

**KETCHIKAN GATEWAY BOROUGH**

**Planning Commission/Platting Board Meeting Minutes**

**2/25/2020**

The regular meeting of the Ketchikan Gateway Borough Planning Commission/Platting Board was called to order at 6:00 p.m., Tuesday, February 25, 2020, by Chair Sharli Arntzen, and the roll was called.

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

**PRESENT:** Sharli Arntzen, David Deal, Joseph Mainardi, Michael Medford, and Jacquie Meck

**ABSENT:** None

**STAFF PRESENT:** Planning Director, Richard Harney and Platting/ Zoning Clerk, Jeremy Weber

**PRESENTATION OF MINUTES - Meeting Minutes of January 14, 2020**

**M/S Medford/Meck** moved to approve the Meeting Minutes of January 14, 2020 as presented.

Upon roll call the vote on the MOTION was:

**YES:** Arntzen, Deal, Mainardi, Medford and Meck

**MOTION DECLARED CARRIED**

**CORRESPONDENCE – One Item on the Table**

1. Susan Porter Opposed to Case 20-008

**PERSONS TO BE HEARD – None**

**NEW BUSINESS/PUBLIC HEARINGS**

Chair Arntzen described the procedures for public hearings and appeals of decisions of the Planning Commission/Platting Board. She then read the agenda published on February 21, 2020 into the record.

CASE 20-009 (Resolution 4223) is a request for a preliminary plat to create four lots from an unsubdivided remainder of Wacker Townsite, U.S. Survey 1056; located at the 8000 Block of Imhoff Avenue; filed by Christopher Moore on January 17, 2020.

Director Harney summarized the written staff report, in which staff recommended approval.

- The applicant seeks to subdivide the property for futures sales.
- Road will need to be constructed to Public Works standards.

Chair Arntzen mentioned the application stated Bishop Street. Director Haney explained that the street has had several unofficial names over the years and that Bishop was one of those.

Director Harney verified for Chair Arntzen that Mr. Moore had already received the conditions laid out in the staff analysis.

Applicant Chris Moore was not in attendance for questions.

**M/S Mainardi/Meck** to adopt Resolution 4223 A

Upon roll call the vote on the MOTION was:

YES: Mainardi, Deal, Meck, Medford, and Arntzen

**MOTION DECLARED CARRIED**

Case 20-011 (Resolution 4227) is a request for a major variance to allow an existing dry cabin to remain and encroach into the required side yard setback on Lot 12, Ketchikan Gateway Borough Subdivision 85-01 Phase 2; located in Long Arm, Ketchikan Gateway Borough.

Director Harney summarized the written staff report, in which staff recommended approval.

- The major variance is required because the applicant seeks to use the cabin as a temporary shelter while he constructs his new cabin.

Director Harney outlined for Chair Arntzen that the Alaska DEC has guidelines for approved pit privy outhouse designs.

Applicant Michael Lemon clarified that he had built the pit privy to Alaska DEC approved specifications.

**M/S Medford/Mainardi** to adopt Resolution 4227 A

**M/S Mainardi/ Medford** to amend Resolution 4227 A to include the following condition;

Written confirmation that a pit privy has been installed in compliance with ADEC regulations prior to issuing a zoning permit.

Upon roll call the vote on the MOTION to amend resolution 4227 A was:

YES: Mainardi, Poppen, Deal, Meck, and Arntzen

**M/S Medford/Mainardi** to adopt Resolution 4227 A as amended

Upon roll call the vote on the MOTION was:

YES: Mainardi, Poppen, Deal, Meck, and Arntzen

**MOTION DECLARED CARRIED**

CASE 20-012 (Resolution 4228) is a request for a major variance to allow an existing shed to remain and encroach into the required rear yard setback on Lot 134B, Tongass View Addition; located at 890 Lincoln Street, City of Ketchikan.

Director Harney summarized the written staff report, in which staff recommended approval.

- The applicant discovered the encroachment when he submitted an application for a plat alteration to combine two lots.

Commissioner Deal noticed a drainage line in one of the photos of the applicant's property.

Director Harney explained that the Borough nor City have storm water management guidelines; therefore when drainage lines are put in place neighbors typically talk with each other to establish the best areas for placement.

Applicant Michael Welsh was not in attendance for questions.

**M/S Deal/Medford** to adopt Resolution 4228 A

Upon roll call the vote on the MOTION was:

YES: Mainardi, Medford, Deal, Meck, and Arntzen

**MOTION DECLARED CARRIED**

CASE 20-013 (Resolution 4229) is a request for a conditional use permit to allow an existing building to be used for manufacturing and an indoor shooting facility on Lot 15A-

1, Wacker Street Vacation of Right-of-Way; located at 7284 North Tongass Highway, Ketchikan Gateway Borough.

Director Harney summarized the written staff report, in which staff recommended approval.

- The applicant wishes to repurpose an existing building for the purpose of customizing firearms and operating an indoor gun range.
- The portion of the building to be used for the gun range will be retrofitted to prevent projectiles from leaving the building envelope.

Director Harney clarified for the Commission that manufacturing is a broad category; however, ammunition manufacturing would be included as a conditional use permit in that category.

Director Harney explained for Commissioner Deal that though the applicant included conditions 6 and, which would not allow anything larger than a 30-caliber non-magnum round. The facility would be built to withstand rounds that are more powerful.

Applicant Carl Smith was not in attendance for questions.

**M/S Deal/Medford** to adopt Resolution 4229 A

**M/S Mainardi/Deal** to amend Resolution 4229 A to include the following condition:

Applicant is required to provide proof of a permitted waste water system.

Upon roll call the vote on the MOTION was:

YES: Mainardi, Deal, Medford, Meck, and Arntzen

**M/S Mainardi/Deal** to adopt Resolution 4229 A Amended

Upon roll call the vote on the MOTION was:

YES: Mainardi, Deal, Medford, Meck, and Arntzen

**MOTION DECLARED CARRIED**

CASE 20-008 (Resolution 4230) is a request for a conditional use permit to allow manufacturing in the basement of the existing building on Lot 6A Plat 93-5 KRD; located on 422/424 Mission Street and 449 Mill Street, City of Ketchikan.

Director Harney summarized the written staff report, in which staff recommended approval.

- The applicant wishes to brew beer in the basement of the building.
- Some of the product will be sold from a taproom to be located elsewhere in the building, and the remainder will be sold to local businesses for resale.

Director Harney confirmed for Commissioner Deal that there were no conditions in the code referencing distances from churches.

Applicant Alex McGillivray stated he currently operates his brewery and was in need of space to expand his operations. He also stated the Alcohol Control Board had approved his plans and the traffic demand would be low due to nature of the business.

Jacob Mensurian submitted packets to the commissioners objecting to the case. The packet was retained for the record. Mr. Mensurian's objections included:

- Confusion with the land use matrix
- Harmony with the Revitalize Ketchikan Plan
- The close proximity to St. John's Episcopal Church
- Health concerns relating to asbestos, lead paint, and tidelands flooding
- Parking
- Non-compliance with AS 04.11.120

Director Harney clarified for the Commission that the conditional use permit was for a light manufacturing use and that matters pertaining to alcohol or the criterion governing alcohol establishments are outside the commission's jurisdiction. He further explained that the Alcohol and Marijuana Control board handles the permitting of alcohol establishments and that the City Council has the option to weigh in on licenses if they so choose.

Director Harney clarified for Chair Arntzen that if a complaint were received regarding smell, staff would conduct a review and address the situation as needed.

Debra Jackson spoke in opposition in topics that are outside the commission's jurisdiction, such as close proximity of the proposed brewery to churches and a ballet studio.

Director Harney stated for the recorded that there are currently 19 different types of licensed alcohol establishments mentioned in state law. He also clarified that the conditional use permit dealt with the light manufacturing use and that borough code does not address alcohol the way it does for marijuana.

**M/S Deal/Mainardi** to adopt Resolution 4230 A

Chair Arntzen stated for the record that approval was consistent with borough code and that many of the complaints heard were outside the Commission's jurisdiction.

Upon roll call the vote on the MOTION was:

YES: Mainardi, Medford, Deal, Meck, and Arntzen

### **MOTION DECLARED CARRIED**

CASE 19-078 (Resolution 4232) is a proposal to amend KGBC Title 18 by defining mobile food vendors and establishing the zoning districts where they will be allowed.

Director Harney summarized the written staff report, in which staff recommended approval.

- Due to an increased interest in food trucks, an amendment to the Borough's zoning code has been drafted to define a mobile food vendor (food truck), establish the zones where it will be allowed (all non-residential zones), and to modify the Mobile Building Restricted overlay zone to allow food trucks on private land.
- The Borough Assembly remanded this case back to the Planning Commission after they considered the ordinance on January 20.

Director Harney clarified for the Commissioner Meck that mobile food vendors would be allowed in General Commercial, Central Commercial, Heavy and Light Industrial, Future Development, Airport Development and Public Land Institutions. However, they are not permitted in residential zones.

Director Harney stated for Commissioner Deal that if a mobile food truck would like to set up at the Fawn Mountain football field during a tournament for more than two hours that they would be required to get a conditional use permit and that in the conditions hours of operation would be set or a perpetual CUP would be issued.

Director Harney also clarified for Commissioner Medford that food carts would be permitted under mobile food trucks; however, if someone were to sell hot dogs from a tent they would not need a CUP.

Applicant Representative Director Harney was in attendance for questions.

**M/S Meck/Medford** to adopt Resolution 4232 A

Upon roll call the vote on the MOTION was:

YES: Mainardi, Medford, Deal, Meck, and Arntzen

## **MOTION DECLARED CARRIED**

### Consent Agenda

One item for local concurrence with the AK DOT&PF regarding a proposed storage building to be incorporated into the Revillagigedo Airport's new parking lot.

**M/S Medford/Mainardi** moved to adopt the consent agenda

Upon roll call the vote on the Motion was:

YES: Mainardi, Poppen, Deal, Meck, London, and Arntzen

## **MOTION DECLARED CARRIED**

### DIRECTOR'S REPORT

- Planning Magazine article review.
- Clam Cove Neighborhood Plan Update
- FEMA Risk Map Update
- Alaska Federal Lands Access Program- KIC Awarded Naha Trail Repairs
- Comments sought for Helm Bay Exploration
- Census Update

## **COMMISSIONERS' COMMENTS**

Commissioner Meck felt that the Commission has moved forward and made progress.

Commissioner Medford gave accolades to Director Harney for handling the cases as a Planner and doing the Director's work.

Commissioner Deal wanted to relay to the public that the commission works within strict parameters.

Chair Arntzen wanted to express her gratitude to everyone for their work.

## **ADJOURNMENT**

**M/S Medford/Deal** moved to adjourn.

With no objection, the meeting adjourned at 8:15 p.m.



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



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Sharli Arntzen, Chair  
Planning Commission/Platting Board