

**City and Borough of Sitka
Planning and Zoning Commission
Minutes of Meeting
October 4, 2011**

Present: Jeremy Twaddle (Acting Chair), Tom Rogers (Member), Darrell Windsor (Member), Wells Williams (Planning Director), Melissa Henshaw (Planner)

Members of the Public: Stephen Weatherman (Municipal Engineer), Gail/Lou Roderick, Debbie Stilson, Ron Waldron, Virginia Olney, Marty Martin, Marco Hernandez, Brian McNitt, Karen Johnson, Craig Giammona (Daily Sitka Sentinel)

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

Consideration of the Minutes from the September 6, 2011 meeting:

MOTION: M/S ROGERS/WINDOR moved to approve the meeting minutes for September 6, 2011.

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

This evening's business:

**ZONING MAP AMENDMENT
256 KATLIAN AVENUE
BRIAN MCNITT**

Public hearing and consideration of a zoning map amendment at 256 Katlian Avenue to change the zoning from R-1 single-family and duplex residential district to CBD central business district. The request is filed by Brian McNitt. The property is also known as Lot No. 25 Block 1 Sitka Indian Village US Survey 2542 A and B.

Ms. Henshaw began the review for this request. This property houses Ludvig's Bistro on the first floor off Katlian Avenue and the second and third floors are residents. This property goes all the way from Katlian Avenue through to Kaagwaantaan Street. The Bistro is accessed off Katlian Avenue and the residential unit is accessed from Kaagwaantaan Street. This property is sandwiched by the central business district (CBD) and would not be spot zoning if changed from R-1 to CBD. This would allow more flexibility in the use of the structure. However very preliminary the Bistro would like to expand up to the second floor, and that is not allowed since this use is currently legal non-conforming.

Mr. Williams included some history on the zoning with regards to timelines and other properties noting that the zoning pattern along Katlian Avenue has been static for at least 25 years. There was a rezoning in 1986 in which Staff believes was a lengthy public process.

Applicant: Brian McNitt, owner of the property since 1993 came forward. When he purchased the property and Horan's did an appraisal of this, it did state on that appraisal that the property was in the CBD. However, while Mr. McNitt was on the Planning Commission a question came up and he was informed by Staff that his property is in fact R-1. Therefore this structure has a use that is legal non-conforming since the restaurant is on the ground floor. It is a possibility in the future that the restaurant would like to put a waiting/lounge area on the second floor and this

would not be possible if it is zoned R-1. However, access for this purpose would still be off of the Katlian Avenue street side.

As a requirement of the code, Staff must make a recommendation to the Commission. Staff is in favor of this request.

The Board had questions with concerns of parking. If this rezone does go though there are no parking requirements for the CBD zone. There are however, parking spots on the Kaagwaantaan side where the residential unit is accessed.

Public Comment: There was no public comment for this request.

MOTION: **M/S Windsor/Rogers** moved to recommend approval for a zoning map amendment at 256 Katlian Avenue to change the zoning from R-1 single-family and duplex residential district to CBD central business district. The request is filed by Brian McNitt. The property is also known as Lot No. 24 Block 1 Sitka Indian Village US Survey 2542 A and B.

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

PLANNING DIRECTOR'S REPORT

Planning Director Williams invited the Board to join Staff and the Assembly to do a site walk through on Thursday at 4:00 of the proposed major subdivision and lots to be auctioned off.

Ms. Henshaw informed the Commission that there is an applicant for the Planning Commission and the request is going to the next Assembly meeting. Also mentioned was next meeting's items.

PUBLIC BUSINESS FROM THE FLOOR

None.

ADJOURNMENT

MOTION: **M/S ROGERS/WINDSOR** moved to adjourn at 8:34 p.m.

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

Jeremy Twaddle, Acting Chair

Melissa Henshaw, Secretary