



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

Planning and Community Development Department

AGENDA ITEM

Case No: VAR 26-02
Proposal: Increase maximum building coverage from 35% to 45.6%, Reduce front setback from 20' to 2', Reduce parking from 20 spaces to 0 spaces
Applicant: Sitka Tribe of Alaska
Owner: Sitka Tribe of Alaska
Location: 200 Katlian Street
Legal: Lot 1A, Replat of the Front Street School Subdivision
Zone: P - Public Lands District
Size: 15,720 Square Feet
Parcel ID: 1-5997-000
Existing Use: Community Building
Adjacent Use: Public (State of Alaska Pioneer Home & Public Square), Commercial
Utilities: Existing
Access: Katlian Street, Kaagwaantaan Street

KEY POINTS AND CONCERNS

- Facilitate construction of a carving addition
- Request is for three variances
 - Increase maximum building coverage to 45.6%
 - Reduce front setback to 2 feet
 - Reduce parking from 20 spaces to 0 spaces

ATTACHMENTS

Attachment A: Aerial
Attachment B: Plat
Attachment C: As-built
Attachment D: Site and Floor Plan
Attachment E: Elevation View
Attachment F: Photos
Attachment G: Application Materials

BACKGROUND/PROJECT DESCRIPTION

The applicant/owner, Sitka Tribe of Alaska (STA), is requesting variances to increase the maximum building coverage from 35% to 45.6%, reduce the front setback from 20' feet to 2' feet, and to reduce parking from 20 spaces to 0 spaces to facilitate construction of a carving addition of 964 square feet (SF) of enclosed interior space and approximately 600 SF of covered exterior canopy. STA is proposing this addition to allowing carving, teaching, and cultural demonstration at the Sheet'ká Kwáan Naa Kahídi (community house) at 200 Katlian Street in the P Public Lands district. The property is 15,720 SF and the improvement size is 4,325 SF.

ANALYSIS

Building area coverage requirements

The SGC requires a 35% maximum building coverage in the P Public Lands zone¹.

22.05.240 Building area/site coverage.

“Building area/site coverage” means the total areas taken on a horizontal plane on its largest level of the principal building and all accessory building including decks, porches, steps and eave overhangs.

The proposed carving addition includes approximately 964 SF of enclosed interior space and approximately 600 SF of covered exterior canopy, for a total additional covered footprint of approximately 1,564 SF. The total site coverage would increase to approximately 7,164 SF, or roughly 45.6% lot coverage. This is calculated by adding the area of all improvements on the property and dividing it by the total lot area.

Setback requirements

The SGC requires 20-foot front setbacks, 10-foot side setbacks, 15-foot rear setbacks in the P Public Lands zone¹.

22.20.040 Yards and setbacks.

A. Projections into Required Yards. Where yards are required as setbacks, they shall be open and unobstructed by any structure or portion of a structure from thirty inches above the general ground level of the graded lot upward.

The lot has frontage on both Katlian Street and Kaagaantaan Street, with 20-foot front setbacks applying to all street-facing lot lines and 10-foot side setbacks. A variance was issued July 25, 1996 to reduce the Kaagwaantaan Street front setback to 2 ½ feet and to reduce the Katlian Street front setback to 12 feet for placement of a cultural center. Due to site constraints and the orientation of the existing building, accommodating the carving of full-length (approximately 60-foot) totem poles while meeting current setback requirements is challenging. Siting the proposed carving shed at its minimal functional size in this area will reduce the Katlian Street setback to two feet.

Parking requirements

SGC 22.20.100 (G.7.) Off-street parking requirements for Community/Assembly buildings.

Community buildings, assembly halls, lodges or union or social halls: one parking space for each 10 seats or for each 10 occupants, based on maximum seating capacity.

¹ SGC Table 22.20-1

Community/assembly buildings require one off-street parking space for each ten seats or occupants. Based on an estimated seating capacity of approximately 196 persons, the minimum required off-street parking would be 20 spaces. Staff was unable to find a parking variance for the construction of the community building. In reviewing the past subdivision and setback variance case files for this property, it appears planners had classified the zoning as central business district which does not require parking. The applicant does not anticipate impacts to traffic or parking as the majority of all visitors arrive on foot. They do expect to temporarily block traffic on Katlian Street no more than four times per year when the totems are being in-loaded or out-loaded from the facility.

Justification

Alaska Statute 29.40.040(b)(3) states that a variance may not be granted solely to relieve financial hardship or inconvenience. A required finding for variances involving major structures or expansions in the Sitka General Code echoes this statement by stating that there must be "...special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner". In this case the placement of the existing structure and the 10-foot wide utility easement on the north side of the property limits the amount of developable space on the property where there is street access to load totem poles in and out.

It also must be shown that the variance is necessary for the preservation and enjoyment of a substantial property right, examples included in the code may include the placement of garages or the expansion of structures that are commonly constructed on other parcels in the vicinity. The granting of this variance would facilitate a carving addition which is a core activity of cultural significance to STA and is appropriate to be co-located with the Sheet'ká Kwáan Naa Kahídi.

Comprehensive Plan Guidance

This proposal is consistent with the comprehensive plan Historic, Cultural, and Arts actions under HCA 4.1 to maintain and improve community facilities where historic, cultural, and arts programming and performances occur, are taught, and where art and artifacts are archived and stored. It also conforms with ED 6.5 support growth of Sitka's independent, cruise-related, and heritage tourism work and enterprises.

RECOMMENDATION

Staff recommends approval of the major zoning variances subject to the attached conditions of approval.

MOTIONS TO APPROVE THE ZONING VARIANCE

- 1) I move to approve the major zoning variances for an increase in lot coverage from 35% to 45.6%, a reduction to the front setback from 20' feet to 2' feet and to reduce parking requirements from 20 parking spaces to 0 parking spaces at 200 Katlian Street in the P public lands district subject to the attached conditions of approval. The property is also known as Lot 1A, Replat of the Front Street School Subdivision. The request is filed by Sitka Tribe of Alaska. The owner of record is Sitka Tribe of Alaska.**

Conditions of Approval:

- a. To facilitate construction of carving addition.
- b. Building plans shall remain consistent with the narrative and plans provided by the applicant for this request. Any major changes (as determined by staff) to the plan will require additional Planning Commission review.
- c. Substantial construction progress must be made on the project within one year of the date of the variance approval or the approval becomes void. In the event it can be documented that other substantial progress has been made, a one-year extension may be granted by the Planning Director if a request is filed within eleven months of the initial approval.

2) I move to adopt and approve the required findings for variances involving major structures or expansions as listed in the staff report.

Before any variance is granted, it shall be shown²:

- a. That there are special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, the topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner; *special circumstances found in this case include the placement of the existing structure on the property and the utility easement on the north side of the property.*
- b. The variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel; such uses may include the placement of garages or the expansion of structures that are commonly constructed on other parcels in the vicinity; *the preserved enjoyment facilitate a carving addition which is a core activity of cultural significance to STA and is appropriate to be co-located with the Sheet'ká Kwáan Naa Kahídi.*
- 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; *because the proposal furthers an appropriate use of the property per the zoning and with regards to public infrastructure in the area.*
- d. That the granting of such a variance will not adversely affect the comprehensive plan; it conforms to the chapter of Historic, Cultural, and Arts, *HCA 4.1 to maintain and improve community facilities where historic, cultural, and arts programming and performances occur, are taught, and where art and artifacts are archived and stored.* It also conforms to the Economic Development chapter that supports local businesses, attracts new sustainable businesses, and supports effort and enterprises that keep residents' money "local" and ED 6.5, *"support growth of Sitka's independent, cruise-related, and heritage tourism work and enterprises."*

² Section 22.10.160(D)(1)—Required Findings for Variances Involving Major Structures or Expansions.