

POSSIBLE MOTION

I MOVE TO approve Ordinance 2014-01 on
second and final reading.

MEMORANDUM

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

From: Maegan Bosak, Planner I MB

Subject: Ordinance 2014-01 Zoning Map Amendment for Scott Saline at 424 Katlian Avenue

Date: January 20, 2014

The Sitka Planning Commission is recommending approval of a zoning map amendment to rezone Lot 50, Block 1, U.S. Survey 2542 A&B, Sitka Indian Village from R-1 Residential to WD Waterfront. The board's recommendation was made during their December 17, 2013 meeting on a 4-0 vote.

The fifteen hundred (1500) square foot parcel is located on the upland side of Katlian Avenue between Sitka Sound Seafoods and Murray Pacific.

The rezoning would expand the waterfront district from the channel side of Katlian Avenue across to the upland side of the road. Other properties on Katlian Avenue have made similar rezoning requests including Sitka Tribe of Alaska in January of 2013 in order to build new office building.

The R-1 Residential district is intended for single family or duplex residential dwellings while WD Waterfront is intended for commerce, tourism, commercial or industrial enterprises which derive major economic or social benefit from a waterfront location. The Waterfront district is much more lenient and applicable to almost any use.

The applicant owns the parcel across the street, on the channel side, at 417 Katlian Avenue. Mr. Saline has gone through multiple public processes to purchase tidelands, replat and receive a variance on the lot. One condition of the variance, approved in February of 2013, was that he had to secure parking for his proposed restaurant. By rezoning this very small parcel, he could fulfill the requirement of two parking spaces.

The residents of Sitka Indian Village have, in the past, been against the more lenient WD zoning wanting to preserve the neighborhood feel. However multiple rezone requests have gone through in the last couple years with people understanding the economic importance of the waterfront area.

There were public comments on the request, two against, included in your packet.

RECOMMENDED ACTION: Approve the ordinance.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2014-01

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA AMENDING THE OFFICIAL SITKA ZONING MAP TO REZONE LOT 50, BLOCK 1, U.S. SURVEY 2542 A&B, SITKA INDIAN VILLAGE FROM R-1 SINGLE-FAMILY AND DUPLEX RESIDENTIAL TO WD WATERFRONT

BE IT ENACTED by the Assembly of the City and Borough of Sitka, Alaska as follows:

1. CLASSIFICATION. This ordinance is of a permanent nature and is intended to be a part of the Sitka General Code of the City and Borough of Sitka, Alaska.

2. SEVERABILITY. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person and circumstances shall not be affected thereby.

3. PURPOSE. The purpose of this ordinance is to expand the WD Waterfront district from the channel side of Katlian Avenue across to the upland side of the road encompassing Lot 50, Block 1, U.S. Survey 2542 A&B, Sitka Indian Village. The rezoning is consistent with the goals and policies of the 2007 Sitka Comprehensive Plan.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the official zoning map is amended to rezone Lot 50, Block 1, U.S. Survey 2542 A&B, Sitka Indian Village from R-1 Single-Family and Duplex Residential to WD Waterfront.

Appendix A is attached showcasing expanded map parcel.

5. EFFECTIVE DATE. This ordinance shall become effective on the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 28th day of January, 2014.

Mimi McConnell, Mayor

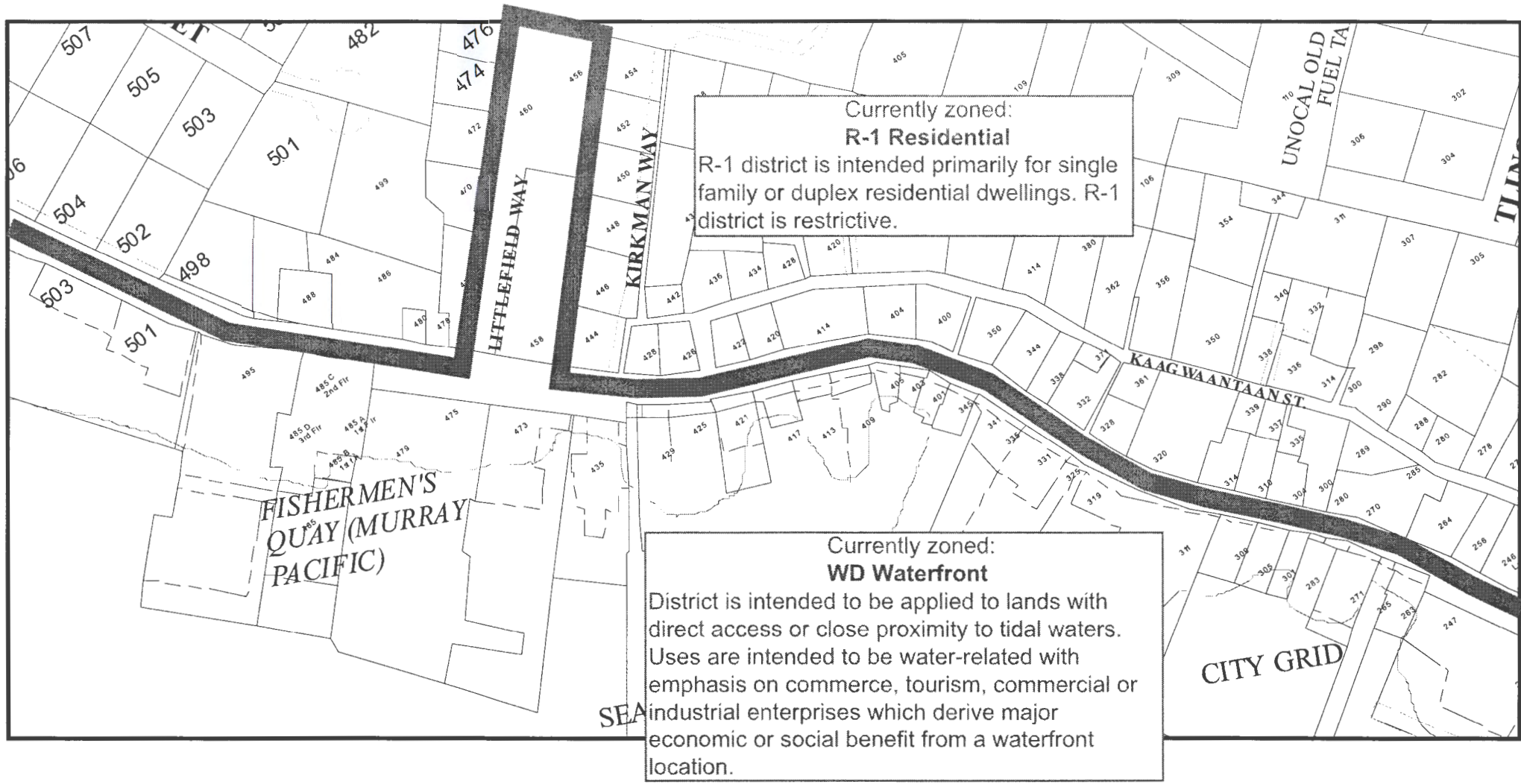
ATTEST:

Sara Peterson, CMC
Municipal Clerk

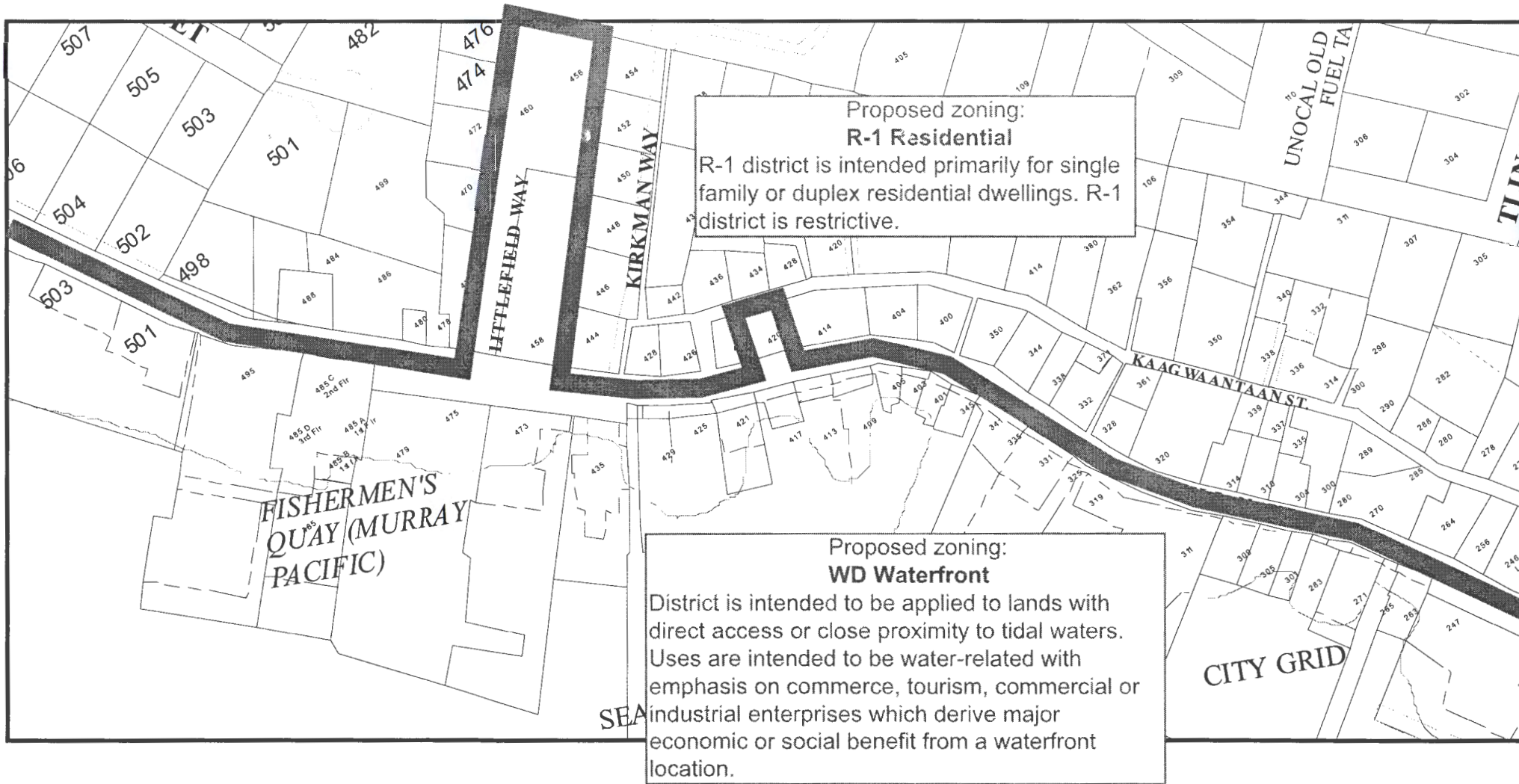




Saline
Zoning Map Amendment
424 Katlian Avenue



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**CITY AND BOROUGH OF SITKA
Planning Commission
Minutes of Meeting
January 15, 2013**

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

Members of the Public: Scott Saline, Stephen Weatherman (Municipal Engineer), Boyd Didrickson, Leo Gernandt, John Baird, Garry White, Tom Hess (Sitka Daily Sentinel)

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

Consideration of the Minutes from the January 2, 2013 meeting:

MOTION: M/S WESTOVER/WINDSOR moved to approve the meeting minutes for January 2, 2013

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

The evening business:

**VARIANCE REQUEST
417 KATLIAN AVENUE
SCOTT SALINE**

Public hearing and consideration of a variance request filed by Scott Saline. This is for a reduction in the front setback from 20 feet to 13 feet and a relative north side setback to zero feet for a drive-through/restaurant and future processing structure. The property is also known as Lot 31 Block 4 US Survey 2542.

Planner Henshaw reviewed this request stating that there is now a Plan A, which would require a 13 foot front setback and no side setbacks due to the code 22.20.035 notes to Table 22.20-1 #12 and a Plan B which would not require any setback and would allow one vehicle at a time for the drive-through. There are three structures; concrete will be poured as a deck; a condition should be made with the motion that this variance be contingent upon purchase of the tidelands, and a written agreement with Mr. Didrickson for the property across the street for parking.

Planning Director Williams clarified that the Code is not clear as to how many parking spaces is required but Staff recommended two off street parking spaces.

APPLICANT: Scott Saline came forward. He said that Plan A would be the safer plan; Plan B crimps future plans; and that he needs parking across the street. He confirmed that the Plan B has the trailer 20 feet from the front property line. He stated that he needs one parking space for every six people sitting.

PUBLIC COMMENT: Planner Henshaw summed up Kris Calvin, General Manager for Fisherman's Quay's comments via email which were mostly asking Code questions.

Mr. Weatherman, Municipal Engineer gave the applicant the format for the vehicle turning radius. Plan B is no more or less dangerous as any other areas along Katlian Avenue.

Planning Director Williams explained the municipal parking along Katlian Avenue and commented that there are a large number of parking lots along Katlian Avenue that are in the R-1 zone. It is more the norm than the exception. These parking lots have not created much negative impacts. They have not gone through the conditional use process and this one would be consistent with the excepted pattern.

Leo Gernandt at 420 Katlian Avenue came forward. He is in favor of this variance. Parking across the street is a great idea and it will not infringe on the Justice Center even though the parking spots are not theirs. He may work for Mr. Saline. Plan B has issues with traffic.

John Baird at 713 Katlian Avenue came forward. The parking across the street made sense as does Plan A. This will generate jobs, Katlian already has a lot of traffic and people have to be understanding, and this will not add to the congestion.

Commissioner's deliberated.

Mr. Didrickson verbally confirmed that he will enter into an agreement with Mr. Saline for parking.

MOTION: M/S PARMELEE/WINDSOR moved to approve a variance request filed by Scott Saline at 417 Katlian Avenue for a 13 foot front setback for a drive-through/restaurant and future processing structure which is in general conformance with Plan A as submitted. The property is also known as Lot 31 Block 4 US Survey 2542 with the following conditions:

1. The variance would only take effect upon the successful acquisition of 478 square feet of Municipal tidelands;
2. That Katlian Street not be blocked at any time by the patrons;
3. That a parking arrangement to secure parking on the upland side of Katlian Street is acquired prior to the commencement of the project; and
4. That the traffic flow be from outbound to inbound on Katlian Street (west to east) and that the access to the drive up window from vehicles going outbound on Katlian Street be prohibited.

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

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

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

1. There are special circumstances for the intended use that do not generally apply to other properties specifically the small size of the parcel;
2. The variance is necessary for the preservation of a substantial property right in that it is difficult to create a business on such a small parcel without the setback reductions;

3. The granting of the variance will not be materially detrimental to public health, safety, welfare or injurious to public infrastructure by virtue of the restrictions on traffic flow; and
4. That the granting of the variance will not adversely affect the comprehensive plan and supports 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** on a voice vote.

**MINOR SUBDIVISION
4530 SAWMILL CREEK ROAD
CITY AND BOROUGH OF SITKA**

Public hearing and consideration of a concept plat for a minor subdivision with a modification to an existing access easement at 4530 Sawmill Creek Road filed by the City and Borough of Sitka. The property is also known as Lot 9 and 12 Sawmill Cove Industrial Park Resubdivision No. 1.

Planner Henshaw reviewed this request stating that this takes Lot 9 and break it into three properties and accounts for the access easement which is more like a right-of-way.

APPLICANT: Garry White came forward informing the Board that there was a grant to pave the park in which DOT required this access easement so this plat cleans up the lines. Breaking Lot 9 into three means they can lease or sell them separately. Mr. White confirmed that the shaded areas are the bulk water easements.

PUBLIC COMMENT: Mr. Weatherman, Municipal Engineer came forward explaining that this is cleaning up the parcels to adjust for the access easement from where it was originally planned.

No motion was made since it is a concept plat. It will be back at the next Planning Commission meeting.

**MINOR SUBDIVISION
4640 SAWMILL CREEK ROAD
CITY AND BOROUGH OF SITKA**

Public hearing and consideration of a concept plat for a minor subdivision 4640 Sawmill Creek Road filed by the City and Borough of Sitka. The property is also known as Lot 16 Sawmill Cove Industrial Park Resubdivision No. 1.

Planner Henshaw reviewed this request stating that this Lot 16 will be broke into two parcels.

APPLICANT: Garry White came forward stating that Lot 16B will be selling to Silver Bay Seafoods which has a dilapidated building on it. Lot 16A will be used to store rock from the dam project.

PUBLIC COMMENT: None.

No motion was made since it is a concept plat. It will be back at the next Planning Commission meeting.

**INTRODUCTION/DISCUSSION
ACCESSORY DWELLING UNITS (ADU)
SITKA ECONOMIC DEVELOPMENT ASSOCIATION (SEDA)**

Introduction and discussion of a proposed zoning text amendment on accessory buildings to allow Accessory Dwelling Units (ADU) proposed by Sitka Economic Development Association (SEDA).

Planning Director Williams reviewed this request stating that ADU's are basically apartments that are over detached garages and makes them allowable in residential zones. The stipulations on these includes a minimum of a 90 day rental, not allowed on access easements, owner occupied, no more than two bedrooms, one per parcel, and must include a parking plan.

APPLICANT: Garry White came forward stating that last year during the economic forum; affordable housing came out as one of the top issues. High density is the key to solve this issue. Setback are still required and maximum building coverage. SEDA's opinion would be to strike B under requirements. Since loaning on the stipulation of the owner occupying is not doable. Planning Director Williams pulled B off the purpose clause but stated that the common ground be that both units must be rented longer than 90 days. Westover suggested a conditional use permit for this. An accessory structure can only be 16 feet in height so that may need to be raised to 20 feet. Chair Twaddle commented that it makes all zoning in residential area less restrictive.

PUBLIC COMMENT: None.

No motion was made on this item since it was only an introduction and discussion item. It will be put on the agenda for the next Planning Commission meeting.

PLANNING DIRECTOR'S REPORT: Planning Director Williams informed the Board that the next meeting is February 5. He updated the Board on the Assembly short-term rentals and monitoring them. He also told of the new aerial images that are planned on being acquired. Planner Henshaw clarified for Commissioner Westover the timeline of materials and meetings.

PUBLIC BUSINESS FROM THE FLOOR: None.

ADJOURNMENT

MOTION: M/S WESTOVER/SPIVEY to adjourn at 9:07 pm.

ACTION: Motion PASSED unanimously on a voice vote.

Jeremy Twaddle, Chair

Melissa Henshaw, Secretary

Maegan Bosak

From: Gregory Killinger [gregandlisa@gci.net]
Sent: Thursday, December 26, 2013 10:02 PM
To: maegan@cityofsitka.com
Subject: City Letter regarding proposed Zone amendment 424 Katlian Ave

To: City of Sitka and Planning Commission

Subject: Proposed Zoning Amendment at 424 Katlian Avenue

From: Greg and Melissa Killinger, 106 Erler Street

Date: December 26, 2013

We received a letter from the City and Borough of Sitka regarding a proposed zoning map amendment at 424 Katlian Avenue, along with the Planning Commission agenda for November 19 which included this proposal.

Unfortunately, this letter and zoning proposal was not even mailed out to us until the end of November after the meeting. I hope further correspondence on proposed zoning changes in our area will be timely and allow for appropriate response and input. Note: We were also out of town the last week of November and first week of December, so the combination of the late notice and our time away prevented timely comment on this.

We did not hear the outcome of the meeting, but want to state that we do not support this proposed zoning change from R-1 Residential to WD waterfront.

The proposed change would introduce a new and abnormal encroachment above Katlian Avenue of non-residential zoning into the Residential zoned properties in this area. It is not appropriate for the area and can only elevate the often objective commercial activity and noise that neighbors in this area already have to put up with being along the currently consistent border (Katlian road) of commercially zoned waterfront properties.

We hope this proposal was not approved.

Sincerely,

Greg and Lisa Killinger

Maegan Bosak

From: Robert Ginn [retcgav8r@gmail.com]
Sent: Sunday, December 15, 2013 2:47 PM
To: maegan@cityofsitka.com
Cc: Sheryl; Bob Ginn
Subject: WD Zoning Amendment

To: Sitka Planning Commission

We oppose expansion of the Waterfront zone (WD) across Katlian Avenue to the upland side, at 424 Katlian Avenue or anywhere else. The existing WD lies immediately adjacent to residences in the R-1 zone lying upland of Katlian Avenue. Industrial noises from the WD already are detrimental to the quality of life of nearby residents. Increasing the size of the zone is not in the best interests of those living nearby.

We have written numerous letters to Sitka Sound Seafoods about the noise generated at the plant. While there has been some improvement, their operation continues to generate noise at an annoying level, even though it complies fully with the definition of a Waterfront zone.

To allow the WD to encroach into the present R-1 zone would be absurd.

Thank you,

/s/

Robert Ginn Sheryl Ginn

105 Erler St., 747-6775, 738-6775

P.S. We would have responded earlier but just recently returned home after an extended absence for medical procedures.

CITY AND BOROUGH OF SITKA

PLANNING DEPARTMENT
ZONE CHANGE APPLICATION

ZONE MAP AMENDMENT FEE	\$100.00
ZONE TEXT AMENDMENT FEE	\$100.00
<i>Plus</i> current city sales tax	

Applicant's Name: Scott Saline
Phone Number: 907 238 2889
Mailing Address: PX 3183
Applicant's Signature: [Signature] Date Submitted 10/31/13

Provide information or data, as necessary, to fully outline the reasons and justifications for the request. Attach additional sheets as necessary.

- For official map amendments, the application shall contain:
1. A legal description of **each** subject property along with the owner's name, address, and contact person for **each** subject property;
 2. An analysis showing the public benefit of the proposed amendment;
 3. An analysis showing the proposal's consistency with the Comprehensive Plan;
 4. A map of the area to be rezoned.

LIST SPECIFIC REQUEST: CHANGE 424 KATLIAN
to WATERFRONT

EXPLANATION OF REQUEST: to coincide with tribal
property being rezoned to
waterfront to promote employment
IN INDIAN VILLAGE ON KATLIAN
Street

After the application and supporting materials has been a Planning Office, the request will be placed on the next avail.

Saline
Zoning Map Amendment
424 Katlian Avenue



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, January 14, 2014 on the following items:

Public hearing and consideration of a zoning map amendment by Scott Saline at 424 Katlian Avenue. The request is to rezone the parcel from R-1 Residential to WD Waterfront. The zoning would expand the waterfront district on the channel side of Katlian Avenue across to the upland side of the road. The property is also know as Lot 50, Block 1, U.S. Survey 2542 A&B, Sitka Indian Village.

Please see the hearing description on back of page. The Assembly may take action on January 14, 2013.

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.

Zoning map amendment at 424 Katlian Avenue:

The applicant is requesting a zoning map amendment to change the zoning from R-1 Residential to WD Waterfront. R-1 Residential is intended primarily for single-family and duplex homes while WD Waterfront is for commerce, tourism, commercial or industrial enterprises which derive a major economic or social benefit from a waterfront location.

While the Waterfront zoning is open to a variety of uses, this lot is limited due to the small size. The applicant has expressed that the intent of the parcel is for two parking spaces servicing his future restaurant at 417 Katlian Avenue.



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

Sitka Planning Commission Agenda

Tuesday, December 17, 2013

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 December 3, 2013
- III. THE EVENING BUSINESS
 - A. Public hearing and consideration of a final plat for a minor subdivision at Parcel A South Benchlands off of Kramer Avenue. The property is on the upland side of Kramer Avenue past Jacobs Circle. The request is filed by Sound Development, LLC. The property is also known as Tract A14-III, Whitcomb Heights III Subdivision.
 - B. Public hearing and consideration of a final plat for a minor subdivision at Parcel B South Benchlands off of Kramer Avenue. The property is on the upland side of Kramer Avenue past Jacobs Circle. The request is filed by Sound Development, LLC. The property is also known as Tract A13, Whitcomb Heights Subdivision.
 - C. **Public hearing and consideration of a zoning map amendment by Scott Saline at 424 Katlian Avenue. The request is to rezone the parcel from R-1 Residential to WD waterfront. The zoning would expand the waterfront district on the channel side of Katlian Avenue across to the upland side of the road. The property is also known as Lot 50, Block 1, U.S. Survey 2542 A&B, Sitka Indian Village.**
- 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: December 9, December 11



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

Sitka Planning Commission Agenda

Tuesday, November 19, 2013

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 November 5, 2013
- III. THE EVENING BUSINESS
 - A. Public hearing and consideration of a proposed zoning text amendment on accessory dwelling units (ADU) SGC 22.20.160 to limit the number of parking spaces required for a lot containing an ADU to three (3) spaces. Two spaces would continue to be required for the house on the lot. The accessory dwelling unit would be required to have one parking space. Currently two off street parking spaces are required for an ADU. Proposed by City and Borough of Sitka.
 - B. Public hearing and consideration of a variance filed by Brian Schmidt at 4321 Valhalla Drive. The request is for a reduction of the front setback from 20 feet to 0 feet for an addition of a carport. The property is also known as Lot 1, C.C.W. Estates. The property owner of record is James Swift.
 - C. **Public hearing and consideration of a zoning map amendment by Scott Saline at 424 Katlian Avenue. The request is to rezone the parcel from R-1 Residential to WD waterfront. The zoning would expand the waterfront district on the channel side of Katlian Avenue across to the upland side of the road. The property is also known as Lot 50, Block 1, U.S. Survey 2542 A&B, Sitka Indian Village.**
 - D. Public hearing and consideration of a variance request filed by David Longtin at 711 Biorka Street. The request is for a reduction in the front setback from 20 feet to 10 feet to allow for construction of a new workshop/garage. The property is also known as all of Lot 6 of Block 23, according to U.S. Survey 1474, Tract A. The owner of record is Michael LaGuire.
 - E. Public hearing and consideration of a concept plat for a zero lot line subdivision at 603 Indian River Road. The request is filed by Jerome Mahoskey. The property is also known as Lot 4, Indian River Land Subdivision, a subdivision of a portion of Lots 2 and 3, U.S. Survey No. 3695.
 - F. Public hearing and consideration of a concept plat for a minor subdivision at Parcel A South Benchlands off of Kramer Avenue. The property is on the upland side of Kramer Avenue past Jacobs Circle. The request is filed by Sound Development, LLC. The property is also known as Track A14-III, Whitcomb Heights III Subdivision.
 - G. Public hearing and consideration of a concept plat for a minor subdivision at Parcel B South Benchlands off of Kramer Avenue. The property is on the upland side of Kramer Avenue past Jacobs Circle. The request is filed by Sound Development, LLC. The property is also known as Track A13, Whitcomb Heights Subdivision.
- IV. PLANNING DIRECTOR'S REPORT
- V. PUBLIC BUSINESS FROM THE FLOOR
- VI. ADJOURNMENT

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Publish: November 11, November 13

ELAINE STRELOW
STRELOW, ELAINE
P.O. BOX 1896
SITKA AK 99835

GRAY FAMILY TRUST

GRAY FAMILY TRUST
P.O. BOX 575
SITKA AK 99835

ALASKA STATE BUILDING AUTHORITY
LOW INCOME HOUSING
ASHA
404 LAKE ST
SITKA AK 99835

NORTH PACIFIC SEAFOODS, INC.

NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

SCOTT SALINE

SALINE, SCOTT
P.O. BOX 3183
SITKA AK 99835

HARRY JIMMY
JIMMY'S BOAT SHOP
JIMMY, HARRY
P.O. BOX 986
SITKA AK 99835

KITKA ESTATE
KITKA,D/A/H WALTERS, E
KITKA ESTATE% KITKA,D/THIEMEYER,M
380 KOGWANTON ST
SITKA AK 99835

MARYANN/ERIC CALVIN TRUST
FISHERMENS QUAY
CALVIN FAMILY TRUST
P.O. BOX 807
SISTERS OR 97759

ALEX ANDREWS
% PETERS, IDA DAWSON
ANDREWS, ALEX
P.O. BOX 733
SITKA AK 99835

ANN/CAROLYN ARMSTRONG/WICHMAN
SMITH,NORMAN & WALTER
ARMSTRONG, ANN/WICHMAN, CAROLYN
P.O. BOX 1034
SITKA AK 99835

BARANOF ISLAND HOUSING AUTHORITY

BARANOF ISLAND HOUSING AUTHORITY
245 KATLIAN AVE
SITKA AK 99835

ADRIANNE CARLSON

CARLSON, ADRIANNE
332 KOGWANTON ST
SITKA AK 99835

UNION OIL CO.
ATTN: TAX DIVISION
UNION OIL CO.
P.O. BOX 285
HOUSTON TX 77001

MARIA DIAZ

DIAZ, MARIA
362 KOGWANTON ST
SITKA AK 99835

MARIA GUTHRIE

GUTHRIE, MARIA
380 KOGWANTON ST
SITKA AK 99835

JOHN PETRABORG

PETRABORG, JOHN, L.
231 KATLIAN AVE, #A-7
SITKA AK 99835

GERALD DIDRICKSON

DIDRICKSON, GERALD, E.
P.O. BOX 900
SITKA AK 99835

TIMOTHY/TAMMY MEARS

MEARS, TIMOTHY, A./TAMMY
P.O. BOX 1156
SITKA AK 99835

BARANOF ISLAND HOUSING AUTHORITY
BIHA
BARANOF ISLAND HOUSING AUTHORITY
245 KATLIAN AVE
SITKA AK 99835

SONYA HOFFAY

HOFFAY, SONYA
P.O. BOX 6048
SITKA AK 99835

LAWRENCE/AGNES WIDMARK

WIDMARK, LAWRENCE & AGNES
444 KATLIAN AVE
SITKA AK 99835

VIOLET WILLIS

WILLIS, VIOLET
416 KOGWANTON ST
SITKA AK 99835

JUDITH BRADY

BRADY, JUDITH, A.
450 KATLIAN AVE
SITKA AK 99835

ROBERT/SHERYL GINN

GINN, ROBERT, A./SHERYL, G.
105 ERLER ST.
SITKA AK 99835

BOYD DIDRICKSON

DIDRICKSON, BOYD
215 KOGWANTON ST
SITKA AK 99835

GEORGE ANDERSON

ANDERSON, GEORGE
P.O. BOX 704
SITKA AK 99835

JACOB PAYENNA

PAYENNA, JACOB, S.
448 KATLIAN AVE
SITKA AK 99835

DAVID KITKA ESTATE

KITKA, DAVID SR., ESTATE OF
436 KOGWANTON ST
SITKA AK 99835

LILA KIRKMAN ESTATE
% RICK PADEN
KIRKMAN ESTATE, LILA
103 PETER SIMPSON RD
SITKA AK 99835

JOHNNIE JOHN ESTATE
% STA
JOHN, JOHNNIE ESTATE
456 KATLIAN AVE
SITKA AK 99835

BERTRAND KIRKMAN
C/O RICK PADEN
KIRKMAN, BERTRAND
103 PETER SIMPSON RD
SITKA AK 99835

MARGARET MCVEY
C/O MARCIA BRADLEY
MCVEY, MARGARET, ESTATE OF
9403 149TH ST.CT. NW
GIG HARBOR WA 98329

ANNE JOHNSON
JOHNSON, ANNE, H.
452 KATLIAN AVE
SITKA AK 99835

LILA KIRKMAN
RICK PADEN
KIRKMAN ESTATE, LILA
103 PETER SIMPSON RD
SITKA AK 99835

PHOEBE BRUMFIELD
BRUMFIELD, PHOEBE
2071 SE ERWIN RD
PORT ST. LUCIE FL 34952-5521

SITKA TRIBE OF ALASKA
SITKA TRIBE OF ALASKA
456 KATLIAN AVE
SITKA AK 99835

THE SITKA TRIBE OF ALASKA
SITKA TRIBE OF ALASKA
456 KATLIAN AVE
SITKA AK 99835

CAROL PETERS
PETERS, CAROL, MARIE
3500 GOLIAD RD, LOT 279
SAN ANTONIO TX 78223

BAE/JENNIFER OLNEY-MILLER
OLNEY-MILLER, BAE/JENNIFER
505 O'CAIN AVE
SITKA AK 99835

TERRANCE/DANA/J LITTLEFIELD
LITTLEFIELD, TERRANCE/DANA/JOHN III
P.O. BOX 2336
SITKA AK 99835

JUDITH HOWARD
HOWARD, JUDITH, L.
468 KATLIAN AVE
SITKA AK 99835

ISAAC/JESSICA CLARK
CLARK, ISAAC & JESSICA
454 KATLIAN AVE
SITKA AK 99835

BARBARA BORGEN
BORGEN, BARBARA, J.
P.O. BOX 183
SITKA AK 99835

Assembly Mailing
January 3, 2014

Saline
Zoning Map Amendment
424 Katlian Avenue

ELAINE STRELOW

STRELOW, ELAINE
P.O. BOX 1896
SITKA AK 99835

NORTH PACIFIC SEAFOODS, INC.

NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

KITKA ESTATE
KITKA,D/A/H WALTERS, E
KITKA ESTATE% KITKA,D/THIEMEYER,M
380 KOGWANTON ST
SITKA AK 99835

ANN/CAROLYN ARMSTRONG/WICHMAN
SMITH,NORMAN & WALTER
ARMSTRONG, ANN/WICHMAN, CAROLYN
P.O. BOX 1034
SITKA AK 99835

UNION OIL CO.
ATTN: TAX DIVISION
UNION OIL CO.
P.O. BOX 285
HOUSTON TX 77001

JOHN PETRABORG

PETRABORG, JOHN, L.
231 KATLIAN AVE, #A-7
SITKA AK 99835

BARANOF ISLAND HOUSING AUTHORITY
BIHA
BARANOF ISLAND HOUSING AUTHORITY
245 KATLIAN AVE
SITKA AK 99835

VIOLET WILLIS

WILLIS, VIOLET
416 KOGWANTON ST
SITKA AK 99835

BOYD DIDRICKSON

DIDRICKSON, BOYD
215 KOGWANTON ST
SITKA AK 99835

DAVID KITKA ESTATE

KITKA, DAVID SR., ESTATE OF
436 KOGWANTON ST
SITKA AK 99835

GRAY FAMILY TRUST

GRAY FAMILY TRUST
P.O. BOX 575
SITKA AK 99835

SCOTT SALINE

SALINE, SCOTT
P.O. BOX 3183
SITKA AK 99835

MARYANN/ERIC CALVIN TRUST
FISHERMENS QUAY
CALVIN FAMILY TRUST
P.O. BOX 807
SISTERS OR 97759

BARANOF ISLAND HOUSING AUTHORITY

BARANOF ISLAND HOUSING AUTHORITY
245 KATLIAN AVE
SITKA AK 99835

MARIA DIAZ

DIAZ, MARIA
362 KOGWANTON ST
SITKA AK 99835

GERALD DIDRICKSON

DIDRICKSON, GERALD, E.
P.O. BOX 900
SITKA AK 99835

SONYA HOFFAY

HOFFAY, SONYA
P.O. BOX 6048
SITKA AK 99835

JUDITH BRADY

BRADY, JUDITH, A.
450 KATLIAN AVE
SITKA AK 99835

GEORGE ANDERSON

ANDERSON, GEORGE
P.O. BOX 704
SITKA AK 99835

LILA KIRKMAN ESTATE
% RICK PADEN
KIRKMAN ESTATE, LILA
103 PETER SIMPSON RD
SITKA AK 99835

ALASKA STATE BUILDING AUTHORITY
LOW INCOME HOUSING
ASHA
404 LAKE ST
SITKA AK 99835

HARRY JIMMY
JIMMY'S BOAT SHOP
JIMMY, HARRY
P.O. BOX 986
SITKA AK 99835

ALEX ANDREWS
% PETERS, IDA DAWSON
ANDREWS, ALEX
P.O. BOX 733
SITKA AK 99835

ADRIANNE CARLSON

CARLSON, ADRIANNE
332 KOGWANTON ST
SITKA AK 99835

MARIA GUTHRIE

GUTHRIE, MARIA
380 KOGWANTON ST
SITKA AK 99835

TIMOTHY/TAMMY MEARS

MEARS, TIMOTHY, A./TAMMY
P.O. BOX 1156
SITKA AK 99835

LAWRENCE/AGNES WIDMARK

WIDMARK, LAWRENCE & AGNES
444 KATLIAN AVE
SITKA AK 99835

ROBERT/SHERYL GINN

GINN, ROBERT, A./SHERYL, G.
105 ERLER ST.
SITKA AK 99835

JACOB PAYENNA

PAYENNA, JACOB, S.
448 KATLIAN AVE
SITKA AK 99835

JOHNNIE JOHN ESTATE
% STA
JOHN, JOHNNIE ESTATE
456 KATLIAN AVE
SITKA AK 99835

BERTRAND KIRKMAN
C/O RICK PADEN
KIRKMAN, BERTRAND
103 PETER SIMPSON RD
SITKA AK 99835

MARGARET MCVEY
C/O MARCIA BRADLEY
MCVEY, MARGARET, ESTATE OF
9403 149TH ST. CT. NW
GIG HARBOR WA 98329

ANNE JOHNSON

JOHNSON, ANNE, H.
452 KATLIAN AVE
SITKA AK 99835

LILA KIRKMAN
RICK PADEN
KIRKMAN ESTATE, LILA
103 PETER SIMPSON RD
SITKA AK 99835

PHOEBE BRUMFIELD

BRUMFIELD, PHOEBE
2071 SE ERWIN RD
PORT ST. LUCIE FL 34952-5521

SITKA TRIBE OF ALASKA

SITKA TRIBE OF ALASKA
456 KATLIAN AVE
SITKA AK 99835

THE SITKA TRIBE OF ALASKA

SITKA TRIBE OF ALASKA
456 KATLIAN AVE
SITKA AK 99835

CAROL PETERS

PETERS, CAROL, MARIE
3500 GOLIAD RD, LOT 279
SAN ANTONIO TX 78223

BAE/JENNIFER OLNEY-MILLER

OLNEY-MILLER, BAE/JENNIFER
505 O'CAIN AVE
SITKA AK 99835

TERRANCE/DANA/J LITTLEFIELD

LITTLEFIELD, TERRANCE/DANA/JOHN III
P.O. BOX 2336
SITKA AK 99835

JUDITH HOWARD

HOWARD, JUDITH, L.
468 KATLIAN AVE
SITKA AK 99835

ISAAC/JESSICA CLARK

CLARK, ISAAC & JESSICA
454 KATLIAN AVE
SITKA AK 99835

BARBARA BORGEN

BORGEN, BARBARA, J.
P.O. BOX 183
SITKA AK 99835

Planning & Zoning Mailing
December 6, 2013

Saline
Zoning Map Amendment
424 Katlian Avenue

ELAINE STRELOW
STRELOW, ELAINE
P.O. BOX 1896
SITKA AK 99835

GRAY FAMILY TRUST
GRAY FAMILY TRUST
P.O. BOX 575
SITKA AK 99835

ALASKA STATE BUILDING AUTHORITY
LOW INCOME HOUSING
ASHA
404 LAKE ST
SITKA AK 99835

NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

SCOTT SALINE
SALINE, SCOTT
P.O. BOX 3183
SITKA AK 99835

HARRY JIMMY
JIMMY'S BOAT SHOP
JIMMY, HARRY
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WILLIS, VIOLET
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KITKA, DAVID SR., ESTATE OF
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BORGEN, BARBARA, J.
P.O. BOX 183
SITKA AK 99835

*Heather Saline
via email*

Planning & Zoning Mailing
November 8, 2013

Saline
Zoning Map Amendment
424 Katlian Avenue

CITY AND BOROUGH OF SITKA
Planning Commission
Minutes of Meeting
December 17, 2013

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

Absent: Debra Pohlman (Member)

Members of the Public: Jeremy Twaddle, Todd Fleming, Nancy Yaw Davis, Scott Saline, Stephen Weatherman (Municipal Engineer), Tom Heese (Sitka Sentinel)

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

Roll Call:

PRESENT: 4 – Parmelee, Westover, Windsor, Spivey

Consideration of the Minutes from the December 3, 2013 meeting:

MOTION: M/S WESTOVER/SPIVEY moved to approve the meeting minutes for December 3, 2013.

ACTION: Motion **PASSED unanimously 4-0** on a voice vote.

The evening business:

**FINAL PLAT MINOR SUBDIVISION
PARCEL A SOUTH BENCHLANDS TRACT A14-III, WHITCOMB HEIGHTS III SUBDIVISION
SOUND DEVELOPMENT, LLC**

Public hearing and consideration of a final plat for a minor subdivision at Parcel A South Benchlands off of Kramer Avenue. The property is on the upland side of Kramer Avenue past Jacobs Circle. The request is filed by Sound Development, LLC. The property is also known as Tract A14-III, Whitcomb Heights III Subdivision.

Planning Director Williams summarizes the minor subdivision applications. Staff report will encompass both Agenda A and B items. Williams showcases parcels on map. This is the 3rd meeting to flush out issues and take public comment. Williams shares the history- work on the Benchlands properties has gone back over 6 years. Land planning exercise with Bob Droll, including a series of public meetings to create a plan for Whitcomb Heights. Williams reviews the public's views on how the land was to be designated. Tract A & B have evolved - were originally intended to be multi-family housing. Sound Development, LLC. submitted the development plan entailing the best use was single family or minor subdivisions. Development scenario has fewer driveways, homes and parking, therefore the effect on drainage is much less. Parcel A plat shown and reviewed. Lot sizes are much larger than required. Reviews parcel sizes. Municipal Engineer Weatherman wanted drainage evaluation, Sound Development brought forward 2008 USKH study. Weatherman wanted the evaluation to follow the new

Stormwater Management Plan. Applicants submitted a drainage evaluation. Williams highlights drainage evaluation. If flows exceed 20 cubic feet per second or greater, than Weatherman would like to see a drainage easement. Fleming's calculation shows 5 feet per second. Proposed subdivisions show a development pattern with less impact. Planning Office will propose approval with two conditions 1. binding plat note that no lot in the subdivision may be subdivided in the future. 2. informational plat note recommended by Weatherman that the future property owners may be required to install pressure reducing valves. Commissioner Westover asks about the subdivision process- would the splitting of a lot require the whole thing to go back through the major subdivision process? Williams responds no. CBS states that only four lots can access on an easement.

APPLICANT: Todd Fleming and Jeremy Fleming of Sound Development, LLC. come forward. Nothing has changed from the first few meetings. Commissioner Westover asks about price of the lots. Twaddle hopes to get lots on the market by early summer 2014. Lots have been flagged. Williams describes staff visit to confirm flagging. Staff asked Sound Development, LLC. to add an additional flag, which was promptly completed.

PUBLIC COMMENT: Municipal Engineer Weatherman comes forward and talks about drainage evaluation. He says rates aren't as low as reported. Calculations were not correct. The way Sound Development has approached the evaluation is correct but wrong rainfall data. Weatherman points out large flow on the edge of Parcel B and asks for an easement on the edge of parcel. Ditch may need to be designed somewhat differently but other areas are not an issue. Private development isn't typically inspected by Public Works. Weatherman is confident that drainage and ditching on Kramer Avenue is sufficient for the load. The City doesn't have beneficiary, maintenance or responsibility on the easements. Williams points out Grace Harbor drainage easement and issues regarding maintenance. Public Works required easement however no one knows who is responsible for maintenance. Commissioner Windsor clarifies that drainage is not a requirement. Weatherman states that Public Works will be bringing code change to the Planning Commission in the future, to make a drainage evaluation a requirement of the subdivision code. Code will clarify the information and process. Weatherman is stating again that this is a suggestion only and that this is heading in the right direction. Williams discusses "unsolveables" and the cost to the developers and City. Commissioner Spivey asks about rainfall data, didn't Sound Development get the information from Weatherman? Weatherman responds yes, but they used the wrong table of data. Weatherman isn't saying they are going to require more, but in previous studies data was gathered incorrectly. Weatherman talks about other communities standards for drainage plans. Commissioner Spivey also asks about why Public Works is questioning this when they are going to do exactly what the City had done in Jacobs Circle. Weatherman states because there is new data. Weatherman suggests a possible solution is a drainage easement. Commissioners feel that Sound Development, LLC. has done more drainage studies than any other minor subdivision. Weatherman says that this is why many minor subdivisions around town have drainage problems.

Nancy Yaw Davis asks questions about the process. She states that potential future buyers of the property must know the land. Maps need to be available. Williams points out the different parcels and the sale plan. Davis says that Parcel D was not clear in the material. Davis talks about the crosstrail. Williams showcases how the trail is changing or relocating. Davis is concerned that Commissioners haven't done everything they need to in order to make an informed decision. Nancy Yaw Davis can't find the flags. Williams states that flagging exceeds

code. Commissioner Westover states that the plan has already been vetted through the Assembly. Davis again speaks to the flagging. Davis discusses parcel C. Possible human occupation 8,000 -10,000 years ago. Prehistoric artifacts and she would love to volunteer.

COMMISSIONER DELIBERATION: Commissioner Windsor brings up the proposed easement along parcel b. Twaddle discusses drainage and preexisting flow. He states that the flow that these subdivisions are going to add is miniscule. Overall impact is small. Commissioner Windsor asks if Sound Development, LLC. is open to the easement or not? Fleming talks about drainage on the lot. Fleming respectfully disagrees with Weatherman regarding the calculations. Fleming will grant an easement prior to sale if needed. Commissioner Westover asks if it can be a condition so the commission doesn't have to revisit. Commissioner Spivey says it's just going to make development more expensive. Commissioner Westover appreciated all the extra effort. Williams makes summary comments: flagging was done well in advance and Sound Development, LLC. agreed to public site visits. He states this is the most extensive minor subdivision process, he has ever seen. Requirements are far and above what has required for previous minor subdivisions.

MOTION: M/S WINDSOR/SPIVEY move to approve a final plat for a minor subdivision at Parcel A South Benchlands off of Kramer Avenue with the following conditions. The property is on the upland side of Kramer Avenue past Jacobs Circle. The request is filed by Sound Development, LLC. The property is also known as Tract A14-III, Whitcomb Heights III Subdivision.

1. Regulatory plat note stating: No lot in the subdivision may be subdivided in the future.
2. Informational plat note stating: Property owners may be required by the Municipality to install pressure reducing valves prior to the construction of any structure on the lots in this subdivision.

ACTION: Motion **PASSED unanimously 4-0** on a voice vote.

**FINAL PLAT MINOR SUBDIVISION
PARCEL B SOUTH BENCHLANDS TRACT A13, WHITCOMB HEIGHTS SUBDIVISION
SOUND DEVELOPMENT, LLC**

Public hearing and consideration of a final plat for a minor subdivision at Parcel B South Benchlands off of Kramer Avenue. The property is on the upland side of Kramer Avenue past Jacobs Circle. The request is filed by Sound Development, LLC. The property is also known as Tract A13, Whitcomb Heights Subdivision.

MOTION: M/S SPIVEY/WESTOVER move to approve a final plat for a minor subdivision at Parcel B South Benchlands off of Kramer Avenue, with the following conditions. The property is on the upland side of Kramer Avenue past Jacobs Circle. The request is filed by Sound Development, LLC. The property is also known as Tract A13, Whitcomb Heights Subdivision.

1. Regulatory plat note stating: No lot in the subdivision may be subdivided in the future.
2. Informational plat note stating: Property owners may be required by the Municipality to install pressure reducing valves prior to the construction of any structure on the lots in this subdivision.

3. Developer will record a 10 foot wide drainage easement if drainage evaluation calculations are above 20 cubic feet/per second.

ACTION: Motion **PASSED unanimously 4-0** on a voice vote.

**ZONING MAP AMENDMENT
LOT 50, BLOCK 1, U.S. SURVEY 2542 A&B, SITKA INDIAN VILLAGE
SCOTT SALINE**

Public hearing and consideration of a zoning map amendment by Scott Saline at 424 Katlian Avenue. The request is to rezone the parcel from R-1 Residential to WD Waterfront. The zoning would expand the waterfront district on the channel side of Katlian Avenue across to the upland side of the road. The property is also known as Lot 50, Block 1, U.S. Survey 2542 A&B, Sitka Indian Village.

Williams reviews case. He shows current zoning in Sitka Indian Village and recent change from R-1 to WD for Sitka Tribe of Alaska building. Williams gives brief history of Indian Village and how residents in the past have opposed zone change. The area is full of non-conformances. Changing the zoning allows more use in an area that is an economic driver. Planner 1, Bosak, reads public comment letter, from Ginn, in opposition. Letter sites noise as the main issue. Bosak reminds Commission of variance approved in January 2013 with the condition that parking be obtained.

APPLICANT: Scott Saline comes forward, explains that the area use to be zoned R-2, prior to R-1. Culture of resistance based on how City government has taken things away and then let them go. Both of applicant's properties were restricted deed properties. Area is the key to Sitka's economic future. People are giving up on the commercial aspects of the lots. More money out at the mill, but Saline...

Commissioner Westover calls point of order - Saline going in all different directions.

Saline states that this will continue to be an issue as more parcels would like this change.

Williams points out Ginn residence on map. Issue of noise doesn't appear to be a concern.

PUBLIC COMMENT: No public comment.

COMMISSIONER DELIBERATION: Commissioner Windsor states that parking doesn't make much noise. He states precedence was set last year when the Commission approved rezone for Sitka Tribe of Alaska. Commissioner Spivey, agrees, sees no problem with rezone as parking is not noisy. Commissioner Westover doesn't want a mini junkyard that would look awful. She is concerned that the parcel will have the rights of waterfront and not just be for parking. Chair Parmelee has no problem with request, applicant is trying to use the property for what the Board recommended. Williams reminds Board that it will have all the rights of a waterfront zone. He goes on to discuss all the waterfront type uses on Katlian Avenue. Staff supports this going to waterfront zone. Commissioner Windsor points out that the area is currently zoned R-1 and there are current junkyards and debris. Enforcement is the issue. Williams states that the parcel is small and even the liberal uses defined under waterfront district limits the build out. Due to the parcel size there is no option to be a seafood processor or any other business. Parcel is 32 feet by approximately 32 feet. The parcel has to have room for two parking spaces. Commissioner

Spivey understands Commissioner Westover's concerns regarding the junkyard appearance but feels it is not the issue that the Commission is being asked to decide on. Commissioners ask about other properties along Katlian Avenue that are being used for parking. Williams speaks on restricted deeds and how local codes don't have zoning authority over restricted deed properties. Parking does not have to be rezoned in those instances.

MOTION: M/S SPIVEY/WINDSOR move to recommend approval of a zoning map amendment by Scott Saline at 424 Katlian Avenue. The request is to rezone the parcel from R-1 Residential to WD Waterfront. The zoning would expand the waterfront district on the channel side of Katlian Avenue across to the upland side of the road. The property is also known as Lot 50, Block 1, U.S. Survey 2542 A&B, Sitka Indian Village.

ACTION: Motion **PASSED unanimously 4-0** on a voice vote.

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

1. The rezoning is consistent with other uses on the upland side of Katlian Avenue;
2. Consistent with Comprehensive Plan 2.5.2, *To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas.*

ACTION: Motion **PASSED unanimously 4-0** on a voice vote.

PLANNING DIRECTOR'S REPORT: Williams describes "unsolvables" and the discussion that will take place starting in January. At the first meeting we will talk about the zoning and subdivision codes. Purpose is to discuss issues without obvious solutions. Codes go back to common land law.

ADJOURNMENT:

MOTION: M/S SPIVEY/WESTOVER moved to adjourn at 8:35 pm.

ACTION: Motion **PASSED unanimously 4-0** on a voice vote.

Richard Parmelee, Chair

Maegan Bosak, Secretary

CITY AND BOROUGH OF SITKA
Planning Commission
Minutes of Meeting
November 19, 2013

Present: Richard Parmalee (Chair), Chris Spivey (Member), Darrell Windsor (Member), Cheryl Westover (Member), Wells Williams (Planning Director), Gail Johansen Peterson (Contract Secretary).

Members of the Public:

James Swift, Brian Schmidt, Steven Weatherman (City Engineer), David Longtin, Jerome Mahoskey, Don McKinnon, Roslyn Dailey, Jeremy Twaddle, Todd Flemming, Shannon Haugland (Daily Sitka Sentinel).

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

Roll Call:

PRESENT: 4 – Parmalee, Spivey, Windsor, Westover

Consideration of the Minutes from the November 5, 2013 meeting:

MOTION: M/S Spivey/Windsor to approve the meeting minutes for November 5, 2013.

ACTION: Motion **PASSED unanimously 4-0** on a voice vote.

The evening business:

Public Hearing and consideration of a proposed zoning text amendment on accessory dwelling units (ADU) was moved to the end of the agenda to accommodate those present for other items on the agenda.

VARIANCE REQUEST
4321 VALHALLA DRIVE
BRIAN SCHMIDT

Public hearing and consideration of a variance request filed by Brian Schmidt at 4321 Valhalla Drive. The request is for a reduction in the front setback from 20 feet to 0 feet for an addition of a carport. The property is also known as Lot 1, C.C.W. Estates. The property owner of record is James Swift.

Planning Director Williams introduced and reviewed the request utilizing slides to show the actual rights of way versus the platted cul de sac, which was not developed and is unlikely to ever be developed to SGC standards. Instead, there are single driveways to access properties. A variety of hardships regarding this lot exist as the terrain slopes at the back and north side of the lot, with extreme elevation changes. Prior variances granted for this lot were reviewed. The request is to reduce the front setback for the construction of a carport, with a bedroom above. Mr. Williams provided details and additional views.

CITY ENGINEER:

Steven Weatherman, Municipal Engineer, reviewed the City's standard recommendation for a structure to be set back a minimum of a 19 foot parking length in front of the property line to allow for sufficient parking. Mr. Weatherman answered Commissioner's questions. The standard recommendation of 19 feet for additional parking was considered in the context of this property's unique features.

APPLICANT:

Brian Schmidt, builder, and James Swift, property owner, described the project to the Commission. It was emphasized the construction is for a carport, not a garage. The result will clean up the property as it will remove a temporary carport. Additional images and descriptions of the property and project were provided. Commissioner questions were answered.

COMMISSIONER DELIBERATION:

Commissioners familiar with the neighborhood spoke to the difficulty of ever developing a cul de sac at the end of Valhalla Drive due to the elevation changes in the area terrain.

Commissioner Westover stated her reluctance to ever approve a front set back to the property line; however, with the particular circumstances of this property and the unlikelihood that there will be further development in the area, she is able to make an exception for situations like this request as it won't interfere with other residents' living conditions.

PUBLIC COMMENT: None.

MOTION: M/S Westover/Windsor to approve the variance filed by Brian Schmidt at 4321 Valhalla Drive. The request is for a reduction of the front setback from 20 feet to 0 feet for an addition of a carport. The property is also known as Lot 1, C.C.W. Estates. The property owner of record is James Swift.

ACTION: Motion **PASSED unanimously 4-0** on a voice vote.

Planning Director Williams recommended findings in support of the approved variance.

MOTION: M/S Spivey/Westover to approve findings in support of the approved variance:

1. There are special circumstances that do not generally apply to other properties in the vicinity. Specifically, it is an irregularly shaped lot; secondly, the lot is severely disadvantaged by the slope on the north side of the property, which makes approximately one-third of the parcel, which is already irregularly shaped, unusual;
2. The variance is necessary for the preservation and enjoyment of a substantial property right, specifically there is no other place on the property that can accommodate a carport or garage, which is a customary use for residential properties;
3. The granting of the variance will not materially be detrimental to public welfare or injurious to the properties in the area, or public infrastructure; specifically, while the set back is a set back reduction to zero, the carport does allow for the accommodation of the mandatory off street parking, and there is no foreseeable circumstance through which the Valhalla Drive cul de sac in that location will be further improved;
4. The granting of the variance will not adversely affect the comprehensive plan (2.3.1), to guide the orderly and efficient use of private land in a manner that maintains a small town atmosphere.

ACTION: Motion **PASSED unanimously 4-0** on a voice vote.

Planning Director Williams noted the variance will be effective in ten days, unless that variance is appealed within the ten days.

**ZONING MAP AMENDMENT R-1 TO WD
424 KATLIAN AVENUE
SCOTT SALINE**

Public hearing and consideration of a zoning map amendment by Scott Saline at 424 Katlian Avenue.

Planning Director Williams recommended postponing this item to the end of the meeting to allow the applicant to be present. The Chair so ordered.

**VARIANCE REQUEST
711 BIORKA STREET
DAVID LONGTIN**

Public hearing and consideration of a variance request filed by David Longtin at 711 Biorka Street. The request is for a reduction in the front setback from 20 feet to 10 feet to allow for construction of a new workshop/garage. The property is also known as all of Lot 6 of Block 23, according to U.S. Survey 1474, Tract A. The owner of record is David Longtin.

Planning Director Williams introduced and reviewed the request utilizing slides to show the parcel and explain the need for the variance. The submitted site plan was described. Images were viewed and the applicant, David Longtin, explained it is necessary to modify his site plan slightly as DOT denied a driveway permit from Sawmill Creek Road. It was noted the property is unique in that it has two front set backs, one off Sawmill Creek Road and the other off Biorka Street.

CITY ENGINEER: Steven Weatherman, Municipal Engineer, stated there are no objections or issues.

APPLICANT: David Longtin, introduced himself and explained he has recently purchased the lot from Michael LaGuire. He described the project and answered Commissioner and staff questions.

PUBLIC COMMENT: None.

COMMISSIONER DELIBERATION:

Commissioners had no objections or concerns and could agree with the property owner's request.

MOTION: M/S Westover/Windsor to approve a variance request filed by David Longtin at 711 Biorka Street. The request is for a reduction of the front setback from 20 feet to 10 feet along the Sawmill Creek side to allow for construction of a new workshop garage. The structure will be required to comply with the maximum height allowed by code. The property is also known as all of Lot 6, of Block 23, according to U.S. Survey 1474, Tract A. The owner of record is Dave Longtin.

ACTION: Motion **PASSED unanimously 4-0** on a voice vote.

Planning Director Williams recommended findings in support of the approved variance.

MOTION: M/S Westover/Spivey to approve findings in support of the approved variance:

1. There are special circumstances that do not generally apply to other properties. Specifically, the property has two front set backs and the set back adjacent to Sawmill Creek Road is 20 feet instead of the standard 10 feet for wider portions of the highway frontage;

2. The variance is necessary for the preservation of a substantial property right, specifically to allow for a garage and storage structure;
3. The granting of the variance will not materially be detrimental to public welfare or injurious to other properties in the vicinity, or public infrastructure; specifically, while the workshop will be 10 feet from the Sawmill Creek Road right of way, it will not adversely affect the Sawmill Creek Road right of way due to the prohibition by the State of Alaska to access the road;
4. The granting of the variance will not adversely affect the comprehensive plan, specifically Comprehensive Plan Policy 2.4.1 to encourage diverse housing types and densities.

ACTION: Motion PASSED unanimously 4-0 on a voice vote.

**CONCEPT PLAT
603 INDIAN RIVER ROAD
JEROME MAHOSKEY**

Public hearing and consideration of a concept plat for a minor subdivision at 603 Indian River Road. The request is filed by Jerome Mahoskey. The property is also known as all of Lot 4, Indian River Land Subdivision, a subdivision of a portion of Lots 2 and 3, US Survey No. 3695.

Planning Director Williams introduced the concept plat for a zero lot line. Since this is a concept plat, at this stage it does not have to be designed by a registered land surveyor. The applicant has been advised about the importance of measurements prior to sinking the foundation and the final approval. Details about the zero lot line design were provided, showing the effect of the wetlands on the property. Staff is unaware of any issues with the proposal and considers this a good, decent property.

APPLICANT: Jerome Mahoskey, applicant, stated the project is to construct a simple zero lot line with three bedrooms, two and a half baths and one car garage. The applicant answered a Commissioner's question about the corner that abuts the wetlands, stating the lot is fully developed.

CITY ENGINEER: Steven Weatherman, Municipal Engineer, stated there is enough space in the front for parking. Since it hasn't been surveyed, it is recommended the applicant consult with the Corps of Engineers as this falls under their jurisdiction.

PUBLIC COMMENT: None.

COMMISSIONER DELIBERATION:

Commissioner Westover supported the Municipal Engineer's recommendation to consult with the Corps.

MOTION: M/S Spivey/Westover to approve a concept plat for a minor subdivision at 603 Indian River Road with the condition that documentation will be provided that the Corps of Engineers were consulted and there is verbal documentation from the Corps that the plan has been reviewed and there are no issues. The request is filed by Jerome Mahoskey. The property is also known as all of Lot 4, Indian River Land Subdivision, a subdivision of a portion of Lots 2 and 3, US Survey No. 3695.

ACTION: Motion PASSED unanimously 4-0 on a voice vote.

**CONCEPT PLAT
PARCEL A SOUTH BENCHLANDS OFF OF KRAMER AVENUE
SOUND DEVELOPMENT, LLC**

Public hearing and consideration of a concept plat for a minor subdivision at Parcel A South Benchlands off of Kramer Avenue. The property is on the upland side of Kramer Avenue past Jacobs Circle. The request is filed by Sound Development, LLC. The property is also known as Tract A14-III, Whitcomb Heights III Subdivision.

Planning Director Williams introduced the concept plat and provided background information on the property development. Two public hearings will be held in the concept phase and final public hearings will be held on each of the final subdivision plats to allow for all public comments to be provided. If the public is unable to provide comment at this hearing due to the inclement weather, the public is invited to submit written comment prior to the next hearing on December 3, 2013. Details of the subdivision development were provided and images were viewed. Severe terrain constraints were identified. Sound Development, LLC partners have agreed to provide an opportunity for members of the public to walk through the property. The surrounding land is either public land or land acquired by Sound Development, LLC (Tracts A, B, and C). The stated commitment from Sound Development, LLC to the City was noted. Tract A would develop three lots of about 19,000 square feet each. The Cross Trail Plan will shift the current path of the Cross Trail closer to the lot lines. Subdivision codes for road grades were reviewed.

CITY ENGINEER: Steven Weatherman, Municipal Engineer, stated in general there is no problem with the subdivision layout. The main concern will be how steep the access road will be and what type of road section the applicant plans. It will need to be carefully reviewed for how steep it will be and if there is drainage on the side. There is also a significant drainage upland that drains through these properties. It is recommended the applicant perform a drainage evaluation (showing how much flow comes through and how it will be routed) using the current municipal standards and guidelines. The newly drafted storm water management plan should be utilized. A copy of the previous study for the benchlands is available, which clearly shows the drainage basins through the property. However the data on rainfall, for instance, is not accurate. Better information is available now. Municipal Engineer Weatherman acknowledged the City has already found it necessary to retrofit the upstream ditch on Kramer due to frequent wash outs. The overall developer of the property has capability to manage the flow through the properties, whereas an individual house developer would not know how to manage the drainage basin on an individual lot without passing the problem to the next lower lot. To avoid such a consequence, the onsite design needs to collect the flow and bring it through the area safely.

APPLICANT: Sound Development, LLC partners Jeremy Twaddle and Todd Flemming stated the project is to develop the highest and best use of the property. The applicant affirmed staff comments regarding the existing Cross Trail and the planned straightening of the trail along the property line (it will have a steady grade of 14 – 15%). Applicants answered Commissioners' questions about the trail, road grade and drainage. Planner Williams affirmed the City has allowed a parking area for public access to the trail in the developed right-of-way. The applicant anticipates leaving public access to Cross Trail from the current parking area. The applicant has been given the legal easement to continue down through Kramer.

PUBLIC COMMENT: None.

COMMISSIONER DELIBERATION:

No Commissioner action is needed. Another public hearing will be advertised for December 3, 2013.

**CONCEPT PLAT
PARCEL B SOUTH BENCHLANDS OFF OF KRAMER AVENUE
SOUND DEVELOPMENT, LLC**

Public hearing and consideration of a concept plat for a minor subdivision at Parcel B South Benchlands off of Kramer Avenue. The property is on the upland side of Kramer Avenue past Jacobs Circle. The request is filed by Sound Development, LLC. The property is also known as Tract A13, Whitcomb Heights Subdivision.

Planning Director Williams stated there is not much to add to what has already been stated for Parcel A. The Cross Trail access from this property was compared to the proposed access. The size of this lot is smaller than the other, with the bulk of the drainage continuing on from the existing drainage ditch on the upland side of Kramer Avenue, going down toward Jacobs Circle and continuing to Halibut Point Road.

CITY ENGINEER: Steven Weatherman, Municipal Engineer, stated the layout of the subdivision is appropriate development for this property. This parcel has much larger upstream flow into the property. It is very important for the applicant to evaluate the upstream flows and if necessary come up with an easement for it or a facility to be constructed. Commissioners' questions were answered.

APPLICANT: Sound Development, LLC partners Jeremy Twaddle and Todd Flemming affirmed they have reviewed the existing drainage study and some of that will be utilized as relevant to their proposal for a less densely developed area.

PUBLIC COMMENT: None.

COMMISSIONER DELIBERATION:

No Commissioner action is needed. Another public hearing will be advertised for December 3, 2013.

ZONING AND SUBDIVISION TEXT AMENDMENTS

Public hearing and consideration of a proposed zoning and subdivision text amendment on accessory dwelling units (ADU) SGC 22.20.160 to limit the number of parking spaces required for a lot containing an ADU to three (3) spaces. Two spaces would continue to be required for the house on the lot. The accessory dwelling unit would be required to have one parking space. Currently two off street parking spaces are required for an ADU. Proposed by City and Borough of Sitka.

Planning Director Williams reviewed the proposed zoning and subdivision text amendment on accessory dwelling units (ADU) to reduce the off street parking requirement for ADU's from two to one. The amendments were proposed to the Administrator by a couple of Assembly members. Planning Director Williams elaborated on the proposal and concerns of the Assembly in high density neighborhoods.

PUBLIC COMMENT: None.

COMMISSIONER DELIBERATION:

Commissioner Westover stated the amendment was not necessary. Commissioners discussed the proposed amendment. Commissioner Spivey recalled that variances would not be issued on ADU's. Commissioners discussed the proposed amendment regarding parking for ADU's. Commissioners acknowledged ADU's are intended for larger lots and this is facilitated by requiring two parking spaces.

MOTION: M/S Westover/Windsor to recommend the minimum of two parking spaces for ADU's remains unchanged and the Planning Commission opposes the request to reduce the number of off street parking spaces for ADU's from two to one.

ACTION: Motion PASSED unanimously 4-0 on a voice vote.

Commissioners supported the recommendation with the following rationale:

1. The City cannot control the number of cars utilized by residents of ADU's.
2. ADU's are not intended for use in dense areas.
3. It is unrealistic that ADU's will be located in downtown areas.
4. Recommend revisiting ADU structure to make ADU's conditional uses.

ZONING MAP AMENDMENT R-1 TO WD

424 KATLIAN AVENUE

SCOTT SALINE

Public hearing and consideration of a zoning map amendment by Scott Saline at 424 Katlian Avenue. The request is to rezone the parcel from R-1 Residential to WD waterfront. The zoning would expand the waterfront district on the channel side of Katlian Avenue across to the upland side of the road. The property is also known as Lot 50, Block 1, US Survey 2542 A & B, Sitka Indian Village.

Planning Director Williams recommended rescheduling this item to the December 3, 2013 meeting if the applicant commits to be present. The Chair observed the applicant would have found his request favorably received by Commissioners present at this evening's meeting.

PLANNING DIRECTOR'S REPORT:

Planning Director Williams recommends beginning in January 2014 adding a forty-five minute work session to the end of each agenda to discuss the "unsolvable's", concerns that always come up yet remain unsolved, such as the Katlian Street zoning. This will facilitate transmission of knowledge regarding past City planning (&/or lack thereof) for future Planners and Commissioners. Planning Director Williams observed retirement is not that far off, and knowledge imparted during the work sessions are parting gifts. At each work session a few topics will be discussed in depth, with other topics and issues identified.

Ground rules for the work sessions:

1. open-ended discussion among Commissioners with no public comment;
2. limited to 45 minutes at the end of the meeting;
3. simple solution(s) can be proposed;
4. does not require additional staff time.

Topics brainstormed for discussion in the workshop format:

1. Katlian Street zoning
2. Parking Requirements
3. Trailers/Mobile Home Codes
4. Junk Yards
5. Enforcement
6. Variances

Work sessions will follow the Planning Director's report.

PUBLIC BUSINESS FROM THE FLOOR: None.

Chair Parmelee informed Commissioners he will be absent from the December 3, 2013 meeting.

Vice Chair Spivey will preside at the next meeting, December 3, 2013.

ADJOURNMENT

MOTION: M/S Windsor/Westover to adjourn at 8:55pm.

ACTION: Motion PASSED unanimously on a voice vote.

Richard Parmelee, Chair

Gail Johansen Peterson, Contract Secretary