



HAINES BOROUGH, ALASKA

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Under HBC 18.50.040, there are eight criteria to be considered in deciding whether to grant a conditional use permit. Before a conditional use permit is approved, the commission must find that each of the following is met. I have provided my thoughts on each one.

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers;

The proposed business is to open a restaurant at the former Moseys Restaurant location and according to the application, dinning will be inside and not cause undue noise. In addition, I talked with the current owners about comments received about an open compost pile attracting flies and smelling badly. The current owners informed me that they now have commercially available composters that would not present a problem.

2. The development of the use is such that the value of the adjoining property will not be significantly impaired;

The proposal is to reopen a restaurant at the former Moseys Restaurant site. While there were some concerns by adjacent land owners about parking issues in the past, the current owners have stated they are committed to improving the parking to reduce impacts to adjacent landowners.

3. The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use;

The previous use of the existing facility is the same as the proposed use by the new owners and they are not planning a significant expansion to the facility. The public services and facilities appear to be sufficient.

4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses;

Goal 3 of the comprehensive plan states: "Achieve a strong, diversified local economy that provides employment and income for all citizens that desire to work while protecting the health of the environment and quality of life..." This business seems to be in line with this statement in my opinion. While this is a residential area, this was a favorite eatery in Haines and should have minimal impact on the surrounding land uses.

5. The granting of the conditional use will not be harmful to the public safety, health or welfare;

The proposed business is a dine-in restaurant and should not present a public safety, health, or welfare issue. There have been issues raised around parking and dust from traffic. The parking issue is being discussed and I incorrectly suggested that the Chilkat Center Parking could be an option. This option is too far from the restaurant to be viable and an alternative parking design should be developed by the current owners or a reduction in seating to meet the available parking.

6. The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams;

Erosion, ground or surface water contamination and adverse alteration to fish habitat are not a concern with the proposed business.

7. The use will comply with all required conditions and specifications if located where proposed and developed, and operated according to the plan as submitted and approved;

Before the business can open they will need to have, at a minimum, state and local business licenses, Fire Marshal approval, DEC certified kitchen, and an ABC permit if they plan to serve beer and wine, and any other required state or federal permits.

8. Comments received from property owners impacted by the proposed development have been considered and given their due weight.

We have received comments from three adjacent landowners that have concerns about parking and traffic but are generally in support of the business. I have talked with the current owners and they are working to improve the parking and associated traffic. In addition, one of the comments brought up the issue of dust from traffic and I am talking to the Public Works Forman about how to improve this situation as it is from a borough road.

Sincerely,



Brad A. Ryan
Haines Borough Interim Manager