



## Legislation Text

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**File #:** 19-0435, **Version:** 1

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### **ITEM TITLE:**

Approval of Final Plat for Rydor Subdivision 2019 Addition (SUBD #19-05), Creating Parcel C

**SUBMITTED BY:** Paul Nylund - Senior Planner/GIS Technician

### **FISCAL NOTES:**

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

### **RECOMMENDATION:**

Staff recommends the Planning & Zoning Commission grant final approval of Final Plat for Rydor Subdivision 2019 Addition (SUBD #19-05), Creating Parcel C.

### **SUMMARY STATEMENT:**

The City of Valdez has received an application for a subdivision/replat within W1/2 Section 32, Township 8 South, Range 5 West, Copper River Meridian described as follows: a subdivision of a portion of Tract A & Tract B of ASLS 79-116 (Plat #80-11), V.R.D., creating Tract C, Rydor Subdivision 2019 Addition.

The preliminary plat for this subdivision went before the Planning and Zoning Commission at their regularly scheduled public meeting on October 9<sup>th</sup>, 2019, and was unanimously approved.

The City of Valdez is the property owner of the land on which the replat is to take place. Stephen Smith of Geovera, LLC, is the land surveyor on this project, hired by the applicant.

The purpose of this subdivision is to divide out the 100 acres of City of Valdez land that is being sold to Rydor Enterprises from parent parcels ASLS 79-116 Tracts A & B. This land sale has been authorized via Resolution #19-19 (see attached).

A portion of the proposed subdivision is within the regulated floodplain as designated by the Flood Insurance Rate Maps (FIRM). This area is shown on the plat, as per FIRM Panel #0200940168D.

A stream maintenance and protection easement is established by this plat, located twenty-five feet on each side of the stream, measured landward from the ordinary high water mark of Slater Creek.

There is no road to be dedicated by this plat. There are no sidewalks planned within this subdivision. Legal access to this subdivision is provided by the section line easement which runs east/west and is adjacent to the northern boundary of the newly formed parcel. The physical access to this new subdivision is currently via an unplatted trail system (known as Alpetco Road) across City of Valdez owned property. This is not a dedicated easement or right of way at the time of this subdivision.

This subdivision does not have access to public drinking water, sanitary sewer or a storm water collection system. All future on-site wastewater treatment systems and public drinking water systems must be approved by the Alaska Department of Environmental Conservation and the local building official.

**Issues to Consider & Conditions for Approval:**

As the owner of record for this property, the City of Valdez is requesting two design standard waivers on the subdivision plat. Per VMC, the Planning & Zoning Commission is given the authority to grant waivers via the platting process.

**VMC 16.04.060 Variances.** When, in the judgment of the commission, it would be inappropriate to apply literally a provision of this title the commission may waive or vary such provisions so that substantial justice may be done and the public interest secured; provided, that in no event shall the requirement of filing and recording the plat or survey map be waived. (Ord. 96-27 § 1 (part): Ord. 93-03 § 1 (part): prior code § 24-6)

The first requested waiver is in regards to:

**VMC 16.16.050 Design-Lot frontage and access.** A. All lots shall have frontage on a publicly dedicated street or navigable water.

The parcel of land being sold by the City of Valdez to Rydor Enterprises is considered a remote parcel, with no platted access. Physical access to this property is a separate issue that needs to be addressed in the near future, but is outside the scope of this subdivision. The Planning and Zoning Commission granted a lot frontage and access waiver as part of the preliminary plat approval. The final plat reflects this waiver in a plat note and final plat approval will formalize this variance.

The second requested waiver is related to:

**VMC 16.08.030 Form and contents.** The preliminary plat shall contain the following information: S. Utility easements along rear lot lines shall be at least ten feet wide, or a total of twenty feet wide along adjoining rear lots. Utility easements alongside lot lines shall be five feet wide, or a total of ten feet wide along adjoining side lots. Where a front-yard easement is needed to accommodate a transmission utility, the easement shall generally be ten feet wide. The platting authority may require wider utility easements along the rear lot lines of hillside lots. Whenever possible, utilities shall be placed in dedicated rights-of-way except where that placement conflicts with a city or state transportation project;

This subdivision is a large parcel of land that is being separated from another larger parcel. It would be premature to establish and dedicate utility easements at this juncture, and this is not pertinent to

this specific platting action, which is solely intended to define the 100 acres that are changing possession. Also, this parcel is a considerable distance from existing utility grids, and will most likely require on site power generation and water/wastewater facilities. Utility easements should be defined and dedicated in subsequent subdivisions of this parcel.

The Planning and Zoning Commission granted a design waiver regarding the absence of these utility easements as part of the preliminary plat approval. The final plat reflects this waiver in a plat note and final plat approval will formalize this variance.

**Notification:**

Notice was sent to all property owners within 300 feet of the property, per Section 16.04.090 of the Valdez Municipal Code, on September 27<sup>th</sup>, 2019.

VMC 16.04.090 Notification requirements.

A. A notice shall be sent by mail at least ten days prior to the first scheduled meeting of the planning and zoning commission to consider the preliminary plat approval to each owner of property within a distance of three hundred feet of the exterior boundary of the lot or parcel described in the application for subdivision.

Staff has not received any comments on the subdivision from the public or the utility companies.

**Approval:**

Staff recommends the Planning & Zoning Commission approve this final plat.