

City and Borough of Sitka
PLANNING & ZONING COMMISSION
Minutes of Meeting
October 21, 2008

Present: Don Alexander, Larry Crews, Richard Parmelee, Jeremy Twaddle, Planning Director Wells Williams, Planner Melissa Henshaw, and Secretary Ptarmica McConnell.

Absent: Brian McNitt

Members of the Public: Mary Miller, Brandon Marx, Dan Jones, Pat O'Neill, Brian Hansen, Boyd Didrickson, Peter Gorman, Justin Olbrick, Louise Olmstead, John Delano, Jim Dinley, Scott McAdams, Don Anderson, Scott Saline, and Craig Giammona.

The Chair called the meeting to order at 7:00PM.

Consideration of the Minutes from the October 7th, 2008 meeting:

MOTION: M/S Twaddle/Crews moved to approve the minutes from the October 7th, 2008 meeting.

ACTION: Motion **PASSED unanimously** on a voice vote.

The evening's business:

FINAL PLAT
MINOR SUBDIVISION FOR ROCK QUARRY SITE
NORTHWEST QUARTERS OF A PORTION OF SECTION 2, T56S,
R64E OF COPPER RIVER MERIDIAN
CITY AND BOROUGH OF SITKA

Public hearing and consideration of a final plat for a minor subdivision of the Herring Cove Quarry Subdivision. This request is filed by the City and Borough of Sitka. The property is also known as (The Northwest Quarters of) a Portion of Section 2, T56S, R64E, Copper River Meridian.

Mr. Williams reviewed that this plat, a minor subdivision to create one lot for a future quarry site on municipal land, was before the board for final approval. At the last meeting the board was concerned with the possibility of a potential conflict with the trail and potential users of the area as well as with the visual effects. These issues relate to the impacts of the quarry and would be appropriately addressed through the conditional use process.

Ms. Henshaw read a letter from Barth Hamburg commenting on a number of issues related to the development of a rock pit. He explained that trail construction is scheduled for summer 2009. He is concerned with the potential affect of scenic qualities, public access, safety, conflict between users of the area, visual impacts, power lines from Green Lake, and associated costs. He also noted that rock pits along Blue Lake Road would be beneficial in that the road would be improved during the process.

Mr. Williams explained that most of the comments in the letter are related to the Conditional Use Permitting process.

Dan Jones, Municipal Engineer, came forward and asked if the board had any specific issues they'd like him to address. He explained that the face of the rock once fully quarried will have a stepped look to it. He also stated that it appears the power lines will not be an issue, and if so, it will be up to the lessee to ensure there won't be a problem. Mr. Jones spoke with Charlie Walls with the Electric Department and he said, "Care will have to be taken at Herring Cove to avoid damage to the power line, but it appears to me that there is enough room for the quarry to safely coexist with the power lines." Mr. Jones showed on the overhead where the trail will be developed with respect to the proposed subdivision.

Brian Hansen stated that his understanding is that the City did easements for parking and the trail and wondered what the footprint of the easements were in relation to the proposed subdivision.

Mr. Jones responded that the easements have not yet been platted. Once the trail is completed, the easement will be platted based on an assurance by the City. He thought that the proposed subdivision property line would be hundreds of feet from where the trail easements will be. He doesn't think there would be an encroachment.

Mr. Twaddle stated that the power lines issue was his biggest concern. Mr. Jones showed where the power lines cross the proposed property and explained that the City's intent is to keep the power lines as they are now and that there isn't any rock to quarry under the lines.

Mr. Twaddle also inquired about the plan for a waste site. Mr. Jones stated that they haven't planned that yet as they are leaving that up to the lessee because it is a commercial detail.

There was further discussion of the possibility of having a quarry out Blue Lake Road. Mr. Jones didn't feel there was enough rock to have a commercial quarry.

Mr. Williams reminded the board that the request in front of them is for a minor subdivision only.

Mr. Hansen came forward and asked for clarification that this specific request will just draw the lines; whether or not a rock quarry is developed is decided through the Conditional Use Permitting process. He encouraged the Commission to consider compatibility of the rock quarry with the other users of the area.

Mr. Twaddle asked if there were any other possibilities for rock quarry sites. Mr. Jones explained that they were looking at a site near Medvejie, but it didn't work out. He said that he will be bringing forth a conditional use permit for a different site soon. He explained that the City wants to have many options for rock quarry sites so that once ready, the market can decide which ones will work out best for commercial use.

Mr. Williams explained, for the purpose of disclosure, that Brian Hansen is an attorney who was hired by the Williams family.

MOTION: M/S Crews/Parmelee moved to approve the final plat for a minor subdivision for a rock quarry site at Herring Cove submitted by the City and Borough of Sitka.

ACTION: Motion PASSED 3-1, with Twaddle opposed.

**MARX VARIANCE REQUEST
REDUCE FRONT SETBACK TO ONE FOOT
FOR CONSTRUCTION OF GARDEN/STORAGE SHED
615 ETOLIN STREET
BRANDON MARX**

Public hearing and consideration of a variance request filed by Brandon Marx at 615 Etolin Street. The request is to reduce the front setback along Park Street to one foot for the construction of a garden/storage shed. The property is also known as Lot 7B Block 15 of the Park-ET Subdivision.

The property is located at the corner of Etolin Street and Park Street. Because it is a corner lot, it has two front setbacks and two rear setbacks. The applicant is requesting a variance to reduce the front setback from 20 feet to one foot on the Park Street side for the construction of a shed. The location of the proposed accessory building is to preserve the area behind the house for future additions of their 800 square foot house. This proposed accessory building will be a timber frame and is consistent with the tradition of this part of Sitka. Setback reductions to less than ten feet from adjacent municipal streets are fairly uncommon.

Public Comments:

Justin Olbrick, a neighbor, came forward. He stated that he thinks the garbage/storage shed will add character to the neighborhood and therefore supports the request.

Louise Olmstead, 211 Park St., came forward. She is in favor of the request because the lots are odd sizes and very small. She doesn't feel that there would be any visual problems with regards to driving.

MOTION: M/S Crews/Twaddle moved to approve the Marx variance request to reduce the front setback along Park Street to one foot at 615 Etolin Street with the following two conditions:

1. The structure is placed on skids so it can be easily moved.
2. The structure will be moved to within 10 feet of the front setback within 30 days of a request by the City if there is a future problem.

ACTION: Motion PASSED 4-0 on a voice vote.

MOTION: M/S Twaddle/Crews moved to approve the following findings in support of the approved variance request:

1. That there are special circumstances to the intended use that don't generally apply to other properties specifically the narrow, odd-sized lot.
2. That the variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel.
3. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure.
4. That the granting of such variance will not adversely affect the comprehensive plan.

ACTION: Motion **PASSED 4-0** on a voice vote.

**CONCEPT PLAT
SHELDON JACKSON COLLEGE CAMPUS SUBDIVISION PLAN
801 LINCOLN
PACIFIC TOWERS PROPERTIES, INC.**

Public hearing and consideration of a concept plat for a major subdivision of the Sheldon Jackson College Campus at 801 Lincoln Street. This request is filed by Pacific Towers Properties, Inc. on behalf of Sheldon Jackson College. The property is also known as Sheldon Jackson College Subdivision of USS 407-B.

The preliminary plat is before the board for the second time. This plat is updated from the one presented at the October 7th meeting. The updated plat has new configurations for lots 9, 10, 11, 12, 17, and 18, as well as new easements for the creek access and utility easements, and shows the flume that feeds into the hatchery.

The proposed lot lines between the Hames PE Center and the core campus have shifted toward the Hames PE Center building so that the proposed lot lines do not go through the creek. Lot 10, the old incinerator site, has shifted to exclude the graveyard (now part of the core campus), and now includes the contaminated area between the incinerator site and the Hames PE Center. Lot 11, the corner lot, has shifted so that the access and utility easement is not included and decreases the square footage by 8,892. Lot 12 has expanded to include the access and utility easement. Lot 17 now includes the entire width of the access and utility easement. This easement has been restricted to an emergency access road to the Hames PE Center. Drivers exiting from the Hames PE Center are unable to see vehicles on Jeff Davis that are going up to Sawmill Creek Road. This will be addressed as a plat note. Lot 18 has been altered to accommodate a stream running through it.

John Delano of Alaska Growth Capital came forward. He stated that he would like to see this platted so that they can begin selling off the properties to pay off the existing debt.

Mr. Williams explained that Mark Buggins, Environmental Superintendent, wants to make sure that all utilities are located.

Public Comments:

Pat O'Neill came forward. He explained that there will be a slight correction to the plat with regards to Lot 18. This is the wooded lot that the National Park is looking at acquiring. The new configuration will look more like the original, but it will include the area that contains the stream. This correction will make the lot approximately 3.2-3.3 acres rather than 3.5. He will have the corrected plat available for the next meeting.

Mr. Twaddle asked if all the utility easements were in place, to which Mr. Williams explained that the only ones still needing work relate to the smaller cottages along Jeff Davis Street and the Lincoln Street subdivision area and they will be worked on.

This will be brought back one more time at the Preliminary stage. Staff will bring back the following items for the next meeting:

1. Historic Preservation information-historical district and guidelines
2. Utilities off Jeff Davis
3. Lincoln Street Subdivision issues

**DIDRICKSON VARIANCE REQUEST
REDUCTION OF FRONT SETBACK TO 6 FEET
REDUCTION OF BACK SETBACK TO ZERO FEET
REDUCTION OF SIDE SETBACKS TO 3.5 FEET
INCREASE IN LOT COVERAGE TO APPROX. 75%
428 KAAGWAANTAN STREET
BOYD DIDRICKSON**

Public hearing and consideration of a variance request filed by Boyd Didrickson at 428 Kaagwaantaan Street. The request is a reduction in the front setback from 20 feet to 6 feet, back setback from 10 feet to zero feet, side setbacks from 8 feet to 3.5 feet, and an increase in lot coverage to approximately 75%. The property is also known as the South Portion of Lot 47, Block 2 of the Sitka Indian Village. This request is for the construction of a new house and modifications of existing accessory buildings.

This property is located in the Sitka Indian Village, on the right-hand side of Kaagwaantaan Street heading outbound. The property is 1,539 square feet, and the proposed house, stairs, and accessory structures would be 1,164 square feet. The proposed house would be 896 square feet, the proposed stairs and existing structures would be 268 square feet. The existing accessory structures that cross over the property line in the back of the property will be cut back to accommodate construction of the new house.

Mr. Didrickson came forward and explained that his plan is to remove the existing structure, which is right on the property line on the street side, and rebuild back further

from the street and away from his neighbors property line. He is also going to downsize the other structures on the property to make more room for the new house.

Mr. Twaddle asked if the driveway access to the back lot encroached on his property. Mr. Didrickson responded that it was partially on his lot but that there is an access easement.

Don Anderson for George Anderson came forward and explained that his father lives behind Mr. Didrickson and would like to see a survey done to see where actual property lines are. Other than that he has no problem with the request.

Mr. Williams explained that in this particular case there is an argument that it should be surveyed prior to the request being approved. Mr. Didrickson stated that the property lines had already been surveyed and the lines are marked. He brought forward a copy of the survey.

Mr. Williams said that staff would ask Mr. Didrickson to draw the structures and the driveway to the Anderson property on to the as-built survey so that the Board is able to see them in relation to the property lines.

Mr. Crews expressed concern with the zero setback in the rear of the property.

Scott Saline, an adjacent neighbor, came forward to make a public comment. He explained that he's lived in the village for 18 years. He commented that this instance is one that the board should really study in their desire to do good for town because this whole neighborhood is a prime example of how this very process has let the people down that live there. The biggest issue that he sees for George (Anderson) with regards to navigating is the retaining wall that the City built on top of gravel that has never been reinforced and is damaging some clan houses. There is some question as to the haphazard way that Back Street was built. He would like to see the Board go down there and look downhill to see how the road is pushing against clan houses. He explained that Mr. Didrickson just built his own retaining wall on his other property in order to keep his (Mr. Saline's) house up. It's something that the Board will continually have to look at with regards to West Back Street because of Back Street being built without consideration for longevity.

Mr. Williams explained that this request will come back before the Board at the November 4th meeting.

PUBLIC BUSINESS FROM THE FLOOR

None

PLANNING DIRECTOR'S REPORT

Mr. Williams had three items to report:

1. The Indian River Land Auction-two properties were sold at the meeting and the next day four more lots were sold. There are still two lots in inventory and three set aside for affordable housing.

2. Mr. Crews is leaving the Planning & Zoning Commission to take his seat on the Assembly, so this is his last meeting.
3. The Delta Western proposals hit the Assembly next Tuesday for the first reading.
4. Sawmill Cove final plat also hits the Assembly

ADJOURNMENT

The meeting adjourned at 8:50PM.

Don Alexander, Chair

Ptarmica McConnell, Secretary