



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

MEMORANDUM

To: Jim Dinley, Municipal Administrator
Mayor Westover and Members of the Assembly

From: Melissa Henshaw, Planner I *MH*

Subject: Skannes Short-Term Rental at 2416 Halibut Point Road

Date: October 30, 2012

The Planning Commission is recommending approval of a conditional use permit request for operation of a short-term rental for John and Joan Skannes at 2416 Halibut Point Road. Action on this item was taken at the October 16, 2012 Planning Commission meeting. The recommendation to approve the request passed 3-0.

The applicants have two separate units they would like to be able to rent on a short-term basis. One unit is a one bedroom, one bathroom apartment on the first floor. The second unit is the main house that is on the second story and third level of the house. It has three bedrooms, three bathrooms, and a den. These would be rented at two separate units.

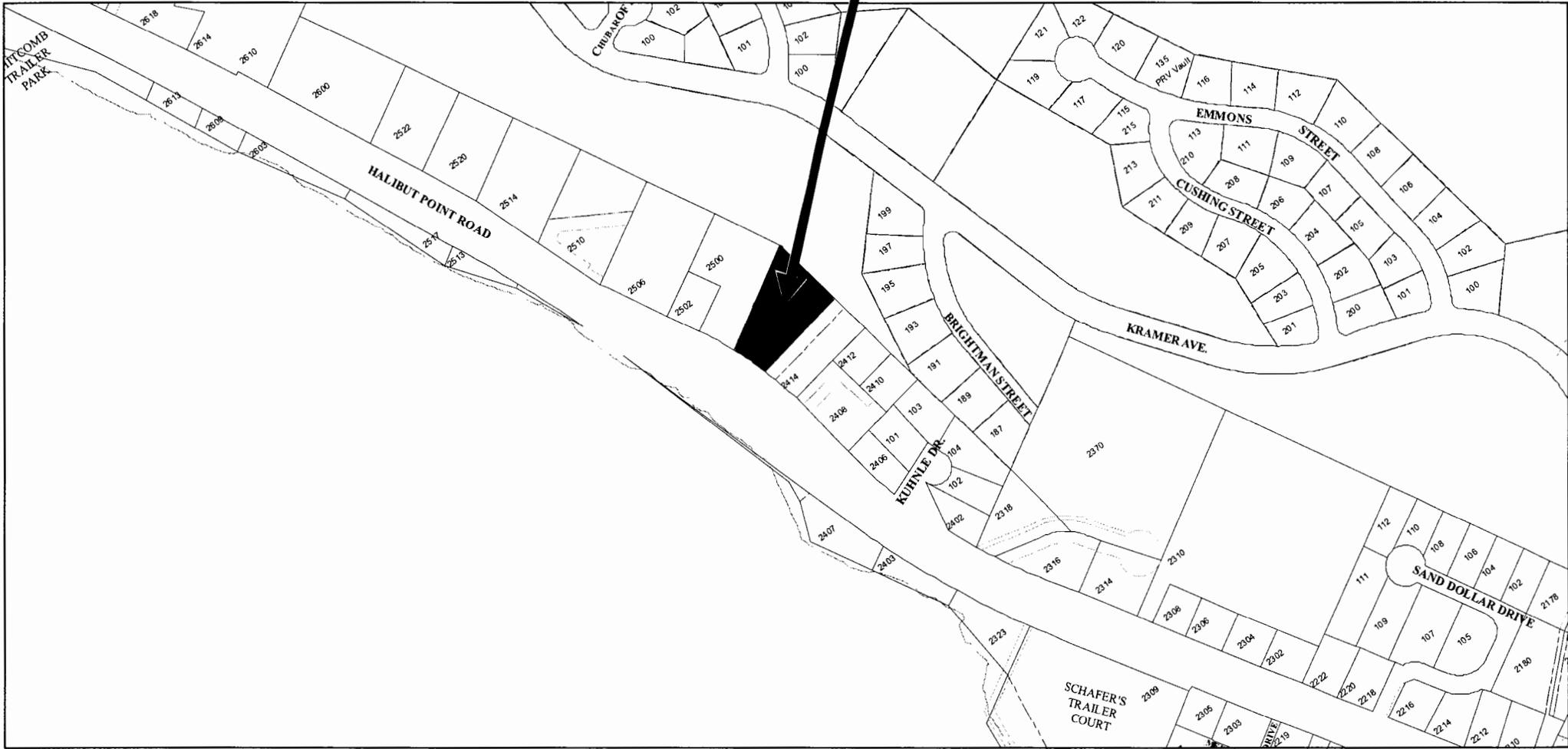
Guests will be responsible for their own meals and transportation. The applicant is able to provide more than the two off street parking spaces for each unit that is required by code.

The Planning Office received one comment from a neighbor asking that the request have a condition that the conditional use permit for the short-term rental cease if the Skannes sell the property. However, this is not an option to place as a condition since conditional use permits run with the land and not the owner. If they would like to have an agreement as such, the City cannot and will not be a party to this agreement. It will be a civil matter between the two property owners.

Recommendation:
Approve the request.

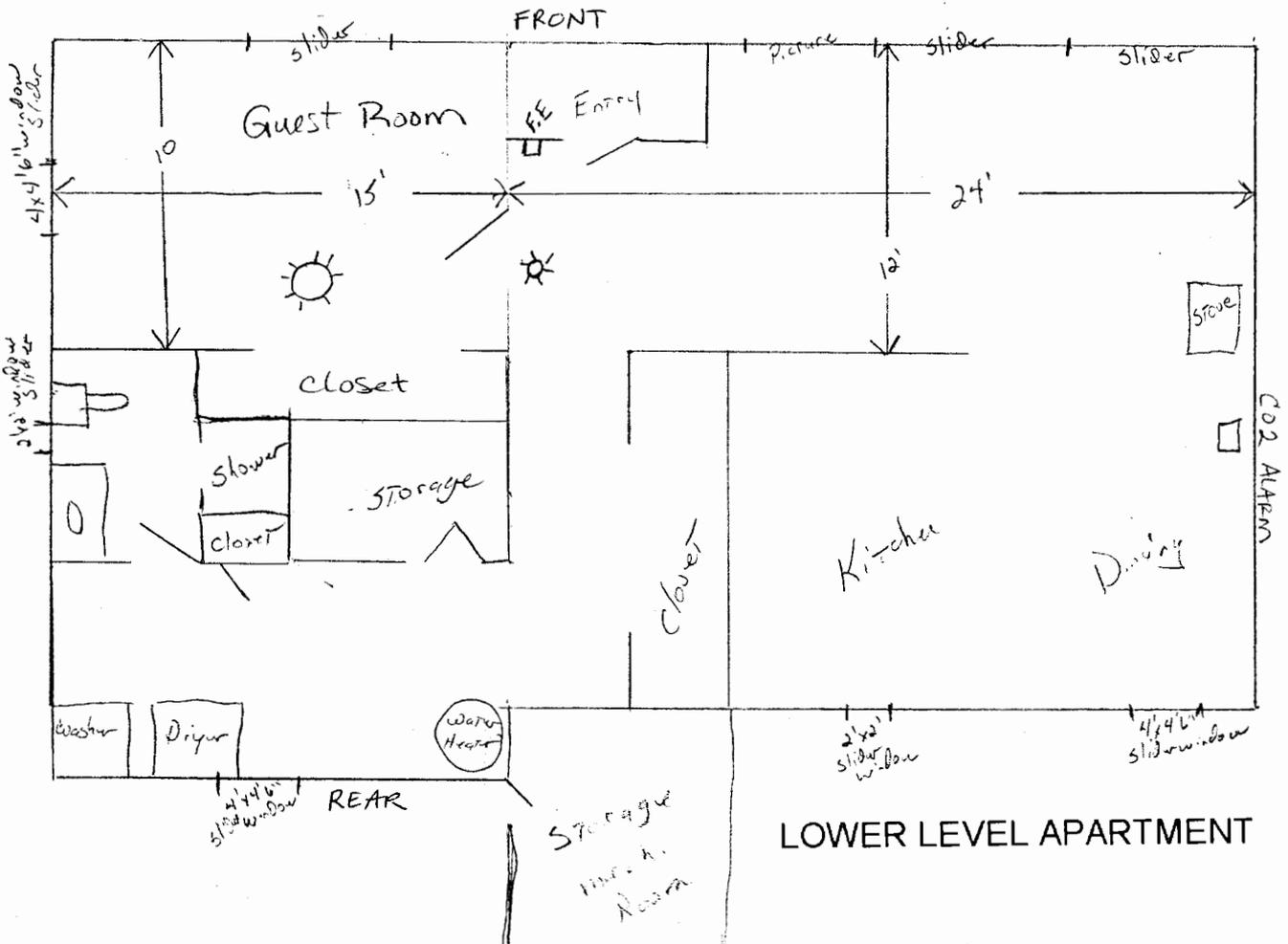
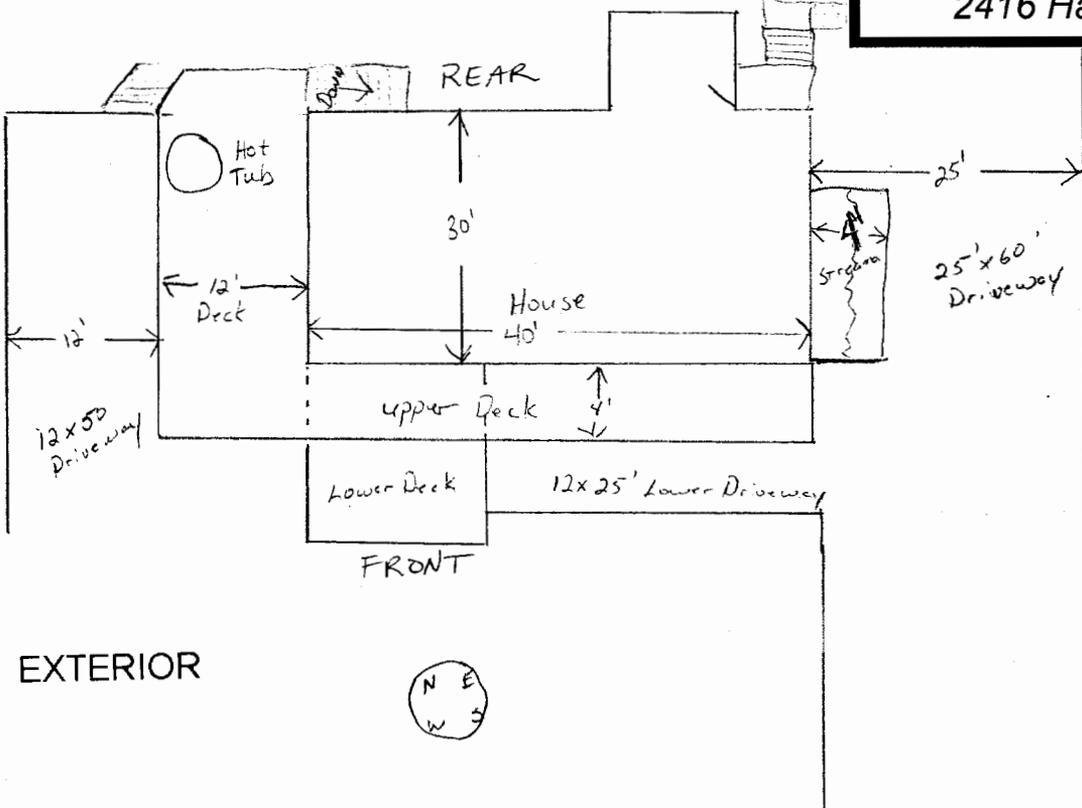
Providing for today...preparing for tomorrow

Skannes
Conditional Use Permit Request
for a Short-Term Rental
2416 Halibut Point Road

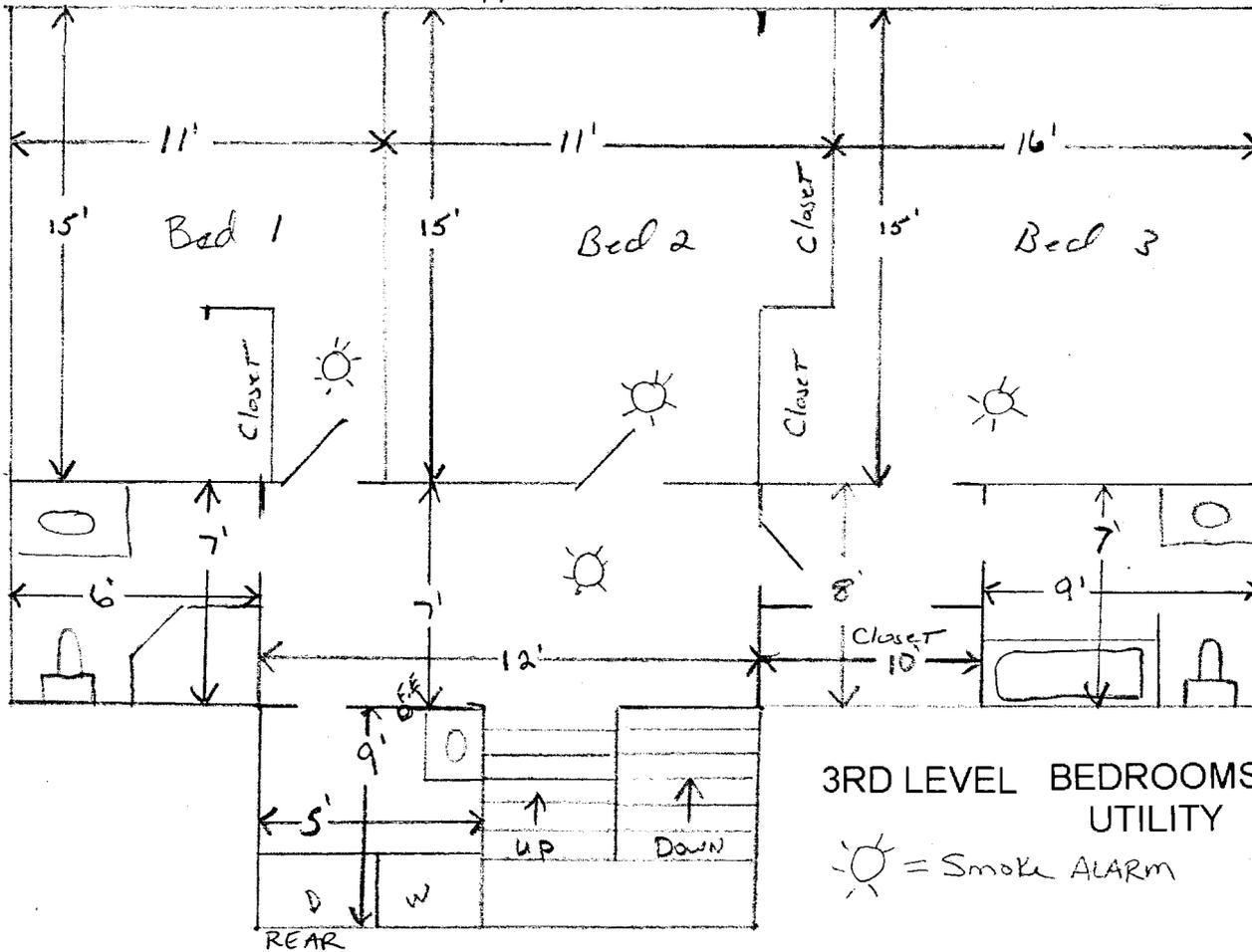




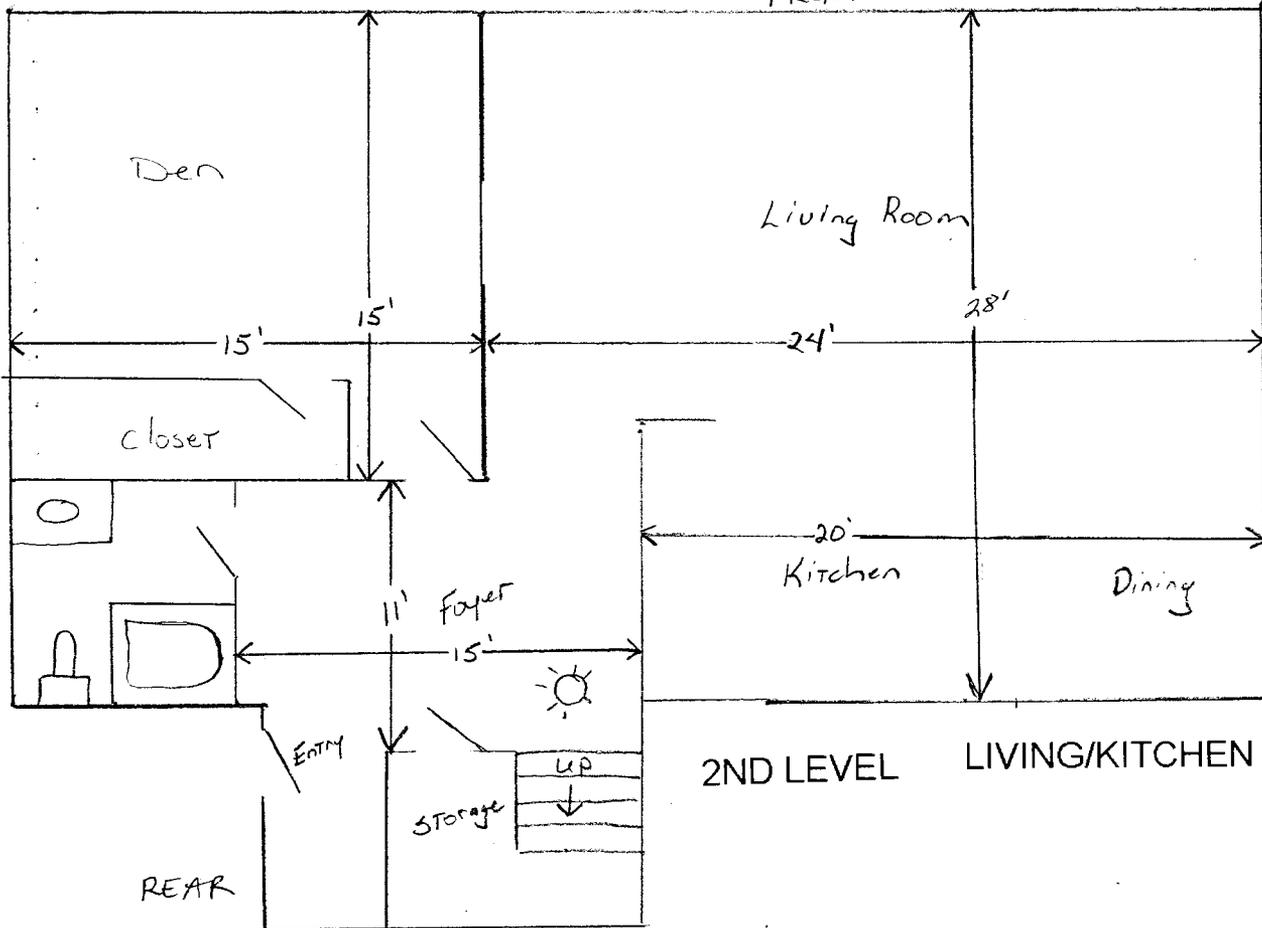
Skannes
 Conditional Use Permit Request
 for a Short-Term Rental
 2416 Halibut Point Road

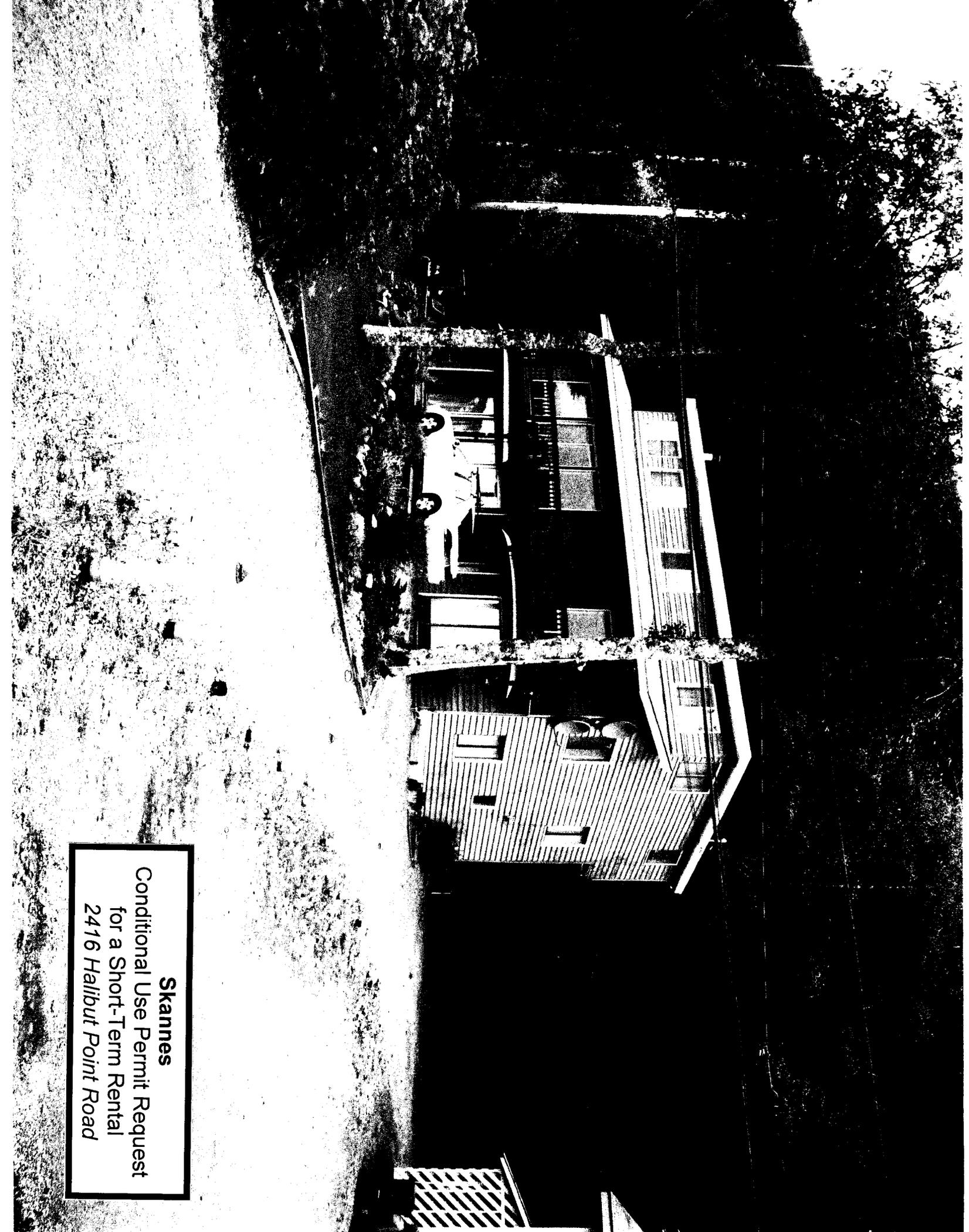


FRONT



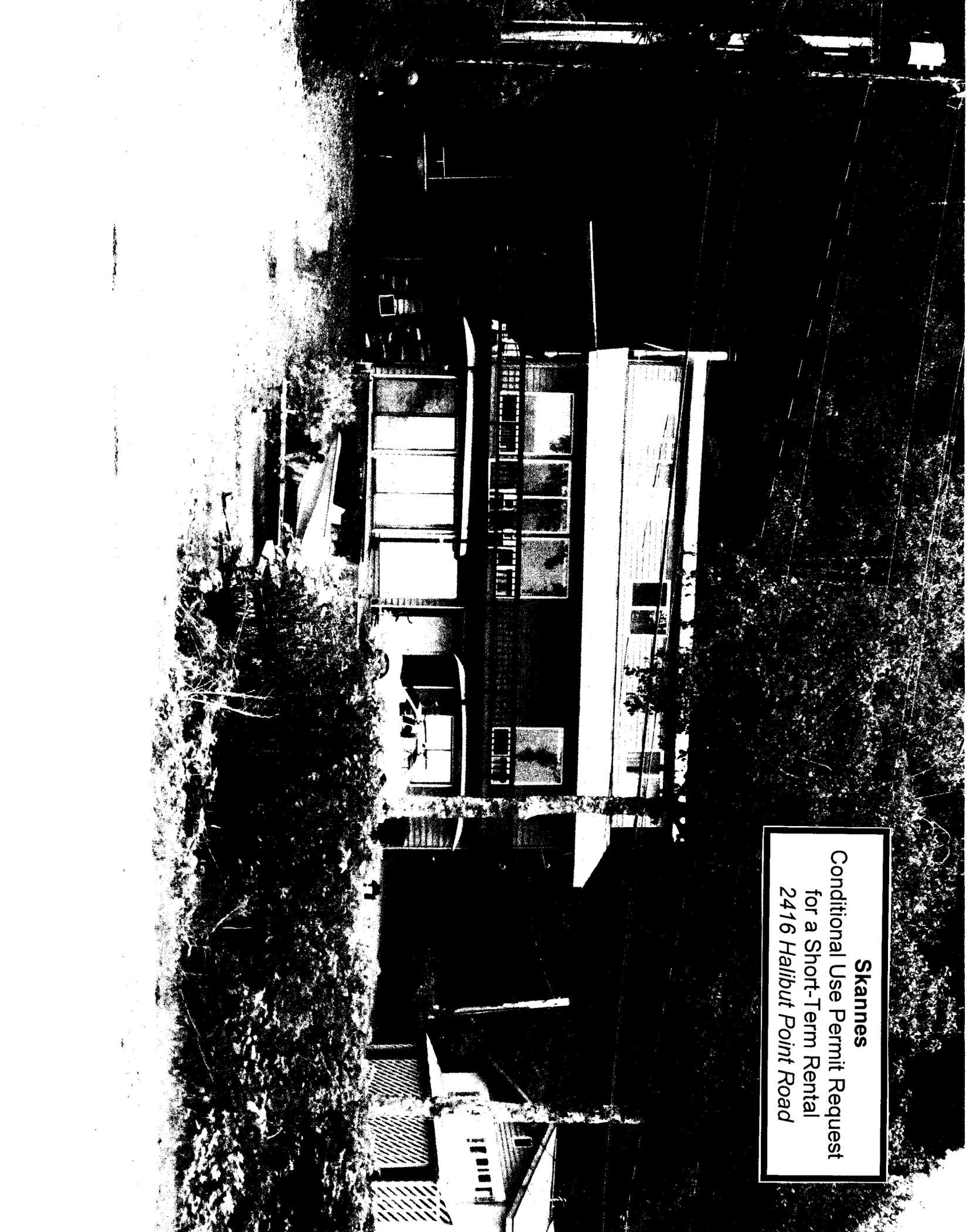
FRONT





Skannes
Conditional Use Permit Request
for a Short-Term Rental
2416 Halibut Point Road

Skannes
Conditional Use Permit Request
for a Short-Term Rental
2416 Halibut Point Road



Skannes
Conditional Use Permit Request
for a Short-Term Rental
2416 Halibut Point Road



CITY AND BOROUGH OF SITKA
Planning Commission
Minutes of Meeting
October 16, 2012

Present: Jeremy Twaddle (Chair), Darrell Windsor (Member), Richard Parmelee (Member), Wells Williams (Planning Director), Melissa Henshaw (Planner I)

Members of the Public: Connor Nelson, Valorie Nelson, Dawn Mahoney-Menendez, Peter Menendez, Corrie Bosman, John Skannes, Joan Skannes, Nancy Yaw-Davis, Shannon Haugland (Sitka Sentinel)

Chair Twaddle called the meeting to order at 7:00 p.m.

Consideration of the Minutes from the October 2, 2012 meeting:

MOTION: M/S PARMELEE/WINDSOR moved to approve the meeting minutes for October 2, 2012.

ACTION: Motion **PASSED unanimously** on a voice vote.

The evening business:

CONDITIONAL USE PERMIT REQUEST
SHORT-TERM RENTAL
2416 HALIBUT POINT ROAD
JOHN/JOAN SKANNES

Public hearing and consideration of a short-term rental conditional use permit request at 2416 Halibut Point Road. The request is filed by John and Joan Skannes. The property is also known as A portion of Lot E US Survey 2749.

Planner Henshaw reviewed this request stating that the applicant would like to include the entire house as a short-term rental. There is a one bedroom one bath apartment on the first floor. The second and third floors include the main house with three bedrooms and three baths. The three bedrooms and two of the baths are on the third level and the living space, a bathroom and a den are on the second level. These would be rented as two separate units. There is plenty of space for parking. The guests will be responsible for their own meals and transportation. One comment came in from a neighbor. However they wanted to have the conditional use permit cease if the Skannes would sell the property or it goes to anyone else but that is not the way that the conditional use permits work. They run with the land, not the owner.

Applicant: John and Joan Skannes came forward stating the two different uses. They will have a property manager, and in the winter it would be an extended stay. Chair Twaddle stated that they can have a longer term rental, this permit would allow them to also do short-term. Commissioner Parmelee received clarification on the parking. Mr. Skannes received clarification that the letter the neighbor submitted is not allowed. Planning Director Williams stated that this permit is not for the owners, but for the property itself as shown in case law. Ownership is taking out of it. Chair Twaddle read the example in the letter of the history in the Cascade Creek on Halibut Point Road that escalated. He mentioned that this permit is based on plans submitted and therefore, it can't be added on to. Parmelee also suggested that the Skannes release the

conditional use permit if they chose to sell the house. Planning Director stated that a private contract could be drawn up between the neighbors; but that the City can't be a party to it. He mentioned that it may be possible to have a voluntary deed recorded to have that request.

Public Comment: Coralyn Oines came forward stating that she has lived at 2414 Halibut Point Road since 1974. She trusts the Skannes, but if someone else were to come in, the history isn't there. That is their concern.

Gary Oines came forward. He mentioned that they have been friendly neighbors for a long time. His concerns are the change in the ownership and the house becoming a party house and their tranquil existence being disturbed. He is satisfied with their request and he does not object.

Planning Director Williams went over the findings and then the Commission deliberated.

MOTION: M/S PARMELEE/WINDSOR moved to recommend approval of the short-term rental conditional use permit request at 2416 Halibut Point Road. The request is filed by John and Joan Skannes. The property is also known as A portion of Lot E US Survey 2749 with the following condition:

1. Contingent upon a completed satisfactory life safety inspection.

ACTION: Motion **PASSED unanimously** on a voice vote.

Staff recommended the following findings in support of the recommended request:

MOTION: M/S PARMELEE/WINDSOR moved to approve the following findings in support of the recommended approval:

1. The Planning Commission finds that the recommended conditional use permit will not be detrimental to public health, safety or welfare;
2. Will not adversely affect the surrounding character;
3. Will not be injurious to uses or property in the immediate vicinity;
4. Is consistent with Comprehensive Plan policy 2.5.2 I Encourage the development of facilities to accommodate visitors without significant impacts on residential properties;
5. That all conditions necessary to lessen impacts can be monitored and enforced;
6. Will not introduce hazardous conditions on the site;
7. Is adequately supported by public facilities specifically the full range of utilities in Halibut Point Road and location adjacent to a State highway;
8. The applicant has met the burden of proof; and
9. The Planning Commission finds that the general approval criteria have been met and the Planning Commission has evaluated the criteria set forth in 22.24.010 which is the criteria for conditional uses that deal with hours of operations and location along collector streets.

ACTION: Motion **PASSED unanimously** on a voice vote.

PLANNING DIRECTOR'S REPORT: Planning Director Williams mentioned changes in the GIS website. Planner Henshaw updated the Commission on the next meeting and agenda.

PUBLIC BUSINESS FROM THE FLOOR: None.

ADJOURNMENT

MOTION: M/S PARMELEE/WINDSOR to adjourn at 8:44 pm.

ACTION: Motion **PASSED unanimously** on a voice vote.

Jeremy Twaddle, Chair

Melissa Henshaw, Secretary

Request:

Conditional use permit request for a short-term rental in a residential zone

Zoning District: R-1 MH

Front: 20 feet
Rear: 10 feet
Side: 8 feet

Meeting Flow

- Report from Staff
- Applicant comes forward
- Applicant identifies him/herself – provides comments
- Commissioners ask applicant questions
- Staff asks applicant any questions
- Floor opened up for Public Comment
- Applicant has opportunity to clarify or provide additional information
- Comment period closed - brought back to the board
- Motions

Tonight's Motions

- A motion recommending approval is suggested
- Move to approve findings in support of recommended approval or denial

**Skannes
Conditional Use Permit
Short-Term Rental
2416 Halibut Point Road
October 16, 2012**

Headed outbound on Halibut Point Road this location is on the mountain side after the bend in the road following Kuhnle Drive.

Before the Board on Tuesday night is a conditional use permit request for a short-term rental in a residential zoning district.

This is a house that includes an apartment. The apartment would be rented out as well as the main house for short-term purposes. The apartment is on the first floor of the structure. It has one bedroom and one bath which is accessed from the rear of the house.

The main house is two levels which are both the second and third stories of the structure. It has three bedrooms and three bathrooms. It is accessed from the front of the house.

This property has ample parking for both units. The guests will be responsible for their own meals and transportation.

After the Board discusses the request, Staff will go over the criteria in the code for conditional use requests.

A motion recommending approval is suggested with the condition that the owner shall obtain a life safety inspection by the Building Department. Staff will propose findings for this conditional use request after the motion.

To: John & Joan Skannes 10-16-12
& Planning & Zoning Committee

This is to reiterate a conversation between John & Joan & ourselves 10-7-12 concerning their request for a conditional use permit allowing short term rentals for their home at 2416 HPR.

We support their request and came to the agreement that the one condition would be that if the family (John, Joan or heirs) would sell the property the conditional use permit would cease.

This was based on the history of Cascade Creek-HPR which escalated from a small liquor store to a liquor store/convenience store/gas station/2-story charter boat operation when the property was sold. That, obviously, changed the character of the neighborhood and not what the neighbors had agreed to when they initially signed a petition for a conditional use permit.

Thank you,
Jay & Ceralyn Oines
2414 HPR

CITY AND BOROUGH OF SITKA
 PLANNING DEPARTMENT
 SHORT-TERM RENTAL &
 BED & BREAKFAST APPLICATION

CU 12-10

Short-Term Rental Fee	\$100.00
Bed & Breakfast Fee (per Guestroom)	\$ 35.00
* plus current city sales tax *	

APPLICANT'S NAME: Joan & John Skannes
 PHONE NUMBER: 907-242-8138
 MAILING ADDRESS: 2416 H.P.R. Sitka, AK 99855

OWNER'S NAME: Same as above
 (If different from applicant)
 PHONE NUMBER: _____
 MAILING ADDRESS: _____

PROJECT ADDRESS: 2416 H.P.R.
 LEGAL DESCRIPTION Lot: 1 & 2 Block: US 2749
 Subdivision: _____
 U.S. Survey: US 2749 Zoning Classification: _____

State all reasons for justifying request: Applying for conditional use permit for a short-term rental and extended stay. To provide housing for visitors coming to Sitka during summer months & for traveling employees i.e. health care or dam project in winter as extended stay.

Describe how the facility will be operated, what meals will be served, and how guests will be transported. (This information may be provided on a separate sheet).
We will be utilizing a property manager who will advertise rentals as vacation rentals in summer months and extended stay in winter. No meals or transportation will be provided. Property manager will handle rental cars for guests. Units are self sufficient. Owner will occupy upper level during start up & then dependent on customer need, may use upper level at later date for vacation rental.

Anticipated start date: Aug 1st 2013 for 1 BR Lower unit. June 1st 2014 for upper level.

What months of the year the facility will be in operation: 12 months a year.
Year around

Drawing of the **interior** layout showing:

1. Size and location of rooms ✓
2. Types of facilities in the rooms N/A
3. Windows and exits ✓
4. Location of smoke alarms and fire extinguishers ✓
5. Guestrooms specifically delineated on the plans ✓

Drawing of the **exterior** site plan showing:

1. Dimensions of the home ✓
2. How the house sits on the lot ✓
3. Location of parking ✓

- Check if facility is not fully constructed at the time of the application
- Check if Life Safety Inspection has already been completed. If not, please contact the Building Department at 747-1832 to schedule an appointment. This Inspection is to certify that the residence complies with life and fire safety code aspects.

*- completed -
App: :*

Bed and Breakfast applicants shall be aware that only limited cooking facilities such as small toaster ovens, microwaves, and refrigerators are allowed and those appliances must be outside of guestrooms.

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:  Date: 10/1/12

SIGNATURE OF OWNER:  Date: 10/1/12

(If different from the applicant)

John/Joan Skannes
2416 Halibut Point Road
Sitka, AK 99835

John/Judith Sudnikovich
PO Box 1171
Sitka, AK 99835

Ronald Bates/Kouyian
2830 26th Avenue NE
Olympia, WA 98506

Jamie/Patricia Autrey
4891 Franklin Avenue
Loveland, CO 80538

Odis/Sandra Hurst
PO Box 98
Okmulgee, OK 74447

Robert Allen Jr.
11 Juniper Drive
Deerfield, MA 01342

Raymond/Mary Majeski
2412 Halibut Point Road
Sitka, AK 99835

Edward Dumag/Joseph Mariano
2410 Halibut Point Road
Sitka, AK 99835

Gary/Coralyn Oines
2414 Halibut Point Road
Sitka, AK 99835

Wayne/Diane Richter
2500 Halibut Point Road
Sitka, AK 99835

Faye Arvin
2506 Halibut Point Road
Sitka, AK 99835