



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

Planning and Community Development Department

AGENDA ITEM

Case No: CUP 26-14
Proposal: Request for Assembly Hall Use
Applicant: Roger Schmidt
Owner: Alaska Arts Southeast, Inc.
Location: 801 Lincoln Street
Legal: Lot One-A (1-A), Sitka Fine Arts Camp Subdivision
Zone: R-2 Multifamily Residential District
Size: 940,985 SF
Parcel ID: 1-8562-000
Existing Uses: Sitka Fine Arts Camp, Hames Rec Center, Outer Coast Postsecondary Institution, Yoga Union, Sheldon Jackson Childcare Center, 3 to 5 Preschool, Tlingit & Haida Head Start, Greater Sitka Arts Council
Adjacent Uses: Residential, Sheldon Jackson Museum, State of Alaska DOE Building (Old Stratton Library) Tillie Paul Hostel (CUP 08-02), Sitka Music Festival, Youth Advocates of Sitka, Inc., Sitka Counseling and Prevention Services, Sitka Sound Science Center, City and Borough (CBS) of Sitka Recycling Center, Crescent Harbor Playground
Utilities: Existing
Access: Lincoln Street, College Drive, Jeff Davis Street

KEY POINTS AND CONCERNS

- Request to use the Smokestack building as an assembly/event space
- Adjacent neighborhood is primarily residential, including single-family and duplex dwellings
- Many existing non-conforming uses in the area
- The property was previously used as Sheldon Jackson College and has been redeveloped

ATTACHMENTS

Attachment A: Aerial
Attachment B: Subdivision Plats
Attachment C: Building Plans
Attachment D: Parking
Attachment E: Photos
Attachment F: Applicant Materials
Attachment G: Advertised Occupancies

BACKGROUND/PROJECT DESCRIPTION

The applicant is proposing to use the Smokestack building located at 801 Lincoln Street for assembly/event use. This building is part of the historic Sheldon Jackson Campus and owned/used primarily for the Sitka Fine Arts Camp (“the Camp” or “SFAC”) on its 21.6 acre campus. The building historically was used for laundry and utilities; it has been used by the Camp as a student store for the last several years, and is looking to expand that use for larger Camp events and for rentals.

The building has a footprint of approximately of 2,184 SF and there are multiple levels in various parts of the building. There is a subsurface “bunker floor” in part of the building that is labelled as “Unused Space” that is approx. 1,114 SF, part of the building has a second floor “Storage Area” that is approx. 990 SF. The proposed assembly/event space is around 1,288 SF and contains a stage, tables and seating area, a 1 sink/1 toilet restroom, and counter area. Hours of operation are proposed to be from 9:00 am to 9:00 pm seven days a week. Access to the property is from Lincoln Street to College Drive, and Jeff Davis Street.

The application indicates that there would be a limit of no more than 45 guests. When recently advertised, the building was listed to have a capacity of 48 for a table & chairs arrangement, 65 for a stage seating arrangement, and 100 for standing-only use. While they have not yet turned in their application for a change of occupancy building permit, the Building Department performed an approximate capacity analysis for the space which also factored in use of the stage:

- Tables & seating: 61
- Stage seating: 92-113
- Standing room: 153

The use of the building for assembly/event use is a nonconforming use within the R-2 residential zone. However, as the building is also a nonconforming use, conditional use permitting for additional nonconforming uses can be considered under Sitka General Code (SGC) 22.25.050(F)(2), *“Conditional use permits are required for all other proposed changes to nonconforming structures and uses not covered in subsection (F)(1) of this section. This applies when a nonconforming use is to be changed to another equally nonconforming use. Conditional use permits granted in accordance with this section shall not change the fact that the use is still nonconforming and subject to the terms and conditions set forth in this title.”*

ANALYSIS

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

a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses:
A slight increase in traffic is expected with this additional use. Lincoln Street and Jeff Davis Street

¹ § 22.24.010.E

experiences moderate traffic while College Drive located on the subject property is a smaller but developed private street. See below for analysis on parking.

b. Amount of noise to be generated and its impacts on surrounding land use: Some noise generated during the identified hours of use; property is fairly well distanced and buffered from residential uses and is expected to be similar to the nearby and existing uses.

c. Odors to be generated by the use and their impacts: Potential odor impacts should be minimal. Garbage shall be disposed of in municipal containers and in accordance with Sitka General Code requirements.

d. Hours of operation: Facility would be available for use 9:00 am to 9:00 pm seven days a week.

e. Location along a major or collector street: Accessed from Lincoln Street to College Drive and Jeff Davis Street.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: This property is located off Lincoln Street and Jeff Davis Street, both are collector streets that are intended to handle moderate traffic and are CBS maintained rights-of-way.

g. Effects on vehicular and pedestrian safety: Outside of parking considerations, minimal safety impacts are anticipated. Additionally, there are existing, lit pedestrian walkways throughout the campus.

h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Property is accessible to emergency response.

i. Logic of the internal traffic layout: Staff conducted a site visit to count the number of parking spaces available on the property – there are several developed parking areas:

- Large lot near Hames Center & Sheldon Jackson Childcare Center (identified by applicant as “Campus Parking”): 70 total spaces, 13 of which are designated for childcare, 5 of which are designated for Sitka Summer Music Festival leaving 52 open SFAC spots
- Rasmuson parking lot: 14 spaces, 7 of which are designated for employee parking
- There are also 4 parking spaces for maintenance staff near Rasmuson
- College Drive parking area: 13 spaces (10 pull-in, 3 parallel)
- John Brady Drive parking lot: 20 spaces, 7 of which are for the Sitka Summer Music Festival, and 6 of which are for the Youth Hostel, leaving 7 open SFAC spaces
- This totals 90 spaces for SFAC use.
- There are other nearby lots on the campus that do not accommodate SFAC use:
 - 14 spaces for Youth Advocates of Sitka on their property
 - 7 spaces for the Sheldon Jackson Museum

- 16 spaces for the Stratton Library

Excluding the Sage Building across Lincoln Street owned and occupied by the Sitka Sound Science Center, this means there are a total of 158 spaces on the campus.

Given the extensive blend of uses and number of structures on the campus, staff were unable to complete a comprehensive parking analysis for all uses. However, background research showed that a parking variance was issued for this property under VAR 86-4 for the construction of the recreation center which included a gym, pool, and racquetball courts. This use required 141 parking spaces, and a parking variance was granted for 108 parking spaces. The youth hostel (CUP 08-02) was granted 6 unspecified parking spaces located on the subject property, for so long as the benefited property is operated as a hostel. The Sheldon Jackson Museum Subdivision was granted two parking easements for the Sheldon Jackson Museum on Plat 85-34. Parking easement B (3,391 s.f.) for use from May 15-September 25 of each year, and parking easement C (5,803 s.f.) for year-round use. The number of parking spaces was not identified.

According to SGC 22.20.100 (G) 7., assembly use requires, “...one parking space for each 10 seats or for each 10 occupants, based on maximum seating capacity.” SGC 22.20.100 (E) determines the unit of measurement, “in stadiums, sports arenas, churches, and other places of assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each 18 inches of width or 80 square feet of open area of such seating facilities should be counted as one seat for the purpose of determining requirements of off-street parking facilities under this code.” Depending on the interpretation/method applied, this results in the following parking requirements for the 1,288 SF assembly space:

- If by seating capacity (1 space/10 seats): 9 minimum, 11 maximum
- If by floor area (1 space/80 SF): 16

During large events on the campus, it’s common to see all parking lots/spaces used; this arrangement largely works given that some uses (such as childcare, professional offices, etc.), are only used during the daytime and not on weekends when large-scale events are most likely to occur. The issue becomes cases wherein there are multiple, large-scale events happening on the campus – say a performance at Odess Theater and a large rental of the Smokestack Building.

If the Commission is inclined to reduce or waive the parking requirements, a condition of approval should be added to acknowledge and specify such action. Space for additional parking spots could potentially be identified near the Rasmuson building (staff is unsure why this area is striped as a fire lane at time of writing this staff report), near the maintenance shops that are on the southeast side of the campus also nearby the Rasmuson building, or perhaps in the Hames Center lot. Additional conditions of approval (such as limiting rentals, perhaps of a certain size, while there are other large events happening on campus) could also be considered but are more difficult to monitor/enforce.

j. Effects of signage on nearby uses: No signage proposed. All signs shall comply with Sitka General Code.

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: The Smokestack building is adjacent to Whitmore Hall and Fraser Hall. There is a parking lot to the east towards the Rasmuson Center, with the Sheldon Jackson Museum to the south. The property has many trees, landscaped shrubbery and a large grassy quad area.

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan: This proposal is consistent with the Comprehensive Plan LU 3.2, *“in the former Sheldon Jackson Campus area, encourage uses that support Sitka’s education, arts and sciences economy, while preserving and enhancing the historic character.”*

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

RECOMMENDATION

Staff recommend approval of assembly/event use at 801 Lincoln Street in the Smokestack Building with additional considerations for parking particularly as it relates to use during other large events on campus. However, operations cannot continue or resume at this location until the conditions of approval have been met; specifically, use of this building for assembly space is contingent upon verification from the Building Department that the owner/applicant has successfully completed the change of occupancy process and is approved for occupancy.

CONDITIONS OF APPROVAL

1. Activation of the permit is contingent upon verification by the CBS Building Department that the building is approved for the proposed use and occupancy.
2. Activation of the permit is also contingent upon a completed satisfactory fire and life safety inspection. Permit and use shall comply with all local regulations, including building code, business registration, and remittance of all applicable taxes.
3. The proposal shall be operated consistently with the application, narrative, and plans that were submitted with the request. This includes the operational plan and hours/season of operation.
4. The Planning Commission, at its discretion and upon receipt of meritorious complaint, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.

Motions in favor of approval

- 1) **“I move to approve the conditional use permit for assembly use at 801 Lincoln Street in the R-2 multifamily residential district subject to the attached conditions of approval. The property is also known as Lot One-A (1-A), Sitka Fine Arts Camp Subdivision. The request is filed by Roger Schmidt. The owner of record is Alaska Arts Southeast, Inc.**
- 2) **“I move to adopt and approve the required findings for conditional use permits as listed in the staff report.”**

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

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:
 - a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located; *because the proposed use is consistent with the existing uses on and nearby the property with significant buffers between it and neighboring properties. Additional municipal permitting procedures required generally and also listed as conditions of approval will also protect the public’s health and safety.*
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementation regulation; *supported by LU 3.2, “in the former Sheldon Jackson Campus area, encourage uses that support Sitka’s education, arts and sciences economy, while preserving and enhancing the historic character.”*
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced; *conditions can be enforced through municipal permitting requirements, municipal code, and conditions provide a means of redress through the Planning Commission.*
4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard; *because the proposed use does not introduce additional hazards, fire and life safety are addressed through other permitting processes.*
5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services; *there are adequate public facilities such as utilities and streets in the area that can support the additional use.*
6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section; *because the applicant has met the burden of proof through information provided in their application packet.*

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