

KETCHIKAN GATEWAY BOROUGH

Planning Commission/Platting Board Meeting Minutes

4/11/2023

The regular meeting of the Ketchikan Gateway Borough Planning Commission/Platting Board was called to order at 6:00 p.m., Tuesday, April 11, 2023, by Chair Sharli Arntzen and the roll was called.

CALL TO ORDER - PLEDGE OF ALLEGIANCE – ROLL CALL

PRESENT: Joseph Mainardi, Sharli Arntzen, Michael Martin, Jacquie Meck, and Jos Govaars

ABSENT: Robb Arnold and Michael Medford

STAFF PRESENT: Director Richard Harney, Planner Alethea Johnson, and Platting/Zoning Clerk Jeremy Weber

PRESENTATION OF MINUTES – Meeting Minutes of March 14, 2023

M/S Govaars/Martin to approve the Meeting Minutes of March 14, 2023 as presented.

Upon roll call the vote on the MOTION was:

YES: Govaars, Mainardi, Martin, Meck and Arntzen

MOTION DECLARED CARRIED

SPECIAL ORDERS

Annual Special Appointments

M/S Mainardi/Meck to appointment Commissioner Mainardi to the Creek Street Historic District Board.

Upon roll call the vote on the MOTION was:

YES: Govaars, Mainardi, Martin, Meck and Arntzen

MOTION DECLARED CARRIED

CORRESPONDENCE – Chair Arntzen acknowledged the following correspondence items on the table:

1. Letter from Sonia Alvarez on Case 23-023

2. Letter from John Harrington on Case 23-007
3. Letter from Bill Rotecki on Case 23-010

PERSONS TO BE HEARD

Larry Jackson spoke in regard to Case 23-007 reconsideration.

UNFINISHED BUSINESS/ PUBLIC HEARINGS - None

NEW BUSINESS/PUBLIC HEARINGS

Sharli Arntzen described the procedures for public hearings and appeals of decisions of the Planning Commission/Platting Board. She then read the agenda published on April 7, 2023, into the record.

Motion for Reconsideration of Case 23-007 Resolution 4413 A adopted at the March 14, 2023 Planning Commission. Reconsiderations are not open to Public Hearing requirements. The Planning Departments recommendation is to approve the reconsideration and hold the reconsideration hearing at the April 25, 2023 Planning Commission Meeting.

Director Harney explained the Borough's Position on the matter.

- On March 21, 2023, Larry and Leslie Jackson, who are applicants for Case 23-007 Preliminary Plat of ATS 1741, submitted a letter to the Borough requesting a reconsideration of the Planning Commission's decision.
- The letter made four specific points related to the Planning Commission's authority to impose an easement on a State of Alaska tidelands parcel, the invalidity of an easement restriction on property use, the deadline for rejecting a plat submission, and misrepresentation of the facts.
- The State of Alaska Department of Natural Resources Director also provided a letter supporting the request for reconsideration.

M/S Govaars/Meck to approve the request for reconsideration of Resolution 4413A, approving the preliminary plat of ATS 1741, and set the rehearing for April 25, 2023, at 6 PM.

Upon roll call the vote on the MOTION was:

YES: Govaars, Mainardi, Martin, Meck and Arntzen

MOTION DECLARED CARRIED

Case 23-010 is a request for a conditional use permit to allow a light manufacturing use on Lot 18, Block 14, USS 437; located at 311/319 Dock Street, City of Ketchikan.

Planner Johnson summarized the written staff report, in which staff recommended approval.

- The applicant seeks to start a winery that will distill hard ciders and wine for sale.

The applicant Mark Sivertson spoke in regard to Bill Rotecki's comment and stated that if the winery did well and grew they could bottle wine off site based on the State of Alaska Alcohol Board license.

Hearing no additional public testimony, Chair Arntzen declared the public hearing closed.

M/S Govaars/Martin to adopt resolution 4417A.

Upon roll call the vote on the MOTION was:

YES: Govaars, Mainardi, Martin, Meck and Arntzen

MOTION DECLARED CARRIED

Case 23-021 is a request to vacate a portion of Tatsuda Way right-of-way and alter Lots 15DD, 16, 17 & 18, Block 28, U.S. Survey 437; located at the southeast intersection of Tatsuda Way and Stedman Street, City of Ketchikan. Filed by Geord Kleinschmidt and Ronald Henry on March 17, 2023.

Planner Johnson summarized the written staff report, in which staff recommended approval.

- The applicants sought to vacate an undeveloped section of a four-foot wide right of way and consolidate four existing lots into two lots.

The applicant Geord Kleinschmidt was in attendance.

Hearing no additional public testimony, Chair Arntzen declared the public hearing closed.

M/S Martin/Mainardi to adopt resolution 4418A.

Upon roll call the vote on the MOTION was:

Yes: Govaars, Mainardi, Martin, Meck and Arntzen

MOTION DECLARED CARRIED

Case 23-022 is a request to rezone a portion of Lot 6, Block 10 and Lot 8, Block 11, U.S. Survey 1378 from the High-Density Residential (RH) zone to the General Commercial (CG) zone; located at 120 and 125/129 Tuttle Way.

Planner Johnson summarized the written staff report, in which staff recommended approval.

- The applicant sought to rezone the subject lots in preparation for a plat alteration and new development.

The applicant representative Helen Mickel was in attendance online.

Hearing no additional public testimony, Chair Arntzen declared the public hearing closed.

M/S Govaars/Martin to adopt resolution 4419A.

Chair Arntzen addressed the comments submitted in regard to commercial creep; however, there was little subsistence to the comments related to noise.

Upon roll call the vote on the MOTION was:

Yes: Govaars, Martin, Meck and Arntzen

No: Mainardi

MOTION DECLARED CARRIED

Case 23-024 is a request for a conditional use permit to allow a manufacturing, fabricating and assembling use on Lot 3, Block 8, USS 1056 according to plat 2023-05; located at 7201 Imhoff Avenue, Ketchikan Gateway Borough.

Planner Johnson summarized the written staff report, in which staff recommended approval.

- The applicant sought to relocate an aluminum fabrication business to a new building on the subject property.

The applicant Charlie Ratzat was in attendance.

Mr. Ratzat stated for Commissioner Govaars that the gun range was below his property at the same elevation as the North Tongass Highway.

Hearing no additional public testimony, Chair Arntzen declared the public hearing closed.

M/S Mainardi/Govaars to adopt resolution 4420A.

Upon roll call the vote on the MOTION was:

Yes: Govaars, Mainardi, Martin, Meck and Arntzen

MOTION DECLARED CARRIED

Case 23-025 is a request for a conditional use permit (CUP) to allow a marijuana cultivation facility to operate on Tract 3, USS 1273; located at 4705 North Tongass Highway, City of Ketchikan.

Planner Johnson summarized the written staff report, in which staff recommended approval.

- The applicant previously operated a marijuana cultivation facility on the subject property. However, the new CUP would reflect substantive changes in their state license application.

The applicant Jessie Hoyt was in attendance.

Mr. Hoyt stated for Chair Arntzen that the building is locked 24 hours a day and no visitors are allowed and was surprised by the comment that their property would be the cause of increased crime.

Planner Johnson stated for Commissioner Martin that the applicant has an application in with the State that is awaiting approval following the Conditional Use Permit.

Mr. Hoyt stated for the commission that the air filtration system was a closed system with charcoal filters and does not release noxious orders.

Director Harney stated the condition on odors was consistent with State licensing.

Hearing no additional public testimony, Chair Arntzen declared the public hearing closed.

M/S Martin/Mainardi to adopt resolution 4421A.

Upon roll call the vote on the MOTION was:

Yes: Govaars, Mainardi, Martin, Meck and Arntzen

MOTION DECLARED CARRIED

Case 23-026 is a request to rezone Lots 1 and 2 U.S. Survey 3536 from the Rural Residential (RR) zone to the Planned Unit Development (PUD) zone; located at northeast of the terminus of the Gravina Island Highway, Ketchikan Gateway Borough.

Planner Johnson summarized the written staff report, in which staff recommended approval.

- The applicant sought to rezone their lots in preparation for a preliminary plat to subdivide the property into lots that are consistent with the Clam Cove Hamlet Neighborhood Plan.

Director Harney stated for Chair Arntzen that other property owners within the Clam Cove neighborhood that wanted to adopt the uses within the Planned Unit Development would also have to go through the rezone process. However, rezones consistent with the model PUD in the Neighborhood Plan would amend the first PUD for the Clam Cove Area by a new ordinance. They would not be adopted as individual PUD's.

Director Harney clarified that any property owner in the Clam Cove neighborhood can apply for whatever zoning they would like; however, staff's recommendation would depend on consistency with the adopted neighborhood plan.

Director Harney explained that uses contained in the adopted Clam Cove Hamlet Neighborhood Plan constituted the future land use map for the neighborhood. Any uses that were not included in the plan would not likely be supported by staff.

Director Harney confirmed for Commissioner Govaars that subject property had not been subdivided.

Director Harney stated for Commissioner Mainardi that the proposed change matched with the neighborhood plan land use table, and that the adjacent green space was identified in the neighborhood plan as suitable for roads in the future.

The applicant Jeff Miller was in attendance online.

Scott Menzies, engineer for applicant informed that the existing lot configuration dated to the original homestead.

Hearing no additional public testimony, Chair Arntzen declared the public hearing closed.

M/S Martin/Govaars to adopt resolution 4422A.

Upon roll call the vote on the MOTION was:

Yes: Govaars, Mainardi, Martin, Meck and Arntzen

MOTION DECLARED CARRIED

CONSENT AGENDA - None

REGULAR BUSINESS

Presentation and Work Session on how differences in cruise tourism volume influence communities.

M/S Martin/Mainardi to move into work session.

Ryan Naylor presented his project on Tourism and posed questions for discussion by the Planning Commission regarding the impacts of tourism on coastal communities.

M/S Govaars/Martin to move out of work session.

REMARKS

DIRECTOR'S REPORT

COMMISSIONERS' COMMENTS

ADJOURNMENT

M/S Martin/Govaars moved to adjourn.

With no objection, the meeting adjourned at 8:12 p.m.



Jeremy Weber, Platting/ Zoning Clerk
Planning Commission/Platting Board



Sharli Arntzen, Chair
Planning Commission/Platting Board -