

CITY OF CRAIG
PLANNING COMMISSION MINUTES
Meeting of January 24, 2008

Roll Call

Roll call was taken. Present were Roger Sadler (chair), Gail Slentz, John Moots, Lonnie Walters, and Bill Russell.

Also present were Brian Templin (City Planner), Jon Bolling (City Administrator), Deb Ely, RJ Ely, Mark Beardsley, Cheryl Fecko and Charlene Wolfe.

Approval of Minutes

October 25, 2007 Meeting minutes. A motion was made and seconded to approve the minutes of the October 25, 2007 meeting.

MOTION TO APPROVE

SLENTZ/RUSSELL

APPROVED

Public Comment

1. Cheryl Fecko asked what the status of the lease to James Seley was. Brian answered that the lease was a city council issue and that the ordinance authorizing the city to negotiate the lease had passed first reading and was scheduled to be heard for the final reading at the February 7, 2008 City Council meeting. Cheryl asked what the proposed use for the property was. Brian answered that the application talked about using the area for recreation and as a construction waste area. There was some additional discussion about what constituted construction waste.

Public Hearing and New Business

1. Wyzwowski Variance VAR 071212.
Brian talked to the commission about the variance application submitted by Mr. Wyzwowski. He said that he had been trying to get the issue resolved for several months and that he had issued a notice of enforcement that required Mr. Wyzwowski to either remove the encroaching wannigan or submit a variance application. Mr. Wyzwowski submitted the variance application. Deb Ely (property owner) and Charlene Wolfe (adjacent neighbor on the other side of Mr. Wyzwowski) both talked about problems that they had had with their neighbor. RJ Ely submitted written comments to the commission with photographs of the encroachment and some of the problems that they were having.

The commission discussed approval criteria 3, that granting the variance will not result in physical damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety or welfare. There

was a lengthy discussion about health and safety of construction debris, inhibition of fire access and property value of the adjacent lot. Neighbors testified that the location of the wannigan was a health and safety issue and that the location and condition of the wannigan would impact the value of their property. Commissioner Moots was concerned with the amount of encroachment that was requested and stated that allowing the encroachment may restrict fire access as it is, but would definitely preclude the neighbor from any additional development without seriously restricting emergency access. The commission found that criteria 3 WAS NOT MET.

The commission discussed criteria 7, which states that the variance is not sought solely to relieve monetary hardship or inconvenience. Although removal of the wannigan or moving the entire structure may result in economic hardship or inconvenience, the applicant stated in their application that there are other hardships caused by denial of the variance and that monetary hardship or inconvenience are not the only reasons that the variance is being sought. The commission discussed the possibility of adding on to the other side of the trailer and creating the same space without encroaching into the setback. Commissioner Russell felt that although this was a more expensive and inconvenient solution, it would preclude the need for the variance. Based on the discussion the commission found that Criteria 7 WAS NOT MET.

Brian told the commission that they had to pass a resolution on the issue to approve or to deny the variance. The commission discussed the wording for the resolution that would deny the variance.

John Moots made a motion to amend PC Resolution 499-08 to show that the variance was denied based on criteria 3 and 7.

A motion was made to approve the amended resolution PC 499-08 to deny the variance request.

MOTION TO APPROVE

MOOTS/SLENTZ

APPROVED

2. Chad Mickel Replat, Cedar and Beach Subdivision – Final Approval (Preliminary Plat approved by resolution 498-07-PC, October 25, 2007)
Brian reported that the planning commission had approved the preliminary plat for the replat of four lots on Beach Road in October. Brian said that the lots were properly monumented and that all requirements of the plat were met. Brian said that no action was required by the commission to approve the final plat, but that he would answer any questions that the commission had. There were no questions. Brian asked the chairman and another commissioner to sign the plat after the meeting.
3. Correspondence from POW Properties

Mark Beardsley submitted a letter on behalf of POW Properties regarding some utility and road issues along Cold Storage Road adjoining the Westwind Plaza parking lot. Mark talked at the meeting about the amount of foot traffic and lack of crosswalk and sidewalks. Mark also talked about the drainage problem. Commissioner Walters agreed that there was a lot of foot traffic along that part of Cold Storage Road and said that we really need to look at that area as a safety concern when we begin prioritizing roads for paving.

4. Review of Craig Paving Policy

Brian reported that as we are getting closer to paving city streets that Jon Bolling had asked the commission to take a final look at the paving policy. Brian said that no changes were required unless the commission or the council feels that they need to be made. The commission asked Brian to schedule a workshop to discuss paving and to begin discussions on the road project.

Old Business

1. No additional old business was discussed.

Adjourn

A motion was made to adjourn.

MOTION TO ADJOURN

SLENTZ/WALTERS

APPROVED

CITY OF CRAIG
PLANNING COMMISSION MINUTES
Meeting of February 28, 2008

Roll Call

Roll call was taken. Present were Roger Sadler (chair), Lonnie Walters, and Bill Russell. Gail Slentz and John Moots were absent excused.

Also present was Brian Templin (City Planner). There was no public present at the meeting.

Approval of Minutes

January 24, 2008 Meeting minutes. A motion was made and seconded to approve the minutes of the January 24, 2008 meeting.

MOTION TO APPROVE WALTERS/RUSSELL APPROVED

Public Comment

There was no public comment on non-agenda items.

Public Hearing and New Business

There was no new business conducted at the meeting.

Old Business

1. Wyzwkowski Variance VAR 071212 – Update. Brian shared with the commission that Mr. Wyzwkowski came into the office after he received the letter notifying him that the planning commission denied his application for a variance. Brian shared that Mr. Wyzwkowski did not intend to appeal the decision and that he planned to remove the encroaching portion of the wannigan by the deadline. Brian said that he had 60 days from January 26, 2008 to comply.
2. Craig Transportation Plan Discussion
 - a. Craig Paving Policy. Brian asked the planning commission if they had a chance to review the road paving policy attached to the Craig Transportation Plan. The commissioners discussed the paving policy and said that we needed to consider changing the grade on Hilltop Drive if it gets selected for paving and that Cold Storage Road was a pedestrian safety issue. There were no other items in the transportation plan that they felt needed changed.
 - b. Road Paving Ranking Criteria. Brian asked the commission if they had any recommendations about the paving criteria before we scored roads to create a preliminary ranking list. After a great deal of discussion the commission felt that we might want to add three more criteria to address safety, volume of traffic and type of traffic (lots of truck traffic would receive a higher score). There was also some discussion about weighting

some of the criteria rather than have each criteria only get one point. The commission decided that they wanted to meet in a workshop setting.

- c. Workshop. The commission set March 19, 2008 as a tentative date for a workshop. Brian said that he would prepare for a workshop that would center on the paving criteria and doing a preliminary scoring of all of the roads in Craig. Brian reminded the commission that they could not take any action at the workshop, but they could take action at the regular meeting on the 27th.

Adjourn

A motion was made to adjourn.

MOTION TO ADJOURN

WALTERS/RUSSELL

APPROVED

Roger Sadler, Chairman

Attest: Brian Templin, City Planner

CITY OF CRAIG
PLANNING COMMISSION MINUTES
Meeting of March 27, 2008

Roll Call

Roll call was taken. Present were Gail Slentz, John Moots, Lonnie Walters, and Bill Russell. Roger Sadler was absent excused. Gail Slentz chaired the meeting.

Also present was Brian Templin (City Planner) and John Clifton (First Bank).

Approval of Minutes

February 28, 2008 Meeting minutes. A motion was made and seconded to approve the minutes of the February 28, 2008 meeting.

MOTION TO APPROVE RUSSELL/WALTERS APPROVED

Public Comment

There was no public comment on non-agenda items.

Public Hearing and New Business

There was no new business conducted at the meeting.

Old Business

Public Hearing and New Business

1. Resignation of Roger Sadler from the Planning Commission and Selection of a Commission Chairman and Vice Chairman. Brian reported that Roger Sadler had submitted his letter of resignation. Roger had long set a goal of serving ten years and then getting someone new on the commission. This year marked ten years of service. The commission expressed their gratitude to Roger and reluctantly accepted his resignation.

MOTION TO ACCEPT MOOTS/WALTERS APPROVED

After the resignation was accepted there was a discussion on replacing the chairman. Brian said that it could be done tonight, or that it could wait until the next meeting. The commission decided to go ahead tonight. After a short discussion John Moots was nominated to be the commission chairman and Gail Slentz was nominated to continue as the vice-chairman. There were no other nominations and the chairman and vice-chairman were elected by unanimous consent.

2. Replat 080327A, Philip Reeves/Elizabeth Wolfe, Resolution PC 500-08. Brian reported that Philip Reeves and Elizabeth Wolfe had submitted a

preliminary plat for lots 5 and 6, Block 6A, USS 1430 CTA. Brian said that this replat simply removed the middle lot line and created a single larger lot. A copy of the preliminary plat was presented to the commission. It was moved and seconded to approve Resolution PC 500-08.

MOTION TO APPROVE WALTERS/MOOTS APPROVED

3. Replat 080327B, Chet Powell, Resolution PC 501-08. Brian reported that Chet Powell had submitted a preliminary plat for lots 1-3, HS 600, James Subdivision. Brian said that this replat would split lot 2 and divide the area between lots 1 and 3. The end result would be two larger lots. The commission asked if the part of lot 2 that was to be attached to lot 1 would be rezoned. Brian answered that there would be a rezone if the preliminary plat was approved. A copy of the preliminary plat was presented to the commission. It was moved and seconded to approve Resolution PC 501-08.

MOTION TO APPROVE MOOTS/RUSSELL APPROVED

4. Replat 080327C, City of Craig/First Bank, Resolution 502-08. Brian reported that the City of Craig and First Bank had submitted a preliminary plat for Tracts A-1 and A-2, USS 1429A, Ward Cove Cannery Site. Brian said that this replat would add 7,500 square feet of Tract A-1 (city owned) to Tract A-2 (First Bank). Brian said that this land sale was included in the Ward Cove Cannery Site Development Plan. The purpose of the replat is to sell land to First Bank so they can expand their branch. Brian was asked about the house on the lot. Brian answered that First Bank and the city were working to get rid of the house and looking for someone interested in moving it. Brian also said that the portion of the lot sold to First Bank would have to be rezoned after the replat were approved and the sale finalized. It was noted that the resolution approving the replat was incorrectly numbered. Brian said that he would correct the typo on the final copy of the resolution. It was moved and seconded to approved the amended Resolution PC 502-08A.

MOTION TO APPROVE RUSSELL/WALTERS APPROVED

5. Replat 080327D, Jay Landgren, Resolution 503-08-PC. Brian reported that Jay Landgren had submitted a preliminary plat for lots 20A and 20B, Windansea Subdivision. Brian said that this replat simply removed the middle lot line and created a single larger lot. A copy of the preliminary plat was presented to the commission. It was moved and seconded to approve Resolution PC 503-08.

MOTION TO APPROVE MOOTS/RUSSELL APPROVED

6. Conditional Use Permit CUP 080327, Don Reed, Bed and Breakfast in a Residential Zone, Resolution 504-08-PC.

John Moots and Gail Slentz declared a possible conflict of interest. John owns and resides on the property directly to the west of Mr. Reed's property and Gail owns and operates lodging above the bookstore across the street from Mr. Reed's property. The commission discussed the potential conflict of interest and determined that neither John nor Gail had a significant financial interest in the outcome of the CUP and should be allowed to participate in the discussion and vote.

Brian reported that Don Reed had applied for a CUP to operate a B&B at 405 7th Street. Mr. Reed purchased the lot and cleared the existing house and has secured a building permit for site work. Brian was asked if a site plan had been submitted. Brian said that it had not, and that a building permit for construction had not been issued. Brian said that in conversations with Mr. Reed, there were preliminary plans to construct a duplex.

Commissioner Walters asked if someone could operate a B&B in a duplex. Brian said that the Craig Code stated that a B&B had to take place in a residential structure, but did not require that it take place in the same residential unit in that structure, therefore Mr. Reed could operate a B&B in a duplex if he met all other requirements. Commissioner Slentz asked if he would be living in the unit, or operating the B&B when he was not there. Brian said that he had a lengthy discussion with Mr. Reed and told him that one of the requirements of the B&B is that it be conducted in an "owner occupied" structure and that a legal owner had to be in residence whenever there were guests. It was noted that the incorrect resolution number was at the top of the resolution. Brian said that it should read Resolution 504-08 and that he would fix it on the final copy. It was moved and seconded to approve Resolution PC 504-08 as amended with the correct resolution number.

MOTION TO APPROVE WALTERS/RUSSELL APPROVED

7. Notice of Violation – My Desire Flower Shop, Change in the outside appearance of the building; too many signs; and illuminated sign.. Brian reported that Jon Bolling had received an anonymous letter about the retail activities at My Desire Flower Shop, a home occupation business operated by Jacqueline Vaughn at East Hamilton Drive and Achten Court. Brian said that he intended to send them a letter asking them to continue to watch parking and traffic to make sure that there were no problems. Brian said that he drove by the property before sending the letter and found that the garage door had been painted with large letters that spelled out "My Desire Flower Shop". In addition to the painted lettering on the garage door there was a square sign mounted on the end of the garage and a neon "open" sign above the door. Brian provided photos to the commission. Brian said that the home occupation definition in the Craig Code is very explicit and allows for one non-illuminated sign not exceeding three square feet. Brian said that he sent a certified letter notifying them of the violation and stating that they needed to

come into compliance. After the letter was sent Brian said that Jacqueline had called and her husband, Jim had stopped by city hall to discuss the issue. The Vaughn's felt that the issue was minor and should not be enforced. Brian said that in the letter, and in his conversations with the Vaughn's he told them that they could appeal the decision to the planning commission and the city council. Brian told the commission that they would probably see an appeal at the next meeting. No action was required by the commission at this time.

8. Ward Cove Cannery Site Park – Preliminary Discussion. Brian told the commission that the city had received a private donation for a park/lost at sea memorial on the Ward Cove Cannery Site. Brian said that the city was looking at the area on the extreme west end of the property. Brian also reported that the city was working with the Forest Service on the project. The park fits into the planning discussions regarding the property. Brian said that he would keep the commission in the loop on the project.
9. Tom Kirkman Lease – Discussion. Brian reported that Tom Kirkman had placed pilings out of position and that as a result, his dock in North Cove encroached onto city owned tideland. Brian said that Mr. Kirkman has applied to lease the city owned tideland but there was a lot of opposition to the lease. Brian said that he would provide information to the commission as it developed.
10. Shaan-Seet Subdivision – Discussion. Brian reported that Shaan-Seet was looking at a couple of subdivision projects. He said that they are developing some industrial area along JT Brown Street at the industrial park and that they are considering opening some residential land on Cemetery Island. Brian said that he would bring additional information to the commission as it developed.

Old Business

1. Adopt Changes to the Transportation Plan. Brian thanked the commission member for their attendance at the March 25, 2008 workshop. Brian said that as a result of the workshop the commission had recommended five changes to the current transportation plan
 - a. On page 4 of the updated plan the commission added item 7, installing a crosswalk and pedestrian access along Cold Storage Road at the intersection with the Craig-Klawock Highway, under East Craig – North of the State Highway.
 - b. On page 4 of the updated plan the commission added item 9, reduce grade of Hilltop Drive between HS 600 and Tract 6, USS 2611, under East Craig – South of State Highway and West of Port Bagial Boulevard.
 - c. On page 7 the commission changed planned underground utility work or lack of a ROW/Easement from scored criteria to a decision on whether or not to score the road at all. Commissioners stated that if there was planned underground work that was not already on a schedule to be completed prior to

paving or if there was not a ROW/Easement then the road should not be scored. This change has been incorporated into the first paragraph under II. Criteria for Paving Streets. The remaining criteria were renumbered to reflect this.

- d. On page 7 the commission stated that criteria be weighted, rather than all being equal in value. After some discussion each of the criteria was given a value from 1 to 3. It was decided that during the scoring process the criteria would get a score of 0 if it was not met and the assigned value if it was met. Assigned values are shown in the criteria description.
- e. On page 8 the commission added three criteria. The new criteria are listed as 8, 9 and 10 on page 8. Criteria 8 – 10 would be: 8.) The street has been identified as a safety issue – 3 points.; 9.) The street has a high volume of traffic – 3 points.; 10.) The street has a high volume of heavy truck traffic – 2 points.

Brian provided an updated copy of the transportation plan with the changes incorporated. He said that the next step would be to forward the updated transportation plan for City Council approval. It was moved and seconded to adopt the 2008 Transportation Plan as amended and forward it to the Craig City Council for approval.

MOTION TO APPROVE MOOTS/WALTERS APPROVED

- 2. Road Priority Ranking List Discussion. Brian reported that he had prepared a road priority list based on discussion at the workshop on March 25th. Brian said that the list was not final, but would be used as a starting point for discussion and public input. Brian said that the list did not need to be formally adopted by the commission at this time, but asked if there were any changes to the preliminary list as shown. No one had any changes to suggest and the commission directed staff to use the list as a preliminary priority list. No further action was required at this time.

Adjourn

MOTION TO ADJOURN WALTERS/MOOTS APPROVED

Gail Slentz, Vice-Chairman

Attest: Brian Templin, City Planner

CITY OF CRAIG
PLANNING COMMISSION MINUTES
Meeting of May 8, 2008

Roll Call

Roll call was taken. Present were John Moots (Chairman), Gail Slentz, Lonnie Walters, and Bill Russell. Barbara Stanley was also present and took her place with the commission after being sworn in.

Also present was Brian Templin (City Planner), Cheryl Fecko, Ken Owen, Kathy Peavey, Leonard Williams, Jay Kingery, Deb Ely, RJ Ely, Mark Habib, Charlene Wolfe and Victoria Merritt

Swearing in of New Commissioner

Barb Stanley was sworn in as a new commissioner replacing Roger Sadler.

Approval of Minutes

March 27, 2008 Meeting minutes. A motion was made and seconded to approve the minutes of the March 27, 2008 meeting.

MOTION TO APPROVE

SLENTZ/WALTERS

APPROVED

Public Comment

Cheryl Fecko asked about activity on the Ward Cove Cannery Site. Brian reported about the adoption of the Phase I plan by the city council. Brian also talked about the land sale of a portion of the property to First Bank, the Astoria Seafoods lease and preliminary plans for a park on the west end of the property.

Deb Ely told the commission that she was unhappy at how the enforcement action against her neighbor was handled. She said that dates to have the issue resolved came and went without a citation being issued and she thought that the entire wannigan was supposed to be removed. Brian reported that there was never instructions to Mr. Wyzwowski to remove the wannigan, only that the wannigan could not encroach into the setback. Brian reported that the wannigan has been altered so that there is no wall within the 10' side yard setback. The covered deck that remains as a result of moving the wannigan wall is allowed by code and is not a violation. Commissioner Moots reiterated that the planning commission did not have the latitude to require enforcement above and beyond the scope of the city code. Brian also said that he tries to work people in these cases and that as long as he feels there is forward progress on getting the issue resolved that it is his preference not to issue citations. Brian said that in this case it took a lot longer than he would have liked, but in the end the issue was taken care of and the violation file was closed. Brian offered to provide information to the commission on how he handled enforcement issues and answer questions at the next meeting.

Leonard Williams said that the city should set up an area for vehicle disposal. Brian said that there were areas in Craig that were zoned correctly and he would be happy to provide a list of those areas to Mr. Williams. Mr. Williams said that it would be better to do it on city property somewhere. Commissioner Moots told Mr. Williams that the planning commission could work on getting areas zoned correctly, but if he wanted the city to dedicate resources to this then he should talk with the city council.

Public Hearing and New Business

1. Variance 080424 – Habib Encroachment into Sideyard Setback. Brian reported that Mark and Tina Habib had applied for a variance to replace the current shop/garage on their property on Lot 2A, Block 20, USS 1430. Brian said that the existing garage already encroaches six feet into the setback and that the new garage would only encroach three feet. This would reduce the existing encroachment by about 90 square feet. Commissioner Moots declared a possible conflict of interest as an adjacent landowner. Brian reminded the commission that there needed to be a financial benefit in order for a conflict of interest to exist. The commission discussed the issue briefly and determined that there was not a conflict of interest. They also asked Mark Habib if he objected to Commissioner Moots deliberating on the issue. He said that he didn't have a problem with it. The commission asked Mark if he could move the garage closer to the house to reduce the encroachment even more. Mark replied that he could tear out some of the deck and move the garage, but that would place the two buildings very close together. After a brief discussion about Mark's options and safety egress between the buildings, a motion was made and seconded to approve resolution 505-08-PC and approve variance 080424.

MOTION TO APPROVE

SLENTZ/STANLEY

APPROVED

Old Business

1. Appeal by Jacqueline Vaughn, My Desire Flower Shop, to Notice of Violation by the Craig City Planner. Brian asked if there were any questions about the record of the appeal including all correspondence to the Vaughn's or the appeal letter. Brian explained the appeal process, the portion of the code that pertained to the violation and his enforcement efforts to date. No one was present at the meeting representing the Vaughn's. The commission asked if either of the Vaughn's had contacted Brian regarding the hearing date and if they had been properly notified. Brian said that they had signed for a certified letter notifying them of the hearing date and that he had not been contacted by them except for the appeal letter itself. The commission made the decision to proceed with the hearing. Brian asked that when the commission was finished deliberating that it clearly state the reason for the decision, whether the appeal was approved or denied, so that he could publish a statement of findings.

The commission talked about the sign limitations for a home occupation business and how it applied to this violation. The Planning Commission issued the following statement of findings supporting their decision to appeal the decision:

The listed violations are valid and were correctly interpreted by staff. The commission finds no grounds to overturn the original enforcement action.

A motion was made and seconded to deny the appeal and uphold the original enforcement action. Brian said that he would notify the Vaughn's and set a new compliance date.

MOTION TO DENY APPEAL

STANLEY/WALTERS

APPROVED

2. Road Priority Ranking List Discussion. Brian reported that the commission had met with staff in March to score Craig roads against the paving policy to establish a priority list. The list was adopted at the March 27, 2008 planning commission meeting as a public review draft. Brian said that the public review draft was advertised and made available to the public for review. A number of the public who were present shared their comments. Most comments were supportive of the public review list. Brian asked the commission to make any changes based on the public comments or their discussion and to adopt a proposed list for the city council to adopt. Brian identified roads that the CCA was going to pave that were on the list, but suggested that the commission rank the roads however they wanted and the roads that would be paved by the CCA would not be affected by the final list.

Commissioner Russell said that the list looked pretty good. That the Beach Road loop and the Hamilton Drive loop ended up at the top of the list. He suggested that we start by creating two line items for Beach Road. One would go from 7th Street to 1st Street and the other would be from 1st Street north to the end of Beach Road. He said that if we do this then the paved loop for Beach Road could go from Water Street, up 7th Street, along Beach Road, up 1st Street and connect with Main Street. Everyone agreed that this was a good definition of the Beach Road loop.

Throughout the discussion there were several suggestions made for changes to the list. Other changes by the commission included:

- ⊕ Moving 7th Street and 1st Street to the top of the list with Beach Road so that the entire loop had the same priority.
- ⊕ Moving West and East Hamilton above Hilltop Drive
- ⊕ Noting on the Cold Storage Road item that the safety issue could be corrected by paving a short portion from the highway to COHO. They also created another line item for Cold Storage Road from COHO to the EC Phillips property line (remainder of Cold Storage Road). They placed

this remainder portion between Cedar Street and Fifth Street on the priority list.

- ⊕ Adding a note to Hilltop Drive to indicate that the priority portion was the first 200' from the highway. The commission did not add another segment of Hilltop Drive since it was on the list of CCA roads.
- ⊕ Moving the remainder of Beach Road (1st Street north) to between Achten Court and Cemetery Island Road.
- ⊕ Adding a note to show the CCA identified roads.
- ⊕ Adding a note that road construction (especially along Hamilton Drive) should not negatively impact separated trails and bike paths.

There was a motion to the list as amended and forward it to the Craig City Council for adoption.

MOTION TO APPROVE

WALTERS/RUSSELL

APPROVED

3. Final Plats, Chet Powell and Jay Landgren. Brian told the commission that there were three plats that needed to be signed and sent to the recorder's office. Brian said that all conditions on the preliminary approval had been met. He asked for Chairman Moots and one other commissioner to sign plats. No other action was taken on this item.
4. (Added) Commissioner Russell asked how new subdivisions were going to fit into the paving plan, particularly the priority list that the commission had just finished. Brian said that the issue had not been discussed. There was a short discussion on who was responsible for paving new subdivisions and how to handle them in regards to future priorities for paving money that the city might have. Brian said that he would try to gather information from other communities in SE Alaska regarding paving of new subdivisions and provide that information for a discussion at the next planning commission meeting.

Adjourn

There was a motion to adjourn.

MOTION TO ADJOURN

WALTERS/STANLEY

APPROVED

John Moots, Chairman

Attest: Brian Templin, City Planner

CITY OF CRAIG
PLANNING COMMISSION MINUTES
Meeting of June 30, 2008

Roll Call

Roll call was taken and John Moots (chair), Gail Slentz, Lonnie Walters, Bill Russell, and Barbara Stanley were present at the meeting. Also present was Brian Templin, Craig City Planner. There was no public present at the meeting.

Approval of Minutes

May 8, 2008 Meeting minutes. A motion was made and seconded to approve the minutes of the May 8, 2008 meeting.

MOTION TO APPROVE WALTERS/RUSSELL APPROVED

Public Comment

There was no public comment.

Public Hearing and New Business

1. Resolution 506-08-PC, Consideration of CUP 080630 approving a bed and breakfast by Bill and Cindy Bennett at 702 Beach Road. Brian reported that Bill and Cindy Bennett had applied for a conditional use permit to operate a Bed and Breakfast in their home at 702 Beach Road. There was some discussion about the location, and parking. A motion was made and seconded to approve Resolution 506-08-PC.

MOTION TO APPROVE RUSSELL/MOOTS APPROVED

2. Resolution 507-08-PC, Consideration of RZ 080630 recommending approval by the Craig City Council of a rezone of a portion of Tract A-1, USS 1429A from Marine Industrial to Commercial. Brian told the commission that the replat of the portion of the cannery site had been approved and the sale was proceeding. He said that this resolution would change the zoning on the portion being sold to First Bank from Marine Industrial to Commercial. This would make the entire First Bank lot commercial. There were no objections and no further discussion. A motion was made and seconded to approve Resolution 507-08-PC recommending that the Craig City Council approve the rezoning request.

MOTION TO APPROVE STANLEY/WALTERS APPROVED

3. Accepting the resignation of Commissioner Gail Slentz and search for a new commissioner. Brian reported that Commissioner Gail Slentz had submitted her resignation effective July 1, 2008. The commission thanked Gail for her work and her time on the commission. Brian thanked Gail for all of the help and hard work that she had put into the commission over the last five years.

MOTION TO ACCEPT RESIGNATION MOOTS/WALTERS APPROVED

Old Business

1. Discussion on enforcement actions by the Craig City Planner for zoning violations. At a previous meeting the commission had asked Brian to give an explanation about the procedures for enforcement actions. Brian provided a memo to the commission that outlined enforcement responsibilities and practices. Brian said that there was no specific action required but that he welcomed any input from the commission. There was some discussion about the procedures. In the end the commission did not have any changes that they wanted to see, but they asked if Brian could provide a list of current enforcement actions to the commission on a monthly basis so that they were aware of things that were going on. Brian said that he would work to do that.
2. Discussion on paving requirements for new subdivisions. During the street paving priority listing the commission raised the question about how to handle new subdivisions and where to put them on the list. The commission asked Brian to see what other communities do as far as requiring paving. Brian provided a memo and reported that he did not find information about other communities (similar to Craig) requiring paving, in fact usually the paving was the community's responsibility (at least in Ketchikan according to a former planning commission member there). Brian explained the current standard for street improvements in new subdivisions in Craig and asked the commission for any input that they had. There was discussion about how to handle the requirement for paving or at least how to decide where the road would be placed on the list. In the end the commission felt that new streets should be placed at the end of the priority list and that the city should look at local improvement districts and other tools to help new subdivision streets get paved as part of the improvements. There were no specific actions requested by the commission.
3. Road Priority Ranking List Discussion. Brian reported that the road pavement priority list that the commission worked on was approved, as recommended, at the May 15, 2008 council meeting. Brian thanked the commission for their hard work on the list.

Adjourn

There was a motion to adjourn.

MOTION TO ADJOURN

WALTERS/MOOTS

APPROVED

John Moots, Chairman

Attest: Brian Templin, City Planner

CITY OF CRAIG
PLANNING COMMISSION MINUTES
Meeting of September 3, 2008

Roll Call

Present were John Moots (chair), Sharilyn Zellhuber, and Barbara Stanley. Absent excused was Lonnie Walters and Bill Russell. Also present was Brian Templin, Craig City Planner.

Approval of Minutes

Minutes were not available for approval.

Swearing in of New Commissioner

Sharilyn Zellhuber was sworn in as a planning commissioner to complete Gail Slentz's unexpired term.

Public Comment

There was no public present and no non-agenda items.

Public Hearing and New Business

There was no public hearing or new business.

Old Business

1. Home Occupation and Bed & Breakfast Sign Discussion. At previous commission meetings several commissioners were interested in the restrictions on signs for home occupation businesses and bed and breakfasts. The commissioners asked Brian to place the sign ordinances on the agenda as a discussion item. Brian provided a memo that outlined the municipal code references, background and potential action that the commission could take. Brian also provided example sizes for the commission's reference.

There was general discussion on the size of home occupation signs that should be allowed. Some of the commissioners were comfortable with a very small sign since the business would be in a primarily residential neighborhood, some of the commissioners felt that the current three square feet was too restrictive and that the size of the sign could be increased and still be compatible with the residential use. The commission members that were present decided to continue the discussion on the size of the signs at a future commission meeting.

The commission also discussed the fact that bed and breakfasts did not have the same restrictions. Brian said that this applied to all conditional uses, but even though there were not the same restrictions all conditional use permits went through a public review process and the commission had the ability to impose additional restrictions. The commissioners asked Brian to include restrictions on the number and size of signs for conditional use permits. Commissioners said that the applicant should specify the signs that they want to place as part of the original application, or as a subsequent amendment

to the conditional use permit. This would allow the neighbors to speak directly to signs that were different (in size, location or placement) than the home occupation restrictions. Brian said that he would work on language to be placed routinely in conditional use permits and would ask applicants specifically about signs for all conditional use permits in the future. No further action was taken on this item.

2. The commission asked to add a short discussion about road paving to the agenda. Commissioners asked Brian what the road paving schedule looked like. Brian said that most of the pavers that were currently on the island would be mobilizing their equipment off the island when they finished current projects. Brian said that the city would continue to work with pavers in anticipation of projects going on next year. He said that there was little chance of much paving this year but the city wanted to get most of it done next year.
3. The commission asked to add a short discussion about fish processors to the agenda. Commissioners asked about the status of the blue barge and the plant at False Island. Brian said that the barge did not process fish this year due to management problems. He said that they paid all lease fees for this year. Brian said that he did not know if they would be back next year. He said that it was the owner's intent to return, but nothing was for sure yet. Brian also said that the plant at False Island was moving along and that Silver Bay Seafoods should be in place and processing fish next year.

Adjourn

A motion was made to adjourn the meeting.

MOTION TO ADJOURN

STANLEY/ZELLHUBER

APPROVED

John Moots, Chairman

Attest: Brian Templin, City Planner

CITY OF CRAIG
PLANNING COMMISSION MINUTES
Meeting of September 24, 2008

Roll Call

Present were John Moots (chair), Sharilyn Zellhuber, Lonnie Walters, Bill Russell, and Barbara Stanley.

Also present was Brian Templin, City Planner.

Approval of Minutes

1. Approval of minutes of the June 30, 2008 Planning Commission Meeting. A motion was made and seconded to approve the minutes of the June 30, 2008 meeting.

MOTION TO APPROVE STANLEY/WALTERS APPROVED

2. Approval of minutes of the September 3, 2008 Planning Commission Meeting. A motion was made and seconded to approve the minutes of the September 3, 2008 meeting.

MOTION TO APPROVE ZELLHUBER/STANLEY APPROVED

Public Comment

No public was present. There were no comments on non-agenda items.

Public Hearing and New Business

1. Replat RP080925, Anchor Baptist Church, Lots 6 and 7, Port Bagial Subdivision. Brian reported to the commission that this replat was to replat two lots into one. This replat action was related to the Conditional Use Permit that was issued to Anchor Baptist Church to operate a religious assembly in a residential zone. There was some discussion regarding the original Conditional Use Permit. A motion was made and seconded to approve Resolution 508-08-PC, granting preliminary plat approval to Anchor Baptist Church to replat lots 6 and 7, Port Bagial Heights Subdivision into a single lot. Commissioner Walters stated that he still opposed the church going in there. The vote was 4-1 with Commissioner Walters opposing.

MOTION TO APPROVE RUSSELL/STANLEY APPROVED

2. Variance V080925, John Buscemi, Application for an existing encroachment into the side yard setback on Lot 2, Block 22, USS 1430. Brian reported that John Buscemi had applied for a variance to the sideyard setback for the house on Lot 2, Block 22, USS 1430. This house was built by Fred Ensign a few years ago and was subsequently sold to

Mr. Buscemi. At the time it was sold to Mr. Buscemi the encroachment was not discovered. Mr. Buscemi recently had an as-built survey prepared showing the location of the house on the property. The as-built showed that the northeast corner of the house encroached approximately 1.6' into the 10' setback. Because the house was not constructed parallel to the property line the encroachment reduced toward the west, and in fact, the northwest corner of the house was not in the setback at all. The as-built further showed that a pipe, assumed to be the southeast corner of the lot was significantly out of place. The house was constructed parallel to the line between the out of place corner and the southwest corner and was constructed 10' from that line. Brian said that it appeared that Mr. Ensign used the south property corners to establish the location of the house, but because the southeast corner was out of position it placed the house incorrectly on the lot, causing the encroachment. Brian said that there had been no comments submitted from any of the public notice. There was some discussion about the criteria required to issue a variance. There was a question whether the incorrect corner had been fixed. Brian said that he did not know if that had happened. A motion was made and seconded to approve Resolution 509-08-PC with one additional special condition. The commission added Special Condition 1, stating that the property owner must have a licensed surveyor replace or re-establish the southeast property corner of Lot 2, Block 22, USS 1430. Brian said that he would make the change and would notify the property owner.

MOTION TO APPROVE

WALTERS/ZELLHUBER APPROVED

Old Business

1. Home Occupation and Bed & Breakfast Sign Discussion. Brian said that at the last commission meeting there was more discussion about signs for home occupation businesses and B&Bs. The commission asked Brian to take a look around and see how many signs that there were and how they compared to the current code restrictions. The commission also asked Brian to put the issue on this month's agenda to continue the discussion with a full commission. Brian reported that there were a handful of signs on both home occupation businesses and B&Bs, but that there were no solid numbers because it was not tracked. He said that of the signs that he looked at while driving around Craig that most appeared to be larger than the three square foot maximum. The commission discussed the merits of changing the maximum size of the sign as a permitted use. Commissioner Russell said that he felt that the current size was fine and that everyone should limit their signs to that. The commission discussed allowing larger signs or non-attached signs as a conditional use. Brian said that he could draft language that added a conditional use to residential zones to allow for home occupation business signs larger than three square feet, or non-attached signs. There was further discussion about whether or not it should be allowed at all and the fact that the conditional use permit would at least require public notice and hearing before approval. The commission asked Brian to draft language and

bring it to the next meeting. Brian was asked how long it would take to make a change to the code if the commission decided to add a conditional use. Brian said that the commission would have to approve draft language and that it would have to be made public for thirty days. At the end of the thirty days the commission would hold a public hearing and would continue the issue, recommend that the city council adopt changes, or drop the proposed changes. If the commission recommends that the city council adopt changes to the code then Brian would write an ordinance and submit it to the council. The ordinance would be presented at two consecutive council meetings, and if approved would enact the changes. The council could also deny the changes, make amendments or return the issue to the commission for further discussion.

In addition to the home occupation business signs, there was discussion about making B&B or other conditional use signage more standardized. Brian reported that, as he had told the commission at the previous meeting, the commission could apply sign standards as part of the existing conditional use permit process without having to make changes to the code. Brian said that he could start including a standard condition that limited the size and placement of the sign. Brian also said that he could add another question to the use permit application asking about sign size and placement. The commission asked what would happen if someone didn't ask for a larger sign and their permit was approved. Could they put up a larger sign? Brian said that if the size of the sign was included as a condition of the permit then they would be putting their permit at risk by violating any of the conditions and that it would be easy to enforce. Brian also said that a permit holder could apply for an amendment to their permit to allow a larger sign. The amendment would follow the same requirements that the original permit did and the public would be notified and would have a chance to comment on the proposed sign. The commission asked Brian to draft a new condition for permits and a new question for the application form. Brian said that he would bring it to the next commission meeting.

Adjourn

A motion was made to adjourn the meeting.

MOTION TO ADJOURN

WALTERS/ZELHUBER APPROVED

John Moots, Chairman

Attest: Brian Templin, City Planner

CITY OF CRAIG
PLANNING COMMISSION MINUTES
Meeting of October 23, 2008

Roll Call

Present were John Moots (chair), Sharilyn Zellhuber and Lonnie Walters. Absent excused were Bill Russell and Barbara Stanley. Also present were Brian Templin, City Planner and Chris Piburn, surveyor.

Approval of Minutes

1. Approval of minutes of the September 24, 2008 Planning Commission Meeting. A motion was made and seconded to approve the minutes of the September 24, 2008 meeting.

MOTION TO APPROVE WALTERS/ZELLHUBER APPROVED

Public Comment

1. Non-Agenda Items. There were no non-agenda items discussed during the public comment time.

Public Hearing and New Business

1. Replat RP081023, Shaan Seet Inc., SSI Industrial Tracts Phase II. Brian reported to the commission that this lot constituted the area that Shaan-Seet had filled in along JT Brown Drive south of the industrial park. Brian talked to the commission about the tax exemption status of ANCSA 14c3 land and how the subdivision of the smallest developed area was important in this case. There was some discussion about access to the remainder area south of of the subdivision and it was decided that there were other access points that would meet the requirement for further development. It was noted that the resolution said "Lost 6 and 7, Port Bagial Subdivision" and should read "Lot 6, Shaan Seet Industrial Tracts Subdivision, Phase II." Chris Piburn was available to answer questions about the subdivision. The commission did not have any questions for Chris. A motion was made and seconded to approved PC Resolution 510-08-PC, granting preliminary plat approval to Shaan-Seet for the Shaan-Seet Industrial Tracts Subdivision Phase II with the correction made to the resolution and with the six recommendations shown on the city planner's staff report.

MOTION TO APPROVE WALTERS/ZELLHUBER APPROVED

2. Correspondence – Prior Nonconforming Structure at Lot 4, Block 6, USS 1430. Brian said that he had been contacted by Wells Fargo Home Mortgage regarding a property in Craig and the fact that the garage encroached into the setback. He said that after researching it he found that the garage was constructed before the setback requirement so there was no variance needed and the garage was a prior non-conforming structure. Brian provided a copy of the letter that he sent to Wells Fargo explaining the restrictions on prior non-conforming structures. Brian

said that there was no action needed by the planning commission, but he was trying to provide the commission more information on various planning and zoning decisions that he made every day.

3. Contact Sheet for City Council, School Board and Planning Commission. Brian said that Vick Hamilton, City Clerk keeps a sheet listing all council, school board and planning commission members and their contact information. Brian handed out copies to commissioners. Brian said that he realized Sharilyn was misspelled and it would be corrected before new copies were made.
4. Definition of “essential services” as applied to the Craig Seafood Processing Plant waste outfall. Brian told the commission that from time to time he would bring issues to the commission for interpretation. In this case he was asked to determine if the seafood waste outfall was permitted on Public Zoned land (tideland in this case). After looking at the list of permitted uses, Brian felt that the marine outfall fell under the definition of “essential services” as a minor structure to provide utilities, in this case solid waste removal. Jon Bolling asked Brian to make sure that the commission was comfortable with this interpretation. There was a short discussion on the definition of “essential services” and the location and proposed construction of the new seafood plant and the associated outfall. The commission agreed with Brian’s interpretation of “essential services” and had no objection to the outfall line being considered a permitted use in this zone.

Old Business

1. Home Occupation and Bed & Breakfast Sign Discussion – Continued to November 2008 Meeting. Brian said that because two of the commissioners would not be at the meeting he sent an email asking if everyone preferred to hold off further discussion about the sign issues until the November meeting. Brian said that all of the emails that came back agreed, so the discussion is postponed.

**Because the November meeting is scheduled to fall on Thanksgiving, Brian asked the commission if November 25th would be a good date. The commission agreed to schedule the November meeting to November 25, 2008.

Adjourn

A motion was made and seconded to adjourn.

MOTION TO ADJOURN WALTERS/MOOTS APPROVED

John Moots, Chairman

Attest: Brian Templin, City Planner

CITY OF CRAIG
PLANNING COMMISSION MINUTES
Meeting of November 25, 2008
7:00 p.m., Craig City Council Chambers

Roll Call

Present were John Moots (chair), Sharilyn Zellhuber, Bill Russell, and Barbara Stanley. Lonnie Walters was absent. Also present was Brian Templin, Planner.

Approval of Minutes

1. Approval of minutes of the October 23, 2008 Planning Commission Meeting. A motion was made and seconded to approve the minutes of the October 23, 2008 meeting.

MOTION TO APPROVE ZELHUBER/MOOTS APPROVED

Public Comment

There was no public testimony.

Public Hearing and New Business

1. Rick Jones Bed and Breakfast Notice of Violation Discussion. Brian reported that he had gotten a call from a neighbor regarding guests at Rick Jones' Bed and Breakfast. Brian reminded the commission that this was an issue two years ago and the commission took a great deal of time making sure that Mr. Jones operated his B&B within the city's guidelines. Brian said that the commission had the option to take any action it saw fit, up to revoking the permit itself. Brian said that he had received an email from Rick and a visit from Rick's dad confirming that they had guests without being present, but stating that it was an isolated incident. Sharilyn asked if we could extend closer supervision of the business for a twelve month period like we did when the conditional use permit was originally issued. Brian said that the commission was free to propose any action that it saw as appropriate under the conditional use permit process. Brian also said that he was waiting to get some further information from Rick and that it would be better to actually hold a public hearing and make a decision at the January meeting. Lonnie reminded the commission that Mr. Jones had also had a sales tax issue related to the B&B and asked Brian if his sales tax accounts were current. Brian said that he had checked with the billing clerk and was told that all quarterly reports had been filed and taxes had been paid. Brian asked the commission to wait until the January meeting to allow Rick time to answer some questions and arrange for a representative to be at the meeting. The commission agreed to wait until the January meeting.

Old Business

1. Home Occupation and Bed & Breakfast Sign Discussion. Brian reported that there had been ongoing discussion about changing the sign limits for home occupation businesses and bed & breakfasts. Brian reminded the commission that they had been talking about the merits of allowing for larger signs or signs not attached to the building for home occupation businesses and making the requirements consistent for bed & breakfasts. Brian provided a memo with some draft language that could be used on the permit applications and in the code if the commission decided they wanted to see changes made. There was a great deal of discussion on the issue. At the end of the discussion the commission decided that they did not want to take any action on the home occupation sign limits at this time. A motion was made by Zellhuber and seconded by Stanley to add a new question to the conditional use permit application that asked “What size, location and number of signs will be placed on the property related to the conditional use?”. The motion also specified that a special condition would be placed on conditional use permits that read “that otherwise permitted, signage related to the conditional use are limited to one sign not exceeding three (3) square feet, mounted flush against the building containing the conditional use.”

MOTION TO APPROVE ZELLHUBER/STANLEY APPROVED 3-1
(Russell Opposed)

*Next Meeting Date: Brian told the commission that the December meeting fell on Christmas and asked if the commission wanted to reschedule or cancel the meeting. Brian suggested cancelling the meeting since everyone would be very busy around the holiday. The commission decided to cancel the December 2008 meeting and meet again on January 22, 2009.

Adjourn

A motion was made to adjourn the meeting.

MOTION TO ADJOURN STANLEY/RUSSELL APPROVED

John Moots, Chairman

Attest: Brian Templin, City Planner