

VALDEZ PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
AUGUST 22, 2012

**I. CALL TO ORDER**

The regular meeting of the Valdez Planning and Zoning Commission was called to order at 7:03pm by Chairperson Malone.

**II. ROLL CALL**

Chairperson Malone, Commissioners Haase, Ragan, Swierk, Delozier, Hogarth and Fannin were present; there was no one absent.

Staff present included Lisa Von Bargen, Director; Janine Vadeboncoeur, Planning Technician; Laura Robertson, Senior GIS/Planning Technician and Wendy Farlin, Senior Office Assistant of the Community & Economic Development Department.

Bonnie Cudnohufsky was in the audience.

**III. APPROVAL OF MINUTES – August 8, 2012 Regular Meeting Minutes**

**MOTION: Commissioner Haase moved and Commissioner Swierk seconded approval of the August 8, 2012 regular meeting minutes.**

**VOTE ON THE MOTION: 7 Yeas; motion carried.**

**IV. PUBLIC BUSINESS FROM THE FLOOR - None**

**V. PUBLIC APPEARANCES - None**

**VI. PUBLIC HEARINGS**

**1) (EXCPT #12-03) Exception for an Existing 14.3 Foot Encroachment of the Carport into the 20 Foot Front Yard Setback on Lot 7A, Block 7, Mineral Creek Subdivision. Applicant: Bonnie Cudnohufsky.**

Commissioner Fannin asked why, since the structure has been in place prior to 1983, an exception was being proposed instead of applying Section 17.52 of the Valdez Municipal Code, which deals with non-conforming structure use. Lisa Von Bargen responded that it could have and she has struggled with whether to use an exception or a non-conforming structure use agreement and have been using an exception. Lisa further explained that typically, exceptions are given when something has innocently been built in error, but she will certainly do some research on either leaving this exception as is or changing it to a non-conforming structure use and present the findings at the next meeting.

**VII. UNFINISHED BUSINESS - None**

**VIII. NEW BUSINESS**

**1) (SUBD #12-05) Approval of Final Plat Lots 1 & 2, Ureda Subdivision. Applicants: Dan & Moria Ureda**

**MOTION: Commissioner Haase moved and Commissioner Fannin seconded approval of the Final Plat Lots 1 & 2, Ureda Subdivision.**

Commissioner Haase asked if the preliminary plat revision notes would be removed before the final plat is recorded and Lisa responded yes. In addition, Commissioner Haase pointed out that under the certificate of ownership and dedication it refers to lots 1A and 2A but the drawing title as well as the drawing itself has Lots 1 and 2 and wondered if that would be corrected before the final plat or will they be dropped as well. Laura Robertson stated that they will stay but will be corrected before the final plat is recorded.

**VOTE ON THE MOTION: 7 Yeas; motion carried.**

**2) Approval of Recommendation to City Council to Sell an 8,970 Square Foot Portion of Tract F, ASLS 79-116 to Cameron Hursh**

**MOTION: Commissioner Haase moved and Commissioner Hogarth seconded approval of the Recommendation to City Council to Sell an 8,970 Square Foot Portion of Tract F, ASLS 79-116 to Cameron Hursh**

Commissioner Delozier had some clarifying questions and once the questions were answered, there were no further comments.

**VOTE ON THE MOTION: 7 Yeas; motion carried.**

**3) Approval of Plat Amendment for Plat #97-2, Amending the Northern Lot Line Distance for Tract A of Lot 1, USS 3682**

**MOTION: Commissioner Haase moved and Commissioner Swierk seconded approval of the Plat Amendment for Plat #97-2, Amending the Northern Lot Line Distance for Tract A of Lot 1, USS 3682**

Commissioner Haase suggested that the property be re-measured before the final plat is filed because if the corner by the street really is a right angle, then the measurements still do not add up to a correct hypotenuse triangle.

**VOTE ON THE MOTION: 7 Yeas; motion carried.**

## **IX. REPORTS**

**1) Memorandum for Vertical Solutions TLUP Term Extension**

Commissioner Delozier asked for a brief explanation. Janine Vadeboncoeur stated that Vertical Solutions had asked for a 3 month term from June through August, but didn't actually start flying until July, so they requested the term be extended through the end of September. Commissioner Delozier stated that he has used the service several times

throughout the summer and felt it was in the right location for this type of operation and feels that it serves the community well.

## **2) E-Notes**

There were no additions to the E-Notes.

## **3) Staff Report – Verbal at Meeting**

Lisa reported that the founder of the Wet Dog Race met with her prior to the meeting to discuss their 2,000 mile personal watercraft race. They had some appeals from several resource agencies to their applications, some of which were concerns about waterfowl nesting and noise to the waterfowl, but hope to have their first race in May, 2014. It will begin in Whittier and end in Anchorage with an entry fee of \$35,000 and first place prize of \$1 million. The entry fee goes toward paying for all logistical help in each port. They are anticipating 350 to 500 2-person teams and have had more than 300 letters of intent for entries from all over the world. They submitted a request for information to all of the communities that the race would like to stop at and only three responded, one of which was Laura Robertson. Laura supplied information on the community, support for the race and suggestions of other things to look at in Valdez and neighboring areas of Port Valdez and Prince William Sound that had not been addressed in their request.

Commissioner Delozier asked for more information and Lisa responded that she had a DVD and would also email the website to the Commissioners.

## **4) Abatement Report – Verbal at Meeting**

Lisa was pleased to report that recent action had happened on both the Estes and Coffey properties. The attorneys had to obtain permission from the courts to serve what is called service or notice by publication and that was just granted. In the Estes case, since there isn't anyone to serve other than the surviving children who are out of state, a notice by publication has gone out and three weeks of notice are required. Once the three weeks have been completed, the judge will issue a judgment and if it is in our favor, we will then be able to access the property and begin abatement clean up. The same holds true for the Coffey property. They have refused all certified mailings so Suzanne Coffey was served on Tuesday by a process server. The Coffeys have 20 days to respond. They can't just respond by saying we need more time; it would have to be a much bigger issue. The attorneys feel they will not have a legitimate response so once the 20 days have passed, they will ask for a default judgment and an order from the court. The attorneys anticipate it taking approximately two weeks. Then the City will be granted access to the property to begin abatement clean up.

Lisa stated it is still possible that clean up can begin this fall. Commissioner Ragan asked if the Coffey property was still occupied and Lisa stated she didn't know for sure but thought that it was likely occupied. Commissioner Haase asked if there was still funding available for clean up and Lisa responded yes; however, it isn't known whether there is enough to cover all of the clean up needed.

Laura Robertson reported that the City abatement clean up continues. Roger Kipar of Roger's Snow Removal has completed clean up next to Mark's Repair, the trailer has been removed and he has graded access to the Old Town oil tanks but concerns from the public and Council stopped the removal. The State Historical Preservation Office (SHPO) is being contacted for permission to remove the tanks and since they aren't really a great tourist attraction as they are, one possible idea is to create art sculptures out of them. The Museum is in favor of this idea. Currently, the City is just waiting for permission from SHPO as well as finding a metal artist. In the meantime, Roger will begin work on Copper Avenue within the next few days. Commissioner Swierk asked at what age the Historical Society becomes involved and Lisa responded that it's typically 50 years or a known historical site and Old Town is considered a historical site. Laura also stated an old cement mixer from the 1920's was found and the Museum has expressed interest in it. Nordic Supply has been awarded a contract by the Council to start clean up of the Airport Industrial Subdivision as well as the Pipe Yard and that work should begin on Monday.

Laura reported that a new metal recycler is in town and they are presently cleaning up Silver Bay. The name of the company is Autocat Recycling of Alaska and they attended the Council meeting on Monday to introduce themselves and the business. They are very interested in leasing to own property in the Airport Industrial Subdivision. They would like to lease for a short time until they can raise the funds and then purchase the property. Commissioner Fannin asked if a bond would be required for the lease. Lisa responded that proof of insurance is required; however, a bond hasn't been a requirement in the past, but would be a very good idea in this case.

#### **X. COMMISSION BUSINESS FROM THE FLOOR**

Commissioner Hogarth commended the City on the perseverance of the Estes and Coffey abatement issues and appreciated the efforts, not only on these properties but the other abatement issues that are being cleaned up. Commissioner Hogarth felt it was a great thing to do as well as important for the town.

Chairperson Malone stated that he would like to resign as Chairperson and asked the Commissioners to elect a new one.

#### **XI. ADJOURNMENT**

The meeting adjourned at 7:47 pm.