



Agenda Statement

File #: 17-0536 **Version:** 1

Type: Public Hearing **Status:** Agenda Ready

File created: 10/17/2017 **In control:** Planning and Zoning Commission

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Title: Public Hearing of a Petition from Geeks in the Woods to the Platting Authority requesting that the right-of-way easement and snow storage dedication for Kodiak Cove be vacated by the City of Valdez.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Geeks - 300ft Notification Map, 2. Geeks in the Woods_Re-Plat Concept, 3. Geek in the Woods Petition_Notification_101317, 4. Pete_Eagan_Responce_City of Valdez Public Notice -- Wed., 10-25-17 hearing, 5. Petition to vacate Kodiak Cove Snow Storage Easement

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------------------------|--------|--------|
| 10/25/2017 | 1 | Planning and Zoning Commission | | |

ITEM TITLE:

Public Hearing of a Petition from Geeks in the Woods to the Platting Authority requesting that the right-of-way easement and snow storage dedication for Kodiak Cove be vacated by the City of Valdez.

SUBMITTED BY: AnnMarie Lain, Community Development Director

FISCAL NOTES:

Expenditure Required: N/A
Unencumbered Balance: N/A
Funding Source: N/A

RECOMMENDATION:

Public Hearing Only

SUMMARY STATEMENT:

Alaska State Statute governs the process by which platted streets may be vacated, it states the following:

AS 29.40.120. Alteration or Replat Petition.

A recorded plat may not be altered or replated except by the platting authority on petition of the state, the borough, a public utility, or the owners of a majority of the land affected by the alteration or replat. A platted street may not be vacated, except on a petition of the state, the borough, a public utility, or owners of a majority of the land fronting the part of the street sought to be vacated. The petition shall be filed with the platting authority and shall be

accompanied by a copy of the existing plat showing the proposed alteration or replat.

The attached petition has been submitted by the owners of a majority of the land fronting the part of the street sought to be vacated. Attached is the petition submitted to the Planning and Zoning Commission as the Platting Authority for the City of Valdez.

AS 29.40.130. Notice of Hearing.

The platting authority shall fix a time for a hearing on an alteration or replat petition that may not be more than 60 days after the petition is filed. Notice shall be published by the platting authority stating when and by whom the petition was filed, its purpose, and the time and place of the hearing. The notice must generally describe the alteration or replat sought. The platting authority shall also mail a copy of the notice to each affected property owner who did not sign the petition.

The public hearing notice was sent to property owners within a 300ft radius of Kodiak Cove on October 13th, 2017. The public hearing notice was published on the City of Valdez website on October 19, 2017. Notice of the Public Hearing was posted at City Hall on October 19, 2017.

This is a public hearing only. The petition and public hearing notice are attached for review. The platting authority will make its decision on the merits of the proposal at the next Planning & Zoning Commission meeting on November 8, 2017. The vacation of the street and snow storage dedication will require consent of City Council.