



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

Planning and Community Development Department

AGENDA ITEM

Case No: CUP 24-11
Proposal: Eating and Drinking Place
Applicant: Chance Gray
Owner: Sitka Sound Science Center
Location: 834 Lincoln Street
Legal: Lot 7, Sheldon Jackson Campus Subdivision
Zone: R-2 multifamily residential district
Size: 27,480 square feet
Parcel ID: 1-8562-005
Existing Use: Science Center Operations: Hatchery, Aquarium, Research, Retail
Adjacent Use: Museum, Fine Arts Camp, Music Festival, Playground, Residential, Public
Utilities: Existing
Access: Lincoln Street

KEY POINTS AND CONCERNS

- Historic use of the Sheldon Jackson campus is widely varied including educational, vocational, community use, performing arts, science/research, hatchery, and retail.
- CUP 21-13 approved for expansion of legal nonconforming use hatchery operations on October 6, 2021.
- SSSC request to serve food on site to pre-booked tour groups.
- Will require approval from DEC and local Fire Marshal.

ATTACHMENTS

Attachment A: Aerial
Attachment B: Plat
Attachment C: Site Plan
Attachment D: Photos
Attachment E: Applicant Materials

BACKGROUND/PROJECT DESCRIPTION

The applicant Sitka Sound Science Center (SSSC) would like to partner with Our Town Catering and Alaska Coach Tours to enhance visitor options in downtown Sitka. This proposal would allow for food to be served on site by Own Town Catering to visitors on pre-booked tours though Alaska Coach Tours. This area is currently utilized by their education, research, hatchery operations and tours for visitors. This proposed use would be an expansion of the existing visitor tour operations.

The food portion of the tour would be located behind the Sage building and would occupy an area 30' by 40' square feet. Our Town Catering will be utilizing their food cart to cook salmon on-site, as well as their own kitchen to prepare food. This service would not be available to all visitors, only to those who pre-book with Alaska Coach Tours. Temporary tents may be erected on rainy days to provide shelter, no permanent structure is proposed. The applicant is proposing that this use would decrease bus traffic around SSSC and aid in visitor distribution during the summer season.

ANALYSIS

1. CRITERIA TO BE USED IN DETERMINING THE IMPACT OF CONDITIONAL USES.¹

a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses:

Applicant is anticipating that traffic would decrease from current levels by providing a longer, exclusive tour package on the property (decreasing smaller and/or more frequent bus tour groups from coming to SSSC during tour days).

b. Amount of noise to be generated and its impacts on surrounding land use: Applicant does not anticipate significant increase in noise. Noise may decrease with less bus traffic as tours will be scheduled.

c. Odors to be generated by the use and their impacts: SSSC has multiple garbage cans on site with additional pick-up days. Garbage shall be disposed of in municipal containers and in accordance with Sitka General Code requirements.

d. Hours of operation: 9am – 4pm during the visitor season, May – September.

e. Location along a major or collector street: Accessed from Lincon Street.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: Access is direct from Lincoln Street. There are no cut-throughs. This is a municipally maintained street intended for moderate traffic.

¹ § 22.25.010.E

g. Effects on vehicular and pedestrian safety: May be improved by reducing and scheduling bus traffic.

h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Site is accessible to emergency services. Applicants do not anticipate a change from the current ability of emergency services personnel to access the site.

i. Logic of the internal traffic layout: Parking is available for the facility. Bus parking would remained unchanged, there is currently one designated bus drop off within the Lincoln Street right-of-way.

j. Effects of signage on nearby uses: Applicants have no new signage proposed. All signs shall comply with Sitka General Code.

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: No new buffers are proposed. The proposed site is located behind the sage building. The hatchery building buffers the playground separated by anadromous fish stream and fencing on the northwest side. The seawalk and CBS property is to the southeast side with some vegetation. The rear of the building abuts the tidelands.

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan: ED 6.5 “Support growth of Sitka’s independent, cruise-related, and heritage tourism work and enterprises.” This proposal also fits LU 3.2 “In the former Sheldon Jackson Campus area, encourage uses that support Sitka’s education, arts and sciences economy, while preserving and enhancing the historic character.”

m. Other criteria that surface through public comments or planning commission review:
None.

RECOMMENDATION

Staff recommends approval of the request for an eating and drinking place at 834 Lincoln Street.

Motions in favor of approval

1. **“I move to approve the conditional use permit for a eating and drinking place at 834 Lincoln Street in the R-2 multifamily residential district subject to the attached conditions of approval. The property is also known as Lot 7, Sheldon Jackson Campus Subdivision. The request is filed by Chance Gray. The owner of record is Sitka Sound Science Center.”**

CONDITIONS OF APPROVAL

1. The proposal shall be operated consistently with the application, narrative, and plans that were submitted with the request. This includes the operational plan and hours/season of operation.
 2. The Planning Commission, at its discretion and upon receipt of meritorious complaint, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
 3. Permit and use shall comply with all local regulations, including building code, fire and life safety, business registration, and remittance of all applicable taxes.
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2. **“I move to adopt and approve the required findings for conditional use permits as listed in the staff report.”**

The Planning Commission shall not approve a proposed development unless it first makes the following findings and conclusions:²

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; 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; *because the proposed use is not injurious to the uses, property or character of the surrounding area.*
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; *because it promotes economic development by providing an opportunity for entrepreneurship and supports local business; specifically ED 6.5 “Support growth of Sitka’s independent, cruise-related, and heritage tourism work and enterprises and LU 3.2 “In the former Sheldon Jackson Campus area, encourage uses that support Sitka’s education, arts and sciences economy, while preserving and enhancing the historic character.”*
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced; *conditions can be enforced through State and municipal permitting requirements, municipal code, and conditions provide a means of redress through the Planning Commission.*
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

² §22.10.160(C)—Required Findings for Conditional Use Permits

community from such hazard; *because the proposed use does not introduce additional hazards. Other safety concerns such as food and fire safety are addressed through other permitting processes.*

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; *there are adequate public facilities such as utilities and streets in the area that can support the additional use.*

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; *because the applicant has met the burden of proof through information provided in their application packet.*