

KETCHIKAN GATEWAY BOROUGH

Planning Commission/Platting Board Meeting Minutes

7/12/2022

The regular meeting of the Ketchikan Gateway Borough Planning Commission/Platting Board was called to order at 6:00 p.m., Tuesday, July 12, 2022, by Chair Sharli Arntzen and the roll was called.

CALL TO ORDER - PLEDGE OF ALLEGIANCE – ROLL CALL

PRESENT: Jacquie Meck, Michael Martin, Michael Medford (via Webex), Sharli Arntzen, and Jos Govaars

ABSENT: Joseph Mainardi

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

PRESENTATION OF MINUTES – Meeting Minutes of June 14, 2022

M/S Martin/Meck to approve the Meeting Minutes of June 14, 2022 as presented.

Upon roll call the vote on the MOTION was:

YES: Govaars, Martin, Meck and Arntzen

Note: Michael Medford joined the meeting by Webex after the roll call was taken.

MOTION DECLARED CARRIED

SPECIAL ORDERS – None

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

1. Correspondence from Dan Chappelle in favor of the Clam Cove Plan
2. Correspondence from Darlene Stensland in favor of the Clam Cove Plan
3. Correspondences from Applicant Related to Case 22-050
4. Staff Suggestions for Potential Amendments for Case 22-050

PERSONS TO BE HEARD –

Clam Cove property owner Jeff Miller in favor of the Clam Cove Neighborhood Plan. However, he would like to see commercial zoning on the water side of the Gravina Highway.

Clam Cove property owner Lorna Holt requested confirmation that the Cottage Industry Overlay was not removed by the plan.

Chair Arntzen responded that no zoning was going to change as a result of adoption of the plan.

Clam cove resident Becky Stensland Isley was in favor of the current plan but was against extending the commercial zone to the water side of Gravina Highway.

Clam Cove property owner Sue Stensland Richards questioned whether the commercial zone was for the entire south side of Gravina Highway.

Commissioner Medford joined the meeting through the Webex portal.

UNFINISHED BUSINESS/ PUBLIC HEARINGS

Case 21-044 is a Planning Commission consideration of the draft Clam Cove Neighborhood Plan prior to the plan being presented to the Assembly for adoption.(Resolution 4384)

Director Harney summarized the written neighborhood plan in which staff recommended approval.

- In October 2021, after multiple public meetings with the residents and property owners of Clam Cove, the Planning Commission approved a neighborhood plan for Clam Cove and forwarded it to the Borough Assembly with a recommendation of approval.
- On December 6, 2021, the Assembly held a work session to discuss the draft Clam Cove Neighborhood Plan as developed through the Planning Department's public process. During the work session, Peter Neville Johnson, spokesperson for the Clam Cove Residents Association, stated the draft plan did not represent the neighborhood's desires and vision for Clam Cove. Mr. Neville Johnson asserted the residents of Clam Cove would create a more appropriate plan by June 2022 and be inclusive of all property owners. The Assembly postponed consideration of the plan to June 20, 2022, or earlier if the Clam Cove Residents Association developed recommendations for the plan.
- On May 27, 2022, Mr. Neville Johnson submitted the association's alternative plan to the Borough for review and inclusion in the Assembly packet, attached. On June 10, the two largest property owners, the Stensland Trust and the Samuelsen Trust, stated their needs and desires were not reflected in the Clam Cove Residents Association's proposal and provided a timeline of events from their perspective and letters expressing their support for the original draft plan that was developed during the public meeting process, attached.

Director Harney further stated that the commercial property would extend on the southside of Gravina Highway, but the zoning stopped short of the shoreline.

Ketchikan Gateway Borough representative was present to answer questions.

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

M/S Govaars/Martin to adopt Resolution 4384 A

Commissioner Govaars thanked staff for the work.

Chair Arntzen stated that in regard to the request to extend commercial zoning to the north side of the Gravina Highway; a lot of work and compromise had gone into the plan to reach a compromise and that no zoning would change as a result of the plan.

Upon roll call the vote on the MOTION was:

YES: Govaars, 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, KRD; located at 838 Warren Street, City of Ketchikan.(Resolution 4377)

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

- While reviewing an application for a separate deck, staff noted several encroachments by both the home and accessory decks.
- According to Assessment records the home dated to 1920, as such it probably enjoyed nonconforming status. The variance would bring the property into conforming status and abate any concerns regarding the ability of the owner to reconstruct the home if it were damaged.

Applicant Stefhanie Smith was not present.

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

M/S Govaars/Martin to adopt Resolution 4377 A

Upon roll call the vote on the MOTION was:

YES: Govaars, Martin, Medford, Meck and Arntzen

MOTION DECLARED CARRIED

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, KRD; located at 830/832 Warren Street, City of Ketchikan.(Resolution 4378)

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

- While reviewing an application for a separate deck, staff noted several encroachments by both the home and accessory decks.
- According to Assessment records the home dated to 1920, as such it probably enjoyed nonconforming status. The variance would bring the property into conforming status and abate any concerns regarding the ability of the owner to reconstruct the home if it were damaged.

Applicant Alethea Johnson was present to answer questions.

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

M/S Martin/Meck to adopt Resolution 4378 A

Upon roll call the vote on the MOTION was:

YES: Govaars, Martin, Medford, Meck and Arntzen

MOTION DECLARED CARRIED

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 July 8, 2022, into the record.

Case 22-048 is a request for a major variance to allow an addition to an existing residence to be constructed and encroach into the required side and rear yard setbacks on Lot 2M and a portion of 2L, Block 13, USS 1378; located at 2117 Second Avenue, City of Ketchikan.(Resolution 4380)

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

- The existing garage was built prior to the adoption of the zoning code and was due for significant repairs and structural upgrades.
- The applicant proposed to remove the garage and build a new addition and attached deck on the same footprint.
- The purpose of the addition was to increase living space within the residence.

Planner Johnson stated for Commissioner Martin that the roof transition to the living area would not change much but referred the question to the applicant.

Planner Johnson stated for Chair Arntzen that the property sat on a pinnacle, and it would be difficult to build the addition on the opposite side of the house and that it could potentially change the character of the residence.

Applicant Robert Hewitt stated for Commissioner Martin that the roof transition would not change from what was currently there. He further stated that to put the structure on the

opposing side of the house would complete change the layout within the house.

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

M/S Martin/Meck to adopt Resolution 4380 A

Upon roll call the vote on the MOTION was:

YES: Govaars, Martin, Medford, Meck and Arntzen

MOTION DECLARED CARRIED

Case 22-049 is a request for a major variance to allow an existing residence to remain and encroach into the required front yard setback, and to allow an attached carport and covered decks to be constructed and encroach into the required front, rear and side yard setbacks on Lot 6, Block 23, USS 1229; located at 402 Jackson Street, City of Ketchikan.(Resolution 4381)

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

- The applicant sought to construct covered decks for sheltered access on all sides of the house and a carport for covered parking.
- The roof of the covered carport was also be used to divert rain water and reduce the volume of stormwater flowing toward the rear of the residence.

Planner Johnson confirmed for Commissioner Govaars that there were two residences that derived access from the alley.

Commissioner Govaars expressed concern about allowing the construction of a carport into the rear setback because the alley way was narrow.

Applicant Lee Tozzer was not present.

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

Planner Johnson explained to Commissioner Govaars that 20 feet was the minimum for a road. She did not know the minimum width for alleys; however alleys were not intended for primary access. . She further stated that the applicant was working with the City of Ketchikan Public Works regarding site development and building a retaining wall abutting the right-of-way.

Director Harney stated that the code Govaars was referring to was for the Borough and did not apply to the City of Ketchikan, which has its own code and standards.

Chair Arntzen was unsure about the case since the structure would take up a substantial portion of the lot.

M/S Martin/Govaars to adopt Resolution 4381 A

Commissioner Martin suggested that the Planning Commission consider EMS access through the alley way.

Director Harney stated that the Commission could increase required minimum distance for the structure from the property line. He further stated that a standard parking space was nine feet by 20 feet.

Planner Johnson stated for Chair Arntzen that the rendering was incorrect and the carport was not expected not accommodate the three full-sized cars as shown.

Chair Arntzen stated that she was hesitant due to personal experiences of driving on that road in the winter.

M/S Govaars/Martin to rescind the motion

M/S Govaars/Martin to postpone the case to August 9, 2022

Upon roll call the vote on the MOTION was:

YES: Govaars, Martin, Medford, Meck and Arntzen

MOTION DECLARED CARRIED

Case 22-050 is a request for a preliminary plat to create three lots and dedicate a right-of-way from Lot 1 of the Smokey Point Subdivision; located at 9659 North Tongass Highway, Ketchikan Gateway Borough. Filed by Seley Properties LTD on June 17, 2022.(Resolution 4382)

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

- The applicant sought to create three separate lots for independent ownership and development.
- Access to all three lots would be through a proposed new right-of-way.
- A revised plat with shorter right-of-way and additional turnaround had been provided by the applicant in response to agency comments.

Applicant Steve Seley was present and stated he appreciated that Commission's time and agreed with staff for the need of a turn around. He further stated that there would be a security gate on the future road to Terminal One because one of his tenants was the US Navy and they required it for security clearance. Mr. Seley stated that his company was trying to develop the area to accommodate the boating and shipping industry in Ketchikan since previous businesses in the area had left the market and were no longer providing such services.

Mr. Seley clarified for Commissioner Govaars that the right-of-way was planned to be 30 feet wide and he felt that that size would accommodate the needs of the area.

Mr. Seley assured Chair Arntzen that he did not have a problem with changing the name to the affix "Way". However, he wanted to have Terminal One included since the area was known and called Terminal One.

Director Harney stated that on the final plat the road would likely be wider due to new information.

Mr. Seley stated that he was working with KPU to bring all the utilities underground because of past issues with telephone poles.

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

M/S Martin/Meck to adopt Resolution 4382 A

M/S Martin/Meck to amend resolution 4382 A by substituting the revised plat under "Exhibit A"

Upon roll call the vote on the MOTION to Amend Resolution 4382 A was:

YES: Govaars, Martin, Medford, Meck and Arntzen

M/S Martin/Govaars to amend Condition 6 of Resolution 4382 A to read: "The applicant shall propose a suitable affix for naming the Terminal One cul-de-sac pursuant to KGBC 17.40.030(d)(2)"

Upon roll call the vote on the MOTION to Amend Condition 6 of Resolution 4382 A was:

YES: Govaars, Martin, Medford, Meck and Arntzen

Upon roll call the vote on Resolution 4382 A as Amended was:

YES: Govaars, Martin, Medford, Meck and Arntzen

MOTION DECLARED CARRIED

Case 22-051 is request for a three-year conditional use permit to allow a mobile building to be used as a residence on Lot 3, Block 1, ASLS 79-243; located at the 9600 Block of Spruce Hen Drive, Ketchikan Gateway Borough.(Resolution 4383)

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

- The applicant sought to place a mobile building on the lot to provide housing for seasonal workers.

- A conditional use permit was required to allow residential mobile buildings to be used on lots within the Low Density Residential (RL) zone.

Planner Johnson stated for Chair Arntzen that there was no mobile building overlay on this property.

Planner Johnson stated for Commissioner Govaars that she was not aware of the Public Work's assessment of the condition of the right-of-way and that requirements to improve the right-of-way would normally be addressed through a platting process.

Applicant Miles Enright was not in attendance.

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

M/S Martin/Govaars to adopt Resolution 4383 A

M/S Martin Govaars to amend Condition 6 of Resolution 4383 A to state an ADEC onsite wastewater treatment system shall be installed and connected to the dwelling within six months of issuance of the zoning permit.

Upon roll call the vote on the amendment was:

YES: Govaars, Martin, Medford, Meck and Arntzen

Planner Johnson explained to Commissioner Govaars that the Borough Public Works department would have to monitor the roadway if they were concerned about off-season usage.

Upon roll call the vote on the amended resolution was:

YES: Govaars, Martin, Medford, Meck and Arntzen

MOTION DECLARED CARRIED

CONSENT AGENDA – None

REGULAR BUSINESS – None

REMARKS

DIRECTOR'S REPORT

- Land Lottery Feasibility
- Alaska Bigfoot Adventure Open House
- Low Emission Electric Ferry Funding
- Service Area Road
- Tourism Strategy Update
- Rotary Beach Ribbon Cutting

- Skate Park Roof Bid Rejected

COMMISSIONERS' COMMENTS

Commissioner Medford appreciated the other Commissioner's help.

Commissioner Martin was happy to see the Clam Cove Plan moving again.

Chair Arntzen announced that the Realtor convention was happening in Ketchikan this year.

ADJOURNMENT

M/S Meck/Martin moved to adjourn.

With no objection, the meeting adjourned at 8:06 p.m.



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

Shafl Arntzen, Chair
Planning Commission/Platting Board -