



THE CITY OF WHITTIER

Gateway to Western Prince William Sound

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**PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, DECEMBER 7, 2016
Homeowners' Lounge, BTI Building
6:00 p.m.**

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, Jennifer Rogers, City Clerk and Naelene Matsumiya, Office Assistant

PUBLIC PRESENT

Joe Shen, Wayne Shen, Dan Jenke, Dave Dickason, and June Miller

3. APPROVAL OF REGULAR MEETING AGENDA

MOTION: Dyanna Pratt made a motion to approve the December 7, 2016, Regular Meeting Agenda as is.

SECOND: Terry Bender

DISCUSSION: None

VOTE: Passed Unanimously

4. APPROVAL OF MINUTES

MOTION: Terry Bender made a motion to approve the Regular Meeting Minutes of November 2, 2016 as is.

SECOND: Dyanna Pratt

DISCUSSION: None

VOTE: Passed Unanimously

5. ADMINISTRATIVE REPORTS

City Manager, Mark Lynch, stated that he would report on items as we cover them.

6. NEW BUSINESS:

A. Public Hearing for the Rezoning Request Submitted by Joe Shen for Block 5, Lots 2 and 3.

Planning and Zoning Chair, Charlene Arneson, closed the regular meeting at 6:08 p.m. called the Public Hearing to rezone Block 5, Lots 2 and 3 to Order.

Charlene Arneson invited property owner, Joe Shen, to come forward to give testimony on behalf of his rezoning request for Block 5, Lots 2 and 3, from residential to commercial.

Joe Shen said, "Simply, we just need more parking spaces. That's it. And I think that the Planning and Zoning officers foresee that too. The building has 196 units, and it's supposed to have 292 parking spaces as the zoning ordinance says, but they don't even have this number. That's as simple as I can put it. That's it. We need more parking spaces. Every night, I come home and I'm probably the last person to get back, but I have to circle the building three times. A couple of times, I have to drive back to the boat lot and walk back." Joe Shen's contractor, Dan Jenke of South Fork, urged Joe to sign the sign-in sheet. Joe Shen stated that he had.

Charlene Arneson opened the portion of the public hearing for those who are in favor of it.

Charlene Arneson said, "We're still on anybody who is for it can testify at this point. If anybody in the audience can come up, sign in to testify what they think on this particular hearing." Dan Jenke began to speak, but Charlene directed him to come forward and to sign the sign-in sheet to let the Commission know why he's for it. Dan Jenke came forward to testify in favor of the rezoning saying, "I'm Dan Jenke, the contractor and I'm for it because it'll good for Whittier. The reason I'm for it is that we'll have additional parking. So I am for the rezoning from residential to commercial."

Charlene Arneson invited Wayne Shen to come forward to testify in favor of the rezoning of Block 5, Lots 2 and 3. Wayne Shen signed the sign-in sheet and thanked everyone for their time. He continued, "The reason I am for the rezoning of Block 5 from residential to commercial is permanent uses in the the commercial zone. I believe that having additional parking spaces will relieve the stress here at the BTI especially during the busier summer seasons. In the summer we'll have seasonal workers and tourists and those of us who work late at night, and when we return home, we sometimes have to drive around a couple of times just to find parking. All the vehicular traffic is unnecessary. So we want to have fewer vehicles and less traffic. It's a safety concern too, and we can help reduce that by relieving the traffic with these additional parking spaces." Dan Jenke mentioned the lot will also be used as a snow storage in the winter.

Dyanna Pratt asked Charlene Arneson if the Commission could ask questions at this time. Charlene said, "We will. When our portion of the hearing comes up, we'll be able to ask questions."

June Miller came forward to testify in favor of the rezoning. She signed the sign-in sheet and began, "I think it would be an addition to our comfort and availability to park our cars. There is a shortage of parking. We definitely need more parking in Whittier, and I have circled the building

three times myself. Many times, I had to park in a not so comfortable parking spot and then have to move my car the next morning when somebody else went to town. So, there's definitely a shortage of parking in Whittier. Okay. So, I'm for it."

Charlene Arneson thanked June Miller and asked, "Is there is anybody else in this category that would like to testify?" Seeing none, she closed that portion and opened the testimony for those opposed. She asked for those who are opposed to come forward and sign in. Seeing none, she closed that portion and opened it up for those who are neutral and have an opinion in any way and would like to make a statement. Seeing none, she asked again, "If anyone in the audience would like to testify any second thoughts they may have," adding, "This is your last chance. The only person from now on that can comment and answer questions when I open it up to the commission will be the applicant."

Charlene Arneson closed the public part of the public hearing and opened it up to the Commission for discussion. Terry Bender asked, "Will you be taking it down to street level all the way?" Joe Shen's contractor, Dan Jenke, asked if the question was for him because he is the contractor but Charlene reminded him that Joe is the owner. Terry Bender asked Joe Shen, "Will it be going completely down to street level?" Joe replied, "A little bit higher."

Terry Bender asked, "And will you be charging for people to park there?" Joe answered, "For my own tenants and their guests, no. I have to think about the charge—" Dan Jenke interrupted Joe, "What do you mean? Yes. 'Yes' is the answer." Charlene said, "Wait a minute." Terry, Joe, and Dan began to speak all at once. Terry said, "But that's still not going to help the BTI's problem then, unless somebody wants to pay you besides when we're already paying for parking here." Joe said, "BTI doesn't even charge people for parking." Terry said, "What do you mean they don't charge for parking? Have you not bought your parking permit yet? Don't you see the signs?" Joe said, "No, that's not charging that's just identity." Charlene said, "Oh, no, they charge." Dyanna said, "Fifteen dollars a year."

Terry said, "Last question, Joe. How are you going to protect little kids from falling into that creek? You know, if we apparently park there and a child jumped out and headed right for it, I mean, it's a natural..." Dan Jenke asked if he could answer Terry's question. Charlene asked Joe if he would like to have his contractor answer for him. Joe allowed it. Dan Jenke replied, "We have a drainage plan that we submitted to the City of Whittier, Department of Public Works, and they're reviewing that right now and that drainage plan might include a screen for kids, dog, cats, and stuff but we're waiting for that to be reviewed. They have fifteen days to review it and make a decision, and if they don't like it, they can come back to us with changes. And that's what we're asking for."

Wayne Shen added, "They're already reviewing it." Terry asked, "If you're not taking it down to street level how deep will the edge be to the creek? I mean, I walked up there with my dog before you blasted so much and it was like a gully. If a child were in there, it would never come out. But I remember how high it was at that time and I notice it's getting closer down." Dan Jenke replied, "We do have a drainage plan, and we do have an overall finished grate plan. I know we're under construction and, yes, I am responsible currently for any dogs, cats, or anything that goes down that pipe. And yes, we are being careful." Terry responded, "Well, I just wondered what the depth

would be." Charlene asked Joe Shen if he would allow Wayne Shen to answer Terry's question. He allowed it. Wayne began, "So, when you're working with material like soil, or any kind of rocks, or gravel typically, a really good rule is to have a 1 to 1 slope; that's like 45 degrees. So it's not going to be like a cliff where someone could just fall off. It's going to be a minimum of a 1 to 1 slope. That means, 1 foot of height increase and 1 foot across. And that's the minimum. That's one of the things that we're working on. If you were filling a ditch, you'd want to have that kind of slope. Just one reason for safety and it also prevents erosion. If you had it too high, that would erode, eventually, back to its natural state." Joe Shen's contractor Dan Jenke said, "So, 'yes' is the answer. Yes, it will be addressed and it will be safe."

Charlene Arneson said, "Before we go any further, I need to make a statement that this came before the school board and they reviewed it and at that time I did not participate in it. This is what they call an ex-parte, letting you know that I made no decisions, I didn't vote on it and that my conscious is clear. But I wanted you to all know that this did come up before because they're one of the landowners, they had to approve so it was done by the other board members. Be very careful to follow the rules right down the lines."

Joe Shen said, "Let me ask Terry Bender a question. She said since we'll let other people, let my tenants and their guests' park there. Naturally, it will release the pressure for here." Terry Bender replied, "Yeah, but it won't do anybody who lives here any good because June's talking about going around the building and then maybe going to your lot and since you're going to charge people—" Joe Shen began to talk over Terry making the rest of what she was saying inaudible. Joe continued to speak, "...If tenants were to park there, then that will release the rest of the spaces for other people." Dyanna Pratt asked if all his tenants will be parking in his parking lot. Joe said, "I'm not saying all, but they might have a choice, you know, they could park there." Dyanna said, "Yeah, I believe that will definitely alleviate it."

Charlene asked Jean Swingle if she had any questions to ask. Jean asked, "I could be wrong, but when I asked about the blasting you told me that Scott oversees things like that. So I'm assuming that the questions Terry's asking about the safety and everything, that the City, in some capacity, oversees that too, right? I mean, we're not just saying 'Yeah, go ahead, make a parking lot and do whatever you want.' Scott oversees the project?" Charlene replied, "And we can do this with the contingency that the City is satisfied that they are doing everything that the city needs and they're following the ordinance and whatever Scott or the City Manager requires. We could do that as an addendum just so that they know that's their responsibility."

Dan Jenke asked if he could say one thing, "Here's what the contractor-- once we have our plan and we get it all finished we finally finish the project which will take three years now, I still have two years of liability." Charlene said, "Yes, I know." Dan Jenke continued, "You understand that it's my problem and we do have a two lane insurance policy in place with Scott, and so does the blaster (inaudible) so it's not like it's in place in the city office, am I correct? And if there's any question about that, they can get it renewed. And that goes on for another two years after the job is done." Charlene said, "Good. That's good information to know; for the public as well. Jean, was there anything else? And we'll talk about that later because we did discuss this issue a few meetings ago having a permit put in place so we will address that later. Any other questions?"

Ed Hedges asked, "I was just wondering how many parking spots are going to be there." Joe Shen answered, "We don't know yet." Joe's contractor interrupted, saying, "Yes, we do. We have to measure it out in square footage and the problem is until we can get our drainage plan approved by the city, we really don't know the square footage there. It all has to fit into a real plan and that's what Wayne's going to work on. This is the first time I've ever work with a client that actually cares. He's not one to do the zoning changes, sell the property, and leave town. That isn't going to happen. The bottom line is, I think Wayne deserves a round of applause." Charlene said, "Well, just to let you know, he's one of the products of our school district." Dan replied, "Yeah, but he went beyond, way beyond." Charlene said, "He got his start there, though." Charlene asked Dyanna if she had any questions, Dyanna replied that Terry had covered the questions she was concerned about. Charlene stated that she just wanted to make sure everyone from the Commission was able to ask questions.

Charlene said, "My question is, in the winter time if you're having all this parking, you have to put the snow someplacc. Do you have a plan for where the snow will go?" Wayne Shen answered, "In our preliminary design for the drainage in the winter we have a lot of snowfall we have some glaciers. One method to help mitigate the water flow coming down during the spring is during the winter when we have lots of snow, we want to pile snow make a snow wall, kind of like a snow levy. So when you make the snow, the snow is a little denser, denser than the typical snow that falls. That gathers up, and water likes to travel on the least resistant route. So, is the water going to flow through the denser snow or is it going to flow through the fluffier snow? It's going to travel along the lightly packed snow, and then that snow wall will help gather that water and divert it off into our drainage."

Charlene said, "So, in the summer time, if we would have one of our perfect storms, we get 15 to 20 inches of rain overnight, how are you going to handle *that* in that stream? Will you have a natural channel then, to go to the culvert?" Wayne answered, "The preliminary design hasn't been approved, and Scott was very kind. We had a nice meeting on Monday to discuss some solutions and some options..." Charlene said, "It hasn't been approved but you have submitted it so you know what the plan is." Wayne said, "Correct, it's not approved because we're going back to revising it to improve it." Terry Bender said, "Charlene, I don't think Wayne answered your question, did he, about what they were going to do about the excess snow?" Charlene told Terry, "What they're going to do is pile it up so that there's a dike to allow the water, when it decides to rain like it does here in the winter time, that will maintain that from running out through the parking lot. That was my impression, is that correct?"

Wayne answered, "Snow dike, snow levy. When you move snow around you're making them denser, so it's more packed and it acts like a barrier that prevents the water from going all over the place." Charlene asked, "So, just in case you get 40, 50, or even 60 feet of snow that we haven't had for many years, will that be enough or will you have a contingency plan so that you don't have to put snow—you know, you can't put snow any place but on your property. Will you use just maybe one lot or..?" Wayne replied, "In the winter we do not plan to use it entirely for parking because the season will be over. All the summer workers move out and there won't be many tourists here- it's mainly just the year round residents that live here." Charlene asked, "So, the parking lot is not going to be used in the winter time?" Wayne answered, "Not 100%." Charlene replied, "That's good clarification on that." Wayne said, "I'm expecting, at least, half of

each lot will be like a snow wall." Dan Jenke added, "That's our whole point is to make a snow wall in the winter. We also want adequate drainage, and he has a really good adequate drainage plan. It just needs to be revised and reviewed because Scott has asked for bigger pipes, stuff like that. Whatever he wants because we're working with the City."

Charlene said, "Okay that sounds good. So are there any other concerns other than snow and water and culvert and slanting of the drainage?" Dan Jenke expressed his concern about the amount of dog waste over by the property. Charlene said, "Well that's not my problem. That can be addressed at other commissions. But if Joe was going to be really nice, he could put a dog run across there with a fence so people could put their dogs and they're going to take care of it." Dan Jenke said, "Wayne said he wanted to go dog walking for extra money." Charlene said, "Okay. Now I have to make sure that everything has been asked. Mark, did you have any questions or thoughts? Scott?"

Scott said, "One thing about this project, Mr. Shen, Wayne and the contractor have been incredibly compliant with every request that I've made. They've been very patient with helping develop a blasting plan to protect the interest of the City and its infrastructure. So it took a little bit of time, but we got it back to them in about-- we gave them the requirements and what they needed to provide in about five days and they had it to us within 25-30 days. We had it back to them approved within five days. So we've worked really well together Wayne has been in my office, we just had a two-hour meeting discussing my concerns, the rest of the city, liabilities, and we will be revising plans and addressing them. We have three different scenarios, and we discussed another fourth scenario it's kind of value engineering for them. They're gonna go back and take a look at different options, figure out what's cost effective and if they wanted to change something in the future, increase your driveway width, that could come before you in a future day, but they wanted to make sure their construction is in line with our current regulations and also may have the potential for future expansion."

Charlene asked, "And they also comply with the State Statutes?" Scott said, "All the regulations, that I am aware of, they have. I know they're blasting and the state regulations they transport and exposing the trails. The notifications that they have provided for the storm water prevention plan as well. Scott Korbe was inaudible."

Charlene said, "Very good." Terry asked, "What percentage of people around this property are in favor of it?" Charlene answered, "In order for Wayne and Joe to bring this in front of us they had to have 80% of the people to say yes. And I'm sure Jenny and the City made sure of that approval request from the other land owners. One thing I did notice in some of the letters is that they would like to see their lots also go commercial and I want to make it perfectly clear that because we, if and when we do approve-- this it is not carte blanche for everybody to have it approved. In the past I've had people come in and say 'Well, you said precedence because you did it for so-and-so so you got to do it for me.' That's not the way it works. That's just so that everybody is clear that this is all done by case by case basis. As far as I know the City is pretty neutral on this."

Dan Jenke said, "You know the City is not going to maintain that culvert whatsoever. They take no liability whatsoever. Actually, Joe Shen pays for everything and you guys are getting a huge benefit. I never thought about that." Wayne Shen said, "Because we own the culvert, we pay for

the culvert. It's a private driveway that we own." Dan said, "See what I'm saying? The City has no liability." Charlene said, "Yes, they city always has a liability." Dan said, "Not there." Terry Bender, Dan Jenke and Charlene Arneson began to speak all at once making their individual statements indistinguishable. Charlene settled them down saying, "We're getting off subject here."

Terry asked, "I was just wondering when he was talking that way, I just think about the years that it's been so stocked up, it was spilling down the street and taking out the cement so. I mean, yeah, if it all stays in Joe Shen's little space he's liable for all that." Dan asked, "Why would he be liable for that? I think the City should be liable. I think the City should take over the drainage explosion." City Manager, Mark Lynch said, "Then I have an objection to that." Charlene said, "That is not what we're here for." Mark Lynch said, "If we're gonna go down that road, that's fine. We can stop this hearing right here and now. I mean, it was the contractor that brought this up so I think it ought to be settled." Dan Jenke said, "It's settled that the owner should be responsible."

Charlene asked, "I am going to ask Joe if he has any other comments he would like to make before we make our decision." Joe didn't have anything else to say so he thanked the Commission and the people who attended the meeting saying, "Thank you to those who supported. Thank you to those who asked questions. We will take everything into consideration." Charlene said, "All right. We have discussed and asked questions now we can discuss amongst ourselves. So, Commission, do you have any other concerns changing this?" The Commission had no further questions or concerns.

Charlene closed the public hearing for the rezoning of Block 5, lots 2 and 3 at 6:38 pm.

MOTION: Terry Bender made a motion to approve the petition for the rezoning request submitted by Joe Shen to rezone Block 5, lots 2 and 3 from residential to commercial.

SECOND: Ed Hedges

DISCUSSION: None

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

B. Public Hearing for the Rezoning Request Submitted by the City of Whittier

Charlene Arneson opened the public hearing for the City of Whittier's application for the rezoning request of Open Space at 6:40. Charlene took some time to describe where the area of interest was to Terry Bender as she was a little confused.

Charlene opened the portion of the public hearing for those who are in favor of it.

Charlene invited, City Manager, Mark Lynch to come forward to give testimony on behalf of the City's rezoning request for Open Space. Mark took a seat and signed the sign-in sheet.

Mark Lynch said, "I guess the short story is, starting close to a year ago, the Parks And Recreation Commission started talking about developing a new city park. Part of that is

because the park location it's in now overlaps with the required radius around some of the water walls and there was a little bit of concern about what the future holds. We don't know future EPA regulations and how strict they may get. I know at some locations, including Cordova, they made them fence in some of their facilities. So there was a bit of a concern, and they started talking because we were going to start putting some infrastructure into the parks. So there was a discussion about where it could be placed, and then the property behind the school, toward the waterfall came up. That property is part of a much larger property that goes all up the mountain side and all around as Charlene described. The reason for rezoning- I'm sorry not rezoning. Currently, this property is not zoned. The reason for making it all green space or Open Space under our code is that's what is all is already, just green space. There's some trails up there, and I know Victor Shen's not here, but he's talked about the possibility of creating some new trails going up, somehow, and tying into some other trail. But anyway, it's all part of this property that the park will be relocated on. So it's simply a zone to green space. I think we call it Open Space, but it is essentially green space. Its purpose is for parks and trails and outdoor recreation which is essentially what it is anyway. And City Council had directed me as City Manager to have the zoning change done. They feel that that more properly designates it as a park area. I'll also throw in; there was a discussion one time about surveying off just a smaller area down here but the cost of surveying in that rough terrain is so high that basically, I just decided why not just zone the whole thing because it's all green space anyway. It'd be kind of a waste of money to spend thousands of dollars just to survey off a little piece down here."

Charlene said, "Sounds good. Thank you. Is there anybody else that would like to testify for the zoning of the Open Space?"

Dave Dickason, head of the Parks and Rec. Committee came forward to testify in favor of the rezoning of open space. He said, "Just a couple of quick notes for the zoning of Open Space. It'd be nice to be able to create some park space for the community. I think everyone knows this but a park space is extremely important to any community. It's good for the health of the citizens of the community in creating some space for recreation and it's also good for the economy. It increases property value of the properties around it. I just feel that it will really help draw and attract visitors and it's in a beautiful area back there with the waterfall and I think that's a natural attraction. People automatically want to go back and I think if by zoning the Open Space where we can create a park, it just allows us to put some infrastructure in there that we know will be awfully secure. Also, I got a grant of about \$10,000 from the Kenai Mountain Heritage Center. One thing they mentioned when they awarded the grant was they thought that the City designated that as park space so that it wouldn't be something that could be taken away some time in the future. And they didn't say it was absolutely necessary but they've said that it really was something they'd highly recommend. And I just wanted to make sure that was in there. Charlene thanked Dave Dickason for his testimony.

June Miller came forward to testify in favor of the rezoning of Open Space. She said, "I think it's a wonderful idea. I have a lot of hikers and kayakers and mountaineers stay at my condo suites and I'd love to have that area more groomed and developed. I send people to that waterfall all the time for a beautiful picture in the evening so that's one of my perks about Whittier because we have all these waterfalls. We have thirteen or eighteen when it's raining. And so this one here, in the back, it's so peaceful, it's so kind. Years ago we had a softball diamond in the back there

where the kids played softball. And there's a possibility that people could go cross country skiing. Maybe we'll even have a zip line and snow machining. But we've also had people in gliders come off that mountain. So I think we will benefit, both the community and the economy, and it'd be nice to call it our own. I think it's wonderful."

Charlene asked if anyone else would like to testify in favor of the rezoning of Open Space. Seeing none, she closed that portion and opened it for those who are opposed to the rezoning. Seeing none, she closed that portion and opened it up for those who are neutral.

Wayne Shen asked, "Just for clarification, which zoning are we going for? Open zoning or green space?" Charlene said, "What it is, is that the ordinance that we have, there are districts but there isn't a district for Green Space but we do have one for Open Space. And if you read the one on Open Space, it is basically whatever the City wants to put in there. That means, nobody could just come in and just plunk down and do whatever they want in that area that we're going to be zoning. They would have to petition the City and also the Planning and Zoning. So when Parks and Rec. come up to bring up their plan, they would bring that before us and we will review it and the City will give us their thoughts on it and then we will approve it so that it's official. Say somebody decides they want to put a mobile vendor up there for food; hotdogs. They just can't go up there and do that neither can they do that in the parking lot of the park. They would have to have the City approve it. Everything that needs to be done in Open Space needs to be approved. It kind of gives the City more access and control to what happens in their area. And at the top of the mountain, that is Chugach National Forest. DNR and the Railroad also own land here. If they wanted to do anything, they would also have to come and ask us. But it also protects our watershed and that is extremely important because that's what we use to do our water with. And I do know that Victor wants to do a trail up and around that area. Some of them, heavy duty trails where you have to be pretty good to do that and the other would be one that would connect with Horsetail Falls trail."

Charlene asked if anyone else had any other questions. Wayne asked, "If it's open space, does that still leave the opportunity for development for a hydro plant?" Charlene answered, "That would be up to the City. Again, it would be brought forward, discussed, and put together. With something like that, the community would have to be involved, but that would come from the City, pretty much. And as history, we have done that. We have gone through— we did have a private person who did want to put in a hydro plant and that didn't work out because it was not inductive to what the city wanted. And you don't stop industry, you don't stop progress, but what you *do*, do is you control it to fit into what the masterplan is for the City. So that it just doesn't scare them to do whatever they want. Does that make sense?"

If somebody wanted to put a hydro plant, I mean, I looked at that stream coming down, they're thinking, 'Joe should put a Pelton wheel.' That was the thought that went through my head but that's not his property. But if you were going to do it on the waterfall up here then the DNR, the State, the Park would get involved. And I would think it would be yours before you got it done. I know that at one time they planned on culvert, a big, big culvert coming down when they were thinking about repairing the dike that that was going to be part of the shoot that would be part hydro. There was a lot of talk about that but cost effectiveness for the City. The last few years would have had a lot more months of

electricity if we put that.

So that lets you know that that has been discussed and redone many times over the last several years, but if you've got a plan, let us know. I'm very much in favor of this because I do believe that it can be developed and maybe even in the future if it becomes a really nice park and whatever it develops into, maybe we could even want to have some commercial up there. It depends upon the plan and the city so Open Space allows that to happen with a good plan and with the city to allow that. But, again, it would have to be approved by the City, Planning and Zoning, and even the City Council. Open Space protects and still allows for some kind of development if that is desired. I believe this is good economic development for us. I think that having known how many people actually hike our trails-- the idea that we can start at Portage Pass and go completely through the City. I would like to think that eventually in the future these trails could be advertised for skiing. We need some development industry in the winter time to help support and I think this is an opportunity to open the door for that." Dyanna Pratt asked, "Is that going to have any impact on the snow machine-ers in the winter time? Going up the path?" Charlene said, "Well, going up the waterfall that is something I hadn't thought about. That's something the City would have to address. But also, they need to clear it with the Forest Service." Dyanna said, "We already do that. We already have trails that are cleared. That's already done. It's approved to go up to the waterfall back here with a snow machine." Charlene said, "So that's something you need to bring before the City and then ask them if they want to have it reviewed."

Mark Lynch said, "I think currently, the Forest Service works with Scott and I don't see any reason why that might change or that it would change." Scott Korbe said, "The technical answer is access to the ice fields of Chugach National Forest is through private property ie: the City. The City has control over who can enter and egresses through their property." Charlene said, "Yeah, I know. A few years ago they were going to do a helicopter up there with dog sleds and Forest Service got a little hostile over what they had to do to clean up and make sure everything stays," Ed Hedges said, "Somebody was going with snow machines one year and it only lasted a month when somebody drove a snow machine into a crevasse. And that was in the summer." Charlene said, "Yeah. That was bad. Are there any other comments?" The Commission did not have any further comments.

Charlene closed the Public Hearing at 6:55 pm

MOTION: Ed Hedges made a motion to approve the City's Application to rezone Open Space

SECOND: Terry Bender

DISCUSSION: None

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

7. NON-ACTION BUSINESS

A. Tidelands

Nothing new to report.

B. Tank Farm

City Manager, Mark Lynch, reported that he had contacted the Corps. Of Engineers and they said they were waiting on the department in the Army before they can proceed. Right now it's still in the process.

C. Land Trades with Alaska Railroad

Nothing new to report.

D. Hazard Mitigation Plan

Nothing new to report.

E. Smitty's Cove Park

Nothing new to report.

F. Whittier Historic Railroad Plaza

Mark Lynch predicts the Project will continue in the spring. Scott Korbe, Director of Public Works, said he found a stone mason and will begin to clear snow in April or May. Once the snow is cleared, the mason will put the stone on there and maybe finish the concrete and landscape work.

G. CVP Fund Projects

Nothing new to report.

H. Shotgun Cove Land

Mark Lynch reported that the 2 million was approved for the next phase for the Shotgun Cove Road but it is pending federal funding.

8. CORRESPONDENCE

None

9. PUBLIC COMMENT

None

10. COMMISSION COMMENTS

Dyanna Pratt thanked Joe Shen.

Charlene Arneson thanked the Commission and everyone who came out.

11. NEXT MEETING AGENDA ITEMS:

Charlene said they'd cover agenda items as the upcoming meeting approaches.

12. NEXT MEETING ATTENDANCE PLANS: January 4, 2017

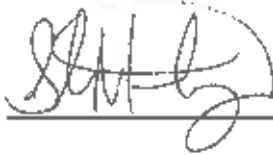
MOTION: Terry Bender made a motion to adjourn the meeting.

SECOND: Ed Hedges

VOTE: Unanimous

13. ADJOURNMENT: Charlene Arneson adjourned the meeting at 7:10 pm.

ATTEST:

A handwritten signature in black ink, appearing to read 'N. Matsumiya', written over a horizontal line.

Naelene Matsumiya
Office Assistant

A handwritten signature in black ink, appearing to read 'Charlene A. Arneson', written over a horizontal line.

Charlene Arneson
Commission Chairperson