

KETCHIKAN GATEWAY BOROUGH

Planning Commission/Platting Board Meeting Minutes

6/14/2022

The regular meeting of the Ketchikan Gateway Borough Planning Commission/Platting Board was called to order at 6:00 p.m., Tuesday, June 14, 2022, by Chair Sharli Arntzen and the roll was called.

CALL TO ORDER - PLEDGE OF ALLEGIANCE – ROLL CALL

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

ABSENT: None

STAFF PRESENT: Director Richard Harney, Planner Jonathan Lappin, Planner Alethea Johnson, Planning Tech Katelyn Trugon, and Platting/ Zoning Clerk Jeremy Weber

PRESENTATION OF MINUTES – Meeting Minutes of May 10, 2022

M/S Meck/Mainardi to approve the Meeting Minutes of May 10, 2022 as presented.

Chair Arntzen pointed out one mistake related to names in the minutes.

Upon roll call the vote on the MOTION was:

YES: Govaars, Mainardi, Martin, Medford, Meck and Arntzen

MOTION DECLARED CARRIED

SPECIAL ORDERS – None

CORRESPONDENCE –

Chair Arntzen acknowledged the following correspondence items on the table:

1. Email from Stephanie Smith to postpone Case 22-040
2. Email from Jerod Oien opposed to Case 22-035
3. Email from Jerod Oien opposed to Case 22-036
4. Email from Jerod Oien opposed to Case 22-037
5. Email from Doug Paxton opposed to Case 22-035
6. Email from Jack Oien opposed to Case 22-035
7. Email from Alethea Johnson to postpone Case 22-041

PERSONS TO BE HEARD - None

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 June 10, 2022, into the record.

Case 22-033 is a request for a conditional use permit for a detached accessory dwelling use on Lot 14G, Wildwood Subdivision, Plat 2006-26, KRD; located at 39 Wildwood Court, Ketchikan Gateway Borough.(Resolution 4371)

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

- The applicant had a small residence located within the existing garage.
- They proposed to build a larger principal residence on the property.
- A conditional use permit was required because the residences would be detached.

Applicant Clark Simpson was present to answer questions.

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

M/S Medford/Meck to adopt Resolution 4371 A

Upon roll call the vote on the MOTION was:

YES: Govaars, Mainardi, Martin, Medford, Meck and Arntzen

MOTION DECLARED CARRIED

Case 22-034 is a request to dedicate 23,308 square feet of right-of-way at the western end of North Point Higgins Road, Ketchikan Gateway Borough; filed by the Ketchikan Gateway Borough on May 20, 2022. (Resolution 4372)

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

- The owner of Lot 193-CC, U.S. Survey 3275, proposed to extend North Point Higgins Road through an easement across Borough land adjacent to their property and the adjoining Lot 192.
- Assembly Resolution No. 1824 provided for platting of the right-of-way as the road is extended to serve abutting lots.
- The property owner was required to install the road with a turnaround built to Borough road standards.

Planner Johnson stated for Commissioner Govaars that the exact length of the extension was delineated on the plat.

Applicant for the Ketchikan Gateway Borough was present for questions.

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

M/S Mainardi/Govaars to adopt Resolution 4372 A

Upon roll call the vote on the MOTION was:

YES: Govaars, Mainardi, Martin, Medford, Meck and Arntzen

MOTION DECLARED CARRIED

Case 22-035 is a request for a conditional use permit to allow a coffee stand use on Lot 24-1, USS 2603, KRD; located at 10984 North Tongass Highway, Ketchikan Gateway Borough.(Resolution 4373)

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

- The applicant sought to build a drive thru and walk-up coffee stand.

Planner Lappin stated for Chair Arntzen that the property had setback requirements on Brentwood Lane and the property to the northwest of the subject parcel.

Applicant Debra Matthews stated her biggest concerns were the same that the neighbors laid out in their correspondences. The plywood shed had a thousand-dollar roof and door on it and her niece planned on painting flowers on it over the summer. She stated that she didn't have an issue with maintaining her portion of the Brentwood Lane right-of-way.

Mrs. Matthews stated for Chair Arntzen she would be fine with putting up a sign on her property that stated, "no parking on highway".

Doug Paxton stated the issue was not with the nursery, but with the coffee stand. He was opposed to the coffee stand use in the neighborhood. He questioned who would enforce hours of operation and didn't believe the Borough had those capabilities.

Terry Cowen resident on Brentwood Lane had an issue with the traffic that the coffee stand would create. She stated that she blocked one of her driveway entrances with a vehicle turned sideways because people visiting the nursery would use it to turn around.

Mrs. Matthews apologized for not being more inclusive with her neighbors. However, due to high shipping costs she had not been able to maintain the same income as previous

years. She didn't want to be a coffee shop owner but needed to make ends meet.

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

M/S Medford/Meck to adopt Resolution 4373 A.

Commissioner Medford saw issues with the traffic generated and difficulties in enforcing restrictions.

Commissioner Meck thought that the commission should give her a chance for a year.

Commissioner Martin had concerns with traffic flow and the impacts to people on Brentwood Lane.

Commissioner Govaars was hesitant because of the lack of enforcement ability by the Borough.

Commissioner Mainardi had the same concerns as other commissioners had expressed and the uncertainty of impacts to neighboring property owners.

Chair Arntzen was most concerned with traffic, especially because of Mrs. Cowan's comment about blocking off her driveway. She also felt it was hard to define the impacts.

Planner Lappin stated for Chair Arntzen that when complaints are made, they are submitted to the Compliance Officer at Animal Control.

Planner Lappin clarified for Chair Arntzen that the permit would be brought to the Planning Commission after a second violation to see if the Commission wanted to revoke the permit.

Planner Lappin explained to Chair Arntzen that upon approach there would be a temporary blind spot, but since there are structures to the north and south of Brentwood Lane by the time you got to the bike lane the blind spots are gone and you have full visibility of the North Tongass Highway.

Planner Lappin stated for Chair Arntzen that the applicant was told by the Alaska Department of Transportation that she could not place no parking signs in the right-of-way.

Upon roll call the vote on the MOTION on Resolution 4373 A was:

YES: Arntzen and Meck

NO: Medford, Mainardi, Martin, and Govaars

MOTION DECLARED FAILED

M/S Medford/Govaars to adopt resolution 4373 B, denying the request, subject to the following findings.

R E C I T A L S

A. WHEREAS, the Planning Commission finds that the requested conditional use is reasonably expected to impair the public quality of life by creating adverse impacts to include traffic conflicts, impaired safety, and light pollution; and

B. WHEREAS, the Planning Commission finds that the with the imposition of special conditions the requested conditional use will not alleviate negative impacts to the lawful use of neighboring properties; and

C. WHEREAS, the Planning Commission finds that the requested conditional use is inconsistent with the 2020 Comprehensive Plan because the use will impair the general public health, safety and general welfare; and

D. WHEREAS, the Planning Commission finds that the requested conditional use is expressly permitted by KGB Ordinance 1968; and

E. WHEREAS, the Planning Commission finds that the conditional use permit is not in the best interest of the Ketchikan Gateway Borough.

Upon roll call the vote on the MOTION on Resolution 4373 B was:

YES: Govaars, Mainardi, Martin, Medford, Meck and Arntzen

MOTION DECLARED CARRIED

Case 22-036 is request for a major variance to allow coffee stand to be constructed and encroach into the front yard setback on Lot 24-1, USS 2603, KR D; located at 10984 North Tongass Highway, Ketchikan Gateway Borough.(Resolution 4374)

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

- The applicant proposed to build a drive thru and walk up coffee stand that encroached into the front yard setback.

Applicant Debra Matthews was in attendance for questions.

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

(Clerks Note: No motion was made, and the case died for lack of a motion)

Case 22-037 is request for a major variance to allow a shed to remain and encroach into

the front yard setback on Lot 24-2, USS 2603, KRD; located at 10988 North Tongass Highway, Ketchikan Gateway Borough.(Resolution 4375)

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

- The encroachment was discovered when the applicant applied for a separate use on an adjacent property.

Planner Lappin stated for Chair Arntzen that there was no permanent foundation under the shed, and it could be moved.

Applicant Debra Matthews was not in attendance.

Neighbor Doug Paxton did not have any objections to the shed.

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

Planner Lappin clarified for Commission Govaars that the shipping container and shed were not attached, and the shipping container would require a permit.

M/S Medford/Meck to adopt Resolution 4375 A.

Upon roll call the vote on the MOTION was:

YES: Govaars, Martin, Medford, Meck and Arntzen

NO: Mainardi

MOTION DECLARED CARRIED

Case 22-039 is a request for a major variance to allow a deck to be continued to be constructed and encroach into the front yard setback on Lot 14, Sublot H, Block 9, USS 437, KRD; located at 838 Warren Street, City of Ketchikan.(Resolution 4376)

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

- The applicant discovered the need for the variance when applying for a zoning permit.

Applicant Stefhanie Smith stated the existing deck was a hazard and was unaware that a new deck required a permit.

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

M/S Meck/Medford to adopt Resolution 4376 A.

Upon roll call the vote on the MOTION was:

YES: Govaars, Mainardi, Martin, Medford, Meck and Arntzen

MOTION DECLARED CARRIED

Case 22-040 is a request for a major variance to allow a deck to remain and encroach into the front and side yard setback on Lot 14, Sublot H, Block 9, USS 437, KR D; located at 838 Warren Street, City of Ketchikan.(Resolution 4377)

M/S Medford/Mainardi to postpone the case to July 12, 2022.

Upon roll call the vote on the MOTION was:

YES: Govaars, Mainardi, Martin, Medford, Meck and Arntzen

Case 22-041 is a request for a major variance to allow a duplex and deck to remain and encroach into the front, rear, and side yard setbacks on Lot 14, Sublot I, Block 9, USS 437, KR D; located at 830/832 Warren Street, City of Ketchikan.(Resolution 4378)

M/S Medford/Martin to postpone the case to July 12, 2022.

Upon roll call the vote on the MOTION was:

YES: Govaars, Mainardi, Martin, Medford, Meck and Arntzen.

Case 22-047 Code Amendment to increase residential density.(Resolution 4379)

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

- Detached Accessory Dwelling Units (DADU) will no longer be permitted through the CUP process. Instead, they will be permitted with standards. The standards are the same as those that were required for a CUP with the subjective elements removed.
- Triplex dwellings can be permitted through the CUP process in the RL and RM zones as they currently are but can also be permitted administratively if one off-street parking space is provided for each bedroom.
- Four family dwellings can be permitted in the RM zone with a CUP, or administratively if one off-street parking space is provided for each bedroom.
- The minimum area for a Planned Unit Development rezone is reduced from 2 acres to 10,000 square feet if the only uses allowed are residential.

Applicant representative for the Ketchikan Gateway Borough was in attendance for questions.

Commissioner Arntzen was concerned with the density increase to four-plex uses in the

RM zone.

Planner Lappin stated that most other cities do not allow off street parking because it takes away from available development space.

Planner Lappin clarified that detached dwelling units could only be 1200 square feet or 60% of the primary dwelling whichever is less.

Planner Lappin stated for Commissioner Govaars that the cap at 1200 square feet or 60% was to make one unit subordinate to the primary.

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

M/S Medford/Martin to adopt Resolution 4379 A and forwarding the Ordinance to the Assembly.

Commissioner Govaars was not in favor of size limits on detached accessory units and would like to see that portion removed; however, after Planner Lappin explained that the decreased size limit for Planned Unit Developments would alleviate Commissioner Govaars reservations for DADU sizes he was in favor.

Chair Arntzen was hesitant to move too fast on density issues, but thought it was necessary to address the housing issue.

Upon roll call the vote on the MOTION was:

YES: Govaars, Mainardi, Martin, Medford, Meck and Arntzen

MOTION DECLARED CARRIED

CONSENT AGENDA – Consent Given

- Final Plat to create two lots from Lot 1, Tract 1012, Dawson Subdivision; located at the 4179 Vallenar Lane; filed by William & Cheryl Goodale on March 12, 2021. (Case 21-007)
- Approval of Alternative Access and Waiver of Required Improvements: Case 22-045 Allis May Subdivision (ADMIN)
- Subdivision Design Review: Rosemary Loop Subdivision (Case 21-014)

M/S Medford/Mainardi to approve the Consent Agenda

Upon roll call the vote on the MOTION was:

YES: Govaars, Mainardi, Martin, Medford, Meck and Arntzen

MOTION DECLARED CARRIED

REGULAR BUSINESS – None

REMARKS

DIRECTOR'S REPORT

- Letter of Support for Saxman Development Project
- Alaska Bigfoot Adventures Trail
- Low Emission and Electric Ferry Research
- Service Area Roads
- Tourism Strategy Update
- Denali Commission Grant

COMMISSIONERS' COMMENTS

Commissioner Martin took the survey and thought it was very thorough and hit all parameters.

Chair Arntzen thanked Planning Staff.

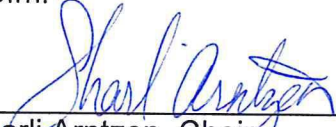
ADJOURNMENT

M/S Medford/Meck moved to adjourn.

With no objection, the meeting adjourned at 8:16 p.m.



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



Shari Arntzen, Chair
Planning Commission/Platting Board -