

## KETCHIKAN GATEWAY BOROUGH

### Planning Commission/Platting Board Meeting Minutes

11/12/2024

The regular meeting of the Ketchikan Gateway Borough Planning Commission/Platting Board was called to order at 6:00 p.m., Tuesday, November 12, 2024, by Acting Chair Jos Govaars, and the roll was called.

#### **CALL TO ORDER - PLEDGE OF ALLEGIANCE – ROLL CALL**

PRESENT: Vice Chair Jos Govaars, Commissioners Robb Arnold, Diane Gubatayao, Michael Medford and Trevor Shaw. Commissioner Darlene D-Svenson appeared via Webex.

ABSENT: Chair Michael Martin

STAFF PRESENT: Planning Director Frank Maloney, Associate Planner Alethea Johnson, Associate Planner Talya Stek and Platting and Zoning Clerk Crystal Vail

#### **PRESENTATION OF MINUTES – Meeting Minutes of October 8, 2024**

M/S: SHAW/ARNOLD to approve the Meeting Minutes of October 8, 2024

Upon roll call the vote on the MOTION was:

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

MOTION DECLARED CARRIED

#### **SPECIAL ORDERS**

None

#### **CORRESPONDENCE**

Chair Govaars asked Commissioners to read over the On the Table items relating to Case 24-038 and Case 24-043

#### **PERSONS TO BE HEARD**

None

#### **UNFINISHED BUSINESS/ PUBLIC HEARINGS**

Chair Govaars described the procedures for public hearings and appeals of decisions of the Planning Commission/Platting Board. He read the agenda published on November 8, 2024, into the record.

Reconsideration and Potential Rehearing of Case 24-038 a request for a preliminary plat to create eight lots from Lot 4A1, ASLS 85-73, Ketchikan Recording District, located on the northwest side of North Tongass Highway at Mile 17; filed by the Ketchikan Gateway Borough on August 16, 2024 - postponed October 8, 2024; motion to reconsider filed October 9, 2024.

Chair Govaars stated that the previous motion to postpone Case 24-038 was made in error as the Planning Commission does not have the authority to tell the Assembly where to dedicate funds. If the motion to reconsider should fail, the case will be brought back to the Planning Commission at a subsequent meeting because the motion to postpone was made for a reason outside of the Planning Commission's jurisdiction.

M/S: SHAW/GUBATAYAO to reconsider the motion to postpone Resolution 4477A until such time action is taken by the Borough Assembly to dedicate to the Housing Capital Fund all proceeds generated by the sale of any lots created under the proposed preliminary plat.

DISCUSSION  
none

Upon roll call the vote on the MOTION was:

YES – D-SVENSON, ARNOLD, GUBATAYAO, MEDFORD, GOVAARS

NO - SHAW

MOTION DECLARED CARRIED

Chair Govaars stated that the main motion to postpone Case 24-038 was back on the floor and explained that a vote of no would bring Case 24-038 forward as a rehearing and a vote of yes would cause Case 24-038 to come back at a subsequent meeting because the motion to postpone was out of order.

Commissioner D-Svenson clarified that the PC did not have the authority to direct the Assembly where to dedicate funds from land sales.

M/S: SHAW/D-SVENSON to postpone Resolution 4477A until such time action is taken by the Borough Assembly to dedicate to the Housing Capital Fund all proceeds generated by the sale of any lots created under the proposed preliminary plat

DISCUSSION  
none

Upon roll call the vote on the MOTION was:

NO – GUBATAYAO, MEDFORD, SHAW, ARNOLD, D-SVENSON, GOVAARS

MOTION FAILED

Case 24-038 is a request for a preliminary plat to create eight lots from Lot 4A1, ASLS 85-73, Ketchikan Recording District, located on the Northwest side of North Tongass Highway at Mile 17, filed by the Ketchikan Gateway Borough on August 16, 2024

Planner Johnson presented information on Case 24-038 and recommended an amendment to the approval conditions with an On the Table document.

Commissioners asked Staff to explain any impacts of the amendment to the current easement user. Staff explained that the easement user will always have access to their property regardless of the owner of Lot 7. The shape of the easement may change while the access will remain.

#### PUBLIC COMMENT

none

Commissioner Shaw asked about the timeline of rezoning the lots and the Assembly's final approval of this lot design. Staff explained that the rezone will run concurrently with the approval of the final plat and that the Assembly confirmed final approval of the preliminary plat design at their meeting of October 21, 2024.

M/S: SHAW/MEDFORD to approve Resolution 4477 A

M/S: SHAW/GUBATAYAO to Amend Resolution 4477 A by adding the following conditions:

3. The access easement shall be removed from the final plat
4. An amended easement agreement with attached exhibit showing the access easement on Lot 7 shall be submitted with the final plat.

#### DISCUSSION

none

Upon roll call the vote on the MOTION to amend was

YES- ARNOLD, GUBATAYAO, D-SVENSON, SHAW, MEDFORD, GOVAARS

MOTION DECLARED CARRIED

Upon roll call the vote on the MOTION to approve Resolution 4477 A - AMENDED was

YES – SHAW, GUBATAYAO, MEDFORD, ARNOLD, D-SVENSON, GOVAARS

MOTION DECLARED CARRIED

**Case 24-043 is a request to rezone Lot 2, U.S. Survey 2204, Ketchikan Recording District, from the Future Development (FD) zone to the Low Density (RL) zone, located at the north end of Spruce Hen Drive, Ketchikan Gateway Borough - referred by the Assembly on November 4, 2024**

Planner Johnson presented information on Case 24-043 and the amendment to the rezone request that was filed by the applicant. The applicant requested that a 50-foot strip of land along the western property line remain in the FD zone.

Commissioners clarified with staff:

- The amendment would eliminate any development restrictions on the adjoining property.
- The land left in the FD zone would only be rezoned if there were a future reason.

**PUBLIC COMMENT**

Enoch Winrod, the applicant, was present and commented that he had plans to build a road in the 50-foot FD zone.

Richard Harney, KIC representative, was present and commented in favor of the rezone with amendment.

M/S: SHAW/GUBATAYAO to forward Ordinance 2052 – SUBSTITUTE to the Borough Assembly with a recommendation of approval

**DISCUSSION**

none

Upon roll call the vote on the MOTION was

YES- MEDFORD, ARNOLD, D-SVENSON, GUBATAYAO, SHAW, GOVAARS

MOTION DECLARED CARRIED

**NEW BUSINESS/PUBLIC HEARINGS**

Case 24-039 is a request for a preliminary plat with a subdivision variance to create one lot from Lot 11 and portions of Lots 10, 13 and 14; U.S. Survey 437; Ketchikan Recording District; located at 1260A Millar Street; City of Ketchikan. Filed by Brieshan Kenoyer and John Finnegan on September 13, 2024

Planner Johnson presented information on Case 24-039.

**PUBLIC COMMENT**

none

The applicant, Brieshan Kenoyer, was present and available to answer questions.

M/S: GUBATAYAO/SHAW to approve Resolution 4482 A

**DISCUSSION**

None

Upon roll call the vote on the MOTION was

YES – MEDFORD, SHAW, ARNOLD, D-SVENSON, GUBATAYAO, GOVAARS

MOTION DECLARED CARRIED

Case 24-044 is a request to rezone Lots 1A, 2A and 20, White Rock Subdivision Phase IV, from the Suburban Residential (RS) and Planned Unit Development (PUD) zones to the RS zone, and to amend the PUD boundary of Tract A, White Rock Subdivision Phase IV; located at 692 D-1 Loop Rd, and on the northwest side of Marble Lane, Ketchikan Gateway Borough

Planner Johnson presented information on Case 24-044.

Commissioners clarified with Staff:

- The preliminary plat was approved administratively because it fit the criteria of creating 4 lots or less and required no improvements on the proposed properties.
- The FLUM is the Future Land Use Map
- The lots became split zoned with the recent plat alteration and the rezone would bring those lots into one zone.
- The rezone of Lot 20 would allow a maximum of 2 dwellings to be developed on the lot.

#### PUBLIC COMMENT

Blanche Cole, 147 White Rock Rd, expressed concern of increased traffic on a poorly maintained road. She hoped that building more homes in the area would result in more structured maintenance.

M/S: SHAW/MEDFORD to approve Resolution 4483 A

#### DISCUSSION

Commissioners discussed the following:

- Potential increase in traffic
- Ketchikan Gateway Borough is a Class 2 borough and road maintenance is the responsibility of the resident.
- Creating a Service Area Board may help resolve issues

Upon roll call the vote on the MOTION was

YES – D-SVENSON, ARNOLD, SHAW, GUBATAYAO, MEDFORD, GOVAARS

MOTION DECLARED CARRIED

Case 24-045 is a request for a conditional use permit to allow a three-family dwelling use on Lot 8A; located at 1074 Woodland Ave, City of Ketchikan

Planner Johnson presented information on Case 24-045.

#### PUBLIC COMMENT

Richard Harney, KIC representative, was present and available to answer questions.

Commissioners and Mr. Harney discussed:

- The proposed triplex unit would be available to low-income tribal members
- There are 3 proposed parking spaces available on the property, which causes the requirement for the CUP.

M/S: SHAW/GUBATAYAO to approve Resolution 4484 A

**DISCUSSION**

none

Upon roll call the vote on the MOTION was

YES – SHAW, ARNOLD, GUBATAYAO, D-SVENSON, MEDFORD, GOVAARS

MOTION DECLARED CARRIED

Chair Govaars described the procedures for appeals of decisions of the Planning Commission/Platting Board and closed the public hearing portion of the meeting.

**CONSENT AGENDA**

None

**REGULAR BUSINESS**

**Ketchikan Historic Commission Information**

Amanda Welsh explained the make-up and purpose of the Historic Commission and stated they were seeking a Planning Commission member to join their group.

Commissioner Shaw nominated Commissioner Gubatayao to be the PC representative.

M/S: SHAW/MEDFORD to appoint Diane Gubatayao as the representative of the Planning Commission on the Ketchikan Historic Commission

**DISCUSSION**

none

Upon roll call the vote on the MOTION was

YES – D-SVENSON, SHAW, MEDFORD, ARNOLD, GUBATAYAO, GOVAARS

MOTION DECLARED CARRIED

**REMARKS**

**DIRECTOR'S REPORT**

Director Maloney reported on the following subjects:

- December 3<sup>rd</sup> Joint Assembly/Planning Commission meeting at 5:30 pm
- Alaska Planning Commissioner Training has been rescheduled for Sunday November 17, 2024
- Board of Adjustment hearing on November 13, 2024
- Betton View Subdivision (Mile 17) will come to the PC as a final plat concurrently with a request to rezone
- Any requests for code changes should come forward during the Comprehensive Plan process

**COMMISSIONERS' COMMENTS**

- Commissioner Shaw thanked Planning Staff for working with Commissioners and answering questions. He encouraged more thought about Service Area Boards and the benefits they can provide. He suggested exploring the benefits of a Charter during the Comprehensive Plan process.
- Commissioner Medford asked if there was a process to mandate road maintenance agreements for property owners.
- Commissioner Gubatayao commended staff for the work on each case and asked where she could find out more information about Service Area Boards.
- Commissioner D-Svenson commented that she has served on a Service Area Board and encouraged anyone interested to attend a meeting. She has found that the Service Area Boards that are currently created have open seats.
- Commissioner Arnold thanked Planning Staff for their work.

**ADJOURNMENT**

M/S: SHAW/MEDFORD moved to adjourn.

With no objection, the meeting was adjourned at 7:32 p.m.

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

  
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Michael Martin, Chair  
Planning Commission/Platting Board