parks and Rec Department. Ms. Lain will double check the N/W corner of the tennis court slope to confirm the accuracy of the easement.

Ms. Lain also noted that the final plat will go to City Council for approval, and at that time, any recommended adjustments to City land can be heard.

Chair Haase noted two errors in the plat information and those will be corrected.

With no further discussion or public comment, the motion passed with the following vote:

Yeas : Chair Haase, Pro Tempe Gondek, Commissioner Weaver, Commissioner Kipar, Commissioner Reese and Commissioner Blehm.

Excused: Commissioner Fagerberg

3. Approval of Preliminary Plat (SUBD# 17-01) of Anderson Robe River Subdivision with the following conditions:

- 1) The preliminary FIRM database must be used as best available data to delineate flood-zone's on this plat prior to final approval.**
- 2) A note shall be included on the plat, stating that "the property within Flood Zone A, as identified by the Federal Emergency Management Agency, shall be required to comply with Federal Regulations." Applicant: Daniel Anderson**

Attachments: [MemoFromFEMA.pdf](#)

[16025 Valdez Anderson Robe River Subdivision B01 L06A-8A](#)

[Preliminary Plat 161221B.pdf](#)

[300 Anderson.pdf](#)

[Anderson Application.pdf](#)

[Prelim Check List Anderson.pdf](#)

The motion to approve the preliminary plat (SUBD# 17-01) of Anderson Robe River Subdivision was made by Commissioner Kipar and seconded by Commissioner Gondek. The motion passed after the following discussion:

Chair Haase questioned the lack of easements on the plat and inquired as to whether they would be added later. Mr. Allen Minish, Wrangell Mountain Technical Services, noted that

there appeared to be “blanket easements” from the original owner for putting in the utilities as nothing is specifically noted.

In public discussion of the plat, Mr. Minish stated that the conditions applied to this preliminary plat approval as noted in the heading was disconcerting. That information was usually put in a summary statement or recommendations. Mr. Minish went on to say that in the summary statement, he had been identified as having done a survey of the property. That was inaccurate, as he has not done a survey of the property, which is why the plat shows the river in two different spots based on two different documents. Another issue he brought up was the reference to the federal regulations 4CFR Section 60.3B4 on page two of two. Only a portion of the paragraph was part of that regulation-there was a lot of that paragraph that was not included in 60.3B4. He felt that it was inappropriate to bring the conditions up at this stage of the game because the City does not require flood zone identification on preliminary plats-it's only required on final plats. Mr. Minish stated that publishing the conditions during a preliminary plat review was to throw a red herring into the process. He added that there will be notes on the plat that address the conditions noted in the title, including public access within the river.

Commissioner Haase asked Ms. Lain what the consequences were of using a different map without the designated flood zone. Ms. Lain had spoken with the City's FEMA Auditor for guidance, to ensure that the City would not be docked on the preliminary plat by not acknowledging that there was additional information on the subdivision available. Mr. Minish was concerned about which plat would eventually be used to determine the elevation certificate.

Commissioner Haase then asked what the ramifications were to the property owner; would this make more of the property unusable or are they using the same lines that were there before? Ms. Lain noted that there was a significant difference between the old data and the preliminary data, and that was of concern to her. Ms. Lain wanted to make sure that the City was using the data appropriately. She did admit that there a lot of legalities here that were confusing, and she continues to work through them. She noted the difference in the current and preliminary plat was important enough to warrant a qualifying email to the Regional FEMA office.

The issue of the plat with regards to septic installation was discussed. Ms. Lain advocated for using the preliminary FEMA data versus the plat data from 1983. Preliminary data is data that has not yet been formally adopted by the City. The plats were slated to be adopted at the end of 2017. Ms. Lain hoped to get a response from FEMA Region X specifically on the use of preliminary data for a proposed subdivision, what is legally required, and what the City can and cannot do, as well as what the City will be held accountable to. Commissioner Haase suggested that Ms. Lain obtain a detailed description as to what the City must do and what the City is allowed to do.

Commissioner Gondek made a motion to postpone until January 25, 2017, seconded by Commissioner Weaver.

There was no discussion on the postponement.

The motion carried by the following vote:

Yeas: Chair Haase, Pro Tempe Gondek, Commissioner Weaver, Commissioner Kipar, Commissioner Reese and Commissioner Blehm.

Excused: Commissioner Fagerberg

VI. REPORTS

Lisa VonBargen, Director passed on that the Tideland Rezone Ordinance is on hold pending the review of some issues that came up. Ms. VonBargen will be returning to the office January 17th. Ms. Lain will be meeting with FEMA to kick start the levee analysis mapping procedure for the Alpine Woods Subdivision this week.

VII. COMMISSION BUSINESS FROM THE FLOOR

Commissioner Kipar apologized for his absences. He also asked about the streetlights that seem to be falling down left and right. Ms. Lain replied that Capital Facilities is doing an investigation as to why the lights are so susceptible to damage.

VIII. ADJOURNMENT

With nothing further, the meeting adjourned by Chair Haase at approximately 8pm.