

CITY OF CRAIG PLANNING COMMISSION AGENDA

Meeting of October 27, 2011
7:00 p.m., Craig City Council Chambers

Roll Call

John Moots (chair), Sharilyn Zellhuber, Lonnie Walters, Bill Russell, Mark Beardsley

Approval of Minutes

1. Approval of September 22, 2011 Meeting Minutes

Public Comment

1. Non-Agenda Items

Public Hearing and New Business

1. Replat RP111027 – Crab Cove Shores Subdivision, PC Resolution 537-11 PC

Old Business

1. CTA triplex/fouplex discussion

Adjourn

CITY OF CRAIG PLANNING COMMISSION AGENDA

Meeting of September 22, 2011
7:00 p.m., Craig City Council Chambers

Roll Call

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

Also present were Brian Templin (City Planner), Dan Weaver, Carmel Weaver, Sam Thomas, Mark Cook, John Huestis, Debbie Head, Doug Rhodes, Cheryl Fecko and Paul Coffey.

Approval of Minutes

1. Approval of August 25, 2011 Meeting Minutes. A motion was made and seconded to approve the meeting minutes of the August 25, 2011 meeting.

MOTION TO APPROVED

WALTERS/RUSSELL

APPROVED

Public Comment

1. Non-Agenda Items. There were no comments on non-agenda items.

Public Hearing and New Business

1. Conditional Use Permits 110922A, 110922B, 110922C – Triplex/Fourplex in Medium Density Residential Zone. Brian gave a brief report on the application by the Craig Tribal Association (CTA) to include two triplexes and a fourplex in their development of Tract 18, USS 2611. Brian gave an overview of the recent discussion and decision to make triplexes a conditional use, rather than a permitted use in Medium Density Residential Zones. Mark Cook gave a brief presentation on the development proposal on behalf of the CTA. Cheryl Fecko asked about the timeline for the development. Mark responded that the tribe would begin working on infrastructure in 2012 and hoped to have some of the units available for rent in 2012/2013 with the bulk of the units being completed in 2014. Sam Thomas reiterated that the tribe was starting with the rental type units first and would be working on those in 2012/2013. Carmel Weaver asked about the 1/2 street on Windy Way and what changes in elevation would be made under the project. Mark answered that the tribe was dedicating the other 1/2 of the ROW (20') and that the grade would remain the same. Carmel asked when work on Windy Way would start. Sam answered that the road development would be one of the first things done in 2012. Doug Rhodes commented that the whole area is single family residences and that the triplexes and fourplex should be handled as special circumstances. Brian stated that there were a number of multi-family dwellings in the immediate neighborhood and triplexes and fourplexes along East Hamilton in Medium Density Residential Zoning so it was common to have multi-family units in the zone. Brian also said that the proposed development of 16 units was well

within the norm for the other neighborhoods along East Hamilton Drive of similar size. Carmel asked if the fourplex could be traded out for single family to provide continuity along East Hamilton. Carmel also noted that the development would remove a lot of vegetation and asked if CTA could be required to leave a certain amount of vegetation. Sam responded that it wasn't fair to put a standard that doesn't apply to other property owners. Paul Coffey asked for consideration (not necessarily a requirement) that CTA keep as much vegetation as possible. Dan Weaver asked if all structure were two story. Mark answered that definitely the fourplex and likely the triplexes would be two story. Bill Russell commented that stepped lots and coverage of lots doesn't leave much room for vegetation. Mark Beardsley asked if the tribe had considered another mix and total number of units. Mark replied that the tribe's housing survey shows needs for rentals and ownership potential and the proposal meets that mix of needs. Carmel asked if there would be covenants or restrictions on the property, particularly on parking. Mark responded that covenants are not required by the city and were not planned for the development. Brian commented that even if the conditional use permits were approved for the triplexes and fourplex that all other development standards, including parking, would have to be met. Sharilyn commented that on the rental units the tribe could control parking and other issues better than on owned units. Bill agreed with Carmel that parking could be a problem. Cheryl said she sees the need for more rental housing and asked if Shaan-Seet could fill the need. Brian answered that Shaan-Seet certainly had the property and could develop similar housing if they wanted to but their decision to develop and the tribes decision to develop weren't tied together. Bill said that it would be to the tribe's benefit to build more duplexes and have more total units rather than developing the triplexes and fourplex. Mark Cook responded that the multi-family units allow for lower rents which is one of the needs that was identified. Sam said that multi-family units helped meet some of the HUD criteria. Sam also said that based on some of the discussion about single family units nearest East Hamilton that the fourplex could potentially be moved to the corner (shown as lots 4 and 5 on the concept drawing). Lonnie reiterated that even with the triplexes and duplex the tribe was only putting in 16 units and that they could put in up to 22 units as duplexes without any conditional use permits. Bill asked if there was HUD funds only for the project. Sam answered that all of the funding was not in place and the CTA was looking at other funding sources as well. Bill asked if the development was required to conform to the Americans with Disabilities Act (ADA). Sam responded that there wasn't an outright requirement but they would have to meet any requirements by HUD or other funders.

The planning commission continued discussion on the public comments and staff's report/recommendation. Bill Russell objected to the conditional use permits meeting a number of required criteria for approval, specifically:

- a. CMC 18.11.075 was not met since lots 6 and 7 of the proposed development are not 85' deep.

- b. Criteria 5 – Bill said that lots 1, 2 and 4 all had parking shown too close to the building and he felt that created a fire hazard. He also felt that there was not sufficient play room on the lots for children or sufficient off street parking.
- c. Criteria 8 – Bill felt that adjacent lot values would be reduced with the higher lot density.
- d. Criteria 11 – Bill felt that the placement and configuration of parking was not adequate and that more than two cars in any unit would cause problems.

Brian responded to Bill's objections by stating that lots 6 and 7 would be discussed during the subdivision but since neither of those lots had triplexes or fourplexes proposed they didn't affect the CUP discussion; there was no code or other requirement for how far away from the building parking had to be and that off street parking and "free" space on lots was a part of the normal development standards; that the triplexes and fourplex were appropriate in the zone and should not negatively affect property values; and that the proposal met, and exceeded existing parking requirements. Brian concluded the discussion by saying that the CTA had put together a good proposal that appeared to meet the standards and the intent of the zone for development. Brian said that he still recommended approval of the Conditional Use Permits. There was some discussion about amending each of the resolutions. Separate action was taken on each CUP.

Resolution 534-11 PC, CUP 110922A, Fourplex in Medium Density Residential Zone.

A motion was made and seconded to amend the resolution to change the title to read "GRANTING A CONDITIONAL USE PERMIT TO THE CRAIG TRIBAL ASSOCIATION TO CONSTRUCT 1 FOURPLEX ON THEIR PROPOSED LOTS 1-4, TRACT 18, USS 2611" and to change "Lot 1" to Lots 1-4" in the "NOW THEREFORE BE IT RESOLVED" section.

MOTION TO AMEND ZELHUBER/WALTERS APPROVED (4Y, 1N – Russell)

A motion was made and seconded to approve Resolution 534-11 PC as amended.

MOTION TO APPROVE ZELHUBER/WALTERS APPROVED (4Y, 1N – Russell)

Resolution 535-11 PC, CUP 110922B, Triplex in Medium Density Residential Zone.

A motion was made and seconded to amend the resolution to change the title to read "GRANTING A CONDITIONAL USE PERMIT TO THE CRAIG TRIBAL ASSOCIATION TO CONSTRUCT 1 TRIPLEX ON THEIR PROPOSED LOTS 1-4, TRACT 18, USS 2611" and to change "Lot 2" to "Lots

1-4” and to change “a triplex” to “1 triplex” in the “NOW THEREFORE BE IT RESOLVED” section.

MOTION TO AMEND ZELHUBER/WALTERS APPROVED (3Y, 2N –
Russell and Beardsley)

A motion was made and seconded to approve Resolution 535-11 PC as amended.

MOTION TO APPROVE ZELHUBER/WALTERS APPROVED (3Y, 2N –
Russell and Beardsley)

Resolution 536-11 PC, CUP 110922C, Triplex in Medium Density Residential Zone.

A motion was made and seconded to amend the resolution to change the title to read “GRANTING A CONDITIONAL USE PERMIT TO THE CRAIG TRIBAL ASSOCIATION TO CONSTRUCT 1 TRIPLEX ON THEIR PROPOSED LOT 5, TRACT 18, USS 2611” and to change “Lot 3” to “Lot 5” and to change “a triplex” to “1 triplex” in the “NOW THEREFORE BE IT RESOLVED” section.

MOTION TO AMEND ZELHUBER/WALTERS APPROVED (4Y, 1N –
Beardsley)

A motion was made and seconded to approve Resolution 535-11 PC as amended.

MOTION TO APPROVE ZELHUBER/WALTERS APPROVED (4Y, 1N –
Beardsley)

Old Business

1. Update on Amendment to Land Development Code – Triplex in Medium Density Residential Zone. Brian reported to the commission that the city council had approved the ordinance amending the Land Development Code to include triplexes as a conditional use in the Medium Density Residential Zone.
2. Shaan-Seet Gas Station Replat Discussion. Brian gave a brief update on the gas station replat. He said that he had issued a building permit for the foundation but the proposed building straddled the property line so Shaan-Seet would be required to replat the lots before they could start construction. There was a short discussion about the gas station and the platting process.

Adjourn

A motion was made and seconded to adjourn.

MOTION TO ADJOURN WALTERS/ZELHUBER APPROVED

John Moots, Chairman

Attest: Brian Templin, City Planner

**CITY OF CRAIG
PLANNING COMMISSION**

Staff Report
October 26, 2011

Applicant: Shaan-Seet Inc.

Requested Action: Approval of Preliminary Plat of Shaan-Seet Gas Station. A 3 lot replat of USS 2613 and a portion of BLM Lot 7, Section 5

Location: USS 2613/portion of BLM Lot 7, Section 5 – adjacent to Craig Klawock Highway

Zoning: Commercial

Surrounding Uses: North: Crab Bay/Marine Industrial
South: Craig Klawock Highway/High Density Residential (SSTC)
East: Public/Vacant City Owned Lot
West: Crab Bay/Marine Industrial

Analysis

Shaan-Seet Inc. has been working on a new gas station and oil change store on property they own at USS 2613. Recently the city was informed that a portion of the new structure would straddle the line between USS 2613 and BLM Lot 7, Section 5 (both owned by Shaan-Seet Inc.). Shaan-Seet was informed that they needed to replat the property so that the structure did not cross any property lines and that all setbacks and other development standards were met. This subdivision will create a lot for the gas station and one lot on each side of the gas station lot. Shaan-Seet has already received a conditional use permit to operate a gas station at that location.

Staff has reviewed the preliminary plat and has made the following recommendations:

1. The body of water abutting the subdivision should be “Crab Bay”. The plat shows “Crab Cove”. The subdivision name should also be changed to reflect “Crab Bay” (e.g. “Crab Bay Shores Subdivision”).
2. A “,” is missing in the title block listing the new lots. “Lots 1, 2 3 and...” should read “Lots 1, 2, 3 and...”
3. This subdivision is a subdivision of ANCSA conveyance property. Please include the following plat note: "Sealaska Corporation has subsurface rights to the property being subdivided. This plat constitutes a subdivision of the surface estate only. The subsurface estate owner has not participated in this platting action."
4. Since the boundaries of USS 2613 were modified by the State Highway Plat please include the following note: "The original boundaries of USS 2613 as shown on the US Department of the Interior General Land Office plat approved May 14, 1898 and amended May 26, 1934 were modified to include the State

Highway as shown on the State of Alaska Department of Highways Right of Way Map S-0924(5) which was approved September 8, 1971."

The preliminary plat can be approved as is, but the final plat should be approved when the following conditions have been met:

1. All corner locations are located consistent with the surrounding surveys.
2. Corners must be monumented and the plat should document those locations.

Recommendation

That the planning commission approve Resolution 537-11-PC, approving the preliminary plat of the Crab Cove (Bay) Shores Subdivision.

**CITY OF CRAIG
PLANNING COMMISSION**

RESOLUTION 537-11-PC

GRANTING PRELIMINARY PLAT APPROVAL TO THE CITY OF CRAIG AND SHAAN-SEET INC. TO REPLAT USS 2613 AND A PORTION OF BLM LOT 7, SECTION, TWP 74 S, RGE 81 E, CRM INTO LOTS 1-3, CRAB BAY SHORES SUBDIVISION

WHEREAS, the Planning Commission held a public hearing on October 27, 2011; and,

WHEREAS, public notice was given in accordance with Section 18.09 of the Craig Land Development Code; and,

WHEREAS, the Planning Commission finds that the specific criteria of Section 18.09 of the Craig Land Development Code are met as follows, subject to the conditions listed later in this resolution:

- A. That the proposed subdivision is consistent with the Craig Coastal Management Program and Craig Comprehensive Plan;
- B. That historic buildings or sites or natural features which are significant to the community or required to be protected by law (such as eagle nest trees) are preserved in the design of the development.
- C. That the proposed subdivision will not interfere with existing or officially planned development.
- D. That the future street plan and utilities for the proposed subdivision will permit the development of adjoining land.
- E. That proposed access, drainage, sanitary and water facilities, and fire protection are available and adequate for the subdivision, subject to approval by the city public works director.
- F. That the City has utility capacity to serve the area without interfering with utility capacity to serve other areas if City utilities are proposed.
- G. That the proposed subdivision does not disturb trees or shrubs which are designated for habitat or resource protection; wind, noise, sediment, or pollution buffers; recreation or open space; protection from natural hazards, watershed protection, or visual considerations unless a plan is approved which will mitigate potential adverse impacts.

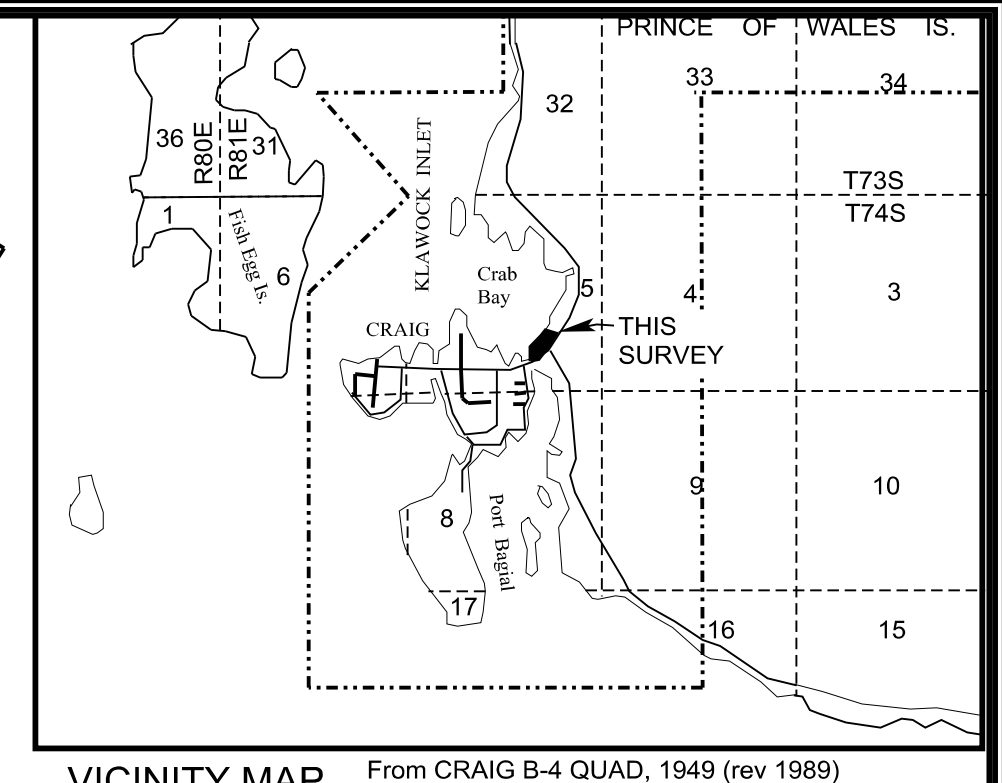
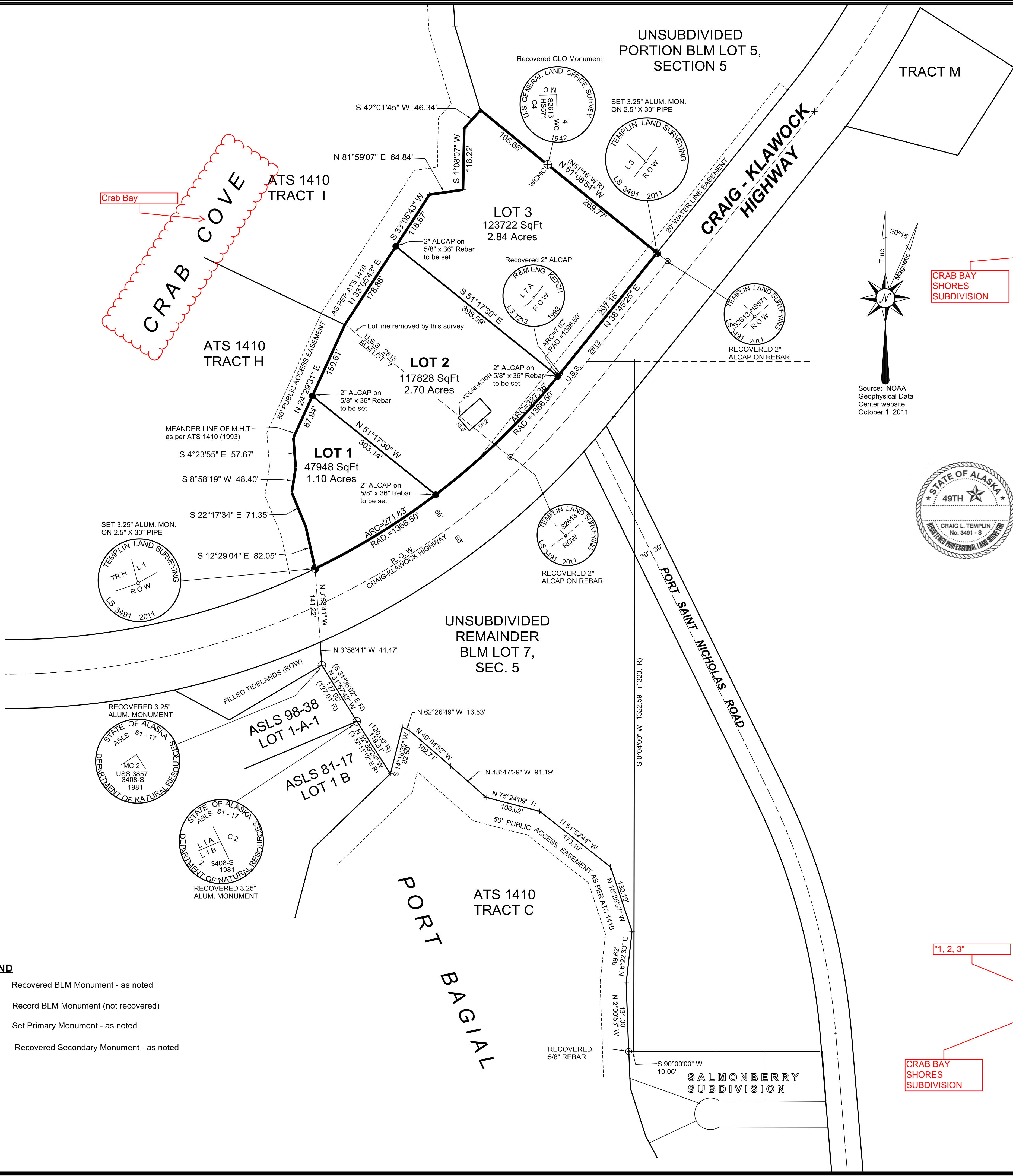
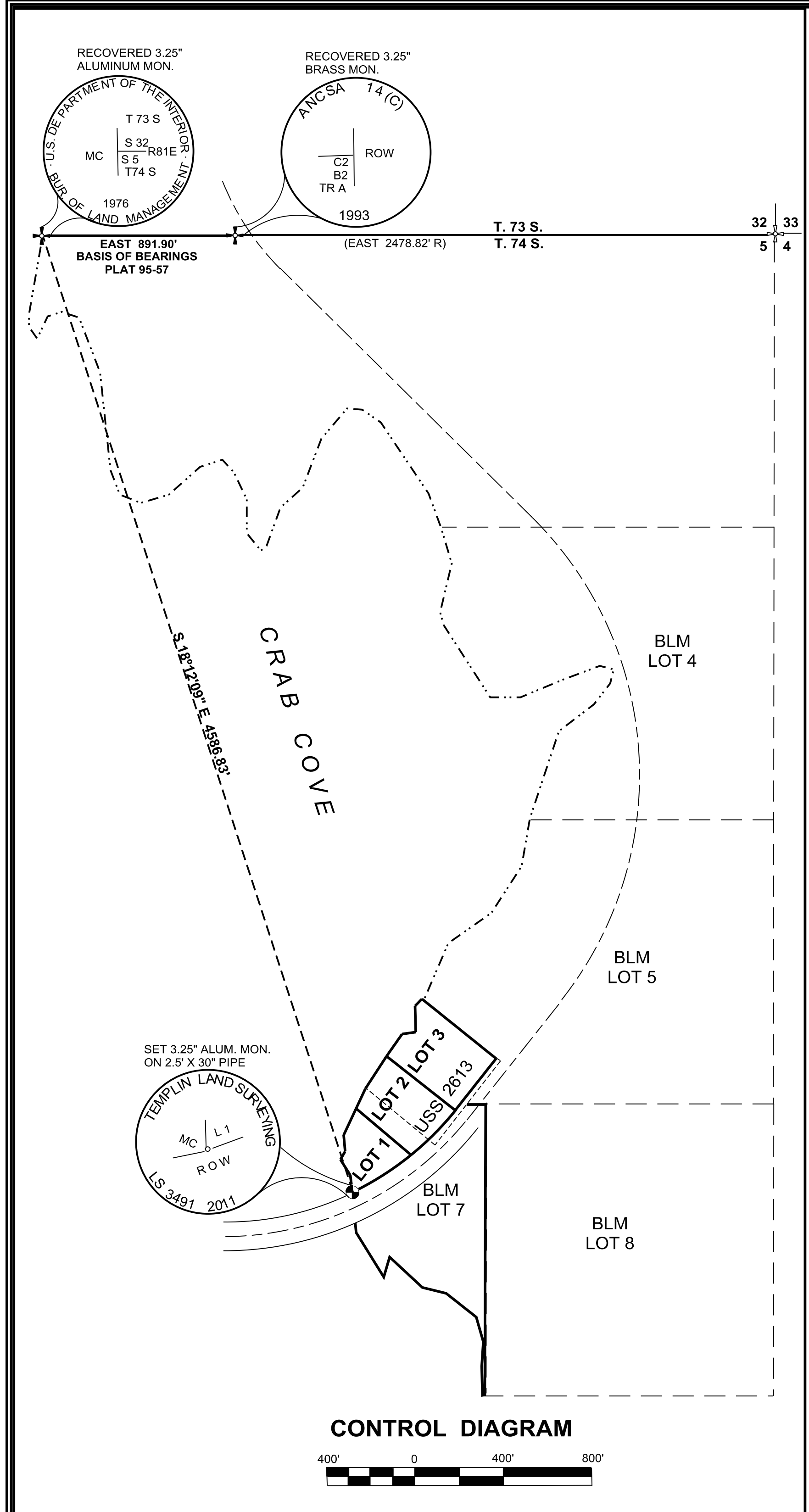
NOW, THEREFORE, BE IT RESOLVED that the Craig Planning Commission does hereby approve the preliminary plat for the replat of USS 2613 and BLM Lot 7, Section 5, Twp 74 S, Rge 81 E, CRM into Lots 1-3 Crab Bay Shores Subdivision and an unsubdivided remainder of BLM Lot 7, Section 5 and will grant final plat approval once the following conditions are met:

1. that all property corners be monumented with rebar and capped; and
2. that all recommendations made by staff and the planning commission are incorporated into the final plat; and
3. that the final plat be submitted on reproducible mylar and paper copies.

Approved this 27th day of October, 2011.

Chairman John Moots

Brian Templin, Craig City Planner



CERTIFICATE OF OWNERSHIP AND DEDICATION
 We certify that we are the owners of CRAB COVE SHORES SUBDIVISION, that we do approve of this survey and plat and that we do for ourselves, our heirs, and assigns, donate, and convey to the public all rights-of-way / alleys / public utilities / easements and other public areas as shown herein.

Shaan-Seet, Inc. PO Box 690, Craig, AK 99921 Date _____

NOTARY'S ACKNOWLEDGEMENT
 Subscribed and sworn before me this _____ day of _____, 20____ for: _____

Notary Public for the State of Alaska
 My Commission expires _____

SURVEYOR'S CERTIFICATE
 I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, that this plat represents a survey made by me or under my direct supervision, that the monuments shown hereon actually exist as described and that all dimensions and other details are correct.

Craig L. Templin, RLS 3491
 Date: _____

CERTIFICATE OF IMPROVEMENTS
 No improvements are required for this vacation / replat.

Public Works Director _____ Date _____
 City Platting Official _____ Date _____

APPROVAL BY THE CITY OF CRAIG PLANNING COMMISSION
 This plat has been reviewed and approved by the Craig Planning Commission in accordance with the Craig Land Development Code.

Presiding Officer - Planning Commission _____ Date _____
 Planning Commission Member _____ Date _____
 City Platting Official _____ Date _____

TAX STATEMENT
 I certify that all ad valorem taxes, special assessments, and other charges required by law to be placed on the tax rolls have been paid.

City Clerk _____ Date _____

PRELIMINARY PLAT

PLAT OF:
CRAB COVE SHORES SUBDIVISION
 CREATING LOTS 1, 2, 3 and an UNSUBDIVIDED REMAINDER of BLM LOT 7 SECTION 5

A SUBDIVISION OF U.S.S. 2613 and BLM LOT 7 SECTION 5, T. 74 S., R 81 E.

Located within Sec. 5, T. 74 S., R 81 E., CRM, Alaska
 KETCHIKAN RECORDING DISTRICT
 Containing 6.64 Acres

| | |
|---|--|
| Surveyed by: SHAAN-SEET, INC. PO BOX 690 CRAIG, AK 99921 | Surveyed by: Templin Land Surveying PO Box 1078 WARD COVE, AK 99928 Phone / Fax - 907-247-5120 |
| Date of Survey 9/20/2011 | Scale 1"=100' |
| Date of Drawing 10/11/2011 | CK'd by C.L.T. |

NOTES:

- The error of closure this survey does not exceed 1:5000.
- All bearings shown are true bearings as oriented to the Basis of Bearings and all distances shown are reduced to horizontal field distances.
- Record data, where it differs from measured data, is shown in parenthesis.
- The purpose of this plat is to add a portion of BLM LOT 7 to USS 2613 and then divide the resulting parcel into three (3) Lots.

Add Note "Sealaska Corporation has subsurface rights to the property being divided. This plat constitutes a subdivision of the surface estate only, the subsurface estate owner has not participated in this platting action."

Add Note: "The original boundaries of USS 2613 as shown on the US Department of the Interior General Land Office plat approved May 14, 1898 and amended May 26, 1934 were modified to include the State Highway as shown on the State of Alaska Department of Highways Right of Way Map S0924(5) which was approved September 8, 1971."

- LEGEND**
- Recovered BLM Monument - as noted
 - Record BLM Monument (not recovered)
 - Set Primary Monument - as noted
 - Recovered Secondary Monument - as noted

1, 2, 3"

CRAB BAY SHORES SUBDIVISION

CITY OF CRAIG MEMORANDUM

To: Craig Planning Commission
From: Brian Templin, City Planner
Date: October 25, 2011
RE: Placement of Fourplex on Tract 18, USS 2611

Background: The planning commission approved placement of 1 fourplex and 1 triplex on proposed Lots 1-4 of the subdivision of Tract 18, USS 2611. As part of the discussion regarding the placement of the fourplex there was public testimony that a single family dwelling would be more appropriate next to East Hamilton (proposed Lot 1). The Craig Tribal Association (CTA) had proposed a fourplex on that lot. As part of the CUP approval the commission asked CTA to consider rearranging the fourplex, triplex and zero lot line units so that the zero lot line unit was adjacent to the road.

CTA's engineer has been working on rearranging the plat to accomplish this but has run into some issues.

1. Without any change to lot configuration or size, proposed Lot 1 (14,279 sq ft) does not meet the minimum lot size to be developed into two zero lot line units. A minimum of 16,000 sq feet would be required. CTA could construct a duplex on the lot but the intent of the zero lot line homes is to allow for ownership as a mix of housing uses on the property. The commission could consider and grant a variance to the development standard for minimum lot sizes to allow this unit to shift without a change to the proposed lot configurations.
2. If the property line for proposed Lot 1 is shifted approximately 20' east it would create a Lot 1 large enough for zero lot line development as proposed but would make proposed Lot 2 below minimum required size for the triplex that was approved and that the commission wanted to see moved to Lot 2. The commission could ask CTA to move the lot line of Lot 1 and consider and grant a variance for the minimum lot size of Lot 2 to allow three dwelling units on a lot less than 9,000 sq ft.
3. If the property lines for Lot 1 and Lot 2 are moved easterly CTA can meet minimum lot size requirements for the proposed zero lot line development on Lot 1 and the triplex on Lot 2. This will also leave enough square footage (16,350 sq ft) on Lot 3/4 for a fourplex but will reduce the street frontage for the lot with the fourplex. While it appears to meet minimums it will also create a smaller entry footprint for the densest structure. This would not require any variances but would have an impact on some of the other concerns the commission had when the CUP was granted.

Staff will be meeting with the CTA engineer to discuss the options prior to the scheduled planning commission meeting.

Recommendation: The planning commission should discuss the impacts of moving the fourplex from the proposed location and determine whether a variance or impacts to access would be more acceptable based on the public discussion and the CUP requirements.