



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: Ordinance 2016-01 Sale of Tidelands to Forrest Dodson and Mary Holzman

Date: January 6, 2016

Last summer, Forrest Dodson and Mary Holzman approached the Planning Department with a request to purchase tidelands on the seaward side of their home at 263 Katlian Street.

Forrest Dodson and Mary Holzman received preliminary approval for the tideland sale from the Assembly on June 23, 2015, as well as a motion of preliminary approval and approval of the subdivision plat from the Planning Commission. The request was discussed at both the Ports and Harbors Commission and Historic Preservation Commission. Following SGC, the request is back before the Assembly for approval of the land sales ordinance based on the attached subdivision plat.

The tidelands request is approximately 2,160 square feet on the seaward side of 263 Katlian Street. The parcel is described as: A subdivision of ATS 15 and a portion of parcel No. 3, City and Borough of Sitka/Hames Corporation tideland exchange subdivision, creating one new parcel to be combined with the deeded portion of ATS 15 seaward of Lot 14 as well as Lot 14, Blk. 5, USS 2542. Adjacent tidelands are owned by Baranof Island Housing Authority.

The buyers intend to restore the historic 1904 home at 263 Katlian Street and move it back onto the proposed tidelands. They will then use the front portion of the lot for parking and garden space.

The sale price is \$22,334.00 or \$10.34 per square foot based on the rate set by the City Assessor. As requested, the rate was reviewed in August 2015.

Commissioners were in support of restoring the old home and creating more parking and pedestrian access on Katlian Street.

The applicant has also received permits from the US Army Corps of Engineers to proceed with fill on the newly expanded lot.

RECOMMENDED ACTION: Approve the ordinance based on the attached subdivision plat.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2016-01

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA AUTHORIZING
THE SALE OF A PORTION OF LOT 1 DODSON-HOLZMAN SUBDIVISION

1. **CLASSIFICATION.** This ordinance is not of a permanent nature and is not intended to become a part of the Sitka General Code.

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 or circumstances shall not be affected thereby.

3. **PURPOSE.** The Assembly has determined this property is excess to municipal needs.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka:

A. The sale of a portion of Lot 1 Dodson-Holzman Subdivision to Forest Dodson and Mary Holzman is hereby authorized. Dodson-Holzman Subdivision is a subdivision of ATS 15 and a portion of parcel No. 3, City and Borough of Sitka/Hames Corporation tideland exchange subdivision, creating one new parcel to be combined with the deeded portion of ATS 15 seaward of Lot 14 as well as Lot 14, Blk. 5, USS 2542.

B. The sales price of the 2,160 square feet of tidelands, as established by the Municipal Assessor, shall be at \$22,334.

C. The City and Borough Assembly finds competitive bidding is inappropriate and unnecessary due to the nature of the property since it can only realistically be used by the adjacent property owner.

D. The sale is conditional on the recording of the subdivision plat.

E. The transfer shall be by quitclaim deed.

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 26th day of January 2016.

Mim McConnell, Mayor

ATTEST:

Sara Peterson, CMC
Municipal Clerk

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE _____ OWNER _____ (SIGNATURE)

DATE _____ OWNER _____ (SIGNATURE)

NOTARY'S ACKNOWLEDGMENT

US OF AMERICA
STATE OF ALASKA
CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN _____ AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED _____

TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED TO ME THAT _____ SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

CERTIFICATE OF PAYMENT OF TAXES

(STATE OF ALASKA)

(FIRST JUDICIAL DISTRICT)

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS IN THE NAME OF _____

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20____ WILL BE DUE ON OR BEFORE _____

DATED THIS _____ DAY OF _____ AT SITKA, ALASKA.

ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREIN HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. _____ DATED _____, 20____, AND THAT THE PLAT SHOWN HEREIN HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ CHAIRMAN, PLATING BOARD

SECRETARY

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FINANCE DIRECTOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF _____

CALL OWNERS OF RECORD, AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS _____ DAY OF _____ AT SITKA, ALASKA.

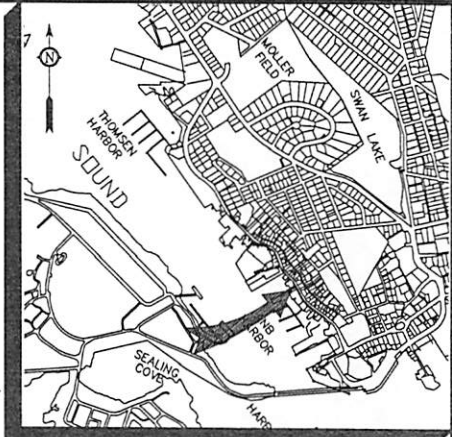
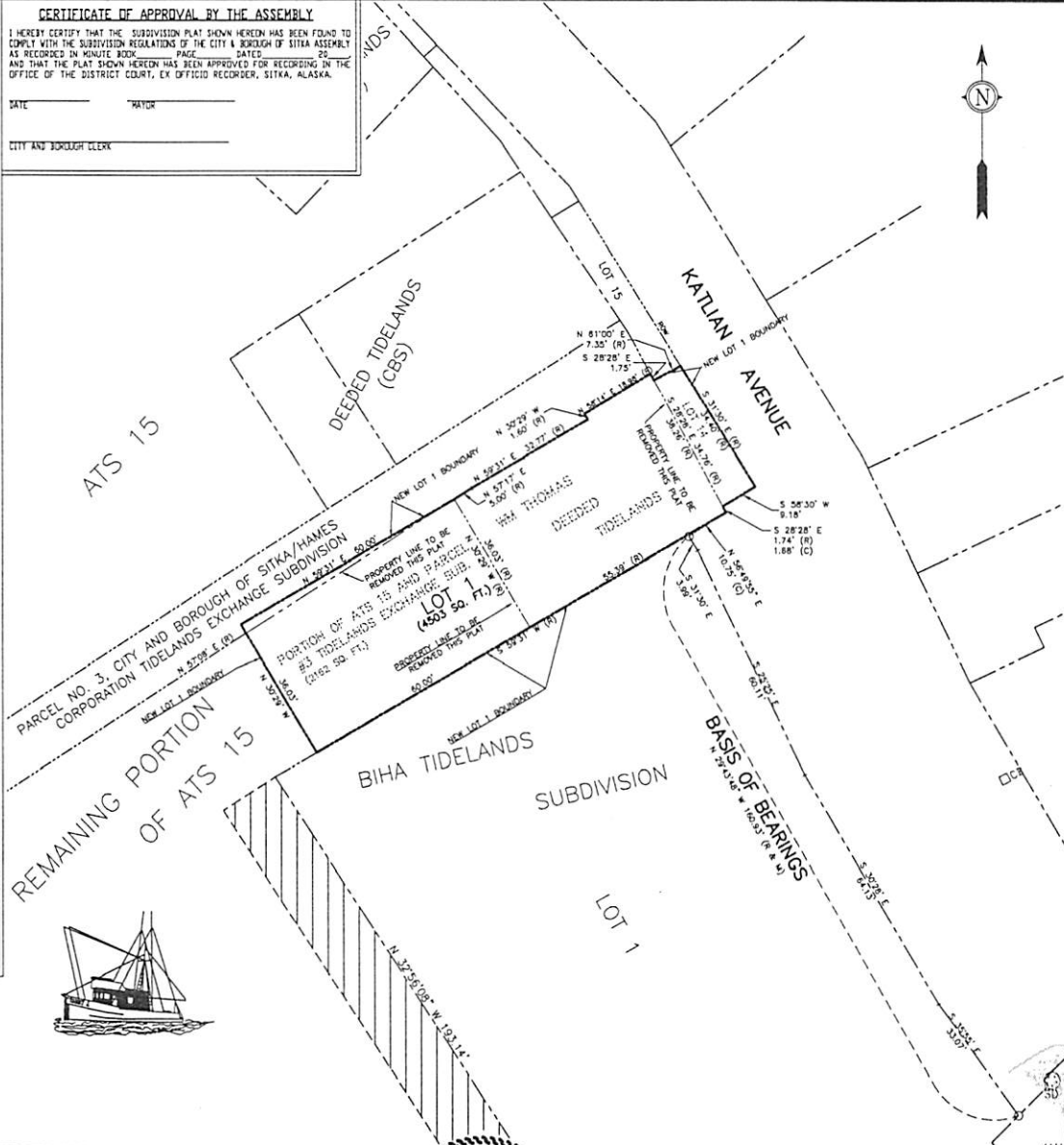
FINANCE DIRECTOR
CITY & BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREIN HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK _____ PAGE _____, DATED _____, 20____, AND THAT THE PLAT SHOWN HEREIN HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ MAYOR

CITY AND BOROUGH CLERK



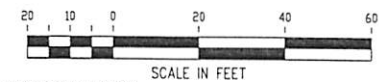
VICINITY MAP

SCALE: 1" = 1000'

LEGEND

- PRIMARY CONTROL MONUMENT RECOVERED (BRASS CAP)
- ⊕ BLM/GLD PRIMARY BRASS CAP (RECOVERED)
- SECONDARY MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

1. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE ATS 15 AND A PORTION OF PARCEL NO. 3 OF THE CBS/HAMES CORP. TIDELANDS EXCHANGE SUBDIVISION, CREATING A NEW PARCEL OF 2162 SQ. FT., AND COMBINING THIS NEW PARCEL WITH PREVIOUSLY DEEDED TIDELANDS AND LOT 14 OF USS 2542 INTO ONE SINGLE LOT (LOT 1, DODSON-HOLZMAN SUBDIVISION).
2. THE TOTAL SQUARE FOOTAGE OF LOT 1, DODSON-HOLZMAN SUBDIVISION, IS 4503 SQ. FT.



PRELIMINARY

SITKA RECORDING DISTRICT

O'NEILL

SURVEYING AND ENGINEERING

BOX 1849 SITKA, ALASKA 99835
PHONE: (907) 747-8700
FAX: (907) 747-7590
EMAIL: onellengr@aol.net

| BY | DATE | REV. | DESCRIPTION OF CHANGE |
|----|------|------|-----------------------|
| | | | |
| | | | |
| | | | |
| | | | |

RECORD OF REVISIONS



DESIGNED: P. O'NEILL
DRAWN: K. O'NEILL
CHECKED: K. O'NEILL
DATE OF PLAT: NOV. 13, 2013, 14:0108.
SCALE: 1" = 20'
DRAWING NAME: 30858-02
PROJECT NO.: 30858-02-00

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN _____ A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

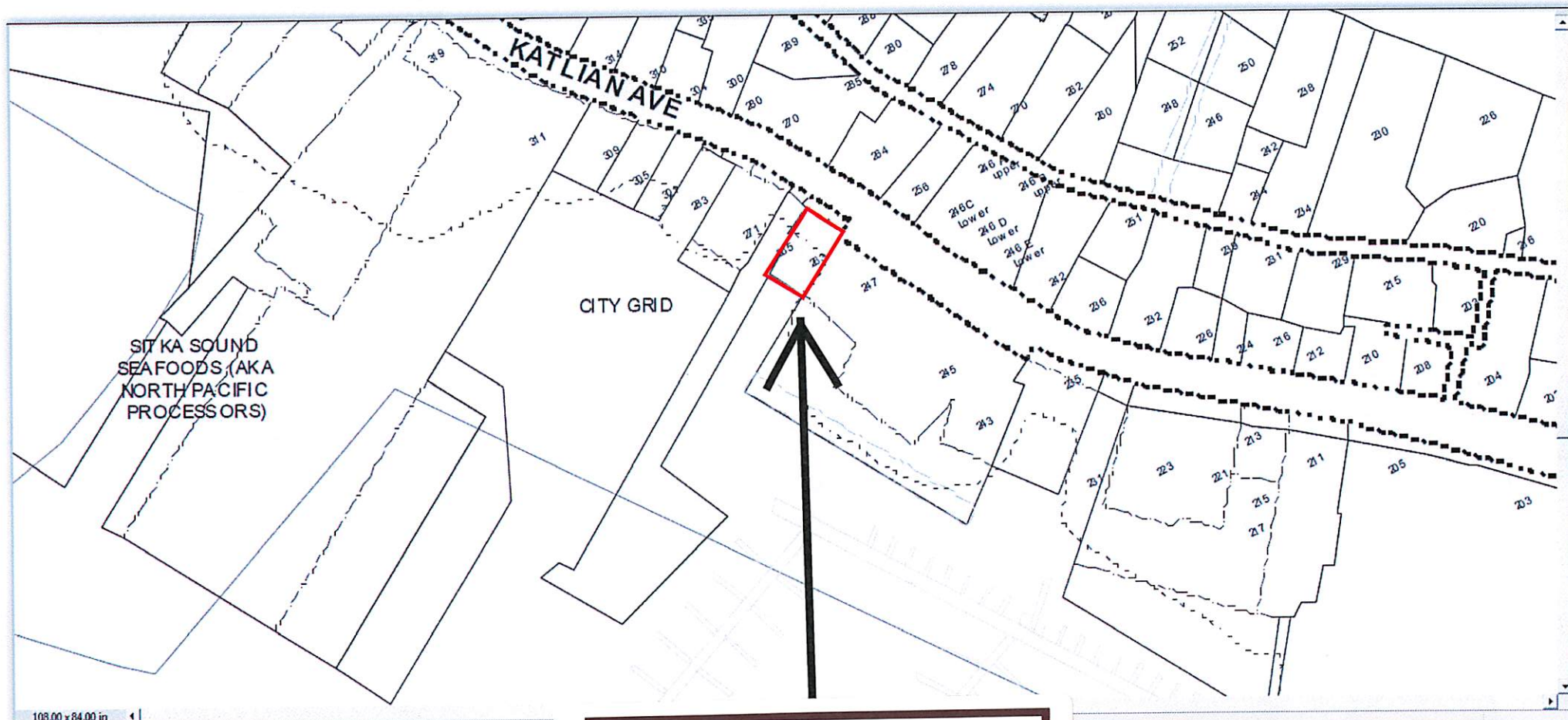
DATE _____ PATRICK K. O'NEILL, LS 6304

DODSON-HOLZMAN SUBDIVISION

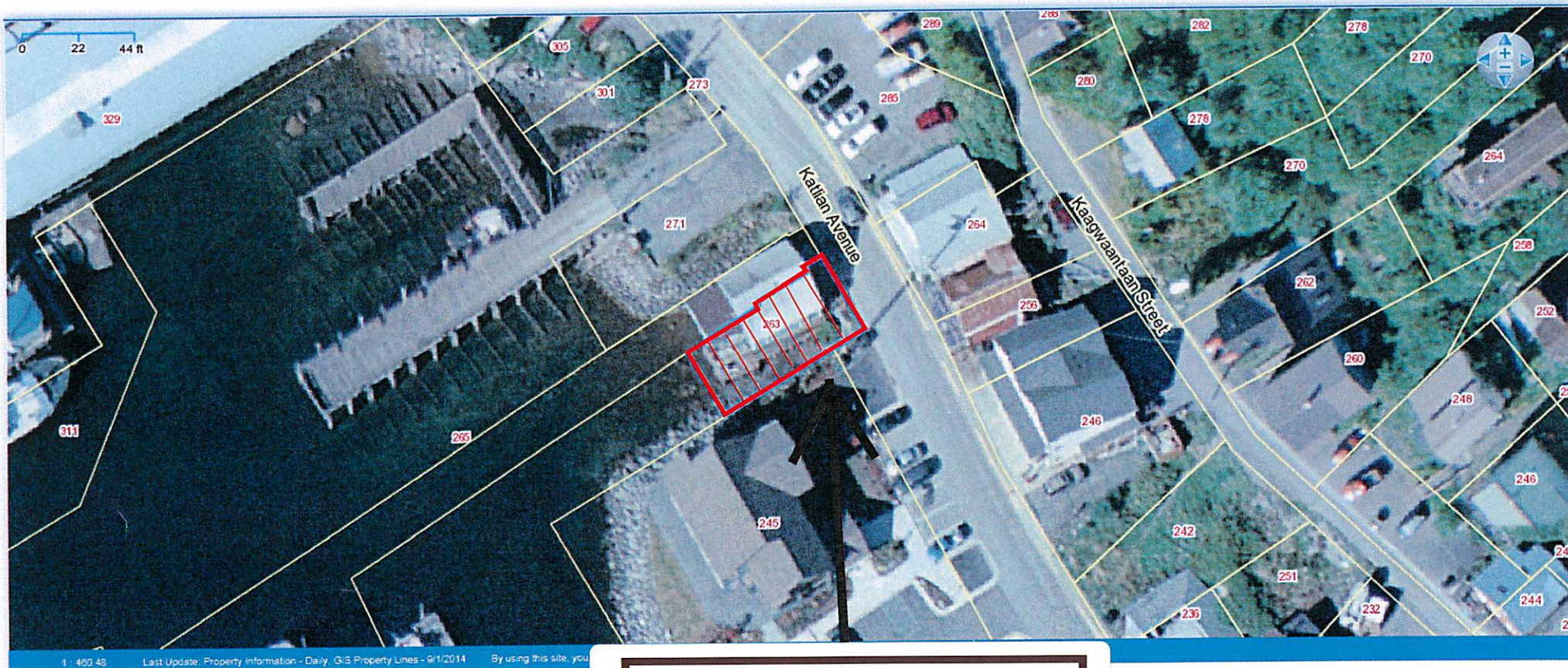
A SUBDIVISION OF ATS 15 AND A PORTION OF PARCEL NO. 3, CITY AND BOROUGH OF SITKA/HAMES CORPORATION TIDELAND EXCHANGE SUBDIVISION, CREATING ONE NEW PARCEL TO BE COMBINED WITH THE DEEDED PORTION OF ATS 15 SEAWARD OF LOT 14 AS WELL AS LOT 14, BLK. 5, USS 2542.

CLIENT: DODSON AND HOLZMAN

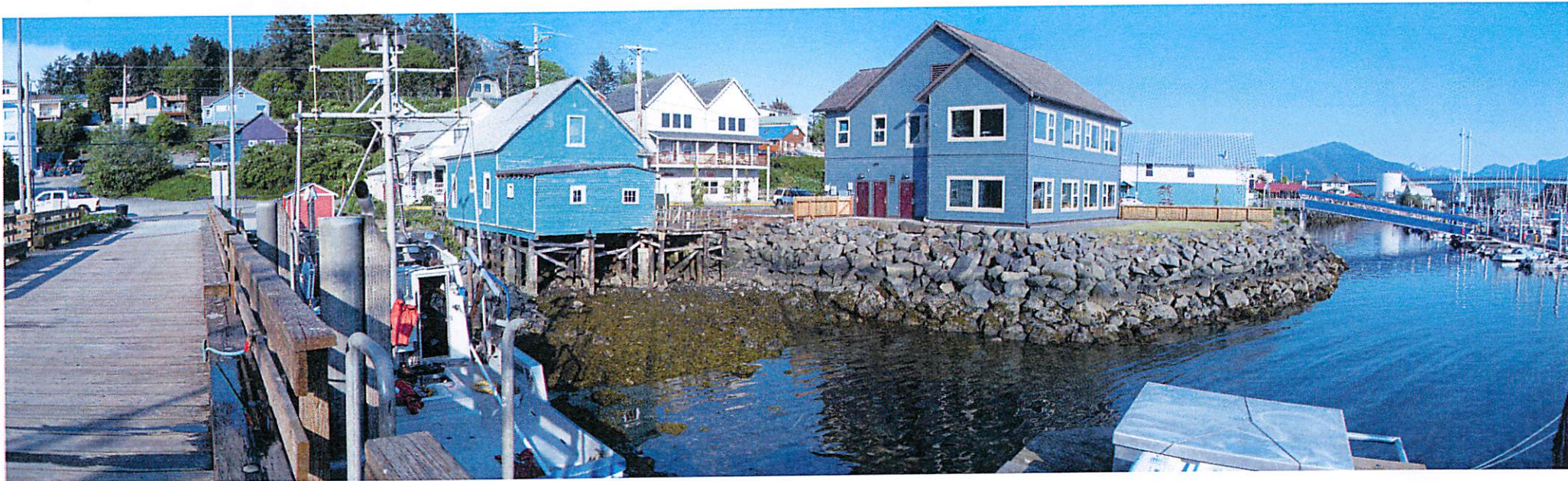
SHEET



Dodson/Holzman
Tidelands Land Sale
263 Katlian Street



Dodson/Holzman
Tidelands Land Sale
263 Katlian Street



Dodson/Holzman

Tidelands Land Sale
263 Katlian Street



Dodson/Holzman
Tidelands Land Sale
263 Katlian Street

May 6, 2015

To: City and Borough of Sitka

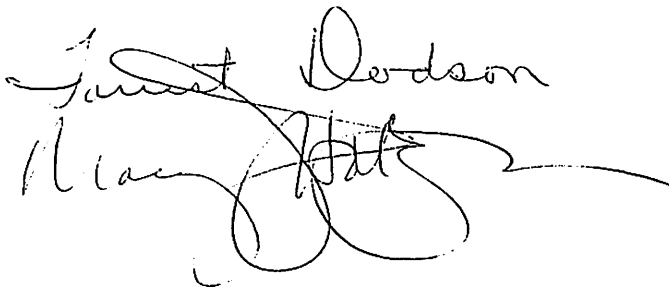
From: Forrest Dodson and Mary J. Holzman
PO Box 6575
Sitka, Ak, 99835
907-738-4549 907-738-5476

Request to purchase tideland adjoining our property at 263 Katlian.
The purpose of acquiring the tideland is to move the house away from
the street to provide parking and a sidewalk.

We plan to fill the acquired tideland. A foundation would be built and
the existing house moved on to it. The property where the house
previously sat would then be filled to create parking and side walk.

We plan to restore this historic 1904 house and make it our home.

Sincerely,

Handwritten signatures of Forrest Dodson and Mary J. Holzman. The signature of Forrest Dodson is written above the signature of Mary J. Holzman. Both signatures are in cursive and are written in black ink.

Dodson / Holzman
Tidelands Land Sale
263 Katlian Street

Scott Brylinsky

From: Janine Holzman <janineholzman@gmail.com>
Sent: Tuesday, November 04, 2014 1:41 PM
To: Planningdirector@cityofsitka.com
Subject: Purchase of tidelands

Dear Planning Director.

We would like to purchase from the city a parcel of tideland seaward of our property at 263 Katlian. The property would measure 60' x 36'.

We agree to the price of \$10.34 sq ft. The price would be \$22,334 for the ^{21,600}~~18,000~~ sq ft.

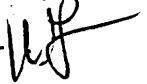
Thank you

Forrest Dodson aka Bud Dodson.

Mary J Holzman aka Janine Holzman

Memorandum

TO: Maegan Bosak, Planning and Community Development Director

FROM: Wendy Lawrence, Assessing Director 

SUBJECT: PID: 1-6720-000 Forrest Dodson & Mary J. Holzman inquiry regarding proposed purchase of City of Sitka owned tidelands.

DATE: August 31, 2015

Per your request, I have reviewed the following described property:

Approximately 2160 square feet of tidelands located seaward of 263 Katlian Avenue (Lot 14, Block 5, Sitka Indian Village, U.S. Survey No. 2542, including a portion of Alaska Tidelands Survey No. 15).

Tideland leases in this area are valued from \$7.70 per square foot for unfilled/submerged tidelands to \$25.85 per square foot for filled tidelands.

Due to the mild sloping nature of this property I would estimate the value at 40% of the filled tidelands value of \$25.85, or \$10.34 per square foot.

Recommended conclusions of value as follows:

Approximately 2,160 square feet of unfilled tidelands with a value of \$10.34 per square foot for a total estimated market value of **\$22,334** ($2,160 \times 10.34 = \$22,334$).

263 KATLIAN

BLOCK I
SITKA INDIAN VILLAGE
U.S. SURVEY 2542 A & B

L. 11, 12, 13 = 1256TH

LOUIS
JENSEN
BOX 1130

WM.
THOMAS
BOX 755

KATLIAN AVENUE

DEEDED R.O.W. 3,178.218 SQ. FT.

DEEDED TIDELANDS

FILL 5600TH

ALBERT BROOKMAN, JR.

11,909 SF - 1357
9986.78⁷

BIHA

DEEDED AREA CONTAINS 9,450.87 SQ. FT.

193.14'
N 32° 55' 08" W

OWNER: NATIVE
ALASKA BROTHERHOOD
SITKA, AK.
P.O. BOX 72

DOCK
APPROACH

RAMP

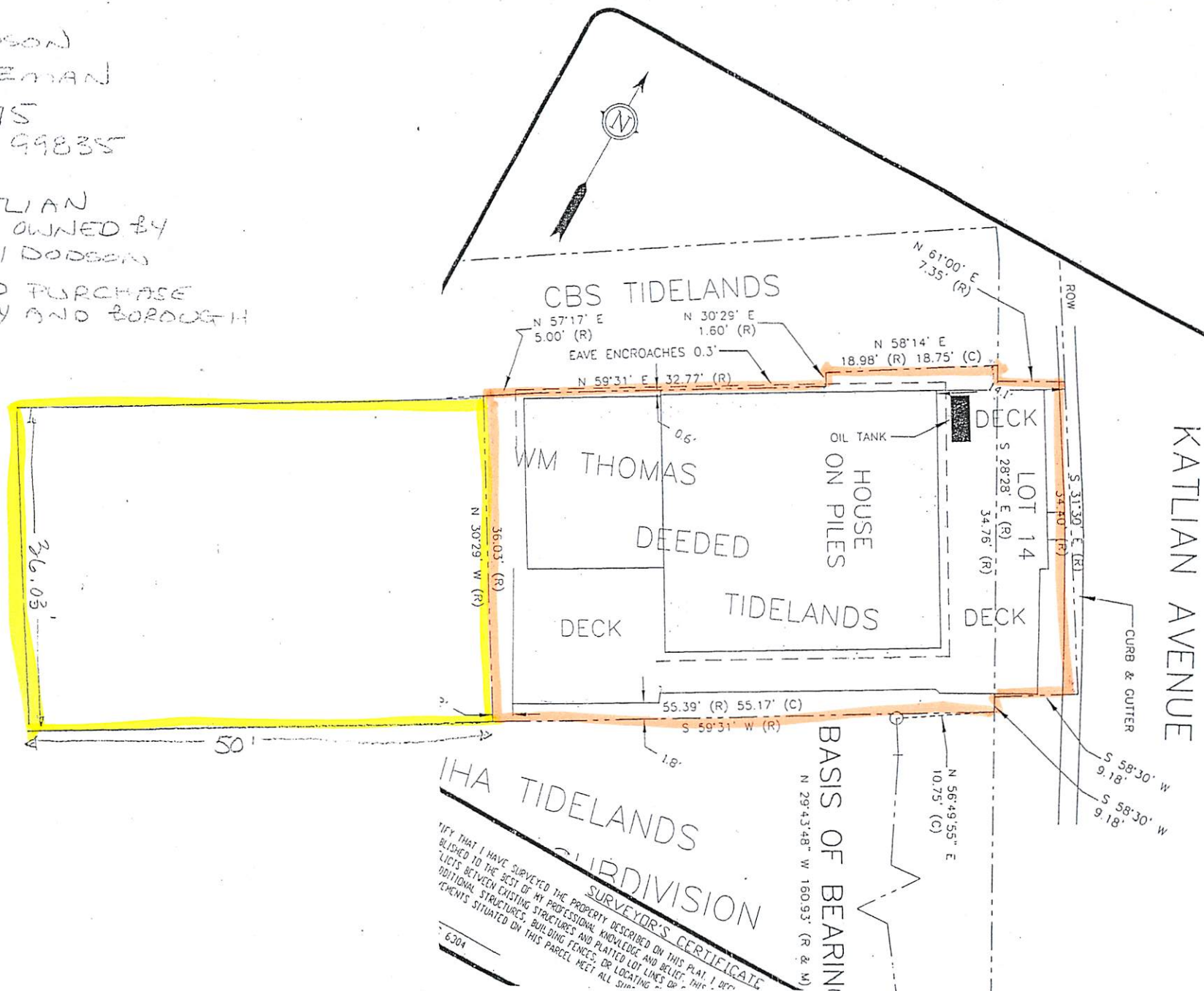
Dodson / Holzman
Tidelands Land Sale
263 Katlian Street

PROPOSED PURCHASE OF TIDELANDS

6/14
91

FORREST DODSON
 MARY J. HOLZMAN
 P.O. BOX 6575
 SITKA, AK, 99835

- 263 KATLIAN
 PROPERTY OWNED BY
 HOLZMAN / DODSON
- PROPOSED PURCHASE
 FROM CITY AND BOROUGH



Dodson/Holzman
 Tidelands Land Sale
 263 Katlian Street

KATLIAN ST.

#263

SIDEWALK

PARKING

HOUSE

60'

36.03'

Proposed
Tidelands
purchase
area

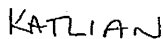
PROPOSED

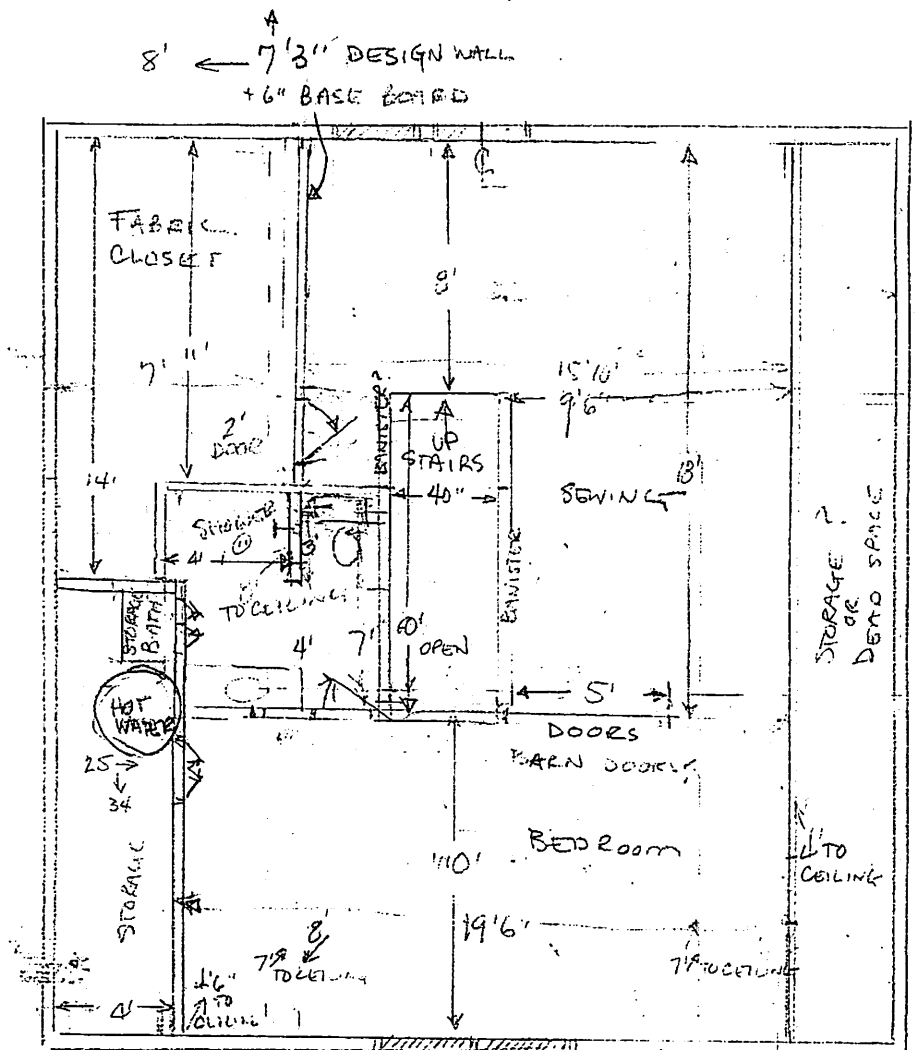


House
moved onto
purchased
tidelands

Dodson / Holzman
Tidelands Land Sale
263 Katlian Street

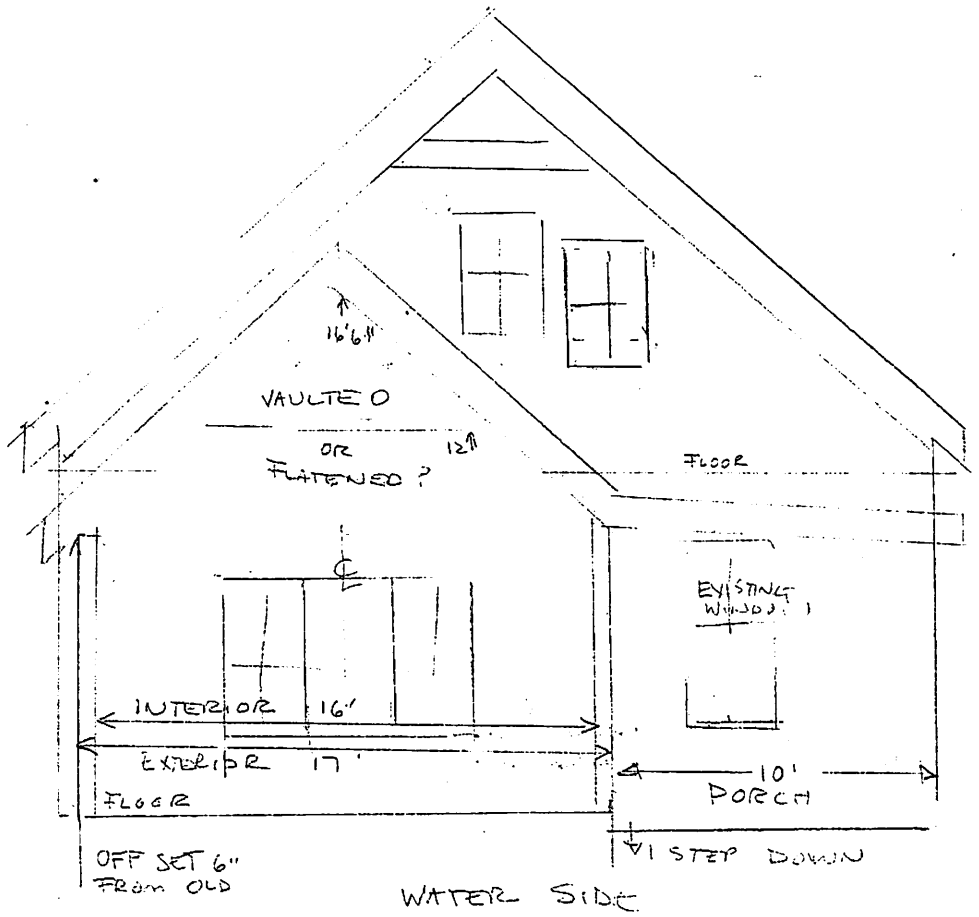
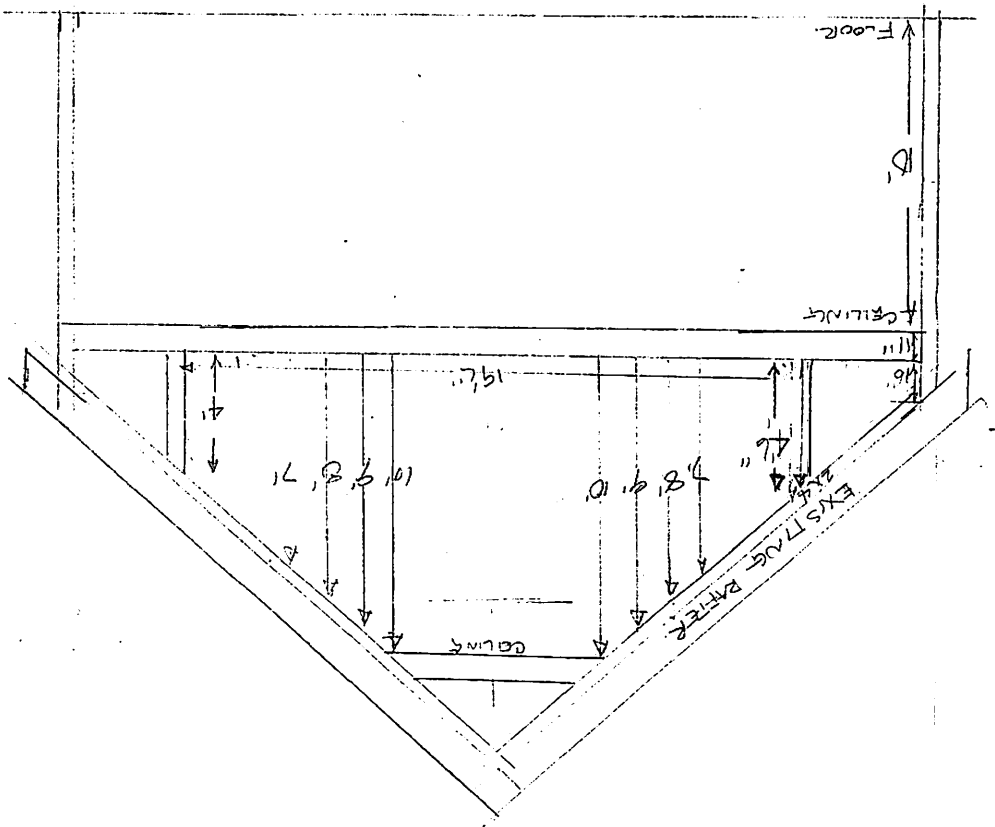
Forrest Dodson
Tidelands Sale
263 Katlian





KATIAN

KATLIAN



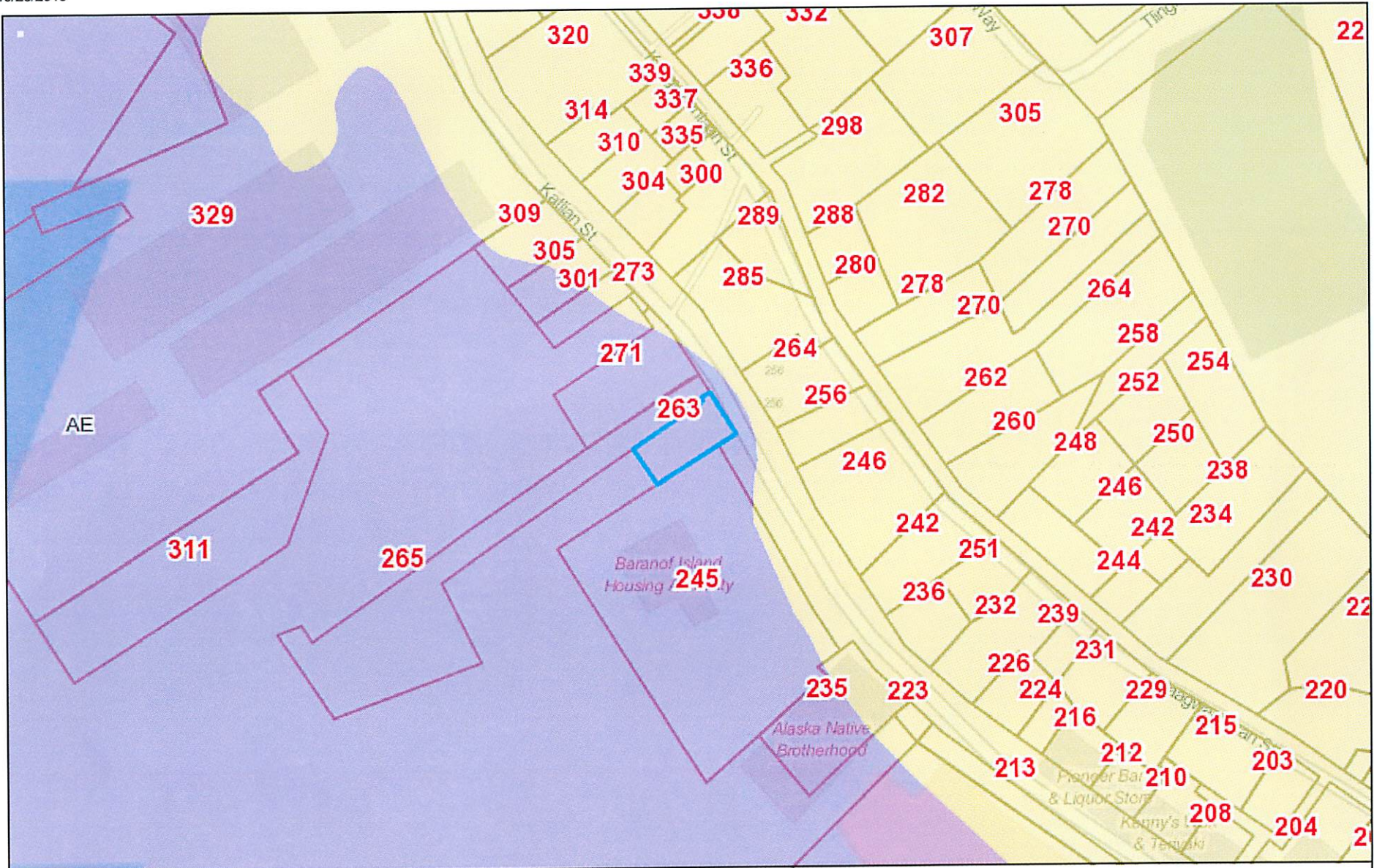
Forrest Dodson

Tidelands Sale

263 Katlian



Dodson/Holzman
Tidelands Land Sale
263 Katlian Street



City & Borough of Sitka, Alaska

Selected Parcel: 263 KATLIAN ID: 16720000

Printed on 10/23/2015 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

This map is for informational purposes only. It is not for appraisal of, description of, or



MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

Legal responsibility for the information contained herein.

Dodson/Holzman

Tidelands Land Sale
263 Katlian Street

Most recent city staff comments

Carole Gibb

From: Maegan Bosak <maegan@cityofsitka.com>
Sent: Monday, June 08, 2015 10:30 AM
To: carole@cityofsitka.com
Subject: FW: Comments on tidelands lease sale adjacent 263 Katlian Street

From: Dale Goerner [mailto:dgoerner@cityofsitka.com]
Sent: Monday, June 01, 2015 3:06 PM
To: 'Maegan Bosak'
Cc: 'Michael Harmon'; 'Jay Sweeney'; 'Stan Eliason'; Wendy Lawrence; Mark Gorman
Subject: RE: Comments on tidelands lease sale adjacent 263 Katlian Street

Maegan;
I also walked through the site for this proposal today (unintentionally with the owner who saw me while I was there) and am in agreement with Stan on his first sentence.
I cannot comment – either for or against, on the 2nd sentence. Stan is the expert.

There is no Electrical Department impact on this proposal.

It would be nice to see the Katlian area improved, even if it is one house and one lot at a time as in the case, and keeping the same historical house.

Regards;
Dale

From: Stan Eliason [mailto:stan@cityofsitka.com]
Sent: Monday, June 01, 2015 12:02 PM
To: Maegan Bosak
Cc: Michael Harmon; Jay Sweeney; dgoerner@cityofsitka.com
Subject: Re: Comments on tidelands lease sale adjacent 263 Katlian Street

Maegan, I have done a walk through with the property owner. I cannot convince myself, that his proposal will interfere with ANB Harbor or the grid.

I'm a bit hesitant on even thinking about grid expansion. Eventually, all grids will be shutdown in the SOA. I don't know when, but it has occurred in the lower 48. It's slowly making its way here.

SDE

Sent from my iPhone us

On Jun 1, 2015, at 10:23 AM, Maegan Bosak <maegan@cityofsitka.com> wrote:

Hello,

In November of 2014, Bud Dodson requested a sale of tidelands adjacent his home at 263 Katlian Street. Scott sent the request around, asking for staff comments. From those comments, the proposed sale was denied.

Mr. Dodson approached Gorman last month asking about an appeal process of the decision to sell, which goes through the Planning Commission prior to the Assembly for concept.

Included in the Planning Commission packets, were staff comments of which Mr. Dodson may try to contact you to discuss. I am happy to sit in on those conversations and assist.

Just wanted to give you a heads up. Please see the attached staff comments.

Thanks,

Maezan Borak

Planning and Community Development Director
City and Borough of Sitka
907.747.1824

<staff comments 2.pdf>

<staff comments.pdf>

Previous city staff comments

Maegan Bosak

From: Michael Harmon <michael@cityofsitka.com>
Sent: Monday, November 17, 2014 5:45 PM
To: Scott Brylinsky
Cc: Jay Sweeney; Stan Eliason; Mark Gorman; Marlene Campbell; erin@cityofsitka.com; maegan@cityofsitka.com
Subject: RE: tidelands parcel adjacent to 263 Katlian Ave. - surplus to city's needs?

Scott,

I am not sure the Public Works really has any jurisdiction on this issue as it mainly impacts the Harbor Department and ultimately future planning/zoning and land management of CBS property. However, given my overall knowledge of doing projects, maintaining infrastructure, and understanding the value of waterfront/tideland access, I strongly agree with the majority of Marlene's comments. We are really struggling to have enough waterfront access and property that is not seriously encumbered by oddities many of which we have created onto ourselves by selling important tidelands.

MICHAEL HARMON, P.E.

Public Works Director
City and Borough of Sitka
100 Lincoln Street
Sitka, AK 99835
Office 907-747-1223
Fax 907-747-3158
michael@cityofsitka.com

Dodson / Holzman
Tidelands Land Sale
263 Katlian Street

From: Marlene Campbell
Sent: Monday, November 17, 2014 2:31 PM
To: Scott Brylinsky; erin@cityofsitka.com; maegan@cityofsitka.com
Cc: Michael Harmon; Jay Sweeney; Stan Eliason; Mark Gorman
Subject: RE: tidelands parcel adjacent to 263 Katlian Ave. - surplus to city's needs?

One of my jobs since 1987 has been Coastal Management Coordinator under the CBS Coastal Management Plan. Although the ACMP has been eliminated, CBS has continued to maintain the enforceable policies of the Sitka Coastal Management Program by ordinance. The Sitka Coastal Plan recognizes the unique value of tidelands. Almost all Alaska tidelands are owned by the State of Alaska, with the exception of a few privately owned properties and the City and Borough of Sitka's tidelands in the Sitka downtown area.

The value of these tidelands far exceeds the square foot value, and enables CBS to utilize its tidelands for, among other things, the City's small boat harbor system (largest in the state) and seafood processing. The grid is used by recreational, commercial, and subsistence vessels from small skiffs to large fishing boats, on a year-round basis, for both regular maintenance and emergency use. Persons using the grid must be able to get to, from, and around the area of the grid, including the proposed sale area and the road, to adequately access and work on their vessels under all tide conditions. Maintaining the maximum amount of tidelands and adjacent uplands under and around all portions of the grid, from the street to the channel, is basic to being able to utilize it effectively. I consider the area proposed for surplus is an integral part of this tidelands complex and is an essential part of the City's waterfront facilities; it is not surplus to the City's needs.

I have gone on record repeatedly stating that the very limited tidelands owned by the City and Borough of Sitka are a precious and limited resource that should never be sold except in rare circumstances where the tidelands are no longer serving a tidelands function and are in fact surplus to the needs of the City and the public. The tidelands adjacent to the City's seaplane facility area which were sold to a private party for a very small sum are a prime example of this critical resource, which has continued to cause problems in the area and limit the potential for the City to more productively use these tidelands and uplands in the future for City purposes. The City has so few shoreline areas in developable

locations, that their value to CBS could be much higher in the future, and perhaps the tidelands could be essential to future development. I would therefore recommend that CBS functional tidelands, in general, should never be sold, and even if leased CBS should have the ability to terminate the lease at some point. This suggestion would not apply to already filled tidelands which may only benefit the uplands property owner.

Thanks for the opportunity to comment. --Marlene

Marlene A. Campbell

Government Relations Director
City and Borough of Sitka
100 Lincoln St.
Sitka, AK 99835
voice: 907-747-1855 fax: 907-747-7403
campbell@cityofsitka.com

From: Scott Brylinsky [<mailto:planningdirector@cityofsitka.com>]
Sent: Wednesday, November 12, 2014 9:59 AM
To: deptheads@cityofsitka.com
Cc: erin@cityofsitka.com; 'Maegan Bosak'
Subject: tidelands parcel adjacent to 263 Katlian Ave. - surplus to city's needs?

Dear Department Heads,

A party has expressed interest in acquiring a parcel of city tidelands. The parcel is adjacent to 263 Katlian Avenue. It is not yet a "parcel," formally speaking, but rather an approximation of a parcel which would be created after a survey and replat. Nonetheless, for this early step in the process it seems the attached drawing showing the approximate boundaries is sufficient. The parties offering to purchase the tidelands state their intent is to fill the tidelands and relocate the dwelling, now on 263 Katlian Ave, to the filled tidelands. Note that the parcel under review is adjacent to the city grid.

Like most land sales, this proposal will also receive formal review by the Historic Preservation Commission and the Ports and Harbors Commission.

Before proceeding with a process to possibly dispose of these tidelands, a necessary step is to determine if they are surplus to the city's needs.

Therefore, I ask department heads to advise the Planning Department as to whether this parcel is surplus to their department's needs. Additionally, even if it is surplus to your department's needs, please advise if you are aware of a reason why it might be in the city's interest to retain these tidelands in the city lands inventory.

Please respond by Thursday November 20, or let me know if you need more time. If we receive no response from a department, the Planning Department will consider there to be "no objection" to disposing of the property.

Feel free to give a call if you would like more information or if there are any questions. Thank you.

Sincerely,
Scott

Scott Brylinsky
Interim Planning Director
City and Borough of Sitka
100 Lincoln Street, Sitka, AK 99835

Maegan Bosak

From: Chris Brewton <chrisb@cityofsitka.com>
Sent: Wednesday, November 19, 2014 10:01 AM
To: 'Stan Eliason'; 'Jay Sweeney'
Cc: 'Scott Brylinsky'; deptheads@cityofsitka.com; erin@cityofsitka.com; 'Maegan Bosak'; 'Dan Tadic'; 'Michael Harmon'
Subject: RE: tidelands parcel adjacent to 263 Katlian Ave. - surplus to city's needs?

Scott,

Other issue that may arise is the float home locations which are very near this location. There will be required infrastructure upgrades necessary to get sewer to the floats and not sure what the best route would be at this point.

c

From: Stan Eliason [<mailto:stan@cityofsitka.com>]
Sent: Wednesday, November 12, 2014 12:14 PM
To: Jay Sweeney
Cc: Scott Brylinsky; deptheads@cityofsitka.com; erin@cityofsitka.com; Maegan Bosak; Dan Tadic; Michael Harmon
Subject: Re: tidelands parcel adjacent to 263 Katlian Ave. - surplus to city's needs?

I agree with Jay.

Sent from my iPhone us

On Nov 12, 2014, at 12:04 PM, Jay Sweeney <jay@cityofsitka.com> wrote:

Scott,

One thing that strikes me immediately is the proximity of the subject tidelands to the City Grid. The City Grid is scheduled for renovation in 2031 as part of the Municipal Harbor Master Plan. If any element of the renovation involves redesign or expansion of the Grid, there is a possibility that some element of the adjacent tidelands could be affected. If control is lost, access to those tidelands would be much more difficult to obtain.

From my perspective, I see no reason to want to dispose of the tidelands at this time.

Regards,

Jay

John P. Sweeney III

John P. ("Jay") Sweeney III
Finance Director
City and Borough of Sitka

**CITY AND BOROUGH OF SITKA
Planning Commission
Minutes of Meeting
December 1, 2015**

Present: Chris Spivey (Chair), Darrell Windsor (Vice-Chair), Tamie Parker Song—via phone (Member), Debra Pohlman (Member), Randy Hughey (Member), Maegan Bosak (PCDD), Michael Scarcelli (Senior Planner), Samantha Pierson (Planner I)

Absent: None

Members of the Public: Kevin Knox, Stan Eliason (Harbormaster), Forrest Dodson (via phone), Mary Holzman (via phone), Michael Tisher, Kelly Pellett, Cliff Richter, Jay Stelzenmeller

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

Roll Call:

PRESENT: 5 – Spivey, Windsor, Parker Song (via phone), Pohlman, Hughey

Consideration of the Minutes from the November 3, 2015 meeting:

MOTION: M/S POHLMAN/WINDSOR moved to approve the meeting minutes for November 3, 2015.

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

The evening business:

**ZONING TEXT CHANGE
SHORT TERM RENTALS AND BED AND BREAKFAST OPERATIONS IN PUBLIC ZONE
TIM FULTON**

Public hearing and consideration of a zoning text change request filed by Tim Fulton. The proposed zoning text change would permit B&B's and Short-Term Rentals on boats in municipal harbors, in the Public Zone. The request is filed by Tim Fulton.

STAFF REPORT: Scarcelli reviewed the request, which would permit B&B's and short-term rentals in all properties zoned Public Lands District. Scarcelli stated that the Port and Harbors Commission had some positive and some negative thoughts about the request. Scarcelli stated concerns for sewage dumping and safety. Scarcelli noted that the applicant was currently at another board where he serves as chair, but can answer questions via phone if commissioners wished. Scarcelli read a letter submitted by the applicant.

COMMISSIONER DELIBERATION: Commissioners did not have questions for the applicant. Windsor asked for clarification on Public zoning. Scarcelli clarified that if the zoning text change was enacted, bed and breakfast operations and short-term rentals would be permitted or

conditional in all lands zoned Public Lands, beyond the harbors. Hughey asked about infrastructure and sewage concerns.

PUBLIC COMMENT: Port and Harbors Commission Chair Kevin Knox and Harbormaster Stan Eliason expressed concerns for sanitation, safety, traffic, and increased workload of harbor staff. Knox acknowledged that the request is interesting, and short-term rentals are permitted in harbors in other states. Eliason stated that boats must currently be taken to a dump station, since sewage pipes are not run to all boats.

MOTION: M/S HUGHEY/WINDSOR moved to approve the staff findings that 1) the proposal negatively impacts the public's health, safety, and welfare due to the anticipated impact to public infrastructure, the impacts resulting from sewage, the anticipated cost of enforcement and oversight; 2) is inconsistent with the comprehensive plan as discussed in the staff report; and 3) involves the broad impacts that a zoning text change would have on lands zoned Public.

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

MOTION: M/S HUGHEY/WINDSOR moved to recommend denial of a zoning text change request filed by Tim Fulton for a zoning text change to permit short-term rentals and Bed and Breakfast operations in the Public Zone as a permitted or conditional use.

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

7:25—Parker Song stated that she was having a hard time hearing discussion via phone. Commissioners agreed that since a quorum could be met without her, Parker Song could leave the meeting.

VARIANCE REQUEST

**263 KATLIAN AVENUE, LOT 14, BLOCK 5, SITKA INDIAN VILLAGE, U.S. SURVEY 2542
FORREST DODSON AND MARY HOLZMAN**

Public hearing and consideration of a variance request filed by Forrest Dodson and Mary Holzman for 263 Katlian Avenue and the adjacent tidelands. The variance request is for a reduction in lot size from 6,000 square feet to 4,428 square feet. The property is also known as Lot 14, Block 5, Sitka Indian Village, U.S. Survey 2542. The request is filed by Forrest Dodson and Mary Holzman. The owners of record are Forrest Dodson and Mary Holzman.

STAFF REPORT: Scarcelli reviewed the request. The variance would permit the creation of an undersized lot. The current lot is undersized, and the proposal would approximately double the lot size. This proposal would move the lot toward compliance. Scarcelli stated that the Historic Preservation reviewed the project and made a motion to approve, which failed.

APPLICANT: Forrest Dodson and Mary Holzman joined via phone, and stated that there was no new information.

COMMISSIONER DELIBERATION: Hughey asked staff why the Historic Preservation Commission denied approval for the project. Scarcelli stated that the HPC wanted to seek input from the Tribe and was concerned that moving the structure would make it ineligible for historic status. Bosak reminded the Commissioners that the HPC is a recommendation board, and the HPC's recommendations cannot prevent a project.

PUBLIC COMMENT: No public comment.

MOTION: M/S POHLMAN/HUGHEY moved to approve the required findings for variances involving major structures or expansions:

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, *specifically the small lot size*;
- b) The variance is necessary for the preservation and enjoyment of a substantial property right of use possessed by other properties but are denied to this parcel;
- 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, it is in line with Comprehensive Plan 2.4.1, which states, "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," and conditions of approval mitigate any harm and the proposal enhances the quality of access for current and future homeowners.*

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

MOTION: M/S POHLMAN/HUGHEY moved to approve the variance request filed by Forrest Dodson and Mary Holzman for 263 Katlian Avenue and the adjacent tidelands. The variance request is for a reduction in lot size from 6,000 square feet to 4,428 square feet. The property is also known as Lot 14, Block 5, Sitka Indian Village, U.S. Survey 2542. The request is filed by Forrest Dodson and Mary Holzman. The owners of record are Forrest Dodson and Mary Holzman.

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

MINOR SUBDIVISION

**263 KATLIAN AVENUE, LOT 14, BLOCK 5, SITKA INDIAN VILLAGE, U.S. SURVEY 2542
FORREST DODSON AND MARY HOLZMAN**

Public hearing and consideration of a minor subdivision request filed by Forrest Dodson and Mary Holzman for 263 Katlian Avenue and the adjacent tidelands. The property is also known as Lot 14, Block 5, Sitka Indian Village, U.S. Survey 2542. The request is filed by Forrest Dodson and Mary Holzman. The owners of record are Forrest Dodson and Mary Holzman.

STAFF REPORT: Scarcelli reviewed the request. While the proposal would create an undersized lot, the proposal would move the lot toward code compliance. The proposal would mitigate traffic and parking concerns. Scarcelli proposed standards conditions that followed current code.

APPLICANT: Forrest Dodson and Mary Holzman joined via phone, and stated that there was no new information.

COMMISSIONER DELIBERATION: Hughey asked staff why the Historic Preservation Commission denied approval for the project. Scarcelli stated that the HPC wanted to seek input from the Tribe and was concerned that moving the structure would make it ineligible for historic status. Bosak reminded the Commissioners that the HPC is a recommendation board, and the HPC's recommendations cannot prevent a project.

PUBLIC COMMENT: No public comment.

MOTION: M/S WINDSOR/HUGHEY moved to approve the staff findings that 1) the proposal positively impacts the public's health, safety, and welfare due to the anticipated impact to the proposed increase of space between the house and the front property line, newly created parking, and preservation of a historic structure; and 2) is consistent with the comprehensive plan as discussed in the staff report.

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

MOTION: M/S WINDSOR/HUGHEY moved to approve with staff's four conditions the final plat for a minor subdivision filed by Forrest Dodson and Mary Holzman for 263 Katlian Avenue and the adjacent tidelands. The property is also known as Lot 14, Block 5, Sitka Indian Village, U.S. Survey 2542. The request is filed by Forrest Dodson and Mary Holzman. The owners of record are Forrest Dodson and Mary Holzman.

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

MINOR SUBDIVISION

**213 PRICE STREET, LOT 1 OF MICK'S SUBDIVISION, U.S. SURVEY 3695
MICHAEL TISHER**

Public hearing and consideration of a final plat for a minor subdivision at 213 Price Street. The subdivision would create two lots. The property is also known as Lot 1 of Mick's Subdivision, U.S. Survey 3695. The request is filed by Michael Tisher. The owner of record is Michael Tisher.

Chair Spivey stated that he has a professional relationship with the applicant, with no financial gain from this proposal. Commissioners allowed him to continue participating in the proceedings.

STAFF REPORT: Scarcelli reviewed the request and the property's history. The minor subdivision would create two lots, both zoned Industrial. Both proposed lots will be in excess of minimum dimension requirements. Bosak stated that Industrial property is in high demand in Sitka.

APPLICANT: Michael Tisher stated that he had no additional information to share.

COMMISSIONER DELIBERATION: Hughey stated that the request was very straightforward.

PUBLIC COMMENT: No public comment.

MOTION: M/S HUGHEY/WINDSOR moved approve the staff findings that 1) the proposal positively impacts the public's health, safety, and welfare by providing space in the Industrial Zone; and 2) is consistent with the comprehensive plan as discussed in the staff report.

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

MOTION: M/S HUGHEY/WINDSOR moved to approve the final plat for a minor subdivision at 213 Price Street. The subdivision would create two lots. The property is also known as Lot 1 of Mick's Subdivision, U.S. Survey 3695. The request is filed by Michael Tisher. The owner of record is Michael Tisher.

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

**VARIANCE REQUEST
121 MOLLY LANE, LOT 6 OF MOUNTAINVIEW PHASE II SUBDIVISION
PELLETT ENTERPRISES**

Public hearing and consideration of a variance request filed by Pellett Enterprises for 121 Molly Lane. The variance request is for a reduction in the front setback from 20 to 10 feet for the construction of a home. The property is also known as Lot 6 of Mountainview Phase II Subdivision. The request is filed by Pellett Enterprises. The owner of record is Mountain View Estates, LLC.

Chair Spivey stated that he had professional relationships with the applicant and the property owner. Hughey stated that he had a professional relationship with the applicant. Commissioners agreed to allow full participation by Spivey and Hughey.

STAFF REPORT: Scarcelli reviewed the request, highlighting the steep topography. Scarcelli stated that a 10 foot front setback was granted for the property directly across the cul-de-sac. Scarcelli stated that the Fire Department did not have concerns for the undersized cul-de-sac. Scarcelli stated that without a variance, additional excavation would be required to create an

acceptable building site. Scarcelli recommended a condition that the variance be measured as 10 feet from the property line to the drip line of eaves and no further.

APPLICANT: Kelly Pellett stated that the rear of the property has large rocks. The proposal would result in an elevation change of 12 feet from cul-de-sac to the lot level. Pellett stated that he also planned a rock wall to strengthen the lot.

COMMISSIONER DELIBERATION: No deliberation.

PUBLIC COMMENT: No public comment.

MOTION: M/S POHLMAN/HUGHEY moved to approve the required findings for variances involving major structures or expansions:

Required Findings for Variances Involving Major Structures or Expansions. Before any variance is granted, it shall be shown:

- e) That there are special circumstances to the intended use that do not apply generally to the other properties, *specifically, the steep lot topography;*
- f) The variance is necessary for the preservation and enjoyment of a substantial property right of use possessed by other properties but are denied to this parcel, *specifically, the ability to develop the property without extensive excavation;*
- g) 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, *specifically, that emergency vehicles will be able to properly access the cul-de-sac and that the front setback will not impact any adjacent property owners;*
- h) That the granting of such a variance will not adversely affect the Comprehensive Plan, *specifically, it is in line with Comprehensive Plan 2.4.1, which states, "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," and conditions of approval mitigate any harm and the proposal enhances the quality of access for current and future homeowners.*

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

MOTION: M/S POHLMAN/HUGHEY moved to approve the variance request filed by Pellett Enterprises for 121 Molly Lane, subject to the condition that the variance only be 10 feet as measured from property to drip-line of eaves and no further. The variance request is for a reduction in the front setback from 20 to 10 feet for the construction of a home. The property is also known as Lot 6 of Mountainview Phase II Subdivision. The

request is filed by Pellett Enterprises. The owner of record is Mountain View Estates, LLC.

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

Chair Spivey stated that he had a business relationship with the applicant. Commissioners agreed to allow him to continue full participation.

**MAJOR AMENDMENT TO PLANNED UNIT DEVELOPMENT
100 INDIAN RIVER ROAD, LOT 3AA, INDIAN RIVER SUBDIVISION NO. 2
BARANOF ISLAND HOUSING AUTHORITY**

Public hearing and consideration of a major amendment to a planned unit development subdivision permit requested by the Baranof Island Housing Authority (BIHA) at 100 Indian River Road. The property is also known as Lot 3AA, Indian River Subdivision No. 2. The owner of record is the Baranof Island Housing Authority.

STAFF REPORT: Scarcelli reviewed the request and the previously approved Planned Unit Development. This major amendment would change the proposed location and orientation of the buildings, and join them by a fire wall across a property lot line. Parking requirements remain the same. The proposed amendment will result in the same number of dwelling units as the original plan, but a reduced number of bedrooms.

APPLICANT: Cliff Richter explained that a professional estimate showed that the project was a million dollars over budget. This proposed amendment is one piece of BIHA cutting back the project expenditures. Richter stated that BIHA has a waiting list for one-bedroom apartments, and this property will help alleviate the demand. Richter stated that the Section 184 loan requires no more than 4 units per lot, which makes the two-lot design necessary. Richter thanked the planning staff for being helpful throughout the process.

COMMISSIONER DELIBERATION: Pohlman stated that the proposal was straightforward.

PUBLIC COMMENT: No public comment.

MOTION: M/S WINDSOR/POHLMAN moved to approve the staff findings that 1) the proposed amendment complies with the comprehensive plan by providing for the enhancement of the quality of life in Sitka through the development of affordable housing options; 2) the major amendment, though creative and unique, is in line with the prior approved Planned Unit Development Subdivision; and 3) the major amendment would not be injurious to the public's health, safety, and welfare.

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

MOTION: M/S WINDSOR/POHLMAN moved to approve the plat for a major amendment to a planned unit development subdivision permit requested by the Baranof Island Housing Authority (BIHA) at 100 Indian River Road. This approval is subject to the access and utility easements being slightly modified to incorporate the parking and utilities that cross

lots 3AA-1 into lots 3AA-2 and 3AA-3; and a binding plat note stating no lot may be sold independently of the other lots. The property is also known as Lot 3AA, Indian River Subdivision No. 2. The request is to allow a multiplex residential structure across lot lines. The owner of record is the Baranof Island Housing Authority.

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

8:15—Commissioners took a 5 minute break.

ZONING TEXT CHANGE

LICENSED MARIJUANA ACTIVITY AS PERMITTED USE IN CBD, WD, I, C-1, C-2, GP ZONES CBS MARIJUANA ADVISORY COMMITTEE

Public hearing and consideration of a zoning text change request filed by the City and Borough of Sitka Marijuana Advisory Committee. The request would allow licensed marijuana activity as a permitted use in the Central Business District, Waterfront District, Industrial Zone, Commercial C-1 and C-2 zones, and the Gary Paxton Special Zone.

STAFF REPORT: Scarcelli reviewed the request and summarized marijuana regulation in Alaska. Scarcelli stated that state regulations are still evolving, and the state now allows cafes for consumption. Scarcelli stated that the application is broad, but state regulation addresses several specific categories of legal activity. Scarcelli cautioned the commissioners from moving too quickly, and encouraged the crafting of careful and thoughtful legislation. Bosak recommended that commissioners just start the discussion at this point.

COMMISSIONER DELIBERATION: Hughey asked if locations for marijuana would be more restrictive than alcohol. Bosak stated that marijuana would be more restrictive than alcohol, and referred to Drug Safe Schools. Bosak encouraged a joint meeting between the Planning Commission and Marijuana Advisory Committee. Bosak stated her preference for deliberating on the location of each category of marijuana use. Hughey stated that commissioners should be clear on the different legal activity categories before making an educated decision. Windsor stated that extensive public notice is required before opening a facility. Spivey stated that marijuana businesses cannot have business bank accounts since marijuana is federally illegal. Scarcelli stated that he has spoken to professionals from other localities who wish they would have rolled out local legislation more carefully. Windsor stated that the state will begin issuing licenses in May. Hughey expressed concern that if fees are too expensive, some individuals will still find illegal marijuana trade to be more profitable.

PUBLIC COMMENT: Jay Stelzenmeller, a member of the Marijuana Advisory Committee, stated that he primarily came to the meeting to hear the thoughts of Planning Commissioners. Stelzenmeller stated that he seeks to see marijuana move from the illegal realm to the legal realm. Stelzenmeller stated that marijuana businesses are not eligible for business tax benefits.

MOTION: M/S WINDSOR/POHLMAN moved to continue public hearing and discussion at the next scheduled Planning Commission meeting to allow for further study of negative impacts and the development of a zoning text change that would comply with newly

modified state regulations. The zoning text change request is filed by the City and Borough of Sitka Marijuana Advisory Committee. The request would allow licensed marijuana activities as a permitted use in the Central Business District, Waterfront District, Industrial Zone, Commercial C-1 and C-2 zones, and the Gary Paxton Special Zone.

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

**ZONING TEXT CHANGE
LICENSED MARIJUANA ACTIVITY AS CONDITIONAL USE IN LI AND GI ZONES
CBS MARIJUANA ADVISORY COMMITTEE**

Public hearing and consideration of a zoning text change request filed by the City and Borough of Sitka Marijuana Advisory Committee. The request would allow licensed marijuana activity as a conditional use in the Large Island and General Island zones.

STAFF REPORT: Scarcelli reviewed the request and summarized marijuana regulation in Alaska. Scarcelli stated that state regulations are still evolving, and the state now allows cafes for consumption. Scarcelli stated that the application is broad, but state regulation addresses several specific categories of legal activity. Scarcelli cautioned the commissioners from moving too quickly, and encouraged the crafting of careful and thoughtful legislation. Bosak recommended that commissioners just start the discussion at this point.

COMMISSIONER DELIBERATION: Hughey asked if locations for marijuana would be more restrictive than alcohol. Bosak stated that marijuana would be more restrictive than alcohol, and referred to Drug Safe Schools. Bosak encouraged a joint meeting between the Planning Commission and Marijuana Advisory Committee. Bosak stated her preference for deliberating on the location of each category of marijuana use. Hughey stated that commissioners should be clear on the different legal activity categories before making an educated decision. Windsor stated that extensive public notice is required before opening a facility. Spivey stated that marijuana businesses cannot have business bank accounts since marijuana is federally illegal. Scarcelli stated that he has spoken to professionals from other localities who wish they would have rolled out local legislation more carefully. Windsor stated that the state will begin issuing licenses in May. Hughey expressed concern that if fees are too expensive, some individuals will still find illegal marijuana trade to be more profitable.

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MOTION: M/S POHLMAN/HUGHEY moved to continue public hearing and discussion at the next scheduled Planning Commission meeting to allow for further study of negative impacts and the development of a zoning text change that would comply with newly modified state regulations. The zoning text change request is filed by the City and Borough of Sitka Marijuana Advisory Committee. The request would allow licensed marijuana activities as a conditional use in the Large Island and General Island zones.

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

DIRECTORS REPORT: Scarcelli reported that he and Bosak had attended the Alaska Planning Association meeting. Scarcelli noted that the next Commission agenda would include marijuana discussion, a Comprehensive Plan presentation by staff, and two variances.

COMMISSIONER DISCUSSION: Spivey asked about public attendance at Marijuana Advisory Committee meetings. Windsor stated that the Committee has not had much public attendance, and is considering holding a Town Hall meeting. Pohlman stated that there are potential benefits to legal marijuana activity that are not being discussed, such as marijuana cultivators using leftover planting pots that would otherwise be sent to the landfill.

MOTION: M/S WINDSOR/POHLMAN moved to adjourn at 8:53 pm.

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

Chris Spivey, Chair

Samantha Pierson, Secretary

**CITY AND BOROUGH OF SITKA
Planning Commission
Minutes of Meeting
November 3, 2015**

Present: Chris Spivey (Chair), Darrell Windsor (Vice-Chair), Tamie Parker Song (Member), Debra Pohlman (Member), Michael Scarcelli (Senior Planner), Samantha Pierson (Planner I)

Absent: Randy Hughey (Member)

Members of the Public: James Steinson, Jeremy Twaddle, Forrest Dodson

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

Roll Call:

PRESENT: 4 – Spivey, Windsor, Parker Song, Pohlman

Consideration of the Minutes from the October 20, 2015 meeting:

MOTION: M/S POHLMAN/WINDSOR moved to approve the meeting minutes for October 20, 2015.

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

Consideration of the Agenda:

Chair Spivey requested that item A be moved to the end of the agenda, as the applicant was not yet present. Commissioners agreed to the change.

The evening business:

VARIANCE REQUEST

**200 PRICE STREET, TRACT 1A of MOUNTAINVIEW PHASE 2 SUBDIVISION
JEREMY TWADDLE**

Public hearing and consideration of a variance request filed by Jeremy Twaddle at 200 Price Street. The variance request is for a reduction of the rear setback from 10 to 5 feet for the construction of a building. The property is also known as Tract 1A of Mountainview Phase 2 Subdivision. The request is filed by Jeremy Twaddle. The owner of record is Mountain View Estates, LLC.

Chair Spivey offered to recuse himself due to his professional relationship with Mr. Twaddle. He stated that he did not have financial interest in this application, and that he could act in an unbiased manner. The other Commissioners agreed that he could participate.

STAFF REPORT: Scarcelli reviewed the request and recapped the variance that was approved for this lot at the August 5, 2015 meeting. The lot has two front setbacks and two rear setbacks.

The request is to reduce the southerly rear setback from 10 feet for 5 feet. The proposed use is permitted in the C-2 zone, although residential properties surround the property to the south and east. Scarcelli recommended a modified variance from 10 feet to 8 feet. Additionally, he recommended that the variance be conditioned upon limiting ingress and egress to Price Street and providing screening for all storage and parking areas.

APPLICANT: Jeremy Twaddle stated that he needed the 5 foot setback reduction to provide adequate access to the proposed building. He stated that his plan has been to limit access to Price Street. He stated that this building will strictly be a storage building, so he does not view it to be a fire hazard. Twaddle stated that the geography of the Molly Lane properties provides natural screening. He stated that his business will need to back boats into the building, so ample access is important. Twaddle stated that his company owns 180 Price Street, so the building would not be encroaching on another property owner's lot. Twaddle stated that if the variance is not granted, he will pursue a boundary line adjustment.

COMMISSIONER DELIBERATION: Pohlman expressed concern that the proposed building could limit light access to the trailer court. Spivey stated that if the variance is not granted, Twaddle will likely pursue a boundary line adjustment. Spivey stated concern that if the entrance is narrowed on Price Street due to a variance denial, vehicles could be brought through the trailer court. Windsor asked what the difference would be between 5 feet and 8 feet, in regard to the comprehensive plan. Scarcelli stated that variances are intended to adjust requirements for properties with intrinsic constraints, while this property is primarily limited by the applicant's design. Parker Song asked why relocating the building would not solve the need for access. Windsor stated that he views the setback in question as a side setback.

PUBLIC COMMENT: No public comment.

MOTION: M/S WINDSOR/POHLMAN 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, *specifically the double front setbacks*;
 - b) The variance is necessary for the preservation and enjoyment of a substantial property right of use possessed by other properties but are denied to this parcel, *specifically, providing for appropriate placement of a building on a lot with two rear setbacks while also conditioning access to Price Street, which serves the enjoyment of all properties*;
 - 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, *specifically, conditions of approval would negate negative impact to adjacent parcels*; and
 - d) That the granting of such a variance will not adversely affect the Comprehensive Plan, *specifically 2.5.2 To encourage commercial and industrial developments of a*

quality that does not adversely impact any adjacent recreational and residential areas, due the conditions limiting ingress and egress to Price Street and required screening.

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

MOTION: M/S WINDSOR/POHLMAN moved to approve a variance request filed by Jeremy Twaddle at 200 Price Street. The variance request is for a reduction of the rear setback from 10 to 5 feet for the construction of a building. The approval is conditioned upon: 1) The approval to limit ingress and egress to Price Street; and 2) Provide for screening of all storage and parking areas. The property is also known as Tract 1A of Mountainview Phase 2 Subdivision. The request is filed by Jeremy Twaddle. The owner of record is Mountain View Estates, LLC.

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

VARIANCE REQUEST

**234 KOGWANTON, LOT 125, BLOCK 2, BIHA SUBDIVISION NO. 1, U.S. SURVEY 2542
JAMES STEINSON**

Public hearing and consideration of a variance request filed by James Steinson at 234 Kogwanton Street. The variance request is for a reduction in the side setback from 5 to 0 feet and for a reduction in the front setback from 20 to 15 feet for the construction of stairs and railings. The property is also known as Lot 125, Block 2, BIHA Subdivision No. 1, U.S. Survey 2542. The request is filed by James Steinson. The owners of record are Mark and Heidi Nance.

Chair Spivey offered to recuse himself due to his professional relationship with Mr. Steinson. He stated that he did not have financial interest in this application, and that he could act in an unbiased manner. The other Commissioners agreed that he could participate.

STAFF REPORT: Scarcelli reviewed the request and the expired variance approval from 2005 for the reduction in the front setback. He reviewed the required setbacks and the constraints caused by topography and lot size. He stated that parking is already limited. Scarcelli stated that current access is not safe, and safety is a prime concern.

APPLICANT: James Steinson stated that the porch will not encroach upon the retaining wall. Scarcelli noted a discrepancy of 1 foot between the application and the site plan. Steinson stated that he has been measuring primarily from the house, so he wanted some leeway to ensure the proposed structures were within the approved setbacks. Steinson explained that the railings are required by building code as a safety feature.

COMMISSIONER DELIBERATION: No deliberation.

PUBLIC COMMENT: No public comment.

MOTION: M/S POHLMAN/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, *specifically the small lot size, the need for safe and efficient access to an existing home, and the steep slope at the front of the property;*
 - b) The variance is necessary for the preservation and enjoyment of a substantial property right of use possessed by other properties but are denied to this parcel, *specifically the ability to safely access the front entrance;*
 - 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, *specifically, the structure is minimal and conditions mitigate any adverse impacts to adjacent properties;*
 - d) That the granting of such a variance will not adversely affect the Comprehensive Plan, *specifically, it is in line with Comprehensive Plan 2.4.1, which states, "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 4-0** on a voice vote.

MOTION: M/S POHLMAN/WINDSOR moved to approve a variance request filed by James Steinson at 234 Kogwanton Street. The variance request is for a reduction in the side setback from 5 to 0 feet and for a reduction in the front setback from 20 to 15 feet for the construction of porch, stairs, and railings. The property is also known as Lot 125, Block 2, BIHA Subdivision No. 1, U.S. Survey 2542. The request is filed by James Steinson. The owners of record are Mark and Heidi Nance.

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

MINOR SUBDIVISION

**263 KATLIAN STREET, LOT 14, BLOCK 5, SITKA INDIAN VILLAGE, U.S. SURVEY 2542
FORREST DODSON AND MARY HOLZMAN**

Public hearing and consideration of a minor subdivision request filed by Forrest Dodson and Mary Holzman for 263 Katlian Street and the adjacent tidelands. The property is also known as Lot 14, Block 5, Sitka Indian Village, U.S. Survey 2542. The request is filed by Forrest Dodson and Mary Holzman. The owners of record are Forrest Dodson and Mary Holzman.

STAFF REPORT: Scarcelli explained this history of the request, including unanimous preliminary approvals of the proposed tideland sale by the Planning Commission on June 2, 2015 and the Assembly on June 23, 2015. The minor subdivision would involve platting tidelands that were previously unplatted. Scarcelli noted that lots along Katlian Street are small and parking can be problematic. This proposal would entail the relocation of the house back onto the tidelands, creating parking in front of the house. The proposal would move the lot toward conformity to the minimum lot requirement. Scarcelli noted that an upcoming variance application will address the lot size. Scarcelli noted that this house was built in 1904, and this proposal would allow preservation of this structure. Scarcelli stated that staff are supportive of the proposal. The proposal is in line with Comprehensive Plan sections 2.4.6, 2.6.1, and 2.6.2.

APPLICANT: Forrest Dodson stated that he proposes one lot, and that his wife plans to restore the house. Dodson stated that he was willing to do whatever it takes to see the project through the process.

PUBLIC COMMENT: No public comment.

COMMISSIONER DELIBERATION: Windsor asked about the subdivision process in regard to this property. Spivey replied that since the tideland portion was previously unplatted, it must be platted and joined with the current lot.

MOTION: M/S WINDSOR/POHLMAN moved to approve the preliminary minor subdivision request filed by Forrest Dodson and Mary Holzman for 263 Katlian Street and the adjacent tidelands. The property is also known as Lot 14, Block 5, Sitka Indian Village, U.S. Survey 2542. The request is filed by Forrest Dodson and Mary Holzman. The owners of record are Forrest Dodson and Mary Holzman.

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

MINOR SUBDIVISION
213 PRICE STREET, LOT 1 OF MICK'S SUBDIVISION, U.S. SURVEY 3695
MICHAEL TISHER

Public hearing and consideration of a final plat for a minor subdivision at 213 Price Street. The subdivision would create two lots. The property is also known as Lot 1 of Mick's Subdivision, U.S. Survey 3695. The request is filed by Michael Tisher. The owner of record is Michael Tisher.

COMMISSIONER DELIBERATION: Commissioners noted that Mr. Tisher had not arrived to the hearing. Commissioners stated that they would prefer to have the applicant present and discussed tabling the item.

MOTION: M/S WINDSOR/POHLMAN moved to table the discussion.

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

DIRECTORS REPORT: Scarcelli reported on his recent attendance at the state historic preservation training. He stated that preservation and restoration can reap greater economic benefits than new construction. Scarcelli stated gratitude for former chair Parmelee's service, and welcomed Parker Song to the commission. He stated that the planning staff would prepare a Comprehensive Plan presentation for the December 15 meeting.

COMMISSIONER DISCUSSION: Chair Spivey stated that the Planning Commission should have a discussion concerning marijuana. Windsor stated that the marijuana board would be making most of the decision-making while consulting the Planning Department. Scarcelli stated that he would be able to provide assistance, particularly in regard to zoning maps.

MOTION: M/S POHLMAN/WINDSOR moved to adjourn at 8:13 pm.

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

Chris Spivey, Chair

Samantha Pierson, Secretary



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
330 Harbor Drive
Sitka, AK
(907)747-1811

Minutes - Final City and Borough Assembly

*Mayor Mim McConnell
Deputy Mayor Matt Hunter
Vice-Deputy Mayor Benjamin Miyasato
Aaron Swanson, Steven Eisenbeisz
Tristan Guevin, and Michelle Putz*

*Municipal Administrator: Mark Gorman
Municipal Attorney: Robin L. Koutchak
Municipal Clerk: Sara Peterson, CMC*

Tuesday, June 23, 2015

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 6 - McConnell, Hunter, Swanson, Eisenbeisz, Guevin, and Putz

Absent: 1 - Miyasato

IV. CORRESPONDENCE/AGENDA CHANGES

15-102 Reminders, Calendars and General Correspondence

V. CEREMONIAL MATTERS

None.

VI. SPECIAL REPORTS: Government to Government, Municipal Boards/Commissions/Committees, Sitka Community Hospital, Municipal Departments, School District, Students and Guests (time limits apply)

Perry Edwards, Sitka District Ranger gave an update on Harbor Mt. Road, fire awareness, and collection of special forest products with regards to permits. He thanked the city with regards to the Boomer property for the Blue Lake FERC mitigation.

15-098 Special Report: Marijuana legalization - timeframe and recommendations (Scott Brylinsky)

Scott Brylinsky, Temporary Planner gave a report on marijuana legalization and

timeline associated with the legalization.

VII. PERSONS TO BE HEARD

Michelle Putz announced that she will not be running in the October election and encouraged women to run.

VIII. REPORTS

a. Mayor, b. Administrator, c. Attorney, d. Liaison Representatives, e. Clerk, f. Other

Mayor - Expressed condolences to Archie Nielsen's family.

Administrator - Reported on airport congestion, met with finance staff and non-profit leaders, had conversations with Senator Stedman's Chief of Staff, Randy Raul, met with a representative from the Boat Company with concerns of Baranof Warm Springs, gave appreciation to Search and Rescue regarding recent events, reported that ambulance calls are up 60 from this time last year.

Liaison - Putz attended the Tree and Landscape Committee meeting.

Clerk - Reported Assembly meetings will be held at UAS beginning July 28th.

Other - Putz informed that the not for profit ordinance would come back in August.

IX. CONSENT AGENDA

- A** 15-094 Approve the Health Needs and Human Services Commission goals for 2015

This item was APPROVED on the Consent Agenda. The motion PASSED by a unanimous voice vote.

X. UNFINISHED BUSINESS:

- B** 15-093 Consideration and award of the request for proposals submitted for the available funds (\$39,765) in the Fisheries Enhancement Fund
- Ann Wilkinson, Treasurer of Sitka Seafood Festival spoke to the application submitted by the Sitka Seafood Festival. Lisa Busch, Executive Director, Sitka Sound Science Center summarized the organization.

Putz spoke in support of funding the Sitka Seafood Festival. Guevin spoke in support of disbursement to Chinook Futures Coalition. Hunter spoke to the history and intent of the fund.

A motion was made by Putz to APPROVE awarding \$39,765 to the Sitka Sound Science Center. The motion PASSED by the following vote.

Yes: 5 - Hunter, Swanson, Eisenbeisz, Guevin, and Putz

Absent: 1 - Miyasato

Recused: 1 - McConnell

C 15-095**Discussion/Direction/Decision on the future direction of the Sitka Convention and Visitors Bureau**

Hunter spoke to the services that SCVB provided and suggested funding through the first quarter, spoke in favor of a change, and to exploring options of modifying the RFP. Eisenbeisz spoke to explore options, keeping services going quarterly, questioned of the costs of options, requested transparency, asked to see financials of both bringing it in house and from the SCVB, and the possibility of tasking the taskforce. Putz spoke to a one year extension. Guevin thought to fund them in the short term and agreed with absorbing functions and spoke in favor of a commission. Swanson spoke in favor of issuing a new RFP. Mayor spoke to a timeline through the end of the year, told of feedback and modifying the RFP, and looking closer at the in house option.

Gorman commented that until something replaced this entity, it remained status quo. He spoke with regards to budget reductions for FY2016 and a timeline of suggested options. Gorman encouraged the Assembly for direction and thought to casting a wider net of services by modifying the RFP. The in house option created stability and assurance. He strongly recommended against status quo and thought the visitor's services could fit in with Harrigan Centennial Hall.

Tonia Rioux, Director of SCVB stated the Board was directing the Assembly to list more concise guidelines for the RFP and asked the Assembly to extend the current situation until December 31. She had concerns with communication, outsourcing, and momentum. The Board was open to options. Suzan Hess, Representative of the Greater Sitka Chamber of Commerce spoke to a resolution that was drafted in support of the SCVB and stated since it was not considered an essential service and should remain outside of city functions. Suzan Hess spoke as a Sitka business owner in favor of the SCVB function to remain outside of the city. Sherry Aitken, Tour Operator of a local business spoke as a member of SCVB and supported continued service as status quo. Ann Bills, owner of a Bed and Breakfast and member of SCVB spoke in support of retaining the SCVB. Joseph List, General Manager of the Westmark spoke in support of the SCVB and retaining them. Duane Lambeth, Dove Island Lodge owner spoke in support of the SCVB and retaining them. Linda Williams, Sitka Tours spoke in favor of the SCVB.

Guevin questioned the level of budget detail to be reported and the appropriateness of looking at line by line budget items. Mayor felt the ordinance was outdated. Eisenbeisz questioned the limiting of funding and requested to see financials. Mayor spoke as Liaison for the commission and told of detailed budget availability.

Gorman summarized the direction, staff would bring forward a proposal at the Assembly meeting of July 14th with a possible executive session. Funding would continue through September 30 and possibly further.

XI. NEW BUSINESS:**D** 15-099

Board of Adjustment: Approve a temporary use permit for an asphalt plant filed by S&S General Contractors & Equipment Rentals, Inc. for Granite Creek Lease Lot #5. The request is to house an asphalt plant throughout the duration of the paving of Edgumbe Drive.

A motion was made by Putz to CONVENE as the Board of Adjustment. The motion PASSED by a unanimous voice vote.

Maegan Bosak, Planning and Community Development Director gave a report of the requested Temporary Use Permit request. Eisenbeisz and Putz had concerns with

fire protection.

Joe Metler representative for S&S stated there was not a fire protection plan in place, but stated he could write a plan to submit and there were ponds to pump from. Bosak informed that conditions could be made.

A motion was made by Putz that this Item be APPROVED with the condition. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Eisenbeisz, Guevin, and Putz

Absent: 1 - Miyasato

A motion was made by Hunter to include a condition that S&S work with the Fire Chief for a satisfactory plan on fire prevention and suppression. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Eisenbeisz, Guevin, and Putz

Absent: 1 - Miyasato

A motion was made by Putz to RECONVENE as the Assembly in regular session. The motion PASSED by a unanimous voice vote.

E 15-100

Grant preliminary approval of a proposed tidelands sale request filed by Forrest Dodson and Mary Holzman for property adjacent to 263 Katlian Street

Planning and Community Development Director, Maegan Bosak stated that the City Grid would not be impacted, clarified the house would be moved toward the water which would create a front parking area, and told of the process. Eisenbeisz asked that staff calculate a current appraisal price. Hunter spoke of the process for sale of tidelands.

A motion was made by Putz that this Item be APPROVED. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Eisenbeisz, Guevin, and Putz

Absent: 1 - Miyasato

F ORD 15-35S

Repealing Sitka General Code Chapter 4.09 "Sales Tax" Section 4.09.100Y. "Exemption for Persons Who Have Reached the Age of Sixty-Five" and establishing section 4.09.130 "Rebate of a portion of Sales Tax for Certain Persons Who Have Reached the Age of Sixty-Five and are Experiencing Financial Hardship" (first reading)

Lois Rhodes spoke in opposition of the ordinance and suggested charging \$20 yearly for an exemption card. Shirley Robards collected approximately 700 signatures in objection of removing the exemption. John Duncan Sr., Ann Bills, and Alene Henning spoke in opposition to the ordinance. Brian McNitt spoke in favor of the ordinance and the process. Ann Wilkinson spoke to alternatives with regards to employment status and questioned if the application could be modified.

Hunter spoke with regards to the increase of the aging population, financial hardship aspect, crediting to utility account option, age requirement, refunding ability, and sustainability. Eisenbeisz spoke to the refund aspect. Hunter clarified the changes in amount of refund for households and total rebate amount was increased. Putz was

opposed to the ordinance and suggested changing the exemption to food and fuel. Swanson does not support. Guevin spoke in support of the ordinance with more time to allow a review of the effective dates.

Jay Sweeney, Chief Finance and Administrative Officer reviewed the timeline, process, and prorating to utility accounts stating that the effective date was the date that the exemption went away.

A motion was made by Eisenbeisz that this Item be POSTPONED. The motion PASSED by a unanimous voice vote.

G ORD 15-38

Amending Sitka General Code Section 4.28.110 "Suitable and Authorized Investments for the Permanent Fund" by adding Exchange Traded Funds as an authorized investment for the Sitka Permanent Fund

Putz spoke in support of the ordinance as the Assembly Liaison to the Investment Committee. Sweeney, Chief Finance and Administrative Officer told of the disadvantages of exchange traded funds.

A motion was made by Putz that this Ordinance be APPROVED on first reading. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Eisenbeisz, Guevin, and Putz

Absent: 1 - Miyasato

H 15-101

Approve the transfers of 1) \$50,000 from Project #90716 "Blue Lake Substation Maintenance" to Project #90648 "Transmission & 1220 Upgrade" Project; 2) \$57,423.83 from Project #63003 "Blue Lake Power House Improvements" to Project #90672 "Medvejie Hatchery Transformer Replacement" Project; and 3) \$85,817.63 from Project #63005 "Building Electric Heat Conversions" to a FY2016 Project "Electric Heating Systems/Dual Fuel Interruptible Power" and authorize the expenditure of the funds

Putz and Eisenbeisz questioned the high cost of the study. Hunter spoke in support of the amount. Dale Goerner, Interim Utility Director spoke to the RFQ.

A motion was made by Hunter that this Item be APPROVED. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Eisenbeisz, Guevin, and Putz

Absent: 1 - Miyasato

I 15-097

Discussion/Direction/Decision on the formation of a Citizens' Taskforce on City Services, Revenues and Fees

Putz spoke in support of a taskforce to assist with wants, needs, tax, and revenue. She asked that two public meeting open houses be held. Guevin spoke in support of a taskforce, thought that the taskforce should look at the comprehensive plan, and encouraged having diverse representation specifically with Sitka School District, Sitka Community Hospital and Sitka Tribe of Alaska. Swanson was in support of a taskforce and questioned the interest of seven members. Gorman talked to a time specific taskforce of six months to encourage public participation. Putz and Eisenbeisz spoke in favor of diverse representation. Staff was directed to send out a public notice. Guevin offered to be the Assembly Liaison to the taskforce.

XII. PERSONS TO BE HEARD:

None.

XIII. EXECUTIVE SESSION

None.

XIV. ADJOURNMENT

A motion was made by Putz to ADJOURN the meeting. Hearing no objection the meeting ADJOURNED at 9:37 PM.

ATTEST: _____

Melissa Henshaw
Acting Municipal Clerk

**CITY AND BOROUGH OF SITKA
Planning Commission
Minutes of Meeting
June 2, 2015**

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

Absent: Richard Parmelee (Chair)

Members of the Public: Sheila Finkenbinder, Robert Woolsey, Jeremy Twaddle, Pat O'Neill, John Stein, Forrest Dodson, Mary J. Holzman, Andrew Thoms, Bruce Pauley, Jerald Neel, city staff Will Stortz, (Building Official) Dave Miller, (Fire Chief) Dale Goerner (Electric Department Acting Director).

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

Roll Call:

PRESENT: 4 –Spivey, Windsor, Hughey, Pohlman (arrived at 7:03)

Consideration of the Minutes from the May 13 and May 19, 2015 meetings:

MOTION: M/S WINDSOR/HUGHEY moved to approve the meeting minutes for May 13 and May 19, 2015.

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

The evening business:

**TIDELANDS SALE
263 KATLIAN STREET
FORREST DODSON AND MARY J. HOLZMAN**

Public hearing and consideration of an appeal of a proposed tidelands sale 263 Katlian Street. The proposed sale is for 2160 square feet of tidelands adjacent to the back portion of the existing lot. The property is also known as Lot 14, Block 5, Sitka Indian Village, U.S. Survey No. 2542. The request is filed by Forrest Dodson and Mary J. Holzman. The owners of record are Forrest Dodson and Mary J. Holzman.

STAFF REPORT: Bosak outlined the project and read recently-submitted staff comments in favor of the sale from Stan Eliason, Harbormaster, and Dale Goerner, Acting Electric Department Director. She reported that Mr. Dodson's intent was to reconstruct the house on the tidelands behind the current house site, and then create parking and a yard adjacent to Katlian Street in the area currently occupied by the house. Mr. Dodson had mentioned possibly trying to purchase a portion of the tidelands which is not directly behind the house to allow him to shift the house to

the north, but Bosak stated she wouldn't recommend that lateral shift because it moved the house closer to the municipal boat grid.

APPLICANT: Forrest Dodson described the intent to restore the historic house, and pointed out that his plan was to develop the tidelands parcel similar to the adjacent property, owned by BIHA. He also stated that it would be an improvement to the parcel, and to the Katlian neighborhood, which is currently undergoing a revitalization effort.

COMMISSIONER DELIBERATION: Commissioner Windsor asked Bosak what objections the city has or had regarding the sale of tidelands. Bosak said with any tidelands sale, it is helpful to weigh whether the city is giving up valuable public access to the waterfront, or selling an asset that is expected to appreciate substantially in the future, but the most recent comments from city staff suggest this sale is justified, especially considering the similar development on the neighboring property (BIHA), and because the proposed tidelands are directly behind and adjacent to the house, so they wouldn't be considered valuable in terms of public access. Windsor mentioned that the project creates additional parking, and more parking in that neighborhood is a good thing. Spivey observed that this purchase would generate income for the city. Hughey agreed that it made sense to sell the tidelands as long as the area sold was directly behind, and in line with the house, rather than allowing a lateral shift.

PUBLIC COMMENT: John Stein, former City Administrator spoke in favor of selling the proposed tidelands.

MOTION: M/S HUGHEY/WINDSOR moved to recommend approval of the concept tidelands sale at 263 Katlian Street. The proposed sale is for 2,160 square feet of tidelands adjacent to the back portion of the existing lot. The property is also known as Lot 14, Block 5, Sitka Indian Village, U.S. Survey No. 2542. The request is filed by Forrest Dodson and Mary J. Holzman. The owners of record are Forrest Dodson and Mary J. Holzman.

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

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

Public hearing and consideration of a concept 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 spoke on behalf of Christine Lundstedt, explaining that the applicant had agreed to sell a small portion of her land to a neighbor. He said it was a small, but level site, conducive to building a small cabin.

COMMISSIONER DELIBERATION: Commissioner Hughey confirmed that in a Recreational Zone, there is no minimum lot size. Bosak confirmed that there were no comments received from neighbors.

PUBLIC COMMENT: No public comment.

MOTION: M/S POHLMAN/WINDSOR moved to recommend approval of a concept 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.

**ACCESSORY DWELLING UNIT
1301 EDGE CUMBE DRIVE
ROBERT WOOLSEY**

Public hearing and consideration of an Accessory Dwelling Unit conditional use permit at 1301 Edgecumbe 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.

STAFF REPORT: Bosak explained the proposed ADU is a 120 sq. ft. structure is on a chassis which would have a permanent hook up to city utilities on a large R1 lot on Edgecumbe Drive. She described questions this project raises regarding ADUs, RVs as homes, tiny homes on wheels, concerns regarding building code, and related issues.

APPLICANT: Robert Woolsey said the structure was built through a partnership with the Sitka Conservation Society, the high school career and tech program, and the U.S. Forest Service. His home is on a 18,000 sq. ft. lot, with a separate driveway built to the site for the ADU. He had an open house to answer questions from neighbors. He said although the structure is on a trailer, it is not built or conceived as an RV. It is stick-built and substantive, and is designed as housing, rather than as a RV.

COMMISSIONER DELIBERATION: Commissioners asked for comments from the Building Official and Fire Chief.

Fire Chief Dave Miller commented that he is in support of small homes, but his concern is with a structure that doesn't meet building code, and especially egress. He described a sprinkler test conducted by his department and described his own experience regarding recent deaths caused by fire in Sitka. His conclusion was that if a fire starts in a small structure like this one, especially by the door, and there isn't another way out, that creates a serious hazard to life and safety.

William Stortz stated that a 120 sq. ft. structure would not meet code as a dwelling in multiple ways, including but not limited to egress. He explained that building code sets interior space minimums for habitable rooms, and mentioned that, for example, kitchen counters require 30 inches of clear space in front of them. To meet such codes, a one-bedroom house would be a minimum of about 350 sq. ft. and an efficiency would come to approximately 250 square feet.

He said in the case of RV's, a RV is required to meet standards involving egress capacity, plumbing, wiring, life safety issues. Stortz said if the structure qualified as an RV—which it does not—Sitka General Code 6.12 allows an RV to be inhabited as a dwelling for a maximum of 180 days.

PUBLIC COMMENT: Bruce Pauley, a neighbor, considers this structure a travel trailer because it has wheels, a chassis, a tongue and a hitch, and he said he doesn't believe it should be allowable housing in a R1 zone.

Sheila Finkenbinder said she likes the idea, and the structure looks like a house, not an RV. Andrew Thoms explained that the structure is a stick frame house that is built on a trailer not for the purposes of recreational travel, but to allow it to be moved to a permanent location. The structure itself fits in with the character of a residential neighborhood, as it is built with young growth spruce, and sheathed with cedar shingle siding.

Woolsey stated that the structure is not a travel trailer, but is built with materials and based on design plans for a home that will stay in place, rather than as a mobile home or RV.

COMMISSIONER DELIBERATION: Commissioners said they were not in favor of permitting something that does not meet code for safety, and also felt reluctant to consider permitting something that isn't an actual dwelling under city building code.

Commissioner Hughey said with reference to the structure being on a chassis, this tiny home is built in a way that distinguishes it from a travel trailer or RV and he feels it does fit into the character and look of a residential area, which is a relevant zoning concern. He said to address these building code issues, the high school could develop their program so that they are constructing tiny homes that meet code.

**ZONING TEXT CHANGE 22.24.010 B
ALLOWING B&BS IN AN OWNER-OCCUPIED UNIT OF TWO-FAMILY DWELLING
CITY AND BOROUGH OF SITKA**

Public hearing and consideration of a proposed zoning text amendment to modify SGC Ch 22.24.010 B allowing for a bed and breakfast to be located only in an owner-occupied single-family dwelling or in an owner-occupied unit of a two-family dwelling. The request is filed by the City and Borough of Sitka.

STAFF REPORT: Bosak gave background on the proposed zoning text change and shared that the department had received two letters in support of the change.

COMMISSIONER DELIBERATION: Commissioners discussed the merits of the proposal.

PUBLIC COMMENT: John Stein spoke in support of liberalizing B&Bs. Sheila Finkenbinder had applied for the zoning text change which preceded this one. She stated that she appreciated the city's efforts, and feels that if B&Bs were allowed in the owner-occupied portion of a duplex, it would encourage small-scale home sharing.

MOTION: M/S HUGHEY/POHLMAN moved to recommend approval of a proposed zoning text amendment to modify SGC Ch 22.24.010 B allowing for a bed and breakfast to be located only in an owner-occupied single-family dwelling or in an owner-occupied unit of a two-family dwelling. The request is filed by the City and Borough of Sitka.

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 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.

STAFF REPORT: Bosak described the project.

APPLICANT: Jeremy Twaddle confirmed that he is planning to build a shop where he can store equipment, and have some bays to rent out for others to use. Discussion commenced regarding site features and access.

COMMISSIONER DELIBERATION: Commissioners had no further questions.

PUBLIC COMMENT: No public comment.

MOTION: M/S WINDSOR/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.

DIRECTORS REPORT: Bosak gave a brief report on planning office matters including B&B zoning text change research, interest in and inquiries regarding tiny home, and enforcement issues.

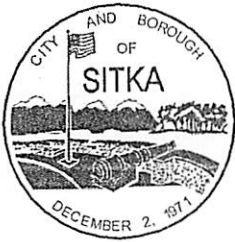
PUBLIC COMMENT: No public comment.

MOTION: M/S HUGHEY/WINDSOR moved to adjourn at 8:48 pm.

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

Chris Spivey, Acting Chair

Carole Gibb, Secretary



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Date: November 16, 2015

From: Samantha Pierson, Planner I, and Michael Scarcelli, Senior Planner

To: Planning Commission

Re: V 15-29 Variance Request for 263 Katlian Avenue

GENERAL INFORMATION

Applicant Forrest Dodson and Mary Holzman
P.O. Box 6575
Sitka, AK 99835

Property Owner: Same as above

Property Address: 263 Katlian Avenue

Legal Description: Lot 14, Block 5, Sitka Indian Village

Parcel ID Number: 16720000

Size of Existing Lot: 2,036 square feet

Zoning: WD Waterfront

Existing Land Use: Residential

Utilities: Full city services

Access: Access directly from Katlian Avenue

Surrounding Land Use: Mixed use

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 to approve

ATTACHMENTS

Attachment A: Vicinity Map

Attachment B: Aerial Vicinity Map

Attachment C: Parcel Pictures

Attachment D: Application

Attachment E: Site Plan

Attachment F: Subdivision Plat

Providing for today...preparing for tomorrow

Attachment G: Zoning Map
Attachment H: Mailing List
Attachment I: Proof of Payment
Attachment J: Proof of Ownership

BACKGROUND

In November 2014, the applicants expressed interest in acquiring adjacent tidelands to their residence at 263 Katlian Avenue. The application was originally denied at the city staff level due to concerns for proximity to the City's grid. Revised comments from the harbormaster state that there is no future expansion planned.

The intent is to fill the tidelands behind the house and move the home back onto the filled area, creating parking in front. The proposed minor subdivision would create one lot from the current property and the adjacent tidelands.

The Planning Commission recommended approval of the tidelands sale at the June 2, 2015 meeting on a 4-0 vote. Originally there were potential concerns with the sale and development of these tidelands and adjacent properties. However, Staff received revised comments from other municipal staff prior to the June 2 meeting, which stated that no impacts were anticipated on the City grid or Electrical Department.

The Assembly granted preliminary approval of the tidelands sale at the June 23, 2015 meeting on a 6-0 vote.

The Planning Commission approved the preliminary subdivision plat at the November 3, 2015 meeting on a 4-0 vote.

The variance request is for the reduction of the minimum lot size from 6,000 square feet to 4,428 square feet. The current lot is 2,036 square feet. The property is located at 263 Katlian Avenue, in the Waterfront District. The minimum lot size in a WD zone are 6,000 square feet.¹

PROJECT DESCRIPTION

The applicant seeks approval of a variance so as to create a lot of substandard size.

ANALYSIS

Project / Site: The proposed tidelands are immediately adjacent the City Grid. The City Harbormaster had no issues with the proposal. The site is within the existing Historic Preservation zone and went before the Historic Preservation Commission on November 18, 2015. The HPC moved to approve the plan; the motion failed 1-4. Commissioners expressed concern that the relocation of the house could jeopardize the district's ability to gain official

¹ Table 22.20-1—Development Standards

historic status. The HPC also voted 5-0 to table the discussion to the December 9, 2015 meeting in order to consult with Sitka Tribe of Alaska.

On November 12, 2015, the Port and Harbors Commission was in support of the project and that was concurred by the Harbormaster. Topics of discussion included the extent and distance of the expansion, specifically in how it related to the adjacent BIHA property. Also, there was discussion about parking, City Grid, depth of the tide, amount of tidelands and public use, and U.S. Army Corps of Engineers requirements.

This lot at 263 Katlian Avenue is currently 2,036 square feet. The variance would create a 4,428 square foot lot, moving toward compliance with the minimum lot size of 6,000 square feet.²

The house currently does not meet the front setback requirement of 20 feet, but is approximately 14 feet from the front property line. The proposal would allow the property to meet front setback requirements and provide for front parking spaces. An argument can be made that front setbacks are not required for this property, as no setbacks are required from property lines of adjacent filled, intertidal, or submerged tidelands.³ Additionally, this project would not have a rear setback requirement, or side setback requirements where the property line is adjacent to tidelands.

Zone: Waterfront District (WD) “is intended to be applied to lands with direct access or close proximity to navigable tidal waters within the urban area of the city and borough. Uses are intended whenever possible to be water-dependent or water-related with particular emphasis on commerce, tourism, commercial or industrial enterprises which derive major economic or social benefit from a waterfront location.”⁴ The proposal is in line with the intent of the Waterfront zoning district.

Traffic: Minimal anticipated impacts on traffic.

Parking: The current lot does not provide the two spaces required for a single-family dwelling unit.⁵ The proposal to move the house toward the tidelands would facilitate parking in front of the house.

Noise: Minimal noise concerns beyond the construction period. A minimum lot size is one way to mitigate noise by creating buffer zones.

Public Health or Safety: No concerns for public health and safety.

² Table 22.20-1—Development Standards

³ 22.20.035 Note 12—No setbacks for property lines adjacent to tidelands

⁴ Section 22.16.100—WD Waterfront District

⁵ Section 22.20.100.G.1—Off-Street Parking Requirements

Habitat: No concerns outside of coastal zone under jurisdiction of US Army Corps of Engineers. Applicant has submitted a request for authorization with Linda Speerstra of USACE.

Property Value or Neighborhood Harmony: A larger parcel that moves toward compliance with minimum lot size and creates additional buffer between the existing properties on Katlian Avenue would reduce noise impacts, increase privacy, and increase property value.

Comprehensive Plan:

The proposal will help provide area for a more suitable buildable lot for waterfront district permitted uses, it would help provide incentive to save an existing historical home, would mitigate traffic and parking concerns, and move development towards conformity. These points specifically are in line with the following Comprehensive Plan goals and policies:

2.4.6. "To provide adequate land for commercial, industrial and residential growth and public use that promotes the efficient use, value and enjoyment of the environment."

2.6.1. "To facilitate the availability of adequate land zoned for residential, commercial, industrial and waterfront development."

2.6.2. "To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas..."

FINDINGS⁶

D. Required Findings for Variances.

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, *specifically, the small lot size*;
- b) The variance is necessary for the preservation and enjoyment of a substantial property right of use possessed by other properties but are denied to this parcel;
- 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; and
- d) That the granting of such a variance will not adversely affect the Comprehensive Plan: *specifically, it is in line with Comprehensive Plan 2.4.1, which states, "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," and conditions of approval mitigate any harm and the proposal enhances the quality of access for current and future homeowners.*

RECOMMENDATION

It is recommended that the Planning Commission adopt the Planners' analysis and grant the requested variance for the reduction of the minimum lot size from 6,000 square feet to 4,428 square feet.

⁶ Section 22.30.160(D)(1)—Required Findings for Major Variances



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Date: October 27, 2015

From: Michael Scarcelli, Senior Planner

To: Planning Commission

Re: LS 15-01 Minor Subdivision of 263 Katlian Avenue and adjacent tidelands

GENERAL INFORMATION

Applicant: Forrest Dodson and Mary Holzman
P.O. Box 6575
Sitka, AK 99835

Property Owner: Same as above

Property Address: 263 Katlian Avenue

Legal Description: Lot 14, Block 5, Sitka Indian Village

Parcel ID Number: 16720000

Size of Existing Lot: 2,036 square feet

Zoning: WD Waterfront

Existing Land Use: Residential

Utilities: Full City Services

Access: Access directly from Katlian Avenue

Surrounding Land Use: Mixed use

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: Subdivision Plat

Attachment G: Zoning Map

Attachment H: Warranty Deed

Attachment I: Payment

Attachment J: City Department Staff Comments

BACKGROUND

In November 2014, the applicants expressed interest in acquiring tidelands adjacent to their residence at 263 Katlian Avenue. The application was originally denied at the city staff level due to concerns for proximity to the City's grid. Revised comments from the harbormaster state that there is no future expansion planned.

The intent is to fill the tidelands behind the house and move the home back onto the filled area, creating parking in front. The proposed minor subdivision would create one lot from the current property and the adjacent tidelands.

The Planning Commission recommended approval of the tidelands sale at the June 2, 2015 meeting on a 4-0 vote. Originally there were potential concerns with the sale and development of these tidelands and adjacent properties. However, Staff received revised comments from other municipal staff prior to the June 2 meeting, which stated that no impacts were anticipated on the City grid or Electrical Department.

The Assembly granted preliminary approval of the tidelands sale at the June 23, 2015 meeting on a 6-0 vote.

The Planning Commission approved the preliminary plat at the November 3, 2015 meeting on a 4-0 vote.

PROJECT DESCRIPTION

The applicant seeks approval of a minor subdivision so as to acquire City owned tidelands adjacent to their existing parcel.

ANALYSIS

Project / Site: The proposed tidelands are immediately adjacent the City Grid. The City Harbormaster had no issues with the proposal. The site is within the existing Historic Preservation zone and went before the Historic Preservation Commission on November 18, 2015. The HPC moved to approve the plan; the motion failed 1-4. Commissioners expressed concern that the relocation of the house could jeopardize the district's ability to gain official historic status. The HPC also voted 5-0 to table the discussion to the December 9, 2015 meeting in order to consult with Sitka Tribe of Alaska.

On November 12, 2015, the Port and Harbors Commission was in support of the project and that was concurred by the Harbormaster. Topics of discussion included the extent and distance of the expansion, specifically in how it related to the adjacent BIHA property. Also, there was discussion about parking, City Grid, depth of the tide, amount of tidelands and public use, and U.S. Army Corps of Engineers requirements.

The minor subdivision shall conform to the Comprehensive Plan, the official zoning map, and all requirements in the Sitka General Code Title 22, Zoning.¹ Specifically, land is unsuitable for development if is found to have potential hazards such as flooding, high water table, or other features, which may be detrimental to the health, safety, or general welfare of existing and future residents; and therefore should not be developed *unless* hazards are eliminated by approved design or construction plans.² All concerns are minimal and should be addressed through requirements, conditions, variances, and other departmental and jurisdictional requirements.

Variance Required for Development of Substandard Lot Size and Setbacks

The minimum lot size in WD is 6,000 square feet.³ The current lot is 2,036 square feet. The minor subdivision would result in a lot size of 4,428 square feet, moving the parcel toward compliance. The property would require a variance for lot size and setbacks. The variance for these issues will be heard in conjunction with the final plat at the December 1st Planning Commission hearing.

The house currently does not meet the front setback requirement of 20 feet, but is approximately 14 feet from the front property line. The proposal would allow the property to meet front setback requirements and provide for front parking spaces. An argument can be made that front setbacks are not required for this property, as no setbacks are required from property lines of adjacent filled, intertidal, or submerged tidelands.⁴ Additionally, this project would not have a rear setback requirement, or side setback requirements where the property line is adjacent to tidelands.

¹ § 21.40.010—Design Principles and Standards

² § 21.40.010(A)(3)—Lands Unsuitable for Development

³ Table 22.20-1—Development Standards

⁴ 22.20.035 Note 12—No setbacks for property lines adjacent to tidelands

The Waterfront District (WD) “is intended to be applied to lands with direct access or close proximity to navigable tidal waters within the urban area of the city and borough. Uses are intended whenever possible to be water-dependent or water-related with particular emphasis on commerce, tourism, commercial or industrial enterprises which derive major economic or social benefit from a waterfront location.”⁵ The proposal is in line with the intent of the Waterfront zoning district.

Traffic: Lack of front parking may impact traffic flow on Katlian Avenue, but would be improved by proposal and conditions.

Parking: The proposed plan will improve upon the property’s parking availability.

Noise: No concerns outside of construction of intended future structures.

Public Health or Safety: No concerns.

Habitat: No concerns outside of coastal zone under jurisdiction of U.S. Army Corps of Engineers. Applicant has submitted a request for authorization with Linda Speerstra of USACE.

Property Value or Neighborhood Harmony: A larger parcel that moves toward compliance with minimum lot size and creates additional buffer between the existing properties on Katlian Avenue would reduce noise impacts, increase privacy, and increase property value.

Comprehensive Plan:

The proposal will help provide area for a more suitable buildable lot for waterfront district permitted uses, it would help provide incentive to save an existing historical home, would mitigate traffic and parking concerns, and move development towards conformity. These points specifically are in line with the following Comprehensive Plan goals and policies:

2.4.6. “To provide adequate land for commercial, industrial and residential growth and public use that promotes the efficient use, value and enjoyment of the environment.”

2.6.1. “To facilitate the availability of adequate land zoned for residential, commercial, industrial and waterfront development.”

2.6.2. “To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas...”

RECOMMENDATION

It is recommended that the Planning Commission adopt the Senior Planner’s analysis and findings found above and approve the requested minor subdivision final plat, subject to and conditioned upon input from Port and Harbors Commission and Historic Preservation Commission, and approval of sale of tidelands by City Assembly; and the following findings and conditions:

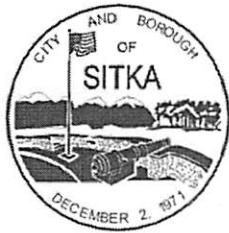
ADDITIONAL FINDINGS:

⁵ §22.16.100

- 1) Meets all Basic Criteria required by Section 21.12.010 (B):
 - a. No dedications are needed;
 - b. Monuments exist sufficient to locate all proposed lots on the site;
 - c. The plat includes all contiguous land under common ownership; and
 - d. Maintenance agreements as necessary;
- 2) Complies with the intent and purpose of the zoning code;
- 3) Does not negatively impact the public, health, safety, and welfare of the community or adjacent properties;
- 4) Comports with the Comprehensive Plan as stated in the staff report; and

CONDITIONS

- 1) Receives an approved variance from all required development standards that shall allow for the existing home to be moved further back from Katlian Avenue;
- 2) All street names are correctly identified (e.g. Katlian Avenue);
- 3) Complies with all requirements set forth in Section 21.12.030 Final Plat; and
- 4) Complies with all Final Plat submission requirements of Section 21.32.160.



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Date: October 27, 2015

From: Michael Scarcelli, Senior Planner

To: Planning Commission

Re: LS 15-01 Minor Subdivision of 263 Katlian Street and adjacent tidelands

GENERAL INFORMATION

Applicant: Forrest Dodson and Mary Holzman
P.O. Box 6575
Sitka, AK 99835

Property Owner: Same as above

Property Address: 263 Katlian Street

Legal Description: Lot 14, Block 5, Sitka Indian Village

Parcel ID Number: 16720000

Size of Existing Lot: 2,036 square feet

Zoning: WD Waterfront

Existing Land Use: Residential

Utilities: Full City Services

Access: Access directly from Katlian Street

Surrounding Land Use: Mixed use

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

Providing for today...preparing for tomorrow

ATTACHMENTS

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Attachment I: Payment

Attachment J: City Department Staff Comments

PROJECT DESCRIPTION

In November 2014, the applicants expressed interest in acquiring adjacent tidelands to their residence at 263 Katlian Street. The application was originally denied at the city staff level due to concerns for proximity to the City's grid. Revised comments from the harbormaster state that there is no future expansion planned.

The intent is to fill the tidelands behind the house and move the home back onto the filled area, creating parking in front. The proposed minor subdivision would create one lot from the current property and the adjacent tidelands.

BACKGROUND

The Planning Commission recommended approval of the tidelands sale at the June 2, 2015 meeting on a 4-0 vote. Originally there were potential concerns with the sale and development of these tidelands and adjacent properties. However, Staff received revised comments from other municipal staff prior to the June 2 meeting, which stated that no impacts were anticipated on the City grid or Electrical Department.

The Assembly granted preliminary approval of the tidelands sale at the June 23, 2015 meeting on a 6-0 vote.

ANALYSIS

Project / Site: The proposed tidelands are immediately adjacent the City Grid. The City must maintain access to the grid for use by recreational and commercial vessels, both for maintenance and emergency use. The site is within the existing Historic Preservation zone and must go before the Historic Preservation District, which is scheduled for November 18, 2015.

The minor subdivision shall conform to the Comprehensive Plan, the official zoning map, and all requirements in the Sitka General Code Title 22, Zoning.¹ Specifically, land is unsuitable for development if it is found to have potential hazards such as flooding, high water table, or other features, which may be detrimental to the health, safety, or general welfare of existing and future residents; and therefore should not be developed *unless* hazards are eliminated by approved design or construction plans.² All concerns are minimal and should be addressed through requirements, conditions, variances, and other departmental and jurisdictional requirements.

Variance Required for Development of Substandard Lot Size and Setbacks

The minimum lot size in WD is 6,000 square feet.³ The current lot is 2,036 square feet. The minor subdivision would result in a lot size of 4,428 square feet, moving the parcel toward compliance. The property would require a variance for lot size and setbacks. The variance for these issues will be heard in conjunction with the final plat at the December 1st Planning Commission hearing.

The property does not currently meet the front setback requirement of 20 feet. The house sits approximately 14 feet from the front property line. According to plans submitted and future discussed plans regarding the moving of the home, the minor subdivision would allow the owners to move the house back further from Katlian Street.

The Waterfront District (WD) “is intended to be applied to lands with direct access or close proximity to navigable tidal waters within the urban area of the city and borough. Uses are intended whenever possible to be water-dependent or water-related with particular emphasis on commerce, tourism, commercial or industrial enterprises which derive major economic or social benefit from a waterfront location.”⁴ The proposal is in line with the intent of the Waterfront zoning district.

Traffic: Lack of front parking may impact traffic flow on Katlian Street, but would be improved by proposal and conditions.

Parking: The proposed plan will improve upon the property’s parking availability.

Noise: No concerns outside of construction of intended future structures.

Public Health or Safety: No concerns.

Habitat: No concerns outside of coastal zone under jurisdiction of US Army Corps of Engineers. Applicant should contact Linda Speerstra at 907-747-0658.

¹ § 21.40.010

² § 21.40.010(A)(3).

³ Table 22.20-1

⁴ §22.16.100

Property Value or Neighborhood Harmony: A larger parcel that moves toward compliance with minimum lot size and creates additional buffer between the existing properties on Katlian Street would reduce noise impacts, increase privacy, and increase property value.

Comprehensive Plan:

The proposal will help provide area for a more suitable buildable lot for waterfront district permitted uses, it would help provide incentive to save an existing historical home, would mitigate traffic and parking concerns, and move development towards conformity. These points specifically are in line with the following Comprehensive Plan goals and policies:

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2.6.1. "To facilitate the availability of adequate land zoned for residential, commercial, industrial and waterfront development."

2.6.2. "To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas..."

RECOMMENDATION

It is recommended that the Planning Commission adopt the Senior Planner's analysis and approve the requested minor subdivision concept plat, subject to and conditioned upon approval by the Port and Harbors Commission, Historic Preservation Commission, and the City Assembly and the following conditions:

- 1) Received and approved variance from all required development standards that shall allow for the existing home to be moved further back from Katlian Street;
- 2) Meets all Basic Criteria required by Section 21.12.010 (B):
 - a. No dedications are needed;
 - b. Monuments exist sufficient to locate all proposed lots on the site;
 - c. The plat includes all contiguous land under common ownership; and
 - d. Maintenance agreements as necessary;
- 3) All street names are correctly identified (e.g. Katlian Avenue or Street);
- 4) Complies with all requirements set forth in Section 21.12.030 Final Plat; and
- 5) Complies with all Final Plat submission requirements of Section 21.32.160.



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Date: 5/27/15

From: Maegan Bosak, PCDD

To: Planning Commission

Re: Dodson/Holzman Land Sale Appeal- 263 Katlian Street

GENERAL INFORMATION

Applicant: Forrest Dodson and Mary Holzman
P.O. Box 6575
Sitka, AK 99835

Property Owner: Same as above

Property Address: 263 Katlian Street

Legal Description: Lot 14, Block 5, Sitka Indian Village

Parcel ID Number: 16720000

Size of Existing Lot: 2,036 square feet

Zoning: WD Waterfront

Existing Land Use: Residential

Utilities: Full City Services

Access: Access directly from Katlian Street

Surrounding Land Use: Mixed use.

MEETING FLOW

- Report from Staff
- Applicant comes forward
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PROJECT DESCRIPTION

In November 2014, the applicants expressed interest in acquiring adjacent tidelands to their residence at 263 Katlian Street. The intent is to fill the tidelands behind the house and move the home back onto the filled area, creating parking in front.

BACKGROUND

The first step to any land sale is to route the request through City departments to determine if there are issues or if the parcel is surplus to the City's needs.

Interim Planning Director Brylinsky followed the procedure and routed the request to department heads for comment. Comments have been included in your packets for review.

After review of staff comments, it was determined that this portion of tidelands is of value to the City and should remain in ownership of CBS.

Recently, Mr. Dodson approached Municipal Administrator Mark Gorman to appeal staff's decision and request that the proposed land sale be vetted through the public process.

ANALYSIS

Project / Site: The proposed tidelands are immediately adjacent the City Grid. The City must maintain access to the grid for use by recreational and commercial vessels, both for maintenance and emergency use. People and boats must be able to get to, from and around the grid to work on their vessels in all tidal conditions.

The City Grid is scheduled for renovation in 2031 as part of the Municipal Harbor Master Plan. Expansion/renovation could be limited if adequate tidelands are not available.

Furthermore, there has been significant discussion as to whether or not the City should sell any tidelands. Tidelands will continue to increase in value and be an asset to the City. Also, many feel the waterfront should be for public facilities and enjoyment, more of a benefit to the masses rather than an individual land owner. Tidelands are a very limited resource.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and move to recommend denial of the proposed land sale at 263 Katlian Street.

If the Planning Commission instead decides to approve the proposed land sale, the process would be this: The request would go to the Assembly for concept approval, followed by creation of a minor subdivision, through Ports and Harbors and Historic Preservation Commissions, and then back to the Assembly for a final land sale ordinance.

Parcel ID: 16100000
KAREN LUCAS
LUCAS, KAREN, J.
224 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16105000
DAN/GRECHEN STOCKEL
STOCKEL, DAN & GRECHEN
P.O. BOX 1172
SITKA AK 99835-1172

Parcel ID: 16120000
BRIAN MCNITT
MCNITT, BRIAN
10 MAKSOUTOFF ST
SITKA AK 99835

Parcel ID: 16125000
TOM/ANITA MATTINGLY/BERGEY
MATTINGLY, TOM & BERGEY, ANITA
P.O. BOX 624
SITKA AK 99835-0624

Parcel ID: 16130000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16140000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16150000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16155000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16160000
JACOB WHITE
WHITE, JACOB
P.O. BOX 361
HOONAH AK 99829-0361

Parcel ID: 16165000
ANNIE JOSEPH
JOSEPH, ANNIE, Y.
P.O. BOX 684
SITKA AK 99835-0684

Parcel ID: 16345000
HARRY JIMMY
JIMMY, HARRY
P.O. BOX 986
SITKA AK 99835-0986

Parcel ID: 16350000
JOHN/ELIZABETH SKEELE
SKEELE, JOHN/CAFFREY,
262 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16360000
ELIZABETH GOLDSBURY
GOLDSBURY, ELIZABETH, L.
278 KOGWANTON ST., #2
SITKA AK 99835

Parcel ID: 16365000
ELIZABETH GOLDSBURY
GOLDSBURY, ELIZABETH, L.
278 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16370000
LILLY JOHN ESTATE
JOHN, KITKA, HOGBERG %
JOHN, LILLY ESTATE % HO
P.O. BOX 338
HAINES AK 99827-0338

Parcel ID: 16380000
TIMOTHY/LYDIA MCGRAW
MCGRAW, TIMOTHY/LYDIA
288 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16385000
ELIZABETH GOLDSBURY
GOLDSBURY, ELIZABETH, L.
278 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16400000
BARANOF ISLAND HOUSING
BARANOF ISLAND HOUSING
245 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16710000
BARANOF ISLAND HOUSING AUTHORITY
BIHA OFFICE
BARANOF ISLAND HOUSING AUTHORITY
245 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16720000
DODSON/HOLZMAN REV. LIVING TRUST
DODSON, FORREST, & HOLZMAN, MAR
P.O. BOX 6575
SITKA AK 99835-6575

Parcel ID: 16725000
CITY & BOROUGH OF SITKA
GRID EXTENSION
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16730000
CITY & BOROUGH OF SITKA
TIDELANDS EXCHANGE SUBDIV
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16735000
CITY & BOROUGH OF SITKA
CITY GRID
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16740000
CITY & BOROUGH OF SITKA
(NEXT TO CITY GRID)
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16745000
JACOB WHITE
WHITE, JACOB
P.O. BOX 361
HOONAH AK 99829-0361

Parcel ID: 16750000
ANNIE JOSEPH
JOSEPH, ANNIE, Y.
P.O. BOX 684
SITKA AK 99835-0684

P&Z Mailing
November 20, 2015

Forrest Dodson
Minor Subdivision
263 Katlian Street

Parcel ID: 16100000
KAREN LUCAS
LUCAS, KAREN, J.
224 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16105000
DAN/GRECHEN STOCKEL
STOCKEL, DAN & GRECHEN
P.O. BOX 1172
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Parcel ID: 16120000
BRIAN MCNITT
MCNITT, BRIAN
10 MAKSOUTOFF ST
SITKA AK 99835

Parcel ID: 16125000
TOM/ANITA MATTINGLY/BERGEY
MATTINGLY, TOM & BERGEY, ANITA
P.O. BOX 624
SITKA AK 99835-0624

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Parcel ID: 16155000
NORTH PACIFIC SEAFOODS, INC.
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Parcel ID: 16160000
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JOSEPH, ANNIE, Y.
P.O. BOX 684
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Parcel ID: 16345000
HARRY JIMMY
JIMMY, HARRY
P.O. BOX 986
SITKA AK 99835-0986

Parcel ID: 16350000
JOHN/ELIZABETH SKEELE
SKEELE, JOHN/CAFFREY,
262 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16360000
ELIZABETH GOLDSBURY
GOLDSBURY, ELIZABETH, L.
278 KOGWANTON ST., #2
SITKA AK 99835

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ELIZABETH GOLDSBURY
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278 KOGWANTON ST
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LILLY JOHN ESTATE
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Parcel ID: 16400000
BARANOF ISLAND HOUSING
BARANOF ISLAND HOUSING
245 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16710000
BARANOF ISLAND HOUSING AUTHORITY
BIHA OFFICE
BARANOF ISLAND HOUSING AUTHORITY
245 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16720000
DODSON/HOLZMAN REV. LIVING TRUST
DODSON, FORREST, & HOLZMAN, MARY
P.O. BOX 6575
SITKA AK 99835-6575

Parcel ID: 16725000
CITY & BOROUGH OF SITKA
GRID EXTENSION
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16730000
CITY & BOROUGH OF SITKA
TIDELANDS EXCHANGE SUBDV
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16735000
CITY & BOROUGH OF SITKA
CITY GRID
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16740000
CITY & BOROUGH OF SITKA
(NEXT TO CITY GRID)
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16745000
JACOB WHITE
WHITE, JACOB
P.O. BOX 361
HOONAH AK 99829-0361

Parcel ID: 16750000
ANNIE JOSEPH
JOSEPH, ANNIE, Y.
P.O. BOX 684
SITKA AK 99835-0684

P&Z Mailing
October 23, 2015

Parcel ID: 16060000
SULSER/HEIM KATHERINE/LINDA
PIONEER BAR
SULSER, KATHERINE/HEIM, LINDA
P.O. BOX 599
SITKA AK 99835-0599

Parcel ID: 16066000
HOWARD ELI
% RAY NIELSEN(206)774-562
HOWARD, ELI
4735 200TH ST SW, APT 104
LYNNWOOD WA 98036

Parcel ID: 16070000
LUCAS KAREN
LUCAS, KAREN, J.
224 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16075000
KATHLIAN RICHARD
R&D.COOK,M.KATHLEAN,E.JOH
PETERS, CAROL
3500 GOLIAD RD, LOT 279
SAN ANTONIO TX 78223

Parcel ID: 16080000
GUANZON/DOWNS/LEONARD GENEVIEVE/D./A.
LEONARD, ANITA/GUANZON, G
GUANZON, GENEVIEVE, H.
2329 EUREKA, APT D3
ANCHORAGE AK 99503

Parcel ID: 16085000
PLAISANCE KEVIN/MARIFE
PLAISANCE, KEVIN & MARIFE
P.O. BOX 152
SITKA AK 99835-0152

Parcel ID: 16090000
HEYBURN THERESA
HEYBURN, THERESA
207 MONASTERY ST
SITKA AK 99835

Parcel ID: 16095000
HEYBURN THERESA
HEYBURN, THERESA
207 MONASTERY ST
SITKA AK 99835

Parcel ID: 16100000
LUCAS KAREN
LUCAS, KAREN, J.
224 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16105000
STOCKEL DAN/GRECHEN
STOCKEL, DAN & GRECHEN
P.O. BOX 1172
SITKA AK 99835-1172

Parcel ID: 16120000
MCNITT BRIAN
MCNITT, BRIAN
10 MAKSOUFF ST
SITKA AK 99835

Parcel ID: 16125000
MATTINGLY/BERGEY TOI
MATTINGLY, TOM & BERI
P.O. BOX 624
SITKA AK 99835-0624

Parcel ID: 16130000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16140000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16150000
NORTH PACIFIC SEAFOOD
NORTH PACIFIC SEAFOOD
4 NICKERSON ST, STE 40
SEATTLE WA 98109

Parcel ID: 16155000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16160000
WHITE JACOB
WHITE, JACOB
P.O. BOX 361
HOONAH AK 99829-0361

Parcel ID: 16165000
JOSEPH ANNIE
JOSEPH, ANNIE, Y.
P.O. BOX 684
SITKA AK 99835-0684

Parcel ID: 16170000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16175000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16180000
MILLER LUIS
MILLER, LUIS (CHUCK)
314 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16190000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16195000
DIDRICKSON DONALD/ROXYANN
DIDRICKSON, DONALD/ROXYANN
361 KAAGWAANTAAN ST.
SITKA AK 99835

Parcel ID: 16200000
NORTH PACIFIC SEAFOOD
NORTH PACIFIC SEAFOOD
4 NICKERSON ST, STE 40
SEATTLE WA 98109

Parcel ID: 16315000
MAYO/SHEN MICHAEL/XIAOYAN
MAYO, MICHAEL, J. & SHEN, XIAOYAN
244 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16320000
MAYO/SHEN MICHAEL/XIAOYAN
MAYO, MICHAEL, J. & SHEN, XIAOYAN
244 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16325000
JACK JENNIE
CROPLEY,F/HOWARD,N/I
JACK,JENNIE%WILLARD
C/O 256 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16345000
JIMMY HARRY
JIMMY, HARRY
P.O. BOX 986
SITKA AK 99835-0986

Parcel ID: 16350000
SKEELE/CAFFREY JOHN/ELIZABETH
SKEELE, JOHN/CAFFREY, ELIZABETH
262 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16360000
GOLDSBURY ELIZABETH
GOLDSBURY, ELIZABETH
278 KOGWANTON ST., #2
SITKA AK 99835

Assembly Mailing
Sent 6/12/15

Dodson / Holzman
Tidelands Land Sale
263 Katlian Street

Parcel ID: 16365000
GOLDSBURY ELIZABETH
GOLDSBURY, ELIZABETH, L.
278 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16370000
JOHN ESTATE LILLY
JOHN, KITKA, HOGBERG % E. HE
JOHN, LILLY ESTATE % HOOLIS, WALLACE,
P.O. BOX 338
HAINEs AK 99827-0338

Parcel ID: 16380000
MCGRAW TIMOTHY/LYDIA
MCGRAW, TIMOTHY/LYDIA
288 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16385000
GOLDSBURY ELIZABETH
GOLDSBURY, ELIZABETH, L.
278 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16395000
CUENIN ROBERT/VIRGINIA
CUENIN, ROBERT/VIRGINIA/CHAMBERS, MARY
2121 FALCON RIDGE DR
PETALUMA CA 94954

Parcel ID: 16400000
BARANOF ISLAND HOUSING AUT
BARANOF ISLAND HOUSING AUT
245 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16420000
CARLSON CALVIN
CARLSON, CALVIN
332 KOGWANTON ST.
SITKA AK 99835

Parcel ID: 16425000
ALLEN DENNIS
ALLEN, DENNIS, C.
336 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16430000
CARLSON ADRIANNE
CARLSON, ADRIANNE
332 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16440000
UNION OIL CO.
ATTN: TAX DIVISION
UNION OIL CO.
P.O. BOX 285
HOUSTON TX 77001-0285

Parcel ID: 16445000
HANDY JIMMY DEE/SAORI
HANDY, JIMMY DEE & SAORI, M.
350 KOGWANTON ST.
SITKA AK 99835

Parcel ID: 16475018
PHILLIPS/PIEDRA JORDAN/MERC
PHILLIPS, JORDAN/PIEDRA, MER
356 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16475019
THOMAS ROSEMARY
THOMAS, ROSEMARY, F.
254 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16475020
BARANOF ISLAND HOUSING AUTHORITY
BARANOF ISLAND HOUSING AUTHORITY
245 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16475021
YOUNG GAYLE
YOUNG, GAYLE, L.
250 KOGWANTON ST.
SITKA AK 99835

Parcel ID: 16475022
BARANOF ISLAND HOUSING AUTHORITY
BARANOF ISLAND HOUSING AUTHORITY
245 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16475023
JOHNSON/SAM, SR. AUDREY/GILBERT
AUDREY JOHNSON & GILBERT SAM, SR.
246 KOGWANTON ST.
SITKA AK 99835

Parcel ID: 16475024
BARANOF ISLAND HOUSING AUT
BARANOF ISLAND HOUSING AUT
245 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16475025
NANCE MARK/HEIDI
NANCE, MARK, A./HEIDI, L.
234 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16550014
DELONG JOHN/BARBARA
DELONG, JOHN & BARBARA
264 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16550016
DELONG JOHN/BARBARA
DELONG, JOHN, R./BARBARA
264 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16550020
GOLDSBURY ELIZABETH
GOLDSBURY, ELIZABETH, L.
278 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16550022
GIBSON HARRY/PAMELA
GIBSON, HARRY, J./PAMELA, J.
P.O. BOX 9460
KETCHIKAN AK 99901-9460

Parcel ID: 16550032
UNION OIL CO. OF CALIFORNIA
CHEVRON PROPERTY TAX DEPT
UNION OIL CO. OF CALIFORNIA
P.O. BOX 285
HOUSTON TX 77001-0285

Parcel ID: 16550034
UNION OIL CO. OF CALIFORNIA
CHEVRON PROPERTY TAX DEPT
UNION OIL CO. OF CALIFORNIA
P.O. BOX 285
HOUSTON TX 77001-0285

Parcel ID: 16675000
CITY & BOROUGH OF SITKA
(BAILEY'S MARINE)
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16675001
C/B OF SITKA
BETWEEN OLD BAILEYS & KAT
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16690000
CITY & BOROUGH OF SITKA
ANB BOAT HARBOR
C/B OF SITKA

Parcel ID: 16695000
ALASKA NATIVE BROTHERHOOD
ALASKA NATIVE BROTHERHOOD

Parcel ID: 16710000
BARANOF ISLAND HOUSING AUT
BIHA OFFICE
BARANOF ISLAND HOUSING AUT

100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16720000
DODSON/HOLZMAN REV. LIVING TRUST
DODSON, FORREST, & HOLZMAN, MARY
P.O. BOX 6575
SITKA AK 99835-6575

Parcel ID: 16735000
CITY & BOROUGH OF SITKA
CITY GRID
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16750000
JOSEPH ANNIE
JOSEPH, ANNIE, Y.
P.O. BOX 684
SITKA AK 99835-0684

235 KATLIAN AVE, STE A
SITKA AK 99835

Parcel ID: 16725000
CITY & BOROUGH OF SITKA
GRID EXTENSION
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16740000
CITY & BOROUGH OF SITKA
(NEXT TO CITY GRID)
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16758000
HAMES CORPORATION
(TIDELANDS EXCHANGE SUBDV
HAMES CORPORATION
208 LAKE ST, STE B
SITKA AK 99835

245 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16730000
CITY & BOROUGH OF SITKA
TIDELANDS EXCHANGE SUBDV
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16745000
WHITE JACOB
WHITE, JACOB
P.O. BOX 361
HOONAH AK 99829-0361

Parcel ID: 16770000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16060000
SULSER/HEIM KATHERINE/LINDA
PIONEER BAR
SULSER, KATHERINE/HEIM, LINDA
P.O. BOX 599
SITKA AK 99835-0599

Parcel ID: 16066000
HOWARD ELI
% RAY NIELSEN(206)774-562
HOWARD, ELI
4735 200TH ST SW, APT 104
LYNNWOOD WA 98036

Parcel ID: 16070000
LUCAS KAREN
LUCAS, KAREN, J.
224 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16075000
KATHLIAN RICHARD
R&D.COOK,M.KATHLEAN,E.JOH
PETERS, CAROL
3500 GOLIAD RD, LOT 279
SAN ANTONIO TX 78223

Parcel ID: 16080000
GUANZON/DOWNS/LEONARD GENEVIEVE/D./A.
LEONARD, ANITA/GUANZON, G
GUANZON, GENEVIEVE, H.
2329 EUREKA, APT D3
ANCHORAGE AK 99503

Parcel ID: 16085000
PLAISANCE KEVIN/MARIFE
PLAISANCE, KEVIN & MARIFE
P.O. BOX 152
SITKA AK 99835-0152

Parcel ID: 16090000
HEYBURN THERESA
HEYBURN, THERESA
207 MONASTERY ST
SITKA AK 99835

Parcel ID: 16095000
HEYBURN THERESA
HEYBURN, THERESA
207 MONASTERY ST
SITKA AK 99835

Parcel ID: 16100000
LUCAS KAREN
LUCAS, KAREN, J.
224 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16105000
STOCKEL DAN/GRECHEN
STOCKEL, DAN & GRECHEN
P.O. BOX 1172
SITKA AK 99835-1172

Parcel ID: 16120000
MCNITT BRIAN
MCNITT, BRIAN
10 MAKSOUFF ST
SITKA AK 99835

Parcel ID: 16125000
MATTINGLY/BERGEY TOM/ANITA
MATTINGLY, TOM & BERGEY, AN
P.O. BOX 624
SITKA AK 99835-0624

Parcel ID: 16130000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16140000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16150000
NORTH PACIFIC SEAFOODS, INC
NORTH PACIFIC SEAFOODS, INC
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16155000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16160000
WHITE JACOB
WHITE, JACOB
P.O. BOX 361
HOONAH AK 99829-0361

Parcel ID: 16165000
JOSEPH ANNIE
JOSEPH, ANNIE, Y.
P.O. BOX 684
SITKA AK 99835-0684

Parcel ID: 16170000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16175000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16180000
MILLER LUIS
MILLER, LUIS (CHUCK)
314 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16190000
NORTH PACIFIC SEAFOODS, INC.
NORTH PACIFIC SEAFOODS, INC.
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16195000
DIDRICKSON DONALD/ROXYANN
DIDRICKSON, DONALD/ROXYANN
361 KAAGWAANTAN ST.
SITKA AK 99835

Parcel ID: 16200000
NORTH PACIFIC SEAFOODS, INC
NORTH PACIFIC SEAFOODS, INC
4 NICKERSON ST, STE 400
SEATTLE WA 98109

Parcel ID: 16315000
MAYO/SHEN MICHAEL/XIAOYAN
MAYO, MICHAEL, J. & SHEN, XIAOYAN
244 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16320000
MAYO/SHEN MICHAEL/XIAOYAN
MAYO, MICHAEL, J. & SHEN, XIAOYAN
244 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16325000
JACK JENNIE
CROPLEY,F/HOWARD,N/MULLIG
JACK,JENNIE%WILLARD,M/K/J,C
C/O 256 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16345000
JIMMY HARRY
JIMMY, HARRY
P.O. BOX 986
SITKA AK 99835-0986

Parcel ID: 16350000
SKEELE/CAFFREY JOHN/ELIZABETH
SKEELE, JOHN/CAFFREY, ELIZABETH
262 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16360000
GOLDSBURY ELIZABETH
GOLDSBURY, ELIZABETH, L.
278 KOGWANTON ST., #2
SITKA AK 99835

Parcel ID: 16365000
GOLDSBURY ELIZABETH
GOLDSBURY, ELIZABETH, L.
278 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16370000
JOHN ESTATE LILLY
JOHN,KITKA,HOGBERG % E.HE
JOHN, LILLY ESTATE%HOOLIS,WALLACE,
P.O. BOX 338
HAINES AK 99827-0338

Parcel ID: 16380000
MCGRAW TIMOTHY/LYDIA
MCGRAW, TIMOTHY/LYDIA
288 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16385000
GOLDSBURY ELIZABETH
GOLDSBURY, ELIZABETH, L.
278 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16395000
CUENIN ROBERT/VIRGINIA
CUENIN, ROBERT/VIRGINIA/CHAMBERS, MARY
2121 FALCON RIDGE DR
PETALUMA CA 94954

Parcel ID: 16400000
BARANOF ISLAND HOUSING AUT
BARANOF ISLAND HOUSING AUT
245 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16420000
CARLSON CALVIN
CARLSON, CALVIN
332 KOGWANTON ST.
SITKA AK 99835

Parcel ID: 16425000
ALLEN DENNIS
ALLEN, DENNIS, C.
336 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16430000
CARLSON ADRIANNE
CARLSON, ADRIANNE
332 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16440000
UNION OIL CO.
ATTN: TAX DIVISION
UNION OIL CO.
P.O. BOX 285
HOUSTON TX 77001-0285

Parcel ID: 16445000
HANDY JIMMY DEE/SAORI
HANDY, JIMMY DEE & SAORI, M.
350 KOGWANTON ST.
SITKA AK 99835

Parcel ID: 16475018
PHILLIPS/PIEDRA JORDAN/MERC
PHILLIPS, JORDAN/PIEDRA, MER
356 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16475019
THOMAS ROSEMARY
THOMAS, ROSEMARY, F.
254 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16475020
BARANOF ISLAND HOUSING AUTHORITY
BARANOF ISLAND HOUSING AUTHORITY
245 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16475021
YOUNG GAYLE
YOUNG, GAYLE, L.
250 KOGWANTON ST.
SITKA AK 99835

Parcel ID: 16475022
BARANOF ISLAND HOUSING AUTHORITY
BARANOF ISLAND HOUSING AUTHORITY
245 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16475023
JOHNSON/SAM, SR. AUDREY/GILBERT
AUDREY JOHNSON & GILBERT SAM, SR.
246 KOGWANTON ST.
SITKA AK 99835

Parcel ID: 16475024
BARANOF ISLAND HOUSING AUT
BARANOF ISLAND HOUSING AUT
245 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16475025
NANCE MARK/HEIDI
NANCE, MARK, A./HEIDI, L.
234 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16550014
DELONG JOHN/BARBARA
DELONG, JOHN & BARBARA
264 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16550016
DELONG JOHN/BARBARA
DELONG, JOHN, R./BARBARA
264 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16550020
GOLDSBURY ELIZABETH
GOLDSBURY, ELIZABETH, L.
278 KOGWANTON ST
SITKA AK 99835

Parcel ID: 16550022
GIBSON HARRY/PAMELA
GIBSON, HARRY, J./PAMELA, J.
P.O. BOX 9460
KETCHIKAN AK 99901-9460

Parcel ID: 16550032
UNION OIL CO. OF CALIFORNIA
CHEVRON PROPERTY TAX DEPT
UNION OIL CO. OF CALIFORNIA
P.O. BOX 285
HOUSTON TX 77001-0285

Parcel ID: 16550034
UNION OIL CO. OF CALIFORNIA
CHEVRON PROPERTY TAX DEPT
UNION OIL CO. OF CALIFORNIA
P.O. BOX 285
HOUSTON TX 77001-0285

Parcel ID: 16675000
CITY & BOROUGH OF SITKA
(BAILEY'S MARINE)
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16675001
C/B OF SITKA
BETWEEN OLD BAILEYS & KAT
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16690000
CITY & BOROUGH OF SITKA
ANB BOAT HARBOR
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16695000
ALASKA NATIVE BROTHERHOOD
ALASKA NATIVE BROTHERHOOD
235 KATLIAN AVE, STE A
SITKA AK 99835

Parcel ID: 16710000
BARANOF ISLAND HOUSING AUT
BIHA OFFICE
BARANOF ISLAND HOUSING AUT
245 KATLIAN AVE
SITKA AK 99835

Parcel ID: 16720000
DODSON/HOLZMAN REV. LIVING TRUST
DODSON, FORREST, & HOLZMAN, MARY
P.O. BOX 6575
SITKA AK 99835-6575

Parcel ID: 16725000
CITY & BOROUGH OF SITKA
GRID EXTENSION
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16730000
CITY & BOROUGH OF SITKA
TIDELANDS EXCHANGE SUBDV
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16735000
CITY & BOROUGH OF SITKA
CITY GRID
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16740000
CITY & BOROUGH OF SITKA
(NEXT TO CITY GRID)
C/B OF SITKA
100 LINCOLN ST
SITKA AK 99835

Parcel ID: 16745000
WHITE JACOB
WHITE, JACOB
P.O. BOX 361
HOONAH AK 99829-0361

Parcel ID: 16750000
JOSEPH ANNIE
JOSEPH, ANNIE, Y.
P.O. BOX 684
SITKA AK 99835-0684

Parcel ID: 16758000
HAMES CORPORATION
(TIDELANDS EXCHANGE SUBDV
HAMES CORPORATION
208 LAKE ST, STE B
SITKA AK 99835

Parcel ID: 16770000
NORTH PACIFIC SEAFOODS, INC
NORTH PACIFIC SEAFOODS, INC
4 NICKERSON ST, STE 400
SEATTLE WA 98109

CITY & BOROUGH OF SITKA
100 LINCOLN STREET
SITKA, AK 998357540

Merchant ID: 000000002754907
Term ID: 04090017
409200114885

Phone Order

VISA

XXXXXXXXXXXX4972

Entry Method: Manual

Apprvd: Online Batch#: 000766

10/29/15 16:44:43

CVV2 Code: N

Inv #: 000018 Appr Code: 005880

Total: \$ 288.75

Customer Copy

Forrest Dodson and Mary Holzman

Land Sale
263 Katlian



AFTER RECORDING, RETURN TO:

Forrest L. Dodson
Mary J. Holzman
P.O. Box 6575
Sitka, AK 99835

AETIA/50431

DEED OF PERSONAL REPRESENTATIVE

The **GRANTOR, VIOLA WOLDHAGEN, Personal Representative of the Estate of Esther Thomas, deceased**, whose mailing address is 3718 S. Gunnison St. Tacoma, WA 98409 and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and warranted and by these presents does grant, bargain, sell, convey, warrant and transfer to the said **FORREST L. DODSON and Mary J. Holzman, Co-Trustees of the Dodson and Holzman Revocable Living Trust, U.T.D. October 23, 2008**, Grantee, whose mailing address is P.O. Box 6575 Sitka, Alaska 99835, and to her heirs and assigns, forever, all of the right, title and interest that the Estate of Esther Thomas, Deceased, at the time of her death, and also all of the right, title and interest that said Estate, by operation of law or otherwise, may have acquired, in and to the following described real estate located in the Sitka Recording District, First Judicial District, State of Alaska:

Lot 14, Block 5, Sitka Indian Village, U.S. Survey No. 2542, Sitka Recording District, First Judicial District, State of Alaska.

Together with that portion of Alaska Tidelands Survey No. 15 described as: Beginning at Corner No. 1, from whence a brass monument set in Katlian Avenue by R.S. Suhr for Alaska Tideland Survey No. 15, marked S2542A, ECMC 10, bears S 46°43'32" E, 568.95 ft. distant. Thence from Corner No. 1 by metes and bounds, S 59°31' W, 55.39 ft. to Corner No. 2; N 30°29' W, 36.03 ft. to Corner No. 3; N 57°17' E, 5.00 ft. to Corner No. 4; N 59°31' E, 32.77 ft. to Corner No. 5; N 30°29' E, 1.60 ft. to Corner No. 6; N 58°14' E, 18.98 ft. to Corner No. 7; S 28°27'30" E, 38.26 ft. to Corner No. 1, the point of beginning, containing in all 2,063.17 sq. ft. more or less and being seaward of Lot 14, Block 5, USS 2542 A&B, Sitka Indian Village, Sitka Recording District, First Judicial District, State of Alaska.

SUBJECT TO reservations, exceptions, easements, covenants, conditions and restrictions of record, if any.

PERSONAL REPRESENTATIVE'S DEED -1-
A-4350-3523