

City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

MEMORANDUM

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

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

Subject: Stromquist- Outdoor Restaurant/Portable Structure Conditional Use Permit

Date: June 22, 2015

The Planning Commission is recommending approval of a conditional use permit request for operation of an outdoor restaurant/portable structure filed by Ayla Stromquist at 200 Lincoln Street. Action on this item was taken at the June 16, 2015 Planning Commission meeting. The recommendation to approve the request with conditions, based on the following findings, passed unanimously 4-0.

Ms. Stromquist is requesting a conditional use permit to operate an outdoor restaurant/portable structure in a private alleyway between the Log Cache and the Cellar. The portable structure will be serving pelmeni and pierogies for 6-7 days per week, May through October, during lunch hours and 11 pm to 2 am on Friday/Saturday nights. All food is purchased frozen and reheated on site in compliance with DEC requirements. CBS code permits mobile food carts but registered trailers or vehicles require a conditional use permit.

The Planning Commission discussed a number of issues including hours of operation, noise from customers and generators as well as the intent of the Central Business District zone. A condition placed on the motion requires a sound muffling box be placed over the generators to lessen noise, raised from concerns by one residential neighbor and property owner. Comments both for and against the request are included in your packets.

The Central Business District, CBD, 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.

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

Recommendation: Approve the recommended request with the following conditions and findings.

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

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

MOTION: M/S SPIVEY/WINDSOR moved to approve that this finding can be met.

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

- b. Adversely affect the established character of the surrounding vicinity, *specifically the business will add to the downtown area and eating options in Sitka;*

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

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

- c. Nor be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located; *specifically that the late hours are an inconvenience to some residential renters but should not stop a commercial use which is primary to the Central Business District.*

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

COMMISSIONER DISCUSSION: Some commissioners felt that the food stand could cause problems for the neighboring property owner's use of the property as a residential rental property.

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

2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan and any implementing regulation; *specifically 2.5.2 To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas.*

MOTION: M/S SPIVEY/WINDSOR moved to approve that this finding can be met.

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

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced; *specifically with reference to the condition that the planning commission can call a public hearing to mitigate concerns.*

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

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

4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard, *specifically that the food stand is heating up pre-cooked food, and complies with all DEC requirements.*

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

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

5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

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

6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

MOTION: M/S POHLMAN/SPIVEY moved to approve that this finding can be met.

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

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

The general approval criteria are as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

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

2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;

MOTION: M/S POHLMAN/SPIVEY moved to approve that this finding can be met.

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

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

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

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

4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements; specifically that the CBD is intended to have commercial activity and this request is in line with other businesses such as bars and restaurants which have late hours in the same area.

MOTION: M/S SPIVEY/WINDSOR moved to approve that this finding can be met.

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

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

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

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

COMMISSIONER DISCUSSION: Commissioners discussed recommended conditions, and decided to add a condition regarding a sound-reducing box over the generators.

MOTION: M/S POHLMAN/SPIVEY moved to re-examine whether finding c is met given the proposed additional condition.

ACTION: Motion PASSED 4-0 on a voice vote,

c. *Nor be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located; specifically that the late hours are an inconvenience to some residential renters but should not stop a commercial use which is primary to the Central Business District.*

MOTION: M/S WINDSOR/POHLMAN moved to approve that this finding can be met.

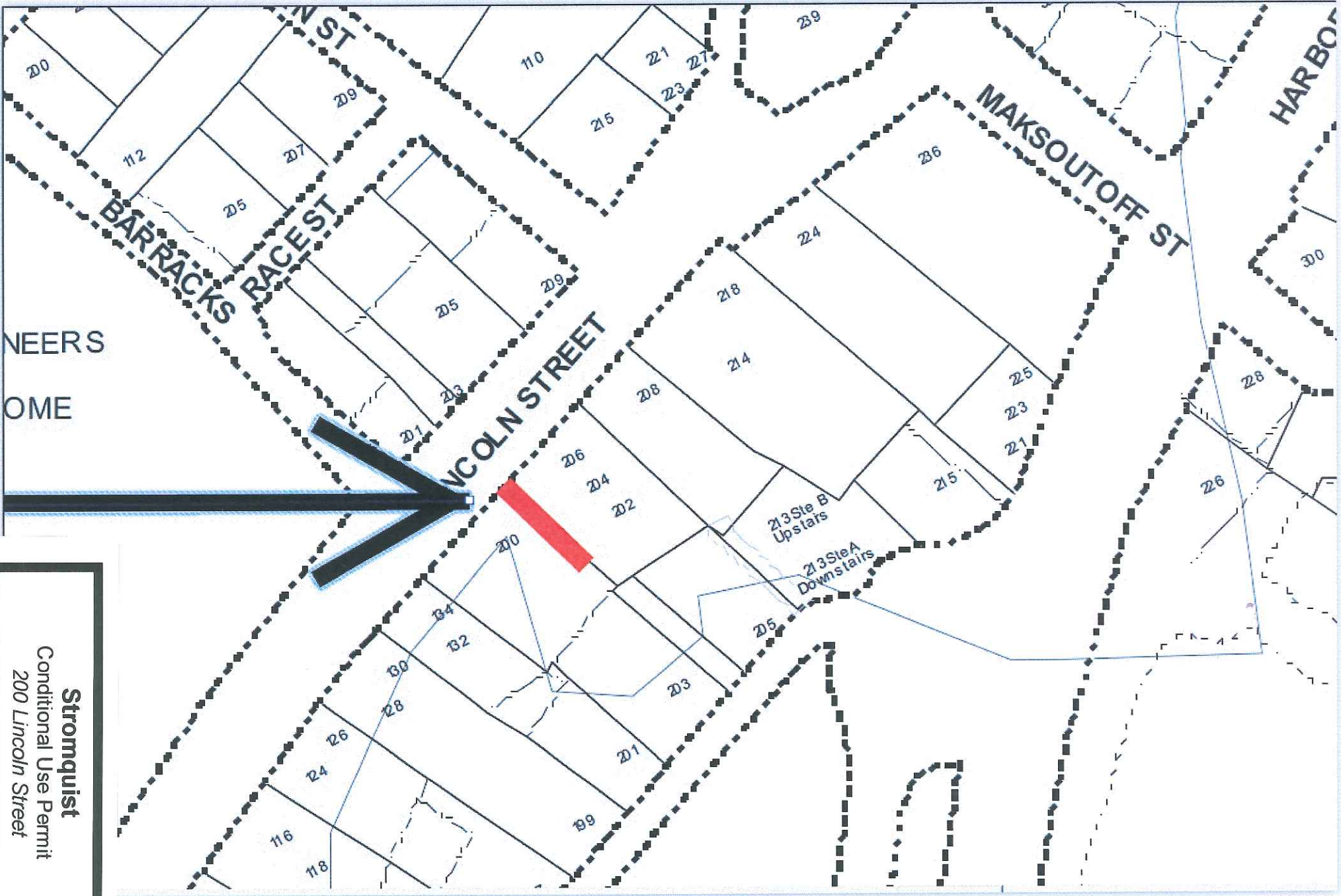
COMMISSIONER DISCUSSION: Both commissioners who had voted that the finding originally was not met, before the conditions were discussed, confirmed that they felt the conditions addressed issues related to this finding, and made them confident it could now be met.

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

MOTION: M/S SPIVEY/WINDSOR moved to recommend approval of a conditional use permit for an outdoor restaurant portable structure requested by Ayla Stromquist at 200 Lincoln St. with the following conditions. The property is also known as a portion of Lot Six, Block One of the Townsite of Sitka, Survey No. 1474. The owners of record are Troy Denkinger and Victoria Marvin-Denkinger.

1. The facility shall be operated consistent with the application and plans that were submitted with the request including the location.
2. The Planning Commission, at its, may schedule a public hearing at any time following the first year of operation for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
3. Failure to comply with any of the conditions may result in revocation of the conditional use permit.
4. Must gain all necessary agency permits.
5. Must have on site a 5-lb ABC-rated fire extinguisher.
6. Will build a sound-muffling box over the generator.

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



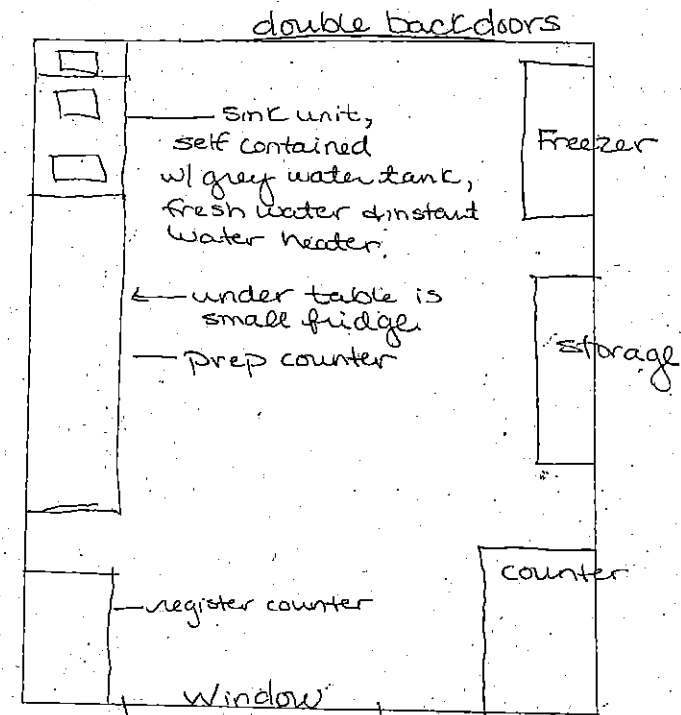
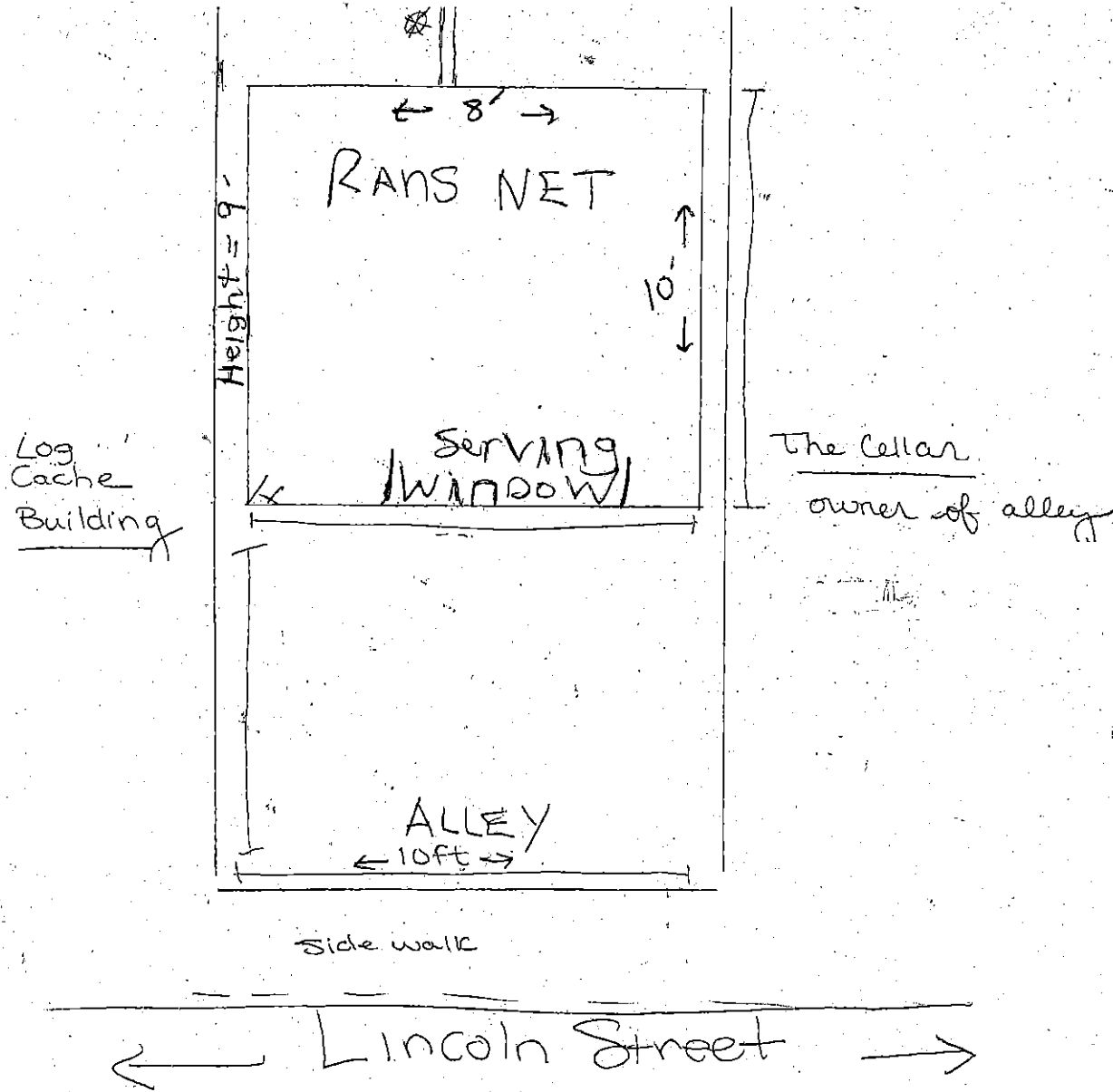
Stromquist
Conditional Use Permit
200 Lincoln Street



Stromquist
Conditional Use Permit
200 Lincoln Street



Stromquist
Conditional Use Permit
200 Lincoln Street



Floor plan view

Stromquist
 Conditional Use Permit
 200 Lincoln Street

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: Ayla Strongquist
PHONE NUMBER: 907-738-5804 aylamichelle@aol.com
MAILING ADDRESS: PO Box 6263 Sitka AK 99835

OWNER'S NAME: ~~XXXXXXXX~~ Vickie Denkinger
(If different from applicant)
PHONE NUMBER: 907-747-8020
MAILING ADDRESS: 203 Harbor drive Sitka AK 99835

PROJECT ADDRESS: 200 Lincoln St "The Cellar" Alleyway
LEGAL DESCRIPTION
Lot: _____ Block: _____
Subdivision: _____
U.S. Survey: _____ Zoning Classification: _____

List specific request: Request to obtain a conditional use permit

State all reasons for justifying request: Food stand located in the alley between the cellar and the soap company. It is locally owned and provides the community with unique food as well as exclusive hours of operation.

List all features and details of request: With the permit ~~the~~ the stand would serve food on private property in the central business district. The food served is pelmeni/pierogies. Our hours of operation very based on my work schedule. The stand will for sure be open lunch hours on the weekend as well as 11pm - 2am on Friday and Saturday. All food is served through our serving window. No seating is provided.

State the schedule and timing of request: Per above: it will depend on the next few weeks. I work 2 other jobs but for sure will be open for lunch at least 2 days a week and for bus hours Friday and Saturday nights. Operation season is May -> October.

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: Ayla Strongquist

Date: 05/14/15

SIGNATURE OF OWNER: Vickie Denkinger
(If different from the applicant)

Date: 5-21-15

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

Back on June 10th

The Cellar
203 Harbor DR
Sitka, Alaska 99835

6-16-2015

To The City of Sitka Council members,

I am writing this letter on behalf of the Business R'ans Net, operated by Ayla Stromquist. Ayla runs her pelmeni stand in The Cellar alley way, located on our property. She has been a responsible and respectable tenant, her small business adds value to our downtown area.

Before her business was in this location, I had a problems with drunks and drug users using the alley for their bad habits. I no longer have to pick up needles, broken bottles of alcohol, and used condoms. She has cleaned the alley and because she is located there, they don't use this location to hide. As well as her business improving the nighttime activities that previously occurred in this location, the biggest benefit is people look forward to coming to the stand to order her Pelmenis.

I have worked late many evenings at my business, and this downtown location between Ernie's and American Legion is very busy and noisy. It is a bustling busy downtown location filled with people and noise. Her hours of operation cater to the crowd, and I think it is smart on her part to build her operation around demand.

I hope her business succeeds, business added to our downtown is needed at this time. There are too many empty spots and closing stores, and with so many budget cuts, we should encourage and promote entrepreneurship with young members of our community. We need more business downtown, not less.

Thanks for your time.

Sincerely,

Victoria Denkinger

Owner – The Cellar

Stromquist
Conditional Use Permit
200 Lincoln Street

Appeal of Planning Commissions Conditional Use Permit for an outdoor restaurant at 200 Lincoln St.

Pursuant to 22.30.230 we appeal the Planning Commissions Conditional Use Permit for an outdoor restaurant at 200 Lincoln St.

The Planning Commission did not adequately consider under 22.30.160 (C) (1) (c) a finding that the conditional use permit will not be injurious to the uses and property adjacent to the proposed use.

We request changes to the decision to require applicant take the money they spent on a noisy generator and pay for an electrical outlet from their landlord to make their business quieter and the hours of operation not be allowed after midnight. Without these changes we will not be able to keep or find tenants for our rental apartment which has been there for over one hundred years. We respect the uses in the central business district but not at the expense of our business.

Norman Staton

June 26, 2015

Ethel Staton

P.O. Box 829

Sitka, Alaska

Stromquist
Conditional Use Permit
200 Lincoln Street

City of Sitka
Planning Commission
Sitka, Alaska 99835

June 16, 2015

Re: Proposed Conditional Use Permit
for an outdoor restaurant at
200 Lincoln St.

Planning Commission,

As owners of the adjacent property, the Tilson Building, we object to the proposed conditional use permit at 200 Lincoln St. The Tilson Building built in 1835, is a three story log structure with a protective façade, that is an Alaska and National Historic Landmark. There are two retail stores on the ground level and a three bedroom and a one bedroom apartment on the second floor. The third floor is storage. All of the bedrooms of the three bedrooms are along the wall and above the proposed outdoor restaurant.

The noise from operating (generator) the restaurant and people congregating in the alley on Fridays and Saturdays makes it impossible for our tenants to sleep in their apartment until after 2:00am. Our tenants have made repeated complaints to the police about this but were told the restaurant has a license to operate. The license is for a food cart, not an outdoor restaurant, which requires a conditional use permit as it is not incidental to the primary use of the lot. (see 22.16.015 (H)(8))

On May 22nd, I contacted the Planning Department and expressed my objections to the outdoor restaurant operating since it did not have the required conditional use permit and to allow it to operate violates the City Code and my rights to have my objections heard PRIOR to the outdoor restaurant operating for business not after it has been operating. I was told the outdoor restaurant was

Stromquist
Conditional Use Permit
200 Lincoln Street

allowed to operate without the required conditional use permit by the Planning Department based upon "past precedents" . The applicants operated a food cart last year but under 22.16.015 (H) (8) which was revised 3/15 and 6/15 the food cart would also require a conditional use permit since it is not clearly incidental to the primary use of the lot. Upon my notice that I objected to the outdoor restaurant operating the Planning Department should have required it to cease operating until it obtained the conditional use permit.

Under 22.24.010 (E) (1) my objections based upon noise and hours of operation are criteria to be used to determine impacts. My tenants will move out if they can't sleep in their apartment until after 2:00am on Friday and Saturday nights. If I try to rent it to someone else, I will have to tell them about the outdoor restaurant under their bedrooms. At worst I will not be able to rent it and at best rent it at a reduced price to compensate for the outdoor restaurant. We will lose income that we have had for forty years due to the outdoor restaurants hours of operation. Who will make that up for us?

Under 22.30.160 (C) (1) (c) requires findings that granting the proposed conditional use permit will not be injurious to the uses and property adjacent to the proposed use. The noise from operating an outdoor restaurant until 2:00am will be injurious to the use of my property.

Additional issues of concern for operating an outdoor restaurant in the alley are:

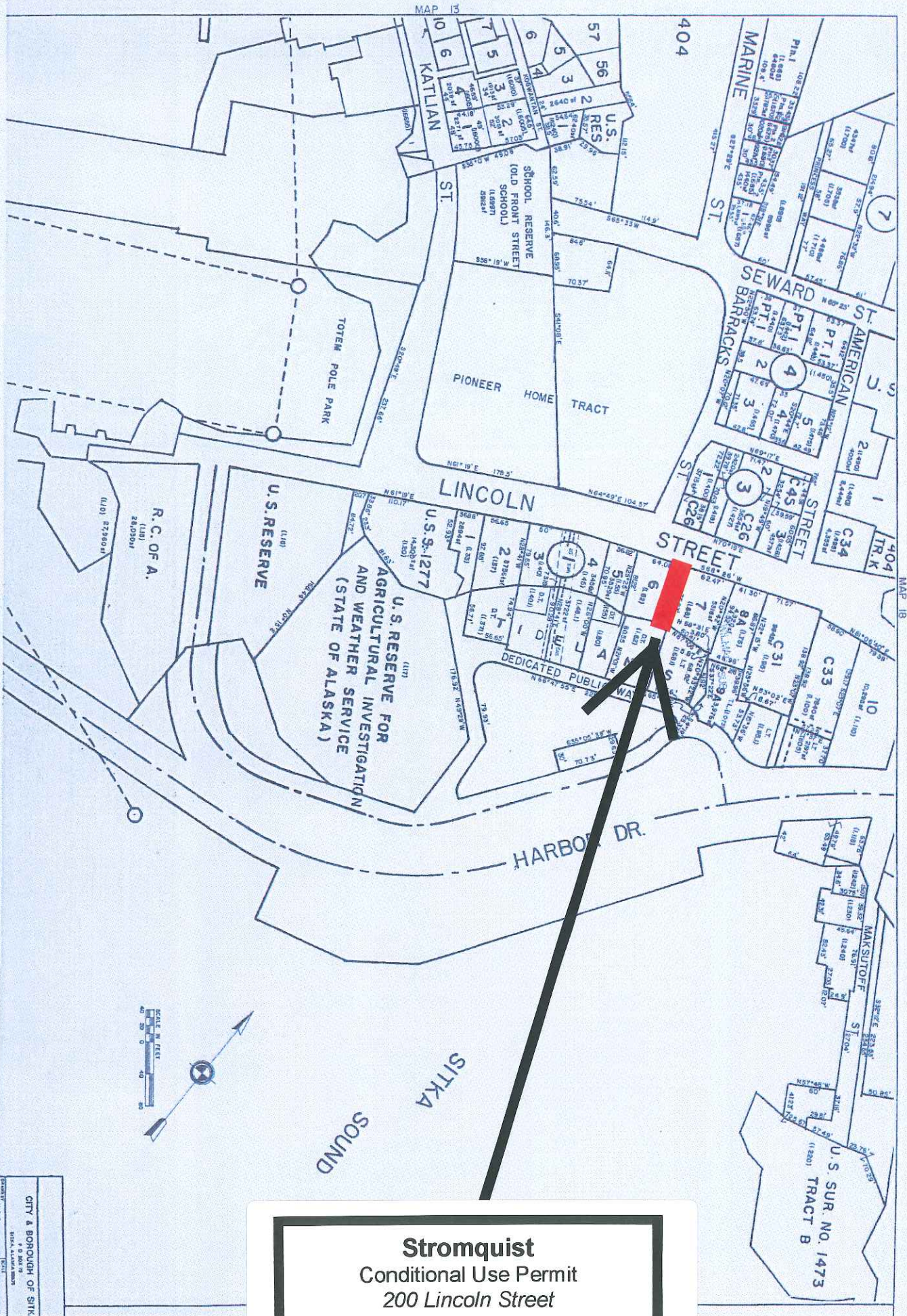
- 1) The late hours are to attract bar patrons which raised security issues for the retail store fronts of our building. The fact that public disturbance (fights, etc.) are common outside of bars after closing raises concern. The people operating the outdoor restaurant are back in the alley and will have no idea or exert no control over what their patrons will be doing along the front of the building.

- 2) Where will food be eaten? If it is raining, they will take cover along the front of my building under the awning,
- 3) Where will they go to the bathroom after leaving bars and when awaiting food and eating?
- 4) What about fire risk? My building is made of logs built in 1835 and if a fire started from the restaurant itself or patrons smoking it will burn a large area of the city.
- 5) We also have concern that if we decide to paint our building (not this summer but maybe next summer) that the outdoor restaurant would restrict our ability to do so unless it could/would be moved to allow for access to prep and paint.
- 6) Do we have the right for 18" access along the side of my building? The structure does not allow this and encroaches on the 18" access.

For the above stated reasons we object to the proposed conditional use permit for an outdoor restaurant until our security and safety issues are adequately addressed. Additionally, if allowed, the hours of operation be modified to no later than 10:00pm which would lessen the security and safety concerns for property and allow for a viable rental of the apartment. We request the outdoor restaurant cease operations until the issues raised are addressed and our right to appeal be protected by not allowing the outdoor restaurant to operate until final legal resolution be completed.

Thank you,

Norman Staton
(907) 321-4233
Ethel Staton



Stromquist
 Conditional Use Permit
 200 Lincoln Street

CITY & BOROUGH OF SITKA
 SITKA, ALASKA 99830



GIS Property Lines - 9/1/2014 By using this site, you agree to this Disclaimer

R-1

Stromquist
Conditional Use Permit
200 Lincoln Street



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Date: 6/16/15

From: Maegan Bosak, PCDD

To: Planning Commission

Re: CUP 15-12 Ayla Stromquist: Outdoor Restaurant Portable Structure Conditional Use Permit
200 Lincoln Street (In the alley owned by The Cellar, adjacent to the Log Cache building)

GENERAL INFORMATION

Applicant: Ayla Stromquist, dba "Rans Net"
P.O. Box 6263
Sitka, AK 99835

Property Owner: Troy and Vickie Denkinger

Property Address: 200 Lincoln Street

Legal Description: Lot Six, Block One of the Townsite of :
Survey No. 1474

Parcel ID Number: 10062000

Size of Existing Lot: 9,419 sq. ft.

Zoning: CBD Central Business District

Existing Land Use: Commercial

Utilities: City water, sewer, electric

Access: Access direct from Lincoln Street.

Surrounding Land Use: Primarily Business

MEETING FLOW

- Report from Staff
- Applicant comes forward
- Applicant identifies him/herself – provides comments
- Commissioners ask applicant questions
- Staff asks applicant any questions
- Floor opened up for Public Comment
- Applicant has opportunity to clarify or provide additional information
- Comment period closed - brought back to the board
- Findings
- Motion of Recommendation

ATTACHMENTS

Attachment A: Vicinity Map
Attachment B: Aerial Vicinity Map
Attachment C: Parcel Pictures
Attachment D: Application
Attachment E: Site Plan
Attachment F: As-Built
Attachment G: Subdivision Plat
Attachment H: Zoning Map
Attachment I: Mailing List
Attachment J: Proof of Payment
Attachment K: Warranty Deed

PROJECT DESCRIPTION

The proposed conditional use permit is for an outdoor restaurant portable structure a.k.a. food trailer in the central business district. The food business, "Rans Net" will be serving pelmeni and pierogies. The applicant plans to be in business May-October for 6-7 days per week. Ms. Stromquist has presented hours of operation to be lunch hours and Friday/Saturday nights from 11 p.m. to 2 a.m.

The applicant has stated that all food is purchased frozen and reheated on site. There is no frying or "cooking" therefore an extremely low chance of fire. Fire Chief Dave Miller had no concerns with the operation.

The food trailer will be parked in an alley between The Cellar and the Log Cache, on private property. It is set back from the sidewalk approximately 10 feet to not impair pedestrian traffic.

BACKGROUND

The business registration for Rans Net was approved in May of 2014 by Planning Director Williams as a mobile food cart that moved during the evening. This spring Building Official William Stortz noted that the mobile food cart had increased its size and was now a registered trailer. Precedence of the Planning Office has been that registered vehicles (trucks/trailers) which are not incidental to the property use require a conditional use permit. The applicant plans to continue the same hours and serving the same product as last summer; the only change is that the trailer size has expanded and it will remain in the same location May through October as opposed to leaving in the evening.

Concerns/complaints from one renter who resides directly above the alley have been noted. Staff contacted the applicant at time of complaint and the applicant took steps to mitigate noise.

ANALYSIS

Table 22.16.015-6 Footnote 8 states – Kiosks, outdoor restaurants, portable structures such as food stands and other temporary structures that are clearly incidental to the primary use on the lot are permitted uses. Mobile food carts on wheels are permitted uses on private property. Kiosks, outdoor

restaurants, portable structures such as food stands and other temporary structures that are not clearly incidental to the primary use on the lot are conditional uses.

Mobile food carts/stands that are incidental to the property and removed nightly are permitted uses. Outdoor restaurants/portable structures (registered vehicles) that are not incidental and more permanent in nature are conditional uses.

Central Business District:

The 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.

1. Criteria to Be Used in Determining Impacts of Conditional Uses.

- a. **Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses.** Area is already commercial in nature and heavy vehicle traffic is expected.
- b. **Amount of noise to be generated and its impacts on surrounding land uses.** Additional noise is to be expected. However no seating is provided; applicant plans that customers will get food and not linger.
- c. **Odors to be generated by the use and their impacts.** Cooking and food odors should be expected. Neighboring restaurants generate the same odors.
- d. **Hours of operation.** Applicant states hours of operation as lunch hours and Friday/Saturday night 11 p.m. to 2 am. Application states a season of May-October (Alaska Day).
- e. **Location along a major or collector street.** Directly on Lincoln Street.
- f. **Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario.** No concern.
- g. **Effects on vehicular and pedestrian safety.** Outdoor restaurant/portable structure will be set in the back of an alley, no effect on vehicular and pedestrian safety.
- h. **Ability of the police, fire, and EMS personnel to respond to emergency calls on the site.** Same ability as other businesses in the area. As a registered trailer, the structure is not required to meet building codes. No frying or cooking will be happening on site. Product is already made and heated on site.
- i. **Logic of the internal traffic layout.** Does not apply.
- j. **Effects of signage on nearby uses.** Signage will be on trailer only.
- k. **Presence of existing or proposed buffers on the site or immediately adjacent the site.** Does not apply.
- l. **Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan.** Conforms with Comprehensive Code 2.5.2 *To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas.*
- m. **Other criteria that surface through public comments or planning commission assembly review.**

FINDINGS

22.30.160 Planning commission review and recommendation.

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

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:

- a. Be detrimental to the public health, safety, and general welfare;
- b. Adversely affect the established character of the surrounding vicinity, specifically the business will add to the downtown area and eating options in Sitka; nor
- c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.

2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan and any implementing regulation, specifically 2.5.2 *To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas.*

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

4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard.

5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.

6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

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

The general approval criteria are as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;

2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;

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

4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements;

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

RECOMMENDATION

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

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

CITY AND BOROUGH OF SITKA
Planning Commission
Minutes of Meeting
June 16, 2015

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

Absent: Randy Hughey (Member)

Members of the Public: Pat O'Neill, Gerald Helem, Jeremy Twaddle, Ayla Stromquist, Bert Stromquist, Lance Ewers, Jeff Wickett, Shirley Robards, Norman Staton (via Phone).

Chair Parmelee called the meeting to order at 7:02 p.m.

Roll Call:

PRESENT: 4 –Parmelee, Spivey, Windsor, Pohlman

Consideration of the Minutes from the June 2, 2015 meetings:

MOTION: M/S SPIVEY/POHLMAN moved to approve the meeting minutes for June 2, 2015.

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

Consideration of the agenda:

Bosak noted that Item B had been pulled from agenda.

The evening business:

**MINOR SUBDIVISION
LOT A, BAHOVEC ADDITION NO. 1, BARANOF WARM SPRINGS
CHRISTINE LUNDSTEDT**

Public hearing and consideration of a final plat for a minor subdivision of Lot A, Bahovec Addition No. 1, Baranof Warm Springs. The request is filed by Christine Lundstedt. The owner of record is Christine Lundstedt.

STAFF REPORT: Bosak described the project.

APPLICANT: Pat O'Neill was present to address questions on behalf of Christine Lundstedt

COMMISSIONER DELIBERATION: Commissioners had no additional questions.

PUBLIC COMMENT: No public comment.

MOTION: M/S SPIVEY/WINDSOR moved to recommend approval of a final plat for minor subdivision of Lot A, Bahovec Addition No. 1, Baranof Warm Springs. The request is filed by Christine Lundstedt. The owner of record is Christine Lundstedt.

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

**MINOR SUBDIVISION
MOUNTAINVIEW SUBDIVISION 180 PRICE STREET
MOUNTAINVIEW ESTATES, LLC**

Public hearing and consideration of a final plat for a minor subdivision at 180 Price Street. The property is also known as Tract 1, Mountainview Subdivision. The request is filed by Jeremy Twaddle. The owner of record is Mountainview Estates, LLC.

STAFF REPORT: Bosak described the project.

APPLICANT: Jeremy Twaddle was available for further questions.

COMMISSIONER DELIBERATION: Commissioners had no further questions.

PUBLIC COMMENT: No public comment.

MOTION: M/S SPIVEY/POHLMAN moved to recommend approval of a concept plat for a minor subdivision at 180 Price Street. The property is also known as Tract 1, Mountainview Subdivision. The request is filed by Jeremy Twaddle. The owner of record is Mountainview Estates, LLC.

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

**CONDITIONAL USE PERMIT
200 LINCOLN STREET
AYLA STROMQUIST**

Public hearing and consideration of a proposed conditional use permit for an outdoor restaurant portable structure requested by Ayla Stromquist at 200 Lincoln Street. The property is also known as a portion of Lot Six, Block One of the Townsite of Sitka, Survey No. 1474. The owners of record are Troy Denkinger and Victoria Marvin-Denkinger.

STAFF REPORT: Bosak described the project, a business called Rans Net, as a DEC-approved food stand on a registered trailer serving pierogis and pel meni in an alley way at 200 Lincoln Street. The applicant expects to operate May through October, during lunchtimes and Fridays and Saturdays from 11 p.m. to 2 a.m. This business was approved through the planning office in May 2014 as a mobile food cart. Mr. Stortz, with the building department, recognized this year that the structure had grown beyond a food cart, and is on a registered trailer. Bosak explained that this change from last year moves the business beyond a food cart, which is allowed without any permit, to the realm of a portable structure such as a food truck, which requires a conditional use permit, under Table 22.16.015-6, footnote 8, which states that: "Kiosks, outdoor restaurants,

portable structures such as food stands and other temporary structures that are not clearly incidental to the primary use on the lot are conditional uses." Bosak clarified for the commissioners that the applicant is allowed to operate without any conditional use permit if she chooses to resume the same scale operation she had last year.

APPLICANT: Ayla Stromquist gave background on her food stand from which she sells ravioli (ready-made in Juneau) which she heats up and serves "to go". She stated that the increased size of her structure was to try to reduce noise and also create more separation from her staff and customers to encourage less socializing. She explained that her survival as a business depended on the revenues she makes serving weekend nighttime customers. To reduce generator noise at night on weekends, she also invested in a quieter generator, and has changed position of trailer and the generator to mitigate the noise concerns. She said she felt that her business activity and impacts including noise and foot traffic are not out of proportion with other noise generated by nearby businesses such as bars, which have a lot of foot traffic and bands that play loud music. She said regarding her customers congregating and causing disturbances, she said never have her customers create any problems and a member of the police department was present at the meeting and could speak on her behalf regarding that question. Responding to a staff question about her future plans, she said she has no plans for seating, but does want to add a canopy to keep the rain off customers waiting in line.

COMMISSIONER DELIBERATION: Commissioners inquired about the location of the food stand in the alley with regard to the street.

PUBLIC COMMENT: Staff read comments submitted by the owner of the alley property, Victoria Denkinger, stating her support for this business and making reference to the positive impacts that the food stand has had on the alley from a safety and cleanliness standpoint. The owner pointed out that this district is busy at nighttime and the impacts of the stand are relatively minor compared to nearby bars. Jeff Wicketts, a resident renting an apartment in the upstairs of the neighboring property, was opposed to granting the conditional use permit. He said the food stand owner did get a quieter generator, and had relocated it, and that had helped, but the generator sound still is there, and is hard to ignore, because he and his wife keep their windows open. Officer Lance Ewers with the Police Department said in the Central Business District bars make a lot of noise, and they are allowed to. The police have responded to multiple complaints from the Wicketts and in all cases they have been unfounded regarding any disturbances or noise issues. Bert Stromquist spoke about efforts taken by the food stand owner to mitigate concerns raised by the Wicketts. Stromquist also pointed out residential use should be secondary because it is the Central Business District. Shirley Robards said she was worried about the potential for problems from people congregating around that area, and Norman Staton, who rents to the Wicketts, spoke to reiterate what he said in his letter, which was read by staff, asking that the food stand stop operating until his questions are resolved. He is objecting to the noise of the food stand which is disturbing his renters, and he didn't think the permit should be an option at all, based on his interpretation of the code. He is also concerned that this food stand will create issues on the street in front of his building, or cause damage to his building.

COMMISSIONER DELIBERATION: Chris Spivey said the fact that it is the Central Business District was important to keep in mind, and Windsor agreed. Pohlman said any noise does tend to rise, so the noise heard by the residents on the second floor may be noisier than staff had found at street level on their site visit.

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

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

MOTION: M/S SPIVEY/WINDSOR moved to approve that this finding can be met.

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

- b. Adversely affect the established character of the surrounding vicinity, *specifically the business will add to the downtown area and eating options in Sitka;*

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

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

- c. Nor be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located; *specifically that the late hours are an inconvenience to some residential renters but should not stop a commercial use which is primary to the Central Business District.*

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

COMMISSIONER DISCUSSION: Some commissioners felt that the food stand could cause problems for the neighboring property owner's use of the property as a residential rental property.

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

2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan and any implementing regulation; *specifically 2.5.2 To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas.*

MOTION: M/S SPIVEY/WINDSOR moved to approve that this finding can be met.

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

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced; *specifically with reference to the condition that the planning commission can call a public hearing to mitigate concerns.*

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

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

4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard, *specifically that the food stand is heating up pre-cooked food, and complies with all DEC requirements.*

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

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

5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

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

6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

MOTION: M/S POHLMAN/SPIVEY moved to approve that this finding can be met.

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

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

The general approval criteria are as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

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

2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;

MOTION: M/S POHLMAN/SPIVEY moved to approve that this finding can be met.

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

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

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

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

4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements; specifically that the CBD is intended to have commercial activity and this request is in line with other businesses such as bars and restaurants which have late hours in the same area.

MOTION: M/S SPIVEY/WINDSOR moved to approve that this finding can be met.

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

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

MOTION: M/S SPIVEY/POHLMAN moved to approve that this finding can be met.

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

COMMISSIONER DISCUSSION: Commissioners discussed recommended conditions, and decided to add a condition regarding a sound-reducing box over the generators.

MOTION: M/S POHLMAN/SPIVEY moved to re-examine whether finding c is met given the proposed additional condition.

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

c. Nor be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located; *specifically that the late hours are an inconvenience to some residential renters but should not stop a commercial use which is primary to the Central Business District.*

MOTION: M/S WINDSOR/POHLMAN moved to approve that this finding can be met.

COMMISSIONER DISCUSSION: Both commissioners who had voted that the finding originally was not met, before the conditions were discussed, confirmed that they felt the conditions addressed issues related to this finding, and made them confident it could now be met.

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

MOTION: M/S SPIVEY/WINDSOR moved to recommend approval of a conditional use permit for an outdoor restaurant portable structure requested by Ayla Stromquist at 200 Lincoln St. with the following conditions. The property is also known as a portion of Lot Six, Block One of the Townsite of Sitka, Survey No. 1474. The owners of record are Troy Denkinger and Victoria Marvin-Denkinger.

1. The facility shall be operated consistent with the application and plans that were submitted with the request including the location.
2. The Planning Commission, at its, may schedule a public hearing at any time following the first year of operation for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
3. Failure to comply with any of the conditions may result in revocation of the conditional use permit.
4. Must gain all necessary agency permits.
5. Must have on site a 5-lb ABC-rated fire extinguisher.
6. Will build a sound-muffling box over the generator.

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

**VARIANCE REQUEST
749 ALICE LOOP
GERALD AND MARY HELEM**

Public hearing and consideration of a variance request filed by Gerald L. Helem at 749 Alice Loop Road. The variance request is for a reduction in the front setback from 20 feet to 10 feet and a reduction in the side setback from 10 feet to 8 feet. The property is also known as Lot Thirteen, Ethel Staton Subdivision. The owners of record are Gerald and Mary Helem.

STAFF REPORT: Bosak described the project and outlined variances which had been granted in the immediate area, and related that the next door neighbor, Ron Pratt, had commented that he had no concerns with the request. Gibb read Lynn Brandon's letter requesting the variance be denied because it could cause problems with sidewalk obstruction due to overflow parking.

APPLICANT: Gerald Helem stated that site constraints were making the variance necessary. He and his wife were building a large garage so they could keep their boat stored out of sight, as required by neighborhood covenant, and they wanted to construct as far forward as possible to get out of the floodplain.

COMMISSIONER DELIBERATION: Commissioners discussed the case and agreed that given the site constraints, and in light of the other variances granted in the neighborhood, the variance request was reasonable.

PUBLIC COMMENT: No additional public comment.

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

1. Required Findings for Variances Involving Major Structures or Expansions. Before any variance is granted, it shall be shown:
 - a. That there are special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, the topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner, *specifically the angle of the lot and the flood zone boundary at the rear of the property;*
 - b. The variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel; such uses may include the placement of garages or the expansion of structures that are commonly constructed on other parcels in the vicinity;
 - c. That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure;
 - d. That the granting of such a variance will not adversely affect the comprehensive plan, *specifically 2.4.2 To encourage quality residential areas which function as integral neighborhood units with adequate public facilities.*

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

DIRECTORS REPORT: Bosak informed those present there would be no July 7 Planning Commission meeting, and Pohlman stated she would be out of town on July 21.

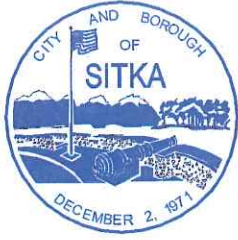
PUBLIC COMMENT: No public comment.

MOTION: M/S SPIVEY/POHLMAN moved to adjourn at 9:44 pm.

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

Richard Parmelee, Chair

Carole Gibb, Secretary



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Notice of Public Hearings

The Assembly of the City and Borough of Sitka will hold a public hearing during a regular meeting scheduled Tuesday, July 14, 2015 on the following items:

Public hearing and consideration of a proposed conditional use permit for an outdoor restaurant portable structure requested by Ayla Stromquist at 200 Lincoln St. The property is also known as a portion of Lot Six, Block One of the Townsite of Sitka, Survey No. 1474. The owners of record are Troy Denkinger and Victoria Marvin-Denkinger.

The Assembly may take action on July 14, 2015. The Assembly meeting will begin at 6:00 pm in Harrigan Centennial Hall at 330 Harbor Drive in Sitka.

Interested residents are encouraged to make comments during the meeting and written comments can be submitted to the Municipal Clerk at 100 Lincoln Street.

Outdoor restaurant portable structure conditional use permit at 200 Lincoln Street:

The applicant is requesting a conditional use permit for an outdoor restaurant/portable structure at 200 Lincoln Street. This applicant currently is permitted to operate a food cart in that location. This permit is to allow the applicant to operate a food stand on a registered trailer. The property is zoned CBD central business district. The 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.

Parcel ID: 10001000
ALASKA STATE OF
PIONEER HOME
ALASKA, STATE OF
P.O. BOX 110208
JUNEAU AK 99811

Parcel ID: 10005000
ORTHODOX CHURCH IN AMERICA
RUSSIAN GREEK MISSION
ORTHODOX CHURCH IN AMERICA
P.O. BOX 697
SITKA AK 99835-0697

Parcel ID: 10017000
ALASKA STATE OF
CASTLE HILL
STATE OF ALASKA
6860 GLACIER HWY
JUNEAU AK 99801

Parcel ID: 10020000
CASTLE HILL, LLC
CASTLE HILL, LLC
117 GRANITE CREEK RD, STE 201
SITKA AK 99835

Parcel ID: 10033000
HERNANDEZ BLANCA
HERNANDEZ, BLANCA
2435 MARIAN BAY CIRCLE
ANCHORAGE AK 99515

Parcel ID: 10037000
J & B NORTH, INC.
SITKA HOTEL
J & B NORTH, INC.
1421 HALIBUT POINT RD
SITKA AK 99835-7006

Parcel ID: 10040000
LINCOLN PLACE, LLC
LINCOLN PLACE, LLC
124 LINCOLN ST.
SITKA AK 99835

Parcel ID: 10045000
FILLER STANLEY
ERNIE'S BAR
FILLER, STANLEY, J.
P.O. BOX 777
SITKA AK 99835-0777

Parcel ID: 10055000
BORLAND DOUGLAS/OLGA
BORLAND, DOUGLAS & OLGA
P.O. BOX 1268
SITKA AK 99835-1268

Parcel ID: 10060000
CITY & BOROUGH OF SITKA
CASTLE HILL PARKING LOT
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 10062000
DENKINGER TROY/VICTORIA
DENKINGER, TROY/VICTORIA
2221 HALIBUT POINT RD
SITKA AK 99835

Parcel ID: 10068000
STATON ETHEL/NORMAN/C.
STATON, ETHEL/NORMAN
P.O. BOX 829
SITKA AK 99835-0829

Parcel ID: 10068001
VAN WINKLE KIRK/MARLENE
VAN WINKLE, KIRK/MARLENE
P.O. BOX 842
SITKA AK 99835-0842

Parcel ID: 10073000
WILMAC CORPORATION
WILMAC CORPORATION
208 LINCOLN ST
SITKA AK 99835

Parcel ID: 10074000
ISLAND FEVER DIVING
ISLAND FEVER DIVING
303 MARINE STREET
SITKA AK 99835

Parcel ID: 10095000
ANDERSEN STEVEN/LINDA
ANDERSEN, STEVEN/LINDA
216 LINCOLN ST
SITKA AK 99835

Parcel ID: 10097000
C/B OF SITKA
BETWEEN VAN WINK & CELLAR
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 10100000
LUTHERAN CHURCH
LUTHERAN CHURCH
LUTHERAN CHURCH
P.O. BOX 598
SITKA AK 99835-0598

Parcel ID: 10105000
VENNEBERG BUILDING, LLC
VENNEBERG BUILDING, LLC
225 HARBOR DRIVE
SITKA AK 99835

Parcel ID: 10110000
FRANKLIN BUILDING CORPORATION
FRANKLIN BUILDING CORP.
FRANKLIN BUILDING CORPORATION
236 LINCOLN ST, STE 107
SITKA AK 99835

Parcel ID: 10115000
STATON ETHEL/NORM/
STATON, ETHEL/NORM
P.O. BOX 829
SITKA AK 99835-0829

Parcel ID: 10400000
OLD HARBOR BOOKS, INC.
OLD HARBOR BOOKS, INC.
201 LINCOLN ST.
SITKA AK 99835

Parcel ID: 10418000
RENTAL TOO, LLC
RENTAL TOO, LLC
P.O. BOX 616
SITKA AK 99835-0616

Parcel ID: 10427000
AMERICAN LEGION, SIT
THE AMERICAN LEGION
205 LINCOLN ST
SITKA AK 99835

Parcel ID: 10428000
WEST TRUST GALEN
WEST TRUST, GALEN, D.
P.O. BOX 1792
SITKA AK 99835-1792

Parcel ID: 10440000
SITKA HERITAGE PROPERTIES, LLC
SITKA HERITAGE PROPERTIES, LLC
1 MAKSOUTOFF ST
SITKA AK 99835

Parcel ID: 10442000
ENLOE-STEWART MERI
ENLOE-STEWART, MER
204 SEWARD ST
SITKA AK 99835

Parcel ID: 10445000
SITKA HERITAGE PROPERTIES, LLC
SITKA HERITAGE PROPERTIES, LLC
1 MAKSOUTOFF ST
SITKA AK 99835

Parcel ID: 10450000
NEWSPAPER PROPERTIES, LLC
DAILY SITKA SENTINEL
NEWSPAPER PROPERTIES, LLC
1 MAKSOUTOFF ST
SITKA AK 99835

Parcel ID: 10465000
NEWSPAPER PROPERT
NEWSPAPER PROPERT
1 MAKSOUTOFF ST
SITKA AK 99835

Assembly Mailing
Sent 7/2/15

Stromquist
Conditional Use Permit
200 Lincoln Street

Parcel ID: 10470000
TRIERSCHIED LINDA
TRIERSCHIED, LINDA, D.
P.O. BOX 1463
SITKA AK 99835-1463

Parcel ID: 10475000
TRIERSCHIED LINDA
TRIERSCHIED, LINDA
P.O. BOX 1463
SITKA AK 99835-1463

Parcel ID: 10480000
TRIERSCHIED/MC GRAW LINDA
TRIERSCHIED BUILDING
TRIERSCHIED, L./MC GRAW, NA
P.O. BOX 718
SITKA AK 99835-0718

Parcel ID: 10482000
U.S. RESERVE
U.S. RESERVE
210 SEWARD ST
SITKA AK 99835

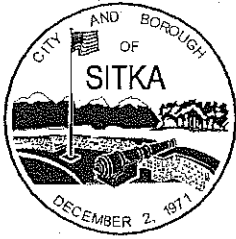
Parcel ID: 10490000
STEDMAN KARL/ROBIN
STEDMAN INSURANCE AGENCY
STEDMAN, KARL, E./ROBIN
P.O. BOX 6172
SITKA AK 99835-6172

Parcel ID: 10495000
SITKA BAZAAR BUILDING, LLC
SITKA BAZAAR BUILDING, LLC
P. O. BOX 458
SITKA AK 99835-0458

Parcel ID: 10500000
DIOCESE OF SITKA & ALASKA
DIOCESE OF SITKA & AK, ORTHODOX CHURCH
P.O. BOX 210569
ANCHORAGE AK 99521

Parcel ID: 10505000
SITKA HERITAGE PROPERTIES, LLC
APARTMENT, THE
SITKA HERITAGE PROPERTIES, LLC
1 MAKSOUTOFF ST
SITKA AK 99835

Parcel ID: 10521000
KCCR PROPERTIES, LLC
KCCR PROPERTIES, LLC
P.O. BOX 614
SITKA AK 99835-0614



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Sitka Planning Commission Agenda

Tuesday, June 16, 2015

Held at Harrigan Centennial Hall

330 Harbor Drive, Sitka, Alaska

7:00pm

- I. CALL TO ORDER AND ROLL CALL
- II. CONSIDERATION OF THE AGENDA
- III. CONSIDERATION OF THE MINUTES FROM June 2, 2015
- IV. THE EVENING BUSINESS
 - A. Public hearing and consideration of a final plat for a minor subdivision of Lot A, Bahovec Addition No. 1, Baranof Warm Springs. The request is filed by Christine Lundstedt. The owner of record is Christine Lundstedt.
 - B. Public hearing and consideration of an Accessory Dwelling Unit conditional use permit at 1301 Edgcombe Drive. The property is also known as Lot 1 of the Old City Shops Subdivision. The request is filed by Robert Woolsey. The owner of record is Robert Woolsey.
 - C. Public hearing and consideration of a final plat for a minor subdivision at 180 Price Street. The property is also known as Tract 1, Mountainview Subdivision. The request is filed by Jeremy Twaddle. The owner of record is Mountainview Estates, LLC.
 - D. **Public hearing and consideration of a proposed conditional use permit for an outdoor restaurant portable structure requested by Ayla Stromquist at 200 Lincoln St. The property is also known as a portion of Lot Six, Block One of the Townsite of Sitka, Survey No. 1474. The owners of record are Troy Denkinger and Victoria Marvin-Denklinger.**
 - E. Public hearing and consideration of a variance request filed by Gerald L. Helem at 749 Alice Loop Road. The variance request is for a reduction in the front setback from 20 feet to 10 feet and a reduction in the side setback from 10 feet to 8 feet. The property is also known as Lot Thirteen, Ethel Staton Subdivision. The owners of record are Gerald and Mary Helem.
- V. PLANNING DIRECTOR'S REPORT
- VI. PUBLIC BUSINESS FROM THE FLOOR
- VII. ADJOURNMENT

NOTE: Individuals having concerns or comments on any item are encouraged to provide written comments to the Planning Office or make comments at the Planning Commission meeting. Written comments may be dropped off at the Planning Office in City Hall, emailed to carole@cityofsitka.com, or faxed to (907) 747-6138. Those with questions may call (907) 747-1814.

Publish: June 8 and June 10

Providing for today...preparing for tomorrow

Parcel ID: 10001000
ALASKA STATE OF
PIONEER HOME
ALASKA, STATE OF
P.O. BOX 110208
JUNEAU AK 99811

Parcel ID: 10005000
ORTHODOX CHURCH IN AMERICA
RUSSIAN GREEK MISSION
ORTHODOX CHURCH IN AMERICA
P.O. BOX 697
SITKA AK 99835-0697

Parcel ID: 10017000
ALASKA STATE OF
CASTLE HILL
STATE OF ALASKA
6860 GLACIER HWY
JUNEAU AK 99801

Parcel ID: 10020000
CASTLE HILL, LLC
CASTLE HILL, LLC
117 GRANITE CREEK RD, STE 201
SITKA AK 99835

Parcel ID: 10033000
HERNANDEZ BLANCA
HERNANDEZ, BLANCA
2435 MARIAN BAY CIRCLE
ANCHORAGE AK 99515

Parcel ID: 10037000
J & B NORTH, INC.
SITKA HOTEL
J & B NORTH, INC.
1421 HALIBUT POINT RD
SITKA AK 99835-7006

Parcel ID: 10040000
LINCOLN PLACE, LLC
LINCOLN PLACE, LLC
124 LINCOLN ST.
SITKA AK 99835

Parcel ID: 10045000
FILLER STANLEY
ERNIE'S BAR
FILLER, STANLEY, J.
P.O. BOX 777
SITKA AK 99835-0777

Parcel ID: 10055000
BORLAND DOUGLAS/OLGA
BORLAND, DOUGLAS & OLGA
P.O. BOX 1268
SITKA AK 99835-1268

Parcel ID: 10060000
CITY & BOROUGH OF SITKA
CASTLE HILL PARKING LOT
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 10062000
DENKINGER TROY/VICTORIA
DENKINGER, TROY/VICTORIA
2221 HALIBUT POINT RD
SITKA AK 99835

Parcel ID: 10068000
STATON ETHEL/NORMAN/C.
STATON, ETHEL/NORMAN
P.O. BOX 829
SITKA AK 99835-0829

Parcel ID: 10068001
VAN WINKLE KIRK/MARLENE
VAN WINKLE, KIRK/MARLENE
P.O. BOX 842
SITKA AK 99835-0842

Parcel ID: 10073000
WILMAC CORPORATION
WILMAC CORPORATION
208 LINCOLN ST
SITKA AK 99835

Parcel ID: 10074000
ISLAND FEVER DIVING &
ISLAND FEVER DIVING &
303 MARINE STREET
SITKA AK 99835

Parcel ID: 10095000
ANDERSEN STEVEN/LINDA
ANDERSEN, STEVEN/LINDA
216 LINCOLN ST
SITKA AK 99835

Parcel ID: 10097000
C/B OF SITKA
BETWEEN VAN WINK & CELLAR
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 10100000
LUTHERAN CHURCH
LUTHERAN CHURCH
LUTHERAN CHURCH
P.O. BOX 598
SITKA AK 99835-0598

Parcel ID: 10105000
VENNEBERG BUILDING, LLC
VENNEBERG BUILDING, LLC
225 HARBOR DRIVE
SITKA AK 99835

Parcel ID: 10110000
FRANKLIN BUILDING CORPORATION
FRANKLIN BUILDING CORP.
FRANKLIN BUILDING CORPORATION
236 LINCOLN ST, STE 107
SITKA AK 99835

Parcel ID: 10115000
STATON ETHEL/NORMA
STATON, ETHEL/NORMA
P.O. BOX 829
SITKA AK 99835-0829

Parcel ID: 10400000
OLD HARBOR BOOKS, INC.
OLD HARBOR BOOKS, INC.
201 LINCOLN ST.
SITKA AK 99835

Parcel ID: 10418000
RENTAL TOO, LLC
RENTAL TOO, LLC
P.O. BOX 616
SITKA AK 99835-0616

Parcel ID: 10427000
AMERICAN LEGION, SIT
THE AMERICAN LEGION
205 LINCOLN ST
SITKA AK 99835

Parcel ID: 10428000
WEST TRUST GALEN
WEST TRUST, GALEN, D.
P.O. BOX 1792
SITKA AK 99835-1792

Parcel ID: 10440000
SITKA HERITAGE PROPERTIES, LLC
SITKA HERITAGE PROPERTIES, LLC
1 MAKSOUTOFF ST
SITKA AK 99835

Parcel ID: 10442000
ENLOE-STEWART MERL
ENLOE-STEWART, MERI
204 SEWARD ST
SITKA AK 99835

Parcel ID: 10445000
SITKA HERITAGE PROPERTIES, LLC
SITKA HERITAGE PROPERTIES, LLC
1 MAKSOUTOFF ST
SITKA AK 99835

Parcel ID: 10450000
NEWSPAPER PROPERTIES, LLC
DAILY SITKA SENTINEL
NEWSPAPER PROPERTIES, LLC
1 MAKSOUTOFF ST
SITKA AK 99835

Parcel ID: 10465000
NEWSPAPER PROPERTI
NEWSPAPER PROPERTI
1 MAKSOUTOFF ST
SITKA AK 99835

P & Z Mailing
Sent 6/5/15

Stromquist
Conditional Use Permit
200 Lincoln Street

Parcel ID: 10470000
TRIERSCHIED LINDA
TRIERSCHIED, LINDA, D.
P.O. BOX 1463
SITKA AK 99835-1463

Parcel ID: 10475000
TRIERSCHIED LINDA
TRIERSCHIED, LINDA
P.O. BOX 1463
SITKA AK 99835-1463

Parcel ID: 10480000
TRIERSCHIED/MC GRAW LINDA
TRIERSCHIED BUILDING
TRIERSCHIED, L./MC GRAW, NA
P.O. BOX 718
SITKA AK 99835-0718

Parcel ID: 10482000
U.S. RESERVE
U.S. RESERVE
210 SEWARD ST
SITKA AK 99835

Parcel ID: 10490000
STEDMAN KARL/ROBIN
STEDMAN INSURANCE AGENCY
STEDMAN, KARL, E./ROBIN
P.O. BOX 6172
SITKA AK 99835-6172

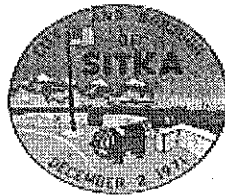
Parcel ID: 10495000
SITKA BAZAAR BUILDING, LLC
SITKA BAZAAR BUILDING, LLC
P. O. BOX 458
SITKA AK 99835-0458

Parcel ID: 10500000
DIOCESE OF SITKA & ALASKA
DIOCESE OF SITKA & AK, ORTHODOX CHURCH
P.O. BOX 210569
ANCHORAGE AK 99521

Parcel ID: 10505000
SITKA HERITAGE PROPERTIES, LLC
APARTMENT, THE
SITKA HERITAGE PROPERTIES, LLC
1 MAKSOUTOFF ST
SITKA AK 99835

Parcel ID: 10521000
KCCR PROPERTIES, LLC
KCCR PROPERTIES, LLC
P.O. BOX 614
SITKA AK 99835-0614

City and Borough of Sitka
 100 Lincoln Street
 Sitka, Alaska 99835



(907) 747-1840 Phone
 (907) 747-0536 Fax
 www.cityofsitka.com

BUSINESS REGISTRATION APPLICATION

Business Identification	Is this a: New Business <input checked="" type="checkbox"/> Change in Ownership () *Complete Previous Owner section below		
	Business Name <u>Rans Net</u>		
	Line of Business <u>Food Service</u>		
Contact Information	Alaska Business License No. <u>1005743</u>	EIN or Social Security Number	
	Sales Tax Contact Information		
	Mailing Address <u>224 unit 1 Lance dr</u>		
	City <u>Sitka,</u>	State <u>AK</u>	Zip <u>99835</u>
Other Business Info	Contact Name & Title <u>Ayla Stromquist Owner Bryanna Graham Owner</u>		
	Physical Address <u>200 1/2 Lincoln street Sitka, AK 99835</u>		
	Business Phone No. <u>907-738-5804</u>	Cell:	E-mail: /
	Start Date of Business Activity in Sitka (itinerants-list start and end date) <u>5/22/14</u> <u>aylamichelle-1@alchmail.com</u>		
	Type of Organization: Sole Proprietorship () Partnership <input checked="" type="checkbox"/> Corporation () Other ()		
	Is it a Lodging Facility? Hotel/Motel () Bed & Breakfast () Short-Term Rental () Long Term Rental ()		
* Previous Owner	Total # of units/rooms available for rent? <u>N/A</u>	Please provide the physical locations of all rentals on the back of this form.	
	Previous Owner Name		
	Previous Owner Address		
	City	State	Zip

I attest that to the best of my knowledge that the information provided on this application is true and correct.

Ayla Stromquist Bryanna Torgeson
 Signature

May 21st, 2014
 Date

Ayla Stromquist Bryanna Torgeson
 Printed Name

PAID
 MAY 22 2014

If this business is a corporation, officers must sign a personal guarantee.

Continued

Continued on the back of this form. Applicants must complete both sides.

CITY & BOROUGH USE ONLY			
Sales Tax Account No. <u>1800066</u>	Date <u>5/22/14</u>	SIC# <u>G5812</u>	Deposit <u>\$50.00</u> (100-2100-001)
Reviewed by: <u>Ambr</u>	Itinerant Fee _____ (100-300-320-3201-007)		

Planning Dept. Clearance:
 ZONE: CBS DATE: 5/22/14 Approved by: [Signature]
IN AREA WITH ADVERTISING THE EVENING

Copies to:
 Customer Assessing Bldg. Official Sales Tax

*The Planning Dept. must be notified if nature or location of business changes.

Owner Information	Individual information is required on all owners of the business **		
	Last Name <i>Torgeson</i>	First Name <i>Bryanna</i>	Middle Initial <i>M</i>
	Mailing Address <i>4017 HPR</i>		
	City <i>Sitka</i>	State <i>AK</i>	Zip <i>99835</i>
	Physical Address <i>Same</i>		
	City <i>Sitka</i>	State <i>AK</i>	Zip <i>99835</i>
	Work Phone <i>(907)738-0311</i>	Social Security No. <i>574-94-4312</i>	
	Home Phone <i>Same</i>	Drivers License No.	State <i>AK</i>
Office or Title <i>Owner/Partners</i>	Date of Birth <i>11/4/1987</i>		
Owner Information	Individual information is required on all owners of the business **		
	Last Name <i>Ar Stromquist</i>	First Name <i>Ayla</i>	Middle Initial <i>M</i>
	Mailing Address <i>224 unit 1 Lance drive</i>		
	City <i>Sitka</i>	State <i>AK</i>	Zip <i>99835</i>
	Physical Address <i>Same</i>		
	City <i>Same</i>	State <i>Same</i>	Zip <i>Same</i>
	Work Phone <i>907-738-6804</i>	Social Security No. <i>574-08-3058</i>	
	Home Phone <i>Same</i>	Drivers License No. <i>NA</i>	State <i>AK</i>
Office or Title <i>Owner/Partners</i>	Date of Birth <i>10/08/1991</i>		
Owner Information	Individual information is required on all owners of the business **		
	Last Name	First Name	Middle Initial
	Mailing Address		
	City	State	Zip
	Physical Address		
	City	State	Zip
	Work Phone	Social Security No.	
	Home Phone	Drivers License No.	State
Office or Title	Date of Birth		
Additional business Physical locations	All physical locations of business operations must be listed (including rentals)		
	Physical Address		
	Physical Address		
	Physical Address		
	Physical Address		
	Physical Address		
	Physical Address		

** Attach additional owner or physical location information if necessary.