

KETCHIKAN GATEWAY BOROUGH

Planning Commission/Platting Board Meeting Minutes

7/13/2021

The regular meeting of the Ketchikan Gateway Borough Planning Commission/Platting Board was called to order at 6:00 p.m., Tuesday, July 13, 2021, by Chair Sharli Arntzen, and the roll was called.

CALL TO ORDER - PLEDGE OF ALLEGIANCE – ROLL CALL

PRESENT: Sharli Arntzen, Jacquie Meck, Michael Martin, Jos Govaars, Joseph Mainardi, Licha Kelley-King (arrived at 6:03 PM)

ABSENT: Michael Medford

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

PRESENTATION OF MINUTES - Meeting Minutes of June 8, 2021

M/S Mainardi/Meck to approve the Meeting Minutes of June 8, 2021, as presented.

Upon roll call the vote on the MOTION was:

YES: Arntzen, Mainardi, Martin, Kelley-King, Govaars, and Meck

MOTION DECLARED CARRIED

SPECIAL ORDERS - None

CORRESPONDENCE - None

PERSONS TO BE HEARD - None

UNFINISHED BUSINESS/ PUBLIC HEARINGS - None

NEW BUSINESS/PUBLIC HEARINGS

Chair Arntzen's request described the procedures for public hearings and appeals of decisions of the Planning Commission/Platting Board. She then read the agenda published on July 9, 2021, into the record.

Licha Kelley-King arrived at 6:03 PM

Case 21-022, request to rezone Lot 9I and the Unsubdivided Remainder of Block F, U.S. Survey 1781, and Lot 10, Block 13, U.S. Survey 1591, and a portion of Anderson Drive from High Density Residential and Medium Density Residential to General Commercial;

located on the 900 Block of Carlanna Lake Road, City of Ketchikan. (Resolution 4314)

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

- The purpose of the request is to allow the applicant to construct a mini-storage and a manager's residence on the property.

Planner Lappin spoke on the community impacts and how a rezone of the subject property from residential to general commercial would have a detrimental effect on housing in the City of Ketchikan.

Planner Lappin explained that the nearest Commercial property was located below Baranof Avenue closer to the hospital. He stated several spot rezones had occurred in the community in the period between 1996 and 2010, prior to the adoption of the 2020 Comprehensive Plan. The reason for this is that the 1996 Comp Plan was only four pages long and had a minimum requirement for rezoning of properties. Also, during that time-period, the Pulp Mill closed, and the community was eager for any and all commercial activity.

Commissioner Kelley-King disclosed that she lived in the neighborhood, and that it would be difficult to be objective in the case.

Planner Lappin further explained that many of the commercial uses taking place near the hospital were zoned medium density residential, which allowed for eye clinics and others health care related uses.

Applicant Charles Edwardson stated that many neighboring properties were in support of his proposal. Mr. Edwardson explained that he had no plans on selling the property or to develop housing, as he was not interested in becoming a landlord.

Mr. Edwardson explained that he did not speak to Phil Hanaman who submitted a letter opposing the rezone due to potential noise issues.

Mr. Edwardson further stated that should the rezone not be allowed that he would probably look to vacate the undeveloped portion of Bailey Boulevard.

Mr. Edwardson stated for Chair Arntzen that he had plans to build a fence around the property with additional trees to aid in site obstruction.

Mr. Edwardson commented that he had purchased the triangle parcel from the City in 2019 and that many of the comments were from owners immediately surrounding the property.

Mr. Edwardson stated that the subject property was chosen because his personal residence abutted the property and that he had not explored other commercially zoned properties in the community. He further stated that the storage units would be built to cater to the income levels of neighboring property owners.

He further stated that he had no intention of selling the property unless someone were to offer him \$5 million.

Mr. Edwardson explained that he originally purchased the property to build mini storage units and at the time did not take the Borough's zoning into consideration.

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

M/S Meck/Govaars to adopt Resolution 4314 A

The meeting recessed at 6:43 p.m. to formulate findings for the case.

The meeting resumed at 7:33p.m.

Commissioner Meck read the following findings and special limitations for Resolution 4314 A into the record:

- *Whereas, the Planning Commission finds that the rezone will provide additional needed storage in the neighborhood; and*
- *Whereas, the Planning Commission finds that the rezone would improve the property through development and enhance the neighborhood with providing needed amenities; and*
- *Whereas, the Planning Commission finds that there is a significant amount of undeveloped land to the north of the subject area. The owners of these lands could see the proposed rezone as an incentive to seek similar rezones; and*
- *Whereas, the Planning Commission finds that the rezone is consistent with the Comprehensive Plan Goal 101, as the rezone will enhance the quality of life for the neighborhood and protect a natural drainage course; and*
- *Whereas, the Planning Commission finds that the requested rezone is in the best interest of the Ketchikan Gateway Borough.*

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE FINDINGS, IT IS RESOLVED BY THE PLANNING COMMISSION/PLATTING BOARD OF THE KETCHIKAN GATEWAY BOROUGH as follows:

Section 1. *That a recommendation to rezone Lot 1 as depicted on Attachment "A" from RH/RM/MBR to CG/SL be forwarded to the Ketchikan Gateway Borough Assembly with a recommendation of APPROVAL, subject to the findings of fact contained herein with the following special limitations.*

Allowed Principal Uses:

- *Residential Uses allowed in the High-Density Residential Zone*

Allowed Conditional Uses

- *Storage units enclosed within a building to consider the impacts to the neighborhood such as lighting, security, noise, traffic, and aesthetics.*

Development Standards

- *Height Limit – 30 feet*
- *Setbacks same as Medium Residential Zone*

Commissioner Meck stated that the setback requirement was included to help with the development to blend in with the neighboring properties.

Commissioner Mainardi had concerns relating to the spot rezone but could not find a reason to deny the use when special limitations were in place.

Commissioner Govaars stated he wanted to see Mr. Edwardson's vision fulfilled by building the mini storages.

Director Harney stated that any future landowners of this parcel would be required to rezone the property if they intended to change the use from enclosed storage units.

Chair Arntzen stated that from speaking with individuals around town, storage facilities are running at 95 to 100 percent occupancy; showing a real need for these facilities in the community.

Upon roll call the vote on the MOTION was:

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

NO: Kelley-King

MOTION DECLARED CARRIED

Case 21-025, a request for a major variance to allow an existing residence and deck to remain and encroach into the rear yard setback and for the construction of garage that will also encroach into the side and rear yard setbacks on lot Sublot 7, Subdivision of Lot 27, USS 2604 KRD; located at 11099 Coburn Road, Ketchikan Gateway Borough. (Resolution 4316)

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

- The applicant sought to construct a garage on an existing foundation that was built by a previous owner with a variance; however, the variance expired before the structure was completed.
- An as-built survey submitted with the new application revealed that the existing residence and attached decks also encroach into the rear yard.
- The requested variance will bring all structures into zoning compliance.

Planner Johnson stated for Commissioner Kelley-King that the agreement with the neighboring property owner will be verified with the zoning permit.

Applicant Randall Fleenor was not in attendance.

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

M/S Mainardi/Govaars to adopt resolution 4316 A

M/S Mainardi/Govaars to amend resolution 4316 A by changing the title to: allowing the garage to encroach up to 14.5 feet into the rear yard setback.

Upon roll call the vote on Resolution 4316A was:

YES: Arntzen, Govaars, Mainardi, Kelley-King, Martin, and Meck

Upon roll call the vote on Resolution 4316 A Amended was:

YES: Arntzen, Govaars, Mainardi, Kelley-King, Martin, and Meck

MOTION DECLARED CARRIED

Case 21-026, a request for a rezone of Lot 94A, U.S. Survey 2403 from Light Industrial to General Commercial. 59 Powerhouse Road, Ketchikan Gateway Borough. (Resolution 4317)

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

- The purpose of the request was to retain the commercial options currently held by the property and add the ability to develop the lot with a residence.

Planner Lappin stated for Commissioner Kelley-King that the applicant intended to use the property as a music store.

Applicant Michael Henderson stated he intended to teach music and have a recording studio on the premises.

Mr. Henderson explained that any future Herring Cove plan would have little impact on his proposed use.

Resident Paula Jurzak spoke in opposition to the rezone request because she felt residents were being crowded out by commercial interests.

Commissioner Kelley-King stated to Mrs. Jurzak that there had been and continued to be numerous other non-residential uses in the Herring Cove area.

Planner Lappin explained that a spot zone was when a zone does not fit with the neighboring zones; however, in this case the property did fit adjacent zones.

Planner Lappin stated that when the property was zoned Light-Industrial, it was done to alleviate the 50-foot buffer required between residential and heavy-industrial zones.

Planner Lappin stated that originally there was a sawmill in the area which earned it the heavy-industrial designation.

Mr. Henderson understood Mrs. Jurzak's concerns; however, their intended use would have minimal impacts to traffic on Powerhouse Road. In addition, he said the reason for the rezone to general commercial was to fit with the Borough's code.

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

M/S Govaars/Martin to adopt resolution 4317A.

Commissioner Mainardi stated that he was torn, but he could see the benefits of a rezone to general commercial.

Commissioner Govaars felt that the rezone would fit with the current uses in the area.

Upon roll call the vote on the MOTION was:

YES: Arntzen, Govaars, Mainardi, Kelley-King, Martin, and Meck

MOTION DECLARED CARRIED

Case 21-027 is a request for a major variance for up to eight parking spaces for Lot 7, Block 5A, U.S. Survey 1378; located at 1405 Tongass Avenue, City of Ketchikan. (Resolution 4318)

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

- The subject lot was developed in the 1950's prior to the adoption of parking requirements and parking on the property is limited to one space.
- Historic uses of the building have relied on public parking available on Tongass Avenue.
- The applicant recently purchased the property and requests a variance to allow alternative uses of the building to be permitted without providing the required off-street parking.

Planner Johnson submitted an on the table amendment to resolution 4318 A to convert one off street parking space to be designated as a loading zoning and decrease the need of the parking space variance to eight from nine.

The applicant Autumn Bremer stated the need for the variance was to accommodate seasonal workers for seafood processing.

Mrs. Bremer had no problems with the additional loading zone condition.

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

M/S Govaars/Mainardi to adopt resolution 4318A.

Commissioner Mainardi felt that the small engine shop had existed with minimal complaints for many years; therefore, the change would be less of an impact on the neighboring properties.

Director Harney stated that as uses changed on many older properties, zoning flexibility will be required to accommodate these in-fill locations for future economic development.

M/S Govaars/Mainardi to amend resolution 4318A to include the following: "to allow uses that require up to eight off-street parking spaces"; and to add the condition that "the existing off street parking space shall be designated as a loading zone."

Upon roll call the vote on the MOTION for Resolution 4318A was:

YES: Arntzen, Govaars, Mainardi, Kelley-King, Martin, and Meck

Upon roll call the vote on the MOTION for Resolution 4318A Amended was:

YES: Arntzen, Govaars, Mainardi, Kelley-King, Martin, and Meck

MOTION DECLARED CARRIED

Case 21-028 is a request for a major variance for a residence to remain and encroach into the front yard setback on Lot 2, Block 27, U.S. Survey 1652A; located at 2651 Raven Avenue, Ketchikan Gateway Borough. (Resolution 4319)

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

- The residence was built by a previous owner in the 1990's with a zoning permit.
- The applicant discovered the encroachment while seeking a new zoning permit for an addition to the structure.

The applicant Margaret Wallace was not in attendance.

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

M/S Govaars/Martin to adopt resolution 4319A.

Upon roll call the vote on the MOTION was:

YES: Arntzen, Govaars, Mainardi, Kelley-King, Martin, and Meck

MOTION DECLARED CARRIED

CONSENT AGENDA

Request for a final plat to create two lots from Lot 41 of USS 2802 of the Pond Reef Group of Homesites; located at the 300 block of Pond Reef Road, Ketchikan Gateway Borough (Case 21-013)

Request by Harlan Heaton for a one-year extension for the final plat for the Ordinance 1890 P.U.D. Subdivision Phases 1 and 2, to create seven lots and extend the Surprise Beach Court Right-of-Way.(Case 19-072)

M/S Martin/Kelley-King to approve the consent agenda as presented.

Upon roll call the vote on the MOTION was:

YES: Arntzen, Govaars, Mainardi, Kelley-King, Martin, and Meck

MOTION DECLARED CARRIED

REGULAR BUSINESS - None

REMARKS

DIRECTOR'S REPORT

- Clam Cove Neighborhood Plan
- Housing Discussion Groups

COMMISSIONERS' COMMENTS

Commissioner Govaars appreciated how the commission is concerned with housing in the community.

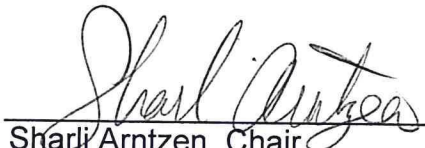
ADJOURNMENT

M/S Kelley-King/Govaars moved to adjourn.

With no objection, the meeting adjourned at 9:15 p.m.



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



Shari Arntzen, Chair
Planning Commission/Platting Board