

KETCHIKAN GATEWAY BOROUGH

Planning Commission/Platting Board Meeting Minutes

5/13/2025

The regular meeting of the Ketchikan Gateway Borough Planning Commission/Platting Board was called to order at 6:00 p.m., Tuesday, May 13, 2025 by Chair Jos Govaars, and the roll was called.

CALL TO ORDER - PLEDGE OF ALLEGIANCE – ROLL CALL

PRESENT: Chair Jos Govaars, Vice Chair Trevor Shaw, Planning Commissioners Robb Arnold, Darlene D-Svenson, Janalee Gage and Diane Gubatayao

ABSENT: Commissioner Michael Medford

STAFF PRESENT: Planning Director Frank Maloney and Platting/Zoning Clerk Crystal Vail

SPECIAL ORDERS

none

PRESENTATION OF MINUTES – PC Meeting Minutes of April 8, 2025

M/S: SHAW/D-SVENSON to adopt the Planning Commission meeting minutes of April 8, 2025 as presented.

With NO OBJECTIONS,

MOTION DECLARED CARRIED

CORRESPONDENCE

Govaars asked commissioners to review the on the table documents, which contained comments from property owners regarding Case 25-030 and Case 25-031.

PERSONS TO BE HEARD

Christine Klein, Shelter Cove Road Project Manager AKDNR, presented information on the Shelter Cove Road Project. She presented the timeline of progress, the cost of the project and let the commissioners know that a preliminary plat would be coming to them at a future meeting.

UNFINISHED BUSINESS/ PUBLIC HEARINGS

None

NEW BUSINESS/PUBLIC HEARINGS

Govaars described the procedures for public hearings and appeals of decisions of the Planning Commission/Platting Board. He read that the agenda was published on May 9, 2025, and hereby entered into the record.

Case 25-027 is a request for a three-year conditional use permit (CUP) to allow a mobile building to be used as a residence on property located at 23 A/B and 27 Potter Road, Ketchikan Gateway Borough.

Director Maloney presented information on Case 25-027

Commissioners discussed and asked the director questions on the following topics:

- The applicant's compliance with conditions of previous conditional use permits
- The process of applying for conditional use permits

PUBLIC COMMENT

none

M/S: SHAW/GAGE to adopt Resolution 4505 A

DISCUSSION

SHAW and D-SVENSON commented with support for increasing the housing available for seasonal residents.

Upon roll call the vote on the MOTION was:

YES: D-SVENSON, ARNOLD, SHAW, GUBATAYAO, GAGE, GOVAARS

MOTION DECLARED CARRIED

Case 25-028 is a request for a conditional use permit (CUP) for a triplex use on property located at 717 Canyon Road, City of Ketchikan.

Director Maloney presented information on Case 25-028.

PUBLIC COMMENT

The applicant, Laido Romero, was present and commented that his intent was to offer the additional unit as a rental for nurses and pilots. The applicant commented that they had applied for the Borough's Accessory Dwelling Unit (ADU) Grant Program.

M/S: GUBATAYAO/GAGE to adopt Resolution 4506 A

DISCUSSION

None

Upon roll call the vote on the MOTION was:

YES: SHAW, GUBATAYAO, D-SVENSON, ARNOLD, GAGE, GOVAARS

MOTION DECLARED CARRIED

Case 25-029 is a request for a conditional use permit (CUP) to allow a triplex use and a variance to allow the use without providing the required off-street parking space, located at 621 Pine Street, City of Ketchikan.

Director Maloney presented information on Case 25-029.

PUBLIC COMMENT

The applicant, Megan Wampler, was present and addressed the concerns submitted by neighboring property owners and answered questions from commissioners. She stated that Forest Avenue is the likely parking area for a new tenant and that her proposed project would provide needed affordable housing. She also stated that the current and former tenants she has had did not own vehicles. She also applied for the Borough's ADU Grant Program.

M/S: SHAW/D-SVENSON to adopt Resolution 4507 B

DISCUSSION

Commissioners commented on and discussed the following:

- The subject area is condensed and congested
- Housing is a crisis in Ketchikan
- Many residents in this area do not own vehicles
- This is a request for a perpetual conditional use permit

M/S: SHAW/D-SVENSON to substitute Resolution 4507 A for Resolution 4507 B, approving the request for a conditional use permit (CUP) to allow a triplex use and a variance to allow the use without providing the required off-street parking space, located at 621 Pine Street, City of Ketchikan.

DISCUSSION

Commissioners discussed the appropriate method to create the findings for a resolution for approval of the request. Commissioners asked Director Maloney if it was possible to give direction to staff, through a motion, to create the appropriate finding. He responded by pointing out that only one recital of the denial resolution would need to be changed.

SHAW requested a recess at 6:35 p.m.

The meeting resumed at 6:41 p.m. and SHAW requested to withdraw his previous motion to substitute. With NO OBJECTION, the motion was withdrawn.

M/S: SHAW/ARNOLD to amend Resolution 4507 B, to approve the request by changing the Whereas statement, Whereas B. to read "WHEREAS, the Planning Commission finds that requested conditional use will not injure the lawful use of neighboring uses or public parking in the area; and" and to change the final provision of the Therefore section to read "That the request for a conditional use permit (CUP) for a triplex use with a major variance to allow the use without providing the required off-street parking space on portions of Lots 1, 2 and 3, Block 3, USMS 769, Ketchikan Recording District; located at 621 Pine Street, City of Ketchikan (Parcel No. 01-1424-003-900), be approved, subject to the findings contained herein."

Upon roll call the vote on the MOTION to AMEND was:

YES: SHAW, GAGE, D-SVENSON, ARNOLD, GUBATAYAO, GOVAARS

MOTION DECLARED CARRIED

Upon roll call the vote on the MOTION to ADOPT RESOLUTION 4507 B- AMENDED was:

YES: GUBATAYAO, ARNOLD, GAGE, SHAW, GOVAARS

NO: D-SVENSON

MOTION DECLARED CARRIED

Case 25-030 is a request for a conditional use permit to allow marijuana cultivation on property located at 3002 West Tongass Narrows, Ketchikan Gateway Borough.

Director Maloney presented information on Case 25-030.

Commissioners asked staff questions and discussed with staff about the following:

- The previous tenant operated a business with similar uses to this request.
- How many houses are on neighboring properties?

PUBLIC COMMENT

The applicant's agent, Mark Woodward, was present and answered questions regarding the following:

- There is one home on the property next door and according to the applicant the owner supports the request
- Access to the property for product transportation has been resolved and there is no trespassing occurring
- The property does not have a new owner, the lessee of the site and the license application are new
- Tidal dock access is available to the property

M/S: D-SVENSON/SHAW to adopt Resolution 4508 A

DISCUSSION

GUBATAYAO mentioned her support of this request is because it is within the legal bounds of the State of Alaska.

Upon roll call the vote on the MOTION was:

YES: SHAW, GOVAARS, GUBATAYAO, GAGE, D-SVENSON

NO: ARNOLD

MOTION DECLARED CARRIED

Case 25-031 is a request for a conditional use permit to allow marijuana product manufacturing on property located at 3002 West Tongass Narrows, Ketchikan Gateway Borough.

Director Maloney presented information on Case 25-031.

Commissioners asked questions and discussed with staff about the following:

- The previous business, which held AK State licensure for marijuana cultivation, has left the property and their license remains with them. If another business owner wishes to cultivate, they must apply for their own license and conditional use permit.
- Cultivation vs. Products manufacturing

PUBLIC COMMENT

The applicant's agent, Mark Woodward, was present and available to answer questions. Commissioners asked questions and the applicant explained the following:

- Concentrates manufacturing
- The business is required to adhere to state standards to ensure safe products
- The LLC requesting the CUP has filed all the appropriate organizational paperwork
- Former lessee performed cultivation at this site, not product manufacturing

ARNOLD made a motion to postpone until the next meeting. There was no second for the motion.

Commissioner Shaw asked for a recess at 7:03 p.m.

The meeting resumed at 7:10 p.m.

The Commissioners asked the applicant's agent, Mark Woodward, to confirm that Tidewater Farms, LLC had filed all the appropriate paperwork with the state to be eligible to apply for the CUP. He confirmed and explained that the future day-to-day operations will be performed by the people who live on the property.

M/S: SHAW/D-SVENSON to adopt Resolution 4509 A

DISCUSSION

ARNOLD stated his opposition to the state of Alaska's legalization of marijuana, and he would not support the motion.

GUBATAYAO also stated she could not support the motion because of her personal beliefs.

D-SVENSON stated her support for the conditional use permit.

GAGE stated her support because the applicant has gone through all the appropriate licensing.

Upon roll call the vote on the MOTION was:

YES: D-SVENSON, SHAW, GAGE, GOVAARS

NO: ARNOLD, GUBATAYAO

MOTION DECLARED CARRIED

Case 25-032 is a request for a conditional use permit to allow a mobile home park use on property located at 12072 Dewberry Lane; Ketchikan Gateway Borough.

Director Maloney presented information on Case 25-032.

Commissioners asked questions and discussed with staff:

- If the conditional use permit is not issued, the applicant may not move forward with the proposed project.

PUBLIC COMMENT

Bonita Higson, neighboring property owner, expressed concerns of odors from the current sewer system. She requested that if the project was approved, each unit to have their own sewer system and for them each to be maintained.

Matthew Merrill, the applicant, was present and expressed that he was unaware of the septic odor and the neighbor had never complained to him. He explained the purpose of his project was to provide affordable, mid-term rentals. He expressed his knowledge of the conditions of approval and said that the conditional use permit is a steppingstone to see if the project can become a reality and if the conditions become too cumbersome, the project can be cancelled.

The commissioners asked the applicant:

- Do you plan to skirt the units? Applicant answered: yes
- What is your plan for drainage? Applicant answered: there is natural drainage in place and he has not been aware of any issues until now, he stated that there is a drainage ditch and any excess drainage to neighboring lots should not be coming from the subject property

M/S: SHAW/GUBATAYAO to adopt Resolution 4510 A

DISCUSSION

Commissioners discussed the following:

- Potential increase of available housing
- A platted right of way exists for access to the subject property

Upon roll call the vote on the MOTION was:

YES: D-SVENSON, GUBATAYAO, GAGE, ARNOLD, SHAW, GOVAARS

MOTION DECLARED CARRIED

Case 25-033 is a request for a conditional use permit (CUP) with a major variance to allow a triplex residence with an attached accessory deck to be constructed and encroach into the required front yard setback; located at 322 Deermount Street; City of Ketchikan.

Director Maloney presented information on Case 25-033.

PUBLIC COMMENT

The applicant, Riley Gass, was present and available to answer questions. He stated that there would be at least a 2 foot gap between the structure and the sidewalk because of where the property line lays and that each unit would have access to one covered parking space.

M/S: SHAW/GAGE to adopt Resolution 4511 A

DISCUSSION

Commissioners complimented the complete and detailed application submitted by the applicant. They expressed their approval of creating additional housing.

Upon roll call the vote on the MOTION was:

YES: GUBATAYAO, SHAW, ARNOLD, GAGE, D-SVENSON, GOVAARS

MOTION DECLARED CARRIED

Case 25-034 is a request for a major variance to allow a two-family residence and attached accessory decks to remain and encroach into the required front and side yard setbacks; located at 5511 Tongass Ave, City of Ketchikan.

Director Maloney presented information on Case 25-034

PUBLIC COMMENT

Josh, a contractor for the applicant, was present and available to answer questions. He stated that the intent is to bring the property into zoning compliance. The applicant applied for a zoning permit and discovered the encroachments from an as-built survey.

Commissioners asked questions and discussed:

- Has the applicant considered consolidating their lots to eliminate one encroachment?
- The decking that needs to be cut back is about 12 feet off of ground level.
- Both lots are owned by the applicant

M/S: SHAW/D-SVENSON to adopt Resolution 4512 A

DISCUSSION

Upon roll call the vote on the MOTION was:

YES: ARNOLD, D-SVENSON, GUBATAYAO, GAGE, SHAW, GOVAARS

MOTION DECLARED CARRIED

Case 25-035 is a request for a major variance to allow existing attached accessory structures to remain and encroach into the required front, rear and side yards; and to allow an attached accessory deck to be constructed and encroach into the required side yard on property located at 615 Pickering Way, City of Ketchikan

Director Maloney presented information on Case 25-035

PUBLIC COMMENT

No public comments

M/S: SHAW/GAGE to adopt Resolution 4513 A

DISCUSSION

Commissioners discussed the following:

- A comment from a neighboring property owner stated they were in opposition to the proposed deck extension. It would further the encroachment by about 1.5 feet on the side and 10 feet in the rear setback.
- Can the commission decide to grant one variance and deny the addition?
- The area of the subject lot is very crowded
- There are questions that they would like to ask the applicant.

M/S: SHAW/D-SVENSON to POSTPONE this until the first planning commission meeting in June.

DISCUSSION

None

Upon roll call the vote on the MOTION was:

YES: GAGE, SHAW, D-SVENSON, ARNOLD, GUBATAYAO, GOVAARS

MOTION DECLARED CARRIED

GOVAARS requested that Director Maloney reach out to the applicant of Case 25-035 and request that they attend the next meeting.

Case 25-036 is a request for a major variance to allow a two family dwelling use without providing one of the required off-street parking spaces on property located at 370 Adams Street, City of Ketchikan.

Director Maloney presented information on Case 25-036

PUBLIC COMMENT

The applicant was available via Webex.

M/S: GUBATAYAO/ARNOLD to adopt Resolution 4514 A

DISCUSSION

None

Upon roll call the vote on the MOTION was:

YES: GAGE, SHAW, D-SVENSON, ARNOLD, GUBATAYAO, GOVAARS

MOTION DECLARED CARRIED

Case 25-037 is a request for a major variance to allow an existing attached accessory shed to remain and encroach into the north side yard setback on property located at 3051 Crest Ave, Ketchikan Gateway Borough.

Director Maloney presented information on Case 25-037

PUBLIC COMMENT

none

M/S: SHAW/D-SVENSON to adopt Resolution 4515 A

DISCUSSION

GOVAARS asked if there were any provisions in code to exclude pump houses and similar structures.

Upon roll call the vote on the MOTION was:

YES: SHAW, GUBATAYAO, GAGE, ARNOLD, D-SVENSON, GOVAARS

MOTION DECLARED CARRIED

Case 25-038 is a request for a preliminary plat to eliminate a common lot line between ATS 1103 and ATS 698 Tract A; located at 9737 Mud Bay Road; filed by the Ketchikan Gateway Borough on April 11, 2025.

Director Maloney presented information on Case 25-038

PUBLIC COMMENT

none

M/S: SHAW/GUBATAYAO to adopt Resolution 4516 A

DISCUSSION

Commissioners discussed and asked questions about the following:

- Will this increase the value of the land for the Borough? Will it have any negative effects?
- Director Maloney did not know of any changes in the lease agreement other than it being for one lot versus two lots.
- Not sure of the terms of the lease expiration.
- The purpose of the plat is to bring the property into zoning compliance, there are buildings that currently exist over lot lines and has been previously developed as though it is one lot.

Upon roll call the vote on the MOTION was:

YES: GAGE, GUBATAYAO, ARNOLD, D-SVENSON

NO: SHAW, GOVAARS

MOTION DECLARED CARRIED

CONSENT AGENDA

None

REGULAR BUSINESS

Non-Residential Subdivision Design Review for a subdivision of Lot 1, PW Ketchikan Subdivision (Case 25-025 ADMIN)

Director Maloney presented information about the proposed subdivision

SHAW asked who the owner of the property was, and it was stated that Outpost Agriculture is the owner.

M/S: SHAW/D-SVENSON to approve the Platting Board's concurrence with the planning staff's findings that the design elements of the requested abbreviated plat to create two lots from Lot 1, PW Ketchikan Subdivision; located at 5022 North Tongass Highway, City of Ketchikan, are consistent with the principals and standards of KGBC 17.25.050; and grants a waiver to the required water and sewer facilities pursuant to KGBC 17.35.020(m)

DISCUSSION

none

Upon roll call the vote on the MOTION was:

YES: D-SVENSON, ARNOLD, SHAW, GAGE, GUBATAYAO, GOVAARS

MOTION DECLARED CARRIED

REMARKS

DIRECTOR'S REPORT

Director Maloney reported on the following subjects:

- Comprehensive Plan timeline is on track for the first review in June and to come before the Planning Commission in August.
- Thanked the commissioners for inquiring about authorized representatives and property owners.

COMMISSIONERS' COMMENTS

GUBATAYAO reported that the Ketchikan Historic Commission was awarded grant funds and plan to start a draft of a historic commission comprehensive plan.

GAGE commented that she was glad to see the Comprehensive Plan reviewed and wanted to see the disabled and elderly community included more than they were last time.

GOVAARS commented he was glad to hear that the Comprehensive Plan's timeline would be able to include input from seasonal residents.

ADJOURNMENT

SHAW moved to adjourn.

With no objection, the meeting was adjourned at 8:25 p.m.



Crystal Vail, Platting/ Zoning Clerk
Planning Commission/Platting Board



Jos Govaars, Chair
Planning Commission/Platting Board