



# THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

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**PLANNING COMMISSION  
SPECIAL MEETING  
WEDNESDAY, APRIL 19, 2017  
Homeowners' Lounge, BTI Building  
6:00 p.m.**

**MINUTES**

**1. CALL TO ORDER**

Charlene Arneson called the meeting to order at 6:00 pm.

**2. ROLL CALL**

Charlene Arneson, Terry Bender, Ed Hedges, Jean Swingle and Dyanna Pratt

**ADMINISTRATION PRESENT**

Mark Lynch, City Manager  
Holly Wells – City Attorney  
Scott Korbe, Public Works Director  
Jennifer Rogers, City Clerk  
Naelene Matsumiya, Office Assistant

**PUBLIC PRESENT**

Lindsey Vaughan, Joe Shen, Wayne Shen and Dave Dickason

**3. APPROVAL OF REGULAR MEETING AGENDA**

**MOTION:** Terry Bender made a motion to approve the April 19, 2017, Regular Meeting Agenda as is.

**SECOND:** Dyanna Pratt

**DISCUSSION:** None

**VOTE:** Passed Unanimously

**4. APPROVAL OF MINUTES**

**MOTION:** Dyanna Pratt made a motion to approve the Regular Meeting Minutes of March 1, 2017 as is.

**SECOND:** Terry Bender

**DISCUSSION:** None

**VOTE:** Passed Unanimously

**5. NEW BUSINESS:**

**A. Public Hearing for Joe Shen's Request for a Variance for Block 5 Lots 2 & 3 of Whittier Subdivision Phase I**

Planning and Zoning Chair, Charlene Arneson, closed the special meeting at 6:04 p.m. to open the public hearing for Joe Shen's request for a variance. She asked the Commission if they needed to address any conflicts of interests before the hearing. They did not. She then went on to ask for staff reports from Mark Lynch and Scott Korbe. The City Manager and the Director of Public Works did not have anything to report. Charlene proceeded by reading the description/reason for the variance request out loud. (Please refer to first page of Joe Shen's Variance Request application)

Joe Shen came forward to testify. He explained the plan and commented that there is a similar design down the street. He concluded by stressing that the BTI needed more parking spaces. Wayne Shen came forward and signed (in favor for) the testimony sheet. He spoke about the various benefits of the drainage easement plan and began to describe its dimensions to the Commission. He emphasized that safety around the culvert was a vital assessment when coming up with a plan.

Charlene Arneson then asked for testimonies from those who oppose the variance request and asked them to come forward. Seeing none, she asked for those who are neutral for the variance request to come forward. None.

Charlene moved to close the public part of the public hearing and open it up to the Commission for discussion.

**MOTION:** Terry Bender made a motion to close the public part of the hearing and to open it up to Commission for discussion.

**SECOND:** Ed Hedges

**DISCUSSION:** None

**VOTE:** Dyanna Pratt, Yes; Terry Bender, Yes; Jean Swingle, Yes; Ed Hedges, Yes; Charlene Arneson, Yes.

Various Commissioners praised Joe and Wayne Shen for their work in helping with the development of the city.

Public Work Director, Scott Korbe, confidently stated that he believes the drainage easement plan will be useful and will grant the property owner more of their land. He believes that the plan is doable and functional. Charlene thanked Scott and asked if anyone else had any comments. There were no further comments from the public or the Commission.

**MOTION:** Dyanna Pratt made a motion to approve the Variance Request to install extended culverts for a full driveway for Block 5 lots 2 & 3 of the Whittier Subdivision Phase I.

**SECOND:** Ed Hedges

**DISCUSSION:** None

**VOTE:** Dyanna Pratt, Yes; Terry Bender, Yes; Jean Swingle, Yes; Ed Hedges, Yes; Charlene Arneson, Yes.

Charlene Arneson closed the Public Hearing and reopened the Special Meeting at 6:21

**B. Commission Decision Announcement for Brooke Marston Plat**

Charlene Arneson began by asking the staff if there was additional information that should be noted. Scott Korbe and Mark Lynch had nothing to report. She then reminded the Commission that they all had ample time to look over the application and to ask questions beforehand. She thanked Jean Swingle for bringing some questions to light and she thanked Scott for answering those questions in a very organized/easy-to-read manner. The rest of the Commission members also thanked Scott. Charlene asked Jean to mention her concerns to the Commission and to read back what Scott had said. The Following are the questions from Jean and answers from Scott.

***Portage Trailhead is public and has advertised public access to it (I believe it is the Forest Service?)***

1. *In the original Plat W66-1 the following roads were designated "Oniel Road" coming off of West Camp Road (State Highway) and the road to the trail head "Passage Canal Drive".*

- a. *Oneil road to the south of Passage Canal Drive was not platted. See Platt W66-1*
- b. *The Platted road has never been dedicated to the city, state, or forest service. Legally I do not know who technically owns it and neither does the state, arcc, and forest service.*
- c. *The forest service has an agreement for public access to Portage Pass Trail with the property owner.*

***I have some questions as to labeling the ENTIRE road "Private Road"***

1. *It is not the intent to label the road in Plat W66-1 just the portion applicable under this replat "Oneil Road south of Passage Canal Drive".*
2. *If the road is to be dedicated to the City of Whittier it should be permitted, designed, constructed to road standards, and accepted by City of Whittier.*

***The City contributed funds to the bridge?***

1. *The Bridge was funded by the USFS RAC Grant Program*
2. *The City performed Project Management, Contract Bidding and Administration*
3. *The City was a sponsor of the program with support from ARRC and ADOT*

***I have seen public works plowing there (at least the entry way)***

1. *The City does not plow Oneil Road or Passage Canal Drive.*
  - a. *A Private Owner contracts with local business to plow snow.*

***I am a bit confused how we can put the responsibility SOLELY on Mr. Marston when 1000's of***

*people are using a portion of it to access Portage Trailhead?*

1. *Passage Canal Drive has been maintained by the USFS Girdwood, and ADOT*
2. *Improvements to Passage Canal drive were constructed by ADOT during the tunnel contract*
3. *Oneil Road south of Passage Canal drive only services private property and should be maintained by the property owner. Unless the road is properly constructed and dedicated to the City.*

Lindsey Vaughen clarified that when she first brought the preliminary application for the subdivision design, it was platted as public, but the Commission said that it would have to be a private driveway because the City of Whittier did not want to be responsible for that, maintenance-wise. She stated that Brooke Marston has no issue with it, but that was the reason for labeling it "Private". Charlene asked what portions that belonged to Brooke Marston and what did not.

Scott replied that the portion coming off of Camp Road or the State Highway to Passage Canal Drive, which is the Portage Pass trailhead road has no designation that he could find of the City of Whittier ownership. He continued, saying, no one claims ownership of it, it's has never been deeded over to the City and There are no recorded documents stating that the City of Whittier accepted that road. He clarified that the portion of interest are dealing with everything south of Passage Canal Drive.

Lindsey stated that if the City of Whittier is interested in having that portion dedicated, Mr. Marston is open to any questions and it wouldn't be an issue to clear that up because Mr. Marston is fairly elderly and he is the sole remaining partner of the original Passage Canal Company; he's dealing with a lot of heirs and he's been busy trying to wrap up any ownership in Whittier. She added that he is also working with the Forest Service in having small purchase prices for the remaining lots so that the Forest Service can own it.

Charlene said it's a good clarification for the City to know where the boundaries are. She gave the Commission one last time to look over the application, to ask any last-minute questions. Scott Korbe reported that two utility companies that have made requests. Chugach Electric has requested that there be a 10 ft. easement facing the property adjacent to the road to allow telephone and electrical utilities in there. He added that Enstar Natural Gas had no comments and he is waiting for a formal response from UUI.

Charlene Arneson asked Lindsey Vaughen if there was an easement. Lindsey replied that normally, there would be, but she didn't see it. Lindsay stated that it is not an issue to add a 10 ft. easement.

The City Attorney, Holly Wells, suggested to the Commission to ask the applicant for any oppositions because the conditional language isn't in the code, so just to be sure, she'd recommend asking for oppositions beforehand.

Charlene asked Lindsey Vaughen if she had any opposition of conditionally approving this project.

Lindsey Vaughen stated that she cannot speak for Mr. Marston, but she does not see it being an issue. She reminded that Mr. Marston is very eager to get this project finished.

Charlene Arneson called a brief recess at 6:40 pm  
Commission reconvened at 6:45 pm

Lindsey stated that the issue may be that they (UUI) may possibly need a wider easement. She said she had spoken to them on the phone the other day and they said they'd talk to the City. Scott Korbe replied that the City has not received a formal statement from UUI yet. Lindsey said that if she talked to Mr. Marston, she believes it will not be an issue to designate the private driveway with a 10 ft. easement along the side of it.

Charlene asked if anyone had any questions or if there were any opposition. No questions were asked, no oppositions were declared.

**MOTION:** Dyanna Pratt made a motion to approve preliminary plat conditional upon:

- 1) Incorporation of plat of existing utility easements as depicted in exhibit A and
- 2) Written statement by UUI non-objecting to the replat.

**SECOND:** Ed Hedges

**DISCUSSION:** Jean Swingle said that to her understanding, Scott mentioned that the Commission will have to do a condition for the private driveway.

**VOTE:** Dyanna Pratt, Yes; Terry Bender, Yes; Jean Swingle, Yes; Ed Hedges, Yes; Charlene Arneson, Yes.

Charlene Arneson entertained a motion to amend the previous motion to add the condition to label Oneil Road, south of Passage Canal Drive, as a private road.

**MOTION:** Jean Swingle made a motion to amend Dyanna's motion to approve preliminary plat conditional upon:

- 1) Incorporation of plat of existing utility easement as depicted in exhibit A and
- 2) Written statement by UUI non-objecting to the replat
- 3) Label Oneil Road, south of Passage Canal Drive, as a private road.

**SECOND:** Ed Hedges

**DISCUSSION:** None

**VOTE:** Dyanna Pratt, Yes; Terry Bender, Yes; Jean Swingle, Yes; Ed Hedges, Yes

## **7. NON-ACTION BUSINESS**

### **A. Tidelands**

City Manager, Mark Lynch, stated that once he hires an Assistant City Manager he will work on this.

### **B. Tank Farm**

Mark reported that he and the Mayor, Daniel Blair, had a teleconference with the Corps of Engineers and they said that the Property Division had picked up the project, but are waiting on a final approval from Fort Wainwright to give Fort Richardson the go-ahead. Mark added that we are getting closer, just very slowly.

### **C. Land Trades with Alaska Railroad**

Mark Lynch said that the status of this topic has not changed much. He is still working on a management agreement for the Del Long Dock. Mark claims that the railroad is very close to finalizing that deed on the Del Long Dock after 17 years. He had no further comments.

### **D. Hazard Mitigation Plan**

Mark told the Commission that, Police Chief, Dave Schofield is the man to talk to about the

Hazard Mitigation Plan. He said that if the Commission would like to have Dave for a meeting, Mark will invite him to one, but the Commission will have to notify him ahead of time. Charlene Arneson said that she doesn't have the sheet in front of her that shows the years each plan needs to be updated. She stated that at each meeting the Commission talks about the Hazard Mitigation Plan and all the things the City has to add to it, so that when it's updated the City has all the documentation of its due diligence.

#### **E. Smitty's Cove Park**

Charlene Arneson stated Dave Schofield is looking to start ticketing people for anchoring in the area. She also said that the Ports and Harbor Commission were talking about rebuilding the ramp in the area. Mark Lynch replied that it wouldn't make sense to fix the launch ramp in an area where people aren't allowed to anchor their boats. He felt it'll be a way of forcing people to break our City ordinance by having that ramp there. He told the Commission that the new facility at the Head of the Bay will most likely have a launch ramp for landing crafts and people could launch their boats from there.

Charlene talked about the development of Whittier and the importance of it for the City. She expressed her excitement by saying she has been waiting for this for a very long time and that it was time that Whittier had some development.

Mark Mentioned a triathlon that may be happening in the summer called "Fat Bikes"

Charlene added that Kittiwake Day may also be happening in Whittier sometime in the summer. Charlene stated that this could bring in more tourists to the City and it will be a nice way to show them just what kind of City Whittier is.

#### **F. Whittier Historic Railroad Plaza**

Mark Lynch said that the team that was working on it last year will be back to start working on it very soon.

#### **G. CVP Fund Projects**

Nothing new to report.

#### **H. Shotgun Cove Land**

Mark Lynch reported that the City's contract attorney is reviewing an RFP that we're going to put out for a City Engineer and one of the primary functions for that will be to continue the development for Shotgun Cove road. He also will be doing the surveying of the land for the parks and some general engineering. Mark said that he is hoping that we will have an engineer for these projects by early or mid-summer.

Mark Lynch talked about the new Public Safety building and estimated amount of time until the City staff can move in. He also mentioned the size of the conference room and offered the Commission the room if they choose to have their meetings there.

The last thing Mark wanted to talk about was the lack of Hotel rooms in Whittier. He believes that if there were more lodging options in Whittier, that the City would be able to have fairly sized conferences. He concluded by saying, "I wish Joe were still here because someone definitely needs to start on that."

**8. CORRESPONDENCE**

None

**9. PUBLIC COMMENT**

City Councilman, Dave Dickason said, "Good job."

**10. COMMISSION COMMENTS**

None

**11. NEXT MEETING AGENDA ITEMS:**

**12. NEXT MEETING ATTENDANCE PLANS: May 3, 2017**

**MOTION:** Dyanna Pratt made a motion to adjourn the meeting.

**SECOND:** Ed Hedges

**VOTE:** Unanimous

**13. ADJOURNMENT: Charlene Arneson adjourned the meeting at 7:19 pm.**

**ATTEST:**



Naelene Matsumiya  
Office Assistant



Charlene Arneson  
Commission Chairperson