

Planning Commissioners
Vacant, Seat A,
Paul Liedberg, Seat B
Bill Rodawalt, Seat C, Chair



Rachel Muir, Seat D
Andy Anderson, Seat E
Julie Baltar, Seat F
Vacant, Seat G

REGULAR MEETING MINUTES
June 18, 2013

I. CALL TO ORDER

Bill Rodawalt, Chair, called the regular meeting of the Dillingham Planning Commission to order at 5:34 p.m. in the City Council Chambers.

II. ROLL CALL (quorum is 4)

Members present:

Paul Liedberg, Seat B
Bill Rodawalt, Seat C
Rachel Muir, Seat D
Andy Anderson, Seat E
Julie Baltar, Seat F

Members Absent

Staff in Attendance:

Jody Seitz, City Planner, Recorder

Guests: James Jones, UAF BB Campus

III. APPROVAL OF MINUTES

MOTION: Paul Liedberg moved to approve and Julie Baltar seconded the motion to approve the agenda.

- Bill Rodawalt noted that Terry Hoefflerle should not be marked as excused, Bill Rodawalt should.
- Julie Baltar raised the question about a typo after the Recorder's Note: "No motion to suspend the rules..."
- Planner Seitz responded to eliminate the preposition "to" after the statement.
- Julie Baltar questioned who offered to check into whether federal money was contained in project money on page 6. Says there is no way to follow up without names. Seitz says it was Julie. Will include name with tasks in future.

ACTION: Unanimous approval.

IV. APPROVAL OF THE AGENDA

MOTION: Paul Liedberg moved to approve the agenda. Andy Anderson seconded.

DISCUSSION: Bill Rodawalt noted that there was no public comment period and asked to insert public comment. Commissioner Liedberg noted Citizen Comments under VC. B Rodawalt then commented that 5C public comment was fine.

ACTION: Unanimous Approval.

IV. COMMUNICATIONS

- A. Communications to the Planning Commission
- B. Planner's Report
 - a. Paul Liedberg asked about comparison tables for the ADEC report on municipal solid waste disposal.
 - b. Bill Rodawalt point out typos on the Walking Plan..."Scope"
- C. No comments from citizens.

VI. PUBLIC HEARINGS

Chair Bill Rodawalt asked if any commissioners had any ethical conflicts to declare prior to the Public Hearings.

- A. Variance request for Crystal Subdivision – Planner asked to describe the issues related to the variance. Planner Seitz reviewed each of necessary findings required to grant a variance.
 - 1. The variance is the minimum necessary to afford relief. Road does not connect. Would be major hardship to make him redesign the subdivision to shorten the cul-de-sac, there would be more land in roads, less in developable property;
 - 2. The granting of the variance will not be detrimental to the public safety or welfare or injurious to adjacent property. There have been no negative comments from Public Works or Public Safety; Buses require 60 feet in diameter for turnaround.
 - 3. The tract to be subdivided is of such unusual size and shape or topographical conditions are such that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property. Tundra lies on the west of the property; if he had to build this cul-de-sac earlier, more of his property would be in roads, as opposed to lots.
 - 4. Special conditions that require the variance are not caused by the person seeking the variance. Correct. The topography and lack of roads are partly responsible for the need for this variance.
 - 5. The variance will not permit a land use in an area in which that use is prohibited. Correct. This would be in the general use area.
 - 6. The variance is not sought only to relieve financial hardship or inconvenience. If he were asked to redo the subdivision to provide two roads it would be a major hardship. Would put in more roads as opposed to more lots. Got input from city school bus drivers, who were nervous that they'd be required to provide service down a lot narrow road.

- Julie Baltar questioned ROW, 60 Ft Diameter, no utility easement or ROW beyond footprint of the road. Says normally cul-de-sacs include a wider area that supports the improved surface of the cul-de-sac and gives a place for utilities, beyond the 60 foot diameter.
- Paul Liedberg moved to close public hearing on Crystal Subdivision variance request. Andy Anderson agreed.
- Andy Anderson asked who reviewed the plat
- Planner Seitz answered that city, state, DOT and other agencies reviewed the plat.

ACTION: Unanimous approval to close Public Hearing on Variance.

B. Crystal Subdivision Preliminary Plat

Planner Seitz reviewed the plat history, the subdivision lots, and findings.

- There is no Kananak Road width.
- 10 foot wide easements.
- Nushagak has created a policy stipulating a minimum of 15 ft easement for underground utilities and 20 foot for overhead utilities.
- Kananak Road is Tract A.
- The Temporary turn-around is only 50 ft rather than 60 ft.
- The Approach Road Review by ADOT costs \$5000 retainer fee.
- The plat took a non-city code compliant subdivision and by combining lots is striving to comply with DMC Title 17.
- Andy Anderson – what happens if the owner doesn't follow the subdivision ordinance.....Seitz replied he might not get his subdivision, or the City could go ahead and build the road using the bond the owner posts.
- Paul Liedberg – wants to know if City can require the landowner to provide additional easement if the city code only requires 10 foot.
- Bill Rodawalt read 17.19.129.
- Andy Anderson asked if the landowner had been advised by Nushagak and ADOT. Seitz had sent comments to both BBNA and the surveyor as he is their client.
- Paul Liedberg asked if adjoining property owners had been identified. Seitz – yes, they were on page 2, a page of 60 monuments.
- Anderson notes it would be cheaper to replat and make all changes at one time rather than piecemeal, one at a time. Wondered if Seitz could convey that to him.
- What if he doesn't want to put in the easements?
- Julie Baltar – would they provide electricity without the appropriate easements?
- Rachael Muir – is there urgency?
- Bill Rodawalt - there is a timeline for the planning commission
- Seitz – the planning commission has 60 days to act on the plat.

MOTION: Paul Liedberg moves to close public hearing on Crystal Subdivision, Andy Anderson second.

ACTION: Unanimous consent.

- C. Public Hearing on Vacation of Easement on Lot 1 Block 18 USS 2732. Planner Seitz reviews background and recommends vacation of easement.

MOTION: Paul Liedberg moves to close public hearing. Rachel Muir seconds.

ACTION: Unanimous consent.

- D. Public Hearing on UAF Science Center Final Plat

MOTION: P. Liedberg moves to close public hearing. R. Muir seconds.

ACTION: Unanimous consent.

- E. Six Year Capital Improvement Plan Update

- Staff participated in the review. Had the option for a Planning Commissioner to attend and they did not choose to.
- B. Rodawalt asked what helps to sort out priorities.
- Seitz reviewed the scoring of projects, whether it is needed within 2 years (top priority), 3-4 years, or 5 or more years (lowest priority).
- Legislative grants are good for providing match for other grants.
- 68 million dollar capital need list
- Existing funding column; BBEDC community block grant to be split with Curyung Tribe for next five years., gives City ability to provide match for grants
- Legislative list in draft form; drafted to provide a mix of high and low dollar items for the legislature to choose from for Dillingham.
- Combined two city facility projects – library ramps and City Hall improvements for energy improvements.
- National Guard has received \$500,000 which they'll partner with the City to use on the Public Safety complex.

MOTION: Rachel Muir moves to close public hearing on the Six Year CIP.

ACTION: Unanimous consent.

- F. City of Dillingham Walking Plan

Commission has ADOT Dillingham Downtown streets Project 35% design maps to see the proposed configuration of the intersections.

R. Muir provides overview and slideshow of City's recent and historical efforts to develop a walking plan and improve walkability in City. Provided results of a recent survey of residents downtown.

DISCUSSION:

- B. Rodawalt noted lack of sidewalk crossings. He got a ticket because he was coming down Seward St. and turning onto D. St. He was told he was supposed to pull out into the road until he could proceed safely. He stopped at the intersection. You are supposed to stop and then pull out until you can see clearly. Noted that in the City's code that you are supposed to be able to see 200 ft. either side of the centerline. That intersection is not in compliance with the City Code.
- R. Muir: ADOT wants to know some specific things: width of sidewalks on Main Street and sidewalks on Second Avenue. They could do 8 ft. sidewalks on one side on those streets. Also whether there should be an island for pedestrian refuge at Kananak and Main street; and whether city wants bulb outs, and use of color and texture in crossings.

MOTION:

G. Long Term Encroachment Permit for Utility in Harbor

- Seitz – no objection from Nushagak or City departments.

MOTION: P. Liedberg moved to close public hearing.

ACTION: Unanimous consent.

VII. NEW BUSINESS

- P. Liedberg requests that staff check Robert's Rules. Moves for unanimous consent to take up item D. first since there is a citizen awaiting that item.

D. Resolution 2013-10 Approving UAF Science Center Final Plat

MOTION: P. Liedberg moves to approve resolution 2013-10, R Muir second. Approving PCT 2013-10 UAF Science Center Final Plat.

DISCUSSION: P. Liedberg finds that the Preliminary Plat conforms to the municipal code except for a couple of minor items.

ACTION: Unanimous Consent.

C. Resolution 2013-12 Recommending Vacation of Easement on Lot 1 Block 18 USS 2732AB

MOTION: P. Liedberg moves to suspend Roberts Rules to take up Item C, Resolution 2013-12, Recommending Vacation of Easement on Lot 1 Block 18 USS 2732. Julie Baltar seconds. Unanimous Consent.

MOTION: P. Liedberg moves to approve Resolution 2013-12. J. Baltar seconds.

DISCUSSION: B. Rodawalt finds that all landowners approve of the vacation of the easement.

ACTION: Unanimous consent to approve Resolution 2013-12.

A. Resolution 2013-11 Variance Request for Crystal Subdivision Preliminary Plat

MOTION: P Liedberg moves and J. Baltar seconds the motion to approve PCR 2013-11.

ACTION: Unanimous consent.

B. Resolution 2013-09 Approving Crystal Subdivision Preliminary Plat.

MOTION: P liedberg moves and Andy Anderson seconds the motion to approve PCR 2013-09.

DISCUSSION: J. Baltar asks staff to talk with surveyor and landowner to see if they would be willing to provide an additional 10 feet outside the 60 ft. right of way.

- Rodawalt suggests this might be a topic for future conversation.
- Discussed that City could ask, but not require this with the view that the lack of additional easement might cause problems with lots off the end of the cul-de-sac.
- Mentioned that there is a need for clarification about the amount of improved surface versus the shoulders of the cul-de-sac.
- Questioned whether the additional easement requested by Nushagak could be requested during the final plat process. Planner replied that it could hold up the plat because it will likely have to go to the BIA again. That these things are normally settled by the final plat.
- Planner discussed that utility easements help reduce the amount of hardware in the lots by sharing the utility poles between lots, and that Nushagak Linemen have advised her that it is safer to have more organized, shared utility poles for subdivision lots.
- Planner says that BBNA and surveyor should have worked more with their client about the easements.
- Discussed that there is no definition of a "major" subdivision in the Dillingham Municipal Code.

MOTION: P. Liedberg moves and J. Baltar seconds the motion to approve PCR 2013-09.

ACTION: P. Liedberg and J Baltar voted to approve; A. Anderson, R Muir and B Rodawalt voted nay.

Staff is asked to get some design information for the cul-de-sac to show what the problem it; and to follow up with Nushagak to ask if they would deny service without adequate easements; and do they consider this subdivision to be a major distribution of service.

MOTION: P. Liedberg moves and J. Baltar seconds the motion to table the approval of the Crystal Subdivision plat until the next regularly scheduled meeting (July 16).

ACTION: Unanimous approval.

E. Resolution 2013-13 Six Year Update of the Capital Improvement Plan

MOTION: Paul Liedberg moved and Andy Andersen seconded the motion to approve PCR 2013-13 recommending the proposed update of the six year plan to the City Council for approval.

ACTION: Unanimous approval.

F. Resolution 2013-14 Downtown Streets Walking Plan

MOTION: J. Baltar moves and R. Muir seconds the motion to table Resolution 2013-14 until June 21 at noon.

ACTION: Unanimous approval.

G. Resolution 2013-15 Long Term Encroachment Permit for Utility

MOTION: P. Liedberg moves and J. Baltar seconds the motion to approve R 2013-15.

DISCUSSION: The commission has approved similar permits for the other harbor lots. It meets city code.

ACTION: Unanimous approval.

VIII. UNFINISHED BUSINESS

A. Subdivision Access Committee Recommendations Discussion on Forward Progress

- P. Liedberg suggested that the commission hear from Public Safety and BIA in regards to the question of providing access to surrounding landlocked parcels.
- Should the Planning Commission have a special meeting on this?
- Gather info for the next meeting.
- That the commission should not be under pressure to change the code for pending subdivisions.
- Mentioned that code changes will take a while
- Staff volunteered to create a google docs for people to review information

B. Gravel Pit Report –

- Staff reported that KNIK had gotten the required permits from ADEC and that the City worked with KNIK on improving their dust control plan.
- J. Baltar followed up that this is a federally funded project. Expects a call from someone involved in the NEPA process, who would know about the material sources for the project. Feds can take a different perspective from the state. They do have to be concerned about material sources.

- P. Liedberg says that it will be interesting to see their reclamation plan, which should have been in place.
- There are state requirements in place, whether it's groundwater or dust, but nothing to address social aspects – the valuation of adjoining property and groundwater. The city needs to do more to address these and the issue of viewshed. There's nothing in place to address those on behalf of the city. The city could do more to address these things and should.
- B. Rodawalt has been discussing zoning with members of the community. Liked the example of the community which had open zoning. Thinks it might be the best way to introduce zoning in the community. If you had regulations in zoning you could possibly restrict proximity of gravel pits to adjacent property.
- Planner mentioned the issue of restricted parcels, that only 13 percent would be currently subject to zoning. J. Baltar felt perhaps allotment owners might prefer that their property be zoned.
- R Muir believes her subdivision owner probably would have preferred to have his subdivision zoned.

IX. PUBLIC COMMENTS/COMMITTEE COMMENTS

- J. Baltar suggests trails are important to local Tribes, and they might be interested in helping to complete connectors for some trails. Take advantage of federal programs that allow tribes to do that.
- R. Muir “sweet music to my ears.”
- A. Anderson, P Liedberg, B Rodawalt – no comment.

VIII. ADJOURNMENT 8 :26 p.m.



Bill Rodawalt, Chair

ATTEST:

Jody Seitz, Recorder