



# THE CITY OF WHITTIER

Gateway to Western Prince William Sound

P.O. Box 608 • Whittier, Alaska 99693 • (907) 472-2327 • Fax (907) 472-2404

**PLANNING COMMISSION  
REGULAR MEETING  
WEDNESDAY, MARCH 2, 2016  
Homeowner's Lounge, Begich Towers Building**

**MINUTES**

**1. CALL TO ORDER**

Charlene Arneson called the meeting to order at 6:02 pm.

**2. ROLL CALL**

Commission members present: Charlene Arneson, Terry Bender, Ed Hedges, Jean Swingle and Dyanna Pratt

**ADMINISTRATION PRESENT**

Mark Lynch, City Manager, Scott Korbe, Public Works Director, David Schofield, Chief of Police, and Jennifer Rogers, Deputy City Clerk

**PUBLIC PRESENT**

Mayor Daniel Blair, Lindsey Vaughan and Brandon Hunter

**3. APPROVAL OF REGULAR MEETING AGENDA**

**MOTION:** Ed Hedges made a motion to approve the March 2, 2016 Regular Meeting Agenda as is.

**SECOND:** Terry Bender

**VOTE:** Unanimous

**DISCUSSION:** None

**4. APPROVAL OF MINUTES**

**MOTION:** Dyanna Pratt made a motion to approve the Regular Meeting Minutes of January 6, 2016 as is.

**SECOND:** Jean Swingle

**VOTE:** Unanimous  
**DISCUSSION:** None

**5. ADMINISTRATIVE REPORTS**

Mark Lynch stated that he'll give updates on various topics as we cover them on the agenda.

**6. NEW BUSINESS:**

**A. Project Baseline Presentation by Brandon Hunter**

Charlene Arneson stated that Brandon Hunter is here to make a presentation as well as ask for permission to use the Smitty's Cove area for his project; he was not aware that he needed permission. Brandon Hunter played a video which contained samples of the underwater environment and sea life that can be found in the Smitty's Cove area.

He explained that the purpose of Project Baseline is to preserve and protect the resources with the public's support. They've created an organized way of documenting what's in Smitty's Cove and advocating for it. Creating a visual library; pictures, videos and presentations will play an important role in their project.

Brandon is the local project manager for Smitty's Cove. He established a baseline in Smitty's Cove and has created four monitoring stations. Station 1 is out in the sea whips in about ft. of water. Station 2 is directly under the wreckage of the old Alaska Railroad crane. Station 3 is on the wreckage of the pier that used to support the crane. Station 4 is just to the right of the boat ramp.

The four pvc marker buoys were placed without Brandon's knowledge that he needed to gain permission; he is here for that tonight and to ask for permission to leave the marker buoys and monitor the underwater environment.

Brandon stated that he'll be at the school on Monday for an interactive presentation. Touch tanks will be set up for the kids so they can interact with some of the critters. He asked for permission to remove plant and animal life for this presentation.

Brandon Hunter welcomed any questions.

Terry Bender stated that the Project Baseline is a wonderful idea. Charlene added that Smitty's Cove has been on the Planning Commission's agenda for years and would like to see it dedicated as a marine park. She added that divers are a great source of income during the winter months.

Charlene Arneson suggested that Brandon work with NOAA and the Coast Guard on getting Smitty's Cove designated as a marine park. She added that we already have our ordinance in place.

**MOTION:** Terry Bender made a motion to allow Brandon Hunter/Project Baseline to continue with his project and allow him to remove plant and animal life for the presentation he has with the school.

**SECOND:** Ed Hedges

**VOTE:** Unanimous

**DISCUSSION:** None

## **B. Pre-Application for lots near O'Neill Creek Road**

Representative present for Global Positioning Services, Inc., Lindsey Vaughan, clarified that the land for discussion is located to the right of the tunnel. Lindsey stated that there has been a few change since she originally submitted the plans in October. Passage Canal Co. originally wanted to subdivide lots 27-41 in hopes of making the lots more desirable for prospective buyers.

However, as time passed, they decided that they didn't want to pay for the survey before knowing if they had buyers. Their current main goal is just to survey the four lots that have the bunkers, (lots 38-41) so they can be sold to Chris Pallister, the Gulf of Alaska. Lindsey added that the lots cannot be sold until they've been surveyed.

Lindsey said she noticed that in the January minutes, there was reference that the zoning would need to be changed; however, for the purposes of lots 38-41, they're going to be used for boat storage. Mayor Daniel Blair asked what is the land zoned right now. Charlene replied that everything at the head of the bay is zoned industrial. Lindsey stated that the zoning maps she found online showed the head of the bay, but it didn't cover some of the lots. Charlene replied that our official zoning map can be found in the Comprehensive Plan. She further stated that everything at the head of the bay is zoned industrial.

There was a lengthy discussion about the table of uses in the Whittier Municipal Code and whether or not boat storages are permitted under industrial use. Lindsey Vaughan stated that the bunkers are currently used for boat storage and equipment storage for the Gulf of Alaska Keepers. Mark Lynch asked Lindsey Vaughan if they're leasing it and using it for their own private boat, or is it being used for commercial boat storage? Lindsey replied that the Gulf of Alaska Keepers are using it. Mark stated in his opinion, he feels it falls under commercial storage.

Dyanna Pratt suggested that the table of allowed uses be amended to add boat storage. Mark Lynch replied that the commission can make changes to the table and send it to council; it will take two readings for it to pass. Mark added that we probably currently have boat storage on private, commercial, and industrial zoned properties.

Lindsey Vaughan stated that they want to proceed with the project under garages, public parking for now. However, they'll submit a preliminary plat and probably will have a plat finalized before June. They'd like to move forward with the use of the commercial garage.

Charlene asked Lindsey if she is one the land owners. Lindsey replied that she was not; she is the land surveyor. Mark told Lindsey that before we can plat the land, we'll need something from the owner stating they want to plat it and that she is their representative because only the owner can take action on the property.

Lindsey also reported that they plan to put a turnaround at the end of the road. Mark replied that he has no plans to dedicate any street to the city right now unless they're willing to develop it as a street and meet all the city's requirements. Scott Korbe added that the city has no ownership of the road; it's all private. Mark added that the loop at the end of the road is private property. Lindsey stated that the road appears in the Comprehensive Plan as one of the roads for Whittier. Scott replied that it shows as a road in Whittier, but it's not owned by Whittier. There is no title, deed or any formal dedication of that road or right of way.

Charlene Arneson stated O'Neil Road and O'Neil culvert does not belong to the city, but we were able to receive funds to repair it because we went through the Prince William Sound Advisory

since it affects the Portage Pass Trail and Forest Services.

Lindsey then said that Brooke Marston owns a great deal of the land at the right-of-way for the trail. They have about 270 acres and wanted some input on whether or not the city has any ideas of what should happen there instead of leaving it as is.

Lindsey clarified that if it would be a big issue to get it rezoned so they can get different uses. Scott Korbe said that there is a mechanism in the code for property owners to request the use of their property through conditional use. Charlene added that depending on what the intended use is, it may not be necessary to rezone it.

Lindsey stated that for tonight, they're just looking at the four lots. Scott Korbe informed Lindsey that in development of the plats as listed on her sheet, she needs to be sure that the proper setbacks are adhered to when the road is being designed. Lindsey asked Scott if they need to be far enough from the bunkers. Scott replied in the affirmative.

Mark stated that concerning the trails, he understands that it is managed entirely by the US Forest Services and they are including that trail in the Trail Network. Lindsey stated that the trail is not owned by the Forest Services and the parking lot is on Passage Canal land. Mark recommended that they work with the Forest Services.

Lindsey stated that they believe they are to some extent, but there's a great deal of land there that isn't being used by the Forest Services. Scott Korbe stated that there is a combination of uses there. Yes, they are parking on the road, but they are also parking on state owned property. The parcels that are to the north of Passage Canal Drive belong to the state.

Mark asked Lindsey for clarification on the 40 ft. drainage easement centered up creek in the original map that she provided. Lindsey replied that it meant property owners could not do anything to disrupt the flow of the creek. Mark asked if it was an intended dedication. Lindsey replied that it was not.

In regards to the turnaround at the end of the road, Mark stated that in the city's opinion, since it's private property, they can put a turnaround if they want. Scott Korbe requested that they design it according to design standards just in case there is a fire or need for an emergency vehicle to go there. Mark said that all the platting requirements can be found in the code; Titles 15 and 16. Scott Korbe asked Lindsey if the land has been surveyed. Lindsey replied that the contours are from 2001 aerial photo interpretations.

**MOTION:** Terry Bender made a motion to accept the pre-plat and proceed with the preliminary.

**SECOND:** Dyanna Pratt

**VOTE:** Motion passed unanimously

**DISCUSSION:** None

Lindsey added that some of the uses they have for the land is boat storage and summer cabins.

Charlene Arneson suggested that we move Dave Schofield's report on the Hazard Mitigation Plan to the next item to discuss. There were none who objected.

## **A. Hazard Mitigation Plan**

Chief of Police, David Schofield, reported that he has not worked with the plan that comes up every few years, but in 2015 he worked with Alaska Emergency Management and Whittier Security Assessment. They looked at man-made hazards as well as natural hazards. For that assessment, they looked at the Begich Towers, the railroad, both of the cable landings at the head of the bay, the harbor, the P-12 building.

The assessment looked at the impact it would have on Whittier but also the state as a whole and how long it would take to get these facilities back up and running. A lot of the information isn't for the public, but it can be used if we want to apply for grants to correct some mitigation problems.

Members of the Emergency Management for the State of Alaska came down and visited each site. They interviewed people specific to each site. Another aspect of work that will be specific to the hazard mitigation plan is the SCRP Plan, which redesigns the current Emergency Operations Plan.

SCRP Plan is designed for smaller communities with populations under 1,000; it's an all hazards plan. The SCRP Plan is designed around roles or titles, not people or specific names. Mark added that we're not assigning any specifics, just general information. The email address and phone numbers will stay with the position so that the contact information stays the same even if the person changes. Dave Schofield added that we now have the opinions of experts in the field for the hazard mitigation plan. The cost of the SCRP Plan will be picked up by the state. He said that he has seen the second draft, so he's just fine tuning it. As soon as he feels it's ready, he'll ship it out and they'll make booklets.

Charlene Arneson thanked Dave Schofield for his work on this.

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

### **B. Tidelands- Maps**

Mark Lynch went over the maps he gave the commission members. He suggested that we write in our code, "Any sections of tidelands in the city limits that is not in an area that is not platted should be zoned recreational tidelands." He stated that he needed assistance with zoning the water near the triangle area because he wasn't sure where the zoning line should be; he wasn't sure if it should be zoned commercial or recreational. He wanted the input of the commission members on this and reminded them that we can zone the tidelands without owning the land.

Mark stated that he'll get in touch with WH Pacific to see if they can generate maps with updated zoning for tidelands. Charlene stated that Suzanne Taylor and Michelle McCullugh are the two employees who worked on creating maps for the city.

Terry Bender asked about the businesses that wanted to do something from that site. Charlene replied that we have conditional use and variances. Mark added that business don't have leases that go out to the breakwater. The breakwater belongs to the city. There's a 10ft. buffer between the business and the breakwater that is retained for public access.

Scott met with our insurance agent today and examined the damage that occurred as a result of the recent earthquake and whether or not we have a claim. There is some soil erosion and the whole breakwater slid a little bit. The triangle cracked about 50-60 ft. in from the breakwater and the entire

triangle area sunk 6-8 inches. The ocean dock used to be 6-8 inches higher than the triangle, and now they're both just about level. The standard deductible on earthquake insurance is \$100,000 so they won't pay for anything unless the damage exceeds \$100,000. Mark added that earthquake insurance doesn't cover land damage, only structures.

Mayor Daniel Blair inquired about the ownership of land zoned on the map. Mark replied that we don't have to own the land to zone it. We can zone private property as well. We can zone the tidelands without owning the tidelands. It's within the city limits, therefore, it's within our rights to zone it.

The Commission members had a brief discussion and stated that they want to zone the tidelands starting at the mean high tide to 100 ft. beyond the lowest of low tides.

### **C. Tank Farm**

Mark stated that he received an email from the Department of Defense giving him an update on where we are with the transfer. The land transfer was supposed to be finalized last November.

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

No new news to report. Mark Lynch and Mayor Dan Blair have a meeting scheduled with the attorney next week to discuss this.

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

Charlene Arneson stated that Brandon Hunter had a great presentation. She hopes that we'll eventually have a park. Ed Hedges added that if it becomes a marine park, they can't anchor there. Charlene agreed and added that they can still fish and it would be a no wait zone.

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

Scott Korbe has been working with the Corps on this project. The old monument has been dismantled and the plaque had been cleaned up and polished this winter. The Corps is supposed to return in the spring to start putting the monument back together.

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

Mark Lynch reported that the city council authorized the use of 2.5 million for a new public facility building. We currently have 3.5 million in the CVP funds. Future CVP funds will likely go towards completing the harbor project; however, the state wants to take all future CVP funds.

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

Mark reported that he'll meet with an engineering firm for the RFP for the next phase of the project. A new RFP is needed for the 2<sup>nd</sup> Salmon Run to Emerald Cove or Trinity Point. Mark reported that he's had a number of communications with the state and federal lobbyist. There had been changes to how the Western Federal Lands money is allocated. It now requires a 9% local match for 91% federal funds. Scott Korbe will work with Tim Charnon.

Mark stated that the Forest Service owns land at Trinity Point. He was told that the only way we'll get enough points in the selection process is if we have a federal agency who want to get the road there.

He'll work with Tim Channon to see if we can get their support. Mark added that it might take a while because the entire pot of money for the State of Alaska this year is 8 million dollars for the Western Federal Lands and there will be at least applicants for that money.

**I. Street Addresses**

Jean Swingle stated that the street addresses issued are legal, though outside entities will not recognize it.

**8. CORRESPONDENCE**

None

**9. PUBLIC COMMENT**

None

**10. COMMISSION COMMENTS**

Jean Swingle asked for clarification regarding the land near the bunkers. She asked if people would have to pass their land to gain access to the Portage trail head. Mark replied, yes, they would. But they should speak to the Forest Service since we have no control over that. they own a good portion of the Portage Pass Trail; it's on private land.

Charlene Arneson replied that the Forest Service have a letter of MOU allowing them to use the land from Marston allowing them to use the land for parking.

Mark stated that the council authorized him a letter supporting the Forest Service in purchasing some lots up there from Marston to put in a parking lot and a trail head before the bridge. He is unsure if they're working with Marston Brooks on the purchase of the actual trail or right-of-way for the trail.

**11. NEXT MEETING AGENDA ITEMS:** To be determined

**12. NEXT MEETING ATTENDANCE PLANS:** April 6, 2016

**MOTION:** Ed Hedges made a motion to adjourn the meeting.

**SECOND:** Terry Bender

**VOTE:** Unanimous

**13. ADJOURNMENT:** Charlene Arneson adjourned the meeting at 8:00 pm.

**ATTEST:**



Jennifer Rogers  
Deputy City Clerk



Charlene Arneson  
Commission Chairperson