

MEMORANDUM

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

From: Maegan Bosak, Planner I MB

Subject: Conditional Use Permit approval for Specialized Instruction School
205 Harbor Drive

Date: June 2, 2014

The Sitka Planning Commission is unanimously recommending approval, with conditions, of a conditional use permit for a specialized instruction school at 205 Harbor Drive, filed by Emily Davis. The property is owned by Kirk and Marlene VanWinkle. The Board's recommendation followed a public hearing on May 20th, 2014.

The applicant is requesting a conditional use permit in order to operate a specialized instruction school, the Pacific Learning Center. Davis is a licensed educator who will be offering a math and science based curriculum to students aged 3-6 for either a half or full day schedule. The business will operate year round, Monday through Friday, from 9 am to 4:30 pm. The upper unit in the building is currently Van Winkle & Sons restaurant.

While the Central Business District is intended to have retail uses on street level, there are a number of store fronts that do not have year round operations. The school will help draw traffic to the downtown and will complement the commercial uses in the area.

The CBD Central Business District is designed specifically for concentrated retail, personal and business services of all kinds satisfying all residents in one central location. It should further prohibit exclusive residential or industrial uses which would interfere with the development and continuation of its cohesive business purposes.

Public comment in support was received on the proposal from surrounding downtown merchants.

The Planning Commission discussed parking and drop off/pick up safety issues with the applicant. The applicant informed the Commission that parents will be required to check children in and therefore would be walking them in and out of the building.

The Planning Commission's recommendation includes the conditions below and follow up findings. The conditions also require a follow up annual review by the Planning Commission.

RECOMMENDED ACTION: Approve the request with the conditions and findings recommended by the Planning Commission.

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 and in general conformance with the staffing and student ratio as presented.
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 within 9 months and come in front of the Planning Commission for an annual review.
5. The Planning Commission, at its discretion, may schedule an additional public hearing at any time 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.

Findings:

MOTION: M/S WESTOVER/SPIVEY move to approve the following findings 22.30.160 Required Findings for Conditional Use Permits as outlined by staff:

- 1a. Granting of the conditional use permit will not be detrimental to the public health, safety, and general welfare;
- 1b. Will not adversely affect the established character of the surrounding vicinity, because there is adequate parking;
- 1c. Will not 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 the adjacent parking lot;
2. That 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 Economic Goals and Policies 2.1 *To contribute to a stable, long-term, local economic base*;
3. That all conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced;
4. That 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. That 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, specifically nearby presence of municipality maintained roads;
6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria.

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

MOTION: M/S WESTOVER/POHLMAN move to approve the following findings general approval criteria as outlined by staff:

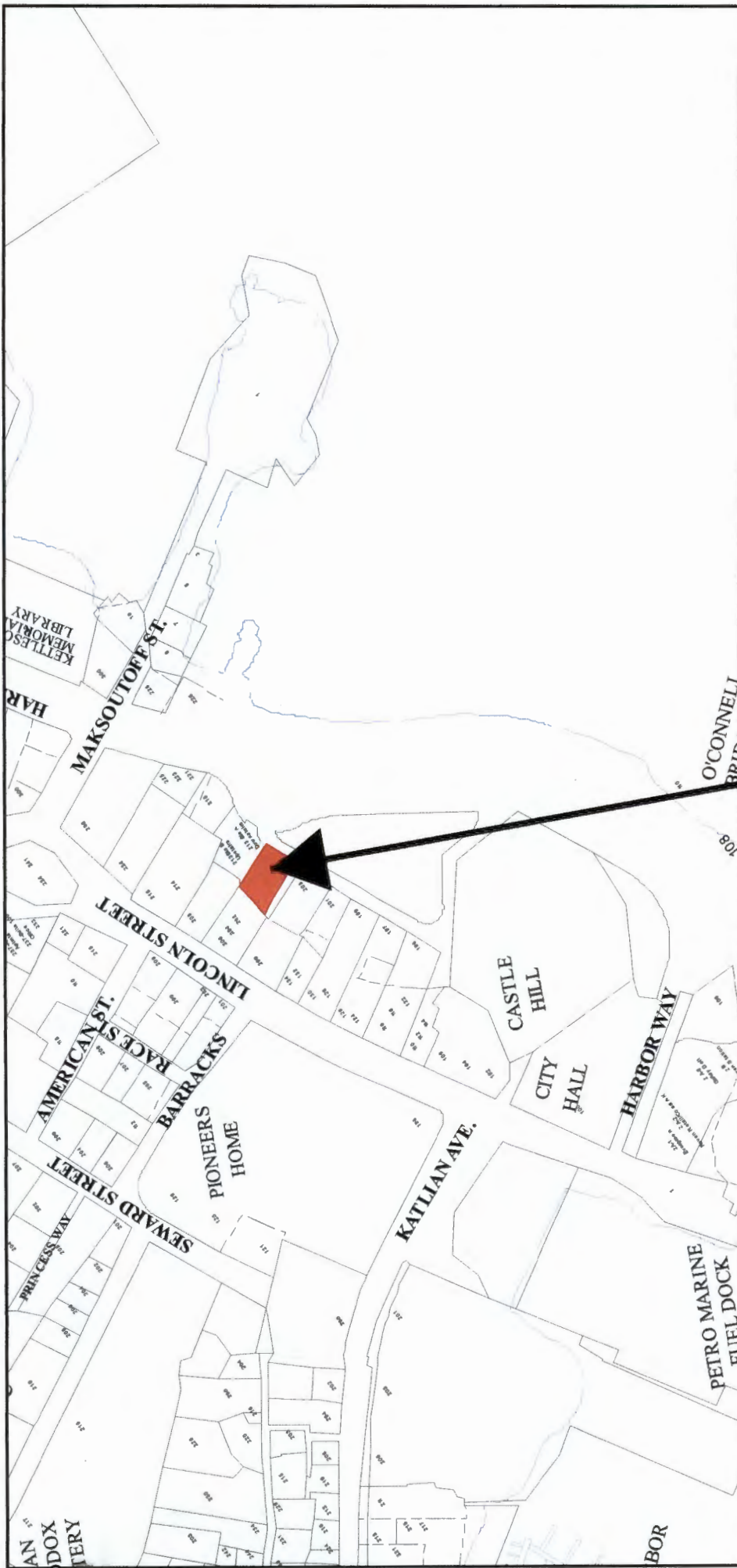
1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;
2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power;
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, specifically that the school will be open during normal business hours;
5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

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

MOTION: M/S SPIVEY/WESTOVER move to approve the following findings 22.24.010 Conditional Uses as outlined by staff:

- a. Amount of vehicular traffic to be generated and its impacts of the traffic on nearby land uses;
- b. Amount of noise to be generated and its impacts on surrounding land uses;
- c. Odors to be generated by the use and their impacts;
- d. Hours of operation, consistent with hours of operation of adjacent retail uses;
- e. Location along a major or collector street;
- f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario;
- g. Effects on vehicular and pedestrian safety, specifically that parents will walk students into the building, by the statement of the applicant that the parents will walk the students into the building;
- h. Ability of the Police, Fire, and EMS personnel to respond to emergency calls on the site;
- i. Logic of the internal traffic layout, specifically the low 15 mph speed limit;
- j. Effects of signage on nearby uses;
- k. buffers are not appropriate;
- l. Presence of existing or proposed conditional use in a specific location to the goals, policies, and objectives of the Comprehensive Plan, specifically 2.1 Economic Goals and Policies;
- m. Other criteria that surface through public comments or Planning Commission Assembly review, specifically the significant amount of written public support by adjacent businesses.

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

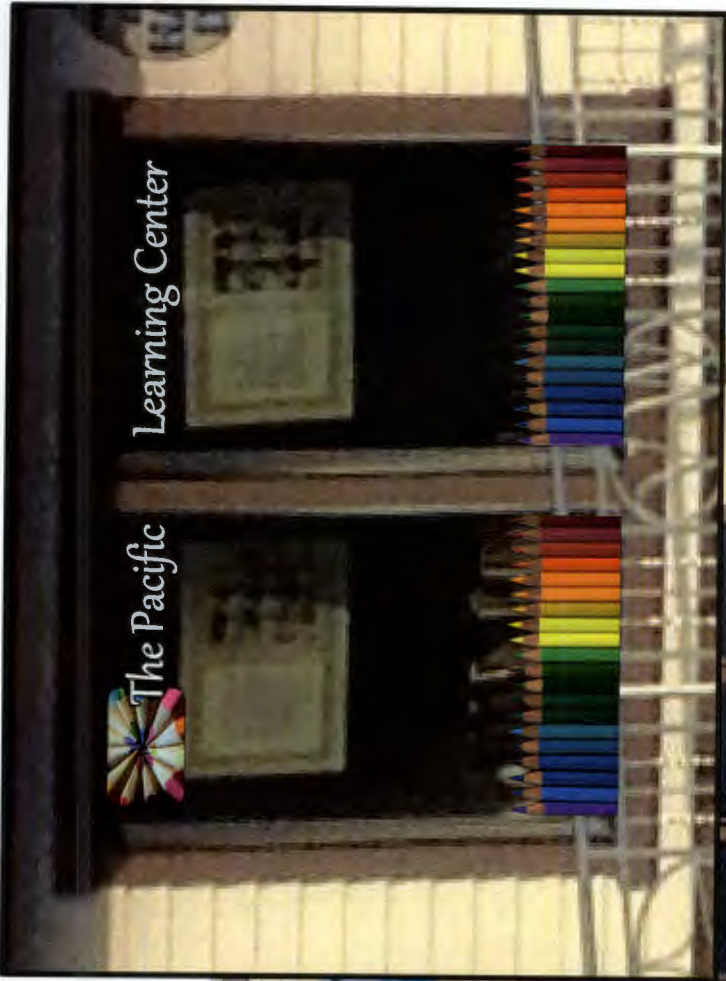


Davis
Conditional Use Permit
205 Harbor Drive



Davis
Conditional Use Permit
205 Harbor Drive

The Pacific Learning Center



Davis
Conditional Use Permit
205 Harbor Drive

CITY AND BOROUGH OF SITKA
PLANNING DEPARTMENT
CONDITIONAL USE PERMIT APPLICATION

Conditional Use Permit FEE \$100.00

plus current city sales tax

APPLICANT'S NAME: Emily A. Davis
PHONE NUMBER: 907-738-1743
MAILING ADDRESS: PO Box 6186 Sitka AK 99835

OWNER'S NAME: Kirk VanWinkle
(If different from applicant)
PHONE NUMBER: 907-752-7652
MAILING ADDRESS: PO Box 842 Sitka AK 99835

PROJECT ADDRESS: 205 Harbor Dr.
LEGAL DESCRIPTION Lot: _____ Block: _____
Subdivision: VanW
U.S. Survey: _____ Zoning Classification: CB1D

List specific request: Seeking "Specialized instruction school" zoning for lower level of building

State all reasons for justifying request:
convenient & central location for parents • a high demand for this type of service in Sitka • PLC is located on back side of CSD

List all features and details of request: PLC will be owned & operated by an AK Prek-12 grade licensed teacher. PLC will follow all state and federal regulations and maintain high standards.

State the schedule and timing of request: We would like to begin instruction following the release of Sitka schools, about June 1 in order to ensure continued learning.

Please attach drawings, maps, and additional narrative as appropriate.

The applicant must verify, to the satisfaction of the Public Works Department, that utility lines and services are not under proposed structures.

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: [Signature] Date: 4-23-14
SIGNATURE OF OWNER: [Signature] Date: 4-23-14
(If different from the applicant)

Approval will be based on plans submitted or approved by the Planning Commission or Assembly

Davis
Conditional Use Permit
205 Harbor Drive

Emily Davis, Owner/Operator:

I am an Alaskan licensed Preschool-12th grade educator. I have a BA in English, M.Ed. in education, and a special education certificate from the State of Alaska. I grew up in Alaska and have been teaching in rural southeast communities since 2003. During the summer, I teach MAT graduate courses at UAS. My proudest teaching accomplishment happened during my sixth and seventh years in Kake, 100% of my students in grades 7-12 were proficient or advanced in reading on the state exams.

With all of my teaching experience, I believe our communities need more in education. Our children need culturally relevant education that is founded in hands-on, project-based learning with an emphasis in math, science, and literacy. My goal is to open a school for learning that does just that.

The Pacific Learning Center Hours:

Monday-Thursday, 9am to 4:30pm, year-around (open summer & winter months)

Student ages 3-6 will have a choice of half or full day programs.

Students ages 7+ hourly, specialized instruction

What Students will be Learning:

The advanced curriculum of the Pacific Learning Center will focus heavily on math and science based inquiry. Literacy will be incorporated through the math and science foundation. Students will explore concepts through a hands-on, thematic center-based learning approach. Sitka is the ideal location for this sort of learning to happen as there are variety of local resources: UAS science & fisheries program, Sitka Sound Science Center, Sitka Conservation Society, and the US Forest Service just to name a few.

As the school grows, I aim to incorporate second- language instruction. I envision that one day a preschool student at this school will receive half of their instruction in the English language, and half of their instruction in a second language. Research shows that students who receive bilingual instruction early on in life perform better on assessments and have greater knowledge acquisition.

• **The Pacific Learning Center will:**

- Provide an emphasis on math and science foundations in learning
- Utilize hands-on, thematic center-based learning
- Increase literacy using nationally research-based programs
- Partner with the vast local Sitka resources
- Incorporate bilingual, culturally relevant instruction
- Comply with state and federal regulations

To make the Pacific Learning Center a reality, I need a space to lease that is in compliance with city and state requirements/codes. The property located at 205 Harbor Drive will ideally fit this need. It is one of the extremely few commercially zoned properties that has an adequate sprinkler system and three escape exits. The building is on the back side of the central business district and is located in a central area convenient for parents. If the lower VanWinkle's building is approved by City for use with children, then I would very much like to use this space to bring a dynamic and culturally relevant learning program to Sitka.

Davis
Conditional Use Permit
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State of Alaska

Professional Teacher Certificate

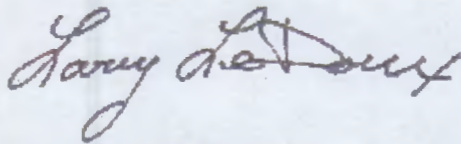
This certificate has been granted to

Emily Davis

in accordance with Alaska Statutes and the Regulations
of the Alaska State Board of Education & Early Development

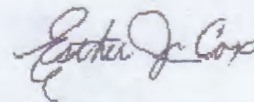
| Endorsement(s) | Grade Levels | Valid From | Until |
|-------------------|--------------|------------|-----------|
| English | GR 7-12 | 6/9/2010 | 8/30/2015 |
| Special Education | PRE K-GR 12 | 6/9/2010 | 8/30/2015 |

***Valid for five (5) years. Renewable. Holder must complete all requirements
for renewal of the Professional Certificate during the life of this Professional Certificate.***



Larry LeDoux, Commissioner

Department of Education & Early Development



Esther J. Cox, Chair

State Board of Education & Early Development

Emily A. Davis

PO Box 252

Kake, AK 99830

(907) 738-1742

emilyann80@yahoo.com

OBJECTIVE

Teaching is a calling that can be done well. I enjoy the company of students and want to share my skills, knowledge and expertise with them. I want to share with them the tools necessary to grow into successful, contributing citizens.

QUALIFICATIONS

- Teach graduate level Education courses for new teachers
- Wrote English Literature & Composition online course for State of Alaska EED
- Development of curriculum for grades 7-12 English that focuses on critical thinking, writing, and reading development
- Certified to teach intensive remedial reading instruction using Lindamood-Bell instructional techniques
- Taught online Secondary English courses using Moodle, Edmodo, & Blackboard
- Highly qualified to teach English, middle school, and special education K-12
- Intense concentration working with ESL students from foreign countries
- FAS/FAE training and classroom practice
- SAT/PSAT practice course development and implementation
- Rural Alaskan native village experience- 10 years
- Assisted in organizing student work and lesson plan design while preparing for a private school accreditation approval from the state of Hawaii
- Daily use of SmartBoard equipment and PowerSchool programs

EDUCATION

1994-1998 Diploma, A.J. Dimond High School Honor grad, Anchorage Alaska

1998-2003 B.A. in English, History minor, 3.3 GPA University of Alaska

2003-2005 Teaching Certificate, Graduate studies, 4.0 GPA, University of Alaska

Fall 2005 ESL strategies and practices, High School of the Pacific

2006-2008 Lindamood-Bell Intensive Reading Intervention Instruction

Spring 2008 M.A. in Secondary Education, 4.0 GPA, University of Alaska

Summer 2008 Special Education License, 4.0 GPA, University of Alaska

AWARDS/HONORS

August 2005 America's Who's Who Teacher Recipient

January 2008 Cambridge Who's Who Recipient

Fall 2010 – Elected to Kake City Council

December 2011 – Kake Outstanding Teacher Award

PUBLICATIONS

Davis, Emily. Achievement in Alaskan Rural Schools – A Detailed Review of Kake City School District (2008). Submitted to University of Alaska Fairbanks.

40 Below: A Journal About Writing and Teaching (2009). Writing contributor.

REFERENCES

Woody Wilson, AKLN Supervisor (907)305-0305 wwilson@wrangellschools.org
Ralph Crosslin, Former Kake Superintendent, (231)313-9215 rcrosslin@nenanalynx.org
Thomas Pennington, UAS Supervisor (906) 715-6908 tdpennington@uas.alaska.edu
Dwayne Davies, Senior Teacher Kake (907)738-3741 daviesdg@yahoo.com
Mary Jean Duncan, Angoon Principal, (907)788-3127 mduncan@chathamisd.org
Eric Gebhart, Former Kake Superintendent, (907)832-5464 supt@nenanasd.org
Bob Love, UAS (907)747-5608 bjmelove@gci.net

I believe that every student can learn.

I believe that as a teacher I need to find each student's learning style and teach to it. I should incorporate various learning skills into each classroom activity.

I believe that every student comes from a culture that should be enjoyed and taught, not hidden in books.

I believe that we should use our Native ways of Knowing to reach our students.

I believe that our parents and our community are our partners.

I believe that students should be in a democratic classroom.

I believe students should have a voice and opinion and that it should be heard.

I believe that everyone makes mistakes. You should be able to learn from them and move on in life knowing those extra hard lessons.

I believe that as a teacher I do not know everything. I can however, give my students the tools they need to learn anything they want.

It is my responsibility to provide a safe and caring environment for each and every student.

I believe that all of this is possible.

Emily Davis, Owner/Operator:

I am an Alaskan licensed Preschool-12th grade educator. I have a BA in English, M.Ed. in education, and a special education certificate from the State of Alaska. I grew up in Alaska and have been teaching in rural southeast communities since 2003. During the summer, I teach MAT graduate courses at UAS. My proudest teaching accomplishment happened during my sixth and seventh years in Kake, 100% of my students in grades 7-12 were proficient or advanced in reading on the state exams.

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The Pacific Learning Center Hours:

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Student ages 3-6 will have a choice of half or full day programs.

Students ages 7+ hourly, specialized instruction

What Students will be Learning:

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I support this business and encourage the City of Sitka to issue an operational permit.



Sitka School District
Matthew J

David Arp
907-738-1343
Eve Arp

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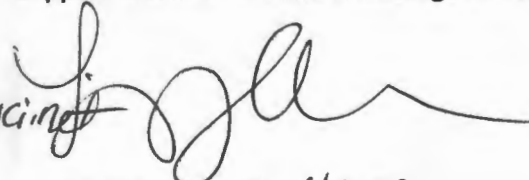
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lisaloud@gcincg

907-230-4095

Westmark Sitka Hotel
Totem Square Hotel + Marina

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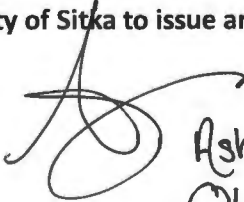
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Ashia Lane
Old Harbor Books

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Janet Keck Love
Janet Keck Love

907 747-5608
bjmelove@gci.net
Sitka School District Teacher

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Ramon. Quintero
738-0350



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I support this business and encourage the City of Sitka to issue an operational permit.

*Christina Righter Cummins Taxi and Tours
738 3079*

Emily Davis, Owner/Operator:

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PETE MEASSENDEZ
Sitka Day Care Owner

407 738-3463

Emily Davis, Owner/Operator:

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AGAVE RESTAURANT

ALEXANDRO MARIAS V.
MANAGER

966-3333

Emily Davis, Owner/Operator:

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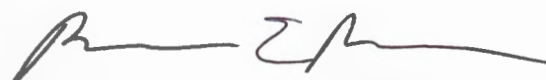
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Brenners

5-02-14

Bonnie E Brenner



747-3468

Emily Davis, Owner/Operator:

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ROBERTSON'S GALLERY + CUSTOM FLAMINGO

Martha Robertson
owner
747-6825

Emily Davis, Owner/Operator:

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Andrew Thomas

Sitka Conservation Society

Emily Davis, Owner/Operator:

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Bayview Pub



Dave Jenks
773-573-0626

Emily Davis, Owner/Operator:

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7-7440

Channel Club

**CITY AND BOROUGH OF SITKA
Planning Commission
Minutes of Meeting
May 20, 2014**

Present: Richard Parmelee (Chair), Darrell Windsor (Member), Cheryl Westover (Member), Debra Pohlman (Member), Wells Williams (Planning Director), Maegan Bosak (Planner I)

Members of the Public: Todd Fleming, Jeremy Twaddle, Tony Conforti, Paul Davis, Shannon Haughland (Sitka Sentinel)

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

Roll Call:

PRESENT: 5 –Spivey, Windsor, Westover, Parmelee, Pohlman

Consideration of the Minutes from the May 6, 2014 meeting:

MOTION: M/S SPIVEY/WESTOVER moved to approve the meeting minutes for May 6, 2014.

ACTION: Motion **PASSED unanimously 4-0** on a voice vote. Pohlman refrained from voting as she was not present at last meeting.

The evening business:

**MINOR SUBDIVISION
PARCEL C, SOUTH BENCHLANDS
SOUND DEVELOPMENT, LLC.**

Public hearing and consideration of a concept plat for a minor subdivision at Parcel C South Benchlands off of Kramer Avenue. The property is on the lower side of Kramer Avenue and above Sand Dollar Drive. The request will create a total of four lots. The request is filed by Sound Development, LLC. The property is also known as Tract A12-11, Whitcomb Heights III Subdivision.

Planning Director Williams reminds Commission of public comment and concern heard at the last Planning Commission meeting regarding drainage. Water is coming from the top of Kramer through the middle of Parcel C. Williams encourages citizens to continue participating in the discussion, however at this time the Commission is only looking at a minor subdivision at the very ends of the parcel.

Commissioner Westover brings up proposed greenbelt. She would like that included in a motion for future development.

Commissioner Parmelee talks about the drainage concerns and how Sound Development is trying to make the problem better than what it is now. He invites Todd Fleming and Jeremy Twaddle to come forward and discuss the final plat.

APPLICANT: Todd Fleming and Jeremy Twaddle, both of Sound Development, LLC., come forward stating there have been no changes to the plan since the last meeting. Twaddle states that follow up motions should wait until the major subdivision process. Commissioner Parmelee agrees. Fleming says Sound Development proposed the greenbelt and will include it in the future development on good faith however it is not required.

PUBLIC COMMENT: Tony Conforti, 104 Sand Dollar Drive, says he appreciates the greenbelt and if that is included in the future plans, he will be "happy as pie."

COMMISSIONER DELIBERATION: Commissioner Spivey commented on how the focus should remain on the minor subdivision as presented. He states land will be sold to the current adjacent property owners in most cases and so there should be no change to the neighborhood.

Commissioner Westover talks that there is a misconception over the greenbelt. No legal requirements.

MOTION: M/S SPIVEY/WESTOVER move to approve a minor subdivision at Parcel C South Benchlands off of Kramer Avenue. The property is on the lower side of Kramer Avenue and above Sand Dollar Drive. The request will create a total of four lots. The request is filed by Sound Development, LLC. The property is also known as Tract A12-III, Whitcomb Heights III Subdivision.

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

MOTION: M/S WESTOVER/WINDSOR move to approve a motion encouraging full participation from property owners in a discussion over drainage and greenbelt issues for any future development of Track C.

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

**VARIANCE REQUEST
LOT 26 GAVAN SUBDIVISION
SAM SMITH**

Public hearing and consideration of a variance request at 1301 Georgeson Loop filed by Sam Smith. The request is to reduce the front setback from 20 feet to 16 feet and reduce the side setback from 8 feet to 5 feet for construction of a new garage. The property is also known as Lot 26 Gavan Subdivision. The owner of record is Sam Smith.

Planner I, Bosak, describes the location of the lot, neighborhood, surrounding properties and variances being requested. The applicant intends to construct a two car garage.

APPLICANT: Sam Smith, applicant, shares that the driveway doesn't go straight into the garage because of wetlands. He didn't want to disrupt the area so instead cars will enter to the side. He foresees no other variances needed.

PUBLIC COMMENT: No public comment.

COMMISSIONER DELIBERATION: No Commissioner questions. Commissioners are in support due to the property side being adjacent to public lands and privacy created by large trees.

MOTION: M/S SPIVEY/WESTOVER move to approve the following findings:

1. That there are special circumstances to the intended use that do not apply generally to the other properties, specifically the presence of wetlands limiting the development options;
2. The variance is necessary for the preservation and enjoyment of a substantial property right of use possessed by other properties but are denied to this parcel, specifically building a garage on the property;
3. That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property nearby parcels of public infrastructure, specifically that Georgeson Loop will not be affected and that side of the lot is publicly owned;
4. That the granting of such a variance will not adversely affect the Comprehensive Plan. It is in line with Comprehensive Plan 2.3.1 *To guide the orderly and efficient use of private and public land in a manner that maintains a small-town atmosphere, encourages a rural lifestyle, recognizes the natural environment, and enhances the quality of life for present and future generations without infringing on the rights of private landowners.*

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

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

**CONDITIONAL USE PERMIT
LOT 1 VANWINKLE SUBDIVISION
EMILY DAVIS**

Public hearing and consideration of a learning center conditional use permit filed by Emily Davis at 205 Harbor Drive. The request is to operate a specialized instruction school in the Central Business District zone. The property is also known as Lot 1 VanWinkle Subdivision. The owner of record is Kirk and Marlene VanWinkle.

Planner I, Bosak, describes request and informs the Commission on the parameters of the central business district zone.

APPLICANT: Paul Davis, for Emily Davis, comes forward to answer questions and explain the request. Davis plans to offer specialized instruction for early learners through a math and science based program. There have been lots of parents and other businesses in support of the idea. They plan to operate the school year around with morning and afternoon sessions. The rented building provides just over 2000 square feet of student useable space and 2800 square

feet total. Plans on having 1-4 staff members depending on enrollment with no more than 25 students.

COMMISSIONER DELIBERATION: Commissioner Spivey has concerns over pick up/drop off safety. He worries about children running in and out of the building. Davis describes sign in and out procedures and how each student must be walked to and from the facility by an adult.

Commissioner Westover says she can see this as an appropriate use in the CBD because it is creating jobs and money being spent.

PUBLIC COMMENT: No public comment.

MOTION: M/S WESTOVER/SPIVEY move to approve the following findings 22.30.160 Required Findings for Conditional Use Permits as outlined by staff:

- 1a. Granting of the conditional use permit will not be detrimental to the public health, safety, and general welfare;
- 1b. Will not adversely affect the established character of the surrounding vicinity, because there is adequate parking;
- 1c. Will not 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 the adjacent parking lot;
2. That 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 Economic Goals and Policies 2.1 *To contribute to a stable, long-term, local economic base*;
3. That all conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced;
4. That 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. That 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, specifically nearby presence of municipality maintained roads;
6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria.

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

MOTION: M/S WESTOVER/POHLMAN move to approve the following findings general approval criteria as outlined by staff:

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;

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, specifically that the school will be open during normal business hours;
5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

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

MOTION: M/S SPIVEY/WESTOVER move to approve the following findings 22.24.010 Conditional Uses as outlined by staff:

- a. Amount of vehicular traffic to be generated and its impacts of the traffic on nearby land uses;
- b. Amount of noise to be generated and its impacts on surrounding land uses;
- c. Odors to be generated by the use and their impacts;
- d. Hours of operation, consistent with hours of operation of adjacent retail uses;
- e. Location along a major or collector street;
- f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario;
- g. Effects on vehicular and pedestrian safety, specifically that parents will walk students into the building, by the statement of the applicant that the parents will walk the students into the building;
- h. Ability of the Police, Fire, and EMS personnel to respond to emergency calls on the site;
- i. Logic of the internal traffic layout, specifically the low 15 mph speed limit;
- j. Effects of signage on nearby uses;
- k. buffers are not appropriate;
- l. Presence of existing or proposed conditional use in a specific location to the goals, policies, and objectives of the Comprehensive Plan, specifically 2.1 Economic Goals and Policies;
- m. Other criteria that surface through public comments or Planning Commission Assembly review, specifically the significant amount of written public support by adjacent businesses.

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

MOTION: M/S SPIVEY/WESTOVER move to recommend approval of a learning center conditional use permit filed by Emily Davis at 205 Harbor Drive with the following conditions. The request is to operate a specialized instruction school in the Central Business District zone. The property is also known as Lot 1 VanWinkle Subdivision. The owner of record is Kirk and Marlene VanWinkle.

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 and in general conformance with the staffing and student ratio as presented.

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 within 9 months and come in front of the Planning Commission for an annual review.
5. The Planning Commission, at its discretion, may schedule an additional public hearing at any time 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 unanimously 5-0 on a voice vote.

PLANNING DIRECTOR'S REPORT: No June 3rd Planning Commission meeting.

PUBLIC COMMENT: No public comment.

ADJOURNMENT:

MOTION: M/S SPIVEY/WESTOVER moved to adjourn at 7:54 pm.

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

Richard Parmelee, Chair

Maegan Bosak, Secretary

STATE OF ALASKA
PIONEER HOME
ALASKA, STATE OF
P.O. BOX 110208
JUNEAU AK 99811

SITKA BAZAAR BUILDING, LLC
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P. O. BOX 458
SITKA AK 99835

CASTLE HILL, LLC
CASTLE HILL, LLC
117 GRANITE CREEK RD, STE 201
SITKA AK 99835

STEPHEN/BONNIE BRENNER
BRENNER, STEPHEN, H./BONNIE, E.
124 LINCOLN ST.
SITKA AK 99835

TROY/VICTORIA DENKINGER
DENKINGER, TROY/VICTORIA
2221 HALIBUT POINT RD
SITKA AK 99835

STEVEN/LINDA ANDERSEN
ANDERSEN, STEVEN/LINDA
216 LINCOLN ST
SITKA AK 99835

VENNEBERG BUILDING, LLC
VENNEBERG BUILDING, LLC
225 HARBOR DRIVE
SITKA AK 99835

BLANCA BLANCA HERNANDEZ
HERNANDEZ, BLANCA
2435 MARIAN BAY CIRCLE
ANCHORAGE AK 99515

STANLEY FILLER
ERNIE'S BAR
FILLER, STANLEY, J.
P.O. BOX 777
SITKA AK 99835

ETHEL/NORMAN/C. STATON
STATON, ETHEL/NORMAN JR.,BARGER, C.
P.O. BOX 829
SITKA AK 99835

KARL/ROBIN STEDMAN
STEDMAN INSURANCE AGENCY
STEDMAN, KARL, E./ROBIN
P.O. BOX 6172
SITKA AK 99835

FRANKLIN BUILDING CORPORATION
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236 LINCOLN ST, STE 107
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KCCR PROPERTIES, LLC
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ORTHODOX CHURCH IN AMERICA
RUSSIAN GREEK MISSION
ORTHODOX CHURCH IN AMERICA
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DIOCESE OF SITKA & ALASKA
DIOCESE OF SITKA & AK, ORTHODOX
CHURCH
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BORLAND, DOUGLAS & OLGA
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KIRK/MARLENE VAN WINKLE
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LUTHERAN CHURCH
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P.O. BOX 598
SITKA AK 99835

**Assembly Mailing
May 30, 2014**

Davis
Conditional Use Permit
205 Harbor Drive



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, June 10, 2014 on the following items:

Public hearing and consideration of a learning center conditional use permit filed by Emily Davis at 205 Harbor Drive. The request is to operate a specialized instruction school in the Central Business District zone. The property is also known as Lot 1 VanWinkle Subdivision. The owner of record is Kirk and Marlene VanWinkle.

Please see the hearing description on back of page. The Assembly may take action on June 10, 2014.

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.

Conditional use permit at 205 Harbor Drive:

The applicant is requesting a conditional use permit for a learning center at 205 Harbor Drive. This would allow the applicant to operate a specialized instruction school in the Central Business District zone. The Business plans to operate year round with no more than 35 students and 1-4 staff depending on enrollment. The learning center will be for students aged 3-6 and operate from 9 am to 4:30 pm. The conditional use permit will be required to have an annual review in front of the Planning Commission to mitigate any concerns.

The CBD Central Business District is designed specifically for concentrated retail, personal and business services of all kinds satisfying residents in one central location. It should further prohibit exclusive residential or industrial uses which would interfere with the development and continuation of its cohesive business purposes.

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P&Z Mailing
May 8, 2014

Davis
Conditional Use Permit
205 Harbor Drive



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

Sitka Planning Commission Agenda

Tuesday, May 20, 2014

Held in Harrigan Centennial Hall

330 Harbor Drive, Sitka, Alaska

7:00pm

- I. CALL TO ORDER AND ROLL CALL
- II. CONSIDERATION OF THE MINUTES FROM May 6, 2014
- III. THE EVENING BUSINESS
 - A. Public hearing and consideration of a final plat for a minor subdivision at Parcel C South Benchlands off of Kramer Avenue. The property is on the lower side of Kramer Avenue and above Sand Dollar Drive. The request will create a total of four lots. The request is filed by Sound Development, LLC. The property is also known as Tract A12-III, Whitcomb Heights III Subdivision.
 - B. Public hearing and consideration of a variance request at 1301 Georgeson Loop filed by Sam Smith. The request is to reduce the front setback from 20 feet to 16 feet and reduce the side setback from 8 feet to 5 feet for construction of a new garage. The property is also known as Lot 26 Gavan Subdivision. The owner of record is Sam Smith.
 - C. **Public hearing and consideration of a learning center conditional use permit filed by Emily Davis at 205 Harbor Drive. The request is to operate a specialized instruction school in the Commercial Business District zone. The property is also known as Lot 1 VanWinkle Subdivision. The owner of record is Kirk and Marlene VanWinkle.**
- IV. PLANNING DIRECTOR'S REPORT
- V. PUBLIC BUSINESS FROM THE FLOOR
- VI. 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 maegan@cityofsitka.com, or faxed to (907) 747-6138. Those with questions may call (907) 747-1814.

Publish: May 12 and 14