



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## MEMORANDUM

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

**From:** Maegan Bosak, Planning and Community Development Director *MB*

**Subject:** Bryner- Short-term rental Conditional Use Permit

**Date:** May 4, 2015

---

The Planning Commission is recommending approval of a conditional use permit request for operation of a short-term rental filed by Chris and Tiffany Bryner at 413 Baranof Street. Action on this item was taken at the April 21, 2015 Planning Commission meeting. The recommendation to approve the request with conditions, based on the following findings, passed unanimously 5-0.

The Bryner's are requesting a conditional use permit to operate a year round short term rental. Guests will provide their own transportation and meals. There is the necessary parking available. The applicants have stated that the short term rental will only be rented out during the summer as being a teacher provides a flexible schedule and they plan to travel. The applicants will have the property managed by an adjacent neighbor. The short term rental will be advertised and promoted on air bnb.

One neighbor requested information and staff clarified that the storage shed in the back of the property was not the proposed short term rental.

The R-2 residential district is intended primarily for single-family and multiple-family residences at moderately high population densities. Structures required to serve governmental, educational, recreational, religious and limited professional office needs are allowed subject to permitted or conditional use restrictions intended to preserve and protect the residential character of the R-2 district.

The proposed activity is in conformance with Comprehensive Plan 2.5 *Urban Residential Goals and Policies* specifically 2.5.2 *To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas.*

**Recommendation:**

Approve the recommended request with the following conditions and findings.

**MOTION: M/S SPIVEY/POHLMAN** moved to approve the findings.

## **FINDINGS**

**C. Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:**

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of 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.
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
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 the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The general approval criteria are 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.

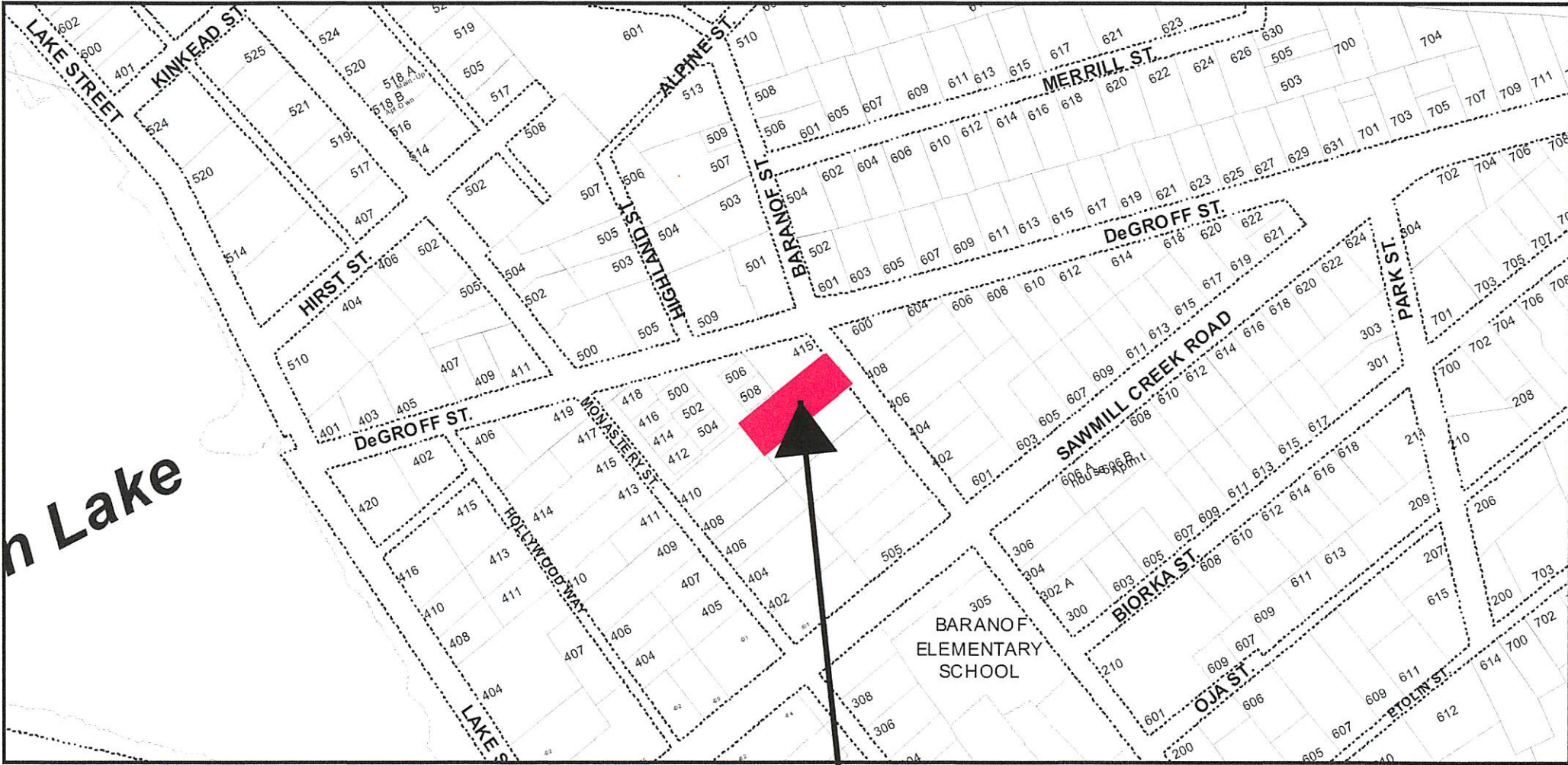
**ACTION:** Motion **PASSED 5-0** on a voice vote.

**MOTION:** **M/S SPIVEY/WINDSOR** moved to recommend approval for a short-term rental conditional use permit requested by Tiffany and Christopher Bryner at 413 Baranof Street. The property is also known as Lot 15, Block 20, U.S. Survey 1474, Tract A. The owners of record are Tiffany and Christopher Bryner. Based on findings and the following conditions:

**CONDITIONS:**

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application and plans that were submitted with the request.
3. The facility shall be operated in accordance with the narrative that was submitted with the application.
4. The applicant shall submit an annual report every year, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation. The report is due within thirty days following the end of the reporting period.
5. The Planning Commission, at its discretion, may schedule a public hearing at any time following the first nine months of operations for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
6. Failure to comply with any of the conditions may result in revocation of the conditional use permit.

**ACTION:** Motion **PASSED 5-0** on a voice vote.

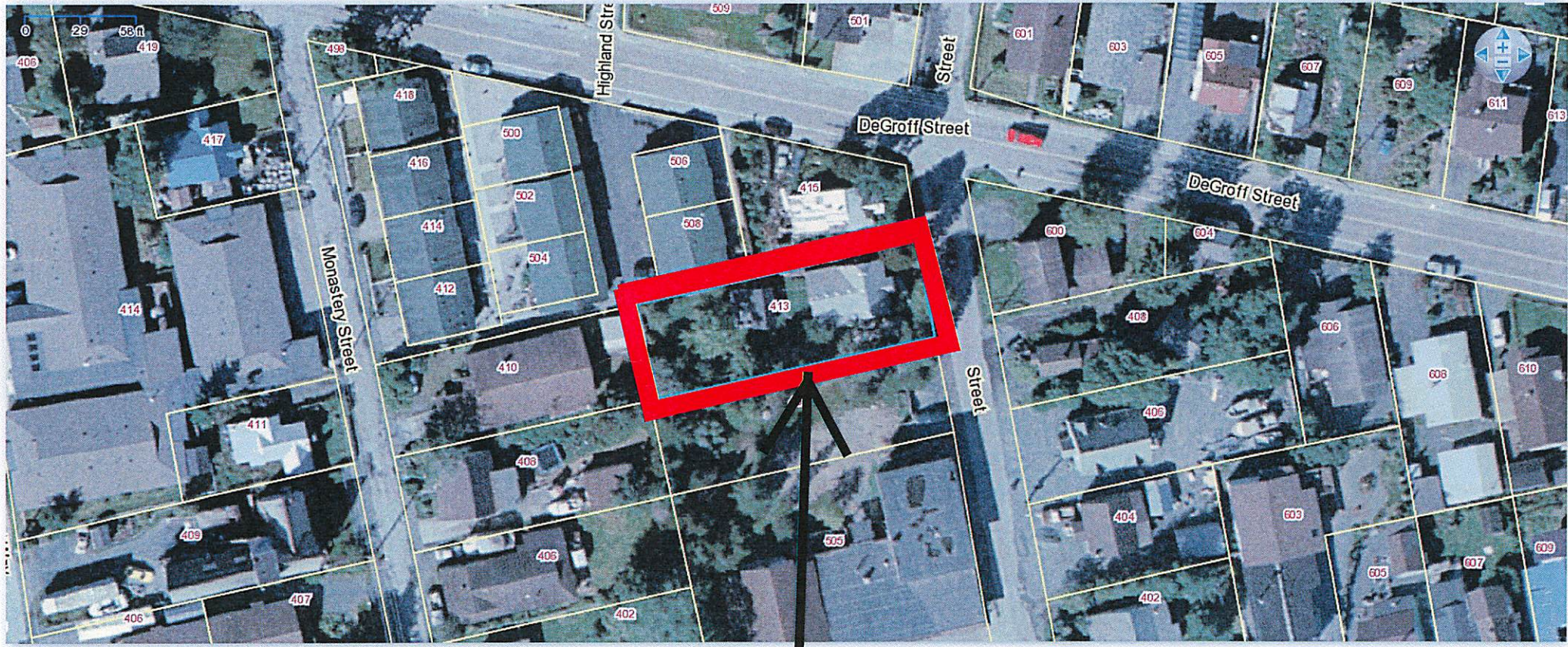


n Lake

BARANOF  
ELEMENTARY  
SCHOOL

**Bryner**  
Short-term Rental  
413 Baranof Street





**Bryner**  
Short-term Rental  
413 *Baranof Street*





**Bryner**

Short-term Rental  
413 Baranof Street



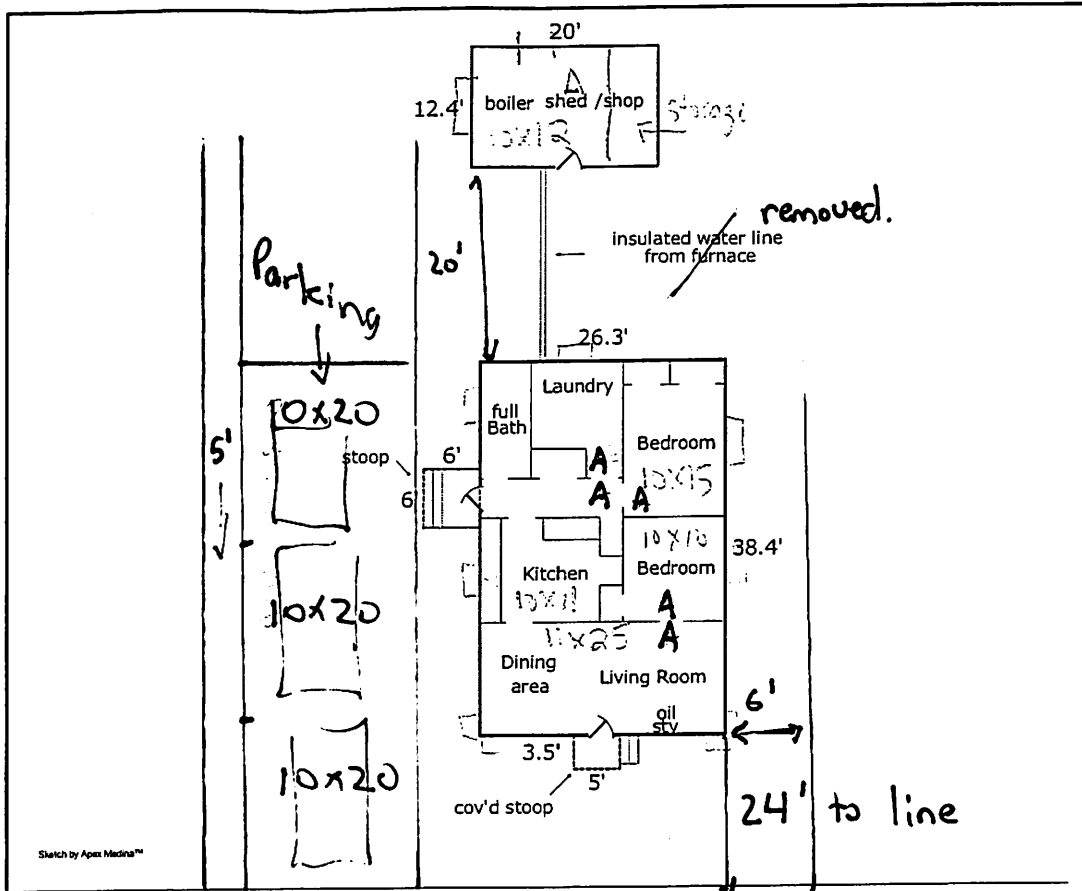


**Bryner**  
Short-term Rental  
*413 Baranof*



### Building Sketch

Borrower	Chris & Tiffany Bryner		
Property Address	413 Baranof Street		
City	Sitka	County	City & Borough of Wrangell State AK Zip Code 99835
Client	Alaska Pacific Bank		

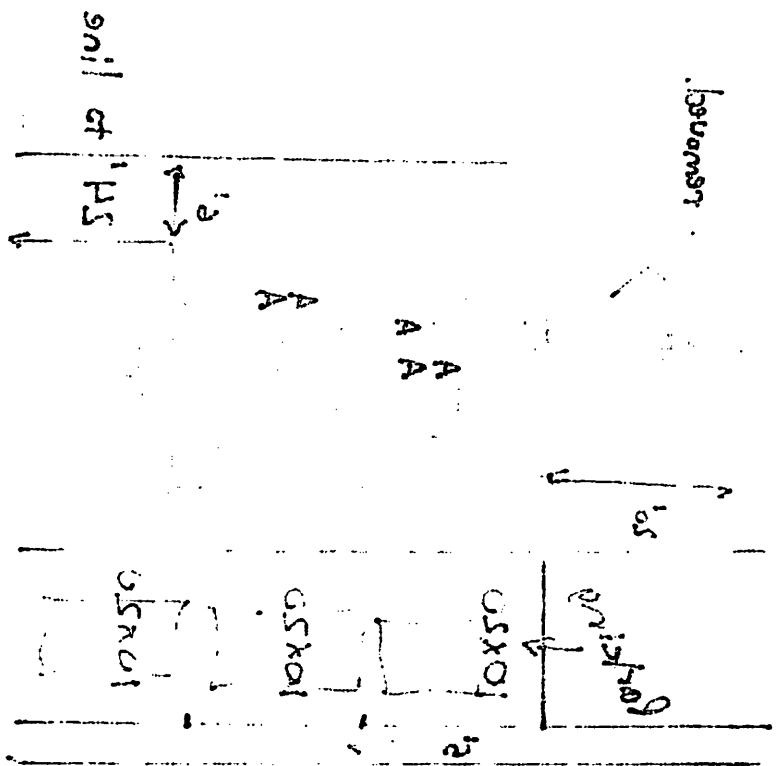


Comments:

AREA CALCULATIONS SUMMARY				LIVING AREA BREAKDOWN	
Code	Description	Net Size	Net Totals	Breakdown	Subtotals
GLAL	First Floor	1009.9	1009.9	First Floor	
P/R	cov'd Porch	17.5		26.3 x 38.4	1009.9
	stoop	36.0	53.5		
OTH	Storage/boiler shed	248.0	248.0		
Net LIVABLE Area (rounded)			1010	1 Item (rounded)	1010

**Bryner**  
 Short-term Rental  
 413 Baranof Street







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

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

APPLICANT'S NAME: Tiffany Bryner and/or Chris Bryner  
 PHONE NUMBER: 907-738-1757  
 MAILING ADDRESS: 413 Baranof Street

OWNER'S NAME: Same  
*(If different from applicant)*  
 PHONE NUMBER: \_\_\_\_\_  
 MAILING ADDRESS: \_\_\_\_\_

PROJECT ADDRESS: 413 Baranof Street  
 LEGAL DESCRIPTION Lot: 15 Block: 25  
 Subdivision: \_\_\_\_\_  
 U.S. Survey: 1474 Zoning Classification: Residential

State all reasons for justifying request: See attached

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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).  
See attached

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Anticipated start date: May 22, 2015

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Bryner**  
 Short-term Rental  
 413 Baranof Street



What months of the year the facility will be in operation: Year round, but anticipate  
most business in Summer.

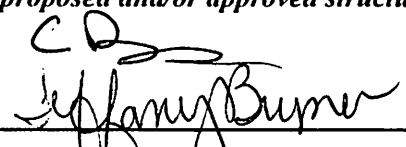
- Drawing of the **interior** layout showing:
1. Size and location of rooms
  2. Types of facilities in the rooms
  3. Windows and exits
  4. Location of smoke alarms and fire extinguishers
  5. Guestrooms specifically delineated on the plans

- 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.

***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: 03.12.15

SIGNATURE OF OWNER: \_\_\_\_\_ Date: \_\_\_\_\_  
*(If different from the applicant)*



Application for Short Term Rental  
at 413 Baranof  
Supplemental Information  
Applicants Tiffany and Chris Bryner

Applicants have used Air B&B service all over the world as a means for affordable accommodation and a way to a less formal, sterile experience than a hotel. Applicants believe the two bedroom home with large back yard will be perfect for families who want the ease of a downtown location close to the market, playground, trails, and waterfront and whom want the option to enjoy quiet time at their place of stay.

Primary use will take place during the summer months, while the owners are traveling. During the off-season, the owner works as a teacher in the Sitka School District which limits travel options.

Accommodation would be booked online, after profiles of both guests and hosts are reviewed. A maximum of 4 guests will be allowed.

No transportation will be provided as applicants do not own car and public transit is close. There are two parking spaces, but guests will be limited to just one vehicle.

No food will be served to guests. They will have access to kitchen and laundry facilities. Linens are provided.

No smoking or pets will be allowed anywhere on premises.

**Bryner**  
Short-term Rental  
413 Baranof



Application for Short Term Rentals  
at 413 Barstow  
Supplemental Information  
Applicants Tiffany and Chris Byner

Applicants have used Air B&B service all over the world as a means for affordable accommodation and a way to a less formal, sterile experience than a hotel. Applicants believe the two bedroom home with large back yard will be perfect for families who want the ease of a downtown location close to the market, playground, trails, and waterfront and whom want the option to enjoy quiet time at their place of stay.

Primary use will take place during the summer months, while the owners are traveling. During the off-season, the owner works as a teacher in the Slick School District which limits travel options.

Accommodation would be booked online, after profiles of both guests and hosts are reviewed. A maximum of 4 guests will be allowed.

No transportation will be provided as applicants do not own car and public transit is close. There are two parking spaces, but guests will be limited to just one vehicle.

No food will be served to guests. They will have access to kitchen and laundry facilities. Linens are provided.

No smoking or pets will be allowed anywhere on premises.

Erik Bahrt  
P.O.Box 1654  
Sitka, AK 99835

April 20, 2015

Sitka Planning Office:

In regards to the short-term rental conditional use permit requested by Tiffany and Christopher Bryner at 413 Baranof Street, as proposed I do not have any immediate concerns.

If, however, an additional dwelling unit is implemented (for example -their small auxiliary outbuilding) I would ask that the minimum off-street parking requirements be met in accordance with Chapter 22.20.100 of the Sitka General Code, namely that:

- 1) Two parking spaces are provided per dwelling unit
- 2) Each dwelling unit must have parking spaces independently accessed

Lastly, I ask that your consideration of this conditional use permit is in part based on the careful management of a stable and consistent quantity of short term residential rentals, being cautious not to let outstanding permits oversupply the market and debase the value and function of commercially zoned property.

Thank you for your consideration,



Erik Bahrt  
Owner of Record  
415 Baranof Street

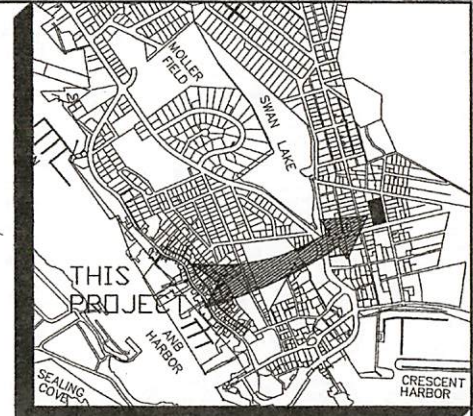
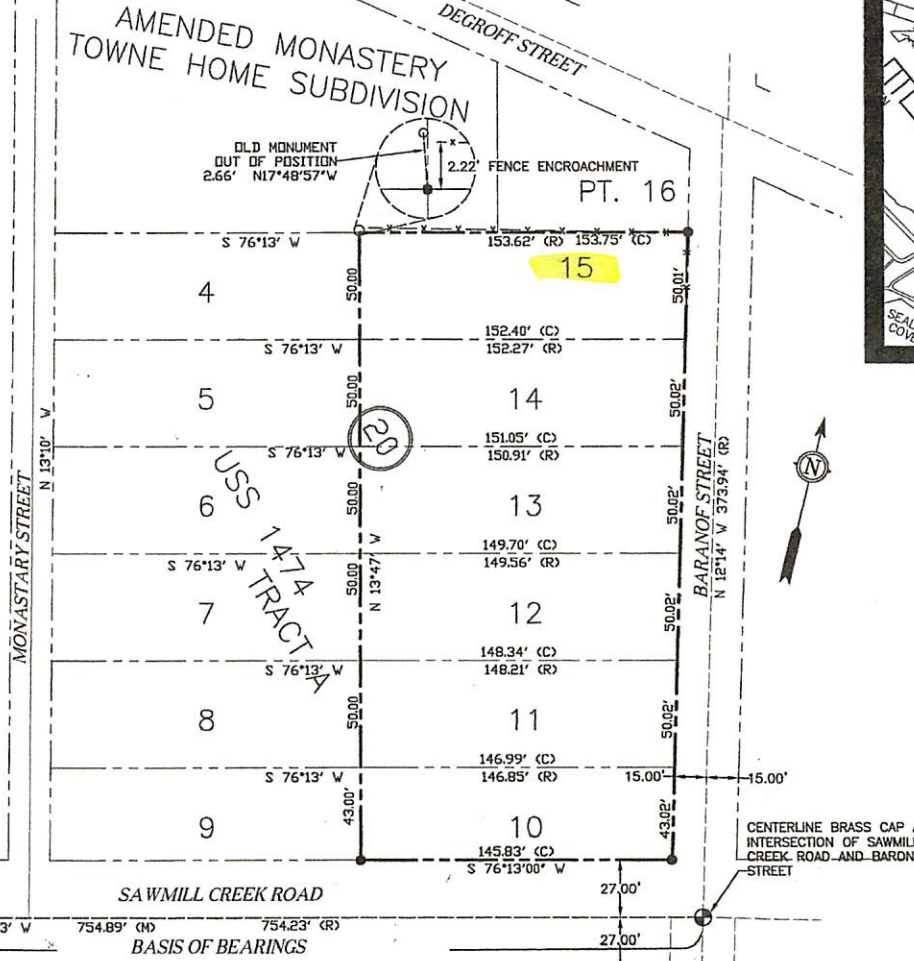
**Bryner**  
Short-term Rental  
413 Baranof



**NOTES**

1. THIS IS A RECORD OF SURVEY OF PORTIONS OF LOTS 10 AND 15, BLOCK 20, OF US SURVEY 1474 TRACT A AND DOES NOT CONSTITUTE A SUBDIVISION AS DEFINED BY AS 40.15190(2).
2. THIS SURVEY IS BASED UPON THE PLAT AND NOTES OF US SURVEY 1474 TRACT A, APPROVED JULY 16, 1926.
3. A SEVEN FOOT WIDE STRIP OF LOT 10 ALONG SAWMILL CREEK ROAD WAS GRANTED TO THE CITY OF SITKA BY DEED (SEE PAGE 232 OF BOOK 13 AT SITKA RECORDING DISTRICT.)
4. CONDITIONS SHOWN ON THIS PLAT REFLECT THOSE FOUND IN THE FIELD ON MAY 28, 2002.
5. THE PURPOSE OF THIS PLAT IS TO MONUMENT THE 4 EXTERIOR CORNERS OF LOTS 10 THRU 15, BLOCK 20, USS 1474 A, AND TO QUANTIFY THE OUT OF POSITION LOCATION OF A FOUND MONUMENT AT THE NORTHWESTERLY CORNER OF LOT 15.
6. MONUMENTS WERE SET AT RECORD BEARING AND DISTANCE ALONG BARANOF STREET, AND AT DISTANCES PROPORTIONED TO ACCOMMODATE MEASURED VS. RECORD DISCREPANCIES BETWEEN BASIS OF BEARINGS MONUMENTS IN THE DIRECTION PARALLEL TO SAWMILL CREEK ROAD. ORIGINAL US 1474 TRACT A MONUMENTS WERE NOT FOUND WITHIN BLOCK 20.

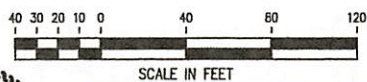
**AMENDED MONASTERY TOWNE HOME SUBDIVISION**



**VICINITY MAP**  
SCALE 1"=1,000'

- LEGEND**
- ⊕ PRIMARY BRASS CAP (RECOVERED)
  - ⊙ REBAR AND PLASTIC CAP (RECOVERED)
  - REBAR AND ALUMINUM CAP (SET)
  - (R) RECORD DATA
  - (C) COMPUTED DATA
  - ⊙ MEASURED DATA
  - WEED FENCE
  - x— CHAINLINK FENCE

2009-10  
SITKA REC DIST W  
DATE 6-1 2009  
TIME 11:40 A.M.  
Requested By: *Patrick K O'Neill*  
Address:



**O'NEILL**  
SURVEYING AND ENGINEERING  
BOX 1849 SITKA, ALASKA 99835  
PHONE: (907) 747-6700  
FAX: (907) 747-7590  
EMAIL: oneillenqr@ak.net



DESIGNED: P. O'NEILL  
DRAWN: JAB/ACAD AND VAD/ACAD  
CHECKED: P.O.  
DATE OF PLAT: FEB 24, 2009 \* 08:23:30  
SCALE: 1"=40'  
DRAWING NAME: 30378001  
PROJECT NO: 30378-01

**SURVEYOR'S CERTIFICATE**  
I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN JULY 2002... A SURVEY OF THE HEREIN DESCRIBED LOTS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL BEARINGS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.  
DATE: 6/1/09  
PATRICK K O'NEILL  
PATRICK K O'NEILL LS 6304

SITKA RECORDING DISTRICT  
**RECORD OF SURVEY**  
SOUTHERLY BOUNDARY OF LOT 10 AND  
NORTHERLY BOUNDARY OF LOT 15 BLK 20,  
US SURVEY 1474 TRACT A  
CLIENT: FIRST PRESBYTERIAN CHURCH, PO BOX 538, SITKA AK 99835

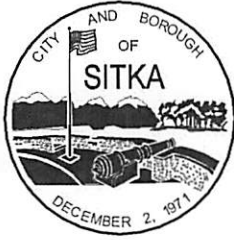
SHEET 1 OF 1

**Bryner**  
Short-term Rental  
413 Baranof Street



**Bryner**  
Short-term Rental  
413 Baranof





# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## Planning and Community Development Department

Date: April 13, 2015

From: Maegan Bosak, PCDD

To: Planning Commission

Re: Bryner CUP 15-03 Short-term Rental

### GENERAL INFORMATION

Applicant: Tiffany & Chris Bryner

Property Owner: Same as above

Property Address: 413 Baranof Street

Legal Description: Lot 15, US Survey 1474 Tract A

Parcel ID Number: 12990000

Size of Existing Lot: 7,645 sq. ft.

Zoning: R-2 multifamily residential district

Existing Land Use: Residential

Utilities: City water and sewer

Access: This parcel has access directly from Baranof Street.

### 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
- Findings
- Motion of recommendation

Surrounding Land Use: Single family and Duplex Residential

### ATTACHMENTS

Attachment A: Vicinity Map  
Attachment B: Aerial Vicinity Map  
Attachment C: Parcel Pictures  
Attachment D: Application

Providing for today...preparing for tomorrow

Attachment E: Site Plan  
Attachment F: Subdivision Plat  
Attachment G: Zoning Map  
Attachment H: Mailing List  
Attachment I: Proof of Payment  
Attachment J: Warranty Deed

## **PROJECT DESCRIPTION**

The applicant is requesting a conditional use permit for a short-term rental at 413 Baranof Street. The single family structure consists of a 2 bedroom/1 bath unit. The applicant is looking to rent out the entire structure during the summer or whenever they travel. Guests will be responsible for their own transportation and food. No smoking or pets will be allowed on the premise.

Gaining popularity, this applicant will utilize the airbnb website for all bookings.

413 Baranof Street is a rectangular lot that is part of the original Sitka survey. The lot is a total of 7,645 sq ft and the minimum in an R-2 zone is 8,000 sq ft. There are residences on both sides of the lot.

### **22.16.050 R-2 multifamily residential district.**

*A. Intent. The R-2 residential district is intended to include lands suited by topography and other natural conditions for urban development and which are provided with the full range of public utilities, including sewers, water, electricity, and storm drains or are intended to be provided with such utilities in the near future. This district is intended primarily for single-family and multiple-family residences at moderately high population densities. Structures required to serve governmental, educational, recreational, religious and limited professional office needs are allowed subject to permitted or conditional use restrictions intended to preserve and protect the residential character of the R-2 district.*

*B. Open Space. Open or play space shall be provided in all R-2 residential projects. The amount of allowable space shall be reviewed in consultation with the planning staff and planning commission but in any case shall not be less than one hundred square feet per dwelling unit, must have a barrier, and be fenced or separated so as to not be used for other purposes, such as parking, storage, etc. In large projects, exceeding twelve units, a minimum of at least one thousand square feet shall be set aside for recreational purposes.*

## **BACKGROUND**

This home was built in 1958 and purchased by the Bryner's in 2010. There are no other permits associated with the property.

## **ANALYSIS**

### **1. CRITERIA TO BE USED IN DETERMINING THE IMPACT OF CONDITIONAL USES.**

**a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses:** No impact. Single family home will be used as a short-term rental when family is away. Impact is the same as when owners are present.



**b. Amount of noise to be generated and its impacts on surrounding land use:** Same amount of noise to slightly more as property will remain residential but visitors/guests will be on vacation.

**c. Odors to be generated by the use and their impacts:** No additional odors. Fire pit in backyard.

**d. Hours of operation:** Vacation rental primarily during the summer months.

**e. Location along a major or collector street:** Not located on major or collector street. Arterial street directing traffic to DeGroff or Sawmill Creek Road.

**f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario:** Foot traffic cut through concern only. All vehicular traffic must use Baranof Street to access the property.

**g. Effects on vehicular and pedestrian safety:** No effects.

**h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site:** Same ability as if home was only single family.

**i. Logic of the internal traffic layout:** Site plan illustrates tandem parking spaces for three off street vehicles.

**j. Effects of signage on nearby uses:** No effect. No signage proposed.

**k. Presence of existing or proposed buffers on the site or immediately adjacent the site:** Fencing along sides and rear of property. Trees and vegetation provide natural barriers.

**l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan:** Conforms with Comprehensive Plan Section 2.5.2 *To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas, and to: 1. Encourage the development of facilities to accommodate visitors without significant impacts on residential properties.*

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

- **Parking:** CBS code 22.20.100 requires two spaces. *1. Residential Uses. For each dwelling unit up to and including four-family buildings: two parking spaces per unit. For five-unit buildings and above: one and one-half spaces per unit. Each dwelling unit must have parking spaces independently accessed.*
- **Habitat:** Existing building- no habitat will be affected by the Applicant's proposal.
- **Property value or Neighborhood harmony:** There is no evidence to suggest that this use will have an impact on surrounding property values. It will increase the value of the proposed structure.

## **FINDINGS**

### **C. Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:**

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of 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.
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
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 the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The general approval criteria are 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.

### **RECOMMENDATION**

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested conditional use permit with the following conditions:

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application and plans that were submitted with the request.
3. The facility shall be operated in accordance with the narrative that was submitted with the application.
4. The applicant shall submit an annual report every year, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation. The report is due within thirty days following the end of the reporting period.
5. The Planning Commission, at its discretion, may schedule a public hearing at any time following the first nine months of operations for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
6. Failure to comply with any of the conditions may result in revocation of the conditional use permit.

**CITY AND BOROUGH OF SITKA**  
**Planning Commission**  
**Minutes of Meeting**  
**April 21, 2015**

**Present:** Richard Parmelee, (Chair) Chris Spivey (Vice Chair), Debra Pohlman (Member), Darrell Windsor (Member), Randy Hughey (Member), Carole Gibb (Planner I), Maegan Bosak (Planning & Community Development Director)

**Absent:** None

**Members of the Public:** Lois Rhodes, Chris Bryner, Mark Hackett, Ron Phelps via phone, Annie Phelps, Steve Clayton, Ashley Moore, Chris Bryner, Chris Balovich, Scott Bowen, George Eliason, Scott Brylinski, Robert Riggs, Cliff Richter, Jeremy Twaddle, Todd Fleming

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

**Roll Call:**

**PRESENT:** 5 – Parmelee, Spivey, Pohlman, Windsor, Hughey

**Minutes from the April 7, 2015 meeting:**

**MOTION: M/S SPIVEY/HUGHEY** moved to approve the meeting minutes for April 7, 2015.

**ACTION:** Motion **PASSED unanimously 5-0** on a voice vote.

**The evening business:**

**ACCESSORY DWELLING UNIT CUP**  
**707 LAKE STREET**  
**PHYLLIS HACKETT**

*Public hearing and consideration of a proposed ADU (Accessory Dwelling Unit) conditional use permit requested by Phyllis Hackett at 707 Lake Street. The property is also known as Lot 21, Block 11, Sirstad Addition No. 2. The owners of record are Mark and Phyllis Hackett.*

**STAFF REPORT:** Bosak explained the role of Findings in supporting any Commission decision, and the two options the Commission had regarding this case, one being that the Commission could make findings regarding their motion from the April 7 meeting to not



recommend approval of the ADU permit at 707 Lake Street or they could vote to rescind that motion and open the item up for further discussion and public comment. Additional neighborhood comments had been received by the Planning Office since the April 7<sup>th</sup> meeting, and those would be heard as well as further comments from the applicant and the public present at this April 21 meeting, if the vote was rescinded and further discussion was allowed.

**MOTION: M/S HUGHEY/WINDSOR** moved to rescind the motion on April 7, 2015 that recommended denying the accessory dwelling unit conditional use permit.

**DISCUSSION: HUGHEY** said he asked to rescind the motion to allow for additional discussion. Windsor asked if this motion to rescind failed, they can proceed to findings for denying the permit.

**ACTION: Motion FAILED 3-2** on a voice vote.

**FINDINGS: The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:**

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:
  - a. Be detrimental to the public health, safety, and general welfare;

**MOTION: M/S SPIVEY/HUGHEY** moved to approve that these findings can be met.

**DISCUSSION: Spivey** had a concern about enforcement issues and felt that a tri-plex created a general welfare and safety issue.

Hughey disagreed, pointing out that although the ADU allowed three units on the property, having the owner live on the property would help mitigate any issues neighbors might have with the property compared to an unsupervised duplex.

Spivey observed that the homeowner stated she will not necessarily live there.

There was a procedural clarification with staff that additional conditions such as making it owner-occupied could not be placed on the permit at this point.

**ACTION: Motion PASSED 4-1** on a voice vote.

b. Adversely affect the established character of the surrounding vicinity, specifically that this ADU continues residential use of the site and that the small size of the structure is limiting; nor

**MOTION: M/S SPIVEY/POHLMAN** moved to approve that these findings can be met.

**DISCUSSION:** Windsor felt that public comment presented at the last meeting showed that the neighbors objected to this third dwelling unit being allowed on an R1 property.

Pohlman said it did appear there were issues with the third unit, the impact on parking, and the location of the driveway on Lake St.

**ACTION:** Motion **FAILED 1-4** on a voice vote.

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; specifically that there will be no building or structural changes. The unit is already present on the property.

**MOTION: M/S SPIVEY/POHLMAN** moved to approve that these findings can be met.

**DISCUSSION:** Spivey said again the problem was that adjacent property owners are objecting to allowing an additional dwelling.

**ACTION:** Motion **FAILED 0-5** on a voice vote.

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 *2.3.8 To seek out ways to make housing more affordable for all Sitkans through various measures including; A. Developing more affordable housing opportunities, including single family homes and multi-family dwellings.*

**MOTION: M/S POHLMAN/WINDSOR** moved to approve that these findings can be met.

**DISCUSSION:** None

**ACTION:** Motion **PASSED 4-1** on a voice vote.

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced; specifically condition placed that states a public

hearing may be scheduled at any time following the first year of operation for the purpose of resolving issues and mitigating adverse impacts on nearby properties.

**MOTION: M/S SPIVEY/POHLMAN** moved to approve that these findings can be met.

**DISCUSSION:** Spivey said he believes enforcement to be an issue. Parmelee agreed that enforcement could be a problem.

**ACTION:** Motion **FAILED 0-5** on a voice vote.

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.

**MOTION: M/S WINDSOR/POHLMAN** moved to approve that these findings can be met.

**DISCUSSION:** Pohlman expressed concerns about questions raised by neighbors about parking and how during certain times of the day, Lake Street can be very busy. Bosak clarified that staff had measured parking spaces and had determined there were nine full sized spaces, and after revisiting the site to measure again, found at least ten spaces. Windsor asked if that was even with the boat on the property and the spaces it took up. Staff confirmed there was sufficient parking. Pohlman clarified that she now understands that the parking is adequate, but she is concerned about access and egress.

**ACTION:** Motion **PASSED 3-2** on a voice vote.

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.

**MOTION: M/S POHLMAN/SPIVEY** moved to approve that these findings can be met.

**DISCUSSION:** None

**ACTION:** Motion **PASSED 5-0** on a voice vote.

6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section. Staff felt that applicant met the burden of proof in their application as defined by code.



**MOTION: M/S SPIVEY/ POHLMAN** moved to approve that these findings can be met.

**DISCUSSION:** None

**ACTION:** Motion **PASSED 5-0** on a voice vote.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest.

**The general approval criteria are 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;

**MOTION: M/S SPIVEY/WINDSOR** moved to approve that these findings can be met.

**DISCUSSION:** None

**ACTION:** Motion **PASSED 5-0** on a voice vote.

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;

**MOTION: M/S POHLMAN/SPIVEY** moved to approve that these findings can be met.

**DISCUSSION:** None

**ACTION:** Motion **PASSED 5-0** on a voice vote.

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

**MOTION: M/S SPIVEY/POHLMAN** moved to approve that these findings can be met.

**DISCUSSION:** None

**ACTION:** Motion **PASSED 5-0** on a voice vote.

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;

**MOTION: M/S SPIVEY/POHLMAN** moved to approve that these findings can be met.

**DISCUSSION:** Spivey stated traffic volume and flow is a problem, as well as enforcement regarding the number of persons living on the property, and amount of noise could be a potential problem.

**ACTION:** Motion **FAILED 0-5** on a voice vote.

5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

**MOTION: M/S SPIVEY/WINDSOR** moved to approve that these findings can be met.

**DISCUSSION:** None

**ACTION:** Motion **PASSED 5-0** on a voice vote.

**SHORT TERM RENTAL  
413 BARANOF STREET  
TIFFANY AND CHRIS BRYNER**

*Public hearing and consideration of a proposed short-term rental conditional use permit requested by Tiffany and Christopher Bryner at 413 Baranof Street. The property is also known as Lot 15, Block 20, U.S. Survey 1474, Tract A. The owners of record are Tiffany and Christopher Bryner.*

**STAFF REPORT:** After describing the request, Bosak noted that there were some neighbor inquiries to ask whether the separate outbuilding in the back of the house would be used for rental space and the Bryner's have clarified that it will not be used.

**APPLICANT:** Chris Bryner explained that he and his wife travel in the summer, and they would like the option of renting their house out as a short-term rental while they are gone. He will have a neighbor acting as a manager in their absence, and they will seek renters who will utilize the house for a week or two at a time, to minimize the number of turnovers.

**COMMISSIONER DELIBERATION:** Commissioners had no concerns.

**PUBLIC COMMENT:** None

**MOTION: M/S SPIVEY/POHLMAN** moved to approve the findings.

## **FINDINGS**

**C. Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:**

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of 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, 2.5.2. To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas; and 2.1. 1. Encourage the development of facilities to accommodate visitors without significant impacts on residential properties.*
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
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 the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street



parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The general approval criteria are 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.

**ACTION:** Motion **PASSED 5-0** on a voice vote.

**MOTION: M/S SPIVEY/WINDSOR** moved to recommend approval for a short-term rental conditional use permit requested by Tiffany and Christopher Bryner at 413 Baranof Street. The property is also known as Lot 15, Block 20, U.S. Survey 1474, Tract A. The owners of record are Tiffany and Christopher Bryner. Based on findings and the following conditions:

**CONDITIONS:**

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application and plans that were submitted with the request.
3. The facility shall be operated in accordance with the narrative that was submitted with the application.

4. The applicant shall submit an annual report every year, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation. The report is due within thirty days following the end of the reporting period.
5. The Planning Commission, at its discretion, may schedule a public hearing at any time following the first nine months of operations for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
6. Failure to comply with any of the conditions may result in revocation of the conditional use permit.

**ACTION:** Motion **PASSED 5-0** on a voice vote.

**ACCESSORY DWELLING UNIT CUP  
2314 HALIBUT POINT ROAD  
GEORGE AND TAMARA ELIASON**

*Public hearing and consideration of a proposed accessory dwelling unit conditional use permit requested by George and Tamara Eliason at 2314 Halibut Point Road. The property is also known as Lot 4, Ocean View Ridge Subdivision. The owners of record are George and Tamara Eliason.*

**STAFF REPORT:** Bosak gave the background on this request.

**APPLICANT:** George Eliason asked for a clarification regarding the access/easement provision in the ADU permitting process.

**COMMISSIONER DELIBERATION:** Commissioners asked for clarifications and expressed no concerns.

**PUBLIC COMMENT:** Robert Riggs, who owns the property adjacent to the applicants, clarified that a full build-out on the road accessing their properties isn't expected in the future. He asked for clarification of the definition of an accessory dwelling unit. He also asked for confirmation that this permit is only for this particular case, and no wider changes or allowances were being made to what was allowable in the neighborhood.

**MOTION: M/S SPIVEY/WINDSOR** moved to approve findings.

**C. Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:**

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following

findings can be made regarding the proposal and are supported by the record that the granting of 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 2.3.8. To seek out ways to make housing more affordable for all Sitkans through various measures including, including a: Developing more affordable housing opportunities, including single family homes and multi-family homes and multi-family dwellings.*
  3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
  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 the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The general approval criteria are 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.

**ACTION:** Motion **PASSED** 5-0 on a voice vote.

**MOTION:** **M/S SPIVEY/HUGHEY** moved to approve the ADU permit with the following conditions:

1. The facility shall be operated consistent with the application and plans that were submitted with the request.
2. The Planning Commission, at its discretion, may schedule a public hearing at any time following the first year of operation for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
3. Failure to comply with any of the conditions may result in revocation of the conditional use permit.

**ACTION:** Motion **PASSED** 5-0 on a voice vote.

**SHORT TERM RENTAL CUP  
1601 DAVIDOFF STREET  
ALI CLAYTON**

*Public hearing and consideration of a proposed short-term rental conditional use permit requested by Ali Clayton at 1601 Davidoff Street. The property is also known as Lots 1 and 7, Block 9, Northwest Addition, U.S. Survey 3303B, Tract A. The owners of record are Steve and Paula Clayton.*

**STAFF REPORT:** Staff presented the request.

**APPLICANT:** Ali Clayton and Steve Clayton described the request, clarifying that only the top floor is usable as a short-term rental because the lower level needs repairs and remodeling.

**COMMISSIONER DELIBERATION:** Parmelee read a public comment received by the Planning Office in which a neighbor believes there is increased activity on the property, especially the shop, compared to the past use, and discussion ensued with Windsor stating he was periodically at the property over the years and he didn't believe there was a difference in the amount or the type of use. Steve Clayton confirmed that the amount or type of use hadn't changed in any significant way. Spivey asked about management. Clayton explained she would manage the property, and Spivey expressed concern that

the owner would not live on the rental property. Bosak clarified that the conditions typically placed on long term rentals which were designed specifically to mitigate potential management problems. Hughey expressed concern that this represented the loss of a long-term rental and asked why it was being changed to a short-term rental. Clayton said she is interested in buying the house, which is owned by her parents, and this was a way to make more income toward that goal.

**PUBLIC COMMENT:** None

**MOTION:** M/S POHLMAN/WINDSOR moved to approve findings and conditions.

**C. Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:**

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of 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, 2.5.2. To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas; and 2.1. 1. Encourage the development of facilities to accommodate visitors without significant impacts on residential properties.*
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
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 the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria

set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The general approval criteria are 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.

### **Conditions**

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application and plans that were submitted with the request.
3. The facility shall be operated in accordance with the narrative that was submitted with the application.
4. The applicant shall submit an annual report every year, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation. The report is due within thirty days following the end of the reporting period.
5. The Planning Commission, at its discretion, may schedule a public hearing at any time following the first nine months of operations for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
6. Failure to comply with any of the conditions may result in revocation of the conditional use permit.



**ACTION:** Motion **PASSED 4-1** on a voice vote.

**PUD SUBDIVISION PERMIT  
100 INDIAN RIVER ROAD  
BIHA**

*Public hearing and consideration of a proposed planned unit development subdivision permit requested by the Baranof Island Housing Authority (BIHA) at 100 Indian River Rd. The property is also known as Lot 3AA, Indian River Subdivision No. 2. The owner of record is the Baranof Island Housing Authority.*

**STAFF REPORT:** Baranof Island Housing Authority was proposing a preliminary plat for a planned unit development at 100 Indian River Road. The property has acted as a PUD historically with two 4 plexes built in 2007 and two additional built in 2010. This request is to facilitate grant funding and proceed with phase 3. The large lot will be broken into 4 smaller lots.

Lot A will consist of 93,978 sq. ft. and feature Phase 1 and 2 as well as parking, access and greenspace.

Lot B will consist of 6,685 sq. ft. and will feature one new four plex as part of phase 3.

Lot C will consist of 6,149 sq. ft. and will feature one new four plex as part of phase 3.

Lot D will consist of 28,417 sq. ft. and will be reserved for future development in phase 4. Access and greenspace requirements listed in the subdivision code, are included in Lot A.

Staff explained the city staff Development Review Committee has met with BIHA to discuss the project. The preliminary plat will be revised before final approval to include easements, and to include a plat note that no lot may be sold separately. A parking plan will also need to be submitted.

**APPLICANT:** Cliff Richter described the project and that they are subdividing the lots to satisfy grant requirements.

**COMMISSIONER DELIBERATION:** Commissioners asked for clarification regarding drainage and Richter responded that the parking lot has curb gutters, and that drainage from the lot is directed down and to the right, or southeast, into a catch basin, which taps into an oil-water separator and then down into a drainage swale.

**PUBLIC COMMENT:** None

**MOTION:** **M/S HUGHEY/WINDSOR** moved to approve the preliminary plat for the planned unit development subdivision permit requested by the Baranof Island Housing Authority (BIHA) at 100 Indian River Rd. The property is also known as

Lot 3AA, Indian River Subdivision No. 2. The owner of record is the Baranof Island Housing Authority with the following conditions:

1. Parking plan be submitted prior to final plat approval.
2. There be a plat note that no lot may be sold independently; if sold, it must be sold as a whole.

**ACTION:** Motion **PASSED 5-0** on a voice vote.

**OUTDOOR RESTAURANT PORTABLE STRUCTURE CUP  
331 LINCOLN STREET  
ASHLEY MOORE**

*Public hearing and consideration of a proposed conditional use permit for an outdoor restaurant portable structure requested by Ashley Moore at 331 Lincoln St. The property is also known as a portion of Tract J of U.S. Survey 404. The owner of record is Christopher Bowen.*

**STAFF REPORT:** The applicant was asking for a conditional use permit for an outdoor restaurant portable structure aka food truck in the central business district. The food truck will be serving locally caught Alaskan fish. The applicant plans to be in business May-September for 6-7 days per week. Ms. Moore has presented hours of operation to be 11 am to 4 pm and 5 pm to 8 pm. She also states that she will be open late nights possibly until 1 am. The food truck will be parked in front of the Coliseum Theater adjacent Lincoln Street. Applicant will be providing trash receptacles for customers.

The applicant has stated that all food prep will take place in a DEC approved commissary kitchen and that she has worked with DEC to be in compliance.

The Planning Office received complaints in the past concerning noise, primarily, from a food truck parked underneath some upper floor residences, but this location doesn't have that potential problem as there are no residences above the theater.

Staff noted that this particular use is permitted in commercial and waterfront zones, but in the central business district it is conditional use.

**APPLICANT:** Ashley Moore described the request and explained that regarding noise, the Food Truck engine wouldn't be running and she has invested in an inverter generator which is much quieter than the generator system already in the truck. She would like to put up a tent and have some seating, if that is permissible.

**COMMISSIONER DELIBERATION:** Spivey asked for more description of the tent and where it would be. Staff noted that a revised site plan could be provided as a condition, showing these aspects of the request. Hughey asked if the applicant had heard anything

negative from downtown merchants, and she said no. Bosak confirmed the truck wouldn't block the west end exit of the theatre, and applicant confirmed that exit would not be blocked. Pohlman asked for clarifications regarding the hours. Bosak mentioned that one of the conditions could be to limit the hours, however, this permit is located in the Central Business District, and that district is zoned specifically to accommodate bars, restaurants, and downtown events, and a nighttime eatery could fit in.

**PUBLIC COMMENT:** None

**MOTION: M/S SPIVEY/POHLMAN** moved to approve the following findings.

**22.30.160 Planning commission review and recommendation.**

C. Required Findings for Conditional Use Permits. **The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:**

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of 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, 2.5.2. To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas; and 2.1. 1. Encourage the development of facilities to accommodate visitors without significant impacts on residential properties.*

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.

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 the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all

criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest.

**The general approval criteria are 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.

**ACTION:** Motion **PASSED 5-0** on a voice vote.

**MOTION:** **M/S SPIVEY/WINDSOR** moved to recommend approval of a conditional use permit for an outdoor restaurant portable structure requested by Ashley Moore at 331 Lincoln St. The property is also known as a portion of Tract J of U.S. Survey 404. The owner of record is Christopher Bowen with the following conditions:

1. The facility shall be operated consistent with the application and plans that were submitted with the request including the location.
2. The Planning Commission, at its discretion, may schedule a public hearing at any time following the first year of operation for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
3. Failure to comply with any of the conditions may result in revocation of the conditional use permit.
4. Must gain all necessary agency permits.
5. Must submit an updated site plan showing the proposed tent and tables.



**ACTION:** Motion **PASSED 5-0** on a voice vote.

**MAJOR SUBDIVISION PRELIMINARY PLAT  
300 KRAMER AVENUE – PARCEL C SOUTH BENCHLANDS  
SOUND DEVELOPMENT**

*Public hearing and consideration of a preliminary plat for a major subdivision at 300 Kramer Avenue or Parcel C South Benchlands filed by Sound Development, LLC. The proposed subdivision will create 19 lots. The property is also known as Tract A12-III, Whitcomb Heights III Subdivision.*

**STAFF REPORT:** This item was the preliminary plat for a major subdivision request at 300 Kramer Avenue. The proposed subdivision would turn the majority of Parcel C of the South Benchlands into a 19 lot subdivision. The lots ranged in size from 4,062 square feet to 105,500 square feet. The PUD designation allows for mixed use as this subdivision ranges in lot sizes and will accommodate a variety of home sizes. From “tiny homes” to multi-family, this subdivision will incorporate a number of different housing options. Plat notes limit future variances and building square footage.

A 20 foot wide greenbelt wetland preserve is designated on the plat directly above Sand Dollar Drive or the west side of the subdivision. Tree height would be addressed allowing property owners to trim trees if they are above 20 feet. Sand Dollar Drive residents requested this during the minor subdivision process.

Working together with Sound Development, city staff personnel in Planning and Public Works have reviewed the proposal and after a series of edits, are comfortable with it progressing through the public process.

There are issues outlined in a staff engineers report which are still being discussed and it is understood they will be resolved before the final plat is approved.

**APPLICANT:** Jeremy Twaddle and Todd Fleming described the project.

**COMMISSIONER DELIBERATION:** Parmelee read a letter submitted as public comment outlining concerns about drainage. The municipal engineer’s comments on drainage and additional points were presented by staff. They include:

- Public Works recommended and fully supports the plat note requiring that drainage from rooftops and driveways be directed to the ditches to help prevent the downhill properties from being adversely affected.
- We would also like to see a plat note which restricts direct access to the lots from Kramer Avenue to the extent possible. Woodbury Circle should be used for lot access as opposed to having 7 successive driveways across a relatively short distance with, in most cases, less than standard lot frontage widths.

- We also need sufficient easement width(s) to access and maintain all drainage conveyances on private property. The presence of an easement is not sufficient. As an example, there are numerous easements across Hillside Subdivision which are present on paper, but are physically inaccessible with heavy equipment. We would like to avoid this situation. Easements should be wide enough to allow for an excavator to access the ditch from the side.

In response, Jeremy Twaddle explained that with regard to drainage, a condition set on their initial plan stipulated that they were to reduce runoff by 10 percent. They had a runoff study conducted by an engineer, and the resulting plan is to direct drainage down along Kramer Avenue to the existing storm drain system there. Runoff is expected to be reduced by greater than 10 percent, and possibly as much as 50 percent. Other drainage measures include making sure ash and other inorganic fill material are stacked on the downhill side of the road, so that it isn't just a rock surface, and as a result water is expected to drain down into the fill material and be better directed. Also there are plat notes requiring runoff from residents' roofs must be directed back to Kramer Ave.

On the second point described by city engineering staff, Bosak and the applicant described the city's Public Works department concern about having too many driveways onto Kramer Avenue, and the solution that is being discussed, which involves shared driveways.

On the third point raised by the city engineer, discussion will continue between the applicant and city engineering staff as to the access easement, which the city feels needs to be wide enough allow for equipment access. The applicant stated they are not clear about this need, but are willing to comply.

**PUBLIC COMMENT:** None

**MOTION: M/S WINDSOR/HUGHEY** moved to approve the preliminary subdivision plat with the additional plat notes as requested by staff.

**ACTION:** Motion **PASSED 5-0** on a voice vote.

**DIRECTORS REPORT:** Bosak reported that the Planning Office is hearing from many residents concerned about protecting the integrity of the R1 zones, and maintaining their residential nature. Scott Brylinski wanted to know what the commissioners felt about being the local marijuana regulatory body and the commission discussed the question briefly and determined it was a possibility to discuss further.

**PUBLIC COMMENT:** None

**MOTION: M/S WINDSOR/SPIVEY** moved to adjourn at 9:46 p.m.

**ACTION: PASSED** unanimously 5-0 on a voice vote.

---

**Richard Parmelee, Chair**

---

**Carole Gibb, Secretary**



# 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, May 12, 2015 on the following items:

**Public hearing and consideration of a proposed short-term rental conditional use permit requested by Tiffany and Christopher Bryner at 413 Baranof Street. The property is also known as Lot 15, Block 20, U.S. Survey 1474, Tract A. The owners of record are Tiffany and Christopher Bryner.**

Public hearing and consideration of a proposed accessory dwelling unit conditional use permit requested by George and Tamara Eliason at 2314 Halibut Point Road. The property is also known as Lot 4, Ocean View Ridge Subdivision. The owners of record are George and Tamara Eliason.

Public hearing and consideration of a proposed short-term rental conditional use permit requested by Ali Clayton at 1601 Davidoff Street. The property is also known as Lots 1 and 7, Block 9, Northwest Addition, U.S. Survey 3303B, Tract A. The owners of record are Steve and Paula Clayton.

Public hearing and consideration of a proposed conditional use permit for an outdoor restaurant portable structure requested by Ashley Moore at 331 Lincoln St. The property is also known as a portion of Tract J of U.S. Survey 404. The owner of record is Christopher Bowen.

The Assembly may take action on May 12, 2015. 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.



**Short-term conditional use permit at 413 Baranof Street:**

The applicant is requesting a conditional use permit for a short-term rental at 413 Baranof Street. This would allow the applicant to rent out the two bedroom, one bath furnished home for stays of 14 days or less. Guests will be responsible for their own meals and transportation. Two off-street parking spaces are available. The property is zoned R-2 Residential.

The R-2 multi-residential district is intended to include lands suited by topography and other natural conditions for urban development and which are provided with the full range of public utilities, including sewers, water, electricity, and storm drains or are intended to be provided with such utilities in the near future. This district is intended primarily for single-family and multiple-family residences at moderately high population densities. Structures required to serve governmental, educational, recreational, religious and limited professional office needs are allowed subject to permitted or conditional use restrictions intended to preserve and protect the residential character of the R-2 district

C/B OF SITKA  
BARANOF SCHOOL  
C/B OF SITKA  
100 LINCOLN ST  
SITKA AK 99835

SITKA HERITAGE PROPERTIES, LLC  
SITKA HERITAGE PROPERTIES, LLC  
1 MAKSOUTOFF ST  
SITKA AK 99835

MARK/NANCY GORMAN/KNAPP  
GORMAN, MARK & KNAPP, NANCY  
137 RIGGS RD  
SITKA AK 99835

DOUGLAS/JAMI OSBORNE

STANLEY/MAYBELL FILLER

LILLIAN COX

OSBORNE, DOUGLAS & GUINN-  
OSBORNE, JAMI  
404 HOLLYWOOD WAY  
SITKA AK 99835

FILLER, STANLEY JR./MAYBELLE, F.  
406 HOLLYWOOD WAY  
SITKA AK 99835

COX, LILLIAN, S.  
534 E. CRESTVIEW ST  
SPRINGFIELD MO 65807

MARY/ROBERT

MICHAEL/JACQUEL LAGUIRE

BARANOF ISLAND HOUSING AUTHORITY

LA GUIRE, MICHAEL, W./JACQUELINE, E.  
P.O. BOX 6369  
SITKA AK 99835

BARANOF ISLAND HOUSING AUTHORITY  
245 KATLIAN AVE  
SITKA AK 99835

GREGORY/GEORJEA WALLACE

MELANIE BARKER

MELVINA/LORETTA WOODS/BOLAND/ET AL  
BOUCHER, A&R&J  
WOOD, JW.&TE./LONG, V./BO...  
3227 D 7/8 RD  
CLIFTON CO 81520

WALLACE, GREGORY/GEORJEANA  
417 MONASTERY ST  
SITKA AK 99835

BARKER, MELANIE  
204 SHOTGUN ALLEY  
SITKA AK 99835

THOMAS/LANELLE BACON

KAREN PARKER

JUDITH GANGLE

BACON, THOMAS & LANELLE  
P.O. BOX 6073  
SITKA AK 99835-6073

PARKER, KAREN, S.  
204 KATLIAN AVE  
SITKA AK 99835

GANGLE, JUDITH  
414 MONASTERY ST  
SITKA AK 99835

RANDY/DAYNA HOUP

GUS ADAMS

ELLEN HUGHES

HOUP, R. & D., MYRON, R. & LEWIS, S.  
412 MONASTERY ST  
SITKA AK 99835

ADAMS, GUS, M.  
500 DEGROFF ST  
SITKA AK 99835

HUGHES, ELLEN  
P.O. BOX 6594  
SITKA AK 99835

GREGORY/CYNTHIA JOHNSTONE

SONJA TEAS

SUSAN VOSBURG

JOHNSTONE, GREGORY, K./CYNTHIA, A.  
504 DEGROFF ST  
SITKA AK 99835

TEAS, SONJA  
1959 ROCK SPRINGS CIR  
DENVER NC 28037

VOSBURG, SUSAN, E.  
1555 RIDGEVIEW DR, APT 11  
RENO NV 89519

COMMON AREA MONASTERY ST  
TOWNHOMES

TEOFILO/NORA AGNE

MONICA BALLESTEROZ

COMMON AREA MONASTERY  
TOWNHOMES  
MONASTERY ST  
SITKA AK 99835

AGNE, TEOFILO, A./NORA, F.  
410 MONASTERY ST  
SITKA AK 99835

BALLESTEROZ, MONICA  
P.O. BOX 6625  
SITKA AK 99835

WELLS FARGO FINANCIAL AK, INC.  
MAC: N0012-01B  
WELLS FARGO FINANCIAL AK, INC.  
6200 PARK AVE  
DES MOINES IA 50321

EDWARD/SARAH  
SCHOENFELD/LONGENBAUGH

LONNIE/KATHERIN SWANSON

SCHOENFELD, EDWARD/LONGENBAUGH,  
SARAH  
319 B STREET  
DOUGLAS AK 99825-5550

SWANSON, LONNIE & SALO,  
P.O. BOX 552  
SITKA AK 99835

FIRST PRESBYTERIAN CHURCH

TIFFANY/CHRIS BRYNER

FIRST PRESBYTERIAN CHURCH  
505 SAWMILL CREEK RD  
SITKA AK 99835

BRYNER, TIFFANY/CHRISTOF  
413 BARANOF ST.  
SITKA AK 99835

**Assembly Mailing  
Sent 5/4/15**

**Bryner  
Short-term Rental  
413 Baranof**

**ERIK BAHRT**

BAHRT, ERIK, L.  
P.O. BOX 1654  
SITKA AK 99835

**ANNA/SANDRA LAWTON**

LAWTON, SANDRA/ANNA  
604 DEGROFF ST.  
SITKA AK 99835

**JACQUELYN PETRABORG**

PETRABORG, JACQUELYN  
606 DEGROFF ST.  
SITKA AK 99835

**DONALD SMITH**

SMITH, DONALD  
135 NE 59TH ST  
SEATTLE WA 98105

**MARCIA STRAND**

STRAND, MARCIA, J.  
P.O. BOX 795  
SITKA AK 99835

**WILLIAM JACOBS**

JACOBS, WILLIAM, G.  
P.O. BOX 1727  
SITKA AK 99835

**ETHEL STATON**

STATON, ETHEL, L.  
P.O. BOX 829  
SITKA AK 99835

**WAYNE JENKINS**

JENKINS, WAYNE, A.  
106 WOLFF DR  
SITKA AK 99835

**LILLIAN/KYLE YOUNG**

YOUNG, LILLIAN & KYLE  
503 DEGROFF ST  
SITKA AK 99835

**DANIEL/LURA DUNSING TRUST**

DUNSING TRUST, DANIEL, D./L. MAE  
P.O. BOX 12  
SITKA AK 99835

**DANIEL/LURA DUNSING TRUST**

DUNSING TRUST, DANIEL, D./L. MAE  
P.O. BOX 12  
SITKA AK 99835

**JULI AUDETTE**

AUDETTE, JULIE  
406 BARANOF ST  
SITKA AK 99835

**GEORGE ROHRER**

ROHRER, GEORGE, Q.  
608 DEGROFF ST  
SITKA AK 99835

**DORIS MAIN**

MAIN, DORIS, A.  
605 SAWMILL CREEK RD  
SITKA AK 99835

**MICHAEL/JACQUEL LAGUIRE**

LA GUIRE, MICHAEL/JACQUELINE, E.  
P.O. BOX 6369  
SITKA AK 99835

**LAZZARINI FAMILY LIVING TRUST**

LAZZARINI FAMILY LIVING TRUST  
503 BARANOF ST  
SITKA AK 99835

**MICHAEL ALLEN**

ALLEN, MICHAEL, J.  
504 HIGHLAND ST, #B  
SITKA AK 99835

**MARILYN UNGUDRUK THIRD PARTY S. N.  
TRUST**

MARILYN UNGUDRUK TRUST  
505 DEGROFF ST  
SITKA AK 99835

**DENISE TURLEY**

TURLEY, DENISE  
P.O. BOX 6046  
SITKA AK 99835-6046

**HERMAN/VIDA DAVIS**

DAVIS, HERMAN, K./VIDA, S.  
P.O. BOX 395  
SITKA AK 99835

**ANNA/SANDRA LAWTON**

LAWTON, SANDRA/ANNA  
604 DEGROFF ST.  
SITKA AK 99835

**MERLE ENLOE-STEWART**

ENLOE-STEWART, MERLE  
204 SEWARD ST  
SITKA AK 99835

**CONSTANCE MORGAN SUPPLEMENTAL  
NEEDS TRUST**

MORGAN, CONSTANCE R. SNT  
C/O P.O. BOX 12  
SITKA AK 99835

**PATRICK/JOYCE BARKER/MERCULIEF-  
BARKER**

BARKER, PATRICK/MERCULIEF-BARKER,  
JOYCE  
603 SAWMILL CREEK RD.  
SITKA AK 99835

**AVELINA/THELMA CASTILLO/DUMLAO**

CASTILLO, AVELINA/DUMLAO, THELMA  
P.O. BOX 1256  
SITKA AK 99835

**ERIC MANEWAL**

MANEWAL, ERIC, R.  
103 RANDS DR  
SITKA AK 99835

**CLIFF/BETTY RICHTER**

RICHTER, CLIFF & BETTY  
503 HIGHLAND ST  
SITKA AK 99835

**FRANCES ALDERSON REV.TRUST**

ALDERSON, FRANCES, W.  
714 ETOLIN ST  
SITKA AK 99835

**FRANKLIN ALVINE LIVING TRUST**

FRANKLIN G. ALVINE LIVING TRUST  
6311 S. CALICO PLACE  
SIOUX FALLS SD 57108

Utilisez le gabarit AVERY® 5160®  
Étiquettes faciles à peeler

Sens de  
chargement  
▼

Repliez à la hachure afin de  
révéler le rebord Pop-up™

1-800-GO-AVERY  
www.avery.com

SCOTT/JEANETTE FOSS

FOSS, SCOTT, A. JR./JEANETTE, M.  
P.O. BOX 2125  
SITKA AK 99835

DOROTHY OSBAKKEN

OSBAKKEN, DOROTHY  
P.O. BOX 354  
SITKA AK 99835

NELLIE PRICE

PRICE, NELLIE, D.  
610 MERRILL ST.  
SITKA AK 99835

PAUL/TONI OLSON/CARRINGTON

OLSON, PAUL & CARRINGTON, TONI  
606 MERRILL ST.  
SITKA AK 99835

JOHN/JILL FORREY

FORREY, JOHN, P./JILL, S.  
604 MERRILL ST.  
SITKA AK 99835

GLENN/ELIZABETH HOWARD

HOWARD, GLENN, G./ELIZABETH, A.  
602 MERRILL ST.  
SITKA AK 99835

JOHN/KATHLEEN ROUSE

ROUSE, JOHN, M., SR./KATHLEEN  
504 BARANOF ST  
SITKA AK 99835

GEORGE/TAMARA ELIASON  
ELIASON, GEORGE, R./TAMARA, L.  
102 KUHNLE DR  
SITKA AK 99835

VOLNEY/LINDA

C/B OF SITKA  
100 LINCOLN ST  
SITKA AK 99835

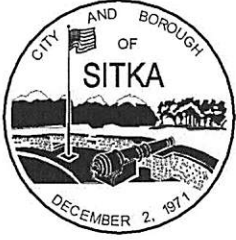
Easy Peel® Labels  
Use Avery® Template 5160®  
*[Signature]*

Feed Paper  
▼  
Bend along line to  
expose Pop-up Edge™



AVERY® 5960™





# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

**Sitka Planning Commission Agenda**  
**Tuesday, April 21, 2015**  
Held at **Sitka Fire Hall**  
209 Lake Street, Sitka, Alaska  
**7:00pm**

- I. CALL TO ORDER AND ROLL CALL
- II. CONSIDERATION OF THE AGENDA
- III. CONSIDERATION OF THE MINUTES FROM April 7, 2015
- IV. THE EVENING BUSINESS

A. Public hearing and consideration of a proposed accessory dwelling unit conditional use permit requested by Phyllis Hackett at 707 Lake Street. The property is also known as Lot 21, Block 11, Sirstad Addition No. 2. The owners of record are Mark and Phyllis Hackett.

**B. Public hearing and consideration of a proposed short-term rental conditional use permit requested by Tiffany and Christopher Bryner at 413 Baranof Street. The property is also known as Lot 15, Block 20, U.S. Survey 1474, Tract A. The owners of record are Tiffany and Christopher Bryner.**

C. Public hearing and consideration of a proposed accessory dwelling unit conditional use permit requested by George and Tamara Eliason at 2314 Halibut Point Road. The property is also known as Lot 4, Ocean View Ridge Subdivision. The owners of record are George and Tamara Eliason.

D. Public hearing and consideration of a proposed short-term rental conditional use permit requested by Ali Clayton at 1601 Davidoff Street. The property is also known as Lots 1 and 7, Block 9, Northwest Addition, U.S. Survey 3303B, Tract A. The owners of record are Steve and Paula Clayton.

E. Public hearing and consideration of a proposed planned unit development subdivision permit requested by the Baranof Island Housing Authority (BIHA) at 100 Indian River Rd. The property is also known as Lot 3AA, Indian River Subdivision No. 2. The owner of record is the Baranof Island Housing Authority.

F. Public hearing and consideration of a proposed conditional use permit for an outdoor restaurant portable structure requested by Ashley Moore at 331 Lincoln St. The property is also known as a portion of Tract J of U.S. Survey 404. The owner of record is Christopher Bowen.

G. Public hearing and consideration of a preliminary plat for a major subdivision at 300 Kramer Avenue or Parcel C South Benchlands filed by Sound Development, LLC. The proposed

subdivision will create 19 lots. The property is also known as Tract A12-III, Whitcomb Heights III Subdivision.

- V. PLANNING DIRECTOR'S REPORT
- VI. PUBLIC BUSINESS FROM THE FLOOR
- VII. 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 [carole@cityofsitka.com](mailto:carole@cityofsitka.com), or faxed to (907) 747-6138. Those with questions may call (907) 747-1814.

Publish: April 13 and April 15

C/B OF SITKA  
BARANOF SCHOOL  
C/B OF SITKA  
100 LINCOLN ST  
SITKA AK 99835

SITKA HERITAGE PROPERTIES, LLC

SITKA HERITAGE PROPERTIES, LLC  
1 MAKSOUTOFF ST  
SITKA AK 99835

MARK/NANCY GORMAN/KNAPP

GORMAN, MARK & KNAPP, NANCY  
137 RIGGS RD  
SITKA AK 99835

DOUGLAS/JAMI OSBORNE

OSBORNE, DOUGLAS & GUINN-  
OSBORNE, JAMI  
404 HOLLYWOOD WAY  
SITKA AK 99835

STANLEY/MAYBELL FILLER

FILLER, STANLEY JR./MAYBELLE, F.  
406 HOLLYWOOD WAY  
SITKA AK 99835

LILLIAN COX

COX, LILLIAN, S.  
534 E. CRESTVIEW ST  
SPRINGFIELD MO 65807

MARY/ROBERT

MICHAEL/JACQUEL LAGUIRE

LA GUIRE, MICHAEL, W./JACQUELINE, E.  
P.O. BOX 6369  
SITKA AK 99835

BARANOF ISLAND HOUSING AUTHORITY

BARANOF ISLAND HOUSING AUTHORITY  
245 KATLIAN AVE  
SITKA AK 99835

GREGORY/GEORJEA WALLACE

WALLACE, GREGORY/GEORJEANA  
417 MONASTERY ST  
SITKA AK 99835

MELANIE BARKER

BARKER, MELANIE  
204 SHOTGUN ALLEY  
SITKA AK 99835

MELVINA/LORETTA WOODS/BOLAND/ET AL  
BOUCHER, A&R&J  
WOOD, J.W.&T.E./LONG, V./BOLLAND, L.  
3227 D 7/8 RD  
CLIFTON CO 81520

THOMAS/LANELLE BACON

BACON, THOMAS & LANELLE  
P.O. BOX 6073  
SITKA AK 99835-6073

KAREN PARKER

PARKER, KAREN, S.  
204 KATLIAN AVE  
SITKA AK 99835

JUDITH GANGLE

GANGLE, JUDITH  
414 MONASTERY ST  
SITKA AK 99835

RANDY/DAYNA HOUP

HOUP, R. & D., MYRON, R. & LEWIS, S.  
412 MONASTERY ST  
SITKA AK 99835

GUS ADAMS

ADAMS, GUS, M.  
500 DEGROFF ST  
SITKA AK 99835

ELLEN HUGHES

HUGHES, ELLEN  
P.O. BOX 6594  
SITKA AK 99835

GREGORY/CYNTHIA JOHNSTONE

JOHNSTONE, GREGORY, K./CYNTHIA, A.  
504 DEGROFF ST  
SITKA AK 99835

SONJA TEAS

TEAS, SONJA  
1959 ROCK SPRINGS CIR  
DENVER NC 28037

SUSAN VOSBURG

VOSBURG, SUSAN, E.  
1555 RIDGEVIEW DR, APT 19  
RENO NV 89519

COMMON AREA MONASTERY ST  
TOWNHOMES

COMMON AREA MONASTERY  
TOWNHOMES  
MONASTERY ST  
SITKA AK 99835

TEOFILO/NORA AGNE

AGNE, TEOFILO, A./NORA, F.  
410 MONASTERY ST  
SITKA AK 99835

MONICA BALLESTEROZ

BALLESTEROZ, MONICA  
P.O. BOX 6625  
SITKA AK 99835

WELLS FARGO FINANCIAL AK, INC.  
MAC: N0012-01B  
WELLS FARGO FINANCIAL AK, INC.  
6200 PARK AVE  
DES MOINES IA 50321

EDWARD/SARAH  
SCHOENFELD/LONGENBAUGH

SCHOENFELD, EDWARD/LONGENBAUGH,  
SARAH  
319 B STREET  
DOUGLAS AK 99825-5550

LONNIE/KATHERIN SWANSON/SALO

SWANSON, LONNIE & SALO, KATHERINE  
P.O. BOX 552  
SITKA AK 99835

**Bryner**  
Short-term Rental  
413 Baranof

**P & Z Mailing**  
**Sent 4/13/15**

FIRST PRESBYTERIAN CHURCH

FIRST PRESBYTERIAN CHURCH  
505 SAWMILL CREEK RD  
SITKA AK 99835

ERIK BAHRT

BAHRT, ERIK, L.  
P.O. BOX 1654  
SITKA AK 99835

ANNA/SANDRA LAWTON

LAWTON, SANDRA/ANNA  
604 DEGROFF ST.  
SITKA AK 99835

JACQUELYN PETRABORG

PETRABORG, JACQUELYN  
606 DEGROFF ST.  
SITKA AK 99835

DONALD SMITH

SMITH, DONALD  
135 NE 59TH ST  
SEATTLE WA 98105

MARCIA STRAND

STRAND, MARCIA, J.  
P.O. BOX 795  
SITKA AK 99835

WILLIAM JACOBS

JACOBS, WILLIAM, G.  
P.O. BOX 1727  
SITKA AK 99835

ETHEL STATON

STATON, ETHEL, L.  
P.O. BOX 829  
SITKA AK 99835

WAYNE JENKINS

JENKINS, WAYNE, A.  
106 WOLFF DR  
SITKA AK 99835

FIRST PRESBYTERIAN CHURCH

FIRST PRESBYTERIAN CHURCH  
505 SAWMILL CREEK RD  
SITKA AK 99835

DANIEL/LURA DUNSING TRUST

DUNSING TRUST, DANIEL, D./L. MAE  
P.O. BOX 12  
SITKA AK 99835

JULI AUDETTE

AUDETTE, JULIE  
406 BARANOF ST  
SITKA AK 99835

GEORGE ROHRER

ROHRER, GEORGE, Q.  
608 DEGROFF ST  
SITKA AK 99835

DORIS MAIN

MAIN, DORIS, A.  
605 SAWMILL CREEK RD  
SITKA AK 99835

MICHAEL/JACQUEL LAGUIRE

LA GUIRE, MICHAEL/JACQUELINE, E.  
P.O. BOX 6369  
SITKA AK 99835

LAZZARINI FAMILY LIVING TRUST

LAZZARINI FAMILY LIVING TRUST  
503 BARANOF ST  
SITKA AK 99835

MICHAEL ALLEN

ALLEN, MICHAEL, J.  
504 HIGHLAND ST, #B  
SITKA AK 99835

MARILYN UNGUDRUK THIRD PARTY S. N.  
TRUST

MARILYN UNGUDRUK TRUST  
505 DEGROFF ST  
SITKA AK 99835

TIFFANY/CHRIS BRYNER

BRYNER, TIFFANY/CHRISTOPHER  
413 BARANOF ST.  
SITKA AK 99835

ANNA/SANDRA LAWTON

LAWTON, SANDRA/ANNA  
604 DEGROFF ST.  
SITKA AK 99835

MERLE ENLOE-STEWART

ENLOE-STEWART, MERLE  
204 SEWARD ST  
SITKA AK 99835

CONSTANCE MORGAN SUPPLEMENTAL  
NEEDS TRUST

MORGAN, CONSTANCE R. SNT  
C/O P.O. BOX 12  
SITKA AK 99835

PATRICK/JOYCE BARKER/MERCULIEF-  
BARKER

BARKER, PATRICK/MERCULIEF-BARKER,  
JOYCE  
603 SAWMILL CREEK RD.  
SITKA AK 99835

C/B OF SITKA

C/B OF SITKA  
100 LINCOLN ST  
SITKA AK 99835

AVELINA/THELMA CASTILLO/DUMLAO

CASTILLO, AVELINA/DUMLAO, THELMA  
P.O. BOX 1256  
SITKA AK 99835

ERIC MANEWAL

MANEWAL, ERIC, R.  
103 RANDS DR  
SITKA AK 99835

CLIFF/BETTY RICHTER

RICHTER, CLIFF & BETTY  
503 HIGHLAND ST  
SITKA AK 99835



LILLIAN/KYLE YOUNG

YOUNG, LILLIAN & KYLE  
503 DEGROFF ST  
SITKA AK 99835

DENISE TURLEY

TURLEY, DENISE  
P.O. BOX 6046  
SITKA AK 99835-6046

FRANCES ALDERSON REV.TRUST

ALDERSON, FRANCES, W.  
714 ETOLIN ST  
SITKA AK 99835

DANIEL/LURA DUNSING TRUST

DUNSING TRUST, DANIEL, D./L. MAE  
P.O. BOX 12  
SITKA AK 99835

HERMAN/VIDA DAVIS

DAVIS, HERMAN, K./VIDA, S.  
P.O. BOX 395  
SITKA AK 99835

FRANKLIN ALVINE LIVING TRUST

FRANKLIN G. ALVINE LIVING TRUST  
6311 S. CALICO PLACE  
SIOUX FALLS SD 57108

SCOTT/JEANETTE FOSS

FOSS, SCOTT, A. JR./JEANETTE, M.  
P.O. BOX 2125  
SITKA AK 99835

DOROTHY OSBAKKEN

OSBAKKEN, DOROTHY  
P.O. BOX 354  
SITKA AK 99835

DOROTHY OSBAKKEN

OSBAKKEN, DOROTHY  
P.O. BOX 354  
SITKA AK 99835

NELLIE PRICE

PRICE, NELLIE, D.  
610 MERRILL ST.  
SITKA AK 99835

PAUL/TONI OLSON/CARRINGTON

OLSON, PAUL & CARRINGTON, TONI  
606 MERRILL ST.  
SITKA AK 99835

JOHN/JILL FORREY

FORREY, JOHN, P./JILL, S.  
604 MERRILL ST.  
SITKA AK 99835

GLENN/ELIZABETH HOWARD

HOWARD, GLENN, G./ELIZABETH, A.  
602 MERRILL ST.  
SITKA AK 99835

JOHN/KATHLEEN ROUSE

ROUSE, JOHN, M., SR./KATHLEEN  
504 BARANOF ST  
SITKA AK 99835