



**Haines Borough
Planning Commission Meeting**

April 9, 2009

MINUTES

Approved

1. **CALL TO ORDER/PLEDGE TO THE FLAG** – Chairman **Heinmiller** called the meeting to order at 6:36 p.m. in the Assembly Chambers and led the pledge to the flag.
2. **ROLL CALL – Present:** Chairman Lee **Heinmiller**, Vice Chairman Rob **Goldberg**, Commissioners Andy **Hedden**, Greg **Brask** and Donnie **Turner**.
Absent: Commissioner Robert **Venables**
Motion by **Hedden**: Excuse Commissioner **Venables**' absence. It was seconded by **Goldberg**. The motion carried unanimously.
Staff Present: Steve **Ritzinger** – Planning and Zoning Technician, Jamie **Heinz** – Deputy Clerk, Julie **Cozzi** – Borough Clerk, Tom **Bolen** – Borough Manager
Visitors Present: Tom **Morphet** – CVN, Michael **Gatti** – Law offices of Wohlforth, Johnson, Brecht, Cartledge & Brooking, Greg **Stuckey** – CIA, Carol **Mitchell**.
3. **APPROVAL OF AGENDA**
Motion by **Goldberg**: to approve the Agenda. It was seconded by **Turner**. The chairman clarified the reason for only one public hearing on the published agenda when two were published in the newspaper was due to more careful measuring by the applicant. The motion carried unanimously.
4. **APPROVAL OF MINUTES** – February 19, 2009 Regular Meeting
Motion by **Goldberg**: to approve the February 19, 2009 Regular Meeting Minutes. It was seconded by **Turner**. The motion carried with **Brask** abstaining.
5. **PUBLIC COMMENTS - None**
6. **CHARIMAN'S REPORT** – **Heinmiller** spoke about the current Planning Commission Vacancy due to Harriet Broulliette's resignation. He noted that the deadline is near for interested candidates to submit appointment applications and at this time, there is one applicant, Chris Schelb. He also noted that according to Haines Borough Code, the Planning Commission is supposed to have the opportunity to recommend the candidate of their choice to the Mayor who then takes it to the Assembly for appointment. Julie **Cozzi** spoke about the process getting dragged out due to the Planning Commission only meeting once a month.
7. **STAFF REPORTS**
 - A. **Manager's Report** – The manager summarized his written report on the Port Chilkoot Waterfront Development Status including the following topics.
 - **Project Evolution**
 - **Building Designs**
 - **Pavillion Concepts**
 - **Bus Parking Areas**
 - **Funding for Project**

Heinmiller agreed with the manager's comment that if dormers were not going to allow light into a vaulted ceiling, they were an unnecessary expense. He also noted that in the very first drawings for restrooms, they tried replicating a miniature officer's row on the waterfront which is where the window idea came in which may also be an unnecessary expense. He pointed out that the roof pitches didn't match the fort area and that if changed could make the buildings shorter. He asked if the pavilion would have walls. **Bolen** answered that he thought over time plexi-glass panels may be necessary due to wind but the intent is that the pavilion would be visually open. **Goldberg** commented that in the winter with the wind, a roof on posts wouldn't work and also that he didn't feel dormers were necessary. **Bolen** explained that the architects were looking at historic documents, but wasn't sure which one. **Heinmiller** added that Building 37, the one where Dejon Delights is located, is the only one left with dormers and also pointed out that the raised panel doors in the concepts don't match the doors in the fort. **Goldberg** commented as the architects come up with more drawings the Planning Commission would have the opportunity to sit as the Historic District commission and go over the details. **Heinmiller** pointed out that he liked the idea of the roof overhangs to give more of an opportunity for people to keep out of the rain. **Turner** commented the project was outside of historic district. **Bolen** agreed but felt that the buildings should follow suit by blending with nearby structures. **Goldberg** commented that the retaining wall concept and creating land seems to make more sense than other plans he's heard and that there was regional cruise ship head tax money available for projects that are ready to go. **Bolen** said that a senate bill passed today that has another \$1.9 million on top of the provided budget for this project. That a portion of the budgeted money was designated PC Dock repairs to be used anywhere on the waterfront but the intent was to repair the PC Dock with some of that funding. **Heinmiller** asked if there would be different access due to the current trestle not meeting requirements for emergency equipment. **Bolen** answered that as a separate phase of work, there would be an analysis done with an end goal of repairing the PC Dock. The issues being that the existing trestle wasn't wide enough to safely accommodate vehicular and pedestrian traffic simultaneously and that there were load issues because of the trestle's age and condition. The necessary steps to correct these issues would create a forty year old dock on fifteen year old piling system and for this reason, the best option would be total replacement. He is hopeful that when the assessment comes back from the engineers it will be plain that if we want to do something with the trestle, it would be building a new one and leaving the old one for foot traffic only. **Goldberg** reiterated that if head tax money is coming in annually we can think about a new dock and other waterfront projects. **Hedden** was impressed with parking diagram, pointing out that the design is how it works most effectively and is the most logical he has seen. **Turner** said the \$1.2 million for a bathroom and improved parking was staggering figure. **Goldberg** added that he feels it solves a big problem with the chaotic scene at the dock. Having buildings there for people to get out of the weather, it could be more than just a roof, interpretive displays or art could be provided for people to look at while waiting. **Heinmiller** commented that tying the Klukwan dock in as well would be logical. **Turner** commented that another consideration is that this is where the snow is dumped now and this plan is going to cost us forever in snow removal. **Bolen** assured him they could find a new place for snow to be dumped. **Heinmiller** questioned if Alaska DOT knew what they wanted as far as a right of way yet? **Bolen** answered that they didn't get to the bottom of it but we were continuing to do things as they have been done for years. **Brask** is concerned that this project has multiplied rather than brainstorming other options. He feels a better choice would have been to buy the lot across the street and put a structure on that keeping the costs around \$500,000. He doesn't know if the town is getting what they would like to see or what they deserve out of the \$1.2 million. He is concerned that four operators are saying they only need five parking spots as it doesn't show enthusiasm for growth and is somewhat of an indication they aren't looking to the future. He pointed out that money could be spent elsewhere netting a better return.

He also stated that he interested in seeing development on the waterfront, he feels having an open waterfront is an asset to Haines and believes residents enjoy that. **Goldberg** pointed out that if bathrooms were across street it would create a pedestrian mall, blocking off traffic completely. **Hedden** estimated that half of the disembarking passengers used the restrooms, and in the past they would pick up a bus-load of passengers and drive them to a location that they could use a restroom. **Heinmiller** pointed out that not only visiting public would use the restrooms but local residents on the waterfront that currently cross the road to use Lutak Lumber's restrooms which from a safety standpoint is not ideal. **Goldberg** pointed out that the borough's general fund money wouldn't be spent, it would be grant funds available from the state to do this type of project and all that needs to be done is to apply for those funds. He feels it would make a great first impression for people coming here. **Hedden** questioned if bus parking could be increased down the line. **Bolen** pointed out that all of the parking currently existing at the Klukwan dock is in the state right of way and if the land issues could be worked out, conceivably the bus parking could be increased. **Heinmiller** argued that the state didn't own uplands. **Hedden** figured that there were seven companies that currently parked at the dock and that a separate staging area could be developed to accommodate growth pointing out that in Skagway, busses weren't allowed to park so they cycle through. **Heinmiller** talked about available options for staging areas by the Chilkat Center.

Motion by **Goldberg**: to recommend to the Assembly that they proceed with concept three of the Port Chilkoot Waterfront Development project. It was seconded by **Hedden**. Motion failed with **Brask & Turner** opposed.

B. Planning & Zoning Report – The planning and zoning technician summarized his written report that included the following topics.

- **Permit and Hearing Activity**
- **Recommendations sent to the Assembly for Action**
- **GIS Updates**
- **Official Zoning Map Updates**
- **Planning Commission Packet Availability**
- **Garden Café Parking Update**

Turner asked for clarification that the six spaces were needed for the café only or for the residence, the rental and the café. **Heinmiller** said if they have six spaces a wait and see approach could be taken. **Brask** expressed concern that there is a tree where one of the parking spaces is designated and asked if there were plans to cut it down. He noted that winter parking may be different than summer and suggested a survey be done as he has concerns about congestion. **Heinmiller** asked the planning and zoning technician to verify the measurements and report back at the next Planning Commission meeting.

The chairman called a brief recess at 7:36 p.m.; the meeting reconvened at 7:41p.m.

8. PUBLIC HEARINGS

A. Variance Requests

1. Ritzinger Anadromous Fish Stream Variance

The Chairman opened and closed the public hearing at 7:41 p.m.; there were no comments.

Ritzinger summarized his letter requesting the Planning Commsision to approve a variance allowing access to the building site which would allow either improving the existing boardwalk or building a driveway to cross the anadromous fish stream.

Brask asked for clarification where roads and house were in relation to the property lines. **Turner** commented that he has seen the property and feels that the requested access is the only access available and as long as it meets Dept. of Fish and Game and Corps of Engineer's requirements, he doesn't have a problem with it. **Brask** asked what the width of stream is. **Ritzinger** answered that the dimensions of the stream are about two feet wide and two feet deep and that coho salmon have been seen in the stream. Carol **Mitchell** said she owns property adjacent and is supportive of the Ritzinger's building access to their residence.

Motion by **Goldberg**: to approve the Ritzinger Anadromous fish stream variance request. It was seconded by **Turner**. The motion carried unanimously.

9. OLD BUSINESS

A. Lot Line Vacation

1. Jurgeleit Lot Line Consolidation and ROW Purchase

Ritzinger briefed that there is nothing in code for lot line consolidation. The borough manager requested Jurgeleit's write letter to Planning Commission recommending the assembly allow a lot consolidation to be recorded on the same plat that would record the vacation of the alley.

Motion by **Turner**: to recommend for the assembly to allow a lot consolidation to be recorded on the plat that they are required to submit that shows the alley vacation. It was seconded by **Hedden**. The motion carried unanimously.

10. NEW BUSINESS

A. HCMP Consistency Review

1. Chilkoot Estates Subdivision Fill Placement

Ritzinger briefed the Planning Commission on the issues with the code regarding consistency review decisions. **Heinmiller** commented that the draft letter to the Alaska Coastal Zone Management Project Coordinator covered the issues with regard to the Haines Coastal Management Plan. **Ritzinger** added that the Alaska Department of Fish and Game are adding their own recommendations.

Motion by **Turner**: that the Planning Commission support the Manager's consistency review decision and recommend that the US Army Corps of Engineers and Alaska Department of Fish and Game permitting agencies enforce the statewide standard policies. It was seconded by **Goldberg**. The motion carried unanimously.

B. Title 18 Amendments

1. HBC 18.70.040 – Multiple Residential Structures on a Single Lot

Ritzinger reviewed the draft ordinance. **Goldberg** said this was what was discussed at the Committee meeting. **Heinmiller** agreed that it was logical.

Motion by **Goldberg**: to recommend that the Assembly adopt this draft ordinance to amend HBC 18.70.040 regarding multiple residential structures on a single lot. It was seconded by **Turner**. The motion carried unanimously.

2. HBC 18.80.030 – Building Height Guidelines

Turner said it was exactly what they talked about at the Committee of the Whole meeting and that the way the draft ordinance was written is probably how things have been happening anyway.

Motion by **Goldberg**: to Recommend that the Assembly adopt this draft ordinance to amend HBC 18.80.030 regarding building height guidelines. It was seconded by **Turner**. The motion carried unanimously.

3. HBC 18.80.030 – Setbacks from Road Easements within Parcels

Turner questioned if we have setbacks for utility easements set forth in code. **Ritzinger** answered that setbacks for utility easements are not addressed in code and that all setbacks are addressed from lot lines. **Turner** suggested we remove road from the draft ordinance and just say easement to allow for setbacks for utility easements to be included. **Heinmiller** commented that it would be problematic if we had to dig up a water line right next to someone's foundation because there wasn't a setback for a utility easement. **Brask** said we could specify setbacks for utility easements with another sentence. **Ritzinger** pointed out it would be more consistent with code if setbacks for utility easements be granted by variance.

Motion by **Goldberg**: to Recommend that the Assembly adopt this draft ordinance to amend HBC 18.80.030 regarding setbacks from road easements within parcels. It was seconded by **Turner**. **Motion to amend** by **Goldberg** to add the sentence; Setbacks for utility easements shall be 10 feet unless a variance is granted by the Planning Commission. The amended motion was seconded by **Turner**. **Turner** asked if we needed to say variance or if it was redundant. **Cozzi** pointed out that it should be clarified for staff. The amendment motion carried unanimously. The main motion carried unanimously.

11. **COMMISSION COMMENTS – Hedden** commented that Chris Rose will be at the library 4/18, noon to 1:30, and that the Energy Commission strongly encouraged the Planning Commission to attend, but that he would be out of town. He pointed out that Chris is here to talk about the nature of an energy plan and how to go about creating one. He added that this is in preparation of the Energy Commission coming up with an energy plan that will come before the Planning Commission for input and review and the ultimate goal is to put some things into the Comprehensive plan. **Turner** said he saw that the downtown planning group was coming to town again and that the Planning Commission might want to have a joint meeting with them. **Heinmiller** will check with manager and set a date for the joint meeting. **Turner** questioned if the borough had money budgeted to redo the comprehensive plan. **Heinmiller** said that initially the manager said the money was available. **Ritzinger** said he checked with the manager and the money is budgeted.
12. **COMMUNICATION - None**
13. **SET MEETING DATES –** The Planning Commission will meet for a Comprehensive Plan Review at 6:30 p.m. on Thursday, April 23. **Heinmiller** requested moving this date to the 30th. Everyone agreed that moving the date to April 30 was fine.

The next Regular Planning Commission meeting is scheduled for 6:30 p.m. on Thursday, May 14.
14. **ADJOURNMENT – 8:45 p.m.**