



CITY AND BOROUGH OF SITKA

Minutes - Final

Planning Commission

Wednesday, August 16, 2023

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

Present: Darrell Windsor (Acting Chair), Stacy Mudry, Katie Riley
Excused: Wendy Alderson, Thor Christianson (Assembly liaison)
Staff: Amy Ainslie, Coral Crenna, Kim Davis
Public: Ariadne Will, Adam Hackett, Senolden Norwood, Petra Lechner, Catherine Burton, Hugh Burton, Graig Rofkar

Acting Chair Windsor called the meeting to order at 7:04 P.M.

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

- A [PM 23-12](#) Approve the August 2, 2023 meeting minutes.

**M/Mudry-S/Riley moved to approve the August 2, 2023, meeting minutes.
Motion passed 3-0 by voice vote.**

IV. PERSONS TO BE HEARD

V. PLANNING DIRECTOR'S REPORT

Ainslie reported Chris Spivey had resigned and thanked him for his ten years of service. Applications were available at the Clerk's office or online to those who were interested. The next Planning Commission meeting would be September 6. The September 20th meeting was canceled as staff would be at the APA AK and Western Planner Conference. Southeast Conference would be happening during the same week.

VI. REPORTS

VII. THE EVENING BUSINESS

- B [CUP 23-14](#) Public hearing and consideration of a conditional use permit for an accessory dwelling unit at 1601 Halibut Point Road in the R-1 single-family and duplex residential district. The property is also known as Lot 1, Block 11, Northwest Addition. The request is filed by Adam and Lexi Hackett. The owners of record are Adam Hackett and Alexandra Fish Hackett.

Crenna introduced an application for a conditional use permit (CUP) request for an accessory dwelling unit (ADU) at 1601 Halibut Point Road (HPR). The applicants were

planning to demolish the current structure on the property and construct a single-family home with an ADU attached via breezeway containing a garage with an apartment and shop. The property was 10,058 SF and was in the Federal Emergency Management Agency (FEMA) special flood hazard zones. This was a limiting factor on the property for buildable area. The applicants intended to fill the front of the property to create a level entry to both the primary dwelling and ADU from HPR. They would obtain any required permissions from the State of Alaska regarding the adjacent right-of-way.

The applicants were asking for three changes to the ADU development requirements. An increase in the height of the ADU structure under VAR 23-09, for the entry way to be placed at the front, and to waive the requirement of the ADU as a long-term rental. The applicants wanted the option to use the ADU as a short-term rental (STR). Parking was ample and met the code requirement of two parking spaces per dwelling unit. Staff recommended approval of the ADU subject to the conditions of approval, modifying the entrance and height requirements. Staff was unable to recommend approval for the use of the ADU to be used as an STR as it was contrary to the intent for ADU's to provide long-term housing.

Windsor asked staff if a breezeway was considered attached. Ainslie explained attached was at the foundation level. Riley asked why the ADU required 90 days when the STR code stated 30 days for long-term. Crenna explained the code sometimes differed in the definition of long-term in many sections but long-term was considered to be 30 days or more.

The applicant Adam Hackett was present, he stated the flood zone impacted the placement of where they were able to build the new house. Mudry asked if there would be any screening at the front of the house. Hackett said they would be planting a hedge row and the Department of Transportation (DOT) was issuing them a beautification permit to develop the front of the property. There was no public comment.

Riley had concerns about waving the ADU long-term rental requirement and allowing it to possibly become an STR. She would like to see the code clarified between the 30 vs 90 days and recommended they come back for a STR CUP on the main house and not the ADU. Windsor asked if the height increase would affect any neighbors. Staff clarified the neighbors across the street were at higher elevations and would not be affected by the increase in height on the ADU. Commissioners had no further discussion.

M/Riley-S/Mudry moved to approve the conditional use permit for an accessory dwelling unit at 1601 Halibut Point Road in the R-1-single-family/duplex residential district subject to the attached conditions of approval. The property was also known as Lot 1, Block 11, Northwest Addition. The request was filed by Alexandra Fish Hackett and Adam Hackett. The owners of record were Alexandra Fish Hackett and Adam Hackett. Motion passed 3-0 by voice vote.

M/Riley-S/Mudry moved to adopt and approve the required findings for conditional use permits as listed in the staff report. Motion passed 3-0 by voice vote.

C [VAR 23-09](#)

Public hearing and consideration of a variance request to increase height from 25' to 31.5' for construction of an accessory dwelling unit at 1601 Halibut Point Road in the R-1 single-family and duplex residential district. The property is also known as Lot 1, Block 11, Northwest Addition. The request is filed by Adam and Lexi Hackett. The owners of record are

Adam Hackett and Alexandra Fish Hackett.

Crenna introduced an application for a variance request to increase the height of an accessory dwelling unit (ADU) by 4.5' at 1601 Halibut Point Road (HPR). The primary house would be built to 26' below the district maximum of 35' and would be a two story structure. The ADU was designed to be three levels attached via breezeway containing a garage with an apartment and shop. The overall height of the ADU was 31', 5", maximum height allowed for an ADU in the district was 25'. The structure had access from HPR and parking met the required two spaces. There was no view impact anticipated to neighboring properties as the front of the property abuts HPR and the rear abuts tidelands. Adjacent properties across HPR were at higher elevations on Davidoff Street. Staff recommended approval.

The applicant Adam Hackett was present. He had nothing else to add to the staff report. There was no public comment or commissioner discussion.

M/Riley-S/Mudry moved to approve the zoning variance at 1601 Halibut Point Road in the R-1 single-family and duplex residential district subject to the attached conditions of approval. The property was also known as Lot 1, Block 11, Northwest Addition. The request was filed by Alexandra Fish Hackett and Adam Hackett. The owners of record were Alexandra Fish Hackett and Adam Hackett. Motion passed 3-0 by voice vote.

M/Riley-S/Mudry moved to adopt and approve the required findings for variances involving major structures or expansions as listed in the staff report. Motion passed 3-0 by voice vote.

D [CUP 23-15](#)

Public hearing and consideration of a conditional use permit for a short-term rental at 1711 Edgecumbe Drive in the R-1 single-family and duplex residential district. The property is also known as Lot 9-B, of the Mark C. Friday Subdivision. The request is filed by Senolden Norwood and Petra Lechner. The owners of records are Senolden Norwood and Petra Lechner.

Crenna introduced an application for a conditional use permit (CUP) request for a short-term rental (STR) at 1711 Edgecumbe Drive Apt B in the R-1 single-family/duplex residential district. The applicants were requesting the use of unit B of their duplex as the STR and they would be living in unit A. The unit had 2 bedrooms, 1 1/2 bathrooms, was buffered by Edgecumbe Drive to the east and mature vegetation to the northwest. There were two STR's in the immediate area and eight in the surrounding area. The renter handout was well detailed with quiet hours listed as 10 PM - 7 AM. Odors would be minimal as trash would be handled by the applicants. The maximum occupancy was four guests and renters were limited to one vehicle. Staff recommended approval.

Windsor asked staff if there was any data showing STRs increased the selling cost in the housing market. Ainslie responded STRs generate additional income and may increase value but there is no data available for Sitka. The applicants Senolden Norwood and Petra Lechner were present. Norwood stated they had reached out to their neighbors to answer concerns about the property being used as an STR. They wanted to use the unit as a STR since they would be having family visit throughout the year.

Public comment from Catherine and Hugh Burton were opposed to the STR, regarding noise, traffic, and the number STR's in the area. A letter read was into the record from Jennifer Vallion, who was opposed due to the lack of long-term housing in Sitka. Commissioners discussed the STR code change and primary residence requirement. Windsor asked how many STR's were in Sitka and Ainslie stated around 68 in

residential areas through the CUP process. The STR's that were permitted outright were harder to track due to the different ways sales tax could be filed. Ainslie recommended asking the applicant if they would like to postpone until there was a full board since the board would have to vote in the majority. The applicants stated they would like to postpone until the next meeting or when there would be four or more members.

M/Mudry-S/Riley motioned to postpone until at least the next meeting or until there was a full board. Motion passed 3-0 by voice vote.

E [CUP 23-16](#)

Public hearing and consideration of a request for a conditional use permit to operate a food truck at 130 Lincoln Street in the CBD central business district. The property is also known as Lot Two A (2A), Ernie's Subdivision. The request is filed by Graig Rofkar. The owner of record is Stan Filler.

Crenna introduced an application for a conditional use permit (CUP) for a food truck at 130 Lincoln Street. This was a popular site for food vending with another food trailer, food cart, and popup vending tent. The truck would be stationary on the property adjacent to Harbor Drive and no generator would be used. Proposed hours of operation would be from 10 AM - 4 PM and the menu included bagels, schmear, lox, and drinks. The applicant had an already established business located at 143 Price Street where all baking and preparations would take place. Staff recommend approval.

The applicant Graig Rofkar was present. He had nothing else to add. There was no public comment. Riley was excited about bagels.

M/Mudry-S/Riley moved to approve the conditional use permit for a food truck at 130 Lincoln Street in the central business district, subject to the attached conditions of approval. The property was also known as Lot 2A, Ernie's Subdivision. The request was filed by Graig Rofkar. The owner of record was Stan Filler. Motion passed 3-0 by voice vote.

M/Mudry-S/Riley moved to adopt and approve the required findings for conditional use permits as listed in the staff report. Motion passed 3-0 by voice vote.

VIII. ADJOURNMENT

Acting Chair Windsor adjourned the meeting 8:16 PM.