


## MEMORANDUM

**To:** Mark Gorman, Municipal Administrator  
Mayor McConnell and Members of the Assembly

**From:** Maegan Bosak, Planner I 

**Subject:** Conditional Use Permit approval for Metal Welding and Fabricating

**Date:** January 20, 2014

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The Sitka Planning Commission is unanimously recommending approval, with conditions, of a conditional use permit for metal welding and fabrication at 115 Harvest Way Unit #3, filed by Brian Schauwecker. The property is owned by 115 Harvest Way, LLC. The Board's recommendation followed a public hearing on December 3<sup>rd</sup>, 2013.

The applicant is requesting a conditional use permit in order to run a welding shop, Brian's Welding and Fabrication. Schauwecker currently rents Unit #3 in the 115 Harvest Way building. Other units in the building are used for office space, storage, automobile mechanic/repair shop, etc.

The C-2 zone is defined as a general commercial district with permitted uses including manufactured homes. In this area, there is a mix of commercial uses and condominiums/apartments. Fabricated metal products is a conditional use in the C-1 and C-2 zones but permitted in the WD Waterfront and I Industrial. Surrounding areas are zoned R-2, C-1 and Industrial.

There was no public comment received on the proposal.

The Planning Commission discussed possible noise, fumes and safety with the applicant. The applicant agreed to re route the exhaust to the front of the shop, rather than the rear, due to a request from a Commissioner in response to a call received by the next door residents.

The Planning Commission's recommendation includes the conditions below and follow up findings. The conditions also require a follow up annual review by the Planning Commission.

### **Conditions:**

1. The project shall be completed in conformance with the plans submitted in the conditional use permit application to the Planning Commission;

2. In addition, prior to the activation of the conditional use permit, the Planning Director shall indicate, in writing, that all permits have been received that the municipality considers necessary;
3. The applicant recognizes that other permits, not specifically mentioned by the municipality, may be required;
4. The applicant shall provide a narrative on the status of operations nine months after the activation of the conditional use permit;
5. The Planning Commission has an annual review of the first nine to twelve months of operation of the facility within one year of the activation of the conditional use permit. The purpose of the annual review is to determine what, if any impacts of operation, need to be mitigated. The Planning Commission, by its own motion, may undertake a second annual review if the board considers it to be necessary and;
6. The Assembly, at its discretion, may complete an annual review if any issues are not satisfactorily resolved at the Planning Commission level.
7. Hours of operation limited to 8 am to 9 pm.
8. All materials and work must be kept inside the unit.
9. New site plan, showing exhaust being rerouted to front of building, must be submitted prior to Assembly review.

**RECOMMENDED ACTION:** Approve the request with the conditions and findings recommended by the Planning Commission.

## **Findings:**

### **Required Findings for Conditional Use Permits**

1. The Planning Commission finds that the proposed conditional use permit will not:
  - a. Be detrimental to the public health, safety, and general welfare;
  - b. Adversely affect the established character of the surrounding vicinity; nor
  - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located;
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan and any implementing regulation. Specifically Sections 2.5.2 of the Comprehensive Plan, To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas;
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced. Specifically the 9 conditions added to the conditional use permit;
4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard;
5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services;
6. Burden of Proof. The applicant has met the burden of proof;

### **The requests supported by general approval criteria as follows:**

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;
2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;
4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements
5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts, specifically the limitation on outside storage;

**The following criteria in Determining Impacts of Conditional Uses have been considered:**

- a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses;
- b. Amount of noise to be generated and its impacts on surrounding land uses;
- c. Odors to be generated by the use and their impacts;
- d. Hours of operation;
- e. Location along a major or collector street;
- f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario;
- g. Effects on vehicular and pedestrian safety;
- h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site;
- i. Logic of the internal traffic layout;
- j. Effects of signage on nearby uses;
- k. Presence of existing or proposed buffers on the site or immediately adjacent the site;
- l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan;
- m. Other criteria that surface through public comments or planning commission assembly review.



**Schauwecker**  
Conditional Use Permit  
115 Harvest Way #3



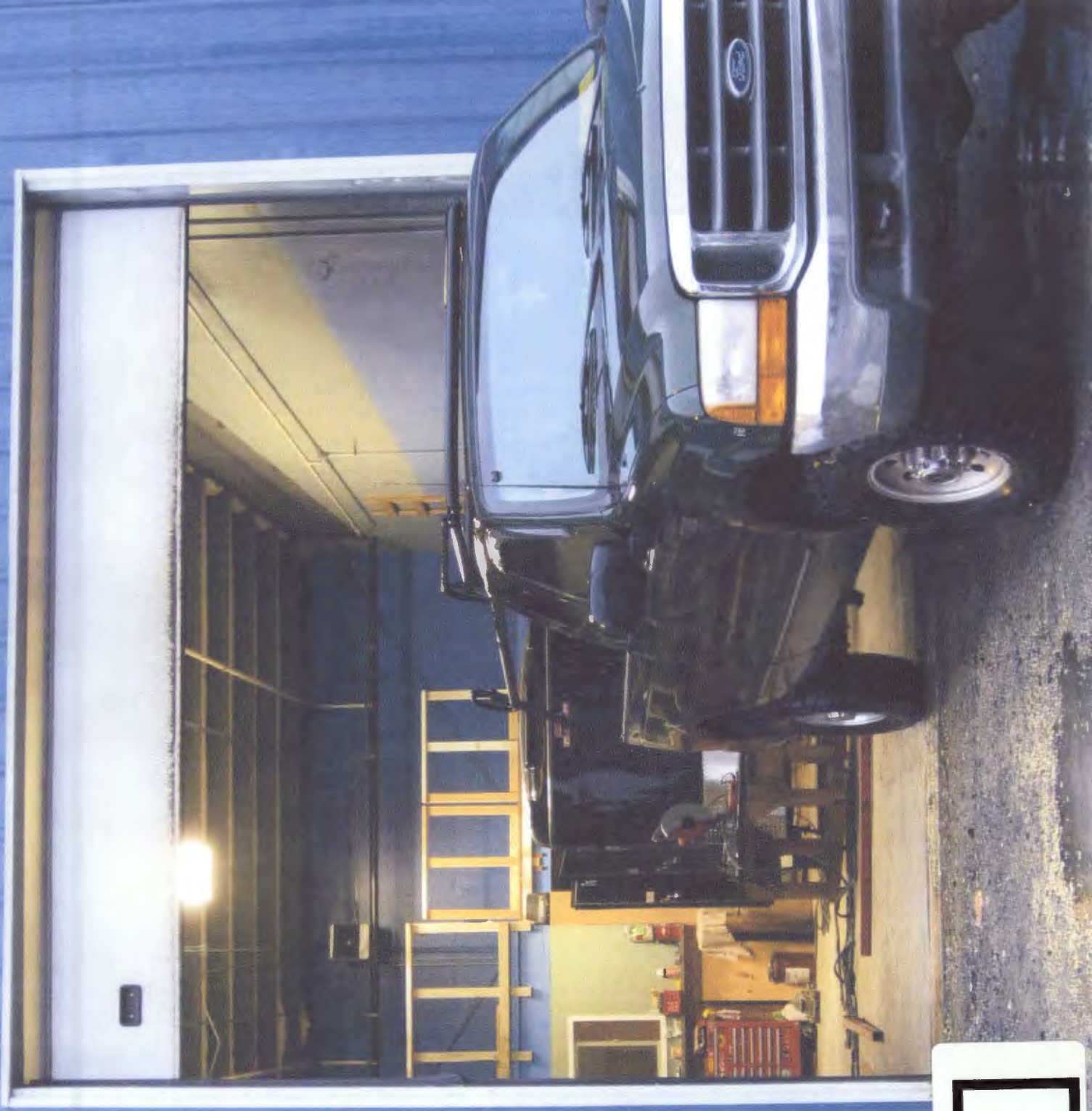
**Schauwecker**  
Conditional Use Permit  
115 Harvest Way #3



Unit #3



**Schauwecker**  
Conditional Use Permit  
115 Harvest Way #3



**Schauwecker**  
Conditional Use Permit  
115 Harvest Way #3

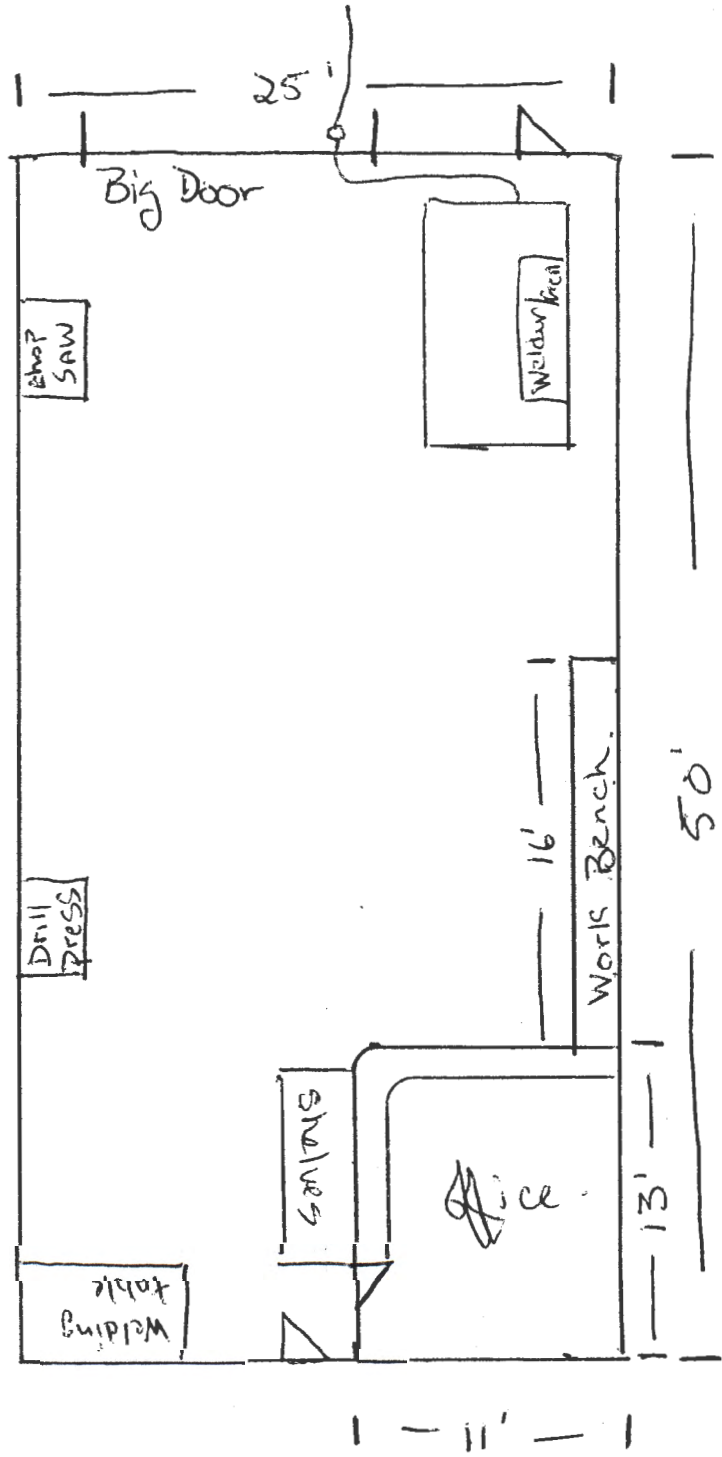


Brian's Welding & Fab Shop Layout.

723-6227  
CELL

Front.

Welder/Gen exhaust



Back

RECEIVED  
12/11/13

CITY AND BOROUGH OF SITKA  
PLANNING DEPARTMENT  
CONDITIONAL USE PERMIT APPLICATION

Conditional Use Permit FEE \$100.00  
\*plus current city sales tax\*

APPLICANT'S NAME: Brian Schauwecker  
PHONE NUMBER: (907) 747-8704  
MAILING ADDRESS: 1310 Edgcomb Dr.

OWNER'S NAME: 115 Harvest Way, LLC.  
(If different from applicant)  
PHONE NUMBER: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_

PROJECT ADDRESS: 115 Harvest way Unit #3  
LEGAL DESCRIPTION Lot: \_\_\_\_\_ Block: \_\_\_\_\_  
Subdivision: \_\_\_\_\_  
U.S. Survey: \_\_\_\_\_ Zoning Classification: C-2

List specific request: To weld & fabricate with metal

State all reasons for justifying request: This is the main purpose for my business. To have the ability to make money using a skill I have become proficient at.

List all features and details of request: I have a generator and power tools, such as grinders, saws, these make a lot of noise.

State the schedule and timing of request: As soon as possible

Please attach drawings, maps, and additional narrative as appropriate.

The applicant must verify, to the satisfaction of the Public Works Department, that utility lines and services are not under proposed structures.

In applying for and signing this application, the property owner hereby grants permission to Municipal staff to access the property before and after Planning Commission's review for the purposes of inspecting the proposed and/or approved structures.

SIGNATURE OF APPLICANT: Brian Acl Date: 11/12/13  
SIGNATURE OF OWNER: \_\_\_\_\_ Date: \_\_\_\_\_  
(If different from the applicant)

Approval will be based on plan:  
or approved by the Planning Commis

**Schauwecker**  
Conditional Use Permit  
115 Harvest Way #3



# City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

*Coast Guard City, USA*

## Notice of Public Hearings

The Assembly of the City and Borough of Sitka will hold a public hearing during a regular meeting scheduled Tuesday, January 28, 2014 on the following items:

Public hearing and consideration of a zoning map amendment by Scott Saline at 424 Katlian Avenue. The request is to rezone the parcel from R-1 Residential to WD Waterfront. The zoning would expand the waterfront district on the channel side of Katlian Avenue across to the upland side of the road. The property is also know as Lot 50, Block 1, U.S. Survey 2542 A&B, Sitka Indian Village.

**Public hearing and consideration of a conditional use permit for metal welding and fabricating shop at 115 Harvest Way Unit #3. The request is filed by Brian Schauwecker. The property is also known as Lot 1, Harvest Way Subdivision. The owner of record is 115 Harvest Way, LLC.**

Please see the hearing description on back of page. The Assembly may take action on January 28, 2013.

The Assembly meeting will begin at 6:00 pm in Harrigan Centennial Hall at 330 Harbor Drive in Sitka.

Interested residents are encouraged to make comments during the meeting and written comments can be submitted to the Municipal Clerk at 100 Lincoln Street.

**Zoning map amendment at 424 Katlian Avenue:**

The applicant is requesting a zoning map amendment to change the zoning from R-1 Residential to WD Waterfront. R-1 Residential is intended primarily for single-family and duplex homes while WD Waterfront is for commerce, tourism, commercial or industrial enterprises which derive a major economic or social benefit from a waterfront location.

While the Waterfront zoning is open to a variety of uses, this lot is limited due to the small size.

The applicant has expressed that the intent of the parcel is for two parking spaces servicing his future restaurant at 417 Katlian Avenue.

**Conditional use permit at 115 Harvest Way Unit #3:**

The applicant is requesting a conditional use permit for metal welding and fabrication at 115 Harvest Way Unit#3. This would allow the applicant to conduct the industrial/commercial business within the large bay.

The Business will be limited to the hours of 8 am to 9pm and required to have an annual review.

The C-2 General Commercial Mobile Home District is described by code as intended for those areas surrounding major intersections where personal services, convenience goods and auto-related service facilities are desirable and appropriate land uses. All provisions of the C-1 district apply to the C-2 district and permitted uses also include manufactured homes.

SITKA HOUSE BUSINESS ORGANIZATION SITKA HOUSE BUSINESS ORGANIZATION 319 SEWARD ST, #B SITKA AK 99835	HANSEN & HANSEN ENTERPRISE, LLC HANSEN & HANSEN ENTERPRISE, LLC 201 PRICE ST. SITKA AK 99835	AK PRESERVATION SAWMILL LTD PRTNSHP ATTN: GREGORY DUNFIELD AK PRESERVATION SAWMILL LTD PARTNERSHIP 1100 DEXTER AVE NORTH, STE 100 SEATTLE WA 98109
RONALD/KARI HANDERSON/LUNDGREN HANDERSON, RONALD & LUNDGREN, KARI 2702 SAWMILL CREEK RD SITKA AK 99835	TOM/ANITA MATTINGLY/BERGEY MATTINGLY, TOM/BERGEY, ANITA P.O. BOX 624 SITKA AK 99835	EAGLE BAY INN, LLC EAGLE BAY INN, LLC P.O. BOX 740301 NEW ORLEANS LA 70174
DENNIS SMITH SMITH, DENNIS, R. P.O. BOX 2083 SITKA AK 99835	115 HARVEST WAY, LLC 115 HARVEST WAY, LLC P.O. BOX 1401 SITKA AK 99835	MICHAEL DAVIDSON DAVIDSON, MICHAEL P.O. BOX 497 SITKA AK 99835
CHARLES/THERESA OLSON/ALLEN-OLSON OLSON, CHARLES/ALLEN-OLSON, THERESA 3009 HALIBUT POINT RD. SITKA AK 99835	HARVEST WAY CONDOS PHASE III PARENT PARCAL BLDG 118 HARVEST WAY CONDOS PHASE III 118 HARVEST WAY SITKA AK 99835	GARY/DEBRA SMITH SMITH, GARY, L./DEBRA, J. 151 PRICE ST., #A SITKA AK 99835
SMITH RENTALS, LLC SMITH RENTALS, LLC P.O. BOX 2083 SITKA AK 99835	P&L/R&M JONES/WHITE LIVING TRUST % JONES JONES, P.& L./ WHITE, R. & M. 4118 HALIBUT POINT RD SITKA AK 99835	JUSTIN/SHEILA CLARK CLARK, JUSTIN & SHEILA P.O. BOX 1092 SITKA AK 99835
ARMSTRONG, LLC ARMSTRONG, LLC P.O. BOX 1647 SITKA AK 99835	RONDA SCOTT SCOTT, RONDA, C. 120 HARVEST WAY, #A SITKA AK 99835	PHYLLIS ROSE ROSE, PHYLLIS 120-B HARVEST WAY SITKA AK 99835
LILIBETH CARBILLON CARBILLON, LILIBETH 120 HARVEST WAY, APT C SITKA AK 99835	JENNIFER CEDARLEAF CEDARLEAF, JENNIFER P.O. BOX 2574 SITKA AK 99835	RICHARD CURRAN/DODSON-HOLZMAN TRUST CURRAN, RICHARD, J. P.O. BOX 1336 SITKA AK 99835
FRANKLIN/VIRGIN THOMAS THOMAS, FRANKLIN/VIRGINIA 114-A HARVEST WAY SITKA AK 99835	EMILY BARRON BARRON, EMILY, J. 114 HARVEST WAY, #B SITKA AK 99835	RONALD/MARILYN HAUCK HAUCK, RONALD/MARILYN P.O. BOX 1016 SITKA AK 99835
SUMABAT FAMILY TRUST SUMABAT, JOSE/EVELYN 114-D HARVEST WAY SITKA AK 99835	JEAN/LANE/ERIC MYER/QUINTIN MYER, JEAN/QUINTIN,LANE & ERIC 104 SHOTGUN ALLEY SITKA AK 99835	JUSTIN THOMAS THOMAS, JUSTIN, A. 116-A HARVEST WAY SITKA AK 99835
MILDRED JAMES JAMES, MILDRED, A. 6031 SUNSET ST JUNEAU AK 99801	NICOLE/ABELARDO DUCLOS REV. TRUST/HURTADO DUCLOS REV. TRUST/HURTADO, ABELARDO 116 HARVEST WAY, #C SITKA AK 99835	REGINA MICHAEL MICHAEL, REGINA, R. 116-D HARVEST WAY SITKA AK 99835

LN REAL ESTATE, LLC  
C/O THOMSON REUTERS  
PROBUILD WEST  
P.O. BOX 460069  
HOUSTON TX 77056

EUGENE/TRUDY PREWITT  
PREWITT, EUGENE & TRUDY  
P.O. BOX 1001  
SITKA AK 99835

NEW ARCHANGEL DANCERS  
NEW ARCHANGEL DANCERS  
208 SMITH ST  
SITKA AK 99835

Assembly Mailing  
January 17, 2014

**Schauwecker**  
Conditional Use Permit  
*115 Harvest Way Unit #3*



# City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

*Coast Guard City, USA*

## **Sitka Planning Commission Agenda**

**Tuesday, December 3, 2013**

Held in Harrigan Centennial Hall

330 Harbor Drive, Sitka, Alaska

**7:00pm**

- I. CALL TO ORDER AND ROLL CALL
- II. CONSIDERATION OF THE MINUTES FROM November 19, 2013
- III. THE EVENING BUSINESS
  - A. Public hearing and consideration of a concept plat for a minor subdivision at Parcel A South Benchlands off of Kramer Avenue. The property is on the upland side of Kramer Avenue past Jacobs Circle. The request is filed by Sound Development, LLC. The property is also known as Track A14-III, Whitcomb Heights III Subdivision.
  - B. Public hearing and consideration of a concept plat for a minor subdivision at Parcel B South Benchlands off of Kramer Avenue. The property is on the upland side of Kramer Avenue past Jacobs Circle. The request is filed by Sound Development, LLC. The property is also known as Track A13, Whitcomb Heights Subdivision.
  - C. **Public hearing and consideration of a conditional use permit for metal welding and fabricating shop at 115 Harvest Way Unit #3. The request is filed by Brian Schauwecker. The property is also known as Lot 1, Harvest Way Subdivision. The owner of record is 115 Harvest Way, LLC.**
- IV. PLANNING DIRECTOR'S REPORT
- V. PUBLIC BUSINESS FROM THE FLOOR
- VI. ADJOURNMENT

NOTE: Individuals having concerns or comments on any item are encouraged to provide written comments to the Planning Office or make comments at the Planning Commission meeting. Written comments may be dropped off at the Planning Office in City Hall, emailed to [maegan@cityofsitka.com](mailto:maegan@cityofsitka.com), or faxed to (907) 747-6138. Those with questions may call (907) 747-1814.

Publish: November 25, November 27

SITKA HOUSE BUSINESS ORGANIZATION  
SITKA HOUSE BUSINESS ORGANIZATION  
319 SEWARD ST, #B  
SITKA AK 99835

HANSEN & HANSEN ENTERPRISE, LLC  
HANSEN & HANSEN ENTERPRISE, LLC  
201 PRICE ST.  
SITKA AK 99835

AK PRESERVATION SAWMILL LTD PRTNSHIP  
ATTN: GREGORY DUNFIELD  
AK PRESERVATION SAWMILL LTD  
PARTNERSHIP  
1100 DEXTER AVE NORTH, STE 100  
SEATTLE WA 98109

RONALD/KARI HANDERSON/LUNDGREN  
HANDERSON, RONALD & LUNDGREN, KARI  
2702 SAWMILL CREEK RD  
SITKA AK 99835

TOM/ANITA MATTINGLY/BERGEY  
MATTINGLY, TOM/BERGEY, ANITA  
P.O. BOX 624  
SITKA AK 99835

EAGLE BAY INN, LLC  
EAGLE BAY INN, LLC  
P.O. BOX 740301  
NEW ORLEANS LA 70174

DENNIS SMITH  
SMITH, DENNIS, R.  
P.O. BOX 2083  
SITKA AK 99835

115 HARVEST WAY, LLC  
115 HARVEST WAY, LLC  
P.O. BOX 1401  
SITKA AK 99835

MICHAEL DAVIDSON  
DAVIDSON, MICHAEL  
P.O. BOX 497  
SITKA AK 99835

CHARLES/THERESA OLSON/ALLEN-OLSON  
OLSON, CHARLES/ALLEN-OLSON, THERESA  
3009 HALIBUT POINT RD.  
SITKA AK 99835

HARVEST WAY CONDOS PHASE III  
PARENT PARCAL BLDG 118  
HARVEST WAY CONDOS PHASE III  
118 HARVEST WAY  
SITKA AK 99835

GARY/DEBRA SMITH  
SMITH, GARY, L./DEBRA, J.  
151 PRICE ST., #A  
SITKA AK 99835

SMITH RENTALS, LLC  
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P.O. BOX 2083  
SITKA AK 99835

P&L/R&M JONES/WHITE LIVING TRUST  
% JONES  
JONES, P.& L./ WHITE, R. & M.  
4118 HALIBUT POINT RD  
SITKA AK 99835

JUSTIN/SHEILA CLARK  
CLARK, JUSTIN & SHEILA  
P.O. BOX 1092  
SITKA AK 99835

ARMSTRONG, LLC  
ARMSTRONG, LLC  
P.O. BOX 1647  
SITKA AK 99835

RONDA SCOTT  
SCOTT, RONDA, C.  
120 HARVEST WAY, #A  
SITKA AK 99835

PHYLLIS ROSE  
ROSE, PHYLLIS  
120-B HARVEST WAY  
SITKA AK 99835

LILIBETH CARBILLON  
CARBILLON, LILIBETH  
120 HARVEST WAY, APT C  
SITKA AK 99835

JENNIFER CEDARLEAF  
CEDARLEAF, JENNIFER  
P.O. BOX 2574  
SITKA AK 99835

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TRUST  
CURRAN, RICHARD, J.  
P.O. BOX 1336  
SITKA AK 99835

FRANKLIN/VIRGIN THOMAS  
THOMAS, FRANKLIN/VIRGINIA  
114-A HARVEST WAY  
SITKA AK 99835

EMILY BARRON  
BARRON, EMILY, J.  
114 HARVEST WAY, #B  
SITKA AK 99835

RONALD/MARILYN HAUCK  
HAUCK, RONALD/MARILYN  
P.O. BOX 1016  
SITKA AK 99835

SUMABAT FAMILY TRUST  
SUMABAT, JOSE/EVELYN  
114-D HARVEST WAY  
SITKA AK 99835

JEAN/LANE/ERIC MYER/QUINTIN  
MYER, JEAN/QUINTIN,LANE & ERIC  
104 SHOTGUN ALLEY  
SITKA AK 99835

JUSTIN THOMAS  
THOMAS, JUSTIN, A.  
116-A HARVEST WAY  
SITKA AK 99835

MILDRED JAMES  
JAMES, MILDRED, A.  
6031 SUNSET ST  
JUNEAU AK 99801

NICOLE/ABELARDO DUCLOS REV.  
TRUST/HURTADO  
DUCLOS REV. TRUST/HURTADO, ABELARDO  
116 HARVEST WAY, #C  
SITKA AK 99835

REGINA MICHAEL  
MICHAEL, REGINA, R.  
116-D HARVEST WAY  
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SITKA AK 99835

NEW ARCHANGEL DANCERS  
NEW ARCHANGEL DANCERS  
208 SMITH ST  
SITKA AK 99835

Planning & Zoning Mailing  
November 22, 2013

**Schauwecker**  
Conditional Use Permit  
*115 Harvest Way #3*

**CITY AND BOROUGH OF SITKA  
Planning Commission  
Minutes of Meeting  
December 3, 2013**

**Present:** Chris Spivey (Acting Chair), Darrell Windsor (Member), Cheryl Westover (Member), Debra Pohlman (Member), Maegan Bosak (Planner I), Wells Williams (Planning Director)

**Members of the Public:** Stephen Weatherman (Municipal Engineer), Jeremy Twaddle, Todd Fleming, Brian Schauwecker, Shannon Haughland

Chair Spivey called the meeting to order at 7:01 p.m.

**Roll Call:**

**PRESENT:** 4 – Westover, Windsor, Spivey, Pohlman

**Consideration of the Minutes from the November 19, 2013 meeting:**

**MOTION: M/S WESTOVER/WINDSOR** moved to approve the meeting minutes for November 19, 2013

Pohlman abstains from voting as she was not present at last meeting.

**ACTION:** Motion **PASSED unanimously 3-0** on a voice vote.

**The evening business:**

**CONCEPT PLAT MINOR SUBDIVISION  
PARCEL A SOUTH BENCHLANDS TRACT A14-III, WHITCOMB HEIGHTS III SUBDIVISION  
SOUND DEVELOPMENT, LLC**

*Public hearing and consideration of a concept plat for a minor subdivision at Parcel A South Benchlands off of Kramer Avenue. The property is on the upland side of Kramer Avenue past Jacobs Circle. The request is filed by Sound Development, LLC. The property is also known as Tract A14-III, Whitcomb Heights III Subdivision.*

Planning Director Williams reviews the case. He suggests that Commissioners consider both Benchland minor subdivisions items as one for discussion purposes for public comment. Williams asks Municipal Engineer Stephen Weatherman if he still recommends that Sound Development, LLC. turn in a completed plan quantifying the water flows through the parcels, as was suggested at the last meeting? Weatherman recommends they complete a drainage plan.

**APPLICANT:** Jeremy Twaddle, of Sound Development, LLC., steps forward to report to the Commission. Twaddle states nothing has changed, all easement locations remain the same. He and partner, Todd Fleming, are working with Public Works on drainage run off issues. Sound Development, LLC. presented a study done to plan for the flow/drainage throughout the parcels. The previously done USKH 2008 study, models a much larger buildout than what applicant is

presenting. The applicant plans to continue working with Public Works and Municipal Engineer Weatherman to satisfy the requirements.

**COMMISSIONER DELIBERATION:** Westover asks about concern over trail grade. Twaddle states that the part of the cross trail being realigned will have a grade of approximately 14%. Other areas of cross trail are over 19%. The grade will barely change, mainly just the distance. 125 feet of the trail will be realigned. Access easements on both parcels were graded at 14% to 15%.

Acting Chair Spivey brings up pocket park comment made by Gary Baugher. Twaddle says there is currently a park platted for the Emmons/Cushing Loop and will continue to be included in Parcel D. Baugher's comments were a suggestion and invitation to move the park closer to the cross trail if Sound Development so desired. Twaddle believes he was referencing parking for the trail entrance.

Commissioner Westover asks about existing parking opportunities at the crosstrail entrance and thinks it would work better, or provide more parking spaces, if it was angled parking. Municipal Engineer Weatherman states that Kramer Road is a 50 ft right of way (Actual 80 ft.). There is ample room with 12 foot wide driving lanes and substantial ditching. Parking could be enlarged at a later time with increased funding.

Weatherman also comments on the recommendation suggesting a drainage evaluation for culvert sizing be completed utilizing the new Stormwater Management Plan. New data shows different rainfall as compared to the 2008 USKH study and it needs to be evaluated. Many other communities ask for a drainage studies during the subdivision process. He states that the applicant and Public Works need to know flow rates to adequately prepare the parcels for drainage. Upstream flows could be in line with what was previously reported but a new evaluation should be completed. The 2008 study may not provide best information. Master plan was done this summer with rainfall information. Commissioner Windsor asks if data has changed. Weatherman says he does not know and hasn't had time, due to multiple other projects, to review the studies.

Commissioner Westover asks applicants to work together with Public Works to create a plan. Twaddle passes out map showing Commissioners 2008 USKH subdivision plan with drainage. He reminds the Commission that drainage studies are not required for minor subdivision. Todd Fleming talks about Jacobs Circle subdivision, below the proposed minor subdivision areas. He states that even though it was a City subdivision, problems have occurred.

**PUBLIC COMMENT:** No public comment.

The final plat will be back for review at the December 17<sup>th</sup> Planning Commission meeting.

**CONCEPT PLAT MINOR SUBDIVISION  
PARCEL B SOUTH BENCHLANDS TRACT A13, WHITCOMB HEIGHTS SUBDIVISION  
SOUND DEVELOPMENT, LLC**

*Public hearing and consideration of a concept plat for a minor subdivision at Parcel B South Benchlands off of Kramer Avenue. The property is on the upland side of Kramer Avenue past Jacobs Circle. The request is filed by Sound Development, LLC. The property is also known as Tract A13, Whitcomb Heights Subdivision.*

Item was discussed during previous agenda item.

**CONDITIONAL USE PERMIT  
LOT 1, HARVEST WAY SUBDIVISION  
BRIAN SCHAUWECKER**

*Public hearing and consideration of a conditional use permit for metal welding and fabricating shop at 115 Harvest Way, Unit #3. The request is filed by Brian Schauwecker. The property is also known as Lot 1, Harvest Way Subdivision. The owner of record is 115 Harvest Way, LLC.*

Planner I Bosak reviews the case. Bosak explains the surrounding zoning and mixture of uses in the area. Applicant had mentioned some noise that could be created due to the generator. Bosak reviews staff recommended conditions and reminds Commissioners to consider finding criteria when deliberating.

**APPLICANT:** Brian Schauwecker, Brian's Welding and Fabrication, greets the Commission and begins to explain the request. Schauwecker describes that an exhaust system will be hooked to the generator and vented to the rear exterior of the shop. Ventilation was an issue at first due to the small unit size but the applicant has remedied the situation. The large bay door can be closed to reduce any noise. The applicant currently works with a newer version welder which is very quite. Schauwecker educates the Commission on flashburn. Safety, for himself and neighbors, is a concern and he wants to protect everyone. He keeps the side door locked and customers must knock in order to enter the unit, thus he is able to conduct safely.

**COMMISSIONER DELIBERATION:** Commissioner Westover asks about chop saw noise and hours of operation. She remarks on previous welding and fabrication businesses that have become neighborhood eyesores. Director Williams explains that annual review condition is to make sure applicant is being a good neighbor. Commissioner Windsor asks applicant if he could run the exhaust to front of building rather than back. Windsor received a call from a renter of the building next door with concern over exhaust. Schauwecker says that would not be an issue. Windsor asks why that party did not receive a notification. Director Williams discusses notifications and how they are sent to owners of building not tenants.

Applicant asks about hours of operation - when can he work? Williams describes added condition of limited hours of operation. Noise must not be heard outside of building before 8 am or after 9 pm. Applicant is agreeable.

**PUBLIC COMMENT:** No public comment.

**MOTION: M/S WESTOVER/WINDSOR** move to recommend approval of a conditional use permit for metal welding and fabricating shop at 115 Harvest Way, Unit #3 with the following conditions. The request is filed by Brian Schauwecker. The property is also known as Lot 1, Harvest Way Subdivision.

1. The project shall be completed in conformance with the plans submitted in the conditional use permit application to the Planning Commission;

2. In addition, prior to the activation of the conditional use permit, the Planning Director shall indicate, in writing, that all permits have been received that the municipality considers necessary;
3. The applicant recognizes that other permits, not specifically mentioned by the municipality, may be required;
4. The applicant shall provide a narrative on the status of operations nine months after the activation of the conditional use permit;
5. The Planning Commission has an annual review of the first nine to twelve months of operation of the facility within one year of the activation of the conditional use permit. The purpose of the annual review is to determine what, if any impacts of operation, need to be mitigated. The Planning Commission, by its own motion, may undertake a second annual review if the board considers it to be necessary and;
6. The Assembly, at its discretion, may complete an annual review if any issues are not satisfactorily resolved at the Planning Commission level.
7. Hours of operation limited to 8 am to 9 pm.
8. All materials and work must be kept inside the unit.
9. New site plan, showing exhaust being rerouted to front of building, must be submitted prior to Assembly review.

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

**MOTION: M/S WINDSOR/WESTOVER** moved to approve the following findings in support of the approved conditional use permit:

**Required Findings for Conditional Use Permits**

1. The Planning Commission finds that the proposed conditional use permit will not:
    - a. Be detrimental to the public health, safety, and general welfare;
    - b. Adversely affect the established character of the surrounding vicinity; nor
    - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located;
  2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan and any implementing regulation. Specifically Sections 2.5.2 of the Comprehensive Plan, To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas;
  3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced. Specifically the 9 conditions added to the conditional use permit;
  4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard;
  5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services;
  6. Burden of Proof. The applicant has met the burden of proof;
- The requests supported by general approval criteria as follows:**
1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;
  2. Utilities and service requirements of the proposed use, including sewers, storm

drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;

3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;

4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements

5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts, specifically the limitation on outside storage;

1. The following criteria in Determining Impacts of Conditional Uses have been considered:

a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses;

b. Amount of noise to be generated and its impacts on surrounding land uses;

c. Odors to be generated by the use and their impacts;

d. Hours of operation;

e. Location along a major or collector street;

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario;

g. Effects on vehicular and pedestrian safety;

h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site;

i. Logic of the internal traffic layout;

j. Effects of signage on nearby uses;

k. Presence of existing or proposed buffers on the site or immediately adjacent the site;

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan;

m. Other criteria that surface through public comments or planning commission assembly review.

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

**PLANNING DIRECTOR'S REPORT:** Final plat for Benchland minor subdivisions will be at next meeting. At that time, we will receive an update on hydrology. Saline zoning map amendment will also be heard at next meeting.

**ADJOURNMENT:**

**MOTION: M/S POHLMAN/WESTOVER** moved to adjourn at 7:41 pm.

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

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**Chris Spivey, Acting Chair**

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**Maegan Bosak, Secretary**

**Table 22.16.015-5  
Manufacturing/Storage Uses**

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD	C-1	C-2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	SC (7)
<b>MANUFACTURING</b>																		
• Food products include seafood processing										C	C	P	P	C	C	C		
• Mariculture												P		C	C			
• Winery/brewery, small scale									C	C	C	P	P	C	C			
• Textile mill products										C	C	P	P	C	C			
• Apparel and textile products										C	C	P	P	C	C			
• Wood products, except furniture										C	C	P	P	PU/CS	C			
• Furniture and fixtures										P	P	P	P	P	C			
• Paper and allied products										C	C	P	P	C	C			
• Petroleum refining and related products										C	C	P	P					
• Rubber and plastics products										C	C	P	P					
• Leather and leather goods										P	P	P	P	C	C			
• Tannery										C	C							
• Stone, clay, glass and concrete products										C	C	P	P	C	C			
• Primary metal products										C	C	P	P	C	C			
• Fabricated metal products										C	C	P	P	C				
• Industrial and commercial machinery										C	C	P	P					
• Heavy machinery and equipment										C	C	P	P					
• Computer and office equipment										P	P	P	P	C	C			
• Electronic and electric equipment										P	P	P	P	PU/CS	C			
• Miscellaneous vehicle manufacturing										C	C	P	P	C				
• Boat building										C	C	P(5)	P	C				
• Tire retreading										C	C	P	P					
• Other manufacturing										C	C	P	P(6)	C	C			
<b>STORAGE AND WAREHOUSING</b>																		
• Marine equipment/commercial fishing gear/material storage										P	P	P	P	PU/CS	C			
• Boat storage										P	P	P	P					
• Construction materials storage										P	P	P	P	C	C	C		
• Trucking, courier and taxi service facilities										P	P	P	P(5)	P	C	C		
• Warehousing and wholesale trade										P	P	P	P(5)	P	C			



ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD	C-1	C-2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	SC (7)
• Self-service storage									P	P	P	P	P	C				
• Log storage	C									C	C	P	P	C		P		
• Freight and cargo services									P	P	P	P(5)	P	C				
• Equipment rental services									P	C	C	P	P	C				
• Vehicle rental services									P	P	P	P	P	C				
• Natural resource extraction and mining support facilities												C	C	C	C			C
• Storage of explosives													C					
• Bulk fuel storage												C						

P: Public Lands District

SF: Single-Family District

SFLD: Single-Family Low Density District

R-1: Single-Family/Duplex District

R-1 MH: Single-Family/Duplex/Manufactured Home District

R-1 LDMH: Single-Family/Duplex and Single-Family/Manufactured Home Low Density Districts

R-2: Multifamily District

R-2 MHP: Multifamily/Mobile Home District

CBD: Central Business District

C-1/C-2: General Commercial and General Commercial/Mobile Home Districts

WD: Waterfront District

I: Industrial District

GI: General Island District

LI: Large Island District

R: Recreational District

OS: Open Space District

SC: Sawmill Cove Special District

P—Permitted

C—Conditional Use Permit Required

PU/CS—Permitted on Unsubdivided Islands and Conditional Use on Subdivided Islands

G. Manufacturing/Storage Uses Table 22.16.015-5 Footnotes.

1. Public facilities not otherwise identified may be permitted in the public zone subject to planning commission recommendation and assembly approval subject to findings of fact that show the use is in the public interest, all reasonable safeguards are to be employed to protect the surrounding area, and that there are no reasonable alternative locations for the use.
2. All uses in the waterfront district are intended to be water-related or water-dependent except that upland uses may be non-water-related.
3. No industrial use shall be of a nature which is noxious or injurious to nearby properties by reason of smoke, emission of dust,

refuse matter, odor, gases, fumes, noise, vibration or similar conditions.

4. Uses listed as conditional uses in the GI and LI zones may be considered, but not necessarily approved, on a case-by-case basis.
5. Ferry terminals, barge freight terminals, docks and harbor facilities including float plane facilities, fueling piers and tank farms and other port facilities are permitted principal uses subject to planning commission review and public hearing and assembly approval of a binding site plan.
6. Automobile wrecking yards, salvage yards, and junkyards are conditional uses and shall be set back a minimum of twenty feet from property lines and be enclosed by fences a minimum of eight feet in height. The set-back area may be used for customer parking but not for vehicle storage.

7. Any uses, except retail and business uses, and natural resource extraction and mining support facilities uses may be approved in accordance with Section 2.38.080.